

**\*\*\* AGENDA \*\*\***  
**Amended January 2, 2023**  
**Tuesday, January 3, 2023**  
**\*\*START TIME 6:30 p.m.\*\***

1. Disclosure of pecuniary interest.
2. Committee Reports.
3. Resolution: Adopt the minutes of the meeting held December 20, 2022.
4. Resolution: Reconsideration of SRA Approval in Principle Duggan/Dickinson.
5. Resolution: Support Resolution from the Township of Armour regarding Bill C-21.
6. Resolution: Approve in Principle Shore Road Application – Tanner Hincks.
7. Resolution: Support the Nomination of a Representative to the Parry Sound District Social Services Administration Board.
8. Resolution: Approve the January 2023 Newsletter for Circulation.
9. By-Law: To Adopt an Administrative Policy to Ensure Accountability and Transparency for the Township of Nipissing.
10. By-Law: Respecting the Delegation of Authority to Various Officers for the Township of Nipissing.
11. By-Law: To Regulate Sale and Disposition of Municipal Property.
12. By-Law: Authorize entering into an agreement for a Municipal Facilities Maintenance Contract.
13. By-Law: To provide for an Interim Tax Levy
14. Correspondence.
15. Accounts to pay.
16. By-Law: Confirming Proceedings of Council at its meeting held January 3, 2023.
17. Adjournment.

Council meetings will be held in person at 2381 Highway 654, Township of Nipissing Community Centre and virtually utilizing the Zoom platform; and will be livestreamed to the Township of Nipissing YouTube channel.

<https://www.youtube.com/channel/UC2XSMZqRNHbwVppelfKcEXw>

# MINUTES

TOWNSHIP OF NIPISSING  
Tuesday, December 20, 2022

A regular meeting of the Township of Nipissing Council was held on Tuesday, December 20, 2022 starting at 6:30 p.m.

The meeting was held in person at the Township of Nipissing Community Centre, and livestreamed to the Township of Nipissing YouTube Channel.

**Present:** Mayor Tom Piper and Councillors Tom Butler, Shelly Foote, Stephen Kirkey and Dave Yemm.

**Staff:** Fire Chief-MLEO-CEMC Will Bateman; Operations Superintendent Dan MacInnis; Land Planning and Technology Administrator-Deputy Treasurer John-Paul Negrinotti; Administrative Assistant-Deputy Clerk Kristin Linklater and Municipal Administrator-Clerk-Treasurer Kris Croskery-Hodgins.

**Guests:** Cecil Boughner, Caroline Boughner and Serge Losier.

Disclosure of pecuniary interest: None.

## **Committee Reports:**

**Mayor Tom Piper:** Golden Sunshine Municipal Non-Profit Housing Corporation Board of Directors

Mayor Piper declared this portion of the meeting a public meeting pursuant to the provisions of Section 34(12) of the *Planning Act*, R.S.O., 1990, to discuss an application for a change to Zoning By-Law 2020-20 by the Township of Nipissing.

Discussion of Zoning By-Law Amendment Application submitted affecting lands located on the subject property located at 165 Muskeg Road and legally described as Part Lot 6, Concession 17; Plan 42R13437, Part 1, Township of Nipissing, took place.

## **R2022-222 T. Butler, S. Kirkey:**

That we pass By-Law Number 2022-57, being a By-Law to Amend Zoning By-Law 2020-20, as amended.

Read a first, second and third time and passed this 20<sup>th</sup> day of December, 2022. **Carried.**

Cecil Boughner, Caroline Boughner and Serge Losier left the meeting at this point.

## **R2022-223 D. Yemm, S. Foote:**

That the minutes of the Council meeting held December 6, 2022, be adopted as published. **Carried.**

## **R2022-224 S. Kirkey, T. Piper:**

That we Reconsider Resolution Number R2022-153, passed August 16, 2022, approving "in principle" the Application of Andrea Dickinson and Tracy Duggan by Paul Goodridge, Agent on behalf of owners, to purchase the Shore Road Allowance located in front of Pt Broke Lot 11, Con 19, Township of Nipissing;

And that this matter will be placed on the January 3, 2023 Agenda for reconsideration and discussion. Reason for reconsideration: Proposal submitted requires a revision to remove the parcel of land proposed for transfer to the Township. **Carried.**

**R2022-225 T. Butler, S. Kirkey:**

That we approve the updated Hazard Identification Risk Analysis, Appendix X to the Township of Nipissing Emergency Plan. **Carried.**

**R2022-226 D. Yemm, T. Butler:**

That we authorize the Mayor and the Municipal Administrator to sign the Acknowledgment and Direction for the transfer of Part 2 and Part 3, Plan 42R-20658, satisfying Condition d, Resolution COAR-2022-06. **Carried.**

**R2022-227 S. Foote, S. Kirkey:**

That we approve the 2022 Review and Update of the Township of Nipissing Multi-Year Accessibility Plan. **Carried.**

**R2022-228 D. Yemm, T. Butler:**

That the Council of the Township of Nipissing receives the Election Accessibility Report for the 2022 Municipal Election. **Carried.**

**R2022-229 T. Butler, S. Kirkey:**

That we transfer the machine credit for the Road Equipment and Fire Apparatus to reserve at the end of 2022;

That we transfer the surplus revenue in the Building Services Department to a designated reserve for this purpose;

That we transfer the remaining software funding to reserve pending the finalization of the project in 2023, amount \$68,885.07;

That we transfer the \$5,000 budgeted in 2022 for Pay Equity purposes to reserve for future needs of a Pay Equity Review;

That we transfer the NORDS Grant funds received, \$195,359.08, to a designated reserve fund, as required;

That we transfer the revenue collected from the Bottle Drive, \$3,691.25, into a designated Recreation Department reserve;

That we transfer \$250 received as a donation to the Playground Tables and Chairs into the Recreation Department reserve;

That we place the \$5,000.00 budgeted for Dock and Boat Launch repairs into a designated reserve for this purpose for use in 2023;

That we place the \$9,000.00 surplus from the Museum Budget into reserve for Museum Capital repairs;

And that we transfer \$500 from the Integrity Commissioner Budget to a reserve for future need of this service. **Carried.**

**R2022-230 S. Kirkey, D. Yemm:**

That we donate \$100 to the Powassan Lions Club for the 2023 Christmas Hampers. **Carried.**

**R2022-231 S. Foote, T. Butler:**

That we donate \$100 to MADD Canada. **Carried.**

**R2022-232 T. Butler, D. Yemm:**

That we support the nomination of Councillor Jordy Carr, Municipality of Callander, as Ward 6 Representative to the District of Parry Sound Municipal Association Executive. **Carried.**

**R2022-233 T. Butler, S. Kirkey:**

That we support the nomination of Councillor Mike Dell, Municipality of Callander, as Representative to the Parry Sound District Social Services Administration Board. **Carried.**

**R2022-234 S. Kirkey, D. Yemm:**

That we pass By-Law Number 2022-58, being a By-Law to establish the remuneration and payment of expenses to members of Council.

Read a first, second and third time and passed this 20<sup>th</sup> day of December, 2022. **Carried.**

**R2022-235 D. Yemm, S. Foote:**

That we pass By-Law Number 2022-59, being a By-Law to amend the Remuneration Schedule in the Township of Nipissing Pay Equity Plan and update the Human Resources Policy Manual.

Read a first, second and third time and passed this 20<sup>th</sup> day of December, 2022. **Carried.**

**R2022-236 T. Butler, S. Kirkey:**

That we pass By-Law Number 2022-60, being a By-Law to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2023.

Read a first, second and third time and passed this 20<sup>th</sup> day of December, 2022. **Carried.**

**R2022-237 T. Butler, S. Kirkey:**

That we accept the correspondence as presented. **Carried.**

**R2022-238 D. Yemm, S. Foote:**

That the statement of accounts dated: December 8, 9 and 14, 2022; totaling \$283,845.83 be approved. **Carried.**

**R2022-239 T. Butler, S. Kirkey:**

That we pass By-Law No. 2022-61, being a by-law to confirm the proceedings of Council at its meeting held on December 20, 2022.

Read a first, second and third time and passed this 20<sup>th</sup> day of December, 2022. **Carried.**

**R2022-240 D. Yemm, S. Foote:**

That the meeting be adjourned. Time: 7:19 p.m. Next regular meeting to be held January 3, 2023. **Carried.**

Mayor:

Municipal Administrator:

Minutes prepared as per Section 228 (1)(a) of the Municipal Act, S.O. 2001, c. 25.

Clerk to record, without note or comment, all resolutions, decisions and other proceedings of the council.

Minutes to be approved by Council at the next regular Council Meeting.

## **REPORT TO COUNCIL**

Date: January 3, 2023

From: Kris Croskery-Hodgins, Municipal Administrator

Re: Reconsideration of Shore Road Allowance Closure and Sale – Duggan/Dickinson

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### **BACKGROUND/OVERVIEW**

Council passed Resolution R2022-224 on December 20, 2022, allowing for the Reconsideration of Resolution R2022-153 passed August 16, 2022, approving "In Principle" the Shore Road Closure and Sale application submitted by Paul Goodridge on behalf of Duggan/Dickinson.

A review of the original letter from Mr. Goodridge, dated June 30, 2022, accompanying the application and presented at the July 12, 2022 Council meeting, provides the following facts:

1. The Applicants proposed a "Land Swap" of the lake access piece in favour of the Unopened Shore Road Allowance around the property. This was to be an "exchange" of land with no monetary amount submitted by the applicants or the Township.
2. The Applicants would require a right-of-way over the lands proposed to be traded to the Township to ensure access from a public road system to their property.
3. The Applicants requested that they would be "guaranteed that a Building Permit for the Retained lands could be issued even though they would no longer technically front on a maintained public road.
4. The Applicants request that the land proposed for trade, providing an access point to Lake Nipissing, not be used for the public launching of motorized boats.

These items were considered by Council when deciding on the original request. With an alternative access point established and this land swap not a priority for the file, Council may reconsider this matter.

## **FINANCIAL IMPACT**

The land proposed for “Land Swap” does not meet with the usual guidelines of a Lakeshore Road Closing nor declaring public land surplus for sale. This is a private sale of land to the Township and the transfer of Unopened Shore Road Allowance to the Applicant without the benefit of the \$15 per frontage foot cost of all other SRA Applications and per Township policy.

