



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI
REGULAR COUNCIL MEETING
AGENDA

Thursday, April 11, 2019, 6:30 P.M.
Main Level Chambers

An audio recording of the Open Session of this meeting is being made and will be available through the Municipal Website as a public service to further enhance access to municipal government services and to continue to promote open and transparent government. As a visitor, your presence may be recorded and your name and address may be revealed during certain parts of the Council meeting.

Pages

1. **CALL TO ORDER AND ROLL CALL**
2. **ADOPTION OF THE AGENDA**
Draft Motion:
BE IT RESOLVED THAT the Agenda for the Regular Meeting of Council dated April 11, 2019 be adopted as presented.
3. **DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF**
4. **CLOSED SESSION**
5. **ADOPTION OF MINUTES**
 - 5.1 **Draft Minutes - Special Meeting March 28, 2019 at 3:00 pm** 1
Draft Motion:
BE IT RESOLVED THAT Council approve the minutes of the Special Meeting held March 28, 2019 at 3:00 pm
 - 5.2 **Draft Minutes - Special Meeting March 28, 2019 at 5:15 pm** 3
Draft Motion:
BE IT RESOLVED THAT Council approve the minutes of the Special Meeting held March 28, 2019 at 5:15 pm.
 - 5.3 **Draft Minutes - Regular Meeting March 28, 2019** 5
Draft Motion:
BE IT RESOLVED THAT Council approve the minutes of the Regular Meeting held March 28, 2019.
6. **BUSINESS ARISING FROM THE MINUTES**
7. **DELEGATIONS/ PRESENTATIONS**
 - 7.1 **Registered Delegations/ Presentations**
 1. **Hec Lavigne - BFL Insurance**
 - 7.2 **Unregistered Presentations (Maximum 15 Minutes in Total- in accordance with rules in By-law)**
** 5 minutes per each presenter for a Maximum of 15 Minutes in total for all unregistered presentations**

8. **CONSENT AGENDA ITEMS**

Draft Motion:

BE IT RESOLVED THAT Council adopt the consent agenda motions presented on the agenda.

8.1 **Staff Report(s) for Information:**

Draft Motion:

BE IT RESOLVED THAT Council receive the Memo 2019-M-066 - Report from the Treasurer/Administrator

1. **Memo 2019-M-066 - Report from Treasurer/Administrator**

13

8.2 **Correspondence for Information:**

Hard copies of all correspondence for information is available at the Municipal office on request. The information items have been circulated to Council prior to the meeting.

Draft Motion:

BE IT RESOLVED THAT Council receive Information Correspondence items numbered 8.2.1 and 8.2.2.

1. **Letter from Federal Minister of Infrastructure and Communities RE 2019 Gas Tax Allocation**

2. **Letter from Cheryl Gallant, MP - re the Foreign Lobbyist Transparency Act**

8.3 **Minutes of Local Boards & Committee Meetings**

Draft Motion:

BE IT RESOLVED THAT Council receive Minutes of Local Board and Committee Meetings for Information.

9. **STAFF REPORTS**

9.1 **Items to be Considered Separately from Consent Agenda:**

1. **Memo 2019-M-062 - Statement of remuneration**

14

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-062.

2. **Memo 2019-M-065 - Modernization Fund**

16

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-065.

3. **Memo 2019-M-067 - Reserves**

17

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-067.

4. **Memo 2019-M-069 - Future Meeting Dates**

19

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-068;

AND FURTHER THAT Council directs Staff to schedule meetings on the first and third Thursdays of each Month except for July, August and December where the regular meeting of Council will be on the second Thursday of the month.

5. **Memo 2019-M-068 - 2019 Capital Projects**

20

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-069;

AND FURTHER THAT Council directs Staff to alter the proposed projects as follows:

10. COUNCIL COMMITTEE REPORTS

11. Items to be Considered Separately from Consent Agenda:

12. ANNOUNCEMENTS AND VERBAL REPORTS FROM MAYOR AND COUNCILLORS

13. CORRESPONDENCE

13.1 Action Correspondence

13.2 Resolution from Other Municipalities

14. BY-LAWS

15. APPROVED MINUTES OF COMMITTEE MEETINGS

16. UNFINISHED BUSINESS

16.1 **Memo 2019-M-061 - Fire Pump Subsidy Program - 2019**

22

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-061;

AND FURTHER THAT Council direct that \$6,000 be included in the 2019 Operating Budget which will provide \$400 subsidy for the first 15 requests made;

AND FURTHER THAT the rules governing the subsidy program be altered as follows:

16.2 **Memo 2019-M-063 Official Plan Amendment 3 - Second Units**

26

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-063;

AND FURTHER THAT Council approve the amended wording of the Official Plan Amendment No.3;

AND FURTHER THAT Council directs Staff to proceed as guided by the Planning Act and the Official Plan to start the process for approval.

16.3 **Memo 2019-M-064 - Home Occupation Matters**

37

Draft Motion:

BE IT RESOLVED THAT Council receive Memo No. 2019-M-064;

AND FURTHER THAT Council approve the amended wording of the proposed changes to the Comprehensive Zoning By-Law:

AND FURTHER THAT Council directs Staff to proceed as guided by the Planning Act and the Official Plan to start the process for approval

17. NEW BUSINESS

18. NOTICES OF MOTION

19. CONFIRMATION BY-LAW

50

Draft Motion:

BE IT RESOLVED THAT By-Law 19-1454, being a by-law to confirm the proceedings of Council, be read a first time, a second time, and read a third time and finally passed this 11th day of April, 2019;

AND FURTHER THAT the said By-Law be signed by the Mayor and Clerk and recorded in the By-Law Book.

20. ADJOURNMENT

Draft Motion:

BE IT RESOLVED THAT this meeting adjourn at pm



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

SPECIAL COUNCIL MEETING

DRAFT MINUTES

Thursday, March 28, 2019, 3:00 P.M.

Main Level Chambers

PRESENT: D. O'Mara, C. Dwyer, J. Harding, J. Shymko, B. Leudke, M. Youngs,
J. Koistinen

STAFF: C. Davidson, B. Turcotte

PURPOSE OF THIS SPECIAL MEETING

Special Meeting of Council to receive a Newterra MBR Presentation from Michael Jones of Filtration Resources

CALL TO ORDER AND ROLL CALL

The Special Meeting was called to order by Mayor O'Mara. There were 2 guests in attendance as well as two presenters from Newterra.

ADOPTION OF THE AGENDA

19-167

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council adopts the Agenda for the Special Meeting of Council of March 28, 2019 as presented.

CARRIED

DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Mayor O'Mara requested disclosures of interest. None were noted.

DELEGATIONS/ PRESENTATIONS

Newterra MBR Presentation

19-168

MOVED BY: J. Harding

SECONDED BY: B. Leudke

BE IT RESOLVED THAT Council receive the Newterra MBR Presentation from Michael Jones.

CARRIED

ADJOURNMENT

19-169

MOVED BY: C. Dwyer

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT this Special Meeting of Council adjourn at 4:32 pm

CARRIED

Mayor

Clerk



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

SPECIAL COUNCIL MEETING

DRAFT MINUTES

Thursday, March 28, 2019, 4:00 P.M.

Main Level Chambers

PRESENT: D. O'Mara, C. Dwyer, J. Harding, J. Shymko, B. Leudke, M. Youngs,
J. Koistinen
STAFF: C. Davidson

PURPOSE OF THIS SPECIAL MEETING

A special meeting of Council called for 5:15 pm. The purpose of this special meeting is to tend to items that may be discussed in Closed Session.

CALL TO ORDER AND ROLL CALL

Mayor O'Mara called the Special Meeting to order at 5:15 pm and called the roll.

DECLARATION OF CONFLICT OR PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Mayor O'Mara requested disclosures of interest. There were none noted.

CLOSED SESSION

19-170

MOVED BY: J. Koistinen

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT Council move to a Closed Session to discuss a proposed or pending acquisition of land by the Municipality (Section 239(2)(c); potential litigation affecting the Municipality (Section 239(2)(e); and personal matters about an identifiable individual including municipal employees; more specifically, discussions concerning negotiation with Infrastructure Ontario, ongoing harassment claims and employee investigations.

CARRIED

ADJOURNMENT

19-171

MOVED BY: J. Harding

SECONDED BY: J. Koistinen

THAT this meeting adjourn at 6:17 pm

CARRIED

Mayor

Clerk



THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

REGULAR COUNCIL MEETING

MINUTES

Thursday, March 28, 2019, 6:30 P.M.

Main Level Chambers

PRESENT: D. O'Mara, C. Dwyer, J. Harding, J. Shymko, B. Leudke, M. Youngs,
J. Koistinen
STAFF: C. Davidson, B. Turcotte, S. Pandolfo, S. Goodyear

CALL TO ORDER AND ROLL CALL

Mayor O'Mara called the meeting to order at 6:30 pm. There were 8 people in the audience.

The Mayor called the Roll.

ADOPTION OF THE AGENDA

19-172

MOVED BY: J. Koistinen

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council adopt the Agenda for the Meeting of March 28, 2019 as presented.

