



Corporation of the Municipality of Temagami

Memo No.
2018-M-025

Memorandum to Council

Staff

Committee

Subject: Terms of Reference For the Official Plan Review

Agenda Date: April 17, 2018

Attachments: Draft Official Plan (OP) Terms of Reference (T&R)

RECOMMENDATION

To recommend that:

WHEREAS at the Planning Advisory Committee (PAC) meeting held on November 22, 2017, PAC reviewed the first draft of the Terms of Reference (T&R) for the Official Plan (OP) Review prepared by staff; AND WHEREAS at the PAC meeting held on January 23, 2018, PAC reviewed the second draft; AND WHEREAS at the PAC meeting held on February 22, 2018, PAC reviewed the third draft; AND WHEREAS at the PAC meeting held on March 13, 2018, PAC reviewed the fourth and final draft of the T&R; AND WHEREAS PAC passed a motion for Council to review and consider adopting the T&R for the OP review; NOW THEREFORE BE IT RESOLVED THAT Council receive Memo 2018-M-025 regarding the T&R for the OP Review; AND FURTHER THAT Council call a special meeting on _____ to consider the Draft Terms of Reference and give direction for the final Terms of Reference.

INFORMATION

As the Municipality is approaching its statutory 5 year review, PAC reviewed the Terms of Reference template provided by Christopher Brown, Ministry of Municipal Affairs (MMA). Staff with the assistance of previous Chair Councillor Burrows drafted the first version of the Terms of Reference and presented the first draft at the meeting held on November 22, 2017. Following the first draft numerous changes were implemented. PAC has reviewed the proposed Terms of Reference for the OP review and at the March 13, 2018 meeting passed the following motion:

18-19

MOVED BY: B. Graham

SECONDED BY: B. Leudke

BE IT RESOLVED THAT the *draft Terms of Reference for the Official Plan review be presented to Council at the next regular Council meeting.*

CARRIED

At the PAC Committee meeting held on March 13, 2018 the consensus of the Committee was to present to Council the proposed draft Terms of Reference attached to this Memo, which sets out the proposed procedures and process during the Official Plan review process.

Prepared by:

Reviewed by & Approved for Council consideration

**Tammy Lepage,
Planning Assistant**

**Elaine Gunnell,
Acting CAO/Municipal Clerk**

Name & Position

Name & Position

Planning Advisory Committee

Name of Committee

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

**TERMS OF REFERENCE:
FOR THE PREPARATION OF THE STATUTORY
REVIEW OF THE ENTIRE OFFICIAL PLAN**

Prepared by: Tammy Lepage,
Planning Assistant, The Municipality of Temagami

Original draft: November 9, 2017

Revised draft: January 18, 2018

Revised draft: February 14, 2018

Revised draft: March 9, 2018

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1.1 INTRODUCTION AND BACKGROUND

The existing Official Plan for the Municipality of Temagami was approved by the Ministry of Municipal Affairs on April 18, 2013. The municipality now wishes to review the entire Official Plan to ensure it is consistent with the Provincial Policy Statement, 2014, conforms to the Growth Plan for Northern Ontario, Wildland Fire Risk Assessment & Mitigation and to address land use planning issues that have arisen since 2011. This revision is anticipated to enhance growth in the Municipality.

1.2 Geographic/Regional Location and Study Area

The Municipality of Temagami is a single-tier municipality located in Northern Ontario in the District of Nipissing and is approximately 100 kilometres north of the City of North Bay. The geographic township is comprised of all land within the geographic townships of Askin, Aston, Banting, Belfast, Best, Briggs, Canton, Cassels, Chambers, Cynthia, Joan, Law, LeRoche, Milne, Olive, Phyllis, Riddell, Sisk, Strathcona, Strathy, Torrington, Vogt, Yates and the east half of Clement and Scholes.

The current Official Plan the Municipality of Temagami OP applies to all land with the municipal boundary save and except for land owned by the Federal Government, land which is part of a first nations reserve, Crown Land and land owned by the Provincial Government.

