

Ratified on October 15, 2022

TEMAGAMI FIRST NATION

**Teme Augama Anishnaabeg
Aki n'zhit te win**

Deep Water People, Our Land Plan



October 2022

Acknowledgements

TFN would like to acknowledge all those who committed time and wisdom in creating the Land Use Plan:

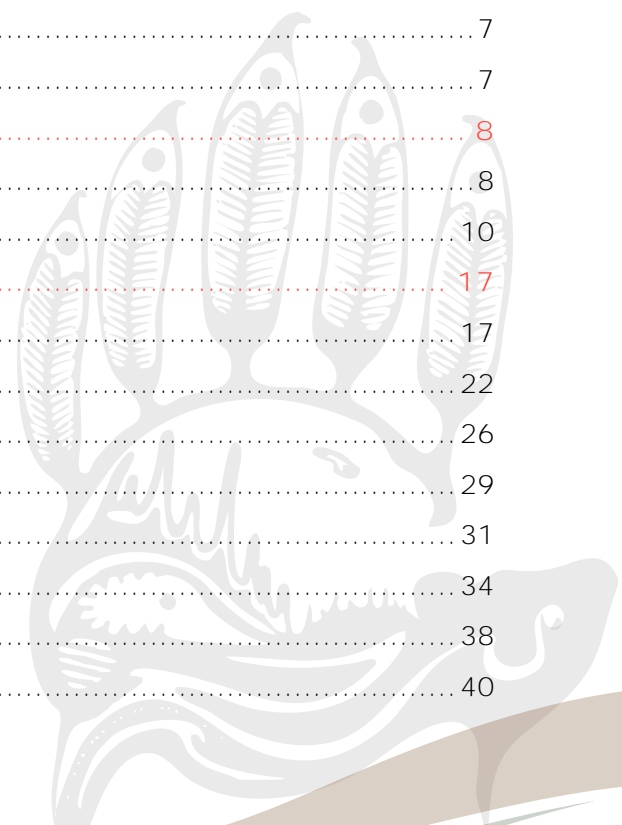
- Temagami First Nation/Teme-Augama Anishnabai;
- Lands Committee;
- Staff of the Lands and Resources Department; and
- Temagami First Nation/Teme-Augama Anishnabai Chiefs and Councils.





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1 Introduction

1.1 Purpose of the Plan

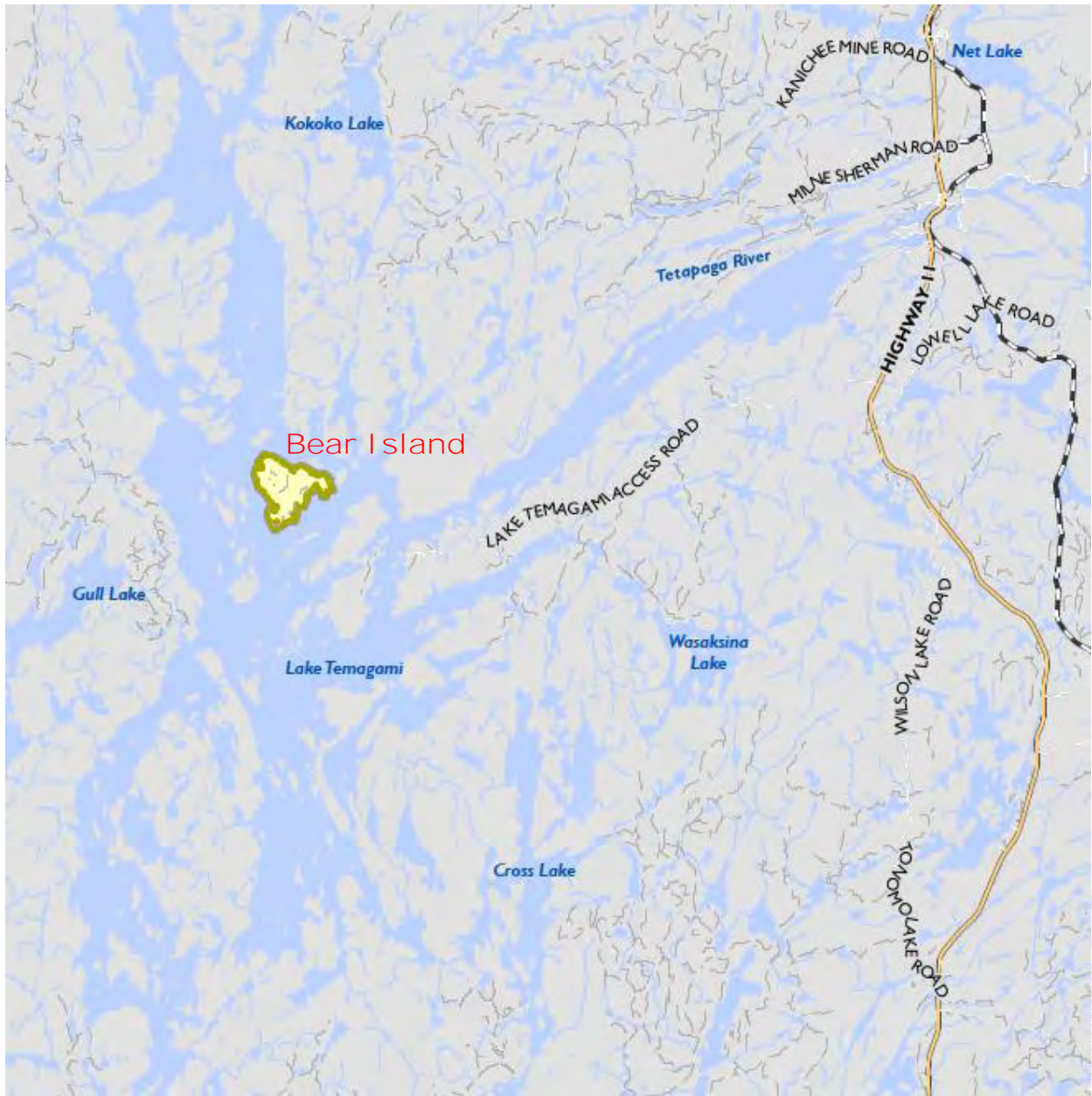
Teme Augama Anishnaabeg Akii n'zhit te win (Deep Water People, Our Land Plan), hereafter referred to as "Land Use Plan", is a guiding document to be used in decision making related to the physical development, preservation, and overall management and administration of Bear Island. Its purpose is to describe what development and land use activities may be carried out, where they may occur, and how they contribute to the economic, social, cultural, and environmental well-being of the community. The area covered by this Land Use Plan is identified in Figure 1: Temagami First Nation Reserve Lands.