CARRIED

DECLARATION OF CONFLICT OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

The Mayor called for disclosures of interest. T/A Davidson noted that prior to the meeting, the Mayor had submitted a Declaration of Conflict of Pecuniary Interest Form noting his conflict on items 8.2.3 and 11.1.1 on the agenda as he is a Member of the Temagami Lake Association and provides cottage checks for them.

CLOSED SESSION

Report from Closed Session (Special Meeting) scheduled for 4:00 pm today.

Mayor O'Mara reported that during the closed session, Council discussed a potential land acquisition concerning negotiations with Infrastructure Ontario, ongoing harassment claims and employee investigations and provided appropriate direction to staff regarding these items.

ADOPTION OF MINUTES

Draft Minutes of Regular Council Meeting, March 14, 2019

19-173

MOVED BY: C. Dwyer

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT Council approve the minutes of the Regular Council Meeting held March 14, 2019 as amended.

CARRIED

BUSINESS ARISING FROM THE MINUTES

DELEGATIONS/ PRESENTATIONS

Registered Delegations/ Presentations

Temagami & District Chamber of Commerce

The Temagami & District Chamber of Commerce attended the Regular Session at Council's request to discuss the Lease, Visitor's Information Centre and the effect on lease payments

Unregistered Presentations (Maximum 15 Minutes in Total- in accordance with rules in By-law)

** 5 minutes per each presenter for a Maximum of 15 Minutes in total for all unregistered presentations**

CONSENT AGENDA ITEMS

Having previously declared a conflict on an item included in the Consent Agenda, Mayor O'Mara vacated his seat and left the Chambers.

Deputy Mayor Dwyer assumed the Chair.

19-174

MOVED BY: J. Koistinen

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council adopt the consent agenda motions presented on the agenda.

CARRIED

Staff Report(s) for Information:

19-174a

MOVED BY: J. Koistinen

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive operational reports from the Marten River Volunteer Fire Department, the Temagami Volunteer Fire Department, and the Public Works Department for information.

CARRIED

Marten River Volunteer Fire Department Monthly Report

Temagami Volunteer Fire Department Monthly Report

Public Works Activity Report

Correspondence for Information:

Hard copies of all correspondence for information is available at the Municipal office on request. The information items have been circulated to Council prior to the meeting.

19-174b

MOVED BY: J. Koistinen

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Information Correspondence items numbered 8.2.1 to 8.2.3.

CARRIED

8.2.1 Voyager Brigade General Plan

8.2.2 MMAH Funding Letter

8.2.3 TLA Letter to Mayor O'Mara

Minutes of Local Board & Committee Meetings

19-174c

MOVED BY: J. Koistinen

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Minutes of Local Board and Committee Meetings for Information.

CARRIED

Au Chateau Board Meeting Minutes

Mayor O'Mara returned to the meeting and assumed the Chair.

ITEMS TO BE CONSIDERED SEPARATELY FROM THE CONSENT AGENDA

STAFF REPORTS

Memo 2019-M-057 Possible Infrastructure Projects

19-175

MOVED BY: C. Dwyer

SECONDED BY: J. Koistinen

BE IT RESOLVED THAT Council receive Memo No. 2019-M-057;

AND FURTHER THAT Council selects Improvements to the Lake Temagami Access Road as the project to be applied for through this intake.

CARRIED

Memo 2019-M-59 Municipal Representative Temagami Tenure Advisory Team

19-176

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council receive Memo No. 2019-M-059;

AND FURTHER THAT Council appoint John Kenrick as the municipal representative for the Municipality of Temagami to the Temagami Tenure Advisory Team.

CARRIED

Memo 2019-M-060 Fire Pump Subsidy Program

19-177

MOVED BY: B. Leudke

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT Council receive Memo No. 2019-M-060;

AND FURTHER THAT Council request any recommended changes to the program for 2019 be available at the first meeting in April.

CARRIED

ANNOUNCEMENTS AND VERBAL REPORTS FROM MAYOR AND COUNCILLORS

CORRESPONDENCE

Action Correspondence

Having previously declared a conflict on this item, Mayor O'Mara vacated his seat and left the Chambers.

Deputy Mayor Dwyer assumed the Chair.

Memo 2019-M-055 Request from Temagami Lake Association

19-178

MOVED BY: B. Leudke

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Memo No. 2019-M-055;

AND FURTHER THAT Council directs Staff to advertise in the Temagami Times for 2019 at the same level as 2018.

DEFEATED

19-179

MOVED BY: B. Leudke

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council Members vet personal articles for publication through the Mayor and Council

CARRIED

Mayor O'Mara returned and assumed the Chair.

Memo 2019-M-056 Request from S. Turcotte

19-180

MOVED BY: C. Dwyer

SECONDED BY: M. Youngs

BE IT RESOLVED THAT Council receive Memo No. 2019-M-056;

AND FURTHER THAT Council directs Staff to purchase advertising in the amount of \$250 in addition to donating the arena for Ms. Turcotte's event.

CARRIED

Memo 2019-M-058 Correspondence from Temagami Shores

19-181

MOVED BY: J. Koistinen

SECONDED BY: J. Shymko

BE IT RESOLVED THAT Council receive Memo No. 2019-M-058;

AND FURTHER THAT Council include the requested adjustment to speed zones with request to the Ministry of Transportation.

CARRIED

Resolution from Other Municipalities

BY-LAWS

By-Law 19-1451 - Appoint a Treasurer/Administrator and Deputy Clerk

19-182

MOVED BY: B. Leudke

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT By-Law 19-1451, being a by-law to appoint a Treasurer/Administrator and Deputy Clerk be read a first time, a second time, and read a third time and finally passed this 28th day of March, 2019;

AND FURTHER THAT the said by-law be signed by the Mayor and Clerk and recorded in the By-Law Book.

CARRIED

By-Law 19-1452 - Appoint a Municipal Clerk

19-183

MOVED BY: C. Dwyer

SECONDED BY: J. Shymko

BE IT RESOLVED THAT By-Law 19-1452, being a by-law to appoint a Municipal Clerk, be read a first time, a second time, and read a third time and finally passed this 28th day of March, 2019;

AND FURTHER THAT the said By-Law be signed by the Mayor and Clerk and recorded in the By-Law Book.

CARRIED

UNFINISHED BUSINESS

NEW BUSINESS

NOTICES OF MOTION

Councillor Youngs - Notice of Motion

In order to feature and emphasize locations in the Municipality, Councillor Youngs requests the investment in commercial grade decorative small strings of lights to enhance and beautify our community year round. These would be in location such as the Waterfront, Town Dock Area, Gazebos and trees, Fire Tower and Train Station. The lighting would attract visitors and highlight events such as Canada Day, Aboriginal Day, Culture Days, the Canoe Festival, Shiverfest, and other local events. This could be used to encourage businesses to participate and create a more positive, attractive, and more beautiful downtown community.

19-184

MOVED BY: M. Youngs

SECONDED BY: C. Dwyer

BE IT RESOLVED THAT an amount be added to the 2019 budget for the purchase of commercial grade small decorative light strings.

CARRIED

CONFIRMATION BY-LAW

19-185

MOVED BY: C. Dwyer

SECONDED BY: B. Leudke

BE IT RESOLVED THAT By-Law 19-1453, being a by-law to confirm the proceedings of Council, be read a first time, read a second time, and read a third time and finally passed this 28th day of March, 2019;

AND FURTHER THAT the said By-Law be signed by the Mayor and Clerk and recorded in the By-Law Book

CARRIED

ADJOURNMENT

19-186

MOVED BY: C. Dwyer

SECONDED BY: J. Harding

THAT This meeting adjourn at 9:12 p.m.

CARRIED

Mayor

Clerk



Corporation of the Municipality of Temagami

Memo No.
2019-M-066

Memorandum to Council



Staff



Committee

Subject: Report from Treasurer Administrator

Agenda Date: April 11, 2019

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-066.

INFORMATION

User Charges

The theory behind user charges is that there should be a charge when special requests are made. The charge should be set at such a level that ensures that the average ratepayer are not incurring costs related to these special requests.

While we do have a number of charges presently covered in our User Charge By-Law, there are some that appear to be missing or are not adequate in their present form.

New charges that are being contemplated are an administrative research fee that would be applied when special requests are made for reports outside of what would go to Council in normal operations and a fee for supplying duplicate tax information. As stated, special requests and requests for duplicate tax information are both in addition to the information provided or available to all ratepayers.

One area where our fees are inadequate is our planning fees. The fees established are to cover Staff time in processing these requests. Most often, when costs of the contract planner, legal, and advertising costs are considered, it is costing the Municipality more for the planning process than is being recovered in fees.

These, as well as a review of our present fees, will be brought to our next meeting.

Procedural By-Law

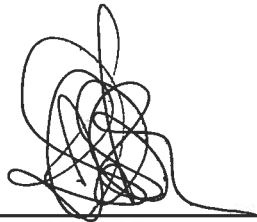
We have received a draft of our new Procedural By-Law. This is being reviewed by Staff and will be on the next agenda for Council consideration.

Fire Smart

We have requested a Fire Smart presentation. Their operation are starting up the first of May. Once Council makes a determination on the dates of the May meetings (later in the meeting) then we can work to confirm a date.