### **Estimated costs:**

Sale of Shore Road Allowance                      557.74 linear feet x \$15.00/linear foot = \$8,366.10

\*Revenue to be placed in Parkland Funds Reserve.

Purchase of Lake Access                              137.8 linear feet x \$15.00/linear foot = \$2,067.00

\*Could be paid for from the Parkland Funds Reserve or taxation.

Applicant would still be responsible for the costs of the required Environmental Study, Legal and Advertising costs and any further survey costs.

The cost provisions are not laid out in the proposal from the Applicant and would need to be confirmed in writing.

## **SUMMARY**

Council members have received a number of comments from the public regarding the possible sale of the Shore Road Allowance on this point due to historic public use of the area.

The items presented in the original discussions with Council regarding this sale have been reviewed and the following comments provided.

1. A proposed “Land Swap” would be expected to have an equal monetary value to ensure equity for public land and funds. There appears to be a variance in the equity of this transaction to the benefit of the Applicant.
2. Written confirmation of responsibility of costs for surveying and legal fees needs to be established.
3. Without a Site Plan and Building Envelope established meeting Zoning By-law and Building Code requirements, a “guarantee” for a building permit is not possible nor recommended.
4. This area was not maintained by the Township previously for any pursuits, however limiting the use of Township land (if it is purchased by the Township) would be outside of regular policy, require heightened enforcement requirements and administrative burden.

**RECOMMENDATION:**

- 1) Not to entertain a "Land Swap" as it is not in the financial fairness of usual practice.
- 2) Council should have regard to the public input they have received regarding loss of ownership of this portion of the lakefront and impact on residents.
- 3) Council rescind Resolution R2022-153 approving the application "in principle", refunding the applicants the Application Fee of \$250 and advising that the Application may be resubmitted when amended to remove the "transfer" recommendation for Council consideration.

Respectfully,

Kris Croskery-Hodgins, Municipal Administrator

**Goodridge Goulet Planning & Surveying Ltd.**  
**ONTARIO LAND SURVEYOR**  
**LAND USE PLANNERS & DEVELOPMENT CONSULTANTS**

June 30, 2022

Ms. Chris Croskery-Hodgins,  
Municipal Administrator, Clerk, Treasurer  
Corporation of the Township of Nipissing  
45 Beatty Street  
Nipissing, ON P0H 1W0

Dear Chris,

**Reference: Proposed Shore Road Allowance Closure & Disposition & Land Swap**  
**Owners: Andrea Dickinson & Tracy Duggan**  
**Part of Broken Lot 11, Concession 19, Geographic Township of Nipissing**  
**Municipality of the Township of Nipissing, District of Parry Sound**  
**PIN 52221-0725 (LT)**  
**Our File: 1278-21**

Thank you for meeting with me and John-Paul from your office earlier this week for a preliminary discussion about a proposed land swap on subject property. As you are aware, my clients recently purchased the piece of land described as Part 1, Plan 42R-21838 in order to have a guaranteed docking site for access to their cottage on the island immediately southwest of this property. A copy of the proposal sketch with a satellite image underlay has been attached which shows both subject lands and the island. Also attached is said Proposal Sketch and a blow-up section of the sketch with the satellite image. Enclosed is a copy of PIN 52221-0725 (LT) and a copy of the Registry Office Block Map.

During the course of our survey involvement for the preparation of Plan 42R-21838, it became apparent that the recent extension of Birchgrove Road used by the municipal Fire Department for lake access was located almost entirely on the private lands. This access is also used as a "public access" point during the winter months and is used as a rendezvous for ice fishing outfitters to meet their clients. With the recent upgrades, some members of the public have begun using this access as a summer boat launch. All of the above uses expose my clients to a potential claim of liability should an accident or injury occur on their property.

My clients have cottaged on Lake Nipissing for many decades and generations of the family. They are very environmentally conscious and recognize the need for a safe filling site for the Fire Department's pumper truck. Although there is adequate room on site for a small cabin to be constructed, it is constrained. As stated above, my clients' intention on purchasing this land was to ensure a docking location in close proximity to their cottage.

My clients are proposing a land swap with the Municipality. They are willing to exchange the portion of land on which the access and turn area is located, titled "Transfer to Nipissing" on the attached sketch, in exchange for the Municipality closing and transferring the portion of the original shore road allowance titled "Close & Transfer to Retained" on the attached sketch. My

Unit 1, 490 Main Street East, North Bay, ON P1B 1B5  
Paul Goodridge, BSc, OLS, OLIP (705) 493-1770 paul.goodridge@ggpsltd.com  
Don Goulet, Survey Consultant (705) 493-7974 don.goulet@ggpsltd.com



Reference: File 1278-21

clients would have to retain a right-of-way over the lands to be transferred to the Municipality in order to guarantee access to the public road system. They would also be guaranteed that a Building Permit for the Retained lands could be issued even though they would no longer technically front on a maintained public road.

A review of the Municipality's Official Plan, Schedule B indicates a known fish habitat on the north side of the bay on which we front. Although the shoreline included in our proposal is not designated as such, it is within 120 meters of the sensitive area. As we discussed in our preliminary meeting, should the Council wish to proceed with our proposal, we will retain an environmental consultant to verify that my clients proposed use as a docking site would not have an impact.

My clients are very concerned with the summer use of the access as a public boat launch for motorized boats, fearing its impact on this sensitive area. They have no concerns with the launching of canoes and kayaks, the winter use or its use by the Fire Department. They are requesting that the access not be used as a public boat launching site for motorized boats. In addition to the environmental concerns, this use would also negatively impact the local marinas that rely on the revenues generated by allowing this use of their properties.

The line dividing the "Retained" lands from the proposed "Transfer to Nipissing" has been drawn for the sake of discussion only. We are recommending, should the Council wish to proceed, that I meet with your Operations Superintendent, Dan MacInnis, on site to determine the actual boundary based upon the operational needs of the Fire Department. The attendance of a representative of the Fire Department would also be beneficial.

In my opinion, this proposal has much merit and represents a win-win-win for the Municipality, my clients, the outfitters and the public. I would very much welcome the opportunity to present this to your Council at their July 12<sup>th</sup> meeting or at the earliest opportunity.

Sincerely,



Paul Goodridge



## TOWNSHIP OF NIPISSING

### RESOLUTION

DATE: August 16, 2022

NUMBER: R2022- 153

Moved by *Marchant*

Seconded by *Scott*

#### BE IT RESOLVED:

1. That this Council does approve "in principle" the Application of Andrea Dickinson and Tracy Duggan by Paul Goodridge, Agent on behalf of owners, to purchase the Shore Road Allowance located in front of Pt Broken Lot 11, Con 19, Township of Nipissing.
2. That this resolution is subject to the following conditions:
  - The Council shall select an independent search firm specializing in fishery issues and environmental issues to complete an independent investigation and report to determine the geographic limits where development could occur and to ensure compliance to the Provincial Policy Statement.
  - That the applicant will be responsible for the payment of all the Municipality's administrative, legal accounts and Environmental Impact Study costs in connection with the processing of this application.
  - That in accordance with the Municipality's policy, notice and a copy of the draft plan will be mailed to the adjacent owners.

For      Against

PIPER  
KIRKEY  
MARCHANT  
MOORE  
SCOTT

Carried ✓

*Tom Piper*  
Mayor: Tom Piper





## TOWNSHIP OF NIPISSING

### RESOLUTION

DATE: January 3, 2023

NUMBER: R2023-

Moved by

Seconded by

THAT we Rescind Resolution R2022-153 passed August 16, 2022, approving "in principle" the Application of Andrea Dickinson and Tracy Duggan by Paul Goodridge, Agent on behalf of owners, to purchase the Shore Road Allowance located in front of Pt. Broken Lot 11, Con 19, Township of Nipissing;

AND that we authorize the refund of the \$250 Application Fee to the Applicants.

For Against

PIPER  
BUTLER  
FOOTE  
KIRKEY  
YEMM

Carried

Mayor: Tom Piper



## TOWNSHIP OF NIPISSING

### RESOLUTION

DATE: January 3, 2023

NUMBER: R2023-

Moved by

Seconded by

WHEREAS Council received Motion #15 from the Corporation of the Township of Armour during the meeting held December 20, 2022;

NOW THEREFORE Council supports the request to have the Federal Government review the far-reaching effects of Bill C-21 and develop effective approaches to target gun violence and non-legal firearms in Canada.

For      Against

PIPER  
BUTLER  
FOOTE  
KIRKEY  
YEMM

Carried

Mayor: Tom Piper



## CORPORATION OF THE TOWNSHIP OF ARMOUR

### RESOLUTION

Date: December 13, 2022

Motion # 15

**WHEREAS** Bill C-21 and the proposed freeze on the sale and transfer of handguns is not in any way, shape or form an effective way to combat gun crime as it will not combat the illegal possession and cross border smuggling and transporting of firearms;

**AND WHEREAS** Bill C-21 also attacks Indigenous Rights and Freedoms, the Ontario Hunting Community, and Ontario's local economy;

**AND WHEREAS** these regulations disproportionality target law-abiding firearms owners who are already among the most vetted in Canadian society, are subject to daily screening, and are statistically less likely to commit crimes than those who do not hold firearms licenses;

**AND WHEREAS** the Government of Canada should be focusing its resources on effective means of fighting gun crime;

**AND WHEREAS** in 2019, it was reported that Canadians spent over two billion dollars on firearms, ammunition, and accessories specifically for sport shooting in one year;

**AND WHEREAS** the federal government has introduced Bill C-21, which includes sections prohibiting the majority of replica firearms, such as Airsoft guns, and embedding in legislation Order in Council P.C. 2020-298 of May 1, 2020 which prohibits and limits the possession of firearms listed therein;

**AND WHEREAS** Bill C-21 will criminalize hundreds of thousands of law-abiding Canadians for possessing legally obtained firearms;

**AND WHEREAS** Bill C-21 will financially devastate thousands of Canadians reliant on the sale of firearms for all or part of their income;

**AND WHEREAS** hunting has a longstanding history in Canada, for both Indigenous and non-indigenous Canadians, and needlessly revoking citizens' firearms erases and discounts our history and traditions;

**AND WHEREAS** the vast majority of gun crimes are committed with illegally obtained firearms, and confiscating firearms from law abiding citizens does nothing to stop dangerous criminals and gangs who obtain their guns illegally.