The Land Use Plan is a roadmap to be used for:

- Setting the long-term goals and aspirations of the community as they relate to land development, economic growth, and environmental stewardship;
- Building a healthier, more sustainable and self-sufficient community;
- Providing greater certainty to Temagami First Nation/Teme-Augama Anishnabai citizens, residents, and developers on where and how development shall occur;
- Protecting and enhancing environmental and cultural resources; and,
- Creating further community laws and regulations related to development, building, housing, environmental protection, and land related activities.



Figure 1: Temagami First Nation Reserve Lands



1.2 Planning Context

We are the Temagami First Nation (TFN). **Our homeland is known as n'Daki Menan**, which encompasses approximately 4,000 sq. miles. **Our stories tell us that we were put on n'Daki Menan** by the Creator. It has been proven from archaeological research that we have lived here for at least 6,000 years. Bear Island, the home of our community, is located on Lake Temagami, and is the administrative centre for Temagami First Nation.

In 2011, the Province of Ontario prepared and approved the Growth Plan for Northern Ontario under the *Places to Grow Act* (2005). The goal of the Plan is to make the Region a place that has a skilled, educated, healthy and prosperous population that is supported by world-class resources, leading edge technology and modern infrastructure. The Plan also recognizes that a successful future for Northern Ontario can only be achieved by building **upon the Region's relationship with Indigenous peoples**. Strategic coordination, partnerships, and collaboration are essential to achieve the long-term goals of the Plan

N'Daki Menan is the pivotal centre of all the Region's economic development opportunities. Although we are a rural community, we are connected to the surrounding Region and have the potential to benefit from the **Region's** economic development opportunities, while upholding our traditional values and culture and inherent connection to the land. The regional context in which we are situated offers possible avenues for collaboration and meaningful partnerships, including in the areas of tourism and natural resources.

Bear Island is within close proximity to the Town of Temagami. The Town and the surrounding area draws many tourists to its attractions, such as its boreal forests, lakes, mountains, fishing, wildlife, camping sites, cottage vacationing, Provincial Parks, hiking trails and extensive canoe routes. Tourism serves an important role in the Region. Bear Island itself has various youth camps, dance camps, culture camps and ceremonies, and canoe adventures for tourists and locals.

In addition, Bear Island and the Town of Temagami are located within a well-mineralized area of the province. Northeastern Ontario has considerable mining activity, as the Region is known for its rich mineral deposits and resources.

Northeastern Ontario is served by the Ontario Northland Railway, which connects many of **the Region's mining and resource towns. When the railway was first developed, it was** one of the major factors in the economic growth of the province. The railway makes it possible to harness the timber resources of Northern Ontario, as well as provide access to the movement of the valuable mineral resources of the region, such as gold, silver, copper, and nickel.

Forestry is another natural resource that is prevalent in this region, however the difference in how industry and the Teme-Augama Anishnabai (TAA) view the practise contrast with each other. Historically, the forest provided for our basic needs. We made a living through hunting, fishing, trapping, and collected healing remedies to live a healthy everyday

lifestyle. The forest also provided the material to make shelter and construct items for transportation and ceremonial use.

While the traditional uses of forestry resources are still very much alive, we continue to utilize timber resources in a contemporary manner. In addition to the realization of the **benefits from resource extraction within n'Daki Menan, there exist an interest**, capacity, and history of utilizing timber resources for economic purposes. TFN/TAA will continue to be involved in the **Region's economic activities** and explore new economic development opportunities.

1.3 Community History and Relation to the Land

1.3.1 History

The TFN/TAA's **relationship with n'Daki Menan (our land) begins** with aadizookan, which are the sacred stories of truth taken from the animal world, the plant world, the waters, and the skies, and passed down from our ancestors.

Our sacred stories (aadizookan) tell us the TAA were placed here **in n'Daki Menan by Creator (gichi manidoo)** and provided with instructions for TAA way to live (bimaadizi) to coexist with all of our relatives in the creation **n'Daki Menan**.



Teme-Augama Anishnabai bimaadizi and aadizookan translates into indigenous law and sacred responsibilities, which will always be respected by the TFN/TAA.

In the Vision of Co-Existence on February 10, 1992, TAA Chief Gary Potts said:

"The neo colonial and reserve system mentality is behind us now. We are stepping out into the future from the past. We have had all of this land for Teme-Augama Anishnabai self-sufficiency for thousands of years."