Prepared by:
Craig Davidson
Treasurer/Administrator

Statement of Treasurer				
2018 Remuneration and Expenses Paid				
Name	Source	Honorarium	Other	Total
Lorrie Hunter	Municipality	\$ 12,295.71	\$ 1,547.26	\$ 13,842.97
Dan O'Mara	Total All Sources	\$ 10,315.13	\$ 1,288.30	\$ 11,603.43
John Harding	Municipality	\$ 9,794.42		\$ 9,794.42
Ron Prefasi	Municipality	\$ 7,794.52	\$ 1,667.02	\$ 9,461.54
Debbie Burrows	Municipality	\$ 7,150.88	\$ 732.64	\$ 7,883.52
Brian Koski	Municipality	\$ 5,645.37		\$ 5,645.37
Carol Lowery	Total All Sources	\$ 17,290.64	\$ 3,902.11	\$ 21,192.75
Cathy Dwyer	Municipality	\$ 376.59		\$ 376.59
Margaret Youngs	Municipality	\$ 376.59		\$ 376.59
John Shymko	Municipality	\$ 376.59		\$ 376.59
Barret Leudke	Municipality	\$ 376.59		\$ 376.59
Jamie Koistinen	Municipality	\$ 376.59		\$ 376.59
Penny St. Germain	Police Services Board	\$ 100.00		\$ 100.00
Don Johnson	Police Services Board	\$ 100.00		\$ 100.00
Total All Sources		\$ 72,369.62	\$ 9,137.33	\$ 81,506.95



Craig Davidson, Treasurer

31 MAR 19

Date

Note: Amounts above including amounts from other sources are summarized as:

D O'Mara	Municipality	\$ 10,065.13	\$ 1,198.30	\$ 11,263.43
	Au Chateau	\$ 150.00	\$ 90.00	\$ 240.00
	Police Services Board	\$ 100.00		\$ 100.00

C. Lowery	Municipality	\$ 7,904.31		\$ 7,904.31
	DSSAB	\$ 7,586.33	\$ 3,002.11	\$ 10,588.44
	Au Chateau	\$ 1,800.00	\$ 900.00	\$ 2,700.00



Corporation of the Municipality of Temagami

Memo No.
2019-M-062

Memorandum to Council

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Staff

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Committee

Subject: Statement from Treasurer

Agenda Date: April 11, 2019

Attachments: Statement from Treasurer

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-062;

INFORMATION

Section 284 of the Municipal Act requires the Treasurer to provide an itemized statement of remuneration and expenses paid to Members of Council and individual appointed by Council to Local Boards.

Amounts paid by associated boards such as Au Chateau and the Nipissing DSSAB are also included in this statement.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator



Corporation of the Municipality of Temagami

Memo No.
2019-M-065

Memorandum to Council



Staff



Committee

Subject: Modernization Fund

Agenda Date: April 11, 2019

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-065;

INFORMATION

Recently, the Province announced the Modernization Fund. This one-time allocation of \$439,800 (for the Municipality of Temagami) is intended to assist the Municipality in becoming more efficient.

In conversation with our Municipal Advisor, we are proceeding with the understanding that these funds can be spent on items where the outcome is more efficient operations or lower costs. At present there is no 'end' date for these funds to be spent.

Included in the Capital Projects later in this agenda, the proposed uses for this funding are:

Finalization of Computer Upgrade	\$20,000
Energy Audit for Welcome Centre	\$50,000
HVAC Upgrades, Welcome Centre (partially funded)	\$59,800
Update to Asset Management Plan	\$20,000
Strategic Plan	\$20,000
Streetlight Retrofit	\$60,000
PCL Controls at both water treatment plants	\$85,000
Waste Site Acquisition	\$75,000
Waste Site Management Plan	\$50,000

As noted above, the intent is to utilize this funding in areas that will increase efficiencies and result in lower costs moving forward. While all of the above uses are included in capital projects there is, at present, no requirement for these funds to be spent in capital projects only. This allocation of the Modernization Fund can be further discussed as we look at capital projects proposed for 2019.

It should also be highlighted that there are many examples of increased efficiencies that have either been completed or are in the process of being completed. Most notable of these is the combining of the CAO and Treasurer position in 2018 and the modernization of our computer system which will lead to greater efficiencies.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator



Corporation of the Municipality of Temagami

Memo No.
2019-M-067

Memorandum to Council



Staff



Committee

Subject: Reserves

Agenda Date: April 11, 2019

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-067.

INFORMATION

As noted in previous reports, our financial audit for 2018 was recently completed. Part of our reserve policy is to transfer any surplus funds to reserves at the end of the year. There were also some reserve transfers approved in the 2018 budget and throughout the year that are summarized in the table below.

Municipality of Temagami				
Continuity of Reserves				
December 31, 2018				
	Balance			Balance
Description	31-Dec-17	Addition	Deletion	31-Dec-18
Working Capital	\$ 300,338.00			\$ 300,338.00
Landfill Closure	\$ 135,000.00	\$ 15,000.00		\$ 150,000.00
Arena	\$ 35,074.00	\$ 25,000.00	\$ 9,600.00	\$ 50,474.00
Public Works Complex	\$ 389,000.00	\$ 40,000.00		\$ 429,000.00
Future LT Access Rd	\$ 210,000.00		\$ 17,000.00	\$ 193,000.00
Lot Creation and Development	\$ 50,000.00			\$ 50,000.00
Marten River Fire	\$ 110,000.00	\$ 47,000.00		\$ 157,000.00
Official Plan Review	\$ 54,230.00	\$ 40,000.00		\$ 94,230.00
Survey	\$ 21,291.00			\$ 21,291.00
Temagami Fire	\$ -	\$ 37,500.00		\$ 37,500.00
Future IMP Town road	\$ 50,000.00			\$ 50,000.00
Fox Run Reserve		\$ 75,000.00		\$ 75,000.00
OMB Hearing	\$ 30,000.00			\$ 30,000.00
Welcome Centre General	\$ 25,000.00	\$ 25,000.00		\$ 50,000.00
Loan Reserve	\$ 112,981.00			\$ 112,981.00
Cemember col/mw	\$ 4,313.14			\$ 4,313.14
Community Improvement Plan	\$ 10,000.00			\$ 10,000.00
Discretionary Operating Reserve	\$ 1,066,246.76	\$ 351,454.17	\$ 515,208.00	\$ 902,492.93
Tax Rate Stabilization	\$ 267,031.00			\$ 267,031.00
Operating Budget Contingency	\$ 45,717.00			\$ 45,717.00
Water and Waste Water Stabilization	\$ 51,901.00			\$ 51,901.00
Dedicated water waste capital	\$ 148,114.00			\$ 148,114.00
Grinder Capital	\$ 68,797.00			\$ 68,797.00
	\$ 3,185,033.90	\$ 655,954.17	\$ 541,808.00	\$ 3,299,180.07

As illustrated, our reserves at the end of 2018 are slightly higher than was the case at the end of 2017 and significantly higher than the balance estimated when the 2018 budgeted transfers are taken into

account. For Council's information, when projects in the budget were to be financed through a transfer from reserves, this transfer was only done as costs were incurred. In other words, if the project did not move forward in 2018 then the funds were not transferred.

There will be more financial reports as the audited statements are completed.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator



Corporation of the Municipality of Temagami

Memo No.
2019-M-068

Memorandum to Council

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Staff

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Committee

Subject: Future Meeting Dates

Agenda Date: April 11, 2019

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-068;

AND FURTHER THAT Council directs Staff to schedule meetings on the first and third Thursdays of each Month except for July, August and December where the regular meeting of Council will be on the second Thursday of the month.

INFORMATION

Present direction is that Council meetings occur on the second and fourth Thursdays of each month. With this schedule, there are presently two conflicts. Every other month, on the last Thursday, the Temiskaming Municipal Association meets. When this meeting does not conflict with our Regular meeting date, there is normally a representative from the Municipality of Temagami attending this meeting. The other conflict is FONOM being held at the same time as the first meeting in May.

Depending on how Council wishes to proceed regarding the Temiskaming Municipal Association, the option that could work would be to change our meeting dates to the first and third Thursday of each month starting in June. If this is the case then the June meetings would be on June 6th and 20th rather than June 13th and 27th. For the month of May, the meeting of May 9th would be cancelled, a special meeting on May 16th to finalize the budget and our regular 'operations meeting' on May 23rd.

Typically, Council meets once in December and consideration could be given to holding one meeting in each of the summer months to accommodate AMO and vacation schedules.

Consideration could also be given to a different day of the week while maintaining the second and fourth week schedule for meeting.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.
2019-M-069



Staff



Committee

Subject: Future Meeting Dates

Agenda Date: April 11, 2019

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-069;

AND FURTHER THAT Council directs Staff to alter the proposed projects as follows: _____

INFORMATION

Previously Staff presented an overview of capital projects. Attached to this report is a more detailed listing of projects that have been submitted for consideration. As well, traditionally funds are set aside in reserve for future projects. This allows the Municipality to save for larger projects over a period of time.

