



Corporation of the Municipality of Temagami

Memo No.
2017-M-108

Memorandum to Council

Staff
 Committee

Subject:	2017 Pac Recommendation External Relations Committee during the Official Plan Review.
Agenda Date:	December 15, 2017
Attachments:	<ul style="list-style-type: none"> Statement Regarding Aboriginal Consultation

RECOMMENDATION

This memorandum is to recommend that Council consider the following motion:
 WHEREAS in 2003 the TFN and TAA established an External Relations Committee, as specified in the Memorandum of Understanding (MOU) with the Municipality of Temagami, for the purpose of consultation during the Official Plan (OP) process; AND WHEREAS after the Official Plan was adopted in 2004 the External Relations Committee was dissolved; AND WHEREAS at the PAC meeting held on November 22, 2017 at 1:00 pm, the committee recommended that an External Relations Committee be established for the 2017-2018 OP Review; NOW THEREFORE BE IT RESOLVED THAT that Council receive Memo 2017-M-108; AND FURTHER THAT Council adopt the recommendation from PAC and direct the MOU Committee to request that the TFN and TAA establish an External Relations Committee.

BACKGROUND INFORMATION

In January 2003, the Memorandum of Understanding (MOU) was agreed upon and executed between the Municipality of Temagami, Temagami First Nations (TFN) and the Teme-Augama Anishnabai (TAA). In 2003 the Municipality was in the process of creating its first Official Plan (OP) for the newly amalgamated Municipality. In the MOU, Sections 11 through 13, address consultation on the DRAFT OP during different stages of the review, so the External Relations Committee was formed.

An External Relations Committee was not formed for the 2009 OP review. The attached statement was submitted to the Ministry of Municipal Affairs and was considered by the Ministry to be an insufficient amount of consultation with the First Nations community. This caused the Province to delay their approval of the OP amendment until additional consultation had taken place and the concerns addressed.

At the PAC meeting held on November 22, 2017 at 1:00 the Committee discussed that re-establishing an External Relations Committee would help to avoid delays and follow the proper protocols set by the Province. As the Municipality of Temagami will be commencing an Official Plan review, due diligence on behalf of the Municipality would be to ensure suitable and effective consultation to address the concerns of the First Nations Community. The lands on the first nations reserve do not fall within the OP; however, we have a duty to consult under provincial law.

The consensus of the Committee is to recommend to Council, if Council deems it desirable, to adopt this consultation process for the 2017-2018 OP review and to request through the MOU Committee that the TFN and TAA establish an External Relations Committee to review the Draft OP at agreed upon stages in the process and provide comments and concerns to PAC.

Prepared by:	Reviewed and approved for Council consideration by:
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Name, Position	Name, Position
On behalf of the Planning Advisory Committee	

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Municipality of Temagami Official Plan Review

Statement Regarding Aboriginal Consultation

Temagami First Nation and Tema-Augama Anishnabai Consultation

Throughout the Official Plan Review process, which commenced in January 2009, the Municipality was conscious of the need to consult with our aboriginal population, the Temagami First Nation (TFN) and the Teme-Augama Anishnabai (TAA). Bear Island, a first nations' reserve, is located within our municipal boundaries and the Municipality has long had a good working relationship with the community of Bear Island. The plan itself does state that the Municipality's Official plan does not apply to land which is part of a first nations reserve, however, lands that are currently covered by the Official Plan do include lands that are part of an aboriginal land claim.

The TFN and the TAA were given notice of the commencement of the process in December 2008 and on December 29 we contacted the Band Manager directly by email in order to set up a meeting with the Band Councils in January 2009. A meeting date was finally set for April 8, 2009, but was subsequently cancelled due to political issues on Bear Island. The political climate was unsettled for over a year and during that time the Municipality continued to circulate information regarding the draft Official Plan but was unable to schedule a meeting.

A meeting between the Municipality of Temagami and the TFN and TAA to discuss the Municipality's draft Official Plan was finally held on Bear Island on January 13, 2011. Additionally a Tri-Council meeting was held on Bear Island on June 28, 2011 and the Municipality's Official Plan review was one of the items on the agenda. During that meeting the TFN and TAA Chiefs were presented with bound copies of the "final" draft of the Official Plan prepared in anticipation of the final statutory public meeting scheduled for July 14, 2011. Both aboriginal councils were encouraged to review and comment on the draft. No written comments have been received to-date.

Metis Community Consultation

At the commencement of the Official Plan Review Process in 2009, the Municipality was not aware of any Métis in the area, with whom we should consult regarding the plan. On April 11, 2011, correspondence was received from the Métis Nation of Ontario in Ottawa, regarding duty to consult with them. Since that time, we have included the Métis Nation in all circulations of information regarding the Official Plan, but the Municipality has not received any comments from them.


Elaine Gunnell
Municipal Clerk