**NOW THEREFORE** be it resolved that the Council of the Township of Armour, calls upon the Government of Canada to:

- Stop targeting law abiding citizens for possessing legally obtained firearms, protect the rights and freedoms of Canadians by ensuring firearms legislation is based on evidence not ideology, and withdraw Bill C-21;
- Direct resources to border security to better combat gun smuggling;
- Direct the focus on punishing the criminals to improve public safety;
- Direct resources to combatting the prevalence of Ghost Gun manufacturing; and
- Establish common sense firearms laws that protect legal firearms owners.

**FURTHERMORE**, that the Township of Armour hereby directs the Clerk to forward this resolution to the Prime Minister, Justin Trudeau, the Federal Minister of Public Safety and Emergency Preparedness, Bill Blair, the Federal Minister of Public Safety, Marco Mendicino, the NDP Public Safety Critic, Alistair McGregor, the Bloq Public Safety Critic, Kristina Michaud and our local MP, Scott Aitchison.

**Moved by:**

Blakelock, Rod	<input type="checkbox"/>
Brandt, Jerry	<input checked="" type="checkbox"/>
Haggart-Davis, Dorothy	<input type="checkbox"/>
Ward, Rod	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>

**Seconded by:**

Blakelock, Rod	<input type="checkbox"/>
Brandt, Jerry	<input type="checkbox"/>
Haggart-Davis, Dorothy	<input checked="" type="checkbox"/>
Ward, Rod	<input type="checkbox"/>
Whitwell, Wendy	<input type="checkbox"/>

Carried / Defeated

**Declaration of Pecuniary Interest by:**

**Recorded vote requested by:**

Recorded Vote:

Blakelock, Rod

Brandt, Jerry

Haggart-Davis, Dorothy

Ward, Rod

Whitwell, Wendy

For

☐☐☐☐☐

Opposed

☐☐☐☐☐



## TOWNSHIP OF NIPISSING

### RESOLUTION

DATE: January 3, 2023

NUMBER: R2023-

Moved by

Seconded by

#### BE IT RESOLVED:

1. That this Council does approve "in principle" the Application of Tanner Hincks to purchase the Shore Road Allowance located in front of Pt Broken Lot 11, Con 16, Plan M467 Pt Blks B and C, Pt Douglas Dr. Closed, RP 42R19757 Parts 1 to 4, Township of Nipissing.
2. That this Resolution replaces Resolution R2017-046, original applicant Ronald Hincks and that the Application will proceed with the original requests under the original cost of \$15.00 per frontage foot.
3. That this resolution is subject to the following conditions:
  - The Council shall select an independent search firm specializing in fishery issues and environmental issues to complete an independent investigation and report to determine the geographic limits where development could occur and to ensure compliance to the Provincial Policy Statement.
  - That the applicant will be responsible for the payment of all the Municipality's administrative, legal accounts and Environmental Impact Study costs in connection with the processing of this application.
  - That in accordance with the Municipality's policy, notice and a copy of the draft plan will be mailed to the adjacent owners.

For      Against

PIPER  
BUTLER  
FOOTE  
KIRKEY  
YEMM

Carried

Mayor: Tom Piper





## TOWNSHIP OF NIPISSING

### RESOLUTION

DATE: January 3, 2023

NUMBER: R2023-

Moved by

Seconded by

That we support the nomination of Mayor Peter McIsaac, Municipality of Powassan, as Representative to the Parry Sound District Social Services Administration Board.

For      Against

PIPER  
BUTLER  
FOOTE  
KIRKEY  
YEMM

Carried

Mayor: Tom Piper

December 29, 2022

**RE: Resolutions Nominating Members to our Board**

Dear Mayors and Councils of the Municipalities of Powassan, Callander and Nipissing,

I am writing regarding the appointment of Board members to the District of Parry Sound Social Services Administration Board. As per our correspondence of November 17, 2022, two (2) members must be appointed jointly from the councils of the municipalities in your Area for there to be representation on the DSSAB Board.

As of today, I have received the following resolutions from Area 6:

Municipality of Powassan	Resolution appointing Peter McIsaac
Municipality of Callander	-
Township of Nipissing	-

We hope that Area 6 Municipalities are able to determine their representatives prior to our first Board meeting of the New Year which will be held at 6:30 PM on Thursday, January 12, 2023 via Zoom Video Conference.

If the representatives are not able to be appointed jointly, they cannot be confirmed as DSSAB Board members. However, they are welcome to attend our first Board meeting as members of the public.

As well, a reminder that we will be holding our Board Introduction on Friday, January 27, 2023 at the Log Cabin Inn located at 9 Little Beaver Blvd. in Seguin Township. It is *vitality important* for all Board members to attend this all-day event as it will orient them on the operations of the DSSAB.

Should you have any questions, please don't hesitate to reach out to me at 705-746-7777 ext. 5290 or via email at [jharris@psdssab.org](mailto:jharris@psdssab.org).

Sincerely,



Jennifer Harris  
Administrative Officer

# TOWNSHIP OF NIPISSING

# NEWSLETTER

JANUARY 2023

Township of  
NIPISSING

"Life the way it should be" ESTABLISHED 1888



## MESSAGE FROM OUR MAYOR

On behalf of myself and Council, let me wish everyone a Happy New Year and a prosperous 2023.

Your newly elected Council accepted their mandate and hit the ground running with education seminars and training sessions. Everyone is learning of their new responsibilities on various Committees and Boards.

We face a number of issues in the coming term, but everyone is determined to work together to find solutions that work. All new Councils need your patience, and of course guidance, at public meetings and public presentations. It is our commitment to make decisions on behalf of all Nipissing residents to realize our motto "Life the Way it Should Be."

- Tom Piper

## 2023 Council Meeting Dates:

January 3, 2023

February 7, 2023

March 7, 2023

April 4, 2023

May 2, 2023

June 6, 2023

July 11, 2023

August 15, 2023

September 5, 2023

October 3, 2023

November 14, 2023

December 5, 2023

January 17, 2023

February 21, 2023

March 21, 2023

April 18, 2023

May 16, 2023

June 20, 2023

September 19, 2023

October 17, 2023

December 19, 2023

Council Meetings Will Be Held In Person At 2381 Highway 654, At The Township Of Nipissing Community Centre. The Meeting Is Also Livestreamed To The Township Of Nipissing YouTube Channel.

<http://www.youtube.com/channel/UC2XSMZqRNHbwVppelfKcEXw>

## ◆ Animal Control ◆ Winter Roads

Dog Tags Are Due March 31st Each Year. If You Require A Dog Tag, Please Contact The Township Office.

Costs:

1st Dog \$ 10.00

2nd Dog \$ 20.00

3rd Dog \$ 30.00

Any Additional Dogs Are \$ 30.00 Each

Animal Control Officer: Sandy Briggs  
(705) 724-2676

For Dog Concerns Please Contact Sandy Directly.

To Report A Road Issue During Weekends, Holiday Or After Regularly Scheduled Work Hours, Please Call (705) 724-2194.

When Plowing Or Removing Snow From Driveways And Properties, Do Not Drag or Push Snow Across Municipal Roads Or Provincial Highways, This Causes Bumps And Unexpected Hazards On Travelled Roads And Is Against The Highway Traffic Act.

In Case Of Severe Weather Events Some Roads May Resort To Being Closed. Please Watch Our Website And Facebook Page for Updates.

## ◆ Fire

The Township of Nipissing Would Like To Advise That Daytime Burning Restrictions Come Into Effect April 1st Each Year. No Open-Air Burning Is Permitted 2 Hours After Sunrise Until 2 Hours Before Sunset. Open Air Burning Permits Are Required For All Open-Air Burning (Excluding Camp Fires).

For More Information On Open Air Burning, Fire Safety or Becoming A Firefighter Please Visit Our Website At [www.nipissingtownship.com](http://www.nipissingtownship.com) Or Contact Us At 705-752-2772 Or Email At [firechief@nipissingtownship.com](mailto:firechief@nipissingtownship.com)



**PLEASE NOTE:**



**The Playground Is Now Closed For The Season**

**THINKING OF JOINING  
THE FITNESS CENTRE?**

**OPEN 24/7**

**INDIVIDUAL MEMBERSHIPS**

1 YEAR - \$ 200.00  
6 MONTHS - \$ 120.00  
3 MONTHS - \$ 60.00  
1 MONTH - \$ 25.00

**FAMILY MEMBERSHIP**

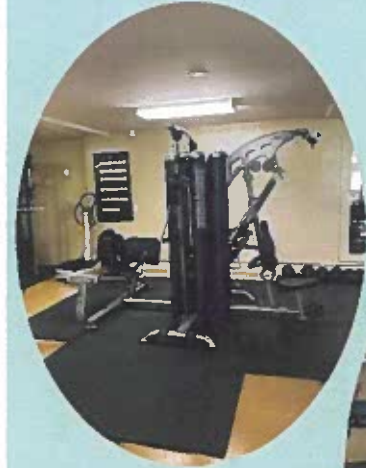
**(2) MEMBERS) - 1 YEAR - \$ 325.00**

**SENIOR MEMBERSHIP**

**(60 YEARS OF AGE) - 1 YEAR - \$ 150.00**

**STUDENT MEMBERSHIP - 1 YEAR - \$ 325.00**

**FOR MORE INFORMATION PLEASE CALL THE TOWNSHIP  
OFFICE - 705-724-2144 OR [INFO@NIPISSINGTOWNSHIP.COM](mailto:info@nipissingtownship.com)**



**PLEASE WATCH OUR  
WEBSITE &  
FACEBOOK PAGE  
FOR RINK UPDATES!**



## REPORT TO COUNCIL

Date: January 3, 2023  
From: Kris Croskery-Hodgins, Municipal Administrator  
Re: Updates to Required By-Laws

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### BACKGROUND/OVERVIEW

The Municipal Act requires municipalities to adopt and maintain policies and procedures regarding a number of items.

A review of Township By-laws revealed that the required policies and procedures for

- a) The sale and disposition of land;
  - b) The delegation of its powers and duties; and
  - c) The manner in which the municipality will try to ensure that it is accountable to the public for its actions and that its actions are transparent to the public;
- were found to be requiring updates and more inclusive of current practices.