The approval authority for The Municipality of Temagami's Official Plan is the Ministry of Municipal Affairs.

1.3 Key Characteristics of Community

The Planner is to gain statistics from Stats Canada and to include the population for the Temagami First Nations. There is a significant population increase during the summer months, the overall population can be estimated as 2,600. It is an urban and rural area primarily located on "Lake Trout Lakes" and largely surrounded by vast woodland areas and Crown land.

Much of the economic growth and prosperity is based on cottaging and tourism. Resource extraction plays a lesser but important role in the economy.

1.4 Status of Related Policy and Regulatory Documents

Since the existing Official Plan was approved in 2013, the Planning Act has gone through several revisions, and on April 30, 2014 the revised Provincial Policy Statement (PPS) replaced the 2005 PPS. The PPS, 2014, required a greater focus on Building Strong Healthy Communities and set policies in place for second units for affordable housing, to accommodate ageing communities (1.1.1); public services must show to be financially viable over the life cycle of the facility (1.1.3.8); language has been added to implement diversity in rural areas and to emphasise the importance of economic success of the province.(1.1.4); Focused on the growth & development of rural settlement areas

(1.1.4.2); infrastructure & public service facilities (1.6); natural heritage (2.1), Wetlands & Water (2.2); Agriculture (2.3); Mineral Aggregate Resources (2.5); Cultural Heritage & Aboriginal Interest (2.6.4 & 2.6.5) and Protection Public Health & Safety (3.0).

1.4.1 MATTERS OF PROVINCIAL INTEREST

As required under the *Planning Act*, the Municipality of Temagami wants to ensure that its Official Plan has regard for provincial interests under S. 2 of the *Planning Act*, is consistent with the Provincial Policy Statement, 2014, and permits through the Wildland Fire Risk Reduction through MNR Wildland Fire Risk Assessment Mitigation.

- a) Lake Trout Policies
 - a. Consents, Subdivisions on patented land according to Lakeshore Capacity Assessment Handbook
- b) MNR Wildland Fire Risk Assessment Mitigation, FireSmart
- c) Bill 73 *Smart Growth for our Communities Act*
- d) *Building Better Communities and Conserving Watersheds Act*

1.4.2 LOCAL INTEREST NEEDING REVIEW

The Municipality of Temagami would like to review the following policies:

- a) Site Plan Control policy (requirement to have the same application throughout all neighbourhoods)
- b) Wind and Solar policy to encourage green energy
- c) Second Unit policy
- d) Vegetative Buffer policy
- e) Mainland development policy
- f) Economic readiness policy
- g) Archaeological and Heritage culture policy
- h) Development on Private Roads policy
- i) Part A “Tenants for Temagami”
- j) Water quality safeguard policies
- k) Geothermal Policy
- l) Planning Tools not currently used (Development Permit System, vegetation removal by-law, Community Improvement Plans, Strategic Plans, Archaeological Assessment Plan)
- m) The necessity of local neighbourhood policies all mimicking one another
- n) To make the Official Plan more user friendly

There are likely to be other issues identified through the review process and public input received during public consultation. The purpose of the above list is to give a general indication of the issues. This list should not be regarded as in-depth and final.

The major issues to be investigated will be drafted as outlined below:

- Creation of an issues table, which can be updated after each meeting;

- The issues table should list the following headers:
 - Item i.e. (Bill 73, Second Units, Firesmart etc.)
 - Issue (what is the issues at hand with the item)
 - Options set out Consolidated Issues Table or Background Report
 - PAC Recommendation to Council
 - Proposed OP and/or ZBL Modification

1.4.3 Zoning

The Zoning By-law came into force in 2006 and was last amended in 2014. The amendments were general site specific in nature. The Zoning By-law will have to be updated within three years following approval of the new Official Plan to ensure it conforms to the new Plan. It will be necessary for the Planner to review the Site Plan Control By-Law to identify and present to the Municipality any change and/or modifications as a result of the Official Plan review. However, it is the desire of the Municipality that the Zoning By-law be updated concurrently to ensure that the impact of Official Plan policy/schedule changes on the Zoning By-law is recognized and that By-law conformity.