1.3.2 Teme-Augama Anishnabai Struggle for Justice

Our struggle for justice has been ongoing since 143 years. In 1877, the Chief of the Temagami People (Tonene Whitebear) approached representatives of the Federal Department of Indian Affairs to ask for a reserve to protect his people from lumber interests, which was encroaching on our traditional lands. Six years later (1883) the Government began to pay treaty annuities without obtaining any formal cession of lands. The Government also promised to survey a reserve. A reserve was surveyed (the Austin Bay Reserve), which was comparable to other reserves in the Robinson Huron Treaty area (100 sq. miles). Ontario felt that the location was too rich in timber for it to be Reserve land.

The Temagami Forest Reserve is established. Our people were harassed in such that they must get permission to cut firewood and families are flooded out. As time goes on, Ontario takes the opinion that it seems that there is less and less reason for lands to be set aside for the Temagami Indians. It is not until 1971 that a Reserve is created on Bear Island over 1 sq. mile by a Federal government Order in Council; it is not a Treaty Reserve.

In 1973 the TAA (Chief Gary Potts, who was also the Chief of the Temagami Indian Band), in the face of continuing lack of responsiveness from either the Federal or Provincial Governments, register cautions against some 4,000 sq. miles (110 townships) and asserts ownership of our traditional lands. In light of the registration of the cautions, Ontario sues the TAA. In and out of Court for years, which culminated 1991 in the Supreme Court of Canada decision which stated that the Temagami Indians adhered to the Robinson Huron Treaty, but noted that the Crown had breached its treaty and fiduciary duty, and that TAA did before admission have aboriginal title.

As of today, 130 sq. miles of land have been set aside for a main land reserve. A draft Settlement Agreement has been completed but has yet to be ratified. It is hoped that respectful co-existence can be reached through a Settlement Agreement in the future.

In 2017, TFN became the 74th First Nation signatory to the Framework Agreement on First Nation Land Management. As signatories, this allows the community to regain governance control over the resources on Reserve lands and develop environmental and land use practices which would follow higher standards under custom land laws.

1.4 Background Report

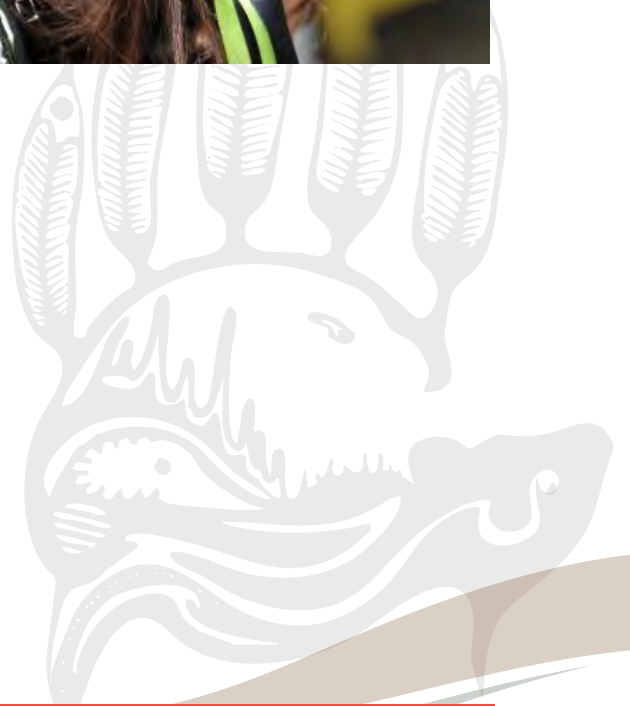
A Background Report was prepared, which provides an overview of the uniqueness of the TAA, including the people, culture, economy, and environment. The Background Report provides insight into the considerations related to the Land Use Plan, helping to align current land uses, potential land use and future aspirations of planning for lands on Bear Island. In addition to the input received from the Lands Committee, the TFN/TAA citizens provided information and knowledge in developing the Land Use Plan.

1.5 The Voice of the Temagami First Nation/Teme-Augama Anishnabai

Throughout the process of developing the Land Use Plan the TFN/TAA citizens, the Lands Committee, and Chief and Council were encouraged to participate in each phase of developing the plan, as this plan will be owned by the people. They were asked to look at our history, land use, resources, ancestors, and culture to create a Land Use Plan that **reflects the community's vision for a future that will offer sustainability for today and future generations.**

The land use planning process is considered an important opportunity in bringing the **community together and to collectively create and "own" the future development and protection of TFN/TAA Lands.** Key engagement touchpoints for the Land Use Plan included:

- Newsletters
- Community Open Houses – Bear Island, Temagami, North Bay
- School Visits
- Elders Engagement
- Youth Engagement
- Community Engagement
- Land Use Surveys
- Land Use Committee Workshops
- TFN Website
- Social Media (TFN Facebook Page)



2 Guiding Principles and Vision

2.1 Guiding Principles

The following provides the guiding principles for the Land Use Plan:

- **Respect for n'Daki Menan, the Land, Environment and all the Inhabitants;**
- Integrity and Accountability;
- Anishnabai Tradition and Culture;
- Due Diligence; and,
- Knowledge passed down from ancestors.

Anishnabai Traditions and Culture include: cultural landscape, heritage and artifacts, sacred sites, traditional land and resources uses, consideration of Seven Generation Teachings, among others.

2.2 Our Vision

The following vision statements guides the development and protection of our lands. The vision statement was created in collaboration with the Lands and Resources Advisory Committee and community members who shared their knowledge and provided guidance over the course of the Land Use Plan project.