Discussion on the merits of the projects as well as options that are available should be held at the meeting. From these discussions alterations to the project listing and / or how the projects will be funded can be made.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator

Municipality of Temagami
Capital Projects Requested
for 2019

Project	2019 Proposed	Modernization Fund	Reserves	Provincial Funding	Federal Funding	Other	Tax
Shredder	5,000.00						5,000.00
Computer finalization	20,000.00	20,000.00					-
Energy Audit	50,000.00	50,000.00					-
HVAC	90,000.00	34,800.00	55,200.00				-
WC Generator	25,000.00	25,000.00					-
Asset Management Plan	20,000.00	20,000.00					-
Council Chambers	12,000.00						12,000.00
Strategic Plan	20,000.00	20,000.00					-
MR -	11,500.00						11,500.00
MR - Fire Truck	276,000.00		90,000.00				186,000.00
MR - Jaws of Life	44,000.00						44,000.00
Temagami Fire Capital	38,050.00		18,000.00				20,050.00
Fox Run	75,000.00						75,000.00
Spruce Drive	80,000.00						80,000.00
ONR Crossing Project	30,000.00						30,000.00
Gravel Resurfacing	120,000.00			53,867.00			66,133.00
Loader	140,000.00						140,000.00
Float Trailer	40,000.00		40,000.00				-
3/4 ton truck	65,000.00						65,000.00
LTAP Parking Lot	20,000.00		20,000.00				-
Street Light Retrofit	60,000.00	60,000.00					-
CWWF Projects	31,893.00		7,973.00	7,973.00	15,947.00		-
Tem North Lagoon ECA	10,000.00				10,000.00		-
Water - PCL	85,000.00	85,000.00					-
Reserve Water OCWA Cap Letter	100,000.00				97,020.00		2,980.00
Engineering Water Extension	20,000.00						20,000.00
Waste Site Acquisition	75,000.00	75,000.00					-
Waste Mangement Plan	50,000.00	50,000.00					-
Dump Wagon	12,000.00		12,000.00				-
Garbage Truck	80,000.00						80,000.00
Benches and garbage cans	20,000.00			20,000.00			-
Net Lake Gazebo	15,000.00						15,000.00
Riding Lawnmower	20,000.00						20,000.00
Arena Inside	25,000.00						25,000.00
Arena Leen to	50,000.00						50,000.00
Tennis Courts	10,000.00						10,000.00
Dehumidifier	30,000.00						30,000.00
Ice Resurfacer	15,000.00						15,000.00
Trailer - Gator	7,000.00		7,000.00				-
Tower Capital	12,000.00		12,000.00				-
Replace Map Printer	40,000.00						40,000.00
Community Improvement Plan	10,000.00		10,000.00				-
Official Plan Update	94,230.00		94,230.00				-
Industrial Park Road	40,000.00		20,000.00		20,000.00		-
Mainstreet	18,555.00			18,555.00			-
Total	2,112,228.00	439,800.00	386,403.00	100,395.00	142,967.00	-	1,042,663.00
Reserve Transfers							
Temagami Fire							30,000.00
Public Works Building							150,000.00
Future Town Road Improvements							25,000.00
Future Lake Temagami Access Road Improvements							25,000.00
Ambulance Building							12,000.00
Arena							25,000.00
Total Reserve Transfer							267,000.00
Total Requirement							1,309,663.00
Budget Guideline							600,000.00
Excess							709,663.00



Corporation of the Municipality of Temagami

Memo No.
2019-M-061

Memorandum to Council



Staff



Committee

Subject: Fire Pump Subsidy Program

Agenda Date: April 11, 2019

Attachments: 2018 Fire Pump Subsidy Program, Note from Mayor O'Mara

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-061;

AND FURTHER THAT Council direct that \$6,000 be included in the 2019 Operating Budget which will provide \$400 subsidy for the first 15 requests made;

AND FURTHER THAT the rules governing the subsidy program be altered as follows: _____.

INFORMATION

As noted during our last Regular Session, the operation of the Fire Pump Subsidy Program have not been reviewed for some time. Council should provide direction on two fronts. First, do you want to offer the subsidy this year? If so, this amount should be included in the operating budget. As noted during the March 28th meeting, there has been \$6,000 included in the budget which would provide for the same level and number of subsidy as existed in 2019.

The second direction from Council deals with the program itself. As noted, the present program is restrictive in the model of pump that can be subsidized. If the intention is to provide greater flexibility in the program, this should be done prior to completing the 2019 information sheet.

Attached to this report is the 2018 Fire Pump Subsidy Program Information Sheet and information received from Mayor O'Mara regarding the Fire Pump Subsidy Program.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator

Information Sheet for 2018 Fire Pump Subsidy Program

The Municipality of Temagami has created the Fire Pump Subsidy Program as a result of reviewing the possibility of a Fire Service on Lake Temagami. The Lake Temagami Fire Protection Committee was formed to develop a report regarding the review of the original request brought forward by LaTempra.

Resolution No.18-317 was adopted by Council on July 26, 2018 and the recommendation to provide a further 15 pump subsidy of \$400 towards the purchase of a fire pump, for the purpose of self protection to residents that are not accessible by fire department vehicles.

The pump must be a Honda engine and pump with the following specifications:

Honda WH20X pressure pump (Specifications attached)

Hose Kit – Option 1 (2" hose)

1 length of 20'x2" PVC suction hose assembly with camlock and combination pipe nipple
2" steel foot valve/strainer for the suction hose
2" aluminum camlock adapter
3 lengths of 2" x 50' brown lay flat hose equipped with aluminum camlocks
2" to 1/2" camlock spool adapter
Red plastic fire hose nozzle

Hose Kit – Option 2 (1 1/2" hose)

1 length of 20'x2" PVC suction hose assembly with camlock and combination pipe nipple
2" steel foot valve/strainer for the suction hose
2" aluminum camlock adapter
2" to 1 1/2" reducer (black pipe bushing)
1 1/2" camlock
3 lengths of 1 1/2" x 50' brown hose equipped with camlocks
Red plastic fire hose nozzle

****Only pumps meeting the standards identified above will be considered for the subsidy****

As of July 26, 2018 the Municipality of Temagami has approved extending the Subsidy Program. The program will continue until we have reached 15 qualifying and completed Expressions of Interest for 2018. Purchases must be made within 60 days of approval and completed documentation must be provided within the 60 days in order to receive the subsidy. Anyone not approved or disqualified has an opportunity to re-apply.

Although the pump can be purchased at any authorized dealer, the Municipality has verified the following business that carries the pumps and associated equipment for your convenience.

North Bay Cycle & Sports Ltd.
2665 Trout Lake Road
North Bay, Ontario
P1B 7S8

Option 1 (2" Hose) - \$1,394.36 incl. HST
Option 2 (1 1/2" Hose) - \$1,395.43 incl. HST

Please keep in mind that the above business carries only a small amount of the pumps and associated equipment and may not have any in stock.

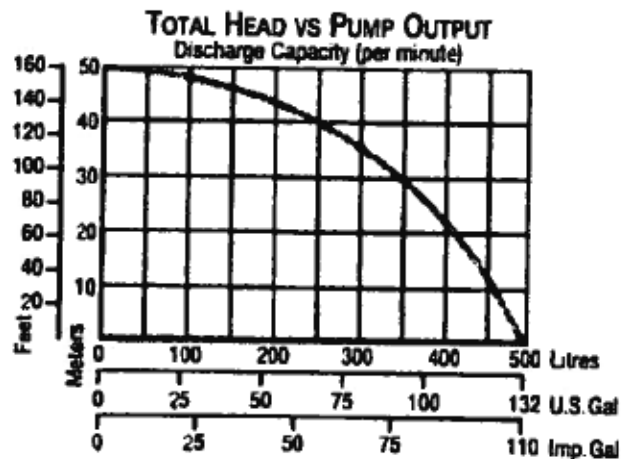
The interest in the program will help determine if this program will be extended in future years. This will be determined on a first come first serve basis up to 15 Expressions of Interest received for the 2018 program.

Honda WH20X High Pressure Pump Specifications and Information

Model		WH20X
Length		425mm (16.7 in.)
Width		375mm (14.7 in.)
Height		405mm (15.9 in.)
Dry Weight		23.5 kg (52 lb.)
Pump		Centrifugal
Type		Self-Priming
Suction Port Diameter		50mm (2.0 in.)
Discharge Port Diameter		50mm (2.0 in.)
Pumping Capacity	Litres per minute	500
	Imp. Gal. per minute	110
	Litres per hour	30,000
	Imp. Gal. per hour	6,600
Total head		50m (164 ft.)
Suction Head (Total lift)		8M (26 ft.)
Priming time @ 5m (16.4 ft.)		60 seconds
Pump Body		Aluminum
Impeller		Cast iron
Engine Type		Honda GX160K1 four-stroke, OHV air cooled, single cylinder
Displacement		163 cc
Maximum Horsepower		5.5
Lubrication System		Splash type
Governor		Mechanical
Starting System		Recoil
Fuel Tank Capacity		3.6 L (0.79 Imp. Gal.)
Oil Alert		No
Driver Unit Type		Direct couple / mechanical seal
Frame Type		Handle type, steel base



WH20X – This is a high output, high pressure pump with a strong 5.5HP OHV engine, with 50mm (2") ports and a maximum capacity of 500 litres per minute.