2.0 PURPOSE AND OBJECTIVES OF THE OFFICIAL PLAN OR UPDATE

It's time for the statutory review of the entire Official Plan under the *Planning Act* the update is to ensure:

- The Official Plan reflects changing local conditions, and the interests of the community and current municipal council;
- The official plan is consistent with the Provincial Policy Statement, 2014
- The Official Plan conforms to applicable provincial plans.

2.1 Purpose

The purpose of this project is to review and update the entirety of the Official Plan, to prepare computer digitized mapping of the Official Plan schedules and to integrate all applicable provincial policies into the plan. The digitized version will be available to the community on the municipal website.

Council expects that an updated Official Plan, which conforms to the *Planning Act* and Provincial Policy Statements, will clarify the community's future development goals and objectives, simplify the planning approvals process, and enhance local autonomy.

Council also wishes to update the Official Plan to include policies to enable five *Planning Act* tools that will assist Council in implementing the community's vision: community improvement plans; second suites; firesmart and site plan control.

2.2 Project Scope

Council hopes that an updated Official Plan will clarify the municipality's future development goals and objectives, address provincial and local interests, simplify implementation of the plan.

2.2.1 Zoning By-law Update

There have been a number of changes to the comprehensive zoning by-law for Municipality of Temagami since it was passed in 2006 and amended in 2014. Although, the Municipality of Temagami has made every effort to ensure that the zoning conforms to the Official Plan. There may be instances where the current zoning and new Official Plan policies are not aligned. The Planner will prepare an update to the zoning by-law concurrently with the preparation of the statutory review of the entire Official Plan, which will address the need to conform to the new Plan. The current zoning by-law is available at <https://www.temagami.ca/pagesmith/45>.

2.2.2 Planning Horizon

As per Policy 1.1.2 of the *Provincial Policy Statement, 2014*, a planning horizon of up to 20 years will form part of the basis for the Official Plan study. The planning horizon for the Official Plan program will be twenty (20) years from the date of Council's adoption of the plan.

In addition to rationalize potential direction for growth, setting intensification, redevelopment, density targets, identify opportunities for efficient use of land, and efficiency of the infill council requires a detailed review exercise be completed as part of this Official Plan program. This exercise will be applying, at a minimum, the criteria outlined in the *Provincial Policy Statement, 2014* along with other local considerations. This exercise will be consistent with local economic demand.

2.3 Deliverables

The following subsections outline council's expectations for deliverables from the Planner throughout the process of developing the review of the entire Official Plan for the Municipality of Temagami. Subsections 2.3.1 to 2.3.6 of this document (at a minimum) detail the copies of the deliverables that should be provided to the municipality. Details regarding numbers of copies are included in subsection 3.9 of this document.

2.3.1 Draft Official Plan

Council requires that at least one draft version of the plan be submitted to council, staff and the approval authority (e.g. Ministry of Municipal Affairs) for review and comment prior to submission of the final version of the Official Plan for adoption. If major revisions are required to the draft, council may request one additional draft of the Official Plan, be prepared and submitted by the Planner.

2.3.2 Statutory update of the entire Official Plan

The Planner will prepare and submit a final version of an Official Plan, complete with text and schedules suitable for adoption, to Council by the date set out in subsection 2.4 of these terms of reference.

2.3.3 Background Reports

The scope of the report shall include the preparation of a Background Report, which will be used as the basis for policy and land use designation updating. The report will provide a

background information outlining the rationale for the amount, type and location of land uses being recommended in the Official Plan. The municipality will make copies of these studies and provide them to the Planner for the preparation of the Official Plan.