"Honouring our Ancestors and future generations, our land use reflects Anishnabai values in responsibilities to n'Daki Menan."



3 Land Use Designations and General Policies

3.1 Overview of Land Use Designations

Land use designations are intended to establish a vision for different land use areas throughout TFN/TAA Lands. The land use designations are established to direct future development to appropriate areas and that land is allocated in a way that meets the community's vision and goals based on community values. These designations set out broad management objectives and provide general guidelines on allowed uses for designated land areas.

If a land use does not conform to the land use designation in the Land Use Plan but existed prior to the adoption of the Land Use Plan, it will be referred to as an "Accepted Non-conforming Use" or as being "grandfathered" – see Section 5.5.

Land use designations are depicted on Figure 2: Land Use Designations - Bear Island. The objectives and policies associated with each land use designation are identified in Section 4 of this Land Use Plan. A set of standard policies that applies to each land use designation has also been identified. The *General Policies* are outlined in Section 3.2.

Acceptable development on Bear Island cannot be achieved without the development of associated servicing. Quality servicing and supporting infrastructure enables further development, allowing the community to achieve social, economic, environmental, and political aspirations.

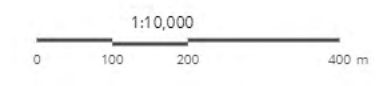




TEMAGAMI FIRST NATION LAND USE PLAN

LAND USE DESIGNATIONS BEAR ISLAND

- Spring
 - Intermittent Watercourse
 - ◀▶ Potential Future Road
 - Trail
 - Wetland Boundary
 - Spring Pond
- ### Land Use
- Cemetery
 - Commercial
 - Community Buildings and Use
 - Cultural Heritage Protection and Enhancement
 - Environmental Protection
 - Holistic Management Area
 - Infrastructure
 - Potential Future Development
 - Recreation and Park
 - Housing (with Home-based Business)



MAP DRAWING INFORMATION:
BASE DATA PROVIDED BY MNRF
MAP CREATED BY: GM
MAP CHECKED BY: HS
MAP PROJECTION: NAD 1983 UTM Zone 17N



PROJECT: 188369
STATUS: FINAL
DATE: 2022-11-24

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

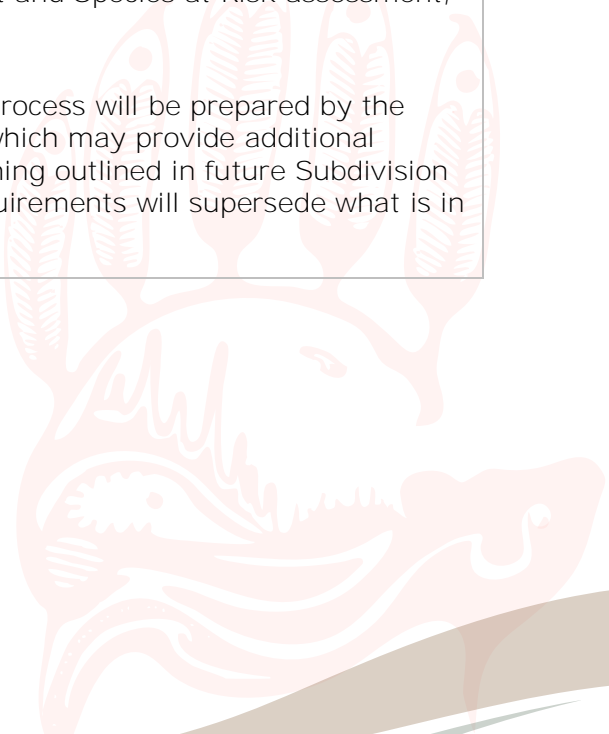
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3.2 General Policies

The following policies are to be applied to each land use designation described in Section 4 and illustrated on the Potential Land Use Designations Map for Bear Island. TFN/ TAA will continue to strive to implement these policies and are working on several other supporting policies and plans that will further describe requirements for proposed development.

<p>3.2.1 General Policies</p>	<ul style="list-style-type: none"> • Apply the General Policies outlined in Section 3 of the Land Use Plan. • Reference and apply other policies that have been created by TFN.
<p>3.2.2 Pre-Consultation</p>	<ul style="list-style-type: none"> • Pre-consulting with TFN/TAA is required prior to the commencement of studies.
<p>3.2.3 Development Permit</p>	<ul style="list-style-type: none"> • A Development Permit process and application will be prepared by the Lands Committee, which may provide additional requirements. Anything outlined in future Development Permit application requirements will supersede what is in this Plan. • Obtain a Development Permit for all new developments from TFN/TAA. A Development Permit generally includes the following: <ul style="list-style-type: none"> ▪ Completed Development Application Form ▪ Development Application Checklist ▪ Development Application Fee ▪ Site Plan ▪ Rationale for Rezoning and/or Land Use Plan Amendment, if applicable <p>Additional reports may be required for industrial, natural resource extraction, commercial, hotel and big housing projects. Reports may include a geotechnical report, heritage and/or archaeological assessment, grading plan, natural environment habitat and species at risk assessment, servicing plan, traffic analysis, architectural plans, viewscape study and/or energy plan.</p>

