

The Corporation of the
Municipality of Neebing

AGENDA for Regular Council meeting: November 17, 2021 at 6:00 p.m.

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/678367429>

You can also dial in using your phone.

Canada (Toll Free): [1 888 455 1389](tel:18884551389) Access Code: **678-367-429**

1. Preliminary Matters

- (a) Call to Order
- (b) Attendance
- (c) Accept/Amend the Agenda for this Meeting
- (d) Request/Receive Declarations of Pecuniary Interests under the Municipal Conflict of Interest Act (if any)

2. Hear Deputations from Audience Members

No Deputation Requests have been Received for this Meeting

3. Consent Agenda: Minutes, Reports and Correspondence

- 3.1 Minutes of the Open Session portion of the Regular Meeting of Council held on November 3, 2021 (Recommendation to approve the minutes, with any error corrections, as required.) 1-4
- 3.2 Minutes of the meeting of the Lakehead Region Conservation Authority held on September 29, 2021 (Recommendation to receive the minutes) 5-9
- 3.3 Voucher Report for the previous month (Recommendation to approve the vouchers.) 10-15
- 3.4 Report from Clerk-Treasurer Regarding Administrative Activity (Recommendation to receive the report for information) 16-18
- 3.5 Report from Working Roads Foreman Regarding Departmental Activity in the preceding month (Recommendation to receive the report for information) 19-20
- 3.6 Report from Fire Chief Regarding Departmental Activity in the preceding month (Recommendation to receive the report for information) 21
- 3.8 Correspondence from MPAC, received November 4, 2021, Regarding Postponement of the 2022 Assessment Roll (Recommendation to receive for information.) 22-23

4. Reports and Correspondence Requiring Direction

- 4.1 Report from Clerk-Treasurer Regarding Recommendations from Committee of the Whole (Recommendation to accept the recommendations from the Committee.) -
- 4.2 Report from Deputy Clerk-Treasurer Regarding Surplus Assets (Recommendation to declare assets surplus.) 24
- 4.3 Report from Clerk-Treasurer Regarding Reserve Funds (Recommendation to provide direction.) 25-26

4.4	Report from Deputy Clerk-Treasurer Regarding Information Correspondence (Recommendation to provide direction.)	27-29
4.5	Report from Deputy Clerk-Treasurer Regarding Parking Lot Plowing (Recommendation to provide direction.)	30
4.6	Correspondence from Lisa Patterson, received October 29 2021, Regarding Roadside Signage on Little Trout Bay Road (Recommendation to provide direction.)	31
4.7	Correspondence from Ministry of Transportation, received November 2, 2021, Regarding Roadside Herbicide Spraying (Recommendation to provide direction.)	32-33
4.8	Correspondence from City of Thunder Bay, received November 12, 2021, Regarding Draft Zoning By-Law (Recommendation to provide direction.)	34-35
4.9	Correspondence from Municipality of Mattice-Val Cote, received November 10, 2021, Regarding Postponement of the Municipal Assessments (Recommendation to support the resolution.)	36

5. **By-laws for Passage**

(Recommendation in each case is to pass the by-law)

5.1	By-law 2021-045 to enable the Municipality to Participate as a Prudent Investor	37-39
5.2	By-law 2021-046 to Consolidate the Reserve Fund By-laws	40-57
5.3	By-law 2021-047 to adopt the Official Plan	58-120

6. **New Business - Announcements**

Members of Council and Senior Administration have the opportunity to advise others of events or share other information.

7. **Closed Session**

Council will enter closed session under paragraph 239(2)(b) to consider items 7.1 and 7.2, involving personal matters about identifiable individuals.

7.1	Report from Clerk-Treasurer Regarding Request to Amend an Agreement (Recommendation to provide direction.)	121-122
7.2	Report from Clerk-Treasurer Regarding Staff Christmas Gifts (Recommendation to provide direction)	123-124

Council will rise from Closed Session

Matters Arising from Closed Session

Resolutions relating to Items 7.1 – 7.2.

8. Confirmation By-law

- 8.1 By-law 2021-048, to confirm the proceedings of the meeting
(Recommendation to pass the by-law)

125

9. Adjourn the Meeting

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

MINUTES OF THE REGULAR MEETING OF COUNCIL

Held using GoToMeeting Web Conference System
On Wednesday November 3, 2021

PRESENT: Mayor Erwin Butikofer
Pardee Councillor Curtis Coulson
Blake Councillor Mark Thibert
Scoble Councillor Brian Kurikka
Councillor at Large Gordon Cuthbertson
Crooks Councillor Brian Wright
Pearson Councillor Gary Gardner

Erika Kromm, Clerk-Treasurer
Laura Jones, Deputy Clerk-Treasurer

1. PRELIMINARY MATTERS:

- (a) Call to Order: Mayor Butikofer called the meeting to order at 6:00 p.m.
- (b) Attendance: Attendance was recorded.
- (c) Accept/Amend the Agenda:

Res. No. 2021-11-265

Moved by: Councillor Cuthbertson
Seconded by: Councillor Thibert

BE IT RESOLVED THAT THAT the agenda for this regular meeting of Council be approved as presented.

CARRIED ✓

- (d) Declarations of Interest:

No declarations of pecuniary interests under the Municipal Conflict of Interest Act were brought forward.

2. HEAR DEPUTATIONS FROM AUDIENCE MEMBERS

No Deputation Requests have been received for this Meeting.

3. CONSENT AGENDA: MINUTES, REPORTS AND CORRESPONDENCE

- 3.1 Minutes of the Open Session portion of the Regular Meeting of Council held on October 20, 2021
(Recommendation to approve the minutes for both the open session (Item 3.1) and the Closed Session (Item 7.1), with any error corrections, as required.)
- 3.2 Minutes of the Special Meeting of Council held on October 27, 2021
(Recommendation to approve the minutes with any error corrections, as required.)
- 3.3 Minutes of the meeting of the Thunder Bay District Social Services Administration held on September 16, 2021
(Recommendation to receive the minutes)
- 3.4 Report from Clerk-Treasurer Regarding Administrative Activity
(Recommendation to receive the report for information)
- 3.5 Report from Deputy Clerk-Treasurer Regarding Sale of Surplus Assets
(Recommendation to receive the report for information)
- 3.6 Correspondence from Ministry of Finance, received October 21, 2021, Regarding OMPF Allocation
(Recommendation to receive for information.)
- 3.7 Information Correspondence List
(Recommendation to receive the correspondence for information)

Res. No. 2021-11-266

Moved by: Councillor Wright
Seconded by: Councillor Gardner

BE IT RESOLVED THAT Council approve the recommendations from Administration with respect to all of the items on the consent agenda portion of this evening's meeting, being Items 3.1, through 3.7, and item 7.1 the Closed Session Minutes from October 20, 2021

CARRIED ✓

It was noted that the upcoming COW meeting is scheduled for November 17, 2021 at 5 PM.

4. REPORTS AND CORRESPONDENCE RECEIVED REQUIRING DIRECTION:

- 4.1 Report from Clerk-Treasurer Regarding Council Composition
Members present discussed the report. The Clerk-Treasurer provided an overview of the new survey responses that had been received since the previous meeting. A recorded vote was requested for when a motion was brought forward to pass the by-law to change ward boundaries and council composition.
- 4.2 Report from Clerk-Treasurer Regarding Future Council Meetings
Members present discussed the report. On consensus, Council determined that they would start in person meetings in January at the regular Council chambers unless there are changes with the pandemic.

4.3 Report from Deputy Clerk-Treasurer Regarding Tax Arrears Notices

Members present reviewed the report.

Res. No. 2021-11-267

Moved by: Councillor Coulson

Seconded by: Councillor Kurikka

BE IT RESOLVED THAT Council directs Administration to mail out the arrears notice appended to the report.

CARRIED ✓

4.4 Report from Deputy Clerk-Treasurer Regarding Expanded Plastics Recycling

Members present reviewed the report.

Res. No. 2021-11-268

Moved by: Councillor Wright

Seconded by: Councillor Kurikka

BE IT RESOLVED THAT Council authorizes Administration to apply to the Resource Productivity and Recovery Authority to expand the blue box program to include number 3 to 7 plastics and glass.

CARRIED ✓

4.5 Report from Deputy Clerk-Treasurer Regarding Parking Lot Plowing

Members present discussed the report. Administration was directed to bring forward additional information at a future meeting regarding liability and the workload of the roads crew.

4.6 Correspondence from Great Lakes Waterfront Trail, received October 18, 2021, Regarding Support for the Phase II Expansion Project

Members present reviewed the correspondence.

Res. No. 2021-11-269

Moved by: Councillor Thibert

Seconded by: Councillor Coulson

WHEREAS expanding the Great Lakes Waterfront Trail would support the goals of Neebing's Strategic Plan by promoting tourism and recreational amenities; while encouraging healthy and active lifestyles.

BE IT RESOLVED THAT Council of the Municipality of Neebing supports the Great Lakes Waterfront Trail and Trans Canada Trail expansion project and directs Administration to submit the letter of support.

CARRIED ✓

4.7 Correspondence from Municipality of Leamington, received October 8, 2021, Regarding Long Term Care Homes

Members present reviewed the correspondence.

Res. No. 2021-11-270

Moved by: Councillor Wright

Seconded by: Councillor Thibert

BE IT RESOLVED THAT Council of the Municipality of Neebing supports the resolution passed by the Municipality of Leamington regarding Long Term Care Homes.

CARRIED ✓

4.8 Correspondence from Ontario Good Roads Association, received October 14, 2021, Regarding Call for Nominations

Members present reviewed the correspondence. No resolution was passed.

4.9 Correspondence from Ministry of the Environment, Conservation and Parks, received September 23, 2021, Regarding Black Ash Protection

Members present reviewed the correspondence. There was discussion regarding control of the emerald ash borer. On consensus, Council supported the easing of black ash protection.

5. BY-LAWS

5.1 By-law 2021-043 to Change Council Composition and Ward Boundaries

Res. No. 2021-11-272

Moved by: Councillor Cuthbertson

Seconded by: Councillor Thibert

BE IT RESOLVED THAT By-law 043 to change council composition and ward boundaries, be passed.

CARRIED ✓

A recorded vote was performed:

Blake Councillor Mark Thibert - YES

Scoble Councillor Brian Kurikka - YES

Councillor at Large Gordon Cuthbertson - YES

Crooks Councillor Brian Wright - YES

Pearson Councillor Gary Gardner - NO

Pardee Councillor Curtis Coulson - NO

Mayor Erwin Butikofer- YES

6. NEW BUSINESS - ANNOUNCEMENTS

Councillor Coulson provided an update on a recent repair performed on the bridge on Cloud Lake Road.

Two recent losses were acknowledged: the loss of a daughter of one of our constituents; and the loss of the husband of Oliver Paipoonge Mayor Kloosterhuis. Sympathy cards were sent to both families by the Mayor.

7. CLOSED SESSION

No items on the agenda required entering into closed session.

7.1 Minutes of the Closed Session portion of the Regular Meeting of Council held on October 6, 2021

This item was approved as part of the consent agenda

8. CONFIRMATION BY-LAW

8.1 By-law 2021-044 To Confirm the Proceedings of the Meeting

Res. No. 2021-11-273

Moved by: Councillor Coulson

Seconded by: Councillor Kurikka

BE IT RESOLVED THAT By-law 2021-044, to confirm the proceedings of this evening's meeting, be passed as presented.

CARRIED ✓

9. ADJOURN THE MEETING:

There being no further business to attend to, Mayor Butikofer adjourned the meeting at 6:58 p.m.

REGULAR MEETING OF COUNCIL

Erwin Butikofer
MAYOR

Erika Kromm
CLERK-TREASURER



LAKEHEAD REGION

CONSERVATION AUTHORITY

Minutes of the Eighth Regular Meeting of the Lakehead Region Conservation Authority held on Wednesday, September 29, 2021, via Microsoft Teams. The Chair called the Meeting to order at 4:30 p.m.

PRESENT: Donna Blunt, Chair
Grant Arnold, Vice-Chair
Joel Brown
Rudy Buitenhuis
Andrew Foulds
Trevor Giertuga
Andrea Goold
Umed Panu
Allan Vis

REGRETS: Erwin Butikofer
Jim Vezina

ALSO PRESENT: Tammy Cook, Chief Administrative Officer
Mark Ambrose, Finance Manager
Gail Willis, Watershed Manager
Ryne Gilliam, Lands Manager
Ryan Mackett, Communications Manager
Melanie O'Riley Receptionist/Admin Clerk, recorder of Minutes

1. ADOPTION OF AGENDA

Resolution #93/21

Moved by Grant Arnold, Seconded by Joel Brown

"THAT: the Agenda be adopted as published." **CARRIED.**

2. DISCLOSURE OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING

Resolution #94/21

Moved by Allan Vis, Seconded by Umed Panu

“THAT: the Minutes of the Lakehead Region Conservation Authority Seventh Regular Meeting held on Wednesday, August 25, 2021 be adopted as published.” CARRIED.

4. IN-CAMERA AGENDA

An In-Camera meeting was not held.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

(a) File: Draft 2022 Budget

Members were advised that the LRCA received the 2022 Current Value Assessment (CVA) numbers after the presentation of the draft budget in August and were provided with an updated Draft Budget Summary illustrating the impact to each Member Municipalities municipal levy.

6. CORRESPONDENCE

None.

7. STAFF REPORTS

Members reviewed and discussed the Staff Report related to the 2021 Hazelwood Lake Bacteriological Water Quality Report.

Resolution #95/21

Moved by Rudy Buitenhuis, Seconded by Andrew Foulds

“THAT: the Staff Report WM-01-2021 be received AND FURTHER THAT the recommendations contained therein are endorsed.” CARRIED.

Members reviewed and discussed Staff Report LM-06-2021 related to a change to the contract price for the repairs to the Hazelwood Lake Dam.

Resolution #96/21

Moved by Andrea Goold, Seconded by Umed Panu

“THAT: Change Order #01 for additional concrete repairs on the Hazelwood Lake Dam by Tom Jones Corporation for the amount of \$55,318.93 plus HST be approved **AND FURTHER THAT** funds will be appropriated from the Conservation Areas Major Maintenance Capital Reserve for the project.” CARRIED.

8. CHIEF ADMINISTRATIVE OFFICER REPORT

Members were provided with the monthly Treasurer’s Report for August’s Administration and Capital.

Members reviewed and discussed Staff Report POLICY-PP-08-2021 related to amending the Statutory Holiday Policy to recognize September 30 as the National Day for Truth and Reconciliation.

Resolution #97/21

Moved by Andrew Foulds, Seconded by Grant Arnold

“THAT: Personnel Policy PP-08: Statutory Holidays be amended to recognize September 30 as the National Day for Truth and Reconciliation.” CARRIED.

9. PASSING OF ACCOUNTS

Resolution #98/21

Moved by Rudy Buitenhuis, Seconded by Allan Vis

“THAT: having examined the accounts for the period of August 1, 2021 to August 31, 2021 cheque #2357 to #2395 for \$27,070.50 and preauthorized payments of \$5,097,993.95 for a total of \$5,125,064.45, we approve their payment.” CARRIED.

10. REGULATORY ROLE

Members were provided with the Plan Input and Review Summary for the Period of August to September 22, 2021 a summary of Section 28 Permits issued in 2021 to date.

11. PROJECTS UPDATE

It was noted that Lake Superior water levels have declined (due to dry conditions) and reached the long-term average for the first time since April 2014.

It was noted that the Lakehead Region Conservation Authority declared a Level II Low Water Condition on September 2, 2021.

Members were advised that a film crew from Toronto was granted permission to film background special effects shots at MacKenzie Point Conservation Area on September 22, 2021. The footage was shot for season three of the Apple TV+ original series 'SEE'.

It was noted that approximately 30 metres of shoreline was restored and stabilized at the Mission Island Marsh Conservation Area by Serafini's General Contracting, LRCA staff, and the United Way of Thunder Bay volunteers. The Mission Marsh Shoreline Restoration project was funded through a transfer payment agreement with the Ministry of Natural Resources and Forestry.

It was noted that on October 7th and 8th, LRCA staff will host a volunteer day planting event at Fisherman's Park West to restore the park to a naturalized condition by planting native trees, shrubs, and perennials. Once planted, LRCA staff will be hosting outdoor classroom events in partnership with Lakehead University and Confederation College to educate how re-naturalization in urban areas can alleviate the impacts of climate change.

It was noted that on October 1st, LRCA staff will host a community meeting and site tour of the Mountdale/Nestle Boat Launch to introduce the project and discuss the proposed riparian habitat restoration and stormwater management using green infrastructure. The project is being funded by Environment and Climate Change Canada.

12. NEW BUSINESS

It was noted that Courtney Jackson had been hired as the new Education Co-ordinator.

13. NEXT MEETING


Wednesday, October 27, 2021, at 4:30 p.m. via Microsoft Teams.

14. AJOURNMENT

Resolution #99/21

Moved by Andrew Foulds, Seconded by Joel Brown

"THAT: the time being 5:16 p.m. AND FURTHER THAT there being no further business we adjourn." CARRIED.


Chair


Chief Administrative Officer

VOUCHER REPORT

FOR THE MONTH OF OCTOBER 2021

	<u>Amount</u>
Liabilities	
HST, Source Deductions, Liabilities	\$ 43,009.44
Expense Accounts	
General Government	38,659.04
Protection to Persons and Property	14,870.73
Policing	36,610.00
Transportation Services	53,401.38
Environmental Services	10,846.02
Health Services	4,328.00
Cemetery	
Social and Family Services	33,357.00
Building Services	932.24
Recreation and Cultural Services	1,648.01
Economic Development	35.62
Capital Projects General	
Capital Projects-Fire Department	
Capital Projects Public Works	34,567.87
Capital Projects Parks	
School Boards - Education Levy	
Total disbursements in month	<u><u>\$272,265.35</u></u>

<u>Cheque Runs</u>	
10/5/2021	\$ 37,159.43
10/5/2021	1,120.92
10/25/2021	190,475.37
10/27/2021	3,522.49
	<u><u>\$232,278.21</u></u>
<u>Direct Deposits - Payroll</u>	
PR-1554	\$ 684.53
PR-1555	15,941.14
PR-1558	16,593.74
PR-1559	6,767.73
	<u><u>\$39,987.14</u></u>
Total disbursements in month	<u><u>\$272,265.35</u></u>

**Municipality of Neebing
Voucher Report - October 2021**

3.3-2

CHQ #	Date	Colt Vendor Name / Description	GL Acct #	Trans Detail	Amount
15355	10/5/2021	CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL #87			\$682.29
		PR1549 - Payroll from 8/14/21 to 8/27/21	01-00-204600	Source Deductions	
		PR1550 - Payroll from 8/28/21 to 9/10/21	01-00-204600	Source Deductions	
		PR1553 - Payroll from 9/11/21 to 9/24/21	01-00-204600	Source Deductions	
15356	10/5/2021	MINISTER OF FINANCE (EHT)			\$1,492.70
		PR1549 - Payroll from 8/14/21 to 8/27/21	01-00-204700	Source Deductions	
		PR1550 - Payroll from 8/28/21 to 9/10/21	01-00-204700	Source Deductions	
		PR1551 - Payroll from 9/01/21 to 9/30/21	01-00-204700	Source Deductions	
		PR1552 - Payroll from 7/01/21 to 9/30/21	01-00-204700	Source Deductions	
		PR1553 - Payroll from 9/11/21 to 9/24/21	01-00-204700	Source Deductions	
15357	10/5/2021	ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM			\$7,985.48
		PR1549 - Payroll from 8/14/21 to 8/27/21	01-00-204500	Source Deductions	
		PR1550 - Payroll from 8/28/21 to 9/10/21	01-00-204500	Source Deductions	
		PR1553 - Payroll from 9/11/21 to 9/24/21	01-00-204500	Source Deductions	
15358	10/5/2021	RECEIVER GENERAL			\$19,827.70
		PR1549 - Payroll from 8/14/21 to 8/27/21	01-00-204200	Source Deductions	
		PR1550 - Payroll from 8/28/21 to 9/10/21	01-00-204200	Source Deductions	
		PR1551 - Payroll from 9/01/21 to 9/30/21	01-00-204200	Source Deductions	
		PR1553 - Payroll from 9/11/21 to 9/24/21	01-00-204200	Source Deductions	
15359	10/5/2021	WSIB (WORKER'S SAFETY INSURANCE BOARD)			\$3,059.88
		PR1549 - Payroll from 8/14/21 to 8/27/21	01-00-204750	Source Deductions	
		PR1550 - Payroll from 8/28/21 to 9/10/21	01-00-204750	Source Deductions	
		PR1551 - Payroll from 9/01/21 to 9/30/21	01-00-204750	Source Deductions	
		PR1552 - Payroll from 7/01/21 to 9/30/21	01-00-204750	Source Deductions	
		PR1553 - Payroll from 9/11/21 to 9/24/21	01-00-204750	Source Deductions	
		SEP-2021 ADD FIRE - SEPT 2021 ADDITIONAL FIRE PREMIUM	01-03-501260	Fire / Protection PP	
15360	10/5/2021	MINISTER OF FINANCE (EHT)			\$1,120.92
		PR1535 - Payroll from 6/19/21 to 7/02/21	01-00-204700	Source Deductions	
		PR1536 - Payroll from 7/03/21 to 7/16/21	01-00-204700	Source Deductions	
		PR1537 - Payroll from 7/01/21 to 7/30/21	01-00-204700	Source Deductions	
15361	10/25/2021	BELL CANADA			\$91.89
		OCT-2021 - GARAGE TELEPHONE	01-05-503410	Public Works	
15362	10/25/2021	CGIS CENTRE			\$322.05
		44476 - LARGE SCALE NEEBING MAP	01-01-501555	General Government	
15363	10/25/2021	CODE 4 FIRE & RESCUE INC			\$1,433.97
		207072 - REPAIRS TO JAWS OF LIFE (E-RAM)	01-03-503319	Fire / Protection PP	
15364	10/25/2021	CRC COMMUNICATIONS LIMITED			\$320.36
		1146772 - REPEATER RENTAL - SYSTEM LIC FEES	01-05-503415	Public Works	
15365	10/25/2021	DEPENDABLE EMERGENCY VEHICLES			\$659.92
		INV21-104007 - SWIVAL FOCUS KIT FOR SCENE LIGHT	01-03-502135	Fire / Protection PP	
15366	10/25/2021	FORT GARRY INDUSTRIES LTD			\$107.58
		F8977706 - SHOP SUPPLIES: LUBE/WASHER FLUID/VALVE STEM/REDUCERS	01-05-503350	Public Works	
15367	10/25/2021	GARY GARDNER			\$124.29
		TOOL-TOWN-OCT2021 - REIMBURSE FOR TARP FOR ALF OLSEN RINK BOARDS	01-15-507400	Recreation	

**Municipality of Neebing
Voucher Report - October 2021**

3.3-3

CHQ #	Date	Colt Vendor Name / Description	GL Acct #	Trans Detail	Amount
15368	10/25/2021	GFL ENVIRONMENTAL INC			\$3,571.93
		RC148787 - RECYCLE COLLECTION: SEPT 1-10-15-22-29-30-2021	01-08-504250	Environmental	
15369	10/25/2021	GILBERT ELECTRIC INC.			\$206.32
		3876 - WIRING BLAKE HALL FOR NEW A/V SYSTEM	01-01-501295	General Government	
15370	10/25/2021	KEVIN HOLLAND			\$150.00
		LPSB-OCT-2021 - LAKEHEAD POLICE SERVICE BOARD MEETING OCT 13-2021	01-07-502250	Policing	
15371	10/25/2021	HOOD EQUIPMENT CANADA INCORPORATED			\$1,111.07
		131523 - 160 EXCAVATOR - WATER PUMP	01-05-503320	Public Works	
15372	10/25/2021	KGS GROUP CONSULTING ENGINEERS			\$2,613.23
		102064 - SCOBLE LANDFILL EXPANSION	01-08-504255	Environmental	
15373	10/25/2021	JERRY LOAN			\$150.00
		LPSB-OCT 2021 - LAKEHEAD POLICE SERVICE BOARD MEETING OCT 13-2021	01-07-502250	Policing	
15374	10/25/2021	LOCAL AUTHORITY SERVICES LTD			\$31,894.21
		MGBP1664 - 6-13 - FRONT TIRES 425/65R22.5	01-05-503320	Public Works	
		PF-1419-03963 - DIESEL 881.90L / DYED 1812.70L	01-05-503325	Public Works	
		PF-1468-92885 - DIESEL 6699.90L / DYED 24.75.30L	01-05-503325	Public Works	
		PF-1576-93038 - DYED 5005.5L / DIESEL 5156.20L	01-05-503325	Public Works	
		PF-1595-93066 - DIESEL 1028.30L	01-05-503325	Public Works	
15375	10/25/2021	MALLON'S PROMOTIONAL CLOTHING & PRODUCTS			\$513.81
		65603 - NES VOLUNTEER STAFF T-SHIRTS	01-03-502165	Fire / Protection PP	
15376	10/25/2021	MICROAGE COMPUTER CENTRE			\$544.57
		1716 - ONLINE BACKUP	01-01-501518	General Government	
		1758 - HOSTED EXCHANGE EMAIL	01-01-501518	General Government	
		1797 - IT SERVICES - DEBIT / WIFI / CONNECTIVITY ISSUES	01-01-501518	General Government	
15377	10/25/2021	MINISTER OF FINANCE			\$35,860.00
		181009211033053 - POLICING CONTRACTS SEPT 2021	01-07-502300	Policing	
		180510210944048 - COURT SECURITY AND PRISONER TRANSPORT CREDIT	01-07-502300	Policing	
15378	10/25/2021	MINISTER OF FINANCE (CACC)			\$140.00
		INV#3 - 2021 - FIRE CALL TAKING JUL-SEP 2021	01-03-502156	Fire / Protection PP	
15379	10/25/2021	MINISTER OF FINANCE (EHT)			\$460.90
		PENALTY-INTEREST - PENALTY AND INTEREST FOR LATE FILING	01-01-501240	General Government	
15380	10/25/2021	MICHAEL MORRISON			\$22.04
		CHQ-REQ-OCT-2021 - MILEAGE FOR 911 SIGN INSTALL	01-03-502165	Fire / Protection PP	
15381	10/25/2021	MUNICIPAL PROPERTY ASSESSMENT CORPORATION			\$14,634.37
		1800029259 - QTR'LY BILLING FOR PROPERTY ASSESSMENT SERVICES	01-01-501535	General Government	
15382	10/25/2021	NORTH OF SUPERIOR TRAVEL ASSOCIATION			\$565.00
		17731 - LAKE SUPERIOR CIRCLE TOUR MAGAZINE ADVERTISEMENT	01-01-501570	General Government	

**Municipality of Neebing
Voucher Report - October 2021**

3.3-4

CHQ #	Date	Colt Vendor Name / Description	GL Acct #	Trans Detail	Amount
15383	10/25/2021	NOVA-PRO INDUSTRIAL SUPPLY LTD.			\$4,082.21
		499489 - 911 BLUE SIGNS & FASTENERS	01-03-502156	Fire / Protection PP	
		500938 - SHOP SUPPLIES: AXE / AIR BLOW GUN / BRUSHES	01-05-503440	Public Works	
15384	10/25/2021	AXEL NOWAK			\$150.00
		LPSB-OCT2021 - LAKEHEAD POLICE SERVICE BOARD MEETING OCT 13-2021	01-07-502250	Policing	
15385	10/25/2021	PROPANE ENERGY SOLUTIONS			\$164.66
		65063 - PROPANE/TANK RENTAL/MATERIALS - SCOBLE LANDFILL	01-08-504200	Environmental	
		65064 - PROPANE/TANK RENTAL - SANDHILL LANDFILL	01-08-504200	Environmental	
15386	10/25/2021	JOHN SOBOLTA			\$150.00
		LPSB-OCT 2021 - LAKEHEAD POLICE SERVICE BOARD MEETING OCT 13-2021	01-07-502250	Policing	
15387	10/25/2021	SUPERIOR LOCATE SERVICES LTD			\$197.75
		1776 - GPR ON FRONT ENTRANCE (OIL TANK LOCATE)	01-01-501517	General Government	
15388	10/25/2021	SUPERIOR OUTDOORS INC.			\$562.74
		12441 - 1/2 PAGE AD IN THE OCT 2021 EDITION OF THE WALLEYE	01-01-501570	General Government	
15389	10/25/2021	TBAY TEL			\$1,391.12
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-16-502455	Building Expense	
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-17-501530	Economic Development	
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-08-504201	Environmental	
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-03-502155	Fire / Protection PP	
		OCT-2021 - INTERNET/WEATHER/OFFICE LINES/FAX/DEBIT/HEALTH/FIRE HALL 1,4,5,6/BLAKE HALL	01-01-501530	General Government	
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-01-501530	General Government	
		OCT2021 - LANDFILLS/MAYOR/CBO/PWORKS/CLERK/TREASURER/FIRE CHIEF/HALL 2&3/NEDAC/CEMC	01-05-503410	Public Works	
		OCT-2021 - INTERNET/WEATHER/OFFICE LINES/FAX/DEBIT/HEALTH/FIRE HALL 1,4,5,6/BLAKE HALL	01-15-507230	Recreation	
15390	10/25/2021	TBT ENGINEERING			\$38,386.10
		219262-21440 - FARM / PARDEE BRIDGE REPLACEMENTS	01-51-513325	Capital Projects - PW	
15391	10/25/2021	TELECO			\$847.00
		102490 - WIRELESS HEADSETS - ADMIN/FIRE CHIEF	01-01-501295	General Government	
		102490 - WIRELESS HEADSETS - ADMIN/FIRE CHIEF	01-03-502195	Fire / Protection PP	
15392	10/25/2021	TEMPELMAN WATER HAULAGE			\$275.00
		9905 - WATER HAUL TO BLAKE HALL WELL	01-15-507220	Recreation	

**Municipality of Neebing
Voucher Report - October 2021**

3.3-5

CHQ #	Date	Colt Vendor Name / Description	GL Acct #	Trans Detail	Amount
15393	10/25/2021	THUNDER BAY BROOM & CHEMICALS LTD.			\$185.49
		22791 - CLEANING SUPPLIES: T-PAPER/MOP HEAD/P-TOWEL	01-01-501430	General Government	
		22791 - CLEANING SUPPLIES: T-PAPER/MOP HEAD/P-TOWEL	01-15-507220	Recreation	
15394	10/25/2021	THUNDER BAY DISTRICT HEALTH UNIT			\$4,328.00
		OCT-2021 - THUNDER BAY DISTRICT HEALTH LEVY	01-10-505200	Health Services	
15395	10/25/2021	THUNDER BAY DISTRICT SOCIAL SERVICES ADMIN. BOARD			\$33,357.00
		SI102983 - 2021 LEVY	01-12-506100	Social / Family Services	
		SI102983 - 2021 LEVY	01-12-506400	Social / Family Services	
15396	10/25/2021	THUNDER BAY TRUCK CENTRE INC.			\$1,096.53
		W75026 - R-155 - OIL LEAK REPAIR	01-03-502135	Fire / Protection PP	
15397	10/25/2021	TOROMONT CAT			\$503.16
		PS091174556 - 950 LOADER / 420 B/HOE: SPRING KITS	01-05-503320	Public Works	
15398	10/25/2021	VALLEY FIRE PROTECTION AND SERVICES LIMITED			\$3,246.20
		15099 - BUNKER GEAR - KELLAR, THORNE, SHRUIFF, SEK	01-03-502175	Fire / Protection PP	
15399	10/25/2021	CATHY WOODBECK			\$150.00
		LPSB-OCT 2021 - LAKEHEAD POLICE SERVICE BOARD MEETING OCT 13-2021	01-07-502250	Policing	
15400	10/25/2021	XEROX CANADA LTD.			\$211.43
		P58137490 - XEROXCOPY CHARGES	01-03-502157	Fire / Protection PP	
		P58137490 - XEROXCOPY CHARGES	01-01-501505	General Government	
HYDRO ONE	10/25/2021	HYDRO ONE NETWORKS INC			\$1,064.51
		SEP-2021 HYDRO - SEPT 2021 HYDRO ALL MUNICIPAL PROPERTIES	01-03-502120	Fire / Protection PP	
		SEP-2021 HYDRO - SEPT 2021 HYDRO ALL MUNICIPAL PROPERTIES	01-01-501420	General Government	
		SEP-2021 HYDRO - SEPT 2021 HYDRO ALL MUNICIPAL PROPERTIES	01-05-503310	Public Works	
		SEP-2021 HYDRO - SEPT 2021 HYDRO ALL MUNICIPAL PROPERTIES	01-15-507215	Recreation	
MANULIFE	10/25/2021	MANULIFE FINANCIAL			\$4,628.96
		AUG 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-01-501250	General Government	
		AUG 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-05-501250	Public Works	
		JULY-2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-01-501250	General Government	
		JULY-2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-05-501250	Public Works	
		OCT 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-01-501250	General Government	
		OCT 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-05-501250	Public Works	
		SEP 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-01-501250	General Government	
		SEP 2021 - GROUP BENEFITS - LIFE / LTD / AD&D	01-05-501250	Public Works	
SUNLIFE	10/5/2021	SUNLIFE ASSURANCE COMPANY OF CANADA			\$4,111.38
		SEP-2021 - SEPTEMBER 2021 EMPLOYEE BENEFITS	01-01-501250	General Government	
		SEP-2021 - SEPTEMBER 2021 EMPLOYEE BENEFITS	01-05-501250	Public Works	
TD VISA 1662 - ASHBEE	10/25/2021	TD VISA 1662 - ASHBEE			\$566.63
		SEP 2021 VISA CHARGESQ - SEP 2021 VISA CHARGES	01-03-501270	Fire / Protection PP	

**Municipality of Neebing
Voucher Report - October 2021**

3.3-6

CHQ #	Date	Colt Vendor Name / Description	GL Acct #	Trans Detail	Amount
TD VISA 4442 - JASPERS	10/25/2021	TD VISA 4442 - JASPERS			\$940.04
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-03-502157	Fire / Protection PP	
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-01-501415	General Government	
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-05-503440	Public Works	
TD VISA 5191 - MERCER	10/25/2021	TD VISA 5191 - MERCER			\$107.66
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-01-501415	General Government	
TD VISA 5738 - KROMM	10/25/2021	TD VISA 5738 - KROMM			\$1,908.16
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-08-504255	Environmental	
		SEP 2021 VISA CHARGES - SEP 2021 VISA CHARGES	01-01-501295	General Government	

\$232,278.21

**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 10, 2021 (For Meeting on November 17, 2021)

To: Mayor and Council

Subject: Administrative Activity Report

File Number:

Submitted by: Erika Kromm, Clerk-Treasurer

This report updates Council since the last activity report was prepared (October 1, 2021).