This report will include the following:

- (1) The location, extent and analysis of all provincial interests in the planning area and policies that are consistent with the Provincial Policy Statement, 2014;
- (2) The location and extent of all development constraints;
- (3) An inventory of existing land uses and vacant lots and their location in the planning area;
- (4) An account of past development trends;
- (5) Existing and forecasted populations & employment levels;
- (6) Confirmation of the extent and location and capacity of all existing services/infrastructure in the planning area, including roads (public and private roads), recreation services, waste disposal, sewer and water carriers, etc.;
- (7) Background information evaluating the ability of the natural environment to support the scale of the development, where development is proposed, with respect to servicing (i.e. private septic system, municipal sewerage servicing and capacity), lake capacity, and other environmental considerations;
- (8) The identification of the amount of vacant land and potential for intensification in the Town of Temagami and Temagami North, including an inventory of vacant lots of record;
- (9) If determined insufficient vacant land in the urbanized areas designated for development to accommodate expected growth, all vacant land surrounding the Municipality should be evaluated for further expansion;
- (10) Enabling various *Planning Act* tools, including Community Improvement Plan and second units;
- (11) Ensuring the statutory update of the entire Official Plan is consistent with the Provincial Policy Statement, 2014, and conforms with applicable Provincial Plans;
- (12) Ensuring that the Waste Management Plan, Capital Asset Plan Investment, Investment readiness report, and Economic Development plans be provided to assist the Planner;
- (13) Review and consolidate Official Plan amendments as part of the update; and
- (14) Update the zoning by-law concurrently to ensure it is consistent with the Official Plan.

2.3.4 Supporting Documentation

Copies of all supporting documentation prepared with respect to the statutory update of the entire Official Plan, will be provided to The Municipality of Temagami by the Planner.

2.3.5 Data

Copies of all data collected and information on the manner in which it was analyzed, for the statutory update of the entire Official Plan, will be provided by the Planner.

2.3.6 Schedules/Maps/Presentation Displays

1. Copies of all updated schedules for the statutory update of the entire Official Plan will be produced by the Planner and provided to The Municipality of Temagami.
2. Copies of all the maps and presentation displays used for public meetings etc., for the Official Plan program, will be provided to The Municipality of Temagami by the Planner. Maps and displays shall be of appropriate size and professional appearance (e.g. poster size and in colour).
3. As the Zoning By-law is being prepared concurrently as part of the Official Plan program, copies of all schedules for the updated Zoning By-law will be produced by the Planner and provided to The Municipality of Temagami.
4. The Municipality of Temagami will provide digitized base mapping derived from Ontario Base Mapping (OBM) maps at a scale of 1:20,000 with contour intervals of 10 metres and also digitized zoning schedules, assessment maps and existing Official Plan schedules for use by the Planner in preparing the necessary amendments to the Schedules or for the preparation of any additional mapping that may be necessary.
5. The mapping to be prepared by the Planner will identify those areas to be protected due to matters of environmental significance, agricultural capability, aggregate and other mineral deposits, Areas of Natural and Scientific Interest (ANSI's), wetlands, fish and wildlife habitat, etc. The Planner should retrieve any available mapping from provincial and other government agencies that will help to identify environmentally significant areas. For example, the primary sources of data for natural heritage and non-renewable resources are the Ontario Geospatial Data Exchange/Land Information Ontario (OGDE/LIO) and the Natural Heritage Information Centre (NHIC). All products produced for the municipality/planning board, as part of this contract, shall be the property of the municipality/planning board.

2.3.7 Updated Zoning By-law

The Planner will prepare and submit a final version of an updated Zoning by-law, which conforms with or does not conflict with the statutory update of the entire Official Plan, complete with text and schedules suitable for adoption, to council, concurrently with the draft statutory update of the entire Official Plan.

2.3.8 Preparation of Record for Approval Authority

Once the Council has adopted the statutory update of the entire Official Plan, the Planner shall support the clerk/secretary treasurer, as needed, in the preparation of the Record (package for complete submission of the statutory update of the entire Official Plan) for the approval authority.

2.4 Timelines and Project Budget

The process will be underway early spring of 2018, a draft of the statutory update of the entire Official Plan in fall of 2018 followed by a final draft in the first quarter of 2019.