<p>3.2.4 Site Plan</p>	<ul style="list-style-type: none"> • Submit a Site Plan as a precondition for a new development, including new housing, to Lands Committee for approval. The Site Plan will include provisions for servicing, setbacks, minimum lot size, emergency services, parking, traffic, contaminated sites considerations, lighting, utilities and infrastructure servicing, design guidelines and/or architectural plans, site lines, buffers, sustainability plan, energy plan, Natural Environment Habitat and Species at Risk assessment, emissions study (air, noise, odour), etc. <p>A Site Plan application process will be prepared by the Lands Committee, which may provide additional requirements. Anything outlined in future Site Plan application requirements will supersede what is in this Plan.</p>
<p>3.2.5 Plan of Subdivision</p>	<ul style="list-style-type: none"> • A Plan of Subdivision will be presented as a precondition for the development of a new subdivision to Lands Committee for approval (for any multi-lot development including housing, industrial, community or commercial uses). The Plan of Subdivision will include provisions for servicing, setbacks, minimum lot size, emergency services, parking, traffic, contaminated sites considerations, lighting, utilities and infrastructure servicing (including grey water, and rain water recovery and separate underground lines), design guidelines and/or architectural plans, site lines, buffers, sustainability plan, energy plan, Natural Environment Habitat and Species at Risk assessment, parks plan, etc. <p>A Subdivision Plan process will be prepared by the Lands Committee, which may provide additional requirements. Anything outlined in future Subdivision Plan application requirements will supersede what is in this Plan.</p>



<p>3.2.6 Servicing</p>	<ul style="list-style-type: none"> • Locate new developments in areas where they can connect to the existing community systems to reduce the reliance of individual septic tanks. This policy does not apply to new development in remote areas on large lots that can accommodate on-site servicing. • Include appropriate site servicing considerations for new developments. Site servicing may include, but is not limited to, water, sanitary wastewater, stormwater, grey water, rainwater systems, fire service requirements, as well as utilities, including power, underground power distribution, district heating, renewable energy, communications, oil, gas, and waste disposal. • Preference is for development of full community water and wastewater servicing including grey water recovery and rainwater recovery, followed by communal services (community or private servicing for more than one lot or building), and then on-site servicing. • Consider the impacts of increased rain events and changes to the typical weather patterns which may exceed the current design capacity of existing infrastructure or impact the lifespan of the infrastructure.
<p>3.2.7 Stormwater Management</p>	<ul style="list-style-type: none"> • Implement stormwater management practices to minimize the impact of polluted runoff flowing into Lake Temagami and nearby water bodies. • Require proposed development in proximity to the Lake Temagami shoreline to outline erosion and sediment control practices to avoid runoff or contamination into Lake Temagami and other nearby water bodies as part of the development application process. • Encourage new development to demonstrate how natural drainage patterns are protected to reduce strain on existing infrastructure as part of the development approval process.
<p>3.2.8 Location of Utilities</p>	<ul style="list-style-type: none"> • Gather information on the location of utilities underground and otherwise, and in road rights-of-ways as part of the planning process. Utilities may include, but are not limited to, hydro, gas, cable, telephone, as well as water, wastewater, stormwater, greywater and rainwater.

3.2.9 Septic and Wastewater Systems	<ul style="list-style-type: none"> Promote ongoing maintenance of new lagoon(s) and/or septic systems to maximize life span and to meet or exceed Federal standards, or other standards as prepared by TFN/TAA.
3.2.10 Roads and Sidewalks	<ul style="list-style-type: none"> Design and develop roads that follow engineering-standards with driver's and pedestrian's safety in mind. Consider the inclusion of sidewalks for safety purposes when designing new roads or making improvements to existing roads. Provide safe and reliable access and/or service roads to all new developments. Service roads are those that provide access to private driveways, houses, shops, farms, etc.
3.2.11 Building Code	<ul style="list-style-type: none"> Meet or exceed the adopted federal and/or provincial building codes and energy efficiency codes in the Energy Plan.
3.2.12 Road Safety	<ul style="list-style-type: none"> Include provisions for community safety including lighting, sidewalks, traffic calming measures (e.g., speed bumps, signage), and emergency access in the design of new developments and roads. Consider, as a very high priority, the safety of pedestrians, bicyclists, ATV and snowmobile users, and people with disabilities when designing new roads or modifying existing roads.
3.2.13 Land Use Compatibility	<ul style="list-style-type: none"> Promote development that is compatible with the existing land uses and complements the character of the surrounding area. Provide appropriate setbacks and buffers between new sensitive development (e.g., housing, schools, community centre) and uses with higher impact potential including (but not limited to) infrastructure facilities, natural resource development, and industrial uses to limit potential noise, odour, dust, traffic, and visual impacts. This may be noted in a future Zoning Law and/or other application processes.
3.2.14 Other Policies and Guidelines	<ul style="list-style-type: none"> Consider other existing policies and guidelines when submitting and reviewing new development applications. Please consult with TFN/TAA for a list of policies and guidelines to consider as part of development application.