### FINANCIAL IMPACT

A change to the charge per lineal foot charged in Shore Road Allowance transactions was changed in the 2021-53 User Fee By-Law passed November 16, 2021 but was not updated in the Shore Road Allowance procedures. This will correct that oversight and ensure that \$25 per frontage foot is charged on all applications received going forward.

### SUMMARY

By-Law 2008-1211 provides a brief outline of Accountability, Transparency and Delegation of powers and duties.

Revisions to these By-laws have been drafted and provided for Council review. These documents detail practices in place to ensure accountability and transparency as well as provide detail on the delegation of powers and duties.

The compilation of three by-laws into one will provide a comprehensive coverage of the procedures for the Sale and Disposition of municipal land.

**RECOMMENDATION:**

It is recommended that Council adopt the following:

1) 2023 Accountability and Transparency By-Law; repealing By-Law 2008-1211 section 4. (a) and (b).

2) 2023 Delegation of Authority By-Law; repealing By-Law 2008-1211 section 4. (e).

3) 2023 Sale of Land By-Law; repealing By-Law 2008-1227, Sale of Land; By-Law 2007-1205, Development Expenses and By-Law 1196, Restating Council's Policy re Shore Road Allowances.

Respectfully,

Kris Croskery-Hodgins, Municipal Administrator



# THE CORPORATION OF THE TOWNSHIP OF NIPISSING

## BY-LAW NUMBER 2023-

### **Being a by-law to adopt an administrative policy to ensure Accountability and Transparency for The Corporation of the Township of Nipissing.**

**WHEREAS** the *Municipal Act*, 2001, c. 25 S270(1)5. provides that a municipality shall adopt and maintain policies with respect to ensuring that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NIPISSING ENACTS AS FOLLOWS:

#### **1. SHORT TITLE**

1.1. This by-law may be cited as the "Accountability and Transparency Policy".

#### **2. PURPOSE/OBJECTIVE**

Council of the Township of Nipissing acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner, guided by the following principles:

- A. Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- B. Delivering high quality services to our citizens; and
- C. Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the Township of Nipissing adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the Township of Nipissing will engage its stakeholders throughout its decision-making process which will be open, visible and transparent to the public.

The objectives of this by-law are:

- 2.1. to ensure that the municipality is accountable to the public for its actions;
- 2.2. to provide procedures to ensure that its actions are transparent to the public;
- 2.3. to provide a procedure to ensure that this policy is maintained and updated as required by the *Municipal Act*, 2001;

#### **3. DEFINITIONS**

- 3.1. "Accountability" is the principle that the municipality is obligated to demonstrate and take responsibility for its actions, decisions and policies and that it is answerable to the public at large.
- 3.2. "Clerk" means the Clerk of the Township, including their successor and designate from time to time;
- 3.3. "Council" means the duly elected Municipal Council of the Corporation of the Township of Nipissing;
- 3.4. "Municipal Administrator" means the Municipal Administrator for the Township of Nipissing, including their successor and designate from time to time;

- 3.5. "Procedural By-Law" means the by-law in effect establishing the rules governing the proceedings of Council, the calling of meetings and the conduct of Members;
- 3.6. "Procurement Policy" means the by-law in effect establishing a policy concerning the procurement of goods and services;
- 3.7. "Public Notice By-Law" means the by-law in effect prescribing the form and manner for the provision of public notice under the *Municipal Act*, 2001.
- 3.8. "Township" means The Corporation of the Township of Nipissing.
- 3.9. "Transparency" is the principle that the municipality will conduct its business in an accessible, clear and visible manner and that its activities are open to examination by its stakeholders.

#### **4. RESPONSIBILITIES AND AUTHORITIES**

- 4.1. The Municipal Administrator is responsible for ensuring adherence to the Transparency and Accountability Policy and the by-laws and corporate policies supporting the goals of this Policy.
- 4.2. The Clerk shall review this Policy at the beginning of each term of Council and provide any recommendations or information to Council for approval where such action is considered necessary and in the best interest of the Corporation;

#### **5. GENERAL PROVISIONS**

The following are policies, procedures and practices that ensure the Township is transparent in its operations and that residents are not only aware of how decisions are made and carried out, but that they are able to participate as well:

- Council Procedure By-Law
  - Public Posting and Distribution of Council Agenda Meeting Documentation
  - Public Notice By-Law
  - Procurement By-Law
  - External Audit and Reports
  - Sale and Disposal of Land By-Law
  - Records Retention By-Law
  - Social Media Policy
  - Livestreaming of Council and Committee meetings on YouTube
  - Posting of video recordings of livestreamed meetings of Council and Committees
  - Appointment of an Integrity Commissioner
  - Code of Conduct for the Council Members
  - Municipal Election Procedures
- 5.4. Council shall maintain a formal complaint policy and procedure in place within the Township of Nipissing. This procedure shall be placed on the Township of Nipissing website for public access.
  - 5.5. Internal accountability and ethical standards are governed by Council approved Human Resources Policies and Procedures for all municipal staff. These policies and procedures follow Ontario labour laws as well as containing policies addressing a Code of Conduct, Recruitment and Selection practices and maintaining a discrimination and harassment-free workplace.



**6. ENACTMENT**

This By-Law shall come into effect upon passage.  
By-Law 2008-1211, 4. (a) and (b) are hereby repealed and replaced by this By-Law.

That this By-law shall come into force and effect immediately on the passing thereof.  
Read a first, second and third time and passed this 3<sup>rd</sup> day of January, 2023.

THE CORPORATION OF THE  
TOWNSHIP OF NIPISSING

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Tom Piper,  
Mayor

---

Kris Croskery-Hodgins,  
Municipal Administrator

# **THE CORPORATION OF THE TOWNSHIP OF NIPISSING**

## **BY-LAW NUMBER 2023-**

### **Being a by-law respecting the delegation of authority to various officers for The Corporation of the Township of Nipissing.**

**WHEREAS** the *Municipal Act*, 2001, c. 25 S270(1)6. provides that a municipality shall adopt and maintain policies with respect to the delegation of its powers and duties;

AND WHEREAS Section 23.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25 authorizes a municipality to delegate its powers and duties to a person or body, subject to certain restrictions;

AND WHEREAS Section 224.(d) of the *Municipal Act*, 2001, S.O. 2001, c. 25 provides that a role of Council is to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;

AND WHEREAS section 227 of the *Municipal Act*, 2001, S.O. 2001, c. 25 states that it is the role of the officers and employees of the municipality (a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; (b) to undertake research and provide advice to Council on the policies and programs of the municipality; and (c) to carry out other duties required under this or any Act and other duties assigned by the municipality;

AND WHEREAS the Council of The Corporation of the Township of Nipissing has identified certain routine administrative functions to be delegated to staff to improve daily business efficiencies while continuing to adhere to the principles of accountability and transparency;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NIPISSING ENACTS AS FOLLOWS:

#### **1. SHORT TITLE**

- 1.1. This by-law may be referred to as the "Administration of Authority By-Law".

#### **2. DELEGATION PROVISIONS**

- 2.1. Council delegates the powers, duties, and restrictions thereto as set out in the Schedules appended hereto, to those officers, employees or committees therein listed;
- 2.2. Notwithstanding the foregoing, Council retains the authority to make or reconsider, at any time and without notice, revoke any delegated power that has been delegated pursuant to this By-Law;
- 2.3. Except as otherwise required by law, should any position identified in this By-Law with delegated powers or duty be vacant, or no longer exist within the Corporation, the powers and duties of that position may be exercised by a person deemed to have authority of the position until such time as the position is either no longer vacant, or a new delegation for the corresponding delegated power or duty is approved;
- 2.4. Where the exercise of a delegated authority requires an expenditure of money, funding for the expenditure shall be included in a an approved budget and all relevant requirements of the Township of Nipissing Procurement By-Law in effect at the time of the expenditure shall be followed;

- 2.5. Where delegated authority includes execution of an agreement, the agreement shall be approved by the Municipal Administrator and/or legal counsel prior to its execution;
- 2.6. All relevant By-Laws and Resolutions of The Corporation of the Township of Nipissing shall apply to the exercise of delegated authority, as authorized by this By-Law, or any associated stand-alone delegation of authority By-law;
- 2.7. Council hereby confirms that it is of the opinion that all legislative powers under any Act delegated to an officer or an employee of the Township are minor in nature, within the meaning of Subsection 23.2(4) of the *Municipal Act*, S.O. 2001, c.25.

### **3. DEFINITIONS**

- 3.1. "Act" means the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended;
- 3.2. "Approval" includes authority to sign for approval and execute an agreement, contract, release, waiver, application or document intended to bind the Corporation and includes any renewal, amendment or termination thereof, and "Approve" has a corresponding meaning;
- 3.3. "By-Law" means this by-law and includes its Schedules;
- 3.4. "Chief Building Official" or "CBO" means the Chief Building Official, as duly appointed by By-Law;
- 3.5. "Clerk" means the Clerk for the Township of Nipissing, as duly appointed by By-Law;
- 3.6. "Corporation" means The Corporation of the Township of Nipissing;
- 3.7. "Council" means the elected Council of The Corporation of the Township of Nipissing;
- 3.8. "Delegation of Powers Policy" means a policy that has been approved by Council in accordance with section 270(1)6 of The Act;
- 3.9. "Fire Chief" means the Fire Chief for the Township of Nipissing, as duly appointed by By-Law;
- 3.10 "Legal Proceeding" means any court or administrative tribunal proceeding commenced by, or against, the Township;
- 3.11. "Municipal Administrator" means the Municipal Administrator for the Township of Nipissing, as duly appointed by By-Law;

### **4. NATURE AND SCOPE OF DELEGATION OF POWERS AND DUTIES**

- 4.1. The authority to approve a matter as contained in any Schedule hereto appended is hereby delegated to the person or persons set out in Column 3 therein and shall be subject to any conditions or restrictions as contained in Column 5.
- 4.2. Where authority to approve a matter is delegated to any person under this By-Law, the Municipal Administrator may also exercise that authority;

- 4.3. Despite any provision of this By-Law, a delegate shall not approve any matter or execute any document unless the transaction or activity to which the matter or document relates has been approved by Council, and shall be deemed to be approved where such transaction or activity:
- a. is included in the annual budget as adopted by Council; or
  - b. is included in a program, project or activity which has been approved by Council; or
  - c. is reasonably incidental to the authority given to the Municipal Administrator, to carry out their duties and responsibilities on behalf of the Township.
- 4.4. No provision of this By-Law shall be construed as waiving any provision of the Procurement By-Law, as may be amended from time to time, and the Procurement By-Law shall continue to apply to the procurement of goods and services on behalf of the Township;
- 4.5. Notwithstanding the foregoing, Council retains the authority to make or reconsider, at any time and without notice, revoke any delegated power that has been delegated pursuant to this By-Law.