The selection of this project is by Request for Proposal.

3.0 SPECIFIC EXPECTATIONS

3.1 Roles and Responsibilities of Council and Committees

The duties of council are to:

- a) Review recommendations of the planning committee and select the Planner;
- b) Hold the mandatory public hearing during the Official Plan review;
- c) Adopt the statutory update of the entire Official Plan when the review is completed;
- d) Council to appoint an External Relations Committee as per the Memorandum of Understanding.

The duties of Staff are to:

- a) Liaise with the Planner to ensure that the Official Plan addresses local conditions and desires;
- b) act as a resource to the Planner throughout the Official Plan program (e.g. provide existing information/data to the Planner);
- c) Regularly communicate with the approval authority on progress;
- d) following selection by council, liaise with the Planner to ensure that the new/updated Official Plan policies address provincial interests, and local conditions and desires; and
- e) Liaise with other groups and agencies (e.g. public utilities commission, conservation authorities, school boards, etc.).

The duties of the planning committee are to:

- a) conduct the call for Planner proposals;
- b) recommend a Planner to produce the statutory update of the entire Official Plan;
- c) Hold the mandatory open house;
- d) Make recommendation to Council on the draft Official Plan and draft Zoning By-law; and
- e) Chair public meetings during the Official Plan program.

3.2 Main Contacts

Staff will be the primary contact for the municipality's Planner.

3.3 Meetings

The following meetings are required to be held throughout the work program. If additional meetings are proposed by the Planner, the number and the purpose of these meetings should be identified by the Planner.

- a) an introductory meeting to discuss the Official Plan program/work plan, and identify problem areas and common concerns involving the Planner and:
 - council representative(s)
 - planning committee representative(s) and/or municipal staff
 - representative of the approval authority (MAH)
- b) One meeting with the Ministry of Municipal Affairs and Housing staff to discuss provincial interests.

For each set of open houses, the location of the meetings will be as follows:

- c) Issues identification:

- Marten River
 - Lake Temagami; and
 - The Town of Temagami.
- d) Policy options
- Marten River
 - Lake Temagami; and
 - The Town of Temagami.
- e) Draft Official Plan
- Marten River
 - Lake Temagami; and
 - The Town of Temagami.
- f) Statutory Meeting
- The Town of Temagami.

The Planner will organize and participate in a public meeting, as required under clause 17(15)(d) of the *Planning Act*, to present the final draft of the statutory update of the entire Official Plan to council, and the public, before it is adopted by Council (as further explained in section 3.9 of this document).

Council representative(s), Planning Advisory Committee, municipal staff, Ministry of Municipal Affairs, Temagami First Nations (TFN & TAA) should be in attendance to all meetings noted above.

3.4 Committees

Council requires, as part of the Official Plan program that the Planner work with the Planning Advisory Committee (PAC) acting as the “Steering Committee”.

- ❖ Planning Advisory Committee (PAC)
- ❖ The Technical Advisory Committee (TAC) (Government Agencies)
- ❖ External Relations Committee (ERC) (Temagami First Nations & TAA)

The Planner is expected to attend all PAC, TAC and ERC meetings and prepare minutes.

3.5 Ministry of Municipal Affairs and Housing

Council requires the staff/ the Planner to involve staff from the approval authority (Ministry of Municipal Affairs) for the Municipality of Temagami’s Official Plan, on an early and ongoing basis throughout the Official Plan program. Council requires early consultation with MMA to address any provincial interests early in the process.

Council also requires staff/the Planner to invite the approval authority (Ministry of Municipal Affairs) to send representative(s) to be involved on the Technical Advisory Committee, which is to be established at the beginning of the Official Plan statutory review of the entire OP.

3.6 Aboriginal Communities, Local Agencies and Non-government Organizations (NGOs)

In addition to the statutory public meeting, pursuant to clause 17(15) (d) of the *Planning Act*, council expects local consultation on this Official Plan program. It is council's desire to develop an Official Plan representative of community interests, and reduce the likelihood of the adopted plan being appealed to the Ontario Municipal Board.