<p>3.2.15 Community Right of Ways</p>	<ul style="list-style-type: none"> • Dedicate lands for community uses as part of new developments, including but not limited to roads, parks, community art, and pedestrian/bike trails. This is applicable to all new multi or single lot development and demonstration of this consideration must be presented in applications.
<p>3.2.16 Connectivity</p>	<ul style="list-style-type: none"> • Promote connectivity through multi-use pathways, sidewalks, and trails where possible with a focus on connecting new development to existing development. • Consider separating motorized uses (e.g., ATV, snowmobiles) and non-motorized uses (e.g., walking trails, bike trails, bike lanes) to promote safety.
<p>3.2.17 Signage</p>	<ul style="list-style-type: none"> • Comply with TFN/TAA sign policies and bylaws. • Introduce wayfinding along trails and canoe routes by using Historical markers.
<p>3.2.18 Accessibility</p>	<ul style="list-style-type: none"> • Demonstrate how consideration has been given to make all new buildings and uses accessible to all TFN/TAA members, to the greatest extent possible. Examples of accessible design features should include universal washrooms, barrier-free paths of travel, adaptable seating, and power door operators. • Support the implementation of the Accessibility for Ontarians with Disabilities Act (AODA) Guidelines.
<p>3.2.19 Visual Aesthetics</p>	<ul style="list-style-type: none"> • Design and adapt new and existing developments to be visually pleasing and reflective of TFN/TAA values. Design Guidelines will be prepared to outline expectations related to this. • Discourage alteration of a site's terrain and natural vegetation that significantly detracts from its aesthetics when viewed from both land and water.
<p>3.2.20 Communal Access</p>	<ul style="list-style-type: none"> • Support development that provides lake access to TFN/TAA citizens for cultural and recreational purposes. • Provide docking access at key locations for TFN/TAA citizens and visitors to reduce individual lot docking needs where possible. Locations to be determined by the Lands Committee.

<p>3.2.21 Language and Cultural/Traditional Artistic Practices</p>	<ul style="list-style-type: none"> Recognize the value of cultural, traditional, and artistic practices and language by supporting the use of art and Anishinaabemowin names in new community building design and in the naming of places.
<p>3.2.22 Education</p>	<ul style="list-style-type: none"> Support and favour development opportunities that promote land-based educational opportunities on n'Daki Menan.
<p>3.2.23 Protection of Culturally and Historically Significant Sites</p>	<ul style="list-style-type: none"> Areas which are culturally and historically significant to TFN/TAA will be preserved and protected from development that would negatively impact these sites. The protection of these areas is not intended to limit the existence of other areas of importance.
<p>3.2.24 Cultural and Environmental Impact Assessment</p>	<ul style="list-style-type: none"> As part of Development Applications, demonstrate how new development will minimize any impacts on the natural, socio-economic, and cultural environment. If impacts are expected, the application must demonstrate how these will be mitigated (e.g., water runoff to and from adjacent areas, stormwater management, etc.). TFN/TAA may request a study to be completed for new developments to demonstrate how environmental protection is considered. An Environmental Management Plan will be prepared following the Land Use Plan, and those policies and laws shall be adhered to. A Cultural and Environmental Impact Assessment application process will be prepared by TFN/TAA and may include additional requirements. Anything outlined in future Cultural and Environmental Impact Assessment application requirements will supersede what is in this Plan. In the interim, Canadian Environmental Assessment processes will apply.
<p>3.2.25 Contaminated Sites</p>	<ul style="list-style-type: none"> Determine whether the land on which a new development is proposed has contamination. If contamination exists, the applicant must prepare a plan to manage and mitigate the potential impacts appropriately. Remediate contaminated sites as part of any new development pursuant to applicable environmental regulations to contribute to the health of the community and wildlife who inhabit the area.

<p>3.2.26 New Development in Proximity to Shoreline</p>	<ul style="list-style-type: none"> • Maintain natural shoreline vegetation as an undisturbed buffer between the shoreline and the proposed structure, to preserve and enhance the visual and environmental integrity of the Lake Temagami Shoreline. • Include a minimum 30 m setback from the high-water mark for all lakes, creeks and watercourses unless otherwise determined and approved by TFN/TAA. Consult applicable provincial Riparian Areas Regulation and federal Department of Fisheries and Oceans (DFO) standards when determining setback requirements.
<p>3.2.27 Species at Risk</p>	<ul style="list-style-type: none"> • Assess whether a development impacts the habitat of Species at Risk, or other species that are of importance to TFN/TAA. Findings will be reviewed as part of the Development Application Process.
<p>3.2.28 Invasive Species</p>	<ul style="list-style-type: none"> • Take measures to prevent and eliminate the spread of invasive species on TFN/TAA Lands (e.g., zebra mussels). Washing of boats before launching is one example of this. • Note: Invasive species are not confined to water. All life forms can also be invasive.
<p>3.2.29 Air, Soil and Water Contamination</p>	<ul style="list-style-type: none"> • Meet or exceed provincial standards and health and safety requirements with respect to potential air, soil, and water contamination.
<p>3.2.30 Alternative and Renewable Energy</p>	<ul style="list-style-type: none"> • Explore and encourage the use of renewable energy as part of the building design, such as solar electric, solar thermal, geothermal, and bioenergy systems. • Consider opportunities to introduce the use of energy efficiency and alternative energy when retrofitting existing buildings or in new development.
<p>3.2.31 Climate Change</p>	<ul style="list-style-type: none"> • Development must recognize and incorporate climate change mitigation and adaptation measures.

4 Land Use Policies for Bear Island

4.1 Housing

Lands designated as Housing are intended to provide a variety of housing options for TFN/TAA citizens. In addition to housing, the housing land use designation may also permit home-based businesses to support TFN/TAA citizens starting or enhancing their own businesses if they are appropriate for a residential setting and do not have significant needs for storage, parking, emissions, etc.



Convenience stores may be permitted at the edges of residential areas. This also applies to the intent for Housing uses within the Potential Future Development Sites designation.

Objectives

- Create a healthy, safe, and vibrant place for TFN/TAA citizens to live.
- Provide a variety of housing options that support all citizens of the community (including Elders, singles, families, and people with disabilities).
- Encourage growth in existing areas so that infrastructure investments are used efficiently.
- Promote home-based businesses as an economic development and income generating opportunity for TFN/TAA citizens.
- Promote the use of green building design to lower long-term costs and reduce environmental impacts.

