



Corporation of the Municipality of Temagami

Memo No.
2020-M-071

Memorandum to Council

Subject: Joint Corporation

Agenda Date: June 25, 2020

Attachments:

RECOMMENDATION

BE IT RESOLVED THAT Council direct Staff to continue to work with Temagami First Nation to establish a Joint Corporation for the possible ownership and management of the Lake Temagami Access Point.

INFORMATION

Presently, the Municipality has a Land Use Permit (LUP) for the parking area located at the Lake Temagami Access Point. This LUP expires on December 31, 2021. We have had some discussions with Temagami First Nation and the Ministry of Natural Resources and Forestry regarding the future ownership and, by extension, management of this site. Staff believe that the best option for the future of this site is for it, apart from a portion deemed to be an 'Addition to the Reserve', be owned jointly by Temagami First Nation and the Municipality of Temagami. To facilitate this, a Joint Corporation could be formed to hold the ownership and develop policies, rental rates and enforcement of the Lake Temagami Access Point. Council would appoint half the Directors to this Joint Corporation which would operate 'at an arm's length' from Council.

Section 203 of the Municipal Act, 2001, as amended, provides Municipalities with the authority to establish corporations. This authority is further defined through Ontario Regulation 599/06. In this regulation, Municipalities are able to form joint corporations with other public sector entities. Public sector entities as a municipality, the Crown in right of Ontario or the Crown in right of Canada or a combination. For clarity, one of the steps would be to correspond with the Minister of Municipal Affairs and Housing to ensure a First Nation Community is also considered a public entity for the purposes of this regulation.

As well, Regulation 599/06 provides the ability to establish an Economic Development Corporation. Part of the services that could be delegated to this type of Corporation is general parking facilities. As such, Council could establish an Economic Development Corporation who would then establish the Joint Corporation with Temagami First Nation. This would be advantageous should Council want to expand community operations into areas that can be handled by an Economic Development Corporation. Among these are the provision of culture and heritage systems, facilities for amusement, conventions or visitors' bureaus, provision of residential housing, provision of public transportation sites in addition to more traditional economic development and community improvement initiatives.

Regardless the structure on the Municipal side, the Joint Corporation would be responsible for the Lake Temagami Access Point from the perspective of planning, creating parking areas, creating appropriate fees (including enforcement).

From our initial discussions it appears that both Temagami First Nation and the Ministry of Natural Resources and Forestry are open to proceeding in this regard for the future of the Access Point and the partnership that can be created.

Respectfully Submitted
Craig Davidson
Treasurer/Administrator