## **5. APPOINTMENT OF SIGNING OFFICERS**

- 5.1. The Mayor or Deputy Mayor, one required, and the Deputy Treasurer or the Fire Chief, one required, are hereby appointed signing officers of the Township and may jointly execute any document on behalf of the Township, specifically provided for in the Schedules appended.

## **6. GENERAL**

- 6.1. Any reference to legislation, regulations or By-Laws in this By-Law shall be interpreted to include all amendments and any successor legislation thereof;
- 6.2. In the event that any provision or part of this By-Law is found to be invalid for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-Law and all other provisions or parts thereof shall remain in full force and shall be valid;
- 6.3. In the event of any inconsistency between this By-Law and any other Township By-Law, the more restrictive provision shall prevail to the extent of the inconsistency;
- 6.4. Throughout this By-Law (i) the term "including" or the phrases "e.g.", or "for example" shall be interpreted to mean "including, without limitation"; (ii) the singular includes the plural and vice-versa; and (iii) any gender includes any other gender, unless the context requires otherwise;

6.5. This By-Law shall come into force and take effect on the date of passing.

Reference to Delegation in By-Law 2008-1211, 4.e., is hereby repealed and replaced by this By-Law.

Read a first, second and third time and passed this 3<sup>rd</sup> day of January, 2023.

THE CORPORATION OF THE  
TOWNSHIP OF NIPISSING

---

Tom Piper,  
Mayor

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Kris Croskery-Hodgins,  
Municipal Administrator

Schedule A  
Delegation of Powers & Duties

#	DELEGATION	DELEGATE(S)	LEGAL AUTHORITY	CONDITIONS/RESTRICTIONS
1.	Develop, approve and implement administrative policies, procedures and practices in the exercise of authority under section 229 of the Act.	Municipal Administrator- Clerk-Treasurer	Municipal Act, 2001, S.O. 2001, c. 25, as amended, s 23.1 and s. 270	Update and maintain Policy Manual upon Council adoption
2.	Pay Equity Adjustments, Grid Movement Approvals, complete Performance Appraisals	Municipal Administrator- Clerk-Treasurer	Municipal Act, 2001, S.O. 2001, C. 25, as amended, s 23.1	Budget approvals, Approved Performance Appraisals in keeping with the Human Resources Administration and Policy Manual.
3.	Responsible for legislative requirements under the Ontario Health and Safety Act legislation.	Municipal Administrator- Clerk-Treasurer Fire Chief- MLEO-CEMC	Occupational Health and Safety Act, R.S.O. 1990, c. 0.1	
4.	Approval of all emergency expenditures deemed essential to mitigate the emergency incident	Municipal Administrator- Clerk-Treasurer Operations Superintendent Fire Chief- MLEO-CEMC		With regard to Procurement Policy when possible.
5.	Signing Authority for Agreements under By-Law and/or Pursuant to Tender Awards	Municipal Administrator- Clerk-Treasurer Mayor (as required)		
6.	Returning Officer, Responsible for Administration of all Municipal General Elections and All By-Elections for the Township of Nipissing	Municipal Administrator- Clerk-Treasurer	Municipal Elections Act, 1996, S.O. 1996, c. 32	Prepare and update forms and written procedures for all components of conducting an election.
7.	Issuance of Lottery Licences	Municipal Administrator- Clerk-Treasurer	Criminal Code (Canada) Order-in-Council 1413/08 Gaming Control Act, 1992	Compliance with all applicable AGCO Regulations.
8.	Records Management Oversight	Municipal Administrator- Clerk-Treasurer	Municipal Act, 2001, S.O. 2001, C. 25, as amended, S. 254	Per Records Retention Policy in effect by by-law.
9.	Freedom of Information and MFIPPA Co-Ordinator; All powers and duties under said	Municipal Administrator- Clerk-Treasurer	Municipal Freedom of Information and Protection of Privacy Act	Associated policy.

	Act			
#	DELEGATION	DELEGATE(S)	LEGAL AUTHORITY	CONDITIONS/RESTRICTIONS
10.	By Virtue of the Office: Commissioner of Oaths	Municipal Administrator- Clerk-Treasurer Deputy Clerk	Commissioner for Taking Affidavits Act. R.S.O. 1990, c. C. 17	
11.	Mediate and settle proceedings at the Assessment Review Board and Execute Minutes of Settlement of Assessment Review Board	Municipal Administrator- Clerk-Treasurer		MoS must be in the best interest of the Township, in opinion of the signing officer
12.	Approval of Tax approvals and corrections relating to gross manifest errors	Municipal Administrator- Clerk-Treasurer		
13.	Authority to enter into agreements with the Municipal Property Assessment Corporation (MPAC) for electronic download of property assessment information	Municipal Administrator- Clerk-Treasurer		
14.	Oversight of Procurement of Goods and Services	Municipal Administrator- Clerk-Treasurer	Procurement By-Law	
15.	Authority to enter into recurring annual agreements with respect to continuance of technical software support services, and or data licence agreements, subject to annual review and budget approval.	Municipal Administrator- Clerk-Treasurer		Budget approvals.
16.	Authority to enter into Client/Supplier agreements for IT professional services or technical support, as required, subject to project requirements, budget availability and review	Municipal Administrator- Clerk-Treasurer		Budget approvals.
17.	Approve Site Plan Control Agreements and Amendments to Site Plan Control Agreements	Land Planning Administrator	Planning Act, R.S.O. 1990, c.P.13,s.5(1)	Approval pertains only to agreements where the application is in full compliance with the Zoning By-Law. Council still has authority over site plan where zoning amendment is required.

#	DELEGATION	DELEGATE(S)	LEGAL AUTHORITY	CONDITIONS/RESTRICTIONS
18.	Removal or lifting of Holding Zone when conditions have been fulfilled	Land Planning Administrator	Planning Act, R.S.O. 1990, c.P.13,s.5(1)	Subsequent By-law to Council for Adoption to Repeal Holding Provision
19.	Activate and emergency plan and implement t municipal emergency control group notification	CEMC	Emergency Management Plan	
20.	Authority to take all proper measures for prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by legislation	Fire Chief	Fire Protection and Prevention Act, 1997, S.O. 1997, c.4	
21.	Authorization to temporarily close Municipal Roads due to fire or emergency requirements.	Fire Chief in consultation with the Operations Superintendent		
22.	Authorization to close municipal parks – outdoor rink due to seasonal restrictions, inclement weather, and emergencies which could affect the health and well-being of the community	Operations Superintendent		
23.	Authorization to manage and perform maintenance, removals, and planting of trees within the Township's right-of-way and property	Operations Superintendent		
24.	Authority to execute applications for new entrance permits and culvert installations, provide written confirmation to applicant of diameter of culvert required	Operations Superintendent	Township By-Law	



#	DELEGATION	DELEGATE(S)	LEGAL AUTHORITY	CONDITIONS/RESTRICTIONS
25.	May temporarily close any highway or portion of a highway: a) for construction, repair or improvement of the highway or portion of the highway, or construction or repair or any works, under, over, along, across, or upon the highway or portion of highway; b) social, recreational, community, athletic or cinematographic purpose, or combination thereof; c) for any request under emergency services; For construction purposes when public safety may be impacted	Operations Superintendent		
26.	Temporary Reduction or Lifting of Load Limits on highways, including designation of alternate routes where applicable.	Operations Superintendent		
27.	Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards	Operations Superintendent	Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways	
28.	Authority to approve the holding special events in Township-owned facilities/parks.	Municipal Administrator-Clerk-Treasurer		Upon notification of the Recreation Committee; Museum Board or special ad-hoc committee created for a municipal purpose

# **THE CORPORATION OF THE TOWNSHIP OF NIPISSING**

## **BY-LAW NUMBER 2023-**

### **Being a by-law to regulate the sale and disposition of municipal property.**

**WHEREAS** the Municipal Act, 2001, c. 25 S270(1)1. provides that a municipality shall adopt and maintain policies with respect to the sale and other disposition of land;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NIPISSING ENACTS AS FOLLOWS:

#### **1. SHORT TITLE**

- 1.1. This by-law may be cited as the "Sale and Disposition of Municipal Property By-Law".

#### **2. PURPOSE/OBJECTIVE**

- 2.1. The objectives of this by-law are:
- 2.1.1. to purchase and administer property only in support of municipal objectives;
- 2.1.2. to purchase, maintain, preserve and sell property to the maximum long-term economic advantage to the Township;
- 2.1.3. to ensure an efficient process for simple property sales and purchases by the Township;
- 2.1.4. to be transparent in the sale and purchase of property by the Township;
- 2.1.5. to ensure public accountability.

#### **3. DEFINITIONS**

- 3.1. "Abutting Land" means real property that directly borders the municipality's land parcel. In the case of the disposal of a closed highway, abutting land is considered real property that is immediately to the side of the closed highway.
- 3.2. "Appraisal" means a written opinion of the market value of the land prepared by a registered member of the Appraisal Institute of Canada, the assessed value as determined by the Municipal Property Assessment Corporation (MPAC), or other person(s) deemed by Council to be qualified for the purpose identified herein.
- 3.3. "Appraised Value" means the value noted in the appraisal, or the assessed value as determined by the Municipal Property Assessment Corporation (MPAC).
- 3.4. "Clerk" means the Clerk of the Township, including their successor and designate from time to time;
- 3.5. "Council" means the duly elected Municipal Council of the Corporation of the Township of Nipissing;
- 3.6. "Disposition" means the sale, transfer, conveyance or exchange of the Fee Simple Interest in Real Property, or the granting of a permanent easement or right of way, but does not include the granting of a short-term Lease or the release of easement or right of way by the Township. A lease of twenty-one (21) years or longer shall be considered a disposition. For clarity, "Sale" shall have a similar meaning.