Land Uses Considered

- Single-Detached Homes
- Duplexes
- Townhouses
- Apartments (up to two storeys along the waterfront, up to six storeys inland without obstructing view of the lake)
- Elders' Housing
- Transition Housing
- Tiny Homes
- Cottages (Seasonal Housing)
- Off-Grid Housing
- Home-Based Businesses including but not limited to Barber/Hairdresser, Accountant, B&B, Consultant, Teaching/Tutoring, Health and Wellbeing Services, Arts and Crafts, Dance Studio, and Yoga Studio
- Sawmill for personal use (subject to approval)
- Small scale Farming
- Community Gardens
- Convenience Stores (subject to approval)
- Parks

Land Uses Not Considered

- Mobile Homes
- Industrial and Commercial Developments
- Resource Development



4.1.1 Policies

4.1.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.1.1.2	Housing Options	<ul style="list-style-type: none"> Build a variety of housing options including, but not limited to, single detached, duplexes, townhouses, apartments, and tiny homes that support the different needs of Elders, singles, young adults, families, and people with disabilities on Bear Island. Please consult the Temagami First Nation Housing Policy.
4.1.1.3	Requirements for New Housing Development	<ul style="list-style-type: none"> To be deemed housing, access to the nearest adjacent road for new housing developments occupied by a full-time resident for ease of access and provision of services and emergency response must be existent.
4.1.1.4	Building Design	<ul style="list-style-type: none"> Develop new housing development in a way that maintains the existing community character on Bear Island.
4.1.1.5	Adjacent Uses	<ul style="list-style-type: none"> Avoid housing development adjacent to the existing aggregate pit on Bear Island until the aggregate materials have been exhausted and closed.
4.1.1.6	Building Height and Sight Lines	<ul style="list-style-type: none"> Construct buildings that are not taller than up to two storeys along the waterfront and up to six storeys inland, as to not obstruct the view of Lake Temagami for adjacent land uses.
4.1.1.7	Tiny Homes	<ul style="list-style-type: none"> Construct new tiny homes in areas that have access to servicing and emergency services. Allow the construction of new tiny homes with a minimum size of 17.5 m² as set out in Ontario's Building Code. The development of multiple tiny homes on a lot must be pre-approved by TFN/TAA.

4.1.1.8	Transition Housing	<ul style="list-style-type: none"> Permit the development of a second dwelling on a lot with an existing structure to provide transition housing for young adults and Elders subject to having appropriate land area and servicing available.
4.1.1.9	Cottages	<ul style="list-style-type: none"> Allow the building of a structure that serves as a temporary occupancy and not a year-round or permanent human habitation. Limited servicing is provided to cottage lots depending on the location of the structure and availability of existing services. Consideration will need to be given on how waste will be managed. The development of a cottage must be pre-approved by TFN/TAA. TFN/TAA to develop policies for the development of cottages.
4.1.1.10	Off-Grid Housing	<ul style="list-style-type: none"> Permit off-grid housing on Bear Island and lands designated as Holistic Management Area. Off-grid housing is not serviced by TFN. The development of all off-grid housing must be pre-approved by the TFN.
4.1.1.11	Home-Based Businesses	<ul style="list-style-type: none"> Submit a Site Plan to TFN for all home-based businesses. Operate home-based businesses only inside the home or accessory buildings to avoid potential negative impacts on neighbouring residents (e.g., noise, odour, aesthetics, etc.). Outside storage related to the function of a home-based business is not permitted.
4.1.1.12	Small Scale Farming	<ul style="list-style-type: none"> Permit the keeping of small livestock (e.g., chicken and goats) and vegetable farming if any undesirable impacts on the surrounding land uses are minimized. The keeping of small livestock requires pre-approval from TFN and will consider proximity to others and number of animals which could impact noise and odour.
4.1.1.13	Community Commercial Uses	<ul style="list-style-type: none"> Obtain approval from TFN prior to building convenience stores in areas designated as Housing. Stores should be located at the edges of neighbourhoods to not interrupt local residents or cause traffic challenges.
4.1.1.14	Connectivity	<ul style="list-style-type: none"> Promote connectivity between housing areas and local stores and services that are accessible by various modes of transportation, such as motorized vehicles (cars, ATVs, snowmobiles, etc.), non-motorized vehicles (bicycles), walking, and wheelchairs.

<p>4.1.1.15 Community Gardens</p>	<ul style="list-style-type: none"> Development of community gardens in housing areas is encouraged to promote food security and a healthy community.
<p>4.1.1.16 Parks</p>	<ul style="list-style-type: none"> Development of parks and uses for outdoor recreation and children’s play facilities, dog parks, etc. in housing areas is encouraged. Development of a new subdivision requires planning for greenspace. The amount of greenspace to be allocated may vary between 5% and 10% depending on the size of the new development and the number of people anticipated to live in the subdivision. The allocation of greenspace will be to be determined in consultation with TFN as part of the development approvals process.



4.2 Commercial

Lands designated as Commercial are intended to support the selling and renting of products and/or services within the Community. This land use designation can create opportunities for economic development activities which can either be band-owned, member-owned or based on agreements with non-band members.



Commercial land uses should be situated in easily accessible areas that are connected to utilities, local transportation networks, and accessible to housing areas, while limiting traffic going through the community. The Land Use Plan contemplates various types of commercial development that varies based on location (within community areas, tourism areas, adjacent to highways and in proximity to potential industrial operations). This also applies to the intent for Commercial uses within the Potential Future Development Sites and Holistic Management Area designations.