General:

1. Meetings, etc.: The list of meetings, events, office closures, etc. is appended.
2. Neebing News: The deadline for submission to the Neebing News December edition is November 20.
3. Economic Development: The NOHFC Grant Agreement for the Thunder Grinder event has been received. Administration is working with event organizers to complete the claim form.
4. Landfill Site Work: KGS submitted the Environmental Assessment Application for the Scoble Landfill expansion to the Province for review. KGS is preparing for the work related to an additional monitoring well at Scoble as well as the annual testing program for both sites. Administration is working to set up a meeting to kick off the work for the Sand Hill Landfill expansion application.
5. Waste Management: The FoodCycler units arrived at the municipal office and all but nine (as of November 11) have been picked up. Follow up for the remaining units began on Friday November 12
6. Prudent Investor Standard: The One Investment Board meets the morning of November 17. The Deputy-Clerk has been requested to speak about the process of Neebing joining the JIB at the November Meeting.
7. Municipal Properties: Marketing is continuing for the remaining surplus municipal properties.
8. Broadband Project: Both the provincial and federal funding programs have closed the application process and we are awaiting decisions. No decisions have been received regarding either application.

9. West Oliver Lake Park: Work has been completed on the parking area near the beach.
10. Sturgeon Bay Boat Launch: It is expected that the work permit will be issued soon. The Ministry requested confirmation of the project timeline since the permit had been delayed. Administration requested that the permit be extended for an extra year in case there are further delays.
11. Tenders: A rep from the Lakehead Purchasing Consortium will help with the RFP.
12. Taxes: The penalty notices and the letter inserted with the penalty notices has resulted in a number of payments, phone calls and payment plans.
13. Insurance: We will submit the 2022 Insurance renewal forms the week of November 15th.
14. COVID Vaccination Policy: A policy regarding vaccines is being developed in conjunction with the Fire Chief and will be reviewed by the Union prior to being presented to Council.
15. Regulations to the Conservation Authority Act: New regulations related to the Conservation Authorities Act have come into effect. This will require a review with the Lakehead Region Conservation Authority and likely a memorandum of understanding regarding non-mandated programs. Further information will be brought to a future Council meeting.

Planning:

16. Zoning By-law Amendment: No new applications have been received. Administration has not received any further information regarding the re-zoning application that was deferred on April 21, 2021.
17. Severance Applications: No new applications have been received.
18. Official Plan: The final edit is in this agenda for passage of the by-law. Administration will submit the Official Plan to the Ministry of Municipal Affairs and Housing once the notice of passage of by-law has been circulated.

This final version of the Official Plan includes the final map schedules that were not available when Council passed the by-law to adopt the plan on April 7, 2021. In addition, the names of the provincial ministries have been updated to reflect any changes that have occurred since April.

ATTACHMENTS: List of upcoming meetings, events and training courses involving members of Council.

ATTACHMENT: Upcoming Meetings/Events

NOTE: Due to the COVID 19 Emergency, most committee and board meetings have been suspended until further notice.

Date/Time	Meeting	Attendees/Comments
November 17, 2021 @ 5:00 pm Via Web Conference	Special Council meeting	Open to the public (excepting Closed portion, if any)
November 17, 2021 @ 6:00 pm Via Web Conference	Regular Council meeting	Open to the public (excepting Closed portion, if any)
December 1, 2021 @ 6:00 pm Via Web Conference	Regular Council meeting	Open to the public (excepting Closed portion, if any)
December 14, 2021 @ 9:00 a.m. Via Web Conference	Health & Safety Committee	Councillor Wright, Ms. Kromm
December 15, 2021 @ 6:00 pm Via Web Conference	Regular Council meeting	Open to the public (excepting Closed portion, if any)
December 21, 2021 @ 5:30 pm Via Web Conference	LRMC Meeting	Mayor Butikofer, Ms. Kromm
Office Closed from December 24, 2021 to January 3, 2022.		
January 12, 2022 @ 6:00 pm Via Web Conference	Lakehead Police Services Board	Open to the public
January 19, 2022 @ 6:00 pm Via Web Conference	Regular Council meeting	Open to the public (excepting Closed portion, if any)

Known "regular" committee meetings:

NEDAC: last Monday of each month (5:00 p.m.; Municipal Office)

Recreation Committee: second Monday of each month (7:00 p.m.; Blake Hall)

Cemetery Board: last Monday of mid-quarter months (4:00 p.m.; Municipal Office)

Waste Management Committee: second Monday of each month (5:30 p.m.; Municipal Office)

Lakehead Police Service Board: October 14 (6:00 p.m.; O'Connor Municipal Office)

Lakehead Rural Municipal Coalition: Third Tuesday of each month (4:00 p.m.; Oliver Paipoung Municipal Office.)

**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 11, 2021 (For Meeting on November 17, 2021)
To: Mayor and Council
Subject: Roads Report – October 2021
File Number: 05-A01-00002-2015
Submitted by: Barry Livingston, Working Roads Foreman

RECOMMENDATION:

This Report is prepared for Council's information.

Equipment Maintenance:

- Routine maintenance was ongoing
- Steamer unit was winterized to be ready for frozen culvert season.
- Plow frames were installed on trucks for winter season.
- Snow plows were gone over to be ready for winter plowing.
- Screener was disassembled and moved back to Jarvis Pit from Fraleigh Pit.

Road Maintenance

- Routine grading was ongoing to smooth out roads before freeze up.
- Winter sand was hauled from Sand Hill Pit to yard for use throughout the winter season.
- Some patching of potholes was done on chipseal roads.
- Gravel crushing was completed at Jarvis and Stanley Pits.
- One entrance culvert changes on Boy Scout Road.
- Cloud Lake Road bridge was repaired until a replacement is installed.
- Gravel was hauled from Jarvis Pit to yard stockpile for future use.
- Some gravel was hauled to spots on East Oliver Lake, West Oliver Lake and Valley Roads.

Landfill Sites

- Both Landfill sites were cleaned up.

Parks & Building Maintenance

- Garbage cans were removed from parks for winter season.
- Buoys were removed from West Oliver Lake Boat Launch.

Roads Complaints

- There were 4 formal road complaints in October and all were resolved.

ITEM 3.6
MONTHLY REPORT FROM THE FIRE CHIEF

To be distributed prior to the meeting.

From: [Nicole McNeill](#)
To: [Neebing](#)
Subject: MPAC: Municipal Assessment Postponed
Date: November 4, 2021 5:43:41 PM



Good afternoon Mayor Butikofer,

Today, as part of the [Ontario Economic Outlook and Fiscal Review: Build Ontario](#) the government announced the continued postponement of the province-wide assessment update.

This means that property taxes for the 2022 and 2023 taxation years will continue to be based on the January 1, 2016 valuation date. Property assessments will remain the same as they were for the 2021 tax year, unless there have been changes to the property.

This announcement does not change the work we do to maintain the assessment roll, including the addition of new assessment. We understand the importance of revenue generated from ongoing construction and renovation projects, and we will continue to capture the value of these changes throughout the year.

We will also continue our work to provide you with market analysis and insights to support you in managing your assessment base and planning for the future.

In addition to the postponement, other relevant highlights from today's *Fall Economic Statement* include:

- Temporary suspension of the five per cent cap on the payments in lieu of property tax (PILT) to municipalities until passenger volumes return to pre-pandemic levels for each airport.
- Simplifying the legislative requirements with respect to the assessment of pipeline properties, including the designation of pipelines by owners.
- Several farm property-related measures: Changes to small-scale on-farm business subclass, extending the farm property tax treatment that currently applies to the processing of maple sap to include all edible tree saps and increasing the current limit on the property tax exemption for farm woodlots from 20 to a proposed 30 acres.
- Streamlining and simplifying application processes for the Farm Property Class Tax Rate Program.
- Our work to develop an annual performance report beginning in 2022, which will contain many elements from our Service Level Agreement and is one of the ways we will demonstrate accountability and transparency in our work.

Over the coming weeks we will be meeting with our municipal partners to talk about how we will continue to work in partnership with you to support efforts to modernize the sector, and ensure we are in the best possible position to deliver the next assessment update.

We thank you for your partnership and we are here to continue to support you. If you have any questions or concerns, please feel free to reach out to your local account manager.

Sincerely,

Nicole

Nicole McNeill
President and Chief Administrative Officer

Municipal Property Assessment Corporation (MPAC)
1340 Pickering Parkway, Suite 101
Pickering, ON L1V 0C4

MPAC-TOP-2021-EMPLOYER



**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 12, 2021 (for meeting on November 17, 2021)
To: Mayor and Council
Subject: Surplus Assets
Submitted by: Laura Jones, Deputy Clerk-Treasurer

RECOMMENDATION:

Administration recommends that Council declare vehicle P-141 surplus and authorize disposal through the GovDeals website.

DISCUSSION:

The Fire Chief has advised that P-141, a 1987 GMC 7000 CV6 VIN 1GDJ7D1E2HV509311, is no longer required and should be declared surplus. He recommends that selling this vehicle on the GovDeals website would be a good way to dispose of this item.

ATTACHMENTS: None

AVAILABLE UPON REQUEST: None

**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 11, 2021 (For Meeting on November 17, 2021)

To: Mayor and Council

Subject: Reserve Funds

Submitted by: Erika Kromm, Clerk-Treasurer

RECOMMENDATION:

Administration seeks Council's direction regarding the proceeds of the 2021 land sales.

DISCUSSION:

At the regular meeting of Council held on October 6, 2021, Council reviewed year-end transfers to various reserve funds. Several transfers were approved at that meeting, however, there were no decisions regarding the transfer of funds from the sale of three lots within plans of subdivision. Administration was directed to provide further information relating to parkland dedication.

Three of the properties sold by the Municipality in 2021 were in a plan of subdivision. Under the Planning Act, municipal councils may require developers to convey a portion of their development to the municipality for park purposes. Neebing's requirements for this are found in the Official Plan, which states the following:

2.3 PARKLAND DEDICATION

2.3.1 *The dedication of lands or acceptance of cash-in-lieu of the land dedication for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:*

- (a) *the development or redevelopment of land for residential purposes may require a land dedication to the Municipality at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and*
- (b) *development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Municipality at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.*

2.3.2 *To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Municipality and satisfy the following criteria:*

- (a) *be relatively level and are not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;*

- (b) *be located within the community context to provide convenient and adequate access;*
- (c) *provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.; and*
- (d) *be provided with basic service requirements.*

The requirements do not specify what must be done with any cash received in lieu of land dedication. If Council chooses, part or all of the funds from the sale of the lots can be transferred to the Parks Reserve Fund.

Adding the proceeds from the sale of the three lots the Parks Reserve Fund would have exceeded the \$300,000 cap placed on the fund which has a current balance of \$193,538.81. However, as requested by Council, the by-law at Item 5.2 removes that cap. Administration is seeking direction from Council as to whether they wish all or part of the money to be transferred for upcoming parks projects.

In addition, there were other sales of property in 2021 that were not in plans of subdivision. These would include the Oleksuk Road lots, shoreline road allowance and landlocked parcels. Last year Council transferred the funds from the sale of similar properties to the Rate Stabilization Reserve Fund. Administration is seeking direction from Council as to whether they wish to transfer the 2021 sales to the same fund or to another fund.

Administration will bring forward a report at a future Council meeting to approve the remaining year-end reserve fund transfers, including the funds from land sales.

ATTACHMENTS: None

AVAILABLE UPON REQUEST: Reserve fund balance sheet

**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 12, 2021 (For Meeting on November 17, 2021)

To: Mayor and Council

Subject: Information Correspondence List
File Number: 02-A01-00001-2016 (Council General Administration)

Submitted by: Erika Kromm, Clerk-Treasurer

RECOMMENDATION:

Administration seeks Council's direction regarding Information Correspondence reports.

BACKGROUND:

Each Council agenda package includes a list of correspondence that was received in the office that is available for viewing if any members of Council choose. This list was created to reduce the amount of correspondence that at was included in the agenda package.

DISCUSSION:

Every agenda, staff take a few hours on the day the agenda is prepared to reformat and transfer the email correspondence received by the Clerk-Treasurer into the table shown below. The original unformatted list correspondence appears as Attachment One to this report. Much of the correspondence on the list includes newsletters from other organizations. Any correspondence received by Administration that requires direction is included separately on the Council agenda.

The list can only be prepared on the last day the agenda is assembled in order to ensure the most up-to-date correspondence is included. The preparation of this report removes the ability of staff to perform other work, and sometimes staff has had to stay late in order to reformat the Information Correspondence.

Administration seeks Council's direction regarding the continuation of this report going forward. Very rarely is Administration asked for a copy of any the correspondence on the list. If Council wishes to continue receive the report, does Council find the unformatted list of correspondence attached beneficial? Or would Council prefer that Administration continue to re-format the list into the format shown below?

ORGANIZATION	DESCRIPTION	DATE
Requests/Information/Minutes		
Training/Events		
Newsletters		

ATTACHMENTS: Unformatted Information Correspondence List

AVAILABLE UPON REQUEST: None

FROM	SUBJECT	RECEIVED
Date: Today		
Rural Ontario Municipal Association	[Junk]ROMA 2022: Important Reminder of Delegation Meeting Deadline - Monday November 15	Fri 11/12/2021 1:52 PM
Delayne from ACHIEVE	New Free Resources	Fri 11/12/2021 11:11 AM
FCM Connect	Available now: new asset management training	Fri 11/12/2021 10:02 AM
Good Roads	From hydraulics to sewer layout and standards - Storm Sewer Design Course	Fri 11/12/2021 8:42 AM
Circular Innovation Council	Pilot Launched: Reducing Food Waste and Accelerating Circularity in the IC&I Sector	Fri 11/12/2021 8:31 AM
Municipal Information Network	Municipal Information Network News	Fri 11/12/2021 3:29 AM
Date: Yesterday		
Canadian HR Reporter Editor	Fully flexible workweeks The 'great reckoning' New OHS rules in Alberta	Thu 11/11/2021 3:09 PM
Korn Ferry Institute	CEOs Who Tweet World's Hottest Job Market Tackling Interview Questions	Thu 11/11/2021 9:07 AM
Canadian HR Reporter	HR Leaders: Susan Uchida of RBC Capital Markets	Thu 11/11/2021 9:06 AM
Ontario Good Roads Association	Set yourself up as a leader in buried infrastructure	Thu 11/11/2021 8:45 AM
Environmental Research & Educati...	LESS THAN 1 WEEK: EREF Grant Pre-Proposals Accepted Soon	Thu 11/11/2021 8:01 AM
Date: Wednesday		
Ontario Waste Management Assoc...	Get Involved: OWMA Members Talk Meet-Up #2	Wed 11/10/2021 10:37 AM
Thunder Bay Chamber of Commerce	#tbbaymarketplace: Mining The Northwest - #ChooseTBayFirst	Wed 11/10/2021 10:31 AM
AMO Communications	AMO WatchFile - November 10, 2021	Wed 11/10/2021 10:05 AM
Environmental Research & Educati...	Thank You EREF Fall Classic Sponsors	Wed 11/10/2021 9:11 AM
Ontario Heritage Trust Fiducie du ...	Reminder: Register for Doors Open Ontario 2022! Inscrivez-vous à Portes ouvertes Ontario 2022!	Wed 11/10/2021 9:05 AM
Date: Tuesday		
Canadian HR Reporter Editor	Identity theft for 25,000 Refusing 'unsafe' work Pay equity tips	Tue 11/9/2021 3:03 PM
Circular Innovation Council	ADDED SPEAKERS: Circular Procurement Summit: Spend Category Sessions	Tue 11/9/2021 3:01 PM
Municipal Information Network	Municipal Information Network Jobs	Tue 11/9/2021 2:24 PM
Environmental Research & Educati...	FREE WEBINAR - Understanding Organics Management Across Canada	Tue 11/9/2021 2:03 PM
Delayne from ACHIEVE	Dealing with Difficult People Training	Tue 11/9/2021 1:11 PM
AMO Communications	Input Needed on Draft - Food and Organic Waste Discussion Paper	Tue 11/9/2021 1:08 PM
Date: Monday		
Ontario Waste Management Assoc...	OWMA Board of Directors Update	Mon 11/8/2021 3:17 PM
Ontario Chapter of SWANA	Canadian SWANA Chapters National Safety Summit	Mon 11/8/2021 2:56 PM
Thunder Bay Chamber of Commerce	the latest: November 8	Mon 11/8/2021 2:31 PM
Ontario Association of Committees...	Registration Open: 2021 OACA Lunch & Learn Webinar Series	Mon 11/8/2021 2:24 PM
Canadian HR Reporter	5-Star Reward and Recognition: Last week to enter	Mon 11/8/2021 11:05 AM
Date: Last Week		
Ontario Heritage Trust	Heritage Matters Live with Edward Burtynsky! Register today! Questions de patrimoine en direct avec Edward Burtyns...	Fri 11/5/2021 2:29 PM
Delayne from ACHIEVE	Free Webinar & New Podcast	Fri 11/5/2021 11:11 AM
AMO Communications	Ontario Food Collaborative - Food Sustainability Event	Fri 11/5/2021 10:28 AM
Ontario Heritage Trust Fiducie du ...	Register for Doors Open Ontario 2022! Inscrivez-vous à Portes ouvertes Ontario 2022!	Fri 11/5/2021 9:12 AM
Ontario Good Roads Association	Helping you succeed with Supervision Skills for Public Works	Fri 11/5/2021 8:15 AM
Municipal Information Network	Municipal Information Network News	Fri 11/5/2021 3:29 AM

FROM	SUBJECT	RECEIVED
AMO Communications	AMO Policy Update - Fall Economic Statement Highlights, Ontario Community Infrastructure Fund, Conservation Auth...	Thu 11/4/2021 4:19 PM
Canadian HR Reporter Editor	Do we need a right to disconnect? \$30,000 award for misuse of pronouns Refusing overtime hours	Thu 11/4/2021 3:03 PM
Ontario Clean Air Alliance	If Canada is serious about ending financing for fossil fuel projects, it can start here	Thu 11/4/2021 2:53 PM
Employee Engagement Summit Ca...	Do you know the secret to attracting the best candidates?	Thu 11/4/2021 1:09 PM
AMO Communications	AMO WatchFile - November 4, 2021	Thu 11/4/2021 10:04 AM
Ontario Good Roads Association	Innovation is the name of the game	Thu 11/4/2021 9:46 AM
Korn Ferry Institute	Record Wages Zoom Fatigue Interview Follow-ups	Thu 11/4/2021 9:27 AM
AMO Communications	Jamie McGarvey assumes Presidency of AMO	Thu 11/4/2021 9:03 AM
Municipal Information Network	Municipal Information Network News	Thu 11/4/2021 3:30 AM
Northern Policy Institute	NPI's NOV Newsletter: blogs, commentaries and stats from the North!	Wed 11/3/2021 5:01 PM
LAS COMMUNICATION - AMO Bus...	LAS Partners with Conduent Transportation for Automated Speed Enforcement	Wed 11/3/2021 4:01 PM
RPRA Communications	RPRA's November Newsletter	Wed 11/3/2021 2:48 PM
Ontario Waste Management Assoc...	Ontario's Blue Box Regulation	Wed 11/3/2021 1:39 PM
Ontario Clean Air Alliance	Ontario snoozes as the world works to address climate change	Wed 11/3/2021 12:30 PM
Good Roads	Good Roads Webinar - Supreme Court of Canada Gives Guidance on Core Policy Immunity and Operational	Wed 11/3/2021 10:31 AM
Circular Innovation Council	Join Us for Week Two: Circular Procurement Summit: Session Speakers Announced	Wed 11/3/2021 8:32 AM
Environmental Research & Educati...	NOW OPEN: Place a Bid in EREF's Super Silent Auction	Wed 11/3/2021 8:16 AM
Municipal Information Network	Municipal Information Network News	Wed 11/3/2021 3:29 AM
Canadian HR Reporter Editor	Remembrance Day changes Banning non-competes Last-chance agreements	Tue 11/2/2021 3:02 PM
Municipal Information Network	Municipal Information Network Jobs	Tue 11/2/2021 2:37 PM
Delayne from ACHIEVE	Management & Supervision Workshop	Tue 11/2/2021 1:11 PM
FCM Connect	Read the Green Municipal Fund 2020-21 annual report Watch the video series: How to get started with local climate a...	Tue 11/2/2021 10:02 AM
Environmental Research & Educati...	LAST CHANCE - Register and Earn 1 PDH	Tue 11/2/2021 9:04 AM
Ontario Good Roads Association	Conflict affects us all and negotiation is the key to successful resolutions.	Tue 11/2/2021 8:43 AM
Municipal Information Network	Municipal Information Network News	Tue 11/2/2021 3:28 AM
FCM Communiqué	FCM Voice: Read GMF's 2020-21 annual report FCM joins Team Canada at COP26 climate summit Take the FCM-RA...	Mon 11/1/2021 2:28 PM
Thunder Bay Chamber of Commerce	the latest: November 1	Mon 11/1/2021 2:26 PM
Ontario Trillium Foundation Fond...	OTF's Resilient Communities Fund: Apply Starting Nov 10, 2021	Mon 11/1/2021 12:10 PM
Ontario Clean Air Alliance	ON Energy Minister will give marching orders for gas power phase-out	Mon 11/1/2021 11:39 AM
Lake Superior Circle Tour	Lake Superior Circle Tour Stakeholder Update	Mon 11/1/2021 10:18 AM
Superior Country	Superior Country Stakeholder Newsletter	Mon 11/1/2021 10:17 AM
Environmental Research & Educati...	OPENING SOON: EREF Grant Pre-Proposals	Mon 11/1/2021 8:46 AM
Municipal Information Network	Municipal Information Network News	Mon 11/1/2021 3:28 AM
Date: Two Weeks Ago		
Good Roads	Heads-Up Alert: Performance-based Decision Making Takes a Big Step Forward	Fri 10/29/2021 5:03 PM
Kendal Donahue	Thunder Bay News and Activities for November 2021	Fri 10/29/2021 3:20 PM
Dorian Persaud, Employment Lawyer	Blackhawks Cover-up - Would You Investigate Sexual Assault?	Fri 10/29/2021 3:13 PM

**The Corporation of the Municipality of Neebing
Administrative Report**

Date: November 12, 2021 (For Meeting on November 12, 2021)
To: Mayor and Council
Subject: Parking Lot Snow-Plowing Services
Submitted by: Laura Jones, Deputy Clerk-Treasurer

RECOMMENDATION:

Administration seeks Council's direction regarding plowing of the Nature Conservancy trail parking lots.

DISCUSSION:

The Nature Conservancy has created the James Duncan Trail and the Pearson Wetland Hiking Trails in Neebing. As a gesture of good faith, Mayor Butikofer would like to ask Council if they want to consider offering snowplowing services for the parking lots at both locations.

Further to the discussion at the Council meeting held on November 3, 2021, the legal advice provided to Administration regarding the potential liability is to only complete the work under a contract with the Nature Conservancy that removes the liability from the municipality.

The roads crew is capable of completing the work, provided it is not considered a priority, but there are concerns regarding the perception of doing work with municipal resources on property that does not belong to the municipality.

ATTACHMENTS: None

AVAILABLE UPON REQUEST: None

From: noreply@neebing.org
Sent: Friday, October 29, 2021 1:40 PM
To: Erika Kromm
Subject: Request for signage Little Trout Bay Road

Hi Erika,

I have a request to put a yellow caution sign to make drivers aware of walkers on the road prior to the residential section of Little Trout Bay close to the lake. Ideally the sign would be prior to the creek before the last bends in the road before the Conservation Area. This would be ideal as the hikers cross the road to start the James Duncan trail. Also we had a close call between elderly resident walkers and a driver who hit the ice on the last bend prior to the Conservation Area Parking lot last winter. The last bend is always icy as it never gets sun in the winter. And finally, the traffic has increased significantly this summer (and since March 2020) with the municipal lot advertised, other property for sale, boat launch traffic, and hiker traffic increasing due to Covid. A speed limit sign would also be a welcome addition. Many thanks for your consideration.

Lisa Patterson

Origin: <https://www.neebing.org/Modules/contact/search.aspx?s=kMFTAgqheC3VGuEcL3IbkAeQuAleQuAl>

This email was sent to you by <67pattersonl@gmail.com> through <https://www.neebing.org>.

From: Erwin Butikofer
Sent: Tuesday, November 2, 2021 9:59 AM
To: Gary Gardner; Mark Thibert; Brian Kurikka; Brian Wright; Curtis Coulson; Gordon Cuthbertson; Erika Kromm; Laura Jones; Cheryl Jaspers
Subject: FW: MTO - Herbicide Application Within Municipality of Neebing - (xRef107-2021-4147)

Erwin Butikofer
 Mayor
 Municipality of Neebing
 807-626-6596
 mayor@neebing.org

From: [Sacchetti, Franca \(MTO\)](#)
Sent: November 2, 2021 9:48 AM
To: [Erwin Butikofer](#)
Cc: [Taylor, Jamie \(MTO\)](#); [Mossop, Ken \(MTO\)](#); [Lyons, Jeff \(MTO\)](#)
Subject: MTO - Herbicide Application Within Municipality of Neebing - (xRef107-2021-4147)

Dear Mayor Butikofer,

Thank you for your letter to the Honorable Caroline Mulroney, Minister of Transportation regarding concerns about herbicide application within your township. I appreciate the opportunity to respond on the Minister's behalf.

The Ministry of Transportation (MTO) uses herbicides as an essential part of its vegetation management efforts along our highway rights-of-way. These occasional applications (typically 5-10 years) aid our mechanical brush removal in slowing regrowth and help ensure adequate visibility for drivers. Trees and brush along the highway impair visibility, hide wildlife entering the roadway, and can impede drainage. This work is regulated under the *Pesticides Act, R.S.O. 1990*.