- 3.7. "Fair Market Value" means the highest amount that real property might be expected to realize if sold in the open market by a willing seller to a willing buyer.
- 3.8. "Fee Simple Interest" means an ownership of Real Property in which the owner has the right to control, use or dispose of the Real Property at will.
- 3.9. "Highway" means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway.
- 3.10. "Municipal Administrator" means the Municipal Administrator for the Township of Nipissing, including their successor and designate from time to time;
- 3.11. "Property" means land or real estate, including any improvements, structures and whatever is attached or affixed to the property and whatever grows on the land, that is owned by the Township or that is owned by its agencies, boards or committees and the jurisdiction for the sale of which rests with the Township;
- 3.12. "Township" means The Corporation of the Township of Nipissing.

#### **4. EXCLUSIONS**

This policy shall not apply to the following:

- 4.1. The sale of land under Part X1 (Sale of Land for Tax Arrears) of the Municipal Act, c. 25, S.O. 2001, as amended and any related Ontario Regulation made by the Minister.
- 4.2. Land transferred to the Township of Nipissing for security or for temporary roads or other works in connection with any agreement to which the municipality is a party under the Planning Act, R.S.O. 1990, c.P. 13;
- 4.3. Use of unopened road allowances belonging to the Township of Nipissing, as defined and with established policies under By-Law Number 2021-57.
- 4.4. Cemetery lots and lands designated for cemetery use by the Township of Nipissing (Funeral, Burial and Cremation Services Act, 2002 S.O. 2002, c.33);
- 4.5. Sale to public bodies:
  - i) A municipality;
  - ii) A local board including a school board and a conservation authority; and
  - iii) The Crown in right of Ontario or Canada and their agencies.

#### **5. GENERAL PROVISIONS**

- 5.1. Prior to the disposal of any property by the municipality, the Council of the Township of Nipissing shall by Resolution declare the property to be surplus. Road allowance and shore road allowance will not require a declaration of surplus land.
- 5.2. A prospective purchaser may submit an expression of interest for particular Township-owned land(s) through a written request. This request will be received by Township Staff and presented to Council during a regularly scheduled Council meeting accompanied by a Staff Report providing information on compliance with municipal and provincial policies as appropriate.

*The receipt of an expression of interest to purchase Township-owned lands does not obligate the Council to dispose of such lands.*

- 5.3. The Township shall obtain a property valuation for a parcel to be considered. Any property valuation obtained shall be used solely as a guide and shall not be determinative of the terms of price upon which Council may sell any particular parcel. Without limiting the generality of the foregoing, other factors, including the history of the parcel or related properties, may be considered.
- 5.4. Notwithstanding the requirements outlined in Section 5.3., the Council shall have the absolute authority to determine the selling price of the land.
- 5.5. Method of Disposal shall be determined by Council in its sole discretion. Direction shall be provided by Resolution providing any of the following methods:
- Direct Sale/Negotiation
  - Request for Tender (RFT)
  - Listing with Real Estate Agent/Broker
  - Land Exchange
- 5.5.1. Direct Sale/Negotiation  
Direct sale and/or negotiation may be selected with the following considerations:
- The negotiated prices shall be determined to be not less than the appraised value plus costs as identified in section 7.1.
  - The Municipal Administrator shall be authorized to negotiate a direct sale upon direction of Council by Resolution.
  - The Municipal Administrator shall submit all final offers to Council for review.
- 5.5.2. Request for Proposal (RFP)  
In accordance with the Township's Procurement Policy, Council may direct surplus lands be disposed of by a Request for Proposal (RFP) process.
- 5.5.3. Listing with Real Estate Agent/Broker  
Listing by the Township or its agent with one or more property listing services may be selected with the following considerations:
- The listing price shall be determined to be not less than the appraised value plus costs as identified in Section 7.
  - The Municipal Administrator shall be authorized to sign the listing agreement upon direction of Council by Resolution.
  - The Municipal Administrator shall submit all final offers to Council for review.
- 5.5.4. Land Exchange  
A land exchange involves a reciprocal transfer of land of an equivalent value (monetary or public interest) in whole or in part. Such exchanges may be negotiated with the following considerations:
- The negotiated price shall be determined to be not less than the appraised value plus costs identified in Section 7.
  - The Municipal Administrator shall be authorized to negotiate a direct sale upon direction of Council by Resolution.
  - The Municipal Administrator shall submit all final offers to Council for review.

## **6. ROAD ALLOWANCES/SHORE ROAD ALLOWANCES**

- 6.1. The Township of Nipissing encourages the preservation of road allowances leading to the water, as provided in the Official Plan, Municipal Roads section.

- 6.2. The Township of Nipissing will not typically consider the stop up and closing of an unopened road allowance where the road allowance might potentially serve future development or where other land owners may be deprived of the sole vehicular access to their property or where the closure will result in conflicts with Township Official Plan policies, by-law regulations or procedures.
- 6.3. All costs incurred for the road closing are to be borne by the applicant.
- 6.4. Applications for the purchase of road allowance or shore road allowance shall be made using the document, Schedule "A", attached hereto and forming part of this by-law.
- 6.5. Applications to purchase shore road allowance which is adjacent to areas identified in the Township of Nipissing Official Plan as nesting areas, spawning areas, environmentally sensitive areas, and or areas where the public has or could have access to water may not be considered for sale. Council may request a detailed ecological study provided by a certified professional selected and contracted by the municipality. Such study shall indicate by a preponderance of evidence, that the proposed change is practical, necessary, attainable and beneficial. All costs of studies shall be borne by the Applicant, whether the application is approved or denied.
- 6.6. The Township will consider applications to close and sell minor portions of the shore road allowance, where applicable and as is required to legalize minor encroachments previously constructed by error in judgment.
- 6.7. An Administrative Fee for the submission of an application to purchase a Road Allowance or Shore Road Allowance will be applied per the current user fee by-law in effect. This fee will be non-refundable. A developer deposit shall be required for an application approved in principle by Council by Resolution. This amount shall be per the current user fee by-law in effect. This deposit shall be used for any legal costs, administrative and advertising fees, planning fees for the use of a professional planner, and or fees required for studies prepared in direct relation to the application.
- 6.8. Applicants must own property directly abutting the original shore road allowance. The Township will only convey to the adjacent landowner the portion of the shore road allowance above the controlled or normal high-water mark.
- 6.9. The applicant is responsible for making arrangements for the survey with an Ontario Land Surveyor. All costs associated with the survey are the responsibility of the applicant and are to be paid directly to the surveyor.
- 6.10. Where the Application is for the closing of a Shore Road Allowance, the final decision as to the direction in which the lot line extends across the road allowance rests with Council after input from the adjacent owners.

## **7. RECOVERY OF COSTS**

- 7.1. All costs incurred or anticipated to be incurred to dispose of the land, including but not limited to, legal fees, surveying costs, appraisal fees, encumbrances, advertising and improvements, shall be borne by the purchaser.

8. ENACTMENT

This By-Law shall come into effect upon passage. Applications and or requests received after this date shall be governed by the procedures detailed in this by-law.

By-Laws 2008-1227, Sale of Land; 2007-1205, Development Expenses and 1196, Restating Council’s Policy re Shore Road Allowances are hereby repealed.

That this By-law shall come into force and effect immediately on the passing thereof.

Read a first, second and third time and passed this 3<sup>rd</sup> day of January, 2023.

THE CORPORATION OF THE  
TOWNSHIP OF NIPISSING

\_\_\_\_\_  
Tom Piper,  
Mayor

\_\_\_\_\_  
Kris Croskery-Hodgins,  
Municipal Administrator

**Schedule "A" to By-Law Number 2023-**

**Township of Nipissing**

**Application to Purchase**

Road Allowance      OR      Shore Road Allowance

**Procedure**

**1. Application:**

- a) Submit a complete Application to the Township of Nipissing with payment of a \$250 Application Fee.
- b) Provide as much detail as possible including legal description of the property, copy of property deed for adjacent land owned by applicant, plan or sketch of request.
- c) Review the Official Plan for the Township of Nipissing to determine if the request is within a designated area of interest such as spawning, deer yard, etc.
- d) It is recommended that the applicant informs any adjacent owners to the subject land of the intentions of the application. This will also be done by the Township as part of the process.

**2. Council Determination**

- a) Staff will receive the application and supporting documents. A review of the request will be performed with a staff recommendation provided to Council at the next appropriate Council meeting where the application will be placed on the Agenda.
- b) Council will consider the application at the scheduled meeting. If finding in favour of the application, a Resolution of "Approval in Principle" will move forward and be sent to the Township solicitor for investigation and processing.
- c) If Council does not support the application, the item will not be passed and the process will end.

**3. Deposits – A Summary**

- a) Application fee \$250.00  
This is a Non-Refundable fee for preliminary investigation prior to the Application being placed on the Council Agenda.
- b) Legal and Planning Deposit \$2,500.00  
This is a deposit to be held by the Township until the finalization of the application. This deposit will be used to cover legal fees, administrative fees, advertising costs, planning services required and the provision of any environmental studies required.

- i) *The File will be placed on hold until the deposit funds have been paid to the Township. This deposit is to be received by the Township within thirty (30) days of Council's "Approval in Principle".*

**4. Land Purchase Price**

This is calculated on the basis of \$25.00 per linear foot of lake frontage as measured and represented on the survey provided by a registered surveyor and filed with the Land Registry Office at the close of the file.

**5. Survey Plan**

Applicants are to instruct their surveyor to prepare a draft survey plan once the application has been "approved in principle" and the deposit has been paid to the Township. Instructions regarding the survey will be received from the Township

solicitor. The applicant is responsible for making arrangements for the survey with an Ontario Land Surveyor. All costs associated with the survey are the responsibility of the applicant and are to be paid directly to the surveyor.

**NOTE:** *If the Application is for the closing of a Shore Road Allowance, the final decision as to the direction in which the lot line extends across the road allowance rests with Council after input from the adjacent owners.*

**6. Municipal Solicitor**

The Township solicitor will give notice to the adjoining land owners, prepare a Public Notice for publication/posting, circulate letters to Bell Canada, Hydro One and Public Works Canada for clearance, prepare the by-laws required, investigate title of the property, and prepare a Transfer/Deed as well as provide information on any issues that may be encountered during each step.