The Planner through the Municipality will contact the Temagami First Nation and that the Temagami First Nation will have the opportunity to participate in the project through i.e. an External Relations Committee or by any other mechanism. The Planner will have due regard for the External Relations Committee.

3.7 Research

Council requests that the Planner outline in the proposal the type of research it will undertake to support the background studies and proposed policies, and how it will undertake this research for the official plan program including an estimate of the time to be spent in the study area.

3.8 Official Plan Adoption

On completion of the final draft by the Planner and prior to adoption, the council must hold a public meeting to solicit the views of the public. The Planner shall be in attendance to present the final draft to Council and to assist the Council with the public meeting. If Council feels any further revisions are necessary, the Planner shall revise the draft.

Once Council is satisfied with the Official Plan, it will be adopted by by-law and forwarded to the approval authority for review.

3.9 Reproductions

The determination of Electronic/digital and/or printed copies of all documents and maps shall be determined from the Planner and be outlined in the Planner's proposal.

Printed copies of draft documents presented in fulfillment of project requirements need not be bound, may be photocopies, and may be accompanied by full-sized maps in order to keep costs reasonable.

3.10 Statutory Notice Requirements

The Planner shall be responsible for preparing the text for all statutory notices and ensuring all statutory notice requirements are met for the duration of the official plan program. Staff shall be responsible for the posting of said notices.

3.11 Distribution of Documents

- a) All documents and revisions to documents shall be forwarded by the Planner in sufficient time so that they will be received by the Council at least two weeks prior to the date of the Council meeting at which documents and revisions are to be discussed.
- b) Draft circulation of the plan to affected agencies and the approval authority shall be completed by the Planner. Copies of the comments from affected agencies and the

approval authority shall be made available to the municipality/planning board and approval authority.

- c) At the same time as the Official Plan and other required documents (as per section 3.11 of this document) are being sent to the Council, one copy of each document shall be sent by the Planner directly to the approval authority.

Please note that this address may change as a result of webpage updates.

E.g. Northern Municipal Services Office
Suite 401, 159 Cedar Street
Sudbury, ON, P3E 6A5

4.0 GENERAL

- a) All mapping should be available in a digital format.
- b) Appropriate metric units of measurement should be used in all text and mapping.
- c) All information, data, reports, mapping, literature or hardware developed or acquired by the Planner in the course of the study and having application to this study shall become the property of the municipality immediately at the end of the project and shall be delivered to the municipality, with final billing unless the municipality provides the Planner with explicit written direction to the contrary.
- d) This update shall include analysis of any objections to the plan.
- e) A contingency allowance approach should not be used in making cost estimates. Cost overrun at conclusion of the statutory update should also be avoided. Problems with costs may be considered provided they are identified early in the program and clearly justified.
- f) Regular payments will be conditional upon the receipt of invoices associated with the progress of the Official Plan program.

5.0 PLANNER ON CONTRACT

As per Council's Resolution 18-042 the Planner shall be employed by the Municipality of Temagami on an 18 – 24 month contract. The Planner's resume should clearly describe their knowledge and work experience with regards to carrying out the work set out in the Terms of Reference. The Planner's resume must contain at least, but is not necessarily limited to, the following:

- a) a research design indicating the methodology that will be used to conduct the Official Plan program and specify the degree of involvement by the municipality and the public
- b) A work flowchart showing the timing of the phases and deliverables for the program (with completion dates) and meetings. This should include any suggested revisions to the program from those outlined in this terms of reference, and an explanation of the reasons for the suggested changes
- c) maximum total cost broken down by phases, with meetings, printing costs and other disbursements listed separately
- d) a copy of any recent Official Plan prepared by the individual similar to that being requested in this terms of reference and the status of its approval
- e) Identify how each stage of the Official Plan program, as well as the statutory

review of the entire Official Plan, will meet compliance requirements under the *Accessibility for Ontarians with Disabilities Act (AODA)*.