Recognizing your concerns about herbicide usage, products are only suitable for use by ministry contractors if they have minimal impacts. Herbicide treatments with products such as Navius, are carried out by licensed applicators in accordance with Federal and Provincial legislation governing the work. According to Health Canada's Pesticide Management Regulatory Agency, the Navius product is "Practically non-toxic to bees, birds and mammals on an acute exposure basis." It is absorbed quickly by leaves, stems, and roots of plants, and is very selective controlling unwanted brush growth.

Spraying was completed this year along Highway 588 from River Road westerly to the junction of Highway 595, the entire length of Highway 595, and on Highway 608 from Highway 597 westerly to the junction of Highway 595. For this work, there is a notification requirement included in the regulation. In lieu of public notice, warning signs must be placed at 100m intervals along the roadway. In this instance the contractor did not place the appropriate signage.

Considering yours and other's expressed concerns regarding our operations, we have reviewed our processes to ensure that notifications for future herbicide applications of this type will be completed in full compliance with the regulations.

Thank you again for bringing your concerns to our attention.

Sincerely,



Franca Sacchetti
Director, Northwest Operations



From: Erika Kromm
Sent: Friday, November 12, 2021 12:22 PM
To: Erika Kromm
Subject: FW: City of Thunder Bay - New Draft Zoning Bylaw - Comments due December 23rd, 2021

From: Jamie Kirychuk [<mailto:Jamie.Kirychuk@thunderbay.ca>]
Sent: November 10, 2021 3:25 PM
To: lrbp@tbaytel.net; [Jason Grecica@lakeheadschoools.ca](mailto:Jason.Grecica@lakeheadschoools.ca); DCovello@lakeheadschoools.ca; dcastellan@tbcschools.ca; asimeoni@synergynorth.ca; Jonathan.Foulds@enbridge.com; executivevp.lawanddevelopment@opg.com; LandUsePlanning@HydroOne.com; kevin.ellis@ontario.ca; cindy.brown2@ontario.ca; Joanna Carastathis <Joanna.Carastathis@TBDHU.COM>; Edmonds, Danica (MMAH) <Danica.Edmonds@ontario.ca>; Kosny, Victoria (MMAH) <Victoria.Kosny@ontario.ca>; Oulton, Sylvie (MMAH) <Sylvie.Oulton@ontario.ca>; circulations@wsp.ca; planninganddevelopment@bell.ca; ProjectManagerOntario@sjrb.ca; Sanjeev.Menon@sjrb.ca; michel.simon@canadapost.postescanada.ca; rose.nakonechny@tbdhu.com; Lee.Sieswerda@TBDHU.COM; shuniah@shuniah.org; Neebing <neebing@neebing.org>; wayne.hanchard@oliverpaipoonge.on.ca; info@oliverpaipoonge.on.ca; stuomi@tbaytel.net; warelocalroadsboard@gmail.com; Robert Pierre <RobertPierre@fwfn.com>; Bess Legarde <BessLegarde@fwfn.com>; CP_Proximity-Ontario@cpr.ca; Proximity@cn.ca; Allister.Brown@ontario.ca; Courtney.Korbyck@ontario.ca; Andrew.Hinshelwood@ontario.ca; Sarah.Ferguson@ontario.ca; Ryan Brading <bradmir@tbairport.on.ca>; Jonathan.Bagg@navcanada.ca
Cc: Leslie McEachern <Leslie.McEachern@thunderbay.ca>; Devon McCloskey <Devon.McCloskey@thunderbay.ca>
Subject: City of Thunder Bay - New Draft Zoning Bylaw - Comments due December 23rd, 2021

Good afternoon,

The City of Thunder Bay is happy to announce that the first draft of the new Zoning Bylaw has been released. Over the coming weeks, the Planning Services division will be engaging with the community and stakeholders, and receiving feedback on the proposed regulations.

If you have questions about the By-law or would like to arrange a meeting to gain a better understanding of how the new Zoning Bylaw may impact your Agency please contact Jamie Kirychuk at jamie.kirychuk@thunderbay.ca

The draft document can be found on the City's Get Involved Page - <https://getinvolvedthunderbay.ca/rethink-zoning-2022-zoning-bylaw>

If your Agency is interested in providing comments on the draft please submit them no later than December 23rd, 2021 (jamie.kirychuk@thunderbay.ca).

Regards,

Jamie Kirychuk | City Planner

T: 807.625.2543 | F: 807.623.2206 | E: jamie.kirychuk@thunderbay.ca

City of Thunder Bay | Development & Emergency Services Department | Planning Services

P.O. Box 800, 111 Syndicate Avenue South | Thunder Bay, ON P7C 5K4



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Sac postal / P.O. Bag 129, Mattice, Ont. P0L 1T0
(705) 364-6511 – Fax: (705) 364-6431

RESOLUTION NO. 21-247

Moved by: Marc Dupuis
Seconded by: Steve Brousseau

WHEREAS the government of Ontario recently announced the continued postponement of the province-wide assessment update for the 2022 and 2023 taxation years, and;

WHEREAS this means that property values will continue to be based on the January 1, 2016 valuation date until at least 2024, and;

WHEREAS the Municipality of Mattice – Val Côté is aware of the important increase in property values throughout the province and within its own jurisdiction and;

WHEREAS the continued postponement of property valuation translates into a significant loss of taxation revenue for Municipalities;

NOW THEREFORE BE IT RESOLVED THAT Council for the Municipality of Mattice – Val Côté urges the government of Ontario to reconsider its decision and to direct MPAC to proceed with a province-wide assessment update in order for Ontario Municipalities to be able to collect property taxes based upon actual property values, and;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Ontario, to MPAC, to AMO, to all Ontario municipalities and to our federal and provincial government representatives, Carol Hughes and Guy Bourgoïn.

- CARRIED -

I, Guylaine Coulombe, CAO/Clerk of the Municipality of Mattice – Val Côté, do hereby certify this to be a true and complete copy of Resolution 21-247, passed by the Council of the Municipality of Mattice – Val Côté at its meeting held the 8th day of November 2021.

DATED at Mattice, Ontario
This 10th day of November 2021


Guylaine Coulombe

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 2021-039

A By-law of the Corporation of the Municipality of Neebing to authorize the application of section 418.1 of the *Municipal Act, 2001* to it, as a Participating Municipality.

WHEREAS section 418.1 of the *Municipal Act, 2001* (the “Act”) provides that effective January 1, 2019 a municipality may, pursuant to subsection 418.1 (2) of the Act, pass a by-law to have section 418.1 apply to the municipality (the “Prudent Investor Enabling By-law”);

AND WHEREAS pursuant to section 418.1 of the Act a municipality may invest money that it does not require immediately in any security provided that in doing so it exercises the care, skill, diligence and judgment that a prudent investor would exercise in making such an investment and that it satisfies the requirements prescribed for the purposes of section 418.1 on the day that the municipality passes the Prudent Investor Enabling By-law;

AND WHEREAS paragraph 3 of section 15 of O. Reg. 438/97 Part II (the “Regulation”) provides that a municipality may pass a Prudent Investor Enabling By-law under the authority of that paragraph if the municipality satisfies the requirement prescribed in that paragraph (the “Prescribed Requirement”) before the day such municipality passes the Prudent Investor Enabling By-law;

AND WHEREAS the Prescribed Requirement requires that before a municipality that intends to invest pursuant to section 418.1 of the Act through a Joint Investment Board that was established by other municipalities passes its Prudent Investor Enabling By-law it must have entered into an agreement with the Joint Investment Board and any other municipalities investing through the Joint Investment Board on the day the municipality passes its Prudent Investor Enabling By-law (individually such municipality is a “Participating Municipality”, collectively “Participating Municipalities”);

AND WHEREAS subsection 17 (3) of the Regulation provides that a Participating Municipality that satisfies the Prescribed Requirement may invest money and investments that it does not require immediately only by having a Joint Investment Board that meets the following criteria do so on its behalf: (i) the Joint Investment Board is the subject of an agreement referred to in paragraph 3 of section 15; and (ii) the Joint Investment Board has been given the control and management of the Participating Municipality’s money and investments, by the Participating Municipality delegating to the Joint Investment Board, a) the Participating Municipality’s powers to make the investments, and b) the Participating Municipality’s duties under section 418.1 of the Act;

AND WHEREAS effective on May 19, 2020 The Corporation of the Town of Bracebridge, The Corporation of the Town of Huntsville, The Corporation of the Town of Innisfil, The

Corporation of the City of Kenora, The District Municipality of Muskoka and The Corporation of the Town of Whitby (collectively the “Founding Municipalities”) established a Joint Investment Board pursuant to an Initial Formation Agreement as a joint municipal service board pursuant to section 202 of the Act (the “Initial Formation Agreement”), which Joint Investment Board is called ONE Joint Investment Board (“ONE JIB”) and all of the Founding Municipalities agreed under the Initial Formation Agreement to invest through ONE JIB;

AND WHEREAS ONE JIB and the Founding Municipalities have entered into an agreement that provides that ONE JIB will invest on behalf of the Founding Municipalities under that agreement and that ONE JIB will also invest under that agreement for other Ontario municipalities, as Participating Municipalities, from time to time (the “ONE JIB Agreement”) on the basis that: (i) before any new Participating Municipality passes its Prudent Investor Enabling By-law it will have entered into the ONE JIB Agreement with ONE JIB and with all of the other Participating Municipalities on the day such new Participating Municipality passes its Prudent Investor Enabling By-law; and (ii) ONE JIB has met the criteria set out in subsection 17 (3) of the Regulation, and will, in accordance with section 418.1 of the Act, the Regulation and the ONE JIB Agreement, invest on behalf of the Participating Municipalities;

AND WHEREAS pursuant to the ONE JIB Agreement, all Participating Municipalities, including the Founding Municipalities, consent to other municipalities that comply with the applicable requirements and criteria under the Act and the Regulation entering into the ONE JIB Agreement from time to time;

AND WHEREAS each of the Founding Municipalities and ONE JIB have agreed that the effective date of the ONE JIB Agreement for each Founding Municipality and of the application of section 418.1 of the Act to each Founding Municipality is July 2, 2020.

AND WHEREAS the Corporation of the Municipality of Neebing the “Municipality” would like to invest under section 418.1 of the Act through ONE JIB, the Municipality passed an Authorizing Bylaw pursuant to which, among other things, it authorized the entering into of the ONE JIB Agreement as a Participating Municipality, ONE JIB has confirmed its acceptance of the Municipality as a Participating Municipality under the ONE JIB Agreement, the Municipality subsequently executed the ONE JIB Agreement as a Participating Municipality and thereafter ONE JIB and the Municipality agreed on an effective date for the ONE JIB Agreement vis-à-vis the Municipality which effective date will also be the Municipality’s effective date for its authorization of the application of section 418.1 of the Act to it, which effective date will be known as the 1st day of January, 2022.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING, AS A PARTICIPATING MUNICIPALITY, HEREBY ENACTS AS FOLLOWS:

1. The Municipality hereby declares that section 418.1 of the Act applies to it as at the Prudent Effective Date on the basis that the ONE JIB Agreement which has already

been executed by the Municipality as a Participating Municipality will have an effective date that is the same as the Municipality's effective date for its authorization of the application of section 418.1 of the Act to it, i.e. the Prudent Effective Date.

2. Any one or more of the Mayor, the Clerk-Treasurer and the Deputy Clerk-Treasurer are, for and on behalf of the Municipality, each hereby authorized to do all things and to execute all other documents, instruments and papers in the name of the Municipality necessary or desirable to give control and management of its money and investments that it does not require immediately to ONE JIB as authorized by the ONE JIB Agreement as at the Prudent Effective Date and to deliver all documents, instruments and papers as required and as authorized by this By-law and such execution shall be conclusive evidence that such documents, instruments and papers so executed are the documents, instruments and papers authorized by this By-law.

3. This By-law takes effect on the Prudent Effective Date January 1, 2022 for purposes of the ONE JIB Agreement and this By-law.

ENACTED and PASSED this November 17, 2021

THE CORPORATION OF THE
MUNICIPALITY OF NEEBING

Mayor

Clerk-Treasurer

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 2021-046

Being a by-law to consolidate reserve fund by-laws.

Recitals

1. Council considers it appropriate to consolidate the various by-laws establishing reserve funds for the Municipality.
2. This By-law sets out the common requirements for all reserve funds, and contains a schedule for each reserve fund detailing the name, purpose and contribution and withdrawal policies associated with each one.
3. Council has enacted By-Law 2021-039 (Prudent Investor Enabling By-Law) and By-Law 2021-045 (Prudent Investor Authorizing By-Law). These by-laws enable the Municipality to be a participating member in the ONE Joint Investment Board (JIB). The ONE JIB will manage the reserve funds designated by the Municipality not required immediately.

ACCORDINGLY, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NEEBING ENACTS AS FOLLOWS:

ARTICLE 1.00: DEFINITIONS & INTERPRETATION

- 1.01 **Short Title:** This By-law is referred to as the “Reserve Fund By-law”.
- 1.02 **Definitions:** Wherever a term set out below appears in the text of this By-law with its initial letter capitalized, the term is intended to have the meaning set out for it in this Section 1.02. Wherever a term below appears in the text of this By-law in regular case, it is intended to have the meaning ordinarily attributed to it in the English language.
- a) “By-law” means this By-law, including its recitals and schedules which form integral parts of it.
 - b) “Council” means the elected municipal Council of the Municipality.
 - c) “Designated Official” means the person employed by the Municipality who is given authority and control over a particular Reserve Fund in the Schedule for that Reserve Fund.
 - d) “Municipality” means The Corporation of the Municipality of Neebing.
 - e) “Municipal Treasurer” means the person designated with the responsibility for the role of Treasurer and could be one of either the Clerk-Treasurer or the Deputy Clerk-Treasurer.

- f) “Reserve Fund” means an account within which revenues from one time period are set aside to accumulate and finance planned expenditures in a future time period. Reserve Funds are established to account for assets set aside for a specific purpose. Reserve Funds can be established for several purposes, including:
- funding for anticipated potential liabilities;
 - funding for large known capital (or other) expenditures;
 - protection against known risks or unforeseen circumstances that may create financial difficulties; and
 - provision of a pool of funds to self-finance ongoing expenditures.

1.03 **Interpretation Rules:** This Section 1.03 sets out the rules for interpretation of the text and schedules of this By-law.

- a) **Legislation:** Each reference to Provincial legislation in this By-law is printed in *Italic font*. Unless the year of the statute is part of its name, the reference is to the Revised Statutes of Ontario, 1990 edition, and, in every case, includes all applicable amendments to the legislation, including successor legislation. Where the name of the legislation includes the year, the reference is to the Statutes of Ontario in that year. Reference to legislation includes reference to any regulations passed under the authority of that legislation.
- b) **Headings:** Captions, articles and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation.
- c) **Gender & Plurals:** Words importing the singular number or the masculine gender only, include more persons, parties or things of the same kind than one and include female and neuter as well as male and the converse. A word interpreted in the singular number has a corresponding meaning when used in the plural.
- d) **“Includes”:** The words “include”, “includes”, “including” and “included” are not to be interpreted as restricting or modifying the words or phrases which precede them.
- e) **Job Titles:** References within this By-law to the titles of the Municipality’s employees are references to the positions that held those titles at the time that this By-law was enacted. Where a corporate restructuring has occurred such that there is no longer a person within the organization who holds a referenced title, the reference is to the person who undertakes the duties of the title-holder at the time this By-law was enacted. In any case of doubt, the Chief Administrative Officer for the Municipality shall delegate the authority to the appropriate person and direct that this By-law be amended to reflect the new title.

1.04 **Severability:** If any section, subsection, article, paragraph or any part of this By-law is declared by a court or tribunal of competent jurisdiction to be invalid or unenforceable, that part shall be considered to be severable from the balance of the By-law. The balance of the By-law shall remain in full force and effect notwithstanding the judicial holding.

ARTICLE 2.00: RESERVE FUNDS; SCHEDULES

- 2.01 **Reserve Funds:** The *Municipal Act, 2001* and various other statutes authorize municipalities to establish Reserve Funds. The Municipality has, over the years, established Reserve Funds through many different by-laws with similar provisions. This By-law consolidates and replaces the prior individual by-laws and establishes general rules for the formation of new Reserve Funds from time to time.
- 2.02 **Schedule Formats:** Each Schedule to this By-law governs one Reserve Fund. The Schedule format is as follows:
- Section 1: Name of the Reserve Fund.
 - Section 2: Statement of Purpose of the Reserve Fund.
 - Section 3: Designated Officer for the Reserve Fund
 - Section 4: Initial Funding & Contribution Rules
 - Section 5: Withdrawal Rules
- 2.03 **Rules:** Each Reserve Fund is subject to the rules within Article 3.00 of this By-law as well as the rules contained within the Schedule for that particular Reserve Fund.

ARTICLE 3.00: PROVISIONS APPLICABLE TO ALL RESERVE FUNDS

- 3.01 **Contribution and Withdrawals to and From Reserve Funds:** The Municipality shall contribute to and withdraw from the Reserve Funds only in strict accordance with the Schedule that governs each particular Reserve Fund. Withdrawals from Reserve Funds for other purposes must be done only through resolution that expressly waives the provisions of this By-law.
- 3.02 **Investment:** The balance of each Reserve Fund not required for immediate expenditure shall be invested. The Municipal Treasurer and Council will review the Investment Policy Statement, the Capital Plan, the Municipal Client questionnaire and annually shall determine, in accordance with the Prudent Investor Standard and applicable law and, where applicable, professional advice authorized by the Municipality, the funds that are not required immediately. Reserve Funds not required immediately shall be given to the ONE Joint Investment Board and managed by the ONE Joint Investment Board pursuant to the ONE JIB Agreement as at January 1, 2022 and as outlined in By-law 2021-039.
- 3.03 **Interest:** All interest accruing on sums from each Reserve Fund invested shall be used for the purpose of that particular Reserve Fund in accordance with the terms of the Schedule that applies to it.

- 3.04 **Maximum and Minimum Values:** The Council may establish minimum and/or maximum balances for any Reserve Fund. Where so established, they shall be included in the “Contribution Rules” in the applicable Schedule. Where funds are received from a particular source for a Reserve Fund that is at its maximum balance, those funds will be deposited in the Rate Stabilization Fund.
- 3.05 **Record Keeping Requirements:** The Municipal Treasurer shall cause records to be kept keeping strict account of contributions to, and withdrawals from, all Reserve Funds established by this By-law.
- 3.06 **Municipality’s Auditors:** The Municipality’s auditors shall, in their annual report, report on the activities and the positions of each Reserve Fund.

ARTICLE 4.00: GENERAL PROVISIONS

- 4.01 **Repeals:** The following by-laws of the Municipality, as amended, are repealed:

By-law Number	By-law Subject Matter
2015-05	Consolidates reserve fund by-laws.
2015-09	Establishes the reserve funds for park development,, post-employment liabilities, municipal elections, and planning matters.
2016-08	Establishes the reserve fund for rate stabilization
2016-39	Establishes the reserve fund for deferred capital projects
2016-41	Establishes the reserve fund for roads department
2017-03	Establishes a cap for certain reserve funds
2018-27	Establishes a reserve fund for cannabis legalization expenses
2019-54	Removing the reserve fund for Deferred Capital Projects

- 4.02 **Force & Effect:** This By-law shall come into force and take effect on the date it is passed.

ENACTED AND PASSED IN COUNCIL THIS 17th day of November, 2021, as witnessed by the Corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE
MUNICIPALITY OF NEEBING

Mayor

c/s

Clerk-Treasurer

SCHEDULE ONE to By-law 2021-046**Fire Department Reserve Fund (formerly in By-law 218-1992)**

1. Name: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Reserve for Fire Purposes".
2. Purpose: The purpose of this reserve fund is for the purchase of capital supplies and equipment for Neebing Emergency Services.
3. Designated Municipal Officer: The designated officer for this reserve fund is the Municipal Treasurer.
4. Initial Funding & Contribution Rules: This reserve fund was originally established in 1992 through the surplus funds from the 1991 departmental budget for the Neebing Fire Department after all outstanding bills had been paid. Other sums were added to this reserve year by year through Council resolution.

Further, any monies earned by the Neebing Volunteer Fire Department for helping fight forest fires on Crown land in the area that the Ministry of Northern Development, Mines, Natural Resources and Forestry is responsible for shall also be deposited into this Reserve fund or the Forest Fire Reserve Fund upon receipt.

This reserve fund was established in 2015 by rolling over the funds that had been assigned to this fund since it was established. Council will consider, annually, whether to place the departmental budget surplus into this account or whether to name some other sum and/or source of funds.

5. Withdrawal Rules: Withdrawals from this Reserve Fund require approval by Council resolution.

SCHEDULE TWO to By-law 2021-046**Forest Fire Reserve Fund (formerly By-law 547-2001)**

1. **Name**: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Forest Fire Fighting Fund".
2. **Purpose**: The purpose of this reserve fund is for helping to defray any cost associated with forest fire fighting in any areas that are the responsibility of the Municipality.
3. **Designated Municipal Officer**: The designated officer for this reserve fund is the Municipal Treasurer.
4. **Initial Funding and Contribution Rules**: This reserve fund was originally established in 2001 through the monies budgeted and in reserves as Forest Fire Reserves for the budget years 2000 and 2001. All interest earned by this reserve was also deposited in 2001 and every year thereafter.

Further, any monies earned by the Neebing Volunteer Fire Department for helping fight forest fires on Crown land in the area that the Ministry of Northern Development, Mines, Natural Resources and Forestry is responsible for shall also be deposited into this Reserve fund or the Fire Department Reserve Fund upon receipt.

This reserve fund was established in 2015 by rolling over the funds that had been assigned to this fund since it was established. Funding through interest earned and through forest fire fighting will continue to be placed into this account.

5. **Withdrawal Rules**: Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE THREE TO BY-LAW 2021-046

Medical Bursary Reserve Fund (formerly By-law 747-2007, as amended)

1. **Name**: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Medical Bursary Reserve Fund".

2. **Purpose**: The purpose of this reserve fund is helping any Neebing resident, or the relative of any Neebing resident, regardless of age, gender, religion, etc., to defray the costs of tuition fees for study at an approved post-secondary school in any human medical field of education. Preference to be given to students entering their first (1st) year of an accredited program. Non-residents of Neebing who are students related to residents of Neebing will be considered for the award, however, preference is given to students who are residents of Neebing.

3. **Designated Municipal Officer**: The designated officer for this reserve fund is the Municipal Treasurer.

4. **Initial Funding & Contribution Rules**: This reserve fund was originally established in 2001 through deposit of money received from the Pinewood Court Homes for the Aged. It was enhanced annually since then by the interest earned.

This reserve fund was established in 2015 by rolling over the funds that had been assigned to this fund since it was established.

5. **Withdrawal Rules**: Withdrawals from this Reserve Fund will be made annually to fund the award, based on the application process set out in Section 6 of this Schedule to By-law 2021-046. All withdrawals require approval by Council resolution.

6. **Annual Competition**: The process for the annual competition for this award is as follows:
 - a) Applicants must be Neebing residents, or relatives of Neebing residents, who will be attending post-secondary education in the September of their year of application in a human medical field;
 - b) There is no restriction on applicants based on age or any other category;
 - c) Applications are received annually, on or before August 1st;
 - d) Council shall consider the applications at a regular council meeting in August;
 - e) One applicant will be selected from amongst all who have applied based on the submission, with preference given to students entering their first year of an accredited program;
 - f) The submissions must include:
 - i. Proof of eligibility for application;
 - ii. Proof of registration at an accredited post-secondary institution in a program in any human medical health field;

- iii. An academic transcript from the prior year of study;
 - iv. The Applicant's work history and community volunteer history;
 - v. An essay (approximately 500 words in length) describing the reasons the Applicant chose the field of study that he or she is embarking upon; and
 - vi. Three references, including name and contact information, one for each of the categories: character reference, work reference & volunteer reference.
- g) Council will review the applications and score them from 1 to 10 on the basis of information provided, with 1 being the lowest possible score and 10 being the highest possible score.
- h) The Applicant receiving the highest rating will be given the award, which is to be presented at a Council meeting in September. If the Applicant is not enrolled in the program that he or she had intended to be enrolled in at the time the Application was made, the award will be forfeited, and Council may choose to make the award to the next highest rating applicant, or not to award the bursary in that year, as Council may decide.
- i) Award recipients are ineligible to apply for the award in subsequent years. Applicants who were not awarded the bursary may re-apply, provided they remain in school and meet the other qualifications.

SCHEDULE FOUR TO BY-LAW 2021-046**Landfill Reserve Fund (formerly By-law 966-2013)**

1. **Name:** The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Landfill Reserve Fund".
2. **Purpose:** The purpose of this reserve fund is for future waste management costs.
3. **Designated Municipal Officer:** The designated officer for this reserve fund is the Municipal Treasurer.
4. **Initial Funding and Contribution Rules:** This reserve fund was originally established in 2013 through deposit of all tipping fees and fees from the sale of garbage bag tags.

This reserve fund was established for 2015 by rolling over the funds that had been assigned to this fund since it was established, and continuing to deposit tipping fee and bag tag sales revenues.

5. **Withdrawal Rules:** Withdrawals from this Reserve Fund will be used for upgrades and monitoring of the waste management sites, and will require approval by Council resolution.

SCHEDULE FIVE TO BY-LAW 2021-046**Building Department Reserve Fund (formerly By-law 2015-05, as amended)**

1. **Name:** The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Building Program Reserve Fund".
2. **Purpose:** The purpose of this reserve fund is to fund the activities of the office of the Chief Building Official in years where the building permit revenue falls short of the program expenditures.
3. **Designated Municipal Officer:** The designated officer for this reserve fund is the Municipal Treasurer.
4. **Initial Funding and Contribution Rules:** This reserve fund was originally established in 2015 through the surplus in the 2014 departmental budget for the office of the Chief Building Official. The annual surplus of the program, if any, will be placed in the reserve fund.

The maximum dollar figure for this reserve fund is one- and one-half times the annual budget. When the maximum dollar figure has been reached, Council will review the building permit fee schedule to determine whether or not it continues to be appropriate and relevant.

5. **Withdrawal Rules:** Withdrawals from this Reserve Fund will be used to fund the departmental budget deficit, if any, and will require approval by Council resolution.

SCHEDULE SIX TO BY-LAW 2021-046**Information Systems Reserve Fund (formerly By-law 2015-05, as amended)**

1. **Name**: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Information Systems Reserve Fund".
2. **Purpose**: The purpose of this reserve fund is to provide a steady source of annual funding for anticipated cyclical electronic and information systems equipment replacement.
3. **Designated Municipal Officer**: The designated officer for this reserve fund is the Municipal Treasurer.
4. **Initial Funding and Contribution Rules**: This reserve fund is originally established in 2015 as a result of the requirement to expend significant funds in 2014 to refurbish the municipal office information systems network. The Municipality recognizes that information systems equipment has a finite life and that it is an essential part of the administrative functions of the Municipality.

This Reserve fund will be established through an initial deposit, determined through the budgeting process in 2015, and with annual deposits thereafter so that when large expenditures are required for regeneration of the equipment, the funds will be available without significant and unanticipated budgetary impact.

5. **Withdrawal Rules**: Withdrawals from, and additions to this Reserve Fund will require approval by Council resolution.

SCHEDULE SEVEN TO BY-LAW 2021-046**Parks and Recreation Reserve Fund (formerly By-law 2015-09, as amended)**

1. Name: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Parks and Recreation Reserve Fund."
2. Purpose: The purpose of this reserve fund is for the development of parks and recreational opportunities within Neebing. It is to provide for capital acquisitions and/or repairs. It is not intended for use for operational purposes.
3. Designated Municipal Officer: The designated officer for this reserve fund is the Municipal Treasurer.
4. Initial Funding and Contribution Rules: This reserve fund is established for 2015 by rolling over the funds that had been assigned to a "parks reserve" by the Corporation's auditors.

Parkland dedication fees payable in accordance with the Planning Act will be deposited into this Reserve Fund.

Council will consider, annually, whether to place additional dollars into this account.

5. Withdrawal Rules: Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE EIGHT TO BY-LAW 2021-046**Reserve Fund for Post-Employment Liabilities (formerly By-law 2015-09, as amended)**

1. Name: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Post Employment Liabilities Fund".
2. Purpose: The purpose of this reserve fund is to provide funds to pay unused sick leave and/or accrued and unused vacation entitlement and/or accrued and unused overtime for employees who retire or leave the employ of the Corporation for any reason.
3. Designated Municipal Officer: The designated officer for this reserve fund is the Municipal Treasurer.
4. Initial Funding and Contribution Rules: This reserve fund was established in 2015 by rolling over the funds that had been assigned to a "sick leave reserve" by the Corporation's auditors.
5. Withdrawal Rules: Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE NINE TO BY-LAW 2021-046**Reserve Fund for Ontario Land Tribunal Expenses (formerly By-law 2015-09, as amended)**

1. Name: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Development Hearing Fund".
2. Purpose: The purpose of this reserve fund is to provide funding for consulting fees and other expenses that may arise due to appeals of the Corporation's planning decisions to the Ontario Land Tribunal in accordance with the Planning Act.
3. Designated Municipal Officer: The designated officer for this reserve fund is the Clerk-Treasurer.
4. Initial Funding and Contribution Rules: This reserve fund was established in 2015 by rolling over the funds that had been assigned to a "planning reserve" by the Corporation's auditors.
5. Withdrawal Rules: Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE TEN TO BY-LAW 2021-046**Reserve Fund for Municipal Elections (formerly By-law 2015-05, as amended)**

1. **Name**: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Municipal Election Reserve Fund".
2. **Purpose**: The purpose of this reserve fund is to provide funds required every four years to operate the Municipal Elections held in accordance with the Municipal Elections Act, 1996. All expenses associated with the election, including staffing and training costs, are intended to be paid through this Reserve Fund.
3. **Designated Municipal Officer**: The designated officer for this reserve fund is the Municipal Clerk.
4. **Initial Funding and Contribution Rules**: This reserve fund was established in 2015 by rolling over the funds that had been assigned to an "election reserve" by the Corporation's auditors. Council will consider annual additions to the fund in budget deliberations.
5. **Withdrawal Rules**: Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE ELEVEN TO BY-LAW 2021-046**Reserve Fund for Tax Rate Stabilization (formerly By-law 2016-08)**

1. **Name:** The name of the reserve fund established by this Schedule to By-law 2021-046 is the “Rate Stabilization Reserve Fund”.
2. **Purpose:** The purpose of this reserve fund is to set aside funds to be used for future unanticipated expenditures or significant increases in regular expenditures. Funds from the reserve fund would be utilized either as an alternative to increasing the municipal tax rate, or to allow a smaller increase to the municipal tax rate than would otherwise have been possible.
3. **Designated Municipal Officer:** The designated officer for this reserve fund is the Municipal Treasurer.
4. **Initial Funding and Contribution Rules:** This reserve fund was established in 2016 by depositing into it the funds collected during 2015 which were surplus to the municipal budget.