**7. Registration of Transfer**

The final Transfer/Deed will be mailed to the applicant. It is recommended that the applicant have independent advice and take this Transfer/Deed to their solicitor for approval and arrange for their solicitor to register the document.

**8. A Word of Caution**

When the Township solicitor and planners do their investigation, sometimes the most unusual issues turn up and these have to be resolved which adds to the cost of the process. The most common issues are easements required by Hydro One or Bell Canada, but it could be title problems or objections by neighbours. We will work with the applicant to keep them informed during the process of any issues.

NOTE: Savings may be realized if abutting owners apply jointly. The advertising fee would be a shared cost.



Township of Nipissing

Application to Purchase

\_\_\_\_\_ Road Allowance

\_\_\_\_\_ Shore Road Allowance

**PLEASE PRINT**

Name of Applicant:\_\_\_\_\_

Address of Applicant:\_\_\_\_\_

Phone Number:\_\_\_\_\_ Email:\_\_\_\_\_

Property Description of Subject Property:  
\_\_\_\_\_

PIN Number of Subject Property:\_\_\_\_\_

Names of Adjacent Owners (If known):

1.\_\_\_\_\_

2.\_\_\_\_\_

+++++

By signing below, the applicants acknowledge:

**I acknowledge that by purchasing the Original Shore Road Allowance, it does not permit construction or alteration of any kind of structure, or shoreline improvements on the shoreline allowance or shoreline alterations without obtaining all applicable approvals. The Township of Nipissing Zoning By-Law requirements must be complied with.**

Date:\_\_\_\_\_

Signature of Applicant(s):  
\_\_\_\_\_  
\_\_\_\_\_

I/We, \_\_\_\_\_, being the registered owner(s) of the lands subject of this application and, for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, I/we hereby authorize the consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Municipal Act or Planning Act (whichever Act applies) for the purposes of processing this application.

**NOTE: All registered owners of the property must sign the Application for Shore Road Allowance Closing.**

**THE CORPORATION OF THE TOWNSHIP OF NIPISSING**

**BY-LAW NUMBER 2023-**

**Being a by-law to enter into an Agreement for a Municipal Facilities Maintenance Contract for the Township of Nipissing.**

**WHEREAS the Corporation of the Township of Nipissing wishes to enter into an Agreement for a Municipal Facilities Maintenance Person for the Township of Nipissing;**

**AND WHEREAS Randy Lockhart has indicated he would like to remain in this position for the next Contract term;**

**NOW THEREFORE the Council of the Corporation of the Township of Nipissing ENACTS AS FOLLOWS:**

- 1. That the Mayor and Municipal Administrator be authorized to sign the agreement attached hereto as Appendix “A” and hereby declared to be part of this by-law.**
- 2. That By-Law No. 2018-50 is hereby rescinded.**

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 3<sup>RD</sup> DAY OF JANUARY, 2023.**

**Mayor:**

**Municipal Administrator:**

**THE CORPORATION OF THE TOWNSHIP OF NIPISSING**

**BY-LAW NUMBER 2023-**

**Being a By-Law to provide for an Interim Tax Levy**

**WHEREAS** Section 317 (1) of the Municipal Act, 2001, Chapter 25, Statutes of Ontario, 2001, provides that the Council of a local municipality may, in 2023 before the adoption of the estimates for the year, pass a by-law to levy on the whole of the assessment for real property according to the last revised assessment roll, a sum not to exceed the prescribed percentage, or 50 per cent if no percentage is prescribed, of the total amount of taxes for municipal and school purposes levied on the property for the previous year.

**NOW THEREFORE** the Council of the Corporation of the Township of Nipissing enacts as follows:

1. An interim tax payment, in the amount of 50 percent of the total amount of taxes for municipal and school purposes levied on the property for 2022, shall be levied on all property classes.
2. The said interim tax levy shall become due and payable on the 31<sup>st</sup> day of March, 2023.
3. On all taxes of the interim levy, which are in default on the 1<sup>st</sup> day of April, 2023 a penalty of 1.25 percent shall be added and thereafter a penalty of 1.25 percent per month will be added on the 1<sup>st</sup> day of each and every month the default continues, until December 31, 2023.
4. (a) On all taxes of the interim levy in default on January 1, 2024, interest will be added at the rate of 1.25 percent per month for each month or fraction thereof of default;  
  
(b) On all other taxes in default on January 1, 2024, interest shall be added at the rate of 1.25 percent per month or fraction thereof, and all by-laws and parts of by-laws inconsistent with the policy are hereby rescinded.
5. Penalties and interest added on all taxes of the interim levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid interim tax levy.
6. The Collector may mail or cause the same to be mailed to the residence or place of business of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.
7. That taxes are payable at the Township of Nipissing Municipal Office, 45 Beatty Street, General Delivery, Nipissing, Ontario.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 3<sup>RD</sup> DAY OF JANUARY, 2023.

THE CORPORATION OF THE TOWNSHIP  
OF NIPISSING

---

Tom Piper, Mayor

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Kris Croskery-Hodgins, Municipal Administrator



# TOWNSHIP OF NIPISSING CORRESPONDENCE

**January 3, 2023**

1. Letter from Near North Crime Stoppers requesting that January 2023 be recognized as Crime Stoppers Month.
2. Minutes of the Golden Sunshine Municipal Non-Profit Housing Corporation Board of Directors meeting held November 22, 2022.
3. AMO Policy Update on Bill 23 and other Housing Supply Action Plan initiatives.



P.O. Box 382  
North Bay, ON P1B 8H5  
705.497.5555 Ext. 507  
kim@nearnorthcrimestoppers.com

December 23, 2022

Dear Mayor and Councillors,

Every January, **Crime Stoppers Month** is recognized around the world for the organization's impact on its communities. This year's theme is *Stand Up, Stand Together!*

Near North Crime Stoppers (NNCS), which serves the Districts of Nipissing and Parry Sound is a non-profit program that enhances community safety across the region. Despite all the modern technology available to law enforcement agencies, one of the most cost-effective and successful methods to prevent or solve crime is when someone anonymously reports a TIP to Crime Stoppers through the TIPLINE or the website. We do not subscribe to any call tracing technology, so tips remain confidential and are passed on to the appropriate law enforcement agency.

To date, NNCS has received over 20,800 calls from tipsters, contributing to the arrest of 1,772 individuals. Over \$4.3 million in property and cash has been recovered, and over \$57 million in drugs destined for our communities have been seized because of Crime Stoppers valuable information.

The success of Crime Stoppers rests heavily on community engagement through awareness and support of many partners, with municipalities being key stakeholders. Recognizing and supporting Crime Stoppers helps municipalities to support their local **Community Safety and Well Being Plans** plan.

We are asking your council to **pass a resolution recognizing January as Crime Stoppers Month in 2023**, and post/share messaging on your social media sites and electronic boards in your community. You can keep an eye on <https://www.facebook.com/NearNorthCrimeStoppers>, our website <https://nearnorthcrimestoppers.com>, CTV channels, and The Moose radio for new TV and Radio commercials promoting our program.

If your council agrees to "*Stand Up, Stand Together*" and proclaim January as Crime Stoppers month, please contact us so that we can recognize your municipality on our social media platforms. If you would like to learn more about our program, we would be happy to provide or present information upon request. Thank you for your continued support.

Sincerely,

Brandon Fenton  
Chair

Mary Houghton  
Executive Secretary  
[teacherportable4@hotmail.com](mailto:teacherportable4@hotmail.com) 705.724.2952

CC:  
Mark Allen, Jean Lemieux, Kim Jones, Mary Houghton - Crime Stoppers Month Organizing Committee



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**The Golden Sunshine Municipal Non-Profit Housing Corporation  
Minutes of the Board of Directors Meeting**

2022-11

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**Tuesday November 22, 2022**

A regular meeting of the Golden Sunshine Municipal Non-Profit Housing Corporation board was held on Tuesday November 22, 2022

**Present:** Dave Britton, Doug Walli, Bernadette Kerr, Tom Piper, Mieke Krause, Zigmas Rybij, Amber McIsaac, Property Manager

**1. Call to order**

**Resolution No. 2022-70**— Moved by Doug, seconded by Mieke that the meeting was called to order at 9:26 a.m. Carried

**2. Additions to Agenda - None**

**3. Approval of the Agenda**

**Resolution No. 2022-71**— Moved by Tom, seconded by Zigmas that the agenda be adopted as presented.

**4. Conflict of Interest Disclosure – No conflict of interest**

**5. Approval of the Minutes October 11, 2022 board meeting**

**Resolution No. 2022-72**— Moved by Tom seconded by Bernadette that the minutes from the Board meeting on October 11, 2022 are adopted as presented. Carried

**6. Business Arising**

**a) Project Funding**

Amber presented a letter to the board from the District of Parry Sound Social Services Administration board outlining the \$84,000 of funding that will be received from the Ontario Priorities Housing Initiative. The board discussed the outlined projects and quotes that were received for the replacement of block heater poles, fence for retaining wall, security system, fire equipment upgrades, new washers and dryers, upgrades to outdoor electrical and replacement of

hallway carpet. The board requested that Tim Young join the January meeting to discuss his plans for the replacement of the block heater poles.

#### **b) Year End Appreciation Gift Cards**

Dave thanked all the board members for their volunteering this year, and acknowledged that it has been a successful year thanks to all their contributions. A discussion took place among all the members in regards to monetary values of gift cards for the tenant committee, board members and staff. Amber was asked to leave the meeting while staff amounts were discussed.

**Resolution No. 2022-73** – Moved by Mieke, seconded by Doug that the GSMNP approves the purchase of a \$200 grocery gift card for the Tenant Committee's 2022 holiday supper social.

**Resolution No. 2022-74**– Moved by Tom, seconded by Ziggy that the GSMNP approves the purchase of a \$100 grocery gift card to be presented to the following board members; Dave Britton, Doug Wali, Beradette Kerr, Mieke Krause, Zigmas Rybij and Debbie Pikarski, as a thank you for their volunteer work with the GSMNP for 2022.

**Resolution No. 2022-75**– Moved by Bernadette, and seconded by Mieke that the GSMNP approves the purchase of a \$100 grocery gift card to be presented to the following staff members, Rhondalee Czaikowsky and Tim Young, and a \$500 grocery gift card be presented to the property manager, Amber Mclsaac.