I find the current Fire Pump Program a little too rigid and some flexibility to what type of Honda pump you are required to buy and the type of and size of Fire hose allowed should be reviewed. The concept to try and have a certain level of standardization of equipment being used is a good principle but a little flexibility should be allowed...For example for \$1000 you can buy this package... Which meets our standard but the Honda pump model number is different



I recommend that the program should be revised and that one can purchase a Honda pump providing its specifications are equivalent or equal to the one we proposed in our original program.. In terms of Fire Hose I suggest the option of allowing 1 ½ Forestry hose with quick links also be allowed however those choosing that option should also be required to purchase adapters to allow this type of hose to hook up to the standard type of hose noted in the program...Thanks DAN



Corporation of the Municipality of Temagami

Memo No.
2019-M-063

Memorandum to Council



Staff



Committee

Subject:	OPA – Second Units
Agenda Date:	April 11, 2019
Attachments:	Draft – Official Plan Amendment No. 3

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-063;
AND FURTHER THAT Council approve the amended wording of the Official Plan Amendment No.3;
AND FURTHER THAT Council directs Staff to proceed as guided by the Planning Act and the Official Plan to start the process for approval

INFORMATION

Earlier this year, the draft wording of an Official Plan Amendment was circulated to Council. From the direction received, Staff requested MHBC amend the wording of the Amendment.

Attached to this report is a draft Amendment which shows how the wording was changed. Council can either accept the wording or provide further amendments which should result in a draft Official Plan Amendment that can be used to start the approval process including Public Meetings. The circulation and timing of Public Meetings is guided by the Planning Act.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator

Official Plan Amendment No. 3

Municipality of Temagami

DRAFT

**Amendment No. 3 to the
Official Plan of the
Municipality of Temagami**

The attached explanatory text and constituting Amendment Number 3 to the Official Plan for the Municipality of Temagami, was prepared and adopted by the Council of the Corporation of the Municipality of Temagami, by By-law Number 2019- in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Dan O'Mara, Mayor

Suzie Fournier, Municipal Clerk

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 2019-__

**A By-law to adopt Amendment No. 3 to the
Official Plan for the Municipality of Temagami.**

WHEREAS The Corporation of the Municipality of Temagami is empowered to amend its Official Plan as required;

AND WHEREAS Sections 17 and 22 of the Planning Act, R.S.O. 1990, Chapter P. 13, as amended, provide Council such authority to amend its Official Plan;

AND WHEREAS the policies of the Official Plan of the Municipality of Temagami are approved and in force and effect at this time;

AND WHEREAS the Council of the Corporation of the Municipality of Temagami deems it necessary and desirable to adopt an amendment to the Official Plan of the Temagami;

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami enacts as follows:

1. Amendment No. 3 to the Official Plan for the Municipality of Temagami, consisting of the explanatory text is hereby adopted.
2. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

This By-law will take effect on the date of its passage, subject to the provisions of Section 34(30) and (31) of the Planning Act, R.S.O. 1990, c.P.13.

READ A FIRST AND SECOND TIME on the _____ day of _____, 2019.

READ A THIRD TIME and finally passed this _____ day of _____, 2019.

Mayor

Municipal Clerk

Certification

Certified that the above is a true copy of By-law No. 2019-____ as enacted and passed by Council of the Municipality of Temagami on the ____ day of _____, 2019.

Municipal Clerk

THE CONSTITUTIONAL STATEMENT

The following Amendment to the Official Plan for the Municipality of Temagami consists of three parts:

Part A – THE PREAMBLE does not constitute part of this Amendment.

Part B – THE AMENDMENT, consisting of the text of Amendment No. 3 to the Official Plan to the Municipality of Temagami. There is no map or schedule associated with the Amendment.

Part C – THE APPENDICES do not constitute part of this Amendment. The appendices contain the background material, planning considerations and public involvement associated with this Amendment.

Part A – Preamble

Purpose

The purpose of this amendment is to include policies in the Municipality of Temagami Official Plan to implement Provincial policies regarding second units, and to permit second units within all neighbourhoods in the Municipality following direction from Council.

This amendment implements the goals and objectives of the Official Plan by providing opportunities for a range of housing types and densities to accommodate a diversity of lifestyles, age groups, income levels and persons with special needs.

Location

Amendment No. 3 is a textual amendment and generally applies to all lands within the Municipality, therefore there is no schedule provided with the Amendment.

Basis

The Provincial Policy Statement (2014), the Strong Communities through Affordable Housing Act (2011), and the Promoting Affordable Housing Act (2016) provide direction to Municipalities to provide for opportunities for the development of affordable housing in the form of second units in their planning documents, Official Plans and Zoning By-laws.

In adopting this Official Plan Amendment, Council relies on the following basis:

- The Provincial Policy Statement (2014) which speaks to the accommodation of an appropriate range and mix of residential, including second units, affordable housing and housing for older persons;
- Bill 140, The Strong Communities through Affordable Housing Act, 2011 which came into effect on January 1, 2012. This Bill made changes to the Planning Act, expanding on the affordable housing options by requiring that municipalities set policies that would allow second units in new and existing developments provided that they are in appropriate areas;
- Bill 7, The Promoting Affordable Housing Act, 2016, and Ontario's Long Term Affordable Housing Strategy Update, which expanded and enhanced the range of land use planning and municipal finance tools that municipalities can use to build more affordable market housing; and
- The Municipality of Temagami's Official Plan which sets out policies to promote affordable housing.

- A desire by the Municipality to permit ~~accessory~~second dwelling units on waterfront properties meeting lot area and lot frontage specification.

The Provincial policy framework related to promoting affordable housing encourages and requires Municipalities to permit second units in some form, at the discretion of the Municipality within their planning documents. Council has provided direction to permit second units in the form of accessory apartments in all neighbourhoods of the Municipality, including shoreline properties.

Part B – The Amendment

1.0 Introductory Statement

Part B – The Amendment, consisting of the following text constitutes Amendment No. 3 to the Official Plan for the Municipality of Temagami.

2.0 Details of the Amendment

The Official Plan of the Municipality of Temagami is amended in accordance with the following:

A) Revision to text within Section 2.2.2 Housing as follows:

(red text represents additions or deletions)

Housing in the rural areas is currently limited to single detached dwelling units, in keeping with the existing character of the area and in recognition of the servicing constraints. The policies of this Plan contemplate the possible introduction of higher density residential uses in the form of condominium and similar developments, subject to the policies of this Plan. Garden suites and accessory dwelling units~~apartments in houses~~ are not permitted in the rural area.

Accessory dwelling units may be permitted in single detached dwellings or in a building or structure ancillary to a single detached dwelling within the rural area (including shoreline properties) provided that:

- Not more than one accessory dwelling unit is permitted in association with each principal dwelling on the same lot;
- All requirements of the Zoning By-law, including the provisions to govern compatibility with the principal dwelling and surrounding land uses, as well as the size of the accessory dwelling unit and other standards including the Building Code and other relevant municipal and provincial regulations can be satisfied;
- It has been determined that on-site servicing, including a septic system and private wells, have sufficient capacity for the accessory apartment.
- An accessory dwelling unit shall not be permitted in the front yard as defined by the Zoning By-law.

The Zoning By-law shall contain provisions to regulate the establishment of accessory dwelling units.

New residential development may occur in rural areas through limited severances on existing patented lots and by the creation of new lots from Crown

land in a manner that allows for the conservation of wilderness and semi-wilderness values; and considers the impact of adjacent uses.

B) Revise all references to “Accessory Apartments” to read “Accessory Dwelling Units”.

B) Include Accessory Dwelling Unit as a permitted use in various designations

Sections 4.3.3, 5.3.2, 5.3.3, 6.3.2, 6.3.3, 7.3.2, 7.3.3 & 8.3.2 8.3.3 shall be amended by including “accessory dwelling unit” as a permitted accessory use.

Commented [CK1]: Permitted uses for Lake Temagami Neighbourhood

Commented [CK2]: Permitted uses in Marten River Neighbourhood

Commented [CK3]: Permitted uses in Matabitchaun Neighbourhood

Commented [CK4]: Permitted uses in Backcountry Neighbourhood

C) Delete definition of ‘Apartments-in-House’ from Appendix C

~~Apartments-in-House—These are second self-contained units in detached or semidetached houses in a residential zone serviced by a publicly owned or operated sewage system and which satisfy special provisions of the Ontario Building Code and the Fire Code.~~

D) Add new definition of ‘Accessory Dwelling Unit’ to Appendix C

Accessory ~~Dwelling Unit~~Apartment - A self-contained ~~residential dwelling~~ unit with a private kitchen, bathroom facilities and sleeping areas created by either an interior renovation ~~within an existing dwelling~~, or as an exterior addition ~~to the primary a dwelling unit or accommodated as an within an accessory building or part thereof.~~ ~~an accessory building.~~ Such residential unit is an accessory use to the main dwelling.