- f) A list of references.

All mapping and textual requirements must be in appropriate metric units of measurement.

5.1 Conditions of Submission

The determination of wages/salary will be completed at a staffing level. There is no commitment to accept any submissions received.

The Planner, may be required to make a presentation to the municipality as part of the selection process.

6.0 MONITORING

Council recognizes that only through continuous contact will Council and the Planner produce a satisfactory document. However, monthly meetings are costly. Therefore, the Planner is required to submit a brief written report once a month including those months when a meeting is scheduled. The report shall outline the following items:

1. Work currently under way.
2. Project schedule update. Reasons for any delays.
3. Date of next meeting with Council.
4. What is expected of Council at the next meeting and in the interim?

A copy of the monthly report submitted to the Council shall be forwarded to the approval authority Ministry of Municipal Affairs at the following address:

The Corporation of the Municipality of Temagami
P.O. Box 220,
Temagami, On, P0H 2H0.

7.0 REFERENCE MATERIAL

- Planning Act*
- Provincial Policy Statement, 2014
- The Municipality of Temagami Official Plan, 2013
- The Municipality of Temagami Comprehensive Zoning By-law, 2014
- Various municipal studies i.e. economic development studies

8.0 CONTRACT

The Planner shall enter into a contract with the municipality. The contract shall indicate that work to be undertaken shall be done to the satisfaction of The Municipality of Temagami, in accordance with the terms of reference, and for the amount agreed upon by the two parties. The contract shall also indicate that no additional money shall be paid to the Planner for any additional work for which prior authorization has not been given in writing.

8.1 Changing the Contract

The contract may be revised provided that a completed analysis of the effect of any proposed change is submitted and agreed upon in writing by both parties. This analysis would include an assessment of the impact of the proposed change on target dates and costs.

To facilitate this process, a standard change request form, agreed to by the parties, will be developed by the Planner.

Questions on these Terms of Reference may be referred to:

Name: Tammy Lepage
Position: Planning Assistant
The Municipality of Temagami
P.O. Box 220,
7 Lakeshore Dr,
Temagami, ON
POH 2H0
Phone: 705-569-3421 ext. 210
Fax: 705-569-2834

9.0 CONFLICT RESOLUTION

If a dispute should arise between the Municipality of Temagami and the Planner with respect to interpretation of the contractual agreement between the municipality and the Planner, both parties agree to first attempt to negotiate a solution to the disagreement between them, and second (if a negotiated agreement cannot be reached), agree to mediation of the dispute.

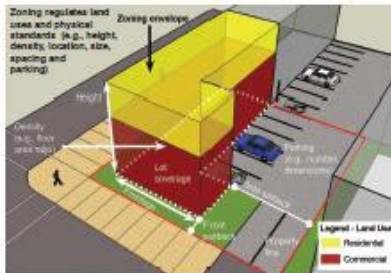
APPENDIX A

Sample of *Planning Act* Tools to Support Intensification and Sustainability

PLANNING ACT TOOLS TO SUPPORT INTENSIFICATION & SUSTAINABILITY



Zoning By-law / Zoning By-law Amendment (s. 34)



Description of Tool

- Regulates land uses and physical characteristics of land use (e.g., building height, density, location and parking)
- Required tool to implement official plan (OP)
- Can be used on a municipal-wide or site-specific basis
- No conditions

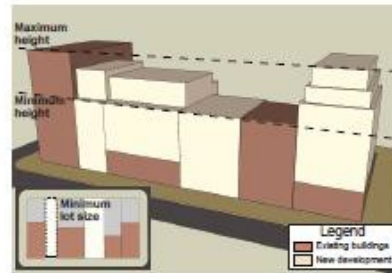
Development Permit System (s. 70.2 and O. Reg. 608/06)



Description of Tool

- Combines zoning, site plan and minor variances into one streamlined application and approval process
- Optional tool, requires OP policies and a development permit by-law
- Form of enhanced zoning which can include site plan matters, variation of development standards within specified limits and other key features
- Does not replace lot creation or building permit processes
- Allows conditions which may be set out in agreements and registered on title