### **8. Correspondence**

#### **a) Managers Report**

Amber discussed the details of the closing of the account of previous tenant T.B.

#### **b) Financial Report –**

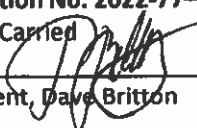
October 2022 financials were presented for review.

**Resolution No. 2022-76**– Moved by Tom, seconded by Bernadette that the board approves the October 2022 financials that were presented. Carried

**9. Next Board Meeting** - Tuesday December 13, 2022 in the Common Room @ 9:30am

### **10. Adjournment**

**Resolution No. 2022-77**– Moved by Zigmas, seconded by Doug that the board meeting be adjourned at 11:15. Carried

  
\_\_\_\_\_  
President, Dave Britton

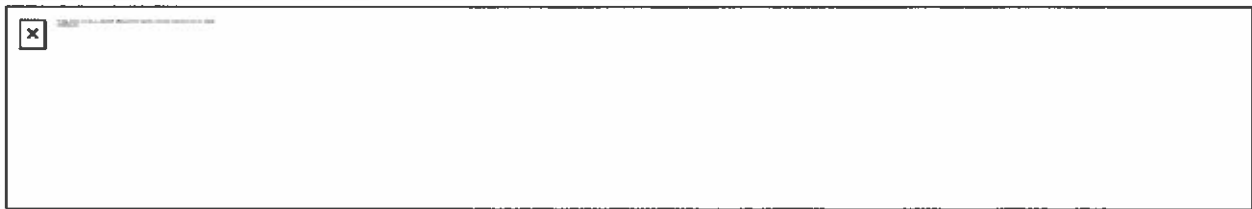
  
\_\_\_\_\_  
Property Manager, Amber Mclsaac

**Kris Croskery - Hodgins**

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**From:** AMO President <amopresident@amo.on.ca>  
**Sent:** Friday, December 16, 2022 3:48 PM  
**To:** admin@nipissingtownship.com  
**Subject:** End of Year Housing Update

AMO Update not displaying correctly? [View the online version](#)  
Add Communicate@amo.on.ca to your safe list



December 16, 2022

Dear AMO Members,

Given how fluid the housing policy context has been over the past six weeks, we wanted to provide a brief update on where and how AMO continues to work on your behalf.

Bill 23 and other Housing Supply Action Plan initiatives make wide-ranging changes with fundamental impacts for the roles, budgets, and decision-making processes of local governments. We recognize how important it will be to have clarity as soon as possible regarding:

- **What changes municipal governments need to implement by when.** While Bill 23 has received Royal Assent, different elements will come into force at different times. Urgent questions remain regarding the introduction of legislation to delay development application refunding requirements under Bill 109, given imminent deadlines in current legislation. We have stressed to the Ministry of Municipal Affairs and Housing the need to provide clear and comprehensive information to municipalities about coming into force timelines of Bill 23 and legislation to amend Bill 109. We have offered to partner with Ministry officials to facilitate information sessions for members in the new year.
- **The timing, nature, and conditions of funding that the government has committed to providing municipalities to offset the impacts of Bill 23.** The government took a significant step to address municipal concerns with Bill 23 with Minister Clark's commitment to "keep municipalities whole". AMO continues to highlight to provincial government officials that to be able to make informed decisions about budgets and capital plans, municipalities need details regarding the role of housing pledge targets, the timing and scope of third-party audits, and the definition of costs for housing enabling infrastructure.



AMO will encourage the Ministry of Municipal Affairs and Housing to work with the sector on an informed, collaborative approach to addressing these and other implementation questions.

As soon as we have more information, we will be sure to share it with you. Rest assured that AMO understands the questions and challenges that Bill 23 raises for municipalities and continues to advocate strongly for a clear and collaborative path forward.

I hope you have a restful holiday season and look forward to working with you on what is bound to be a busy year ahead.

Yours truly,



Colin Best  
AMO President  
Councillor, Halton Region

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**THE CORPORATION OF THE TOWNSHIP OF NIPISSING**

**BY-LAW # 2008-1211**

**BEING A BY-LAW TO SET MUNICIPAL POLICIES REQUIRED BY THE MUNICIPAL  
STATUTE LAW AMENDMENT ACT OF 2006 IN THE AREAS OF TRANSPARENCY,  
ACCOUNTABILITY, NOTICE AND DELEGATION**

WHEREAS Section 270(1) and (2), 238(2.1), and 239.1 of the Municipal Act, 2001, as revised and amended by the Municipal Statute Law Amendment Act of 2006, require Municipalities to adopt and maintain policies and procedures with respect to:

- a) The sale and disposition of land; ✓
- b) The hiring of Employees; ✓
- c) The Procurement of Goods and Services; ✓
- d) The circumstances in which the municipality shall provide notice to the public including the form, manner and time of giving notice;
- e) The manner in which the municipality will try to ensure that it is accountable to the public for its actions and that its actions are transparent to the public;
- f) The delegation of its powers and duties;
- g) Ensuring that such policies are also adopted and acted upon by local boards, agencies and services which are jointly operated with other municipalities and agencies under the general administrative control of this municipality;

AND WHEREAS the Municipality already has comprehensive and effective measures in place to ensure and enhance transparency and accountability; but requires a general policy to promote future improvements in these areas;

NOW THEREFORE, the Council of the Corporation of the Township of Nipissing enacts as follows:

1. **SHORT NAME:** This By-Law shall be known as the "Transparency, Accountability and Policy By-Law, 2008".
2. **APPLICABILITY:** Until revised by Council, this By-Law and the policies set out herein are intended to bind and apply to the Corporation of the Township of Nipissing, its officers and staff; subsidiary Local Boards (as defined in the Municipal Act) and agencies; joint entities operated conjointly with other municipal authorities which are under the general administrative supervision of this Township; and to Council itself.
3. **IMPLEMENTATION MEASURES:** This By-Law is a policy by-law setting out general principles and policies. The Corporation of the Township of Nipissing has historically enacted specific rules and measures in separate by-laws applicable to traditional categories of municipal operations. The Township will continue to follow this practice in the future. Therefore,
  - a) Specific measures will not be found here, but rather in existing and future by-laws of the municipality with respect to, The Giving of Notice; Hiring and Staffing; The Procurement of Goods and Services; Sale of Land; Procedures of Council and



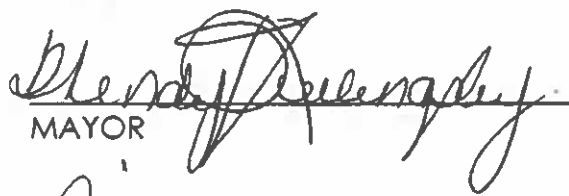

exhaustive. The application of policies set out in this by-law, and measures to implement them, are not limited to those by-laws referred to above; but shall generally apply to all existing and future by-laws of the municipality.

- b) The municipality shall review all of its frequently used general by-laws which impact upon its dealings with members of the public on a regular basis and, among other considerations, ensure that they have regard to the policies set out in this by-law.
  - c) The Municipality shall encourage its frontline staff who interact with the public to suggest concrete measures which may advance the policies set out herein; listen to the concerns and suggestions of members of the public; and give careful consideration to all such suggestions.
  - d) Through its administrative and personnel policies, the Municipality shall work to see that its staff are properly trained and have sufficient energy, time and resources to deliver quality services in efficient, courteous, transparent and accountable manner to the public.
  - e) Where any by-law of the Municipality prescribes any practice or procedure to be followed which falls within the scope of policies enunciated in the by-law, it shall be deemed to apply with necessary modifications to all persons and entities described in Section 2 of this by-law in so far as possible. When reviewing specific by-laws under subclause 3 (b) above, or when enacting new by-laws, Council shall consider applicability sections which will clarify the responsibility of subsidiary bodies to adhere to specific measures which implement the policies enunciated herein.
4. **SPECIFIC POLICIES:** The Township of Nipissing adopts the following policies to ensure the continuation and improvement of its accountability and transparency in interactions with ratepayers and other members of the public.
- a) **ACCOUNTABILITY:** It will be accountable to its Stakeholders for decisions made and policies implemented. "Stakeholders" means primarily the ratepayers and other electors eligible to vote in municipal elections. For specific purposes "Stakeholder" may also include (in cases where the municipality owes a legal duty of care or where it is required by Law to provide services or information) other residents, staff, suppliers, other levels and agencies of government, sister municipalities and members of the general public.
  - b) **TRANSPARENCY:** It will be transparent in its decision-making processes. It will ensure its decision-making process is open and clear to the public and that legitimate stakeholders are given a reasonable opportunity to be heard on matters of concern to them.



- c) **FINANCIAL ACCOUNTABILITY:** It will be financially accountable to its Stakeholders through long-term planning, budgeting, audits, reporting and good asset management. It will consider the financial cost of all measures and proposals, bearing in mind that its primary financial responsibility is to its own ratepayers and other electors; to protect the public purse; and to ensure that the municipality and its ratepayers received value for their money.
- d) **DISCLOSURE:** It will ensure that its records retention policies, disclosure procedures, and privacy protection measures comply at all times with the provisions of the Municipal Act and the Municipal Freedom of Information and Protection of Privacy Act and other applicable provisions of Law.
- e) **DELEGATION:** It will continue to take advantage of its relatively small size and population to not delegate the functions of Council, officers appointed by by-law, Local Boards and joint agencies to other persons and bodies except in cases where such delegation will clearly enhance transparency, accountability and be of financial advantage to its primary stakeholders.
- f) **OPEN MEETINGS:** Council, its committees, Local Boards and joint agencies shall conduct their discussions and make decisions in public except where clearly permitted or required to do otherwise by the Municipal Act or other applicable legislation. The dates, times and location of meetings of such bodies shall be made available to the public upon request or by posting at the municipal office, internet postings or other methods which do not require payment to third parties, except in cases where the Notice By-Law or other provisions of Law require other methods. For purposes of the investigation of complaints under this policy or provincial statutes, the municipality elects not to appoint an investigator under Section 239.1 and to have the Provincial Ombudsman conduct any investigation.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 8<sup>TH</sup> DAY OF JANUARY, 2008.

  
MAYOR  
  
CLERK-TREASURER