Council will consider, annually, in considering the budget for the year, whether to contribute funds to this account.

Council will consider, annually, in considering the budget for the year, whether to use dollars from this account to pay expenditures during that year as an alternative to increasing the municipal tax rate.

5. **Withdrawal Rules:** Withdrawals from, and additions to this Reserve Fund require approval by Council resolution.

SCHEDULE TWELVE TO BY-LAW 2021-046**Reserve Fund for the Roads Department (formerly By-law 2016-041)**

1. **Name:** The name of the reserve fund established by this Schedule to By-law 2021-046 is the “Reserve for the Roads Department.”
2. **Purpose:** The purpose of this reserve fund is to hold monies in reserve in accordance with the Asset Management Plan, for refurbishing or replacing assets held for use by the Roads Department.
3. **Designated Municipal Officer:** The designated officer for this reserve fund is the Municipal Treasurer.
4. **Funding and Contribution Rules:** This reserve fund was funded in early 2016 through deposit of some funds relating to the Municipality’s accumulated surpluses over past years. Funds will be added to this account in accordance with the Asset Management Plan, as amended over time.
5. **Withdrawals:** Withdrawals from this Reserve Fund will be approved through approval of the annual budget and through the Asset Management Plan process for asset renewals or refurbishing approved for that year.

SCHEDULE THIRTEEN TO BY-LAW 2021-046**Cannabis Expense Reserve Fund (formerly By-law 2018-07)**

1. Name: The name of the reserve fund established by this Schedule to By-law 2021-046 is the "Cannabis Expense Reserve."
2. Purpose: The purpose of this reserve fund is to hold monies received from senior orders of government in reserve so that they may be readily made available to compensate the Corporation for such expenses as the Corporation encounters as a direct result of the legalization of cannabis by the federal government and the licencing and regulation of cannabis production and sale by the provincial government.
3. Designated Municipal Officer: The designated officer for this reserve fund is the Municipal Treasurer.
4. Funding and Contribution Rules: This reserve fund was funded in early 2019 through deposit of money provided by senior orders of government for the express purpose. Funds will be added to this account from time to time, when and if further money is made available for this express purpose.
5. Withdrawals: Withdrawals from this Reserve Fund may be approved only by resolution of Council.

THE CORPORATION OF THE MUNICIPALITY OF NEEBING

BY-LAW NUMBER 2021-047

BEING A BY -LAW TO ADOPT A NEW OFFICIAL
PLAN FOR THE MUNICIPALITY OF NEEBING

Recitals:

1. The Council of the Corporation of the Municipality of Neebing adopted an official plan in 2001, which was approved by the Ontario Municipal Board in January, 2008.
2. The Planning Act, R.S.O. 1990, c. P.13, as amended (“the Planning Act”) requires Municipalities to review and update their Official Plans periodically. Council commenced reviewing Neebing’s Official Plan in 2015.
3. Review of the Official Plan included to affected and interested agencies for comments. Council has considered the comments of these agencies in finalizing the 2017 Official Plan.
4. The Council of the Corporation of the Municipality of Neebing conducted a series of open houses as well as two formal public meetings to hear comments from the public regarding the proposed Official Plan, and Council has considered the comments received from the public.
5. The Council of the Corporation of the Municipality of Neebing has reviewed the comments received from the Ministry of Municipal Affairs and Housing regarding the Official Plan dated September 6, 2017 and made changes to the Official Plan based on those comments.
6. The Council of the Corporation of the Municipality of Neebing has conducted a public meeting to hear comments from the public regarding the changes to the Official Plan dated September 6, 2017, and Council has considered the comments received from the public.
7. The Council of the Corporation of the Municipality of Neebing deemed it appropriate to adopt a revised Official Plan with updated ministry names and the final map schedules.

NOW THEREFORE, the Council of the Corporation of the Municipality, pursuant to Subsection 17(22) of the Planning Act, enacts as follows:

1. The Official Plan, and all approved amendments thereto, for the Municipality of Neebing approved by the Ontario Municipal Board in 2008, is hereby repealed.

2. By-law 552-2001, which adopted the Official Plan for the Municipality of Neebing is repealed.
3. By-law 2017-029, which adopted the Official Plan dated September 6, 2017 for the Municipality of Neebing is repealed.
3. By-law 2021-011, which adopted the Official Plan dated April 7, 2021 for the Municipality of Neebing is repealed.
4. The new Official Plan for the Municipality of Neebing, dated April 7, 2021, consisting of the attached schedules and policies, is adopted.
5. The new Official Plan for the Municipality of Neebing, dated November 17, 2021, consisting of the attached schedules and policies, is adopted.
6. The Clerk is authorized and directed to forward to the Ministry of Municipal Affairs for approval the attached Official Plan for the Municipality of Neebing.
7. This Official Plan shall come into force and take effect upon approval of the Official Plan by the Ministry of Municipal Affairs or the Ontario Land Tribunal.

ENACTED AND PASSED IN COUNCIL this 17th day of November, 2021, as witnessed by the corporate seal of the Corporation and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE
MUNICIPALITY OF NEEBING

Mayor

Clerk-Treasurer

OFFICIAL PLAN FOR THE MUNICIPALITY OF NEEBING

November 17, 2021

Table of Contents

SECTION 1 - INTRODUCTION	4
1.1 PREAMBLE	4
1.2 OBJECTIVES OF THE PLAN	6
1.3 AMENDMENT AND REVIEW	7
1.4 RESPONSIBILITIES OF THE MUNICIPALITY OF NEEBING	7
1.5 OFFICIAL PLAN	7
1.6 TITLE	7
1.7 PUBLIC WORKS	7
1.8 PRIVATE INTERESTS	7
1.9 PROVINCIAL REQUIREMENTS, GUIDELINES AND PUBLICATIONS	8
SECTION 2 - GENERAL PROVISIONS	8
2.1 GENERAL	8
2.2 SUBDIVISION OF LAND	8
2.3 PARKLAND DEDICATION	10
2.4 PROVINCIAL HIGHWAYS	11
2.5 ACCESSORY USES	12
2.6 HOME INDUSTRIES AND HOME OCCUPATIONS	12
2.7 GROUP HOMES	13
2.8 BED AND BREAKFAST	13
2.9 AFFORDABLE HOUSING	13
2.10 GARDEN SUITES	14
2.11 SECOND DWELLING UNITS	14
2.12 PROPERTY STANDARDS	14
2.13 CROWN LANDS	15
2.14 WAYSIDE PITS AND QUARRIES	15
2.15 PORTABLE ASPHALT PLANTS AND/OR PORTABLE CONCRETE PLANTS	16
2.16 SERVICING	16
2.17 DRAINAGE	17
2.18 ENVIRONMENTAL PROTECTION	17
2.19 LAND USE COMPATIBILITY	17
2.20 CLIMATE CHANGE ADAPTATION	18
SECTION 3 - DEVELOPMENT CONSTRAINTS	18
3.1 GENERAL	18
3.2 SENSITIVE AREAS	18
3.3 USE LIMITATION AREAS	20
3.4 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES	21
3.5 FORESTRY	22
3.6 AGGREGATE RESOURCE AREAS	23
3.7 AREA OF MINERAL RESOURCE POTENTIAL	24
3.8 MINE HAZARDS	24
3.9 CONTAMINATED SITES	24
3.10 WASTE DISPOSAL SITES	25
4.1 GENERAL	25
4.2 AGRICULTURAL AREA	25
4.3 RURAL AREA	27
4.4 LAKEFRONT RESIDENTIAL AREA	34
4.5 WATERSHED RESERVE	38
4.6 ENVIRONMENTAL PROTECTION AREA	38
4.7 PROVINCIALY SIGNIFICANT WETLANDS	39
4.8 SIGNIFICANT WILDLIFE HABITAT	40
4.9 FISH HABITAT AND LAKE TROUT LAKES	40
SECTION 5 - COMMUNITY SERVICES AND FACILITIES	41

5.1	GENERAL	41
5.2	ROADS	41
5.3	WATER SUPPLY	42
5.4	SEWAGE DISPOSAL	43
5.5	NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL	43
5.6	COMMUNITY FACILITIES AND SERVICES	44
SECTION 6 - IMPLEMENTATION AND ADMINISTRATION		44
6.1	THE MUNICIPALITY'S ROLE IN IMPLEMENTATION	44
6.2	PUBLIC PARTICIPATION	44
6.3	STREAMLINING REVIEWS OF PLANNING APPLICATIONS	46
6.4	OFFICIAL PLAN - AMENDMENTS AND REVIEW	46
6.5	ZONING BY-LAW	46
6.6	NON-CONFORMING USES	47
6.7	FEES	47
6.8	MINOR VARIANCE	47
6.9	SITE PLAN CONTROL	48
6.10	HOLDING PROVISIONS	48
6.11	INTERIM CONTROL	49
6.12	TEMPORARY USE BY-LAWS	49
6.13	IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES	50
6.14	AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION	50
6.15	LAND USE BOUNDARIES	50
6.16	APPLICATION REQUIREMENTS	51
APPENDICES		53
APPENDIX A - Definitions		53
SCHEDULE 1.9: LISTING OF PROVINCIAL DOCUMENTS/RESOURCE MATERIAL		55

SECTION 1 - INTRODUCTION

1.1 PREAMBLE

The Municipality of Neebing is located within the District of Thunder Bay in Northwestern Ontario. Neebing is comprised of the geographic townships of Blake, Crooks, Pardee, Pearson and Scoble and has a land area of 88,800 hectares. Neebing is located south of the City of Thunder Bay along the shore of Lake Superior. The Municipality extends southward to the international border between Canada and the United States at Grand Portage, Minnesota. Highway 61 connects Neebing with the City of Thunder Bay and the United States and is a major highway that traverses through the Municipality in a north/south direction. A number of islands within Lake Superior are also located within the municipal boundary of Neebing.

The land uses in Neebing are considered to be rural in character and consist primarily of rural residential uses, agricultural uses, forestry uses, recreational residential uses and commercial and industrial uses primarily in the form of home occupations and home industries within a largely undeveloped rural area. These home based businesses are an important component of the economic fabric of the rural community of Neebing. The establishment of a strong and diversified economic base is of importance to the Council and the residents of Neebing. Economic growth in Neebing is required to provide an improved tax assessment base to sustain the Municipality and for the residents of Neebing to be less reliant on the economic opportunities and economy of the City of Thunder Bay.

Critical to providing economic growth and development opportunities is the need to establish a balance between the various competing land use interests. For example, Neebing wants to promote highway commercial opportunities, tourism, agri-tourism and lakefront residential opportunities, yet many of the areas that may be considered candidate sites for development are located in proximity to, or within, areas in need of protection such as hazard lands, wetland areas, areas of archaeological potential and historical sites, agricultural lands and areas of mineral resource potential. Maintaining a balance between competing land use interests is essential for the establishment of viable sustainable development.

This Official Plan was originally developed in 2001, and was approved in 2008 after an appeal to the Ontario Municipal Board. It was reviewed and updated through relatively minor revisions in 2015-17, based on the new Provincial Planning Statement as well as updated forecasts.

The 2016 population in the Municipality of Neebing, according to census data, is 2055 persons. Neebing experienced some population growth historically. For that period between 1985 and 1991 Neebing experienced a rate of growth of 4% per year, between 1991 and 1996 a rate of growth of 3% per year was experienced. This increase in population appears to be the result of the conversion of seasonal or recreational residential homes to principal residences and residents from Thunder Bay relocating from the urban to the rural environment of Neebing. Between 1996 and 2000, Neebing experienced a rate of growth of 97% from 1021 persons to 2010 persons. However, the majority of that growth is attributed to the change in the municipal boundary and the inclusion of Pearson and Scoble within the Municipality of Neebing as of January 1, 1999. Between 2008 and 2011, the population declined from 2010 persons to 1956 persons, a decline of 2.6%. There was a rebound in accordance with the 2016 census

data. From 2011 to 2016, the population increased from 1956 persons to 2055 persons, an increase of 3.5%.

Some recent building activity leads the Council to believe that the next census will show further growth, however, the population increases predicted by the drafters of the 2008 plan have not been achieved and require significant adjustment.

Limited growth is now projected for the Municipality over the next 20 years. In 2008, it was projected that the population of Neebing would grow by 4% per year between 2000 and by 3% between 2005 and 2010 and between 2010 to 2015 and finally by 2.5% between 2015 and 2020. This did not materialize, and in fact, the population declined before rebounding slightly. Development constraints limit the creation of new residential opportunities. Future growth will occur as seniors leave their farmsteads for less work-intensive housing in urban settings, and young families take up the rural lifestyle. The following table illustrates the revised population projection for Neebing over the next 20 years, based on growth at one percent per year.

Year	2008 Population Forecast	Revised Population Forecasts
2000	2010	-
2005	2412	-
2010	2774	1986
2015	3190	2000
2020	3589	2100
2025	-	2205
2030	-	2315
2035	-	2431

Regular monitoring of the population is required to determine if the population projections remain relevant over the planning period.

In rural areas opportunities are available for rural residential development through the subdivision or consent process consistent with the rural character of the Municipality. Rural residential development in the form of rural subdivisions may be permitted provided development can be safely serviced by private individual septic and water systems. Areas with scenic vistas in proximity to Lake Superior and inland lakes are examples of locations in the Municipality that are appropriate for lakefront residential and tourism opportunities subject to servicing, design, environmental and site specific considerations.

Development opportunities are constrained by Environmental Protection areas and lands reserved as "conservation lands" under the "Conservation Land Tax Incentive Program" operated by the Provincial government.

This Plan is a 20 year Plan. It will be reviewed once within the 10 years after its approval, and will be reviewed every 5 years after that first review, to determine if the

population and growth projections remain relevant and the policy guidelines and framework for development continue to reflect the needs of the Municipality. Amendments can be made to the Plan to reflect changing needs of the Municipality. Decisions regarding land use planning matters will be guided by the policies contained in this Plan.

1.2 OBJECTIVES OF THE PLAN

1.2.1 The objectives of this Plan form the foundation of planning principles and provide direction to manage change, guide future development and develop detailed policies and programs that stimulate economic growth, protect the environment and public health, promote the use of natural resources for the economic use and environmental benefits and reduce costs by restricting development in areas where there is risk of health, safety or property damage. This Plan recognizes that the economy of the Municipality is directly related to the quality of the environment. The plan seeks to balance the need to encourage economic development with the need to protect and maintain the environment. The objectives reflect the present and future needs and values of the Municipality and the residents of the Municipality and are as follows:

- (a) the Municipality is committed to actively seeking and encouraging new development that maintains the quality of life, maintains or improves the health of existing businesses and diversifies the economy;
- (b) the Municipality encourages patterns of development which facilitate the provision of local services with minimal or no impact on local finances and provides for the efficient use of land, infrastructure and public service facilities;
- (c) the Municipality endeavours to preserve and enhance, where possible, the environmental quality of the area and minimize impacts of land uses on the natural environment, and to protect the integrity of ecosystems;
- (d) the Municipality encourages commercial and industrial opportunities that are compatible with the natural environment and are economically feasible;
- (e) the Municipality has regard for the importance of natural resources including mineral resources, agricultural resources, cultural heritage resources, forest resources and natural heritage features within the Municipality with respect to their contribution to the economic, social and general well being of its residents;
- (f) the Municipality encourages the creation of housing which is affordable, accessible, adequate and appropriate to a full range of households in the Municipality and encourages the adequate supply of available land to meet the housing needs of its residents;
- (g) the Municipality has regard for the impacts of a changing climate and the risks associated with these hazards, addressed through mitigation and/or adaptation strategies;
- (h) the Municipality promotes built form that is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- (i) the Municipality encourages the identification and conservation of cultural heritage resources in the municipality, including archaeology, built heritage and cultural heritage landscapes;
- (j) the Municipality has regard for the protection, improvement or restoration of the quality and quantity of water resources;
- (h) with this Plan, the Municipality has established a policy framework that is consistent with the Provincial Policy Statement and conforms with Provincial Plans, having consideration for local conditions and circumstances.

1.3 AMENDMENT AND REVIEW

- 1.3.1 This Official Plan is not a static document. Although it provides some degree of flexibility, the Plan's provisions will be reviewed at regular intervals, pursuant to Section 26 of the Planning Act. The purpose of regularly reviewing the plan is to attempt to keep the policies relevant and appropriate, in light of changing conditions and new provincial and local policy initiatives.
- 1.3.2 All official plan amendments are subject to the approval of the Minister of Municipal Affairs and Housing until such time as official plan amendments are exempt from Provincial approval.
- 1.3.3 No privately-initiated applications to amend the new official plan for 2 years after the effective date will be permitted unless the Municipality passes a resolution to allow applications during this 2-year period.

1.4 RESPONSIBILITIES OF THE MUNICIPALITY OF NEEBING

- 1.4.1 With respect to official plans, the Municipality of Neebing has the responsibility to:
- (a) prepare Official Plans;
 - (b) review Official Plans from time to time and make amendments as necessary;
 - (c) advise and secure the views of the public, local authorities, agencies and boards with respect to their Official Plan and amendments; and
 - (d) review, consider and recommend local legislation, zoning by-laws and amendments, which implement the policies of the Official Plan.

1.5 OFFICIAL PLAN

- 1.5.1 This document constitutes the Official Plan of the Municipality of Neebing and has been prepared in accordance with the provisions of the Planning Act, and applies to all lands within the municipal boundary of the Municipality of Neebing.

1.6 TITLE

- 1.6.1 This Plan may be known as the "Official Plan for the Municipality of Neebing".

1.7 PUBLIC WORKS

- 1.7.1 Any public works undertaken in the Municipality of Neebing shall conform to the policies of this Plan, in accordance with Section 24 of the Planning Act and, where required, shall be planned and implemented in accordance to the applicable Class Environmental Assessment under the Environmental Assessment Act.

1.8 PRIVATE INTERESTS

- 1.8.1 Private interests must adhere to the policies of this Plan. The use of private lands will also be regulated in accordance with the Zoning By-laws pursuant to Section 34 of the Planning Act, and other by-laws passed under other relevant Provincial statutes.

1.9 PROVINCIAL REQUIREMENTS, GUIDELINES AND PUBLICATIONS

- 1.9.1 Provincial Ministries publish documents relating to development requirements and guidelines. Wherever applicable (based on comments received during the Official Plan Review process), this Official Plan makes reference to relevant documents published by the Province. Developers are advised to review these documents for direction as to further studies or other requirements that may be necessary for development approvals. Appended to this Official Plan is a schedule (identified as "Schedule 1.9") which does not form part of the document, which lists relevant Provincial documents or websites to assist developers and the general public. The schedule may be updated without formal amendment to the Official Plan as the Province makes new publications available and/or amends older ones.

SECTION 2 - GENERAL PROVISIONS

2.1 GENERAL

- 2.1.1 The land use policies in this Section apply to all lands in the Municipality of Neebing.
- 2.1.2 The designation of land for a particular use in this Plan only indicates that the land so designated may be considered for the designated use, subject to the more detailed criteria of this Plan and other legislation. There is no guarantee that any individual parcel may be used for any permitted use in a particular designation.

2.2 SUBDIVISION OF LAND

- 2.2.1 Consents shall only be granted that conform with the policies of this Plan subject to the requirements set out in this Section.
- (a) The retained and severed lot(s) must be able to be adequately and safely serviced. The Thunder Bay District Health Unit or designated authority shall be consulted prior to consent approval being given to obtain support for the consent proposal.
 - (b) The soil and drainage conditions must be adequate for the proposed use and permit the proper siting of buildings and the installation of private septic disposal systems, provided that site conditions are suitable for the long-term provision of such services with no negative impact.
 - (c) Excepting land on an island, the lands must front onto (i) a publicly maintained road that is of a construction standard acceptable to the Municipality and is maintained by the Municipality or the Province, or (ii) onto a private road, such as a road within a condominium plan, which the Municipality is satisfied will be maintained appropriately by the private sector, and is of an acceptable standard of construction.
 - (d) Where access is proposed from a provincial highway, the Ministry of Transportation is to be consulted to determine if this access meets Ministry requirements and an entrance permit can be issued.
 - (e) The Municipality must be satisfied that no traffic hazard is created by the consent and safe access/egress to the retained and severed lot(s) is feasible.
 - (f) The consent may not result in land use conflicts with existing nearby uses.
 - (g) The lot size and configuration shall be suitable for the proposed use and, where possible, be consistent with adjacent development.

- (h) The requirements of the Minimum Distance Separation Formulae I shall be adhered to when a new lot is being proposed in proximity to existing livestock operations.
- (i) The consent must not result in land locked parcel(s) being created.
- (j) The proposed use must be safely located away from and outside of floodways of rivers and streams, use limitation areas, mine hazards and areas designated Environmental Protection.
- (k) The consent for lakefront residential lots will not be permitted in the Rural area on those lakes identified by the Ministry of the Environment, Conservation and Parks as per the Lakeshore Capacity Assessment Handbook and/or any other provincial documents listed in Schedule 1.9, as approaching or as having reached their assimilative capacity, including Oliver Lake and Cloud Lake. The identification of other such lakes will not require an amendment to this Plan.
- (l) Consents are limited in Neebing such that no more than two hundred new lots may be created in the ten years that next ensue the approval of this Official Plan by the Ministry of Municipal Affairs and Housing.

2.2.2 The following may be considered as conditions of consent by the Municipality:

- (a) that the Zoning By-law be amended, if required;
- (b) that any necessary land for road widening, allowances or easements be dedicated to the Municipality or the Province;
- (c) that the applicant improve road access, grading, drainage, etc. to a standard satisfactory to the Municipality and/or the Province;
- (d) that the applicant provide proof that the retained and severed lots can be adequately and safely serviced by potable private water supplies and private sanitary sewage disposal systems; Alternatively, with respect to water supply only, a notification agreement will be required that specifies that all offers of purchase sale or lease shall provide notice that no assessment has been conducted to determine the quality or quantity of groundwater available to service the lots or lots;
- (e) An archaeological assessment and/or cultural heritage assessment; and
- (f) any other condition reasonable to the granting of the consent.

2.2.3 Notwithstanding the policies of this section, consents may be granted for the following technical purposes, provided that the retained and severed portions conform with the zoning by-law:

- (a) boundary corrections or adjustments;
- (b) lot enlargements;
- (c) discharge of mortgage;
- (d) road widening and road allowances; and
- (e) easements.

2.2.4 Subdivision of land by plan of subdivision shall be permitted provided that the requirements of the following lettered sub-paragraphs are met:

- (a) The lands must be capable of being provided with adequate services and utilities including the specifications of the numbered sub-paragraphs of this Section that follow.
 - (i) For plans of subdivision consisting of 5 or fewer lots, the applicant shall provide proof that the lots can be adequately and safely serviced by potable private water supplies and private sanitary sewage disposal systems. Alternatively, with respect to water supply only, a notification

- agreement will be required that specifies that all offers of purchase sale or lease shall provide notice that no assessment has been conducted to determine the quality or quantity of the groundwater available to service the lot or lots.
- (ii) For plans of subdivisions consisting of more than 5 lots, the applicant shall provide a report prepared by a qualified consultant, in accordance with the Ministry of the Environment, Conservation and Parks' requirements, and the Provincial Policy Statement, indicating that there is adequate water quality to meet the Ontario Drinking Water Standards and quantity available to service the subdivision.
 - (iii) For plans of subdivision consisting of more than 5 lots, where the proposed lots are 1 hectare or less, and are privately serviced by on-site sewage disposal systems, the applicant shall demonstrate by a report prepared by a qualified consultant, in accordance with the Ministry of Environment, Conservation and Parks' requirements, including the D-series Guidelines, and/or any other provincial documents listed in Schedule 1.9, that there will be no cross contamination of water supplies between lots or adjacent lots.
- (b) The plan must be considered to serve the public interest.
 - (c) The plan must not be deemed premature.
 - (d) The development must not be likely to adversely affect the economy or financial position of the Municipality if it is approved.
 - (e) The development must be directed away from hazard lands, use limitation areas and areas designated Environmental Protection.
 - (f) Lakefront residential development will not be permitted on those lakes identified by the Ministry of the Environment, Conservation and Parks as per the Lakeshore Capacity Assessment Handbook and/or any other provincial documents listed in Schedule 1.9, as approaching or as having reached their assimilative capacity, including Oliver Lake and Cloud Lake. The identification of other such lakes will be by an amendment this Plan.

2.3 PARKLAND DEDICATION

- 2.3.1 The dedication of lands, or acceptance of cash-in-lieu of the land dedication, for recreational purposes as a result of new development or redevelopment of land shall be in accordance with the following requirements:
- (a) the development or redevelopment of land for residential purposes may require a land dedication to the Municipality at a standard of 5% of that land being developed or redeveloped or cash-in-lieu based on 5% of the value of the land; and
 - (b) development or redevelopment of land for commercial or industrial purposes may require a land dedication to the Municipality at a standard of 2% of the land being developed or redeveloped or cash-in-lieu based on a value of 2% of the land.
- 2.3.2 To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must be accepted by the Municipality and satisfy the following criteria:
- (a) be relatively level and not required for drainage purposes, nor contain lands susceptible to flooding, having steep slopes or other physical features which are unsuitable for open space or park development;

- (b) be located within the community context to provide convenient and adequate access;
- (c) provide a reasonable park configuration to accommodate the dimensions and shape of large playing fields, i.e. soccer fields, baseball fields, etc.; and
- (d) be provided with basic service requirements.

2.4 PROVINCIAL HIGHWAYS

- 2.4.1 Direct access onto a provincial highway is controlled by the Province. Development shall be encouraged to utilize local roads and service roads wherever possible. Where access is a possibility, it will only be considered to those properties that meet the requirements of the Ministry of Transportation's access management practices and principles.
- 2.4.2 In addition to all of the applicable municipal requirements, all proposed development located adjacent to, and in the vicinity of, a provincial highway within the Ministry of Transportation's permit control area under the Public Transportation and Highway Improvement Act will also be subject to approval by the Ministry of Transportation. Early consultation with the Ministry of Transportation is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning. Any new areas in the municipality identified for future development that are located adjacent to, or in the vicinity of, a provincial highway or interchange/intersection within the Ministry of Transportation's permit control area will be subject to the Ministry of Transportation's policies, standards and requirements.
- 2.4.3 A transportation study, otherwise known as a "traffic impact study", will be conducted to address both the impact of any new development upon the provincial highway system, as well as any associated highway improvements that are required prior to the approval of any secondary plans, development plans, or subdivisions.
- 2.4.4 The Ministry of Transportation's policy is one highway entrance is permitted for each lot of record. Back lot development cannot use another entrance for access to a provincial highway.
- 2.4.5 Any new proposed access connection (i.e. public road or signalized intersection) onto a provincial highway must meet the Ministry of Transportation's access management practices and principles.
- 2.4.6 Any proposals for snowmobile or trail crossings of provincial highways will require the prior approval of the Ministry of Transportation. Trails running along the right-of-way of a provincial highway are not permitted.
- 2.4.7 A drainage and/or stormwater management report and/or plan shall be prepared by the proponent, and reviewed and approved by the Ministry of Transportation for any development located adjacent to, or in the vicinity of, a provincial highway where drainage could impact the highway and/or downstream properties.
- 2.4.8 Where a draft plan of subdivision is proposed adjacent to a provincial highway, the layout of the subdivision is to be designed such that the lots back onto the provincial highway.
- 2.4.9 Outdoor storage and loading areas should be visually screened or appropriately located so as not to be visible, from the provincial highway, to the travelling public.

- 2.4.10 Entrances serving businesses, including home occupations or home industries, that are located adjacent to provincial highways require the approval of the Ministry of Transportation. Typically, the Ministry of Transportation will require that the property owner obtain an entrance permit and a sign permit (if necessary). As a condition of these permits, the Ministry of Transportation requires the property owner to acknowledge that the use of an existing entrance cannot be converted to a commercial entrance in the future without the review and approval of the Ministry of Transportation, and that an additional entrance will not be permitted to accommodate the business. In addition, the Ministry of Transportation would not support a future severance that would result in a separate entrance to a business from that for the retained parcel.
- 2.4.11 Only those land uses that are compatible with the operation of a patrol yard will be permitted to locate adjacent to and in close proximity to the patrol yards located in the Northeast quarter Section 10, Concession 6, in the geographic Township of Blake.
- 2.4.12 For safety purposes, any type of wind mill erected adjacent to a provincial highway must be set back a minimum distance, measured from the limit of the provincial highway property line, equal to the height of the wind mill structure plus the length of one blade.

2.5 ACCESSORY USES

- 2.5.1 Where a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, accessory and/or essential to the use will also be permitted.
- 2.5.2 Accessory dwellings above boat houses are not a permitted accessory use in any land use designation.

2.6 HOME INDUSTRIES AND HOME OCCUPATIONS

- 2.6.1 Home occupations and home industries are an important component of the economy of Neebing and may be permitted in association with a single detached residential use provided they are not offensive or create a nuisance as a result of noise, hours of operation, odour, traffic generation or other means. All home-based business must not detract from the principal residential use.
- 2.6.2 The Zoning By-law shall contain regulations with respect to home industries and home occupations. These regulations shall, among other matters, indicate the zones in which home industries and home occupations are permitted and shall require appropriate buffering for home industries so as not to create a nuisance for surrounding neighbourhoods.
- 2.6.3 Generally, home occupations shall include occupations or professions which are conducted entirely within a dwelling unit, while home industries are conducted primarily within an accessory building.
- 2.6.4 The home industry or home occupation shall be secondary to the main use of the property and shall not generate adverse or incompatible effects with the surrounding area. The home industry or home occupation shall relocate to an appropriately zoned site at such time when the home industry or home occupation can no longer be considered secondary to the main residential use of the property.

- 2.6.5 Refer to Section 2.4.10 for rules relating to entrances for home industries or home occupations adjacent to provincial highways.