All other policies of the Official Plan of the Municipality of Temagami shall apply.

3.0 Implementation and Interpretation

The provisions of the Official Plan regarding the implementation of that Plan shall also apply to this Amendment. In all other respects the provisions of the Municipality of Temagami Official Plan shall apply.

Upon approval of this Amendment, Council shall consider an implementing Zoning By-law.

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

Part C – The Appendices

1. Resolution of Council (17-704), November 23, 2017;
2. Memorandum to Council (2017-M-103), November 23, 2017;
3. Memorandum to Planning Advisory Committee, February 16, 2018;
4. Planning Information Report prepared by MHBC, March 13, 2018;
- 2-5. Motion from Planning Advisory Committee (18-20), March 13, 2018;
- 3-6. Resolution of **Special Council - Committee of the Whole** (18-081) regarding **Second Units**, March 13, 2018.;
- 4-7. Planning Information Report prepared by MHBC, April 11, 2018;
8. Planning Report regarding Second Units OPA prepared by MHBC, May 10, 2018;
9. Resolution of Council (18-175), May 24, 2018;
10. Resolution of Council (18-186), May 24, 2018;
11. Planning Report regarding Second Units OPA prepared by MHBC, August 14, 2018;
12. Memorandum to Council (2019-M-018), January 10, 2019; and
- 5-13. Resolution of Council (19-70), January 10, 2019.



Corporation of the Municipality of Temagami

Memo No.
2019-M-064

Memorandum to Council

☒

Staff

☐

Committee

Subject: Home Occupation Matters

Agenda Date: April 11, 2019

Attachments: Report 2018-

RECOMMENDATION

BE IT RESOLVED THAT Council receive Memo No. 2019-M-064;
AND FURTHER THAT Council approve the amended wording of the proposed changes to the Comprehensive Zoning By-Law:
AND FURTHER THAT Council directs Staff to proceed as guided by the Planning Act and the Official Plan to start the process for approval

INFORMATION

In November, 2018, the previous Council considered report 2018-027 – Home Occupation Matters and as all votes were ties, any motions put forth were deemed defeated.

In December 2018, this Council considered and passed a resolution to reconsider the matter. Information was provided in January but no decision was provided.

The attached report contains correspondence from MHBC regarding possible wording changes that could be considered by Council. Presently, Staff have no direction to proceed with any amendments to the Comprehensive Zoning By-Law.

Also, until any such changes that may be made to the Comprehensive Zoning By-Law are made, following the process described in the Planning Act, activities that are not consistent with the Comprehensive Zoning By-Law would not be able to legally operate during the time required to make such changes.

Any time where the intentions of a property owner differ from what is permissible in the Comprehensive Zoning By-Law, there are certain remedies available. Included in these are an application for a Minor Variance, an application for a Zoning By-Law Amendment, and an application for Site Specific Zoning.

When known, in situations where the present or proposed use is inconsistent with the wording of the Comprehensive Zoning By-Law, a letter will be sent outlining the various options that may be available to address these. Again, one option is to wait and not proceed with inconsistent uses until the Comprehensive Zoning By-Law has been modified.

Respectfully Submitted:
Craig Davidson
Treasurer/Administrator



Corporation of the Municipality of Temagami

Report No.
2018-027

Memorandum to Council

☒ Staff
☐ Committee

Subject: Home Occupation Matters
Agenda Date: November 13, 2018
Attachments: Report from MHBCS Planning

RECOMMENDATION

BE IT RESOLVED THAT Council receive Report 2018-027;
AND FURTHER THAT Council choose Option 2 and direct Staff to act accordingly;
AND FURTHER THAT Council direct Staff to defer starting the process to change wording in the Comprehensive Zoning By-Law until the earlier of either the Official Plan update has been completed and approved or an Ad-Hoc Committee is formed to work with our Planning Consultant to review the Comprehensive Zoning By-Law in its entirety.

INFORMATION

Council directed further conversation occur with MHBC Planners related to the ongoing Home Occupation issue. Attached is a report received from MHBC Planners.

On pages 9 and 10 there are recommendations.

MHBC recommends that if Council was to undertake a change in wording of the Comprehensive Zoning By-Law that results in Home Occupations and Home Industries being more permissive that Council should also consider a more comprehensive review of the By-Law.

The next detailed review will follow the Official Plan update. That being said, given that approval of the Official Plan updates are not always timely, Council may wish to undergo this review with the understanding that a further review will occur when the Official Plan update has been completed.

In any event, the public notice provisions in the Planning Act would apply which, translated, means that this process could take up to a year. Since this change would not be for a specific property, notice would need to be provided to each property owner 30 days prior to the statutory public meeting being held and 15 days after the decision being made. While we are looking at options to mailing notices, at present, if notices were to be mailed as is the standard practice, the cost of postage would be significant. Aside from the postage cost would be the Planning Consultant cost and Staff cost.

In addition, MHBC has provided two options for the business in question. In discussion with Mr. Robinson of MHBC, the option of allowing the operation to continue as is while the wording of the By-Law is being considered is not an option. Rather either the business needs to modify its operations to comply with the By-Law as presently written or the owner can made application for a zoning by-law amendment which would be considered in the normal fashion.

Prepared by:

Reviewed by:

Craig Davidson, Treasurer/Administrator
Name, Position

Name, Position

MUNICIPALITY OF TEMAGAMI	
Report Prepared For:	Craig Davidson
Report Prepared By:	Jamie Robinson, MCIP, RPP and Carolyn Kellington, MCIP, RPP
Subject:	Subsequent Information Report Regarding Zoning By-law Provisions for Home Occupation/Home Industry
Report Date:	November 8, 2018

A. BACKGROUND

Home Occupations and Home Industries have been a topic of discussion within Temagami over the past several months. This was raised as a specific issue when dealing with the matter of the Simpson Diving Facility and discussions have broadened to consider a municipally initiated Zoning By-law Amendment to modify the home industry and home occupation provisions.

At its meeting of March 13, 2018, the Municipality's Planning Advisory Committee passed the following motion:

BE IT RESOLVED THAT the Committee recommend to Council to proceed with a Zoning By-law Amendment in response to the correspondence from Mr. Simson's inquiry dated March 5, 2018 and encourages a broader range of the definition in the zoning by-law of home occupation/home industry;

AND FURTHER THAT the definition of home occupation/home industry include home teaching and small learning facility in section 6.23(g).

Two previous reports (April 11, 2018 and June 12, 2018) were prepared and received by Council which pertained to home industry and home occupation uses within the specific context of the Simpson Diving Facility.

At the Council meeting of September 27th, 2018, there was further discussion regarding home based businesses and direction was given to have MHBC provide a letter/report addressing the matter of home based occupations and potential amendments to the Municipality's Zoning By-law; with a view to possibly make the home industry and home occupation provisions more permissive. As part of the September discussions, concern was expressed that the examples contained in the Zoning By-law have the potential of being interpreted as a complete list rather than examples.

Additional research has been undertaken to inform possible modifications to the current Zoning By-law provisions which the Municipality may wish to consider. This report has been prepared to provide some general information regarding home occupations and home industries and to make recommendations as to the Municipality of Temagami's current regulations.

B. GENERAL INFORMATION

Advances in technology, societal and economic changes, in addition to flexible work schedules, have enabled people to work from their homes and have encouraged the establishment and growth of home-based businesses. Home-based businesses constitute a growing trend. They can enhance the local employment mix, contribute to generating local jobs and possibly act as an incubator for small businesses.

There are positive aspects to providing for and potentially encouraging home-based businesses. Local municipalities must, however, consider how to balance the promotion of an economic activity while regulating such uses to ensure that matters such as environmental affects and impacts on surrounding residential properties are appropriately avoided, managed and/or mitigated.

In the Municipality of Temagami, home-based businesses would generally fall into the category of a Home Occupation or the category of a Home Industry.

Traditionally, home industries/home occupations are to be essentially undetectable to the surrounding neighbourhood and passersby. They are clearly secondary to the main residential use and should not result in negative impacts to the surrounding area. In considering expanding the scope of home industries and home occupations, these use must continue to be compatible with surrounding residential areas.

C. OFFICIAL PLAN

The Official Plan for the Municipality of Temagami includes several provisions relating to home industries and home occupations, defined as follows:

Home Industry – An occupation conducted in whole or in part in a building accessory to a single detached dwelling, and such home industry is clearly secondary to the main residential use of the property, does not change the residential character of the neighbourhood, and as further defined in the Zoning Bylaw.

Home Occupation – Any gainful occupation which is conducted within the dwelling unit by the resident(s) of the dwelling, and such home occupation is clearly secondary to the main residential use, does not change the residential character of the dwelling and as further defined in the Zoning By-law.

With regard to general economic development policies, Section 2.3 of the Official Plan speaks to commercial uses to occur in the Urban Neighbourhood as well as referencing that home occupations, home industries and tourism services may be established in the Rural Neighbourhoods; the Village of Temagami and Temagami North being the Urban Neighbourhood with the Rural Neighbourhoods being comprised of Lake Temagami, Matabitchuan, Marten River, and Backcountry.