Minimum/Maximum Standards in Zoning-Bylaws (s. 34 (3))



Description of Tool

- Clarification about zoning by-law standards
- Optional tool, does not require OP policies for set-up
- Zoning by-laws can regulate minimum as well as maximum standards for height and density, and also minimum and maximum lot area

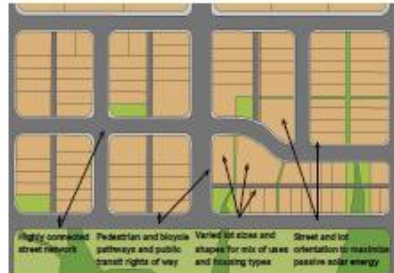
Site Plan Control - Implemented with Exterior Design Control (s. 41)



Description of Tool

- Builds upon zoning (technical process)
- Optional tool, requires OP policies and a by-law for set-up
- Can regulate certain external design matters (character, scale, appearance, sustainable streetscape design)
- Allows for limited conditions related to design matters (including agreements which may be registered on title)

Plan of Subdivision (s. 51)



Description of Tool

- Process of multiple lot creation
- Optional tool
- Approval authorities may consider a subdivision's regard to street connectivity, range of lot sizes, shapes and orientation to facilitate a mix of housing types and the efficient use and conservation of energy
- Allows approval authorities to impose conditions that require land dedications for parks, walking and cycling pathways, public transit rights of way, transit stations and commuter parking lots

Reduction in Parkland Dedication Payments (s. 42 (6.2) and (6.3))



Description of Tool

- Enables municipalities to authorize a reduction in the amount of cash in-lieu-of parkland payment if sustainability features, which meet OP criteria, are included in redevelopment proposals
- Optional tool, requires OP policies for set-up
- Only applies where on-site parkland cannot be dedicated in redevelopment proposals

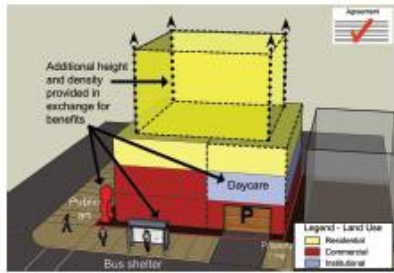
Second Suites (s.17(24.1), 17(36.1), 22(7.1) & (7.2), and 34(19.1))



Description of Tool

- Enables municipalities to increase density by adopting OP policies and zoning by-laws that permit second suites in detached, semi-detached and row houses as-of-right
- Optional tool, requires OP policies and zoning by-law provisions to permit second suites
- Cannot be challenged at the Ontario Municipal Board unless OP policies are appealed at the time of a mandatory OP review
- Makes more efficient use of existing housing stock and infrastructure
- Supports intensification while preserving community character

Height and Density Bonusing (s. 37)



Description of Tool

- Process to allow buildings to exceed height and density of development otherwise permitted by zoning by-laws, in exchange for community benefits
- Optional tool to implement OP but requires additional OP policies for set-up
- Often negotiated between developer and municipality
- Allows services, facilities or matters to be set out in agreements and registered on title

Community Improvement Plans (CIPs) (s. 28)



Description of Tool

- Focuses on maintenance, rehabilitation, development and redevelopment (in targeted areas)
- Optional tool, requires OP policies and a by-law designating a CIP project area
- Prescribed upper-levels (ULs) are now able to adopt CIPs dealing with prescribed items
- ULs and lower-levels can participate in each other's CIPs
- Municipalities can make grants or loans within CIP project areas to help pay for certain costs
- Allows registration of grant and loan agreements on title

DISCLAIMER: This draft does not constitute a final decision and reflects legislation, policies and practices that are subject to change. It should not be relied upon when making decisions related to land use planning matters. In addition, all illustrations represent hypothetical scenarios of the application of various tools. Users should refer to the relevant legislation, regulations and policy documents when making land use planning decisions.
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