2.7 GROUP HOMES

- 2.7.1 Group homes are permitted in all areas where residential uses are permitted.
- 2.7.2 A Group Home is defined as a private residence for persons who, for any reason, cannot live with their families but cannot live alone without supervision. A trained caregiver is present on site at all times.

2.8 BED AND BREAKFAST

- 2.8.1 Bed and Breakfast establishments may be permitted in association with a single detached residential use, based upon the following criteria:
- (a) a Bed and Breakfast establishment shall have sufficient site area to accommodate on-site amenities and adequate site parking facilities;
 - (b) a Bed and Breakfast establishment shall be located in a residential dwelling, be secondary to the main residential use, contain no more than 3 guest rooms and be operated by a resident of the dwelling;
 - (c) should external expansion be required to the dwelling to accommodate the proposed tourist facility, the character of the residential use shall be maintained; and
 - (d) refer to Section 2.4.10 for entrance rules applicable to Bed and Breakfast establishments located on provincial highways.

2.9 AFFORDABLE HOUSING

- 2.9.1 It is a policy of this Plan to facilitate access to a range and mix of affordable housing choices for existing and new residents. To be considered affordable, housing costs must meet the following:

In the case of ownership housing, the least expensive of:

- (i) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or
- (ii) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area.

In the case of rental housing, the least expensive of:

- (i) a unit for which the rent does not exceed 30% of gross annual household income for low and moderate income households; or
- (ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

2.10 GARDEN SUITES

2.10.1 Garden suites are permitted as an accessory use to a single detached dwelling for temporary accommodation for a maximum of twenty (20) years pursuant to Section 39.1 of the Planning Act. An agreement may be required between the homeowner and the Municipality with the following provisions; in addition to the provisions set out in the Planning Act:

- (a) the garden suite shall not be permitted to separate by consent from the main residential dwelling on the lot;
- (b) the design, mass and location of the garden suite should complement the main residential dwelling;
- (c) a mobile home may be used as a garden suite;
- (d) the garden suite should utilize and connect to the services used by the main dwelling;
- (e) clearance from the Thunder Bay District Health Unit or designated authority is required to permit the garden suite to connect to the septic system servicing the main dwelling;
- (f) the name of the person(s) who is to live in the garden suite; and
- (g) when the garden suite will be removed.

2.11 SECOND DWELLING UNITS

The Municipality encourages affordable housing and aging-in-place by recognizing Second Dwelling Units in permanent dwellings and accessory buildings to permanent dwellings excepting boat houses, within all designations.

The Municipality may require a proponent of a Second Unit to demonstrate to the satisfaction of the Municipality that:

- (a) the septic system servicing the lot can support the Second Unit;
- (b) the water supply to the lot can support the Second Unit;
- (c) there is sufficient parking available on the lot to support the Second Unit; and
- (d) the Second Unit will comply with the Ontario Building and Fire Codes.

2.12 PROPERTY STANDARDS

2.12.1 The Municipality is committed to affordable housing and the maintenance of a safe, healthy supply of rental accommodations. The Municipality may adopt a by-law pursuant to the Building Code Act, 1992, which sets out standards for the maintenance and occupancy of property by tenants, and prohibits the use of property as rental residential property where the property does not conform to the standards. The by-law shall require that all substandard rental residential properties be repaired in conformance with the by-law or be cleared of all buildings, debris, structures or refuse and left in a graded and levelled condition. The by-law shall specify the manner in which it will be administered and enforced.

2.12.2 The by-law referenced in Section 2.12.1 may address the following matters:

- (a) the physical condition and structural soundness of all buildings used as residential dwellings;

- (b) the adequacy of sanitation, including septic services, drainage, waste disposal and garbage facilities;
- (c) the provision of utilities, including electrical services as well as an adequate and sufficient quantity and quality of potable water;
- (d) the state of repair of appliances, furnaces, etc. supplied by the landlord;
- (e) the provision of adequate heating; and
- (f) at the discretion of the Municipality, any matters referenced in Ontario Regulation 517/06 passed under the authority of the Residential Tenancies Act, 2006.

2.12.3 After passing the by-law referenced in Section 2.12.1, the Municipality shall appoint a Property Standards Officer and establish a Property Standards Committee.

2.13 CROWN LANDS

2.13.1 The Ministry of Northern Development, Mines, Natural Resources and Forestry is responsible for the administration of Crown lands and waters. The Ministry of Northern Development, Mines, Natural Resources and Forestry is encouraged to have regard for the policies and schedules of this Plan and to consult with the Municipality with respect to the use and disposition of Crown lands within the Municipality. Also, the Department of Fisheries and Oceans and the Lakehead Region Conservation Authority are responsible for fish habitat areas.

2.13.2 Authorization for occupation or use of Crown lands is required from the Ministry of Northern Development, Mines, Natural Resources and Forestry.

2.13.3 The Municipality recognizes that resource management activities on Crown lands and waters are desirable for environmental, social and economic reasons. Resource management activities shall be conducted in accordance with the standards and guidelines established by the Province.

2.14 WAYSIDE PITS AND QUARRIES

2.14.1 A wayside pit or wayside quarry means a temporary pit or quarry opened and used by a public road authority or its agent, solely for the purposes of a particular road project or contract of road construction or maintenance. Accessory aggregate processing operations such as crushing, screening, washing and stockpiling of aggregate product are also considered to be permitted uses in a wayside pit or quarry.

2.14.2 Wayside pits and quarries are permitted throughout the Municipality except for the following:

- (a) within 120 meters of a neighbouring residence or dwelling;
- (b) within areas designated as either Environmental Protection or Watershed Reserve; and
- (c) within Natural Heritage Features.

2.14.3 No aggregate processing equipment or wayside pit or quarry shall operate in the Municipality of Neebing unless there is a valid Environmental Compliance Approval under the Environmental Protection Act and location approval has been issued by the Ministry of the Environment, Conservation and Parks.

2.14.4 The opening of wayside pits and quarries shall be permitted without an amendment to

this Plan or the Zoning By-law.

- 2.14.5 The Ministry of Transportation shall ensure that wayside pits and quarries used for its purposes are rehabilitated.

2.15 PORTABLE ASPHALT PLANTS AND/OR PORTABLE CONCRETE PLANTS

- 2.15.1 A portable asphalt plant means a facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process. A portable asphalt plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

A portable concrete plant means a facility with equipment designed to produce concrete paving material, and includes stockpiling and storage of bulk materials used in the process. A portable concrete plant is not of permanent construction, but is designed to be dismantled and moved to another location as required.

- 2.15.2 Portable asphalt plants and/or portable concrete plants used by a public road authority or their agents, shall be permitted throughout the Municipality, subject to the approval of the Ministry of the Environment, Conservation and Parks, except for the following locations:

- (a) within 120 meters of a neighbouring existing residence or dwelling;
- (b) within areas designated as Use Limitation, Environmental Protection or Watershed Reserve; and
- (c) within Natural Heritage Features.

- 2.15.3 Portable asphalt plants and/or portable concrete plants are permitted without an amendment to this Plan or the Zoning By-law.

- 2.15.4 No portable asphalt plant and/or portable concrete plant shall operate in the Municipality of Neebing unless there is a valid Environmental Compliance Approval under the Environmental Protection Act and location approval has been issued by the Ministry of the Environment, Conservation and Parks.

- 2.15.5 Portable asphalt plants and/or portable concrete plants shall be removed from the site and the site rehabilitated upon completion of the road project.

2.16 SERVICING

- 2.16.1 Municipal water and sanitary sewer distribution and treatment systems are not available to the residents or business community of Neebing and the provision of such services are not contemplated over the life of this Plan. The principle means of servicing development in Neebing will continue to be by private individual water and septic disposal systems.

- 2.16.2 The Municipality shall not accept ownership or responsibility for the operation or maintenance of communal water and sewage systems.

2.17 DRAINAGE

- 2.17.1 The management and removal of storm water is the responsibility of the property owner and must be managed to the satisfaction of the Province, the Lakehead Region Conservation Authority and the Municipality in accordance with the Ontario Water Resources Act, if applicable. Reference should also be made to Ministry of the Environment, Conservation and Parks' Stormwater Management Planning and Design manual (2003), and/or any other provincial documents listed in Schedule 1.9. In addition, the management and removal of storm water on properties adjacent to provincial highways requires the approval of the Ministry of Transportation. Where required under the federal Fisheries Act, the Department of Fisheries and Oceans should be consulted prior to the approval for those storm water management systems that discharge directly to streams, rivers and lakes with fisheries resources.
- 2.17.2 A storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of ground water resources is not adversely impacted will be required prior to approving development which impacts on these resources. Where adverse impacts are anticipated, mitigative measures during and after construction to control sedimentation, erosion and flooding will be required. The direct discharge of storm water to water bodies should be avoided where possible.

2.18 ENVIRONMENTAL PROTECTION

- 2.18.1 No development shall be permitted that results in the unacceptable degradation of the quality and integrity of natural heritage features and areas including air, water, land and plant and animal life. Where the quality and integrity of natural heritage features and areas has been diminished to an unacceptable level, the Municipality shall encourage its restoration or remediation to healthy conditions. Development that results in harmful alteration, disruption or destruction of fish habitats shall not be permitted, unless approval has been obtained from the Department of Fisheries and Oceans.
- 2.18.2 Ground water resources are used as a source of potable water supply and as such no development shall be permitted that results in the unacceptable degradation of ground water resources.

2.19 LAND USE COMPATIBILITY

- 2.19.1 As much as possible land use conflicts should be avoided. The encroachment of sensitive land uses and industrial uses on one another is discouraged. Buffering and separation distances in accordance with the Ministry of the Environment, Conservation and Parks' guidelines shall be incorporated between sensitive and industrial uses to minimize potential adverse effects, such as noise, odour, vibration, particulate and other contaminants.
- 2.19.2 The Ministry of the Environment, Conservation and Parks publishes guidelines relating to land use compatibility in various circumstances. A list of relevant publications is in Schedule 1.9 to this Official Plan. The Municipality will make use of the guidelines in assessing development proposals, and, accordingly, proponents are advised to review them.

2.20 CLIMATE CHANGE ADAPTATION

- 2.20.1 Globally, nationally, provincially and locally, the world is attempting to combat global warming which is causing significant climate change and increased risks for natural disasters. The Municipality of Neebing will encourage development that accommodates measures to adapt to climate change, mitigate natural disaster risks and reduce greenhouse gas emissions.
- 2.20.2 Builders will be encouraged to incorporate “FireSmart®” designs into building construction plans. FireSmart® building construction includes choosing fire-resistant roofing material; using spark arresters in wood burning appliances; using tempered glass, double-paned or thermal windows; and screening deck and crawl spaces with fire-resistant materials. Sprinkler systems for fire suppression will be recommended.
- 2.20.3 Developers will be encouraged to incorporate stormwater management best practices into site plans.
- 2.20.4 Builders will be encouraged to implement construction and heating methods that reduce or eliminate greenhouse gas emissions. Geothermal energy, and site-providing solar or wind generated energy heating and electrical systems will be recommended.
- 2.20.5 The Municipality may consider preparing a Climate Change Mitigation/Adaptation Plan in collaboration with other orders of government.
- 2.20.6 Developers are advised that Neebing is not a willing host community for the development of industrial wind turbines. Neebing supports development to create alternative energy from wind (or other sources) for the purposes of servicing a home or business on the same site as the wind mill, but will not willingly support high volume energy production from wind for commercial and/or industrial purposes.

SECTION 3 - DEVELOPMENT CONSTRAINTS

3.1 GENERAL

- 3.1.1 Certain land use development constraints have been identified on Schedules “B” through “F” and should be read in conjunction with the policies of this Plan. In certain circumstances, new development is to be protected from impacts of an identified development constraint, while in other circumstances the sensitive nature of an identified development constraint is to be protected from potential adverse impacts from new development.

3.2 SENSITIVE AREAS

- 3.2.1 Sensitive areas are natural heritage features and areas that may be impacted by development and have been identified for natural and ecological functions and include such areas as wetlands, wildlife and fish habitat areas, sites with rare and endangered plant, animal or fish species and areas of natural and scientific interest and value for protection for study and education. Sensitive areas are placed in the Environmental Protection designation and new sensitive areas, when identified, will also be placed in the Environmental Protection designation, by an amendment to this Plan. In addition, sensitive areas will be placed in a separate zone category in the Zoning By-law.

- 3.2.2 Significant portions of the habitat of endangered and threatened species will be identified through consultation with the province. Development and site alteration will not be permitted within these areas.
- 3.2.3 Council recognizes the value of, and supports the protection of, Areas of Natural and Scientific Interest recognized by the Province. The Province has identified four Areas of Natural and Scientific Interest, which are depicted on the map schedules to this Official Plan. They are:
- i. Russel Point-Minong Foreland (see Schedule B);
 - ii. Spar Island (see Schedule C);
 - iii. Pearson Township Wetland (see Schedule E); and
 - iv. Squaretop Mountain Maple Stand (see Schedule B).

Russel Point-Minong Foreland is located in geographic Blake Township, and marked on Schedule B. It comprises 39.4 hectares, and contains a section of raised cobble beaches at the base of a diabase mesa that formed part of the shoreline of glacial Lake Minong. Russell Point is a small promontory on the northeast shore of Lake Superior. The ANSI is located 500 meters inland from the point.

Spar Island is located in geographic Crooks Township, 4 kilometers off shore in Lake Superior. It is marked on Schedule C. The island shows well exposed dikes of the Pine River-Mount Mollie Gabbro Unit, an important mafic intrusion, as well as other geological features. In addition to earth science features, several plant species of arctic-alpine affinity grow along the shoreline.

The Pearson Township Wetland is located in geographic Pearson Township, between Lots 4 and 8 and Concessions 1, 2 and 3. It is illustrated on Schedule E. It comprises 766.4 hectares, and contains several representative wetland vegetation types, including black spruce, willow/alder, sedge, cattails and low shrubs. It is a main headwater area for the Pine River.

The Squaretop Mountain Maple stand is located in geographic Blake Township and illustrated on Schedule B. Comprised of 260 hectares, this site contains one of the largest existing stands of sugar maple in northwestern Ontario. There are other southern floral elements, as well as cliff flora present as well. The majority of the ANSI is located in a ravine between Squaretop Mountain and Mount McQuaid.

No development or site alteration is permitted on the land containing an Area of Natural and Scientific Interest, or on lands within 120 meters of these lands, unless it can be demonstrated to Council's satisfaction that there will be no negative impacts on these features or their ecological functions.

In order to demonstrate this, an assessment of potential impacts to the Area of Natural and Scientific Interest will need to be conducted by a qualified professional.

Where the Province identifies, and so advises the Corporation, any other Areas of Natural and Scientific Interest within Neebing, same will be identified on the schedules to this Official Plan, and will be subject to the restrictions in this section, without formal amendment of the Official Plan.

- 3.2.4 With the exception of significant portions of habitat areas of endangered and threatened species, development may be permitted in sensitive areas or adjacent to sensitive areas subject to an amendment to the Official Plan and Zoning By-law and provided it is demonstrated that there will be no negative impact on the natural or ecological function of the natural feature in accordance with the criteria set out in Policy 4.6.5. Possible mitigative measures that may be required to protect against negative impact are subject to the approval of the Municipality. Development that results in harmful alteration, disruptions or destruction of fish habitats shall not be permitted, unless approval has been obtained from the Department of Fisheries and Oceans.

Areas adjacent to sensitive areas shall include lands within 120 meters of wetlands, and lands within 30 meters of watercourses and water bodies. For the habitat of endangered and threatened species, adjacent lands shall be defined in consultation with the Province, and shall generally include lands within 50 meters of significant portions of the habitat of endangered and threatened species; however, greater or lesser distances for adjacent land widths may be defined based on site and species-specific considerations.

- 3.2.5 New utilities/facilities and infrastructure should be located outside of or beyond the limits of sensitive areas.

3.3 USE LIMITATION AREAS

- 3.3.1 Use limitation areas are those areas that have some form of restriction or hazard to development due to physical characteristics of the area, such as steep slopes, erosion susceptibility, floodways of creeks, streams and rivers, unstable soils or any other such physical condition that would pose a risk of loss of life, property damage or social disruption.
- 3.3.2 Use limitation areas will be identified in the Zoning By-law and any development within an area identified as Use Limitation will require an approval from the Lakehead Region Conservation Authority except for agriculture, conservation, forestry management, mineral exploration, wildlife management, passive recreational uses, public utilities and infrastructure which are permitted in Use Limitation areas.
- 3.3.4 Any development which involves the channelization, diversion, damming, walling and dredging of a natural watercourse, or the installation of a culvert, causeway or dock in a natural watercourse, or any work below the high water mark, is subject to the approval of the Ministry of Northern Development, Mines, Natural Resources and Forestry and/or Lakehead Region Conservation Authority. Approval of the federal Department of Fisheries and Oceans may also be required and the Lakehead Region Conservation Authority as its agent, should be consulted prior to approval being given.
- 3.3.5 Development, other than agriculture, conservation, forestry management, mineral exploration, public utilities, wildlife management, passive recreational uses and infrastructure, shall not be permitted in a Use Limitation area unless it can be demonstrated that the potential hazard for which the area has been identified will not result in public health, safety or potential property damage, that no new hazards are created or existing hazards aggravated, and no adverse environmental impacts will result from the development to the satisfaction of the Province, the Lakehead Region Conservation Authority and the Municipality.

- 3.3.6 The erection and/or construction of buildings or structures, or additions to buildings or structures, or the placement or removal of fill material within 30 meters of, or adjacent to, any inland watercourse shall only be permitted provided appropriate site mitigation against any natural hazard has occurred and there is no danger to public safety, public health or property damage to the satisfaction of the Province, the Lakehead Region Conservation Authority and the Municipality of Neebing.
- 3.3.7 Existing uses shall be recognized despite the natural hazardous characteristics of the land. Expansions to such uses will, however, be discouraged unless they are in conformity with the following:
- (a) reconstruction and/or minor alterations to existing buildings or structures are approved by the Province and/or Lakehead Region Conservation Authority; and
 - (b) additions or extensions which are not likely to incur significant flood damage or will not result in impediments to flow or floodwater storage, which are approved by the Province and/or Lakehead Region Conservation Authority.

3.4 ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES

- 3.4.1 The Municipality recognizes that there may be archaeological sites of Indigenous and Euro Canadian habitation within the Municipal boundaries, areas of archaeological potential, cemeteries and burials, buildings and structural remains including cultural heritage landscapes and areas and viewsheds of cultural heritage value or interest. The Municipality of Neebing encourages the identification, conservation, protection and rehabilitation of archaeological and Cultural Heritage Resources, as well as encourages and fosters public awareness, participation and involvement in the conservation of these resources. There is likely the potential for archaeological resources within 120 meters of the shoreline of primary lakes and rivers, or within areas having favourable physiographical and cultural characteristics such as pockets of sandy soils, raised topography, or unusual landforms, known significant heritage areas, such as portage routes or places of past settlements.

Section 4.4.6 addresses development of shorelines and protection of Cultural Heritage Resources.

- 3.4.2 Development proposed in known areas of archaeological potential shall be assessed by a consultant archaeologist licensed under the Ontario Heritage Act to determine the nature and extent of the resource prior to development approval being granted. Any archaeological assessment report conducted by a licensed archaeologist must be in compliance with the 2011 Standards and Guidelines for Consultant Archaeologists, as well as the terms and conditions of an archaeological licence under the Ontario Heritage Act.

Any alterations to known archaeological sites shall only be performed by licensed archaeologists.

- 3.4.3 Should an archaeological assessment determine that significant archaeological resources are present on a site, the resource shall be documented and conserved to the satisfaction of the Province through excavation or on-site preservation, prior to final approval of the development proposal. A zoning by-law protecting the identified archaeological resource may be considered by Council.

- 3.4.4 The Ontario Heritage Act may be utilized to conserve, protect and enhance any identified Cultural Heritage Resources in the Municipality. Council may by by-law designate under the Ontario Heritage Act, for protection and conservation, individual properties (Part IV) and/or heritage conservation districts (Part V) of cultural heritage value or interest.
- 3.4.5 A Municipal Heritage Committee may be established under the Ontario Heritage Act to advise and assist Council on matters related to Parts IV and V of the Act and on other matters of cultural heritage conservation.
- 3.4.6 Council shall consult with the appropriate government agencies, including the Ministry of Heritage, Sport, Tourism and Culture Industries when an identified human cemetery, including a marked or unmarked human burial, is affected by land use development. The Municipality shall require an archaeological assessment by a licensed consultant archaeologist when a known or suspected cemetery or burial site is affected by development. The provisions of the Ontario Heritage Act and the Funeral, Burial and Cremation Services Act shall apply.
- 3.4.7 The Municipality of Neebing shall have regard for Cultural Heritage Resources in the undertaking of municipal public works when developing land or properties owned by the Municipality, or any similar municipal undertaking causing impact. Where necessary, Council will require satisfactory measures such as archaeological or cultural heritage assessments to mitigate any negative impacts on significant heritage resources. In attaining its goal for establishing a barrier-free environment to municipally-owned property, the Municipality shall try to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. The Municipality recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to make sure that alterations do not adversely affect the heritage attributes. The Municipality will encourage this practice for privately-owned heritage buildings that are open to, and used by, the public.

Where necessary, Council will require satisfactory measures such as archaeological or cultural heritage assessments to mitigate any negative impacts on significant heritage resources.

- 3.4.8 Retrofits for achieving energy efficiency will only be undertaken in a heritage building where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building.

3.5 FORESTRY

- 3.5.1 Forest resources provide a significant economic, social and environmental benefit in the forms of:
- (a) income from forest products;
 - (b) recreation;
 - (c) education;
 - (d) soil and water conservation;
 - (e) wildlife habitat;
 - (f) buffers between land uses; and
 - (g) natural amenities.

- 3.5.2 Property owners are encouraged to ensure that forest resources on their property are properly managed. Information and assistance on the management of forest resources may be available from the Ministry of Northern Development, Mines, Natural Resources and Forestry.
- 3.5.3 The maintenance of forest cover along river and stream banks is encouraged and reforestation in areas where forest resources have been depleted is encouraged.
- 3.5.4 Certain areas of the Municipality are highly susceptible to damage caused by forest, brush and/or grass fires. Forest fire prevention and hazard reduction activities are desirable for environmental, economic and social reasons.
- 3.5.5 Development of land adjacent to or within high fire risk areas should incorporate design measures and construction techniques which will minimize damage resulting from a forest, brush or grass fire. Such measures may include identifying access and escape routes, layout of fire breaks and building and property maintenance.

3.6 AGGREGATE RESOURCE AREAS

- 3.6.1 New aggregate sites (pits and quarries) require licenses/permits and the related requirements as authorized by the Ministry of Northern Development, Mines, Natural Resources and Forestry under the authority of the Aggregate Resources Act.
- 3.6.2 Located throughout the Municipality are local aggregate extractive sites which provide a local source of aggregate. Existing aggregate operations shall be protected from incompatible land uses.
- 3.6.3 Development within 1000 meters of existing aggregate operations will not be permitted unless studies demonstrate that the development does not restrict access to the resource. If access to the resource is restricted as a result of development, the development may be permitted provided that studies demonstrate:
- (a) the use of the resource is not feasible; or
 - (b) the development or use serves a greater long term public interest; and
 - (c) issues of public health, safety and environmental impact are addressed.

Reference should also be made to the Province's D-6 Series Guidelines, and/or any other provincial documents listed in Schedule 1.9.

- 3.6.4 The use of aggregate processing equipment such as crushers and screening plants requires an Environmental Compliance Approval and location approval from the Ministry of the Environment, Conservation and Parks.
- 3.6.5 Council shall encourage the conservation of archaeological and cultural heritage resources when considering applications to establish or expand aggregate operations, and the mitigation of any impacts to these resources.
- 3.6.6 Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration. Comprehensive rehabilitation planning is encouraged where there is a concentration of mineral aggregate operations.

3.7 AREA OF MINERAL RESOURCE POTENTIAL

- 3.7.1 The majority of the Municipality has been identified as an area of mineral resource potential as shown on Schedule "A". Development of land that does not restrict access to an identified resource or the establishment of a new mining operation is permitted in areas of mineral resource potential.
- 3.7.2 Mineral mining operations will be protected from activities that would preclude or hinder their expansion, continued use or which would be incompatible for reasons of public health, safety and environmental impact.
- 3.7.3 Rehabilitation of mineral extractive sites will be required after extraction and other related activities have ceased to the satisfaction of the Province and the Municipality. Mine closure plans shall be submitted to the Municipality for input.
- 3.7.4 When considering new operations, or the expansion of existing operations, the Municipality will require the proponent to provide satisfactory measures to mitigate any negative impacts on Cultural Heritage Resources.

3.8 MINE HAZARDS

- 3.8.1 Development in proximity to the mine hazards shall be prohibited unless access or development is required to remediate a specific mine hazard. Once an existing mine hazard has been rehabilitated to the satisfaction of the Province, development in proximity to the mine hazard may be permitted in accordance with the policies of the Official Plan and the Zoning By-law.

In these areas, un-rehabilitated mine hazards such as mine shafts and tunnels may exist. Known mine hazards are shown on Schedule "A" and are as provided by the Ministry of Northern Development, Mines, Natural Resources and Forestry from the Abandoned Mines Information System database. The Ministry of Northern Development, Mines, Natural Resources and Forestry notes that the information in the database is compiled from various sources, and it makes no representation that the information in the database is accurate or complete.

When considering development within 1 kilometer of a known mine hazard, the Municipality will consult with the Mines and Minerals Division of the Ministry of Northern Development, Mines, Natural Resources and Forestry so that details of the hazard and any requirements for rehabilitation under the Mining Act can be provided.

- 3.8.2 Progressive rehabilitation is required for any mine hazard in accordance with the requirements of the Province and input from the Municipality.

3.9 CONTAMINATED SITES

- 3.9.1 Prior to approving development on lands that have been contaminated by previous uses, a Record of Site Condition shall be prepared by a qualified consultant, in accordance with the Ministry of the Environment, Conservation and Parks guidelines, which identifies the extent of the contamination and summarizes information about the site, including the site condition to be achieved through restoration. Any site restoration works required to remediate the site shall be undertaken in accordance with the Ministry of the Environment, Conservation and Parks' requirements and standards.

- 3.9.2 Lands that have been contaminated by previous uses will be placed in a holding zone. The holding symbol shall be lifted and the lands zoned for its designated use once the site has been remediated to Ministry of Environment, Conservation and Parks' standards for the new use.

3.10 WASTE DISPOSAL SITES

- 3.10.1 Development shall be prohibited on all waste disposal sites located in the Municipality, including closed sites. Waste disposal sites are considered an industrial use and have been identified as a land use constraint on Schedules "B" through "F".
- 3.10.2 Development proposed within 500 meters of an existing or closed waste disposal cell shall not be approved under a plan of subdivision, consent or building permit unless it can be demonstrated that there is no evidence of leachate, methane gas migration or other contaminants present in the soils or ground water supply to the satisfaction of the Ministry of Environment Conservation and Parks and the Municipality of Neebing.
- 3.10.3 The current waste disposal sites in the Municipality were historically estimated to have approximately 20 years of capacity available as at 2008. This has proven to be incorrect. Applications for expansion to the Municipality's two waste disposal sites are underway. Planning for a new site or for further expansion to the existing site(s) should commence 5 years prior to the current capacity being exhausted and in accordance with the Class Environmental Assessment requirements under the Environmental Assessment Act.

SECTION 4 - LAND USE POLICIES

4.1 GENERAL

- 4.1.1 Land use designations have been established for Municipality of Neebing. The Land Use Plan as detailed on Schedules "A" through "F" illustrate the land use designations. Schedules "A" through "F" should be read together in conjunction with the policies of this Plan.
- 4.1.2 The intent of this section of the Plan is to promote the optimum land use function by minimizing land use conflicts and providing an attractive development pattern consistent with existing land uses and economic development of the Municipality.
- 4.1.3 Ontario has embarked on a mission to create a barrier-free environment by the year 2025. The Municipality will encourage and support development that is barrier-free.

4.2 AGRICULTURAL AREA

- 4.2.1 It is the objective of the Agricultural area:
- (a) to encourage the preservation of agricultural lands for agricultural purposes;
 - (b) to direct non-farm uses to the Rural or Lakefront Residential areas;
 - (c) to minimize the impact of non-farm uses on agricultural operations;
 - (d) to protect and enhance the natural amenities, character and lifestyle of the

- (e) agricultural area;
to encourage the growth of the agribusiness and agri-tourism industries in appropriate locations; and
- (f) to promote and protect normal farm practices in accordance with provincial standards.

Permitted Uses

4.2.2 Permitted uses in the Agricultural area include:

- (a) agricultural uses such as the growing of crops, raising of livestock and other animals for food or fur, including buffalo, caribou, fish, etc., greenhouse operations, horticulture, apiaries, agro-forestry, maple syrup and associated on-farm buildings and structures, including livestock facilities, manure storages, value-retaining facilities and farm related residential uses;
- (b) on-farm diversified uses that are secondary to the principle agricultural use of the property and are limited in area, such as home occupations, home industries, agri-tourism and uses that produce value added agricultural products; and
- (c) small agriculture-related uses, defined as farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

4.2.3 A site plan agreement pursuant to Section 41 of the Planning Act may be required for agricultural or farm related commercial and industrial uses.

4.2.4 Other compatible uses such as forestry, conservation, wildlife management uses and mineral exploration are permitted in the Agricultural area.

4.2.5 Aggregate extraction, mining activities and mineral extraction are permitted in Agricultural areas, subject to an amendment to the Zoning By-law, provided the site is rehabilitated so that relatively the same area and the same average soil quality for agriculture is restored, and, in accordance with the provisions of Section 4.3.33 for aggregate extraction and Section 4.3.36 for mining activities and mineral extraction.

Agricultural Development

4.2.6 Agricultural parcels and farm operations shall be maintained in units which are large enough to maintain flexibility to adapt to changing economic conditions of the agricultural industry.

4.2.7 Development within the Agricultural area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation Formulae I, as amended from time to time. New and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation Formulae II, as amended from time to time.