While the specific Home Occupation and Home Industry policy details in each of the neighbourhoods have slight differences, the basic principle is the same. A Home Occupation is to be carried out in a residential dwelling, be incidental to the residential use and shall not change the residential character of the dwelling.

A Home Industry may be permitted but would be subject to a zoning by-law amendment and site plan approval process. Again, a Home Industry is to be clearly incidental to the primary residential use of the property.

D. ZONING BY-LAW

The Municipality's Zoning By-law permits home industries and home occupations subject to a number of regulations to ensure that these are small in scale, the potential for negative impacts on adjacent residential uses is minimized and the general residential character of the neighbourhood is maintained.

HOME INDUSTRY USES

1. Existing Provisions

The Municipality's Zoning By-law defines Home Industry as follows:

HOME INDUSTRY shall mean a gainful occupation including an electrical, woodworking, carpentry, window frame, welding, plumbing, machine or small engine repair shop, or a live bait supplier. A Home Industry is conducted entirely in an accessory building or part of an accessory building on a Rural Residential or Remote Residential lot by the residents. A home industry does not include a contractor's yard. (By-law 13-1121)

As set out in Section 6.22 of the Zoning By-law, the following general provisions would apply to home industries:

A home industry may be carried out in the R1, R2 and R3 Zones in accordance with the following and in accordance with the provisions of Section 7.4.3, Section 7.5.3 and Section 7.6.3.

- (a) there is no external advertising other than a sign erected in accordance with any bylaws of the Municipality regulating signs;*
- (b) the external storage of goods, materials or equipment is not permitted;*
- (c) such home industry is not an obnoxious use, trade, business or manufacture;*
- (d) such home industry is clearly secondary to the main residential use, does not change the residential character of the dwelling and in no case shall the accessory building used for the home industry have a gross floor area greater than forty percent (40%) of the ground floor area of the dwelling;*
- (e) not more than two (2) persons, other than the owner of the dwelling shall be employed in a home industry on a full-time basis;*

- (f) *except in the case of island lots, for every person, other than the owner of the dwelling employed therein on a full-time basis, one parking space shall be provided but shall not be located in the front yard or flanking yard;*
- (g) *except in the case of island lots, one on-site parking space shall be provided for patrons of the home industry and such parking space shall not be provided in the front yard;*
- (h) *except in the case of island lots, an accessory building used for a home industry shall not be located in the front yard or flankage yard of the residential lot; and*
- (i) *notwithstanding any of the provisions of this By-law, an accessory building used for a home industry shall have a minimum setback from the property line of five (5.0) metres.*

For home industry uses, Section 6.33 of the Zoning By-law requires the provision of 1 parking space per employee plus 1 parking space for patrons. This would be in addition to the minimum parking that must be provided for the residential unit.

2. Discussion of Potential Amendments to Zoning By-law Provisions

The definition of Home Industry itself includes a list of specific uses. As noted previously, concern has been expressed that the list provided in the Home Industry Zoning By-law definition may be interpreted as a complete list and that there may be additional uses, similar to those listed, which may fall within the category of a home industry use.

The definition of Home Industry does not provide an exhaustive list as the term “such as” is used. Similar uses to these may be permitted.

A more appropriate approach that listing specific uses in the definition may be to include categories of uses or types of use that would be permitted as a home occupation. For example, small scale manufacturing; assembly; processing or repair. This language would provide more flexibility.

The Municipality’s current standards limits a home industry use to an accessory building. Based on our research, some Municipalities have provided for some flexibility as to the use being within an accessory building or a portion of the residential dwelling.

Temagami may also wish to consider adding provisions to reflect that a home industry may also be accommodated in a portion of a residential dwelling. As an example, a welding business may be located within an accessory building, however, a portion of the residential dwelling may be used as the office associated with that business. There should continue to be limitations as to the gross floor area being used for the home industry to ensure that it remains limited in scale and secondary to the residential use.

To provide clarification and flexibility, the definition of Home Industry could be modified to read, as follows:

*HOME INDUSTRY shall mean a gainful occupation, **secondary to a Residential Use, which includes fabrication, light manufacturing, processing, assembly or repair***

~~of goods that is including an electrical, woodworking, carpentry, window frame, welding, plumbing, machine or small engine repair shop, or a live bait supplier. A Home Industry is conducted entirely in an accessory building, or part of an accessory building~~ **and/or part of a residential dwelling** on a Rural Residential or Remote Residential lot. ~~by the residents.~~—A home industry may include, but not be limited to, such uses as electrical, woodworking, carpentry, window frame, welding, plumbing, machine or small engine repair shop, or a live bait supplier. A home industry does not include a contractor's yard.

Permitting a home industry, or a part thereof, to be located within a portion of the residential dwelling would also necessitate a revision to Section 6.22 of the Zoning By-law.

We would suggest a rewording of subsection (d), and the addition of the following as subsection (e), and the renumbering of the subsequent subsections.

- (d) *such home industry is clearly secondary to the main residential use, **and** does not change the residential character of the dwelling **and lot**;*
- (e) *in no case shall the accessory building, **or part thereof, and/or portion of the residential dwelling** used for the home industry have a **combined** gross floor area greater than forty percent (40%) of the ground floor area of the dwelling;*

We note that the Municipality's Zoning By-law does not permit a home industry as of right. While the term "Home Industry" is defined within the Zoning By-law and general provisions are outlined in Section 6.22, the specific regulations within the three zones that are referenced (R1, R2 and R3) state that a home industry is only permitted subject to a site specific rezoning. This is reasonable approach, as a rezoning allows for consideration of each home industry proposal on a site specific basis; within the context of the proposal itself and the area in which it is to be located. A rezoning is also subject to a formal public consultation process which provides opportunities for the area residents to review and provide comments on that specific proposal.

HOME OCCUPATION USES

1. Existing Provisions

The Municipality's Zoning By-law defines a Home Occupation as follows:

HOME OCCUPATION shall mean any gainful occupation which is conducted within the dwelling unit by the resident(s) of the dwelling, and such home occupation is clearly secondary to the main residential use, does not change the residential character of the dwelling and as further defined in this Zoning By-law.

As set out in Section 6.23 of the Zoning By-law, the following general provisions would apply to home occupations:

A Home Occupation may be carried out in certain zones, where permitted, subject to the following:

- (a) no person, other than a resident of the dwelling unit and one non-resident employee may be employed in the home occupation, except in the R1, R2 and R3 Zones where two non-resident employees may be employed in the home occupation;
- (b) there is no display, other than an un-illuminated sign not greater than one (1.0) square metre in size, to indicate to persons outside that any part of the dwelling unit or lot is being used for a purpose other than a dwelling unit, except in the, R1 and R2 Zones where no such sign is permitted;
- (c) such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling unit nor creates or becomes a public nuisance, particularity in regard to noise, noxious odours or emission of smoke, traffic or parking;
- (d) such home occupation does not interfere with television or radio reception;
- (e) there is no outside storage of goods or materials and there is no use of any part of an accessory building;
- (f) not more than twenty five per cent (25%) of the gross floor area of the dwelling unit or forty six (46.0) square metres, whichever is the lesser, is used for the purposes of a home occupation;
- (g) such home occupation uses may include a service or repair shop, a personal service shop, tradesperson, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, professional offices but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations;
- (h) when retail sales are carried out as part of a home occupation located on a lot accessible by a municipally maintained road, one on-site parking space shall be provided in addition to any required for the dwelling unit and employees;
- (i) (By-law 13-1121) except in the R1 and R2 Zones, one parking space shall be provided for each employee not residing in the residence.

For an office, including a home occupation, Section 6.33 of the Zoning By-law requires the provision of 1 parking space per 30 square metres of gross floor area. This would be in addition to the minimum parking that must be provided for the residential unit.

Home Occupation uses are listed as permitted uses within the Remote Residential (R1) Zone (Section 7.4.1), the Remote Residential (R2) Zone (Section 7.5.1), the Rural Residential (R3) Zone (Section 7.6.1), and the Low Density Residential (RL) Zone (Section 7.7.1.1). Within each of these zones the home occupation must be in accordance with the provisions of Section 6.23.

2. Discussion of Potential Amendments to Zoning By-law Provisions

In this case, the wording of the definition of a home occupation is broader, however, Section 6.23(g) sets out a list of example home occupation uses. As noted previously, concern has been expressed that this list may be interpreted as a complete list rather than simply examples. To add clarification as to the interpretation of this section, we would suggest that Section 6.23(g) be modified to read as follows:

*(g) such home occupation uses may include, **but not be limited to, such uses as** a service or repair shop, a personal service shop, tradesperson, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, professional offices but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations;*

The most recent matter which has prompted the Municipality's discussions regarding home occupations and home industries, the Simpson Diving Facility, included the notion of "teaching" or "instruction" as a home occupation use.

The idea of including home teaching and a small learning facility as part of the current list in section 6.23(g) was raised in response to review and consideration of the Simpson Diving Facility proposal. Based on a review of the Municipality's current home occupation provisions, indoor teaching such as one-on-one/small scale tutoring, video training, etc. would be permitted, subject to compliance with all of provisions of Section 6.23. Verbiage could be added to this section to formally address private teaching or instruction. Such as,

*(g) such home occupation uses may include, **but not be limited to, such uses as** a service or repair shop, a personal service shop, tradesperson, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, professional offices, **indoor teaching/tutoring/instruction** but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations;*

We would suggest, however, that the Municipality consider also adding provisions to limit the scale of this type of use beyond the maximum square footage which is currently in place. Such provisions could be based on limiting the quantify of student taught at any given time, limiting the quantity of students over a 24 hour period. The intention would be to limit any issues which could arise with respect to on-street parking, traffic and/or noise at any given time. An additional provision could be included, such as:

The total cumulative number of on-site clients or attendees of lessons, classes, instruction, treatment or service provided by a home occupation located in a principal dwelling unit or structures accessory thereto shall be limited to a maximum of 5 at any one time, and no more than a total of 20 over a consecutive 24 hour period

The question raised for the divining facility proposal related more to that component of the instruction which was being conducted outdoors. Based on our research, outdoor instruction, particularly referring to outdoor swimming lessons, has been the topic of

discussion and review by other municipalities as well. There are varying opinions as to whether these should be considered appropriate home occupation uses, specifically given potential noise impacts to surrounding properties.

We would caution against encouraging home occupation, or home industry, uses outdoors as this may result in negative impacts on the surrounding properties, i.e. noise. It is recognized that small scale private outdoor instruction may not create any more noise than the outdoor private recreational use of a property by a property owner and their family/friends, however, this private recreational use tends to be somewhat more limited in scale and consistency.

Applications for these types of uses could be considered via amendment, and would be based on their site specific merits.

Based on our research, some municipalities have permitted home occupation uses to be located in an accessory structure.. The examples within the Municipality's current home occupation provisions refer to a tradesperson, which is defined as a "carpenter, plumber, electrician, welder, general contractor or a person engaged in a similar occupation, providing a service to the general public". It may be that the use of an accessory structure for related equipment or materials could be an integral part of the home business. The Municipality may wish to consider permitting the use of an accessory building for a home occupation use. If so, we would suggest that specific provisions be included to limit the overall gross square footage being used for the home occupation. This would assist in ensuring that the home occupation is limited in scale. We would also suggest that the Municipality may want to consider limiting the home occupation use of an accessory building to properties with a specific lot area minimum. This provision would then relate to a rural lot versus a more urban residential lot. To provide for the use of an accessory structure, the definition of Home Occupation would have to be modified, for example

*HOME OCCUPATION shall mean any gainful occupation which is conducted within the dwelling unit **or an enclosed accessory structure**, by the resident(s) of the dwelling, and such home occupation is clearly secondary to the main residential use, does not change the residential character of the dwelling and as further defined in this Zoning By-law.*

This would then necessitate an amendment to Section 6.23 to ensure that the use is still limited in scale and potentially to limit this provision to lots with more of a rural character. For example,

An accessory building or structure may only be used for the purpose of a home occupation if the lot is a minimum of 1 hectare in size and the home business does not occupy more than 50 square metres of the accessory building or structure;

The minimum 1 hectare would limit the use of an accessory building to rural and remote residential lots. The maximum gross floor area provisions of Section 6.23(f) would continue to apply; being not more than twenty five percent (25%) of the gross floor area of the dwelling unit or forty six (46.0) square metres, whichever is the lesser.

D. ADDITIONAL CONSIDERATIONS - SHORELINE AREAS

There is a considerable amount of waterfront/shoreline areas within the Municipality. As evidenced in the policies of the Municipality's Official Plan, Shoreline Areas are to be protected. Specific Official Plan policies speak to this matter. In Section 2.17 of the Municipality's Official Plan, it states:

It is a goal of the Municipality to maintain shorelines and the area between the shoreline and any buildings in their natural state and as a vegetative buffer, to protect the visual and environmental integrity of the lakes. The principle of development in the vegetative buffer shall be minimal disturbance on the ground, shrub and canopy layers.

Such policies go on to speak of a Shoreline Activity Area and includes the following:

Such Shoreline Activity Area is a portion or cumulative portions of a shoreline frontage of a lot where accessory shoreline structures such as boathouses, docks, pumphouses, gazebos and decks are permitted, as well as access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form, the Shoreline Activity Area should be focused within a defined area and be limited in extent. The extent of the Shoreline Activity Area shall be a function of the shoreline frontage and the primary use of the lot and shall be set out in the Zoning By-law.

Section 6.40 of the Municipality's Zoning By-law sets out specific provisions relating to the extent and use of a Shoreline Activity Area. Some of these provisions relate to remote or rural residential lots on which home occupation and home industry uses would be permitted and/or considered. In keeping with the policies of the Official Plan, we would recommend that the Municipality consider including a provision in Sections 6.22 and 6.23 that any structure (accessory or main residential building) to be used for a home occupation or home industry cannot be located within a Shoreline Activity Area.

E. SUMMARY AND RECOMMENDATIONS

The existing Zoning By-law provisions could be reworded to provide some clarification as to the interpretation of the examples of uses which have been referenced. Such amendments would not necessarily address the broader question of being "more permissive rather than restrictive". Other amendments could be considered by the Municipality, as discussed previously in this report.

The premise of encouraging local economic activity through home industry and/or home occupation uses is valuable but complicated. Any modifications to the current Zoning By-law provisions, including those discussed in this report, should be thoroughly vetted to ensure that they meet the needs of the proponents while protecting the interests of the surrounding property owners. We note that any amendments to the Zoning By-law would of course be subject to the full public consultation process and that it may be more fruitful for this to be part of a broader more comprehensive review of the Zoning By-law.

As it specifically relates to the Diving Facility matter, we put forward the following two options for Council's consideration:

OPTION 1 – Advise the Diving Facility operator to amend its current operations.

As detailed in the June 2018 report, there are two components of the Diving Facility operation which would not comply with the current Zoning By-law provisions relating to Home Occupations; the use of the accessory building to house the compressor used to fill the tanks and the in-water training/diving component of the business. Home Occupations are to be conducted within a dwelling unit.

The one-on-one instruction, video training, etc. which is located within the dwelling would be permitted by the Municipality's current Zoning By-law. We would suggest that the owner investigate alternative arrangements for the filling of the tanks and the in-water training component. For example, the in-water training/diving component may be able to be accommodated from another appropriate location rather than to and from the shoreline or dock of the residential property.

With appropriate alternative arrangements in place and subject to compliance with all other provisions of the Zoning By-law, the Diving Facility could continue as a Home Occupation use. The Municipality could still proceed with potential amendments to the Zoning By-law to consider broadening the Home Occupation provisions, however, the property owner would be able to carry on with a modified Diving Facility operation until such time as the Zoning By-law amendments have been appropriately vetted and dealt with through the required Planning Act process.

OPTION 2 – Require the Diving Facility operator to submit a Zoning By-law Amendment Application.

To permit the continued use of the property for the Diving Facility, as it currently operates, would necessitate the submission of a Zoning By-law Amendment application to modify the Home Occupation provisions on a site specific basis. The property owner would be required to submit the necessary application and the application would be subject to the Planning Act process, including the provision of notice and the holding of a statutory public meeting. This process would allow for due consideration of the specific proposal while providing for comments from the public and any agencies having jurisdiction. This would require the submission of application fees, in keeping with the Municipality's Fee By-law, whereby the proponent would be bearing the associated costs for application review and processing.

We are not suggesting that the submission of a Zoning By-law Amendment application would guarantee an approval. The processing of a site specific Zoning By-law Amendment Application would, however, be less complicated and not as lengthy as the processing of amendments to the Zoning By-law on a municipal-wide basis.

Respectfully Submitted,
MHBC Planning

A handwritten signature in black ink, appearing to read 'J. Robinson', with a stylized, flowing script.

Jamie Robinson, BES, MCIP, RPP
Partner

A handwritten signature in black ink, appearing to read 'C. Kellington', with a stylized, flowing script.

Carolyn Kellington, MCIP, RPP
Associate

THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 19-1454

Being a By-Law to confirm the proceedings of Council of the Corporation of the Municipality of Temagami

WHEREAS pursuant to Section 5(1) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, the powers of a municipality shall be exercised by its Council; and

WHEREAS pursuant to Section 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, a municipal power, including a municipality's capacity rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, shall be exercised by By-Law unless the municipality is specifically authorized to do otherwise; and

WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Municipality of Temagami at this Session be confirmed and adopted by By-Law.

NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:

1. **THAT** the actions of the Council of The Corporation of the Municipality of Temagami in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Municipality of Temagami, documents and transactions entered into during the April 11, 2019 Regular meeting of Council are hereby adopted and confirmed, as if the same were expressly embodied in this By-Law.
2. **THAT** the Mayor and proper officials of The Corporation of the Municipality of Temagami are hereby authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Municipality of Temagami during the said meetings referred to in paragraph 1 of this By-Law.
3. **THAT** the Mayor and the Treasurer/Administrator or Clerk are hereby authorized and directed to execute all documents necessary to the action taken by this Council as described in Section 1 of this By-Law and to affix the Corporate Seal of The Corporation of the Municipality of Temagami to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 11th day of April, 2019.

Mayor

Clerk