4.2.8 Permanent or portable farm help houses may be permitted for farm help where the size and/or nature of the farming operation makes the employment of such help necessary and where these additional dwellings do not have significant negative effect on the tillable area of the farm or its viability. Farm help houses shall be constructed/erected in close proximity to the principal farm buildings so that the farm help house is considered to be an integral part of the farming operation. The farm help house may share services

with the principal residence provided clearance is obtained from the Thunder Bay District Health Unit that the septic system serving the principal residence has adequate capacity to accommodate the farm help house. A farm help house shall not be constructed/erected with the intention of severing it from the farming operation in the future.

4.2.9 Consents involving agricultural lands are generally discouraged and shall be permitted provided:

- (a) the severed and retained lots are intended for agricultural use and are of a size appropriate for the agricultural use, the types of agricultural uses common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- (b) the consent is for an agricultural-related use; and
- (c) the consent is for a residence surplus to a farming operation as a result of farm consolidation, provided that:
 - i) the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 - ii) no new residential dwellings are permitted on any remnant parcel of farmland created by the severance.

4.2.10 A storm water drainage report or other water quality assessment which demonstrates that the function and quality of existing watercourses and the quantity and quality of surface water resources are not adversely impacted may be required prior to the expansion of agricultural uses or an increase in their intensity. Where adverse impacts are anticipated, mitigative measures to control sedimentation, erosion and flooding will be required. The direct discharge of storm water to water bodies should be avoided.

4.3 RURAL AREA

4.3.1 It is the intent of this Plan to maintain the rural character and environment of the Rural area of the Municipality of Neebing while at the same time promoting the Rural area for recreation and tourism related activities and uses. The Municipality is capable of supporting development that is resource and non-resource based. It is not realistic to attempt to precisely define where these uses may best occur. Rather, a general Rural land use designation in which these uses can be accommodated in accordance with the specific policies of this Plan and through the implementation of the Zoning By-law and zoning amendments, would allow flexibility in determining the appropriate uses of land.

4.3.2 The Rural area is characterized as a low density, multi-purpose area in which a variety of land uses can be accommodated in a compatible manner consistent with the rural character of the Municipality.

Permitted Uses

4.3.3 Permitted uses in the Rural area include rural residential dwellings, agricultural uses, agriculture-related uses, on-farm diversified uses, hobby farms, institutional uses, recreational and open space uses, tourist and general commercial uses, and industrial uses including extraction of peat for horticulture or fuel purposes. It is also the intent of the Rural designation to permit and encourage such rural uses as forestry, aggregate extraction, mining and mineral exploration, trapping, resource management and conservation uses.

4.3.4 It is the intent of the Rural land use designation to:

- (a) maintain the low density rural character of the Municipality;
- (b) provide flexibility by permitting a variety of land uses;
- (c) to allow development of natural resources and economic activities in a manner compatible with the rural character which balances protection of natural resources with the need for economic diversification; and
- (d) to promote and protect normal farm practices in accordance with provincial standards.

4.3.5 While land in the Rural designation may be developed for a variety of uses, regard shall be given to guard against development being incompatible with surrounding land uses and appropriate for the site before development approval is given.

Rural Residential Development

4.3.6 Rural residential uses shall be permitted in the Rural designation on existing lots of record and on lots created through the consent and subdivision process in accordance with the policies of this Plan (Section 2.2) and provided that the requirements set out in the lettered paragraphs of this Section 4.3.6 are met.

- (a) New lots for rural residential uses must have a minimum area necessary for the use permitted and the installation of a private water supply and sanitary sewage disposal system approved by the Thunder Bay District Health Unit or designated authority. The site conditions must be suitable for the long-term provisions of such services with no negative impacts. No new residential lot shall be smaller than 1.0 hectare.
- (b) New rural residential uses should be a reasonable distance from, and oriented away from industrial uses to minimize the adverse effects of odour, dust, noise, vibration and other contaminants. The Ministry of the Environment, Conservation and Parks may be consulted to obtain input with respect to separation distances and buffering requirements for residential development adjacent to industrial uses. Reference should also be made to the Province's D-Series Guidelines, and/or any other provincial documents listed in Schedule 1.9.
- (c) New rural residential uses should not conflict with existing agricultural operations and will comply with the Minimum Distance Separation Formulae I, as amended from time to time.

4.3.7 The permitted residential uses in the Rural area in addition to single detached residential uses include boarding or lodging houses, bed and breakfast establishments, group homes, and garden suites. In addition, home occupations, and home industries may also be permitted and will be evaluated based on their compatibility in terms of scale, design and fit with the physical character of the rural environment.

4.3.8 Plans of subdivisions for rural residential purposes of more than 5 lots shall require a planning study that addresses the following considerations:

- (a) long term servicing impacts, environmental factors and impact on surrounding land uses;
- (b) whether the scale and design of the development is compatible with the surrounding development and rural character in general;
- (c) whether any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner; and

- (d) a water quality/quantity assessment prepared by a qualified consultant, in accordance with the Ministry of the Environment, Conservation and Parks' requirements, which demonstrates that there is adequate water quantity and quality available to meet the domestic requirements of the development.

4.3.9 Plans of subdivisions for rural residential purposes within 100 meters of the Highway 61 shall require a noise impact study prepared by a qualified noise engineer that addresses potential land use conflicts resulting from noise associated with Highway traffic and identifies noise control and mitigative measures including site design requirements.

Agricultural Development

4.3.10 Agricultural farm parcels and farm operations in the Rural area shall be maintained in units which are large enough to maintain flexibility to adapt to changing economic conditions of the agricultural industry. Farm help houses may be permitted subject to the policies of 4.2.8.

4.3.11 Development within the Rural area shall not conflict with existing livestock operations and must comply with the Minimum Distance Separation Formulae I as amended from time to time. New and/or expansions to existing livestock operations shall comply with the Minimum Distance Separation Formulae II, as amended from time to time.

4.3.12 Hobby farms generally consist of smaller parcels of land than an agricultural operation and are not the principal source of income for the owner. Farm help houses are not permitted for hobby farms.

Commercial Development

4.3.13 Commercial uses providing convenience or retail services, highway commercial uses, recreational commercial uses, tourism commercial uses and retail and personal business services may be permitted in the Rural area provided that:

- (a) the size and scale of use is compatible with the surrounding rural environment and there is no adverse impact on the amenity and character of the rural environment;
- (b) buffering and separation distances to the satisfaction of the Municipality are provided where a commercial use is located adjacent to a residential or recreational use;
- (c) parking is provided in accordance with the Zoning By-law; and
- (d) a site plan agreement pursuant to Section 41 of the Planning Act may be required.

Commercial development is encouraged at the intersections of primary transportation corridors

4.3.14 Commercial uses shall be regulated by separate zone categories in the Zoning By-law. The Zoning By-law shall require increased side yard and rear yard setbacks and/or appropriate landscaping and buffering provisions between commercial uses and residential or institutional uses.

4.3.15 New commercial uses should not conflict with existing agricultural operations and will comply with the Minimum Distance Separation Formulae I, as amended from time to time.

- 4.3.16 When considering an application to establish a commercial use or uses, the Municipality shall have regard for the following:
- (a) the compatibility of the proposed use with the surrounding area;
 - (b) the physical suitability of the site for the proposed use;
 - (c) the adequacy of the street system to accommodate access and traffic generated from the proposed commercial use;
 - (d) the convenience and accessibility of the site for both pedestrian and vehicular traffic; and
 - (e) the adequacy of utilities and on-site servicing considerations.
- 4.3.17 The design of commercial uses shall be compatible with the character of the surrounding area. The following design criteria should be given consideration to the development and redevelopment of all commercial lands:
- (a) the provision of landscaped areas that provide a buffer and screening to adjacent residential and institutional uses;
 - (b) open storage of goods and materials be permitted in accordance with the provisions of the Zoning By-law;
 - (c) loading and unloading areas shall be provided off-street and in the rear or side yard where possible; and
 - (d) off-street parking facilities be provided in accordance with the provisions of the Zoning By-law.
- 4.3.18 Tourist commercial uses such as hotels, lodges, commercial recreational facilities, marinas and similar type of uses are permitted as a means to encourage the expansion of the tourism industry in the Municipality. These uses shall be permitted subject to the criteria established in Policy 4.3.17 and provided there is no adverse impact on the surrounding properties relating to traffic, noise, intensity of use or environmental considerations.
- 4.3.19 Commercial uses along Highway 61 shall be developed in an attractive manner to provide a positive statement to the Municipality and open storage may be permitted provided the storage areas will not detract from the character of the area.
- 4.3.20 Automobile traffic and off-street parking are also a major design consideration for commercial development along Highway 61. Where appropriate, service roads and joint entrances between commercial uses shall be encouraged to minimize traffic conflicts.
- 4.3.21 For those uses that provide for the storage or use of fuel products, a hydro geotechnical assessment may be required to address such matters as the potential for ground water contamination and leachate from fuel storage facilities.
- 4.3.22 Accessory residential uses to a commercial use may be permitted for a caretaker, employee or proprietor of the commercial use, subject to the following criteria:
- (a) the residential use shall not detract from the prime function of the commercial use;
 - (b) an amenity area shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use; and
 - (c) parking shall be provided for the residential use in addition to the requirements for the commercial use as determined in the Zoning By-law.

Industrial Development

- 4.3.23 Industrial development in the Rural area will generally be for dry industrial uses which use water for domestic purposes only and which result in the production of domestic sewage only. Domestic sewage does not include plant or chemical effluent used in a manufacturing process. Other industrial uses that provide their own water supply and effluent treatment will be permitted subject to an Environmental Compliance Approval approved by the Ministry of the Environment, Conservation and Parks.
- 4.3.24 Industrial uses that may be permitted in the Rural area include dry manufacturing, assembling, fabricating, servicing, storage of goods and raw materials, warehousing, wholesaling and service sector industries including transportation, communication, government services and waste disposal facilities. In addition, industrial uses related to a natural resource such as mineral exploration, mining, mineral aggregate resource extraction operations, forestry industries and peat extraction are permitted. Commercial hydro electric generating facilities may be permitted subject to an amendment to this Plan and the Zoning By-law. That restriction does not apply to individual residential hydro generation facilities for provision of electricity consumed on site.
- 4.3.25 Uses that are incidental to or associated with an industrial use, such as retailing or wholesaling, may be permitted. Also, an accessory residential dwelling may be permitted for the owner or employee or the industrial use provided that the dwelling is not severed from the industrial use.
- 4.3.26 Industrial uses shall have regard for the proximity of residential uses or other sensitive land uses, exposure to major roadways and the degree to which the industrial use affects the physical and aesthetic characteristics of the rural environment.
- 4.3.27 It is the intent to permit industrial development to expand the Municipality's industrial base to provide for improved employment opportunities within the Municipality, to revitalize existing industrial areas, to improve their appearance and function and to enhance opportunities to attract new businesses or expansions to existing businesses, while adhering to Ministry of the Environment, Conservation and Parks' guidelines regarding brownfields developments.
- 4.3.28 Industrial uses may be subject to site plan control pursuant to Section 41 of the Planning Act.
- 4.3.29 The Zoning By-law shall regulate industrial uses through the establishment of appropriate industrial zone categories and shall address among other matters the need for a compatible environment for industries free from interference and restriction by other uses and the protection of adjacent uses from the effects of industry.

Reference must be given to the Province's D-6 Series minimum distances, and/or any other provincial documents listed in Schedule 1.9 which only apply after a study has been completed to confirm them, otherwise the maximum distances apply.

- 4.3.30 Wherever industries abut residential, institutional, recreational or other similar uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and separation distances in order to minimize the impact of the industrial activity including visual appearance. Buffering and separation distances shall be in accordance with the Ministry of the Environment, Conservation and Parks' guidelines and to the satisfaction of the Municipality.

Reference must be given to the Province's D-6 Series minimum distances, and/or any other provincial documents listed in Schedule 1.9 which only apply after a study has been completed to confirm them, otherwise the maximum distances apply.

- 4.3.31 Industrial uses which are exposed to Highway 61 shall be developed in an attractive manner to provide a positive statement to the Municipality. To achieve this, building and site design should have consideration of the following design standards:
- (a) open storage may be permitted provided the storage areas are screened so that the storage areas will not detract from the intended character of the area;
 - (b) off-street parking and loading areas will be provided in accordance with the Zoning By-law;
 - (c) all industrial activities will be encouraged to locate within wholly enclosed buildings unless it is essential for an activity to locate outdoors, in which case the industrial use will be suitably screened and buffered from the Highway; and
 - (d) development or redevelopment of industrial uses shall comply with the applicable standards requiring noise attenuation barriers, distance separation or setbacks or other measures to maintain acceptable sound levels within residential areas which are consistent with the Ministry of Environment Conservation and Parks' minimum standards for noise and odour.
- 4.3.32 For those uses that provide for the storage or use of fuel products, a hydrogeotechnical assessment may be required to address such matters as the potential for ground water contamination and leachate from fuel storage facilities.
- 4.3.33 Aggregate extraction operations shall be permitted in the Rural area provided that it meets the requirements of the lettered paragraphs of this Section 4.3.33.
- (a) The operation must be compatible with surrounding land uses.
 - (b) Adequate buffering must be provided.
 - (c) The Ministry of the Environment, Conservation and Parks must be satisfied with respect to the disposal of liquid wastes, pumping operations and the control of air and noise pollution, among other matters.
 - (d) No excavation, building, equipment, machinery or stockpiling of material is allowed:
 - (i) within 120 meters of a lot line of an adjacent lot used for residential, recreational, institutional or commercial purposes;
 - (ii) within 30 meters of any road or road allowance; and
 - (iii) within setbacks from a residence for a quarry with blasting operations which will be determined on a case by case basis.
- 4.3.34 Aggregate processing operations, such as crushing, screening and washing of aggregate products are considered an accessory use to an aggregate extraction operation and may be permitted provided setbacks for buildings, machinery and equipment from lot lines is determined on a site specific basis in consultation with the Municipality of Neebing and with the Ministry of the Environment, Conservation and Parks through the issuance of an Environmental Compliance Approval.
- 4.3.35 Related aggregate industrial uses such as asphalt plants, concrete batching plants and aggregate recycling operations may also be permitted provided they are compatible with adjacent land uses.

- 4.3.36 Mining operations shall be permitted in the Rural area provided that:
- (a) the operation is compatible with the surrounding land uses;
 - (b) adequate buffering is provided;
 - (c) a site plan agreement pursuant to Section 41 of the Planning Act is required and such agreement shall address, at a minimum, the following matters:
 - (i) hours of operation;
 - (ii) location of proposed buildings, machinery and equipment;
 - (iii) setbacks, landscaping and buffering;
 - (iv) storm water management;
 - (v) existing and anticipated final grades of excavation;
 - (vi) access/egress;
 - (vii) haulage routes;
 - (viii) improvements/maintenance to Municipal roads as a result of increased truck traffic on existing roads; and
 - (ix) progressive site rehabilitation.
- 4.3.37 The reuse of industrial land for alternative land uses shall be considered in accordance with the provisions of Policy 3.9.1.

Institutional Development

- 4.3.38 It is the intent of this Plan to provide for appropriately located public and private institutions that are accessible to the people they serve, while not having an adverse affect on the surrounding area. Permitted institutional uses include government buildings, public service facilities, churches, schools, library, cemetery and other similar uses.
- 4.3.39 Institutional uses may be permitted in the Rural area in accordance with the following:
- (a) adequate parking is provided;
 - (b) adequate buffering is provided where necessary;
 - (c) there is no adverse or negative impact on the surrounding rural environment with respect to noise, traffic, parking, etc. and
 - (d) an agreement pursuant to Section 41 of the Planning Act may be required.
- 4.3.40 New institutional uses should not conflict with existing agricultural operations and will comply with the Minimum Distance Separation Criteria I, as amended from time to time.

Recreational and Open Space Development

- 4.3.41 Recreational and open space uses that may be permitted in the Rural area include active and passive recreational uses, public and private parks, trailer parks and campgrounds, golf courses, playing fields, recreational facilities, swimming facilities, playgrounds, nature trails, ski areas, scenic lookouts, boat launches, picnic areas and wildlife management areas.
- 4.3.42 Recreational and open space development shall complement the natural environment. Refer to Section 2.4.6 for rules respecting trails as they relate to provincial highways.
- 4.3.43 New recreational and open space uses should not conflict with existing agricultural operations and will comply with the Minimum Distance Separation Formulae I, as amended from time to time.

- 4.3.44 Lands used for public or private recreational purposes may be permitted in accordance with the following provisions:
- (a) development shall only take place in areas suitable for the use taking into consideration the location, surrounding uses, water quality, drainage, soil conditions, servicing considerations and, parking and traffic generation;
 - (b) the preservation and conservation of those lands which are ecologically sensitive and those areas with scenic qualities be given priority for passive recreational pursuits; and
 - (c) a site plan agreement pursuant to Section 41 of the Planning Act may be required.
- 4.3.45 Small scale commercial uses which are associated with and support the permitted recreational and open space uses may be permitted.
- 4.3.46 In areas in the vicinity of the Lake Superior shoreline proposed to be used for recreational and open space uses, the Municipality shall cooperate with the Ministry of Northern Development, Mines, Natural Resources and Forestry or other relevant agencies, in their efforts to establish recreational facilities and a functional water oriented open space network.
- 4.3.47 The Municipality, in the design and development of parks, open space areas and recreational facilities shall encourage accessibility for the physically challenged.

4.4 LAKEFRONT RESIDENTIAL AREA

Permitted Uses

- 4.4.1 The Lakefront Residential area is primarily a residential area consisting of seasonal or recreational residential uses and permanent year round residential uses with ancillary waterfront open space uses.
- 4.4.2 The permitted residential uses in the Lakefront Residential area include year round and recreational single detached residential uses and open space recreational uses. Bed and breakfast establishments, garden suites, and home occupations may also be permitted and will be evaluated based on their compatibility in terms of scale, design and fit with the physical character of the lakefront rural environment.
- 4.4.3 Individual recreational residential uses shall be permitted on existing lots of record provided they can be safely serviced.
- 4.4.4 Tourist commercial and commercial recreational uses may be permitted on a case by case basis, and provided that:
- (a) the use, and scale and design of the use, is compatible with the surrounding lakefront residential environment;
 - (b) adequate buffering and landscaping can be provided between the use and surrounding lakefront residential uses;
 - (c) any necessary infrastructure and public facilities can be provided or are available;
 - (d) no adverse impacts on the natural environment are anticipated from the use; and

- (e) a water quality/quantity assessment prepared by a qualified consultant, in accordance with the Ministry of the Environment, Conservation and Parks' requirements, which demonstrates that there is adequate water quantity and quality available to meet the requirements of the use and there is not adverse impact on adjacent lakefront residential uses.
- 4.4.5 When development within 120 meters of the shoreline is being considered, the proponent shall consult and coordinate with the various agencies, including the Lakehead Region Conservation Authority, the Ministry of Northern Development, Mines, Natural Resources and Forestry and the Department of Fisheries and Oceans, regarding potential impacts on fish resources. If required, an assessment of the potential adverse impacts along with the identification of appropriate mitigative measures will be determined prior to shoreline development approval being considered.
- 4.4.6 In considering applications for waterfront development the Municipality will take steps to protect known Cultural Heritage Resources, both on shore and below the waterline, so that they are not adversely affected. The proponent will need to provide satisfactory measures to mitigate any negative impacts on known Cultural Heritage Resources.

The Municipality will require a marine archaeological assessment to be conducted by a licensed marine archaeologist pursuant to the Ontario Heritage Act if areas of marine archaeological potential or features below the high water mark, such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultrual heritage value have been identified and will be impacted by shoreline and waterfront developments.

Lakefront Residential Development

- 4.4.7 The development of lakefront residential uses shall be primarily by plan of subdivision. The development of individual lakefront residential lots by the consent process may be considered on an infilling basis between existing areas of development.
- 4.4.8 Plans of subdivisions for lakefront residential purposes of more than 5 lots shall require a planning justification study that addresses the following considerations:
- (a) whether the scale and design of the development is compatible with the surrounding development and lakefront rural character in general;
 - (b) whether any necessary infrastructure and public facilities can be provided or are available to service the development in an efficient manner; and
 - (c) a water quality/quantity assessment prepared by a qualified consultant, in accordance with the Ministry of the Environment, Conservation and Parks' requirements, must demonstrate that there is adequate water quantity and quality available to meet the domestic requirements of the development; and
 - (d) where the proposed lots are 1 hectare or less, and are privately serviced by on-site sewage disposal systems, the applicant shall demonstrate by a hydrogeological report prepared by a qualified person, in accordance with the Ministry of the Environment, Conservation and Parks' requirements, that there will be no cross contamination of water supplies between lots or adjacent lots.
- 4.4.9 Lakefront residential uses shall be placed in a separate zone category in the Zoning By-law.

- 4.4.10. Lakefront residential uses will be privately serviced and will require the approval of the Thunder Bay District Health Unit or designated authority for private sanitary sewage disposal systems. The minimum lot area for new lakefront residential lots is 1.0 hectare. Where an applicant seeks to develop smaller-sized lots, approval of the Ministry of the Environment, Conservation and Parks is required as per Guideline D-5-4, and/or any other provincial documents listed in Schedule 1.9, together with any studies that the Ministry may require to establish that no impairment to the natural environment or risk to human health will occur.
- 4.4.11 Permanent year round lakefront residential uses shall front on public roads maintained year round and should not contribute to an increase in level of service provided beyond those presently provided by the Municipality. Exceptions may be made where the proponent demonstrates that year round private road servicing has been permanently established, such as is the case with condominium developments or housing co-operatives.
- 4.4.12 The conversion of existing recreational residential uses to permanent year round residential uses may be permitted provided that the requirements set out in the lettered paragraphs of this Section 4.4.12 are met.
- (a) The applicant shall supply a Certificate of Approval issued by the Thunder Bay District Health Unit or designated authority, stating that the dwelling is served by an appropriate sewage system. A holding tank shall not be considered to be an appropriate sewage disposal system for conversion purposes. If the Certificate is more than 5 years old, a letter will be required from the Health Unit or designated authority indicating that the sewage disposal system is operating satisfactorily.
 - (b) The dwelling fronts on a road that is maintained year round by the Municipality, although exceptions may be made where the proponent demonstrates that year round private road servicing has been permanently established, such as is the case with condominium developments or housing co-operatives.
 - (c) The lot complies with the provisions of the Zoning By-law with respect to lot area, setbacks and parking provisions.
 - (d) The Building Inspector has provided a report to the Municipality indicating the satisfactory condition of the dwelling for year round use and has issued a change of use permit in accordance with the Building Code Act, 1992.
 - (e) A sketch of the subject lands prepared by an Ontario Land Surveyor or from a registered plan of subdivision is provided, indicating the following:
 - (i) the location and names of all abutting public roads providing frontage;
 - (ii) the distance from the high water mark to the dwelling;
 - (iii) the lot lines, dimensions and lot area;
 - (iv) the location and distance separations of all structures;
 - (v) the location and distance separations of all structures on abutting lands;
 - (vi) the location and distance separations of water supply and septic systems;
 - (vii) the location and distance separations of water supply and septic systems on abutting lands;
 - (viii) the location of any buffer area, landscaping or fences;
 - (ix) the location of any drainage ditches, wooded areas, banks, slopes or other natural features on the subject lot and abutting lots; and
 - (x) the location of driveways and parking areas.

- 4.4.13 No new year round or recreational residential lots shall be permitted on or within 300 meters of those lakes identified by the Ministry of the Environment, Conservation and Parks as per the Lakeshore Capacity Assessment Handbook and/or any other Provincial documents listed in Schedule 1.9, as approaching or as having reached their assimilative capacity, including Cloud Lake or Oliver Lake. Limits to development may be placed on other lakes or waterbodies without an amendment to the plan when they have been identified as approaching or as having reached their development capacity.
- 4.4.14 Council supports the management and protection of water quality, especially where shoreline property development or redevelopment is proposed. The removal of vegetation from shoreline properties is potentially harmful to water quality and, as such, it is discouraged. Developers and property owners are advised that, in accordance with the Natural Heritage Reference Manual, natural vegetation should be maintained on land within a 30 meter setback from coldwater lakes and streams, and within a 15 meter setback from cool and warm water lakes and streams.

Development on Islands or Shorelines with Water Access Only

- 4.4.15 Subject to Section 4.4.16, where development is proposed on an island, or on a lot which can be accessed only by water, the development must have deeded mainland parking and dockage facilities that have direct access to a public road and/or existing right-of-way. There must be legally binding ties between the mainland facilities and the island or water-access-only properties, preventing the mainland facilities from being separated from the water-access-only properties.
- 4.4.16 Mainland parking and/or dockage facilities may be provided through a commercial marina facility provided written confirmation from the marina is obtained indicating and demonstrating that adequate mainland parking and boat mooring is available to provide access for the additional development.
- 4.4.17 The developer must demonstrate that the mainland parking and/or dockage facilities are sufficiently buffered from neighbouring land uses.
- 4.4.18 The developer must demonstrate through appropriate studies and/or approvals, that stormwater runoff from the parking area is mitigated prior to entering the lake.
- 4.4.19 The developer must demonstrate through appropriate studies that the mainland parking and/or dockage facilities will not impact fish habitat.
- 4.4.20 The developer must demonstrate through appropriate studies and/or approvals, that a sewage system can be accommodated on site, with all components of the sewage system located a minimum of 20 meters from the normal high water level.
- 4.4.21 Setbacks on islands or water-access-only lots must be a minimum of 20 meters for all principal buildings.
- 4.4.22 Natural vegetation, tree and soil cover on islands and water-access-only lots must be maintained and preserved as part of development.

4.5. WATERSHED RESERVE

Permitted Uses

- 4.5.1 The Watershed Reserve area surrounds Loch Lomond and is intended to protect the water supply and provide a buffer between Loch Lomond and development.
- 4.5.2 Development is restricted to only those uses that are required for the management and protection of the watershed and water supply.

4.6 ENVIRONMENTAL PROTECTION AREA

Permitted Uses

- 4.6.1 For lands designated Environmental Protection the permitted uses shall be shoreline protection works, floodplain protection works, fisheries management, wildlife management, waterfowl production, conservation uses, mineral exploration, passive recreational uses and commercial and private forestry operations (which shall mean the harvesting and planting of trees but not the processing of trees or logs with the exception of small scale private sawmills and chippers.) Forestry operations should be in accordance with good forestry practices and planned to prevent negative impacts to the natural heritage features and functions of the area.

Environmental Protection Development

- 4.6.2 The provision of protection works or the dumping of material within 120 meters of the shoreline of the lakes and rivers in the Municipality is prohibited without the prior written approval and authorization from the Province in accordance with the provisions of the Lakes and Rivers Improvement Act and/or the Public Lands Act.
- 4.6.3 No plans to divert, channelize or in any way alter an inland natural watercourse shall proceed without prior written authorization from the Province and/or Lakehead Region Conservation Authority.
- 4.6.4 Property owners are encouraged to provide a coordinated approach to the management and use of land and water in areas designated Environmental Protection in consultation with the Province.
- 4.6.5 The boundaries of Environmental Protection areas are shown in their general location on the land use schedules. The location of these areas shall be defined more specifically in the implementing zoning by-law from information provided by the Ministry of Northern Development, Mines, Natural Resources and Forestry and the area zoned for environmental protection shall include the natural heritage features and areas and adjacent areas for the natural heritage features and areas being protected. The Municipality shall, in conjunction with the Province, require the proponent of an application to submit a study prepared by an appropriate qualified expert to address the following considerations:
- (a) a description of the natural environment and existing physical characteristics, including a statement of environmental quality;
 - (b) a description of the proposed development and potential effect on the natural environment;

- (c) a description of the costs and benefits in terms of economic, social and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects; and
- (d) an evaluation of alternatives including other locations for the proposal;

Where it has been demonstrated to the satisfaction of the municipality and the Ministry of Northern Development, Mines, Natural Resources and Forestry that there will be no negative impact on the natural heritage feature(s) identified, in accordance with the prevailing provincial land use planning policies, no amendment to this Official Plan will be required.

No development will be permitted within the habitat of threatened and endangered species.

There is no public obligation to either change the designation of or to purchase any lands within the Environmental Protection designation, particularly if the environmental concern would be difficult or costly to mitigate or overcome.

- 4.6.6 Environmental Protection lands may not be considered acceptable as part of a parkland dedication pursuant to the Planning Act.
- 4.6.7 Environmental Protection lands shall be placed in appropriate zone categories in the implementing Zoning By-law.
- 4.6.8 Council, in consultation with Province will annually review any changes, including additions and deletions, to the lists of rare and endangered and threatened species and species at risk to determine if there is a need to revise the Official Plan.
- 4.6.9 Council will consider the appointment of an environmental advisory committee that includes a broad base of interests to obtain public input and provide recommendations with respect to environmental protection, sustainability and the relationship between environmental protection and economic development.

4.7 PROVINCIALY SIGNIFICANT WETLANDS

- 4.7.1 Council supports the protection of Provincially Significant Wetlands. Five Provincially Significant Wetlands are depicted on the map schedules to this Official Plan, being:
 1. The Pearson Wetland (which is also an ANSI, see Schedule E);
 2. The Pine Bay Wetland (see Schedule C);
 3. The Cloud Bay Wetland (see Schedule C);
 4. Caldwell Lake (see Schedule B); and
 5. Sturgeon Wetland (see Schedule B).
- 4.7.2 No development or site alteration is permitted within these wetlands, or on lands within 120 meters of these wetlands, unless it can be demonstrated to Council's satisfaction that there will be no negative impacts on these features or their ecological functions.
- 4.7.3 In order to demonstrate this, an assessment of potential impacts to wetlands will need to be conducted by a qualified professional.

- 4.7.4 Where the Province identifies, and so advises the Corporation, any other significant wetlands within Neebing, same will be identified on the schedules to this Official Plan, and will be subject to the restrictions in this section, without formal amendment of the Official Plan.
- 4.7.5 If development is proposed on land which has characteristics, or contains components, that are typical of a significant wetland (e.g. significant species or functions), Council may require that a wetland evaluation (using the Ontario Wetland Evaluation System) be undertaken before any planning approvals are processed.

4.8 SIGNIFICANT WILDLIFE HABITAT

- 4.8.1 Council recognizes the value of protecting the habitat of endangered or threatened species of flora and fauna within Neebing. As such, applications for development or site alteration in areas of Neebing with the potential for providing habitat for endangered or threatened species of flora and fauna will be required to include an appropriate level of assessment for the identification of habitat of threatened or endangered species within or adjacent to the project area.
- 4.8.2 Where land is identified within Neebing as habitat for endangered or threatened species of flora and/or fauna, no development or site alteration will be permitted on that land, or on lands within 120 meters of that land, unless it can be demonstrated to Council's satisfaction that there will be no negative impacts on the habitat of the endangered or threatened species, and that the habitat's natural and ecological functions.
- 4.8.3 In order to demonstrate this, an assessment of potential impacts to the habitat will need to be conducted by a qualified professional. Planning Act decisions will not permit development and site alteration within or near endangered and threatened species habitat unless it is first demonstrated that the proper provincial and federal requirements have been met.
- 4.8.4 Any person undertaking an activity within habitat of an endangered or threatened species is responsible to contact the Ministry of Northern Development, Mines, Natural Resources and Forestry to determine whether conditions under the Endangered Species Act apply.

4.9 FISH HABITAT AND LAKE TROUT LAKES

- 4.9.1 Council supports the management and protection of fish habitat. Accordingly, new Planning Act approvals shall not be permitted in or near known fish habitat except in accordance with provincial and federal requirements.
- 4.9.2 The Province has not identified any fish habitats in Neebing, but has identified two lake trout lakes within Neebing, which are depicted on the map schedules to this Official Plan. One lake trout lake is Oliver Lake, located in geographic Scoble Township, and illustrated on Schedule F. The other is Loch Lomond, located in part in geographic Blake Township, and in part in Fort William First Nation, and illustrated on Schedule B.
- 4.9.3 No new planning approvals will be granted within identified fish habitat, or on land within 120 meters of identified fish habitat, unless it can be demonstrated to Council's satisfaction that there will be no negative impacts on the habitat or its ecological functions. In order to demonstrate this, an assessment of potential impacts to the

habitat will need to be conducted by a qualified professional.

- 4.9.4 No new planning approvals will be granted within identified fish habitat, or on land within 300 meters of lake trout lakes that are identified by the Province as being at capacity, except in accordance with circumstances identified in the Lakeshore Capacity Assessment Handbook.
- 4.9.5 Where the Province identifies, and so advises the Corporation, any other fish habitat or lake trout lakes within Neebing, same will be identified on the schedules to this Official Plan, and will be subject to the restrictions in this section, without formal amendment of the Official Plan.

SECTION 5 - COMMUNITY SERVICES AND FACILITIES

5.1 GENERAL

- 5.1.1 The intent of this Plan is to maintain a level of public service that is appropriate for the urban and rural character and environment of the Municipality of Neebing. It is recognized that municipal servicing in a rural area is generally difficult and expensive to provide due to dispersed development patterns consistent with the rural character. It is not expected that there will be additional significant demands for community services or facilities above the level that presently exists.
- 5.1.2 The use of alternative development standards may be considered for new development and redevelopment provided that the standard of development allows for flexibility and adaptability in urban design and housing, enhances the live-ability of the proposal, provides cost efficiency in the delivery of services and supports the principles of environmental sustainability.

5.2 ROADS

- 5.2.1 Safe and efficient movement of people and goods within the Municipality, and to and from adjacent municipalities, is encouraged by this Plan. The road system should safely serve the Municipality but should not be developed to a standard or extended beyond which would result in a burden to the residents and taxpayers of the Municipality.
- 5.2.2 The classification of roads in the Municipality are shown on Schedules "A" through "F" and articulated in the lettered paragraphs of this Section 5.2.2.
- (a) **Provincial Highways:** This system of roads applies to the numbered provincial highways under the jurisdiction of the Ministry of Transportation. Development along provincial highways is subject to the permit control of the Ministry of Transportation which is obtained prior to construction or grading taking place on the site. Access to provincial highways is permitted provided the entrance meets the minimum safety and geometric requirements of the Ministry of Transportation.
- (b) **Municipal Roads:** This system of roads applies to all public roads under the jurisdiction of the Municipality of Neebing. There are both maintained and unmaintained Municipal roads in the Municipality. The primary purpose of the Municipal roads is to facilitate local travel and areas for development. Direct

access to Municipal roads is normally permitted from any abutting lot provided there are adequate sight lines, suitable grades and the access will not cause traffic hazards.

- (c) Private Road: This system of roads applies to roads not under the jurisdiction of the Municipality or the Ministry of Transportation. Private roads are not maintained by either the Municipality or the Province.

- 5.2.3 Should the construction of a new road or extension of an existing road be warranted, the road shall be designed and constructed to meet approved standards and the road shall be suitable for assumption into the Municipal road system.
- 5.2.4 The Municipality of Neebing is not responsible for the costs associated with the design and construction of new roads, the extension of existing roads or upgrading of abandoned roads.
- 5.2.5 Abandoned roads may be upgraded by way of agreement between the property owner(s) and the Municipality.
- 5.2.6 Maintenance will be provided on roads under the jurisdiction of the Municipality of Neebing. The Ministry of Transportation is responsible for the maintenance of the numbered highways in the Municipality.
- 5.2.7 As a general rule, the right-of-way width of Municipal roads shall be a minimum of 20 meters (66 feet). As a condition of development, the Municipality may require the dedication of road widenings to achieve the 20 meters (66 feet) road right-of-way widths where they presently do not exist. There are areas of the Municipality where a Municipal road was developed to less than 20 meters (66 feet) in width for topographic or other reasons.

5.3 WATER SUPPLY

- 5.3.1 The source of water supply is primarily from private individual wells. The Province advises that surface water should not be used as a source of drinking water unless it is disinfected and/or treated to meet Ontario Drinking Water Standards, as stipulated in Ontario Regulation 169/03 under the Safe Drinking Water Act.
- 5.3.2 The responsibility for water supply will be with each property owner.
- 5.3.3 Individual private wells serve as an adequate supply of water for the rural development of the Municipality. It is intended that lot sizes remain large enough, in accordance with the Ministry of Environment Conservation and Parks' D-Series guidelines and/or other Provincial Documents listed in Schedule 1.9, to demonstrate that the area is not hydrogeologically sensitive, and to ensure that site conditions are appropriate for smaller lots and impairment to the natural environment and risk to human health are reduced. The applicant will demonstrate the provision of an adequate supply of potable water where lots are created by individual consent application or by plan of subdivision. Refer to Schedule 1.9 for relevant guidelines which, at the time that this Official Plan was approved, included Procedures D-5-4 and D-5-5. Alternatively, where lots are created by consent or by plan of subdivision of 5 lots or less, a notification agreement will be required that specifies that all offers of purchase sale or lease shall provide notice that no assessment has been conducted to determine the quality or quantity of groundwater available to service the lot or lots.

- 5.3.4 Plans of subdivisions of more than 5 lots shall require a hydrogeological study prepared by a qualified person, that assess water quality/quantity requirements in accordance with the Ministry of the Environment, Conservation and Parks' Ontario Drinking Water Standards and which demonstrates that there is adequate water quantity and quality available to meet the domestic requirements of the subdivision. Refer to Schedule 1.9 for relevant guidelines, which, at the time that this Official Plan was approved, included Procedures D-5-4 and D-5-5.

5.4 SEWAGE DISPOSAL

- 5.4.1 Private individual septic tanks and tile field systems are the primary means of sewage disposal in the Municipality.
- 5.4.2 The provision of public sanitary sewage disposal in the Municipality is not considered feasible over the life of this Plan. Therefore, each individual property owner is responsible for the provision of private sanitary sewage disposal subject to the approval of the Thunder Bay District Health Unit or designated authority.
- 5.4.3 It is intended that lot sizes remain large enough and soil conditions are suitable to allow the safe and efficient operation of individual private sewage disposal systems, in accordance with Ministry of the Environment, Conservation and Parks' guidelines. Private sewage disposal systems will remain the primary source of sewage disposal throughout the Municipality.
- 5.4.4 All new individual private sewage disposal systems require the approval of the Thunder Bay District Health Unit or designated authority. Sewage disposal systems that are designed to accommodate 10,000 liters of effluent a day require approval from the Ministry of the Environment, Conservation and Parks.

5.5 NON-HAZARDOUS SOLID AND LIQUID WASTE DISPOSAL

- 5.5.1 No additional solid waste disposal sites are anticipated over the life of this Plan. Existing waste disposal sites require expansion and applications are underway. The Municipality will follow the requirements of Ontario Regulation 101/07 with respect to waste regulation screening processes where required.
- 5.5.2 If additional solid waste disposal sites are required, these sites shall be planned in accordance with the requirements of the Environmental Assessment Act and should:
- (a) avoid areas of high ground water;
 - (b) maintain an adequate separation and buffer from all existing development;
 - (c) avoid pollution of the ground water and watercourses; and
 - (d) be approved by the Ministry of the Environment, Conservation and Parks.
- 5.5.3 Expansions to existing solid waste disposal sites should maintain an adequate separation and buffer from existing development, avoid pollution of the ground water and watercourses and be undertaken in accordance with approvals by the Ministry of the Environment, Conservation and Parks.

- 5.5.4 Liquid waste disposal sites may be permitted subject to an amendment to this Plan and provided the applicant has demonstrated to the satisfaction of the Ministry of the Environment, Conservation and Parks that the facility may be established without adverse impacts on surrounding land uses and the natural environment. An Environmental Compliance Approval from the Ministry of Environment is required for all liquid waste disposal sites.
- 5.5.5 The Municipality encourages recycling programs and waste diversion programs. The Municipality supports the reduction of waste from construction debris as a result of the demolition of buildings by promoting and encouraging the adaptive reuse of older and existing building stock.

5.6 COMMUNITY FACILITIES AND SERVICES

- 5.6.1 The existing services provided by the Municipality, its volunteers or its contracted agencies are considered adequate to meet the needs of the residents of the Municipality.
- 5.6.2 The existing public school facilities servicing the Municipality meet the needs of the community regarding educational facilities.

SECTION 6 - IMPLEMENTATION AND ADMINISTRATION

6.1 THE MUNICIPALITY'S ROLE IN IMPLEMENTATION

- 6.1.1 This Official Plan shall be implemented by means of the powers conferred to the Municipality of Neebing by the Planning Act and other statutes which may be applicable. In particular, the Plan shall be implemented through:
- (a) the preparation, adoption and enforcement of the zoning by-laws;
 - (b) the preparation, adoption and enforcement of other zoning provisions such as interim control, temporary use by-laws and holding by-laws;
 - (c) the consent and subdivision approval process;
 - (d) the site plan control process; and
 - (e) participation in programs funded by senior levels of government for housing, community improvement, etc.
- 6.1.2 Council will consider the appointment of an economic development advisory committee and may appoint other advisory committees to assist Council and provide recommendations related to such matters as accessibility, strategic planning, and environmental sustainability. Committee members should include members of the public who represent a broad range of interests and expertise while representing the interests of the Neebing community.

6.2 PUBLIC PARTICIPATION

- 6.2.1 The Municipality intends that the public be involved in the formulation and implementation of planning policies. To this end, the Municipality shall notify and seek the views and participation of the public prior to making decisions regarding planning amendment applications pursuant to the provisions of the Planning Act.

Although consultation with indigenous persons is the obligation of the Provincial order of government, rather than the Municipal order of government, the Municipality intends that indigenous persons with interest in Neebing's land use and development will be notified and consulted in the formulation and implementation of planning policies.

- 6.2.2 The Municipality may forego public notification and public meetings in connection with a technical official plan or zoning by-law amendment if such amendment will not affect the provisions and intent of the Official Plan, the Zoning By-law or amendments thereto.
- 6.2.3 The Municipality shall undertake a study prior to undertaking Municipally-initiated amendments to the Environmental Protection designations on the Schedules to this Plan. Subject to provincial requirements regarding confidentiality of species information, the Municipality shall ensure that copies of the supporting studies and notice of the proposed revisions to the Schedules are available to the public 30 days prior to holding a public meeting. Copies of the completed studies shall be made available at the Municipal Office and one library accessible to Neebing residents, and posted on the Municipal website when available.
- 6.2.4 Where amendments to this Plan are proposed by the Municipality, a person, or public body, Council shall ensure that the notice procedures in the lettered paragraphs of this Section 6.2.4 are followed.
- i) Where an application is made by a person or public body, Council shall first determine that the application is complete. Council may adopt by-laws to establish application requirements and delegate the determination of the completeness of an application to a member of staff.
 - ii) The Municipality shall provide notice to all property owners within 120 meters and may provide notice in local newspapers and on the Municipal website that a complete application has been filed with the Municipality, and shall provide notice to the owner of land affected by a Municipally-initiated amendment limited to that owner's lot.
 - iii) Once an application is deemed complete, Council shall give notice of and hold a public meeting to inform the public of a complete application, proposed amendment, or Municipally-initiated amendment and provide members of the public with an opportunity to provide comments on the proposal.
 - iv) All documents and reports submitted in support of an application, including applications or proposals to amend the plan undertaken by the Municipality, shall be made available for review by the public at the Municipal office, and posted on the Municipal website. In addition, the Municipality will provide the public with copies of supporting documents and submissions subject to recovering the costs to provide copies.

- v) Following a complete review of the application, including a review of comments received at the initial public meeting, Council shall hold a second public meeting under the provisions of the Planning Act. Notice for this meeting shall be placed in a newspaper, and posted in the Municipal Office, and on the Municipal website.

6.3 STREAMLINING REVIEWS OF PLANNING APPLICATIONS

- 6.3.1 The Province has implemented a “one window” planning service for provincial review and approval of certain municipal planning applications at the Ministry of Municipal Affairs and Housing. The “one window” approach will allow for a coordinated provincial input at the pre-adoption stage. The Ministry of Municipal Affairs and Housing will rely on the expertise of other ministries as needed.
- 6.3.2 The Municipality is also responsible for the implementation of the municipal plan review function as it relates to matters of provincial interest and will take these matters into consideration when making decisions on such planning items as consent applications, subdivision applications, zoning by-law and official plan amendments, site plan approval applications and minor variance applications. Where appropriate, the Municipality will rely on the expertise of the Lakehead Rural Planning Board, other agencies and may consult with provincial ministries on matters of provincial interest.

6.4 OFFICIAL PLAN - AMENDMENTS AND REVIEW

- 6.4.1 No developments or activities shall occur which contravene the intent and policies of this Plan.
- 6.4.2 Developments or activities deemed beneficial to the Municipality, but not in conformity with the Plan, shall require an amendment to the Official Plan before proceeding.
- 6.4.3 The Official Plan shall be subject to a formal review pursuant to Section 26 of the Planning Act. However, the Plan shall be subject to a continual review by the Municipality. Whenever it is necessary to refine existing policies or amend, delete or add policies based on new information or trends, this shall be done by amendment to the Official Plan.
- 6.4.4 Prior to considering an amendment to this Plan, the Municipality shall pre-consult with the Ministry of Municipal Affairs and Housing and any other person or public body that Council considers to have an interest in the amendment, pursuant to Subsection 17(21) of the Planning Act, to ensure that provincial and local interests are considered.

6.5 ZONING BY-LAW

- 6.5.1 The Zoning By-law divides the lands within the Municipality into a number of zones, each of which will have regulations to control the use of the lands and use, character and location of buildings and structures built upon the land. The Municipality may also pass a zoning by-law for the protection of a site of a significant archaeological resource.
- 6.5.2 The Zoning By-law is one of the main methods of implementing the Official Plan policies. Any land use designation may have more than one zone category that regulates and controls the permitted uses.

6.5.3 The Zoning By-law shall provide zoning for all lands within the Municipality for purposes compatible with the Official Plan and all amendments to the Zoning By-law shall be in conformity with the Official Plan.

6.6 NON-CONFORMING USES

6.6.1 Where a legally existing use of land does not comply with the land use designations and policies of this Plan, it may meet the requirements of the Planning Act to be considered to be legal in spite of the non-conformity.

6.6.2 It is anticipated that non-conforming uses shall cease to exist in the long term.

6.6.3 Extensions or enlargements of the land, building or structure of a legal non-conforming use may be permitted by a minor variance to the Zoning By-law provided that:

- (a) the proposed extension or enlargement will not unduly increase any existing nuisance as a result of the use, particularly as it may affect adjacent residential uses; and
- (b) the extension or enlargement will not create any new nuisance in addition to those in existence as a result of the current use.

6.6.4 The repair or replacement of a legal non-conforming use may be permitted provided that:

- (a) the repair or replacement will not unduly increase any existing nuisance as result of the use, particularly as it may affect adjacent residential uses; and
- (b) the repair or replacement will not create any new nuisance in addition to those in existence as a result of the current use.

6.7 FEES

6.7.1 Pursuant to Section 69 of the Planning Act, the Municipality of Neebing may prescribe a tariff of fees through a by-law for the processing of applications made in respect to planning matters such as Official Plan amendments, Zoning By-law amendments, Consents, Application for Subdivision Approval, Site Plan Approval or any other planning matter.

6.7.2 The by-law referenced in Section 6.7.1 shall prescribe the fees to be charged for processing applications in respect of planning matters and shall indicate the authority to which the fee is payable.

6.8 MINOR VARIANCE

6.8.1 Where one exists, the Committee of Adjustment for the Municipality shall review and approve, where appropriate, minor variances for relief from regulations to the Zoning By-law, in accordance with Section 45 of the Planning Act, and the policies of this Plan. Where Council has not created or appointed a Committee of Adjustment for the Municipality, Council shall undertake this work.

6.8.2 The Municipality may also delegate to the Committee of Adjustment the authority to review and approve applications for relief and/or minor variances to other by-laws, such as Interim Control by-laws.

6.9 SITE PLAN CONTROL

- 6.9.1 The Official Plan may be implemented through the use of site plan control subject to the provisions of Section 41 of the Planning Act. All of the area affected by the Official Plan shall be deemed to be a site plan control area with the exception of single detached residential dwellings and agricultural uses.
- 6.9.2 The goals of implementing site plan control are to:
- (a) facilitate safe and efficient vehicular and pedestrian patterns;
 - (b) reduce the likelihood that industrial and commercial developments reduce the enjoyment of adjacent lands;
 - (c) provide that parking, storage, loading facilities and garbage disposal areas are located in a manner that does not negatively impact on traffic flows or create adverse visual impacts;
 - (d) facilitate the adequate provision of on-site drainage and grading; and
 - (e) direct development away from hazard lands.
- 6.9.3 A Site Plan Control By-law may require site plans and/or detailed drawings of a proposed development to be submitted for approval by the Municipality. Such site plans and/or drawings will show any or all the required information deemed necessary from the items listed in policy 6.9.4.
- 6.9.4 Prior to the issuance of a building permit, the applicant may be required to enter into a site plan agreement with the Municipality which may address one or more of the following matters:
- (a) widenings to any roads or highways that abut the lands subject to the application. Any proposed widenings requested must be shown on the site plan drawing;
 - (b) provision of sufficient parking, access driveways and similar matters;
 - (c) the construction of walkways, ramps and pedestrian access;
 - (d) proper lighting of buildings and lands;
 - (e) the provision of adequate landscaping and buffering in the form of trees, shrubs, fencing, walls, and berms;
 - (f) storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material;
 - (g) the conveyance of any easements for the construction, maintenance and improvements of any drainage works, water works and other public utilities;
 - (h) adequate drainage and management of surface storm water and waste water from the lands, buildings or structures;
 - (i) the location of all buildings and structures to be erected and the location of all facilities and works to be provided in conjunction with the buildings and structures; and
 - (j) Mitigation through conservation in place or excavation of archaeological sites.

6.10 HOLDING PROVISIONS

- 6.10.1 In accordance with Section 36 of the Planning Act, the Municipality may approve a by-law which identifies a use of land but prohibits the actual development of this land until a later date when identified conditions have been met.
- 6.10.2 During the interim period, when the holding provision is in place, uses permitted on the affected lands are limited to existing uses only.

- 6.10.3 Prior to removal of the holding symbol, the Municipality must be satisfied that the following conditions have been met:
- (a) the servicing requirements for the subject lands are in place;
 - (b) that any impacts on surrounding lands can be mitigated through the use of site plan control or other design requirements;
 - (c) that a site plan agreement has been executed in accordance with the policies of this Plan and the Planning Act; or
 - (d) that site contamination and site restoration have been properly addressed.
- 6.10.4 It shall be the responsibility of the applicant requesting the removal of the holding symbol to demonstrate that the conditions for the removal of the holding symbol have been satisfied.

6.11 INTERIM CONTROL

- 6.11.1 In areas where the Municipality wishes to review the existing land uses or establish new planning policies and where a study of land use planning policies for the area has been directed, the Municipality may approve an Interim Control By-law.
- 6.11.2 The Interim Control By-law restricts the use of lands to its present use until the required studies are completed, at which time the Official Plan and/or Zoning By-law may require an amendment to reflect the findings of the study and desired use.
- 6.11.3 Pursuant to Section 38 of the Planning Act the length of time the Interim Control By-law is in effect shall be specified in the by-law and shall not exceed one (1) year from the date of approval of the by-law. The Interim Control By-law may be amended to extend the period of time the by-law is in effect provided the total period of time does not exceed two (2) years from the approval of the by-law.

6.12 TEMPORARY USE BY-LAWS

- 6.12.1 Pursuant to Section 39 of the Planning Act, the Municipality of Neebing may approve the use of land, buildings or structures for a temporary use not considered to be of a permanent nature which will not preclude the future development of any lands for their most appropriate use, as defined by the Official Plan.
- 6.12.2 The Municipality shall consult with property owners and any other agencies or individuals who might have knowledge of when conditions might suit the development of the property, in accordance with the Official Plan and Zoning By-law, prior to approval of a Temporary Use By-law.
- 6.12.3 Only uses which will not create land use conflicts or disrupt the use and development of neighbouring properties shall be authorized by Temporary Use By-laws.
- 6.12.4 Notwithstanding the policies of this Plan, temporary uses that are not otherwise permitted by the Official Plan and the Zoning By-law as permanent uses, may be permitted by Temporary Use By-laws, subject to the above.

6.13 IMPLEMENTING COMMUNITY IMPROVEMENT POLICIES

- 6.13.1 The Municipality shall attempt to use all possible means to implement Community Improvement Policies and these shall include:
- (a) participation in and support for Federal and Provincial community improvement programs;
 - (b) use of authority granted under Section 28 of the Planning Act, to designate a Community Improvement Area, develop Community Improvement Plans and acquire and redevelop land; and
 - (c) encouragement of activities aimed at developing the economic viability and attractiveness of the Municipality.
- 6.13.2 The entire Municipality of Neebing is identified as a Community Improvement Area.

6.14 AGENCY NAMES AND RESPONSIBILITIES AND LEGISLATION

- 6.14.1 From time to time, the names of various government ministries and agencies may change. In addition, responsibilities may shift from ministry to ministry. The names of the various ministries responsible for the programs, regulations and approvals are given in this Plan as of the date of adoption of this Plan. It is not intended to amend this Plan each time a change in name or responsibility occurs. Rather, this Plan shall be interpreted so as to refer to those agencies named, or their successors, as conditions dictate.
- 6.14.2 From time to time Provincial and Federal statutes are amended and section numbers are changed. It is not intended to amend this Plan each time such a change is made. This Plan shall be interpreted so as to refer to legislation as amended from time to time.

6.15 LAND USE BOUNDARIES

- 6.15.1 It is intended that the boundaries of the land use designations, shown on the attached Schedules, be considered as approximate and absolute only where bounded by public roads, rivers, streams or other similar geographical barriers. Therefore, amendments to the Plan will not be required in order to make minor adjustments to the approximate land use boundaries, provided that the general intent of the policies is preserved. Such minor deviations will not be reflected on the Schedules.

6.16 APPLICATION REQUIREMENTS

6.16.1 In addition to information and materials required under the Planning Act or other legislation or regulation, additional information in the form of studies, approvals or assessments may be required to consider a planning application complete. Depending on the nature of the proposed development, the Municipality may require the following studies, approvals or additional information to deem applications complete and to properly evaluate a development application. The Municipality shall review all reports and studies and may also require a peer review by an appropriate public agency or by a qualified professional consultant retained by the Municipality at the applicant's expense. Any studies or reviews required will be provided at the expense of the applicant. Such studies, approvals, or further information may include any or all of the following:

- (a) Approval of the Thunder Bay District Health Unit (see paragraphs 2.2.1(a), 2.10.1(e), and Sections 4.2.8, 4.3.6(a), 4.4.10, 4.4.12, 5.4.2, and 5.4.4);
- (b) Servicing options study (see paragraphs 2.2.1(b), 2.2.2(e), 2.2.4(a), 4.3.8(a) & (c), 4.3.16(e), 4.3.44(a), and Sections 2.11 and 4.4.20);
- (c) Approval of the Ministry of Transportation (see paragraph 2.2.1(d), and Section 2.4.2);
- (d) Traffic impact study (see paragraphs 2.2.1(e), 4.3.16(c), 4.3.44(a) and Sections 2.4.3, 2.6.1, and 4.3.18);
- (e) Planning studies (see paragraphs 2.2.1(f), (g) and (j), 2.2.4(b), (c), (d), and (e), 4.3.44(a) and Sections 3.2.3, 4.3.5, 4.3.8, and 4.4.8);
- (f) Minimum Distance Separation Calculations (see paragraphs 2.2.1(h), 4.3.6(c), and Sections 4.2.7, 4.3.11, 4.3.15, and 4.3.43);
- (g) Hydrogeological studies and/or water quality/quantity assessments (see paragraphs 2.2.2(d), 4.3.8(d), 4.3.44(a), 4.4.4(e), 4.4.8(c), 4.4.8(d), and Sections 2.11, 2.18.2, 3.6.3, 5.3.3, and 5.3.4);
- (h) Aggregate studies (see Section 3.6.3);
- (i) Archaeological assessments (see paragraph 2.2.2(f), and Sections 3.4.2, 3.4.6, and 3.4.7);
- (j) Cultural heritage assessments (see paragraph 2.2.2(f), and Sections 3.4.7, 3.7.4, and 4.4.6);
- (k) Land value reports (see Section 2.3.1);
- (l) Drainage and/or stormwater management reports (see paragraphs 2.2.2(c) and 4.3.44(a), and Sections 2.4.7, 2.17.1, 2.17.2, 4.2.10, and 4.4.18);
- (m) Noise study (see paragraphs 4.3.6(b) and 4.3.31(d) and Sections 2.6.1, 4.3.9, and 4.3.18);
- (n) Parking study (see paragraphs 2.8.1(a) and 4.3.44(a) and Section 2.11);
- (o) Housing cost studies (see Section 2.9.1);
- (p) Environmental Compliance approvals (see Sections 2.14.3, 3.6.4, 4.3.23, 4.3.34, 4.6.2, and 5.5.4);

- (q) Approval of the Department of Fisheries and Oceans (see Section 2.18.1 and 3.3.4);
- (r) Environmental impact studies (see paragraphs 4.3.44(b) and 4.4.4(d) and Sections 3.2.3, 3.2.4, 4.3.18, 4.4.5, 4.4.19, 4.7.2, 4.8.2, and 4.9.3);
- (s) Approval of the Lakehead Region Conservation Authority (see Sections 3.3.2, 3.3.4, 3.3.5, 3.3.6, and 4.6.3);
- (t) Approval of the Ministry of Northern Development, Mines, Natural Resources and Forestry (see Sections 3.3.4, 3.3.5, 3.3.6, 3.6.1, and 4.8.4);
- (u) Mine closure plans (see Section 3.7.3);
- (v) Record of Site Condition (Section 3.9.1);
- (w) Approval of the Ministry of Environment, Conservation and Parks (see Section 3.10.2 and paragraph 4.3.33(c));
- (x) Leachate studies (see Section 3.10.2);
- (y) Site plan agreement (see Sections 4.2.3, 4.3.13, 4.3.28, 4.3.36, 4.3.39, and paragraph 4.3.44(c));
- (z) Wetland evaluation (see Section 4.7.5); and
- (aa) Assessment of habitats of endangered or threatened species of flora or fauna (see Sections 4.8.1 and 4.8.3).

APPENDICES

APPENDIX A - Definitions

The term “Agricultural uses” refers to the growing of crops, including nursery and horticulture crops; the raising of livestock and other animals for food or fur, including poultry and fish; aquaculture; peat extraction; agroforestry, maple syrup production; and associated on-farm buildings and structures.

The term “Areas of archaeological potential” refers to areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographic and historical features which influence past settlement. Archaeological potential is confirmed through an archaeological assessment.

The term “Areas of mineral resource potential” refers to areas favourable to the discovery of mineral resources due to geology, the presence of unusually large or rich concentrations of valuable minerals identified within a small part of the earth’s crust, or other technical evidence. Areas of mineral resource potential are identified using acceptable scientific methodology.

“Contaminated site” means land that is contaminated from past land use activities including: industrial uses, transportation or utility purposes including municipal and Ministry of Transportation refuelling yards, waste disposal sites, and commercial uses such as gas stations, auto repair shops and lands where filling has occurred.

“Cultural Heritage Resource” means a defined geographic area of heritage significance which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

“Floodway” means that portion of the river or stream system floodplain where development and site alteration would cause a danger to public health and safety or property damage. Uses which by their nature must be located within the floodway, flood or erosion control works or non-structural works that do not affect flood flows are permitted in the floodway.

“Garden suite” means a small, self-contained, secondary dwelling sometimes referred to as a “granny flat” that is designed to be portable. Each unit must have its own kitchen, bathroom and living area. In most cases the water and sewer services are connected to those of the main dwelling. The garden suite must be able to be removed when it is no longer needed.

“Group Home” is defined in Section 2.7.2.

“Home industry” means an industry undertaken within an accessory building to a dwelling unit by at least one of the permanent residents of the dwelling unit which is secondary to the main use of the dwelling unit or agricultural operation. Examples include: upholstery, weaving, animal hospital, wood-working shop, carpentry shop, machine shop, welding shop, landscaping business, small scale market garden, etc.

“Home occupation” means an occupation, trade, business, profession or craft which is

undertaken within a dwelling, but is clearly secondary to the main use of a dwelling unit and carried out entirely within part of a dwelling unit by at least one of the permanent residents of such dwelling unit. Examples include: hairdressing, accounting/bookkeeping, medical/dental practitioner, drafting, word processing, photography, dressmaking, etc.

“Infrastructure” means physical structures that form the foundation for development. Infrastructure includes sewage and water works, waste management systems, electrical power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

“Mine hazards” means any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated.

“Mineral mining operation” means mining operations and associated facilities, or past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

“Minerals” means metallic and non-metallic minerals, but does not include mineral aggregates or petroleum resources.

“Natural heritage features” means features and areas which are important for their environmental and social values as a legacy of the natural landscape of an area. Examples include: significant wetlands, fish habitat, significant portions of a habitat or endangered and threatened species, significant wildlife habitat and significant areas of natural and scientific interest

“Portable Asphalt Plant” is defined in Section 2.14.

“Portable Concrete Plant” is defined in Section 2.14.

“Residential intensification” means the creation of new residential unit or accommodation in existing buildings or on previously developed, serviced land and includes infill, accessory apartments and rooming houses.

A “Second Dwelling Unit” is a second dwelling unit contained within an existing detached dwelling, or within an accessory building located on the same lot as an existing detached dwelling.

“Use Limitation areas” means property or lands which could be unsafe for development due to naturally occurring processes or hazards. Along the shoreline of lakes, rivers and stream systems this means lands covered by water to the farthest landward limit of the flooding and erosion hazard limits and would also include unstable soils such as sensitive marine clays (leda clay) and unstable bedrock (karst topography).

“Waste management system” means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

The term “Wayside Pits and Quarries” is defined in Section 2.13.1.

SCHEDULE 1.9: LISTING OF PROVINCIAL DOCUMENTS/RESOURCE MATERIAL

(Note that additional and/or replacement documents may exist and this Schedule may be amended and updated to address these, as they become known to the Municipality, without formal amendment to this Official Plan.)

- Guideline D-1: Land Use Compatibility
- Procedure D-1-1: Land Use Compatibility Implementation
- Procedure D-1-2: Land Use Compatibility: Specific Applications
- Procedure D-1-3: Land Use Compatibility: Definitions

- Guideline D-2: Compatibility between Sewage Treatment and Sensitive Land Use

- Guideline D-3: Gas or Oil Pipelines

- Guideline D-4: Land Use on or near Landfills and Dumps

- Guideline D-5: Sewer and Water
- Guideline D-5-1: Calculating and Reporting Uncommitted Reserve Capacity at Sewage and Water Treatment Plants
- Procedure D-5-2: Application of Municipal Responsibility for communal Water and Sewage Services
- Procedure D-5-3: Servicing Options Statement
- Procedure D-5-4: Technical Guideline for Individual On-site Sewage Systems: Water Quality Impact Risk Assessment
- Procedure D-5-5: Technical Guideline for Private Wells: Water Supply Assessment

- Guideline D-6: Compatibility between Industrial Facilities and Sensitive Land Uses
- Procedure D-6-1: Appendix A: Industrial Categorization Criteria
- Procedure D-6-2: Appendix B: Relationship Between Ministry Certificate of Approval Process & the Planning Process
- Procedure D-6-3: Appendix C: Separation Distances (Section View)




- Renewable Energy Development: A Guide for Municipalities

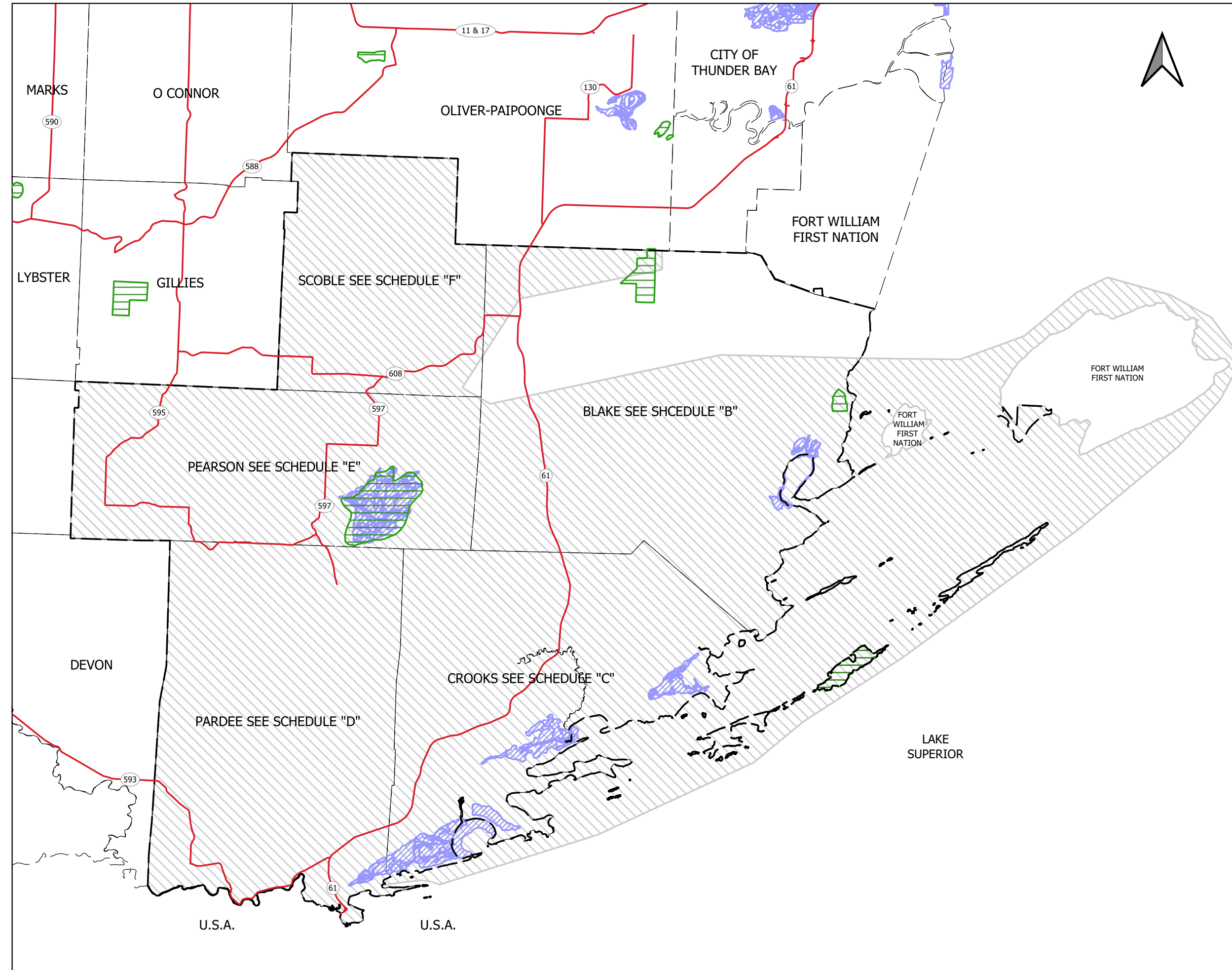
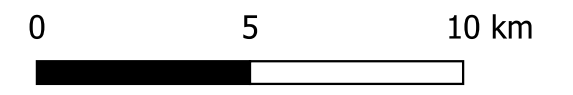
- Adapting to Climate Change: An Introduction for Canadian Municipalities

SCHEDULE "A"

MUNICIPALITY OF NEEDING OFFICIAL PLAN

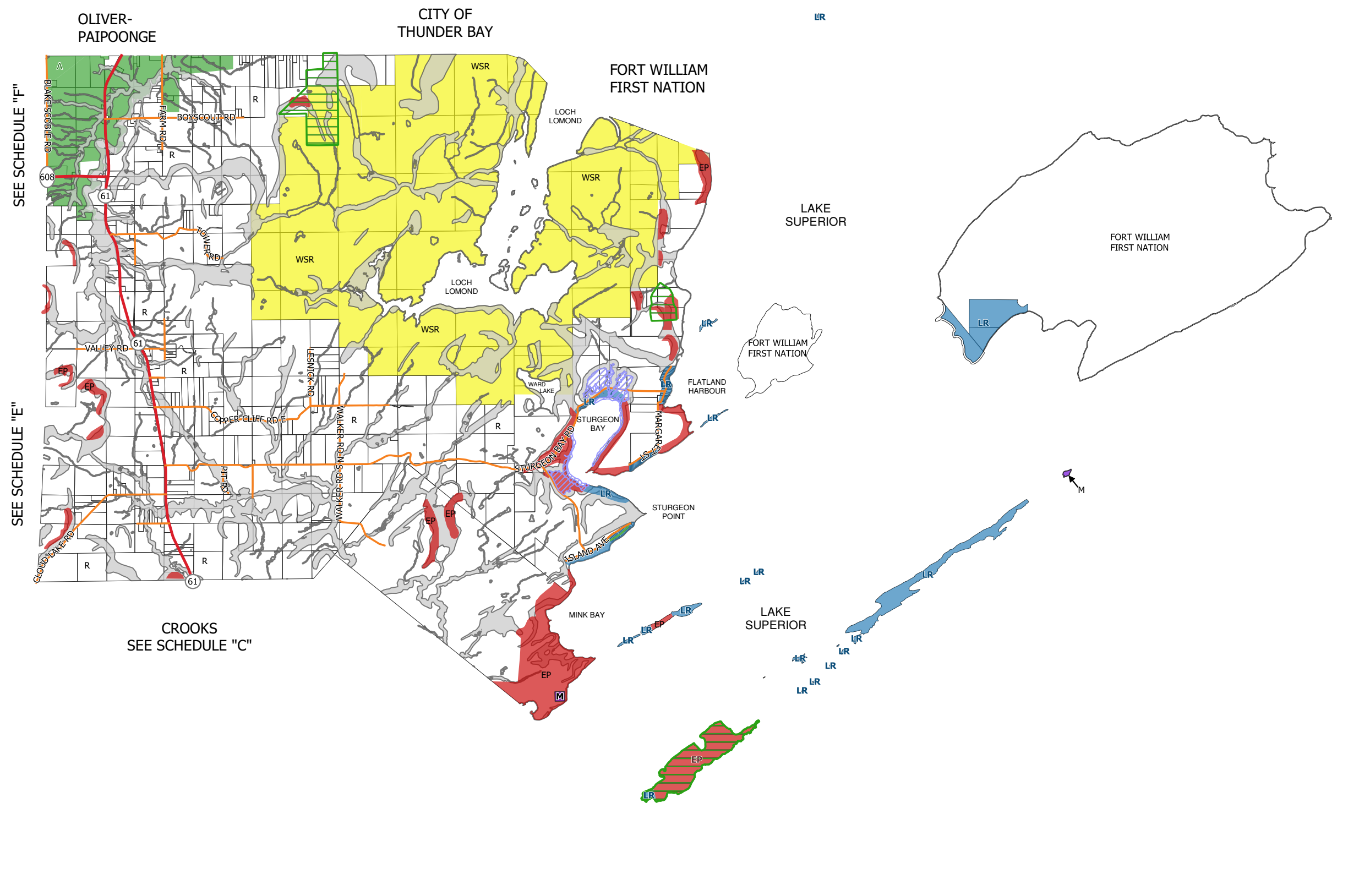
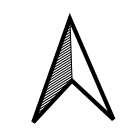
DEVELOPMENT CONSTRAINTS

-  AREA OF MINERAL RESOURCE POTENTIAL
-  AREA OF NATURAL AND SCIENTIFIC INTEREST
-  PROVINCALLY SIGNIFICANT WETLAND



SCHEDULE "B"

BLAKE TOWNSHIP MUNICIPALITY OF NEEDING OFFICIAL PLAN



SEE SCHEDULE "F"

SEE SCHEDULE "E"

CROOKS
SEE SCHEDULE "C"

LEGEND

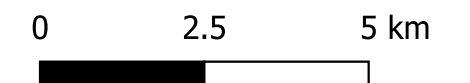
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- ENVIRONMENTAL PROTECTION AREA (EP)
- LAKEFRONT RESIDENTIAL AREA (LR)
- RURAL AREA (R)
- WATERSHED RESERVE (WSR)

DEVELOPMENT CONSTRAINTS

- AREA OF NATURAL AND SCIENTIFIC INTEREST
- MINE HAZARD (M)
- PROVINCIALLY SIGNIFICANT WETLAND
- USE LIMITATION AREA

ROAD JURISDICTION

- PROVINCIAL HIGHWAY
- MUNICIPAL ROAD
- PRIVATE ROAD



SCHEDULE "C"

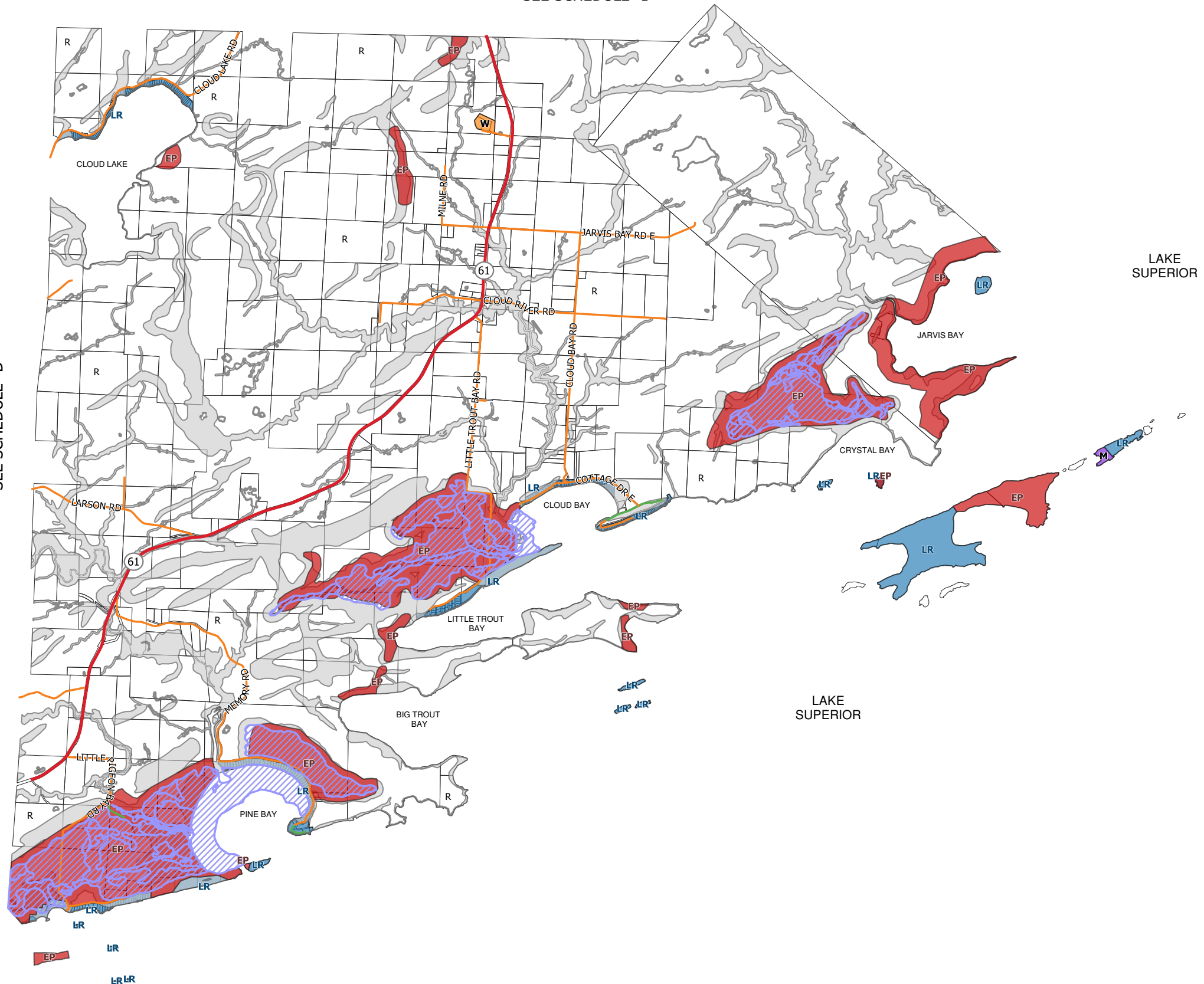
CROOKS TOWNSHIP MUNICIPALITY OF NEEDING OFFICIAL PLAN



PEARSON
SEE SCHEDULE "E"

BLAKE
SEE SCHEDULE "B"

PARDEE
SEE SCHEDULE "D"



LEGEND

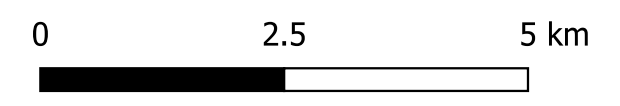
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- RURAL AREA (R)

DEVELOPMENT CONSTRAINTS

- MINE HAZARD (M)
- PROVINCIALLY SIGNIFICANT WETLAND
- USE LIMITATION AREA
- WASTE DISPOSAL SITE (W)

ROAD JURISDICTION

- PROVINCIAL HIGHWAY
- MUNICIPAL ROAD
- PRIVATE ROAD



SCHEDULE "D"

PARDEE TOWNSHIP MUNICIPALITY OF NEEDING OFFICIAL PLAN

LEGEND

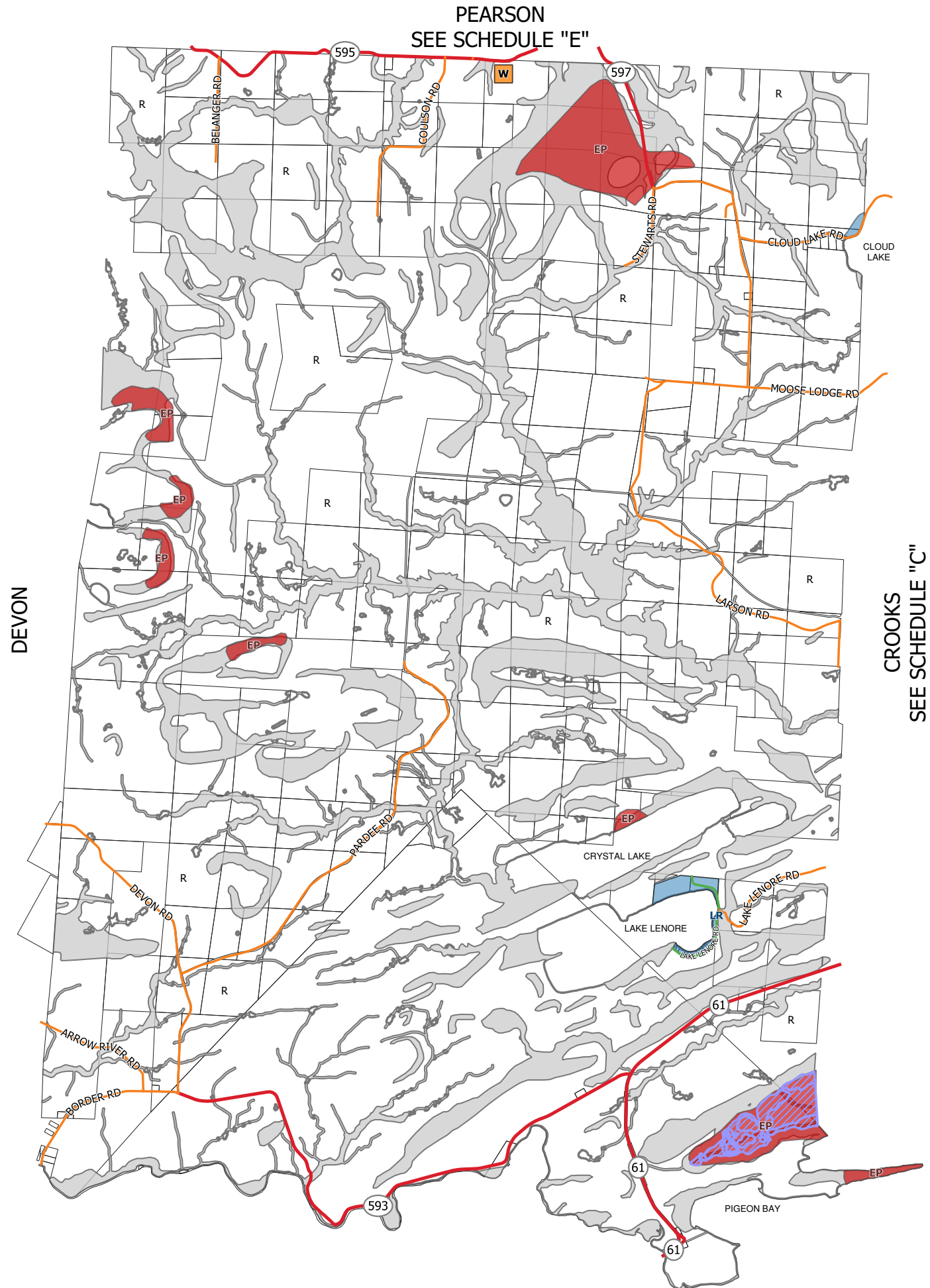
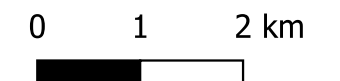
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- LAKEFRONT RESIDENTIAL AREA (LR)
- RURAL AREA (R)

DEVELOPMENT CONSTRAINTS

- PROVINCIALLY SIGNIFICANT WETLAND
- USE LIMITATION AREA
- WASTE DISPOSAL SITE (W)

ROAD JURISDICTION

- PROVINCIAL HIGHWAY
- MUNICIPAL ROAD
- PRIVATE ROAD



PEARSON
SEE SCHEDULE "E"

DEVON

CROOKS
SEE SCHEDULE "C"

SCHEDULE "E"

PEARSON TOWNSHIP MUNICIPALITY OF NEEDING OFFICIAL PLAN



LEGEND

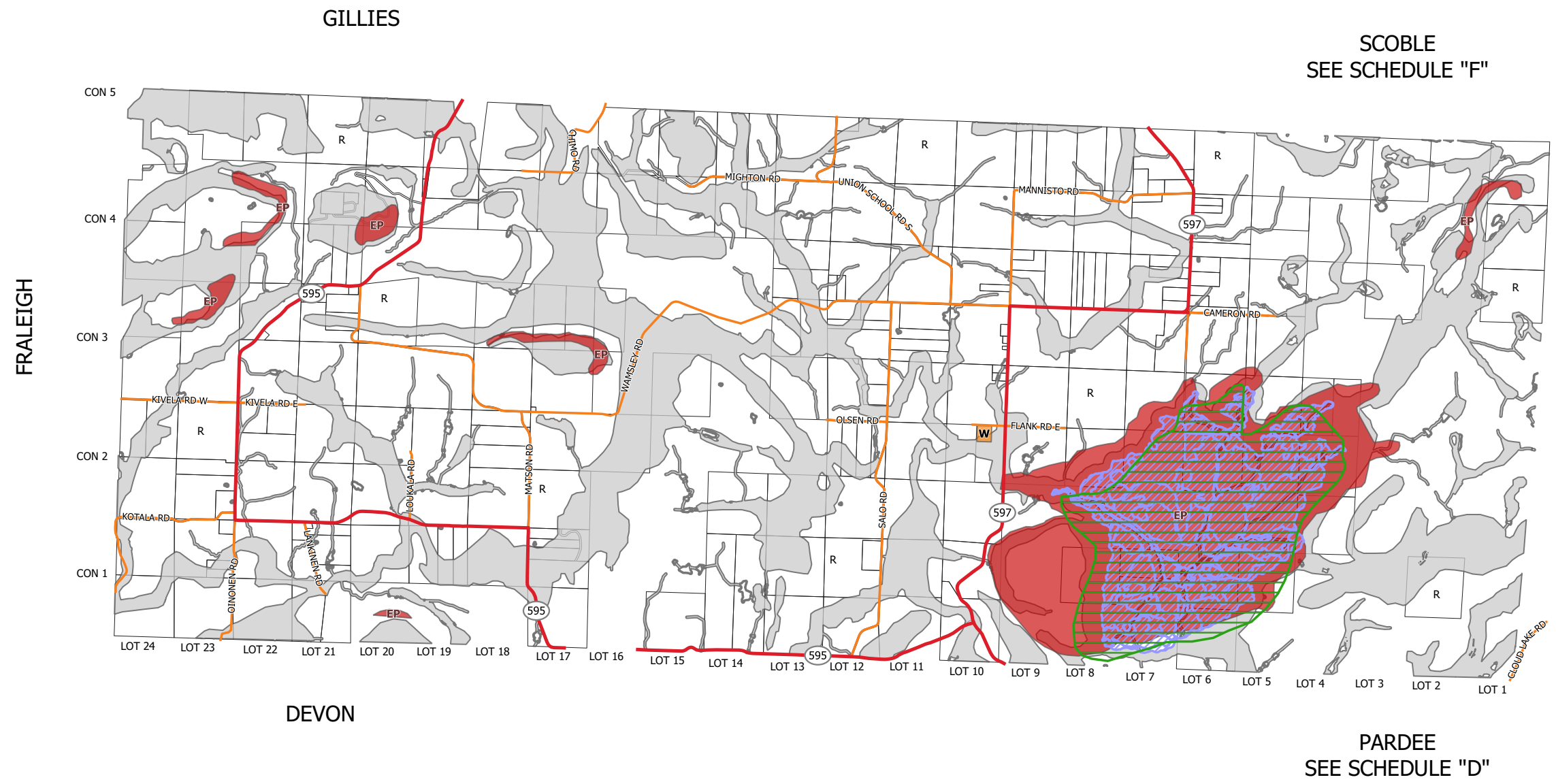
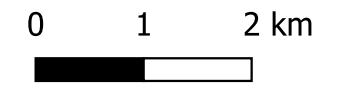
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- RURAL AREA (R)

DEVELOPMENT CONSTRAINTS

- AREA OF NATURAL AND SCIENTIFIC INTEREST
- PROVINCIALLY SIGNIFICANT WETLAND
- USE LIMITATION AREA
- WASTE DISPOSAL SITE (W)

ROAD JURISDICTION

- PROVINCIAL HIGHWAY
- MUNICIPAL ROADS



BLAKE
SEE SCHEDULE "B"

SCHEDULE "F"

SCOBLE TOWNSHIP MUNICIPALITY OF NEEDING OFFICIAL PLAN

LEGEND

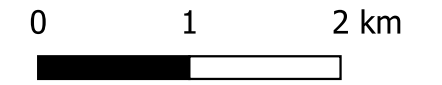
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- RURAL AREA (R)

DEVELOPMENT CONSTRAINTS

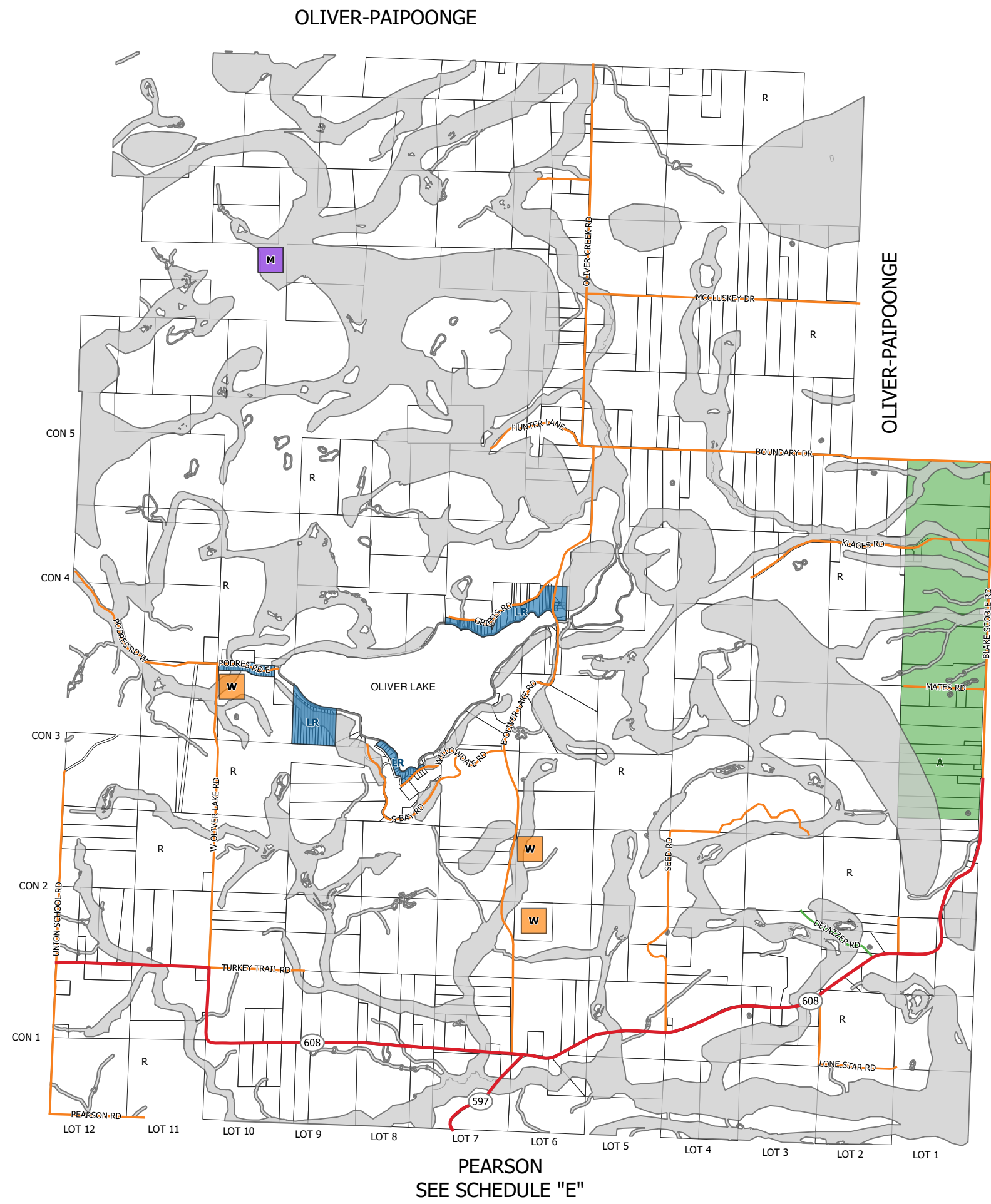
- MINE HAZARD (M)
- USE LIMITATION AREA
- WASTE DISPOSAL SITE (W)

ROAD JURISDICTION

- PROVINCIAL HIGHWAY
- MUNICIPAL ROAD
- PRIVATE ROAD



GILLIES



BLAKE
SEE SCHEDULE "B"

PEARSON
SEE SCHEDULE "E"