Objectives

- Provide a range of commercial uses to meet the needs of Elders, youth, young citizens, families, singles and people with disabilities now and for future generations.
- Encourage commercial development in strategic locations to limit traffic going through the community, reduce travel times and to provide economic benefits and business opportunities for TFN/TAA citizens.
- Support the creation of tourism based commercial uses that provide recreational and natural outdoor experiences on TFN/TAA Lands.
- Explore land leasing opportunities on TFN/TAA Lands to generate revenue.

Land Uses Considered

- Small-Scale Retail Stores
- Private Entrepreneurship
- Offices
- Farm Stands
- Restaurants
- Coffee Shops
- Greenhouses
- Fish Hatchery
- Craft/Souvenir Shops
- Cabins
- Cultural and Artistic Uses/Spaces
- Dance and Yoga Studio
- Water Filling Station Guided Tours
- Outfitters

Note: Farming Commercial and Industrial Area uses are addressed under the Holistic Management Area.

Note: This is not an exhaustive list.

Land Uses Not Considered

- Large-Scale Commercial Development
- Industrial
- Housing



4.2.1 Policies

4.2.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.2.1.2	Commercial Uses	<ul style="list-style-type: none"> Development of a mix of commercial uses to promote economic development activities is encouraged. TFN/TAA supports various types of commercial development based on location. Potential locations may include the edges of housing areas, community areas, areas adjacent to highways and in proximity to potential tourism areas and industrial operations.
4.2.1.3	Small Businesses	<ul style="list-style-type: none"> Permit small-scale businesses that serve the needs of the community as well as visitors on a daily and occasional basis. Such uses may include, but are not limited to, convenience stores, restaurants, learning and cultural studios and personal service shop. Development of a mix of commercial uses to promote economic development activities is encouraged. TFN/TAA supports various types of commercial development based on location. Potential locations may include the edges of housing areas, community areas, areas adjacent to highways and in proximity to potential tourism areas and industrial operations.
4.2.1.4	Greenhouses	<ul style="list-style-type: none"> Support the development of greenhouses to help TFN citizens to grow their own food. Greenhouses may be used for community or commercial opportunities.
4.2.1.5	Tourism	<ul style="list-style-type: none"> Support economic opportunities that honour and celebrate TFN/TAA cultural, traditional, and artistic practices. Such uses may include, but are not limited to, guided tours, hunting and fishing camps, outfitters, rental cottages and cabins, motels, hotels, camping, boat rentals, associated recreational and retail opportunities.
4.2.1.6	Fish Hatchery	<ul style="list-style-type: none"> Permit the development of a sustainable fish hatchery.
4.2.1.7	Expansion or Redevelopment	<ul style="list-style-type: none"> Determine the availability of appropriate servicing before expanding or redeveloping existing commercial uses on Bear Island.

4.2.1.8	Access Considerations for Non-TFN/Non-TAA Citizens	<ul style="list-style-type: none">• Consider how non-community members would physically access a proposed new commercial development (e.g., road access, parking).
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4.3 Community Buildings and Uses

Lands designated as Community Buildings and Uses are intended to provide important services and amenities that contribute to the overall well-being and quality of life in the community. These areas can foster a sense of community and should be designed to be inclusive and accessible by the whole community.



This also applies to the intent for Community Buildings and Uses within the Potential Future Development Sites designation.

Objectives

- Create community gathering places that promote community togetherness.
- Provide a safe environment for children to live, learn and play.
- Promote learning and sharing of traditional knowledge across present and future generations, including youth, adults, and Elders.
- Explore opportunities to repurpose existing buildings on Bear Island.

Land Uses Considered

- Daycare
- Health Clinic & Medical Facility
- Playgrounds
- Schools
- Museum
- Band Office
- Emergency Services (e.g., Fire, Police)
- Church
- Pow Wow Grounds
- Greenhouses
- Community Gardens
- Fish and Meat Smoking Houses (subject to approval)
- Fish Cleaning Station
- Youth and Recreational Facilities
- **Elders' Facilities**
- Community Commercial Facilities

Land Uses Not Considered

- Hospital
- Funeral Home
- Industrial



4.3.1 Policies

4.3.1.1	General Policies	<ul style="list-style-type: none"> • Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.3.1.2	Community Buildings and Uses	<ul style="list-style-type: none"> • Support the development of community buildings and uses that provide essential services that are run by TFN or other approved groups, such as medical services.
4.3.1.3	Home and Community Gardens	<ul style="list-style-type: none"> • Promote the development of new home and community gardens to assist with food security.
4.3.1.4	Expansion or Redevelopment	<ul style="list-style-type: none"> • Determine the availability of appropriate servicing before expanding or redeveloping existing and new community buildings and uses.



4.4 Cemetery

Lands designated as Cemetery are intended to preserve sacred space for burials within TFN/TAA Lands. This is not intended to capture burials that are not within a contained area (see burials above under Cultural Heritage Protection and Enhancement). Cemetery lands are set aside to contribute to the preservation of the cultural and spiritual heritage of TFN/TAA. This also applies to the intent for Cemetery uses within the Potential Future Development Sites designation.



Objectives

- Honour TFN/TAA citizens who have passed.
- Establish a committee and budget to maintain the cemetery.

Land Uses Considered

- Burial Plots
- Columbarium/Urn Storage
- Structures to support Traditional Burial Practices

Land Uses Not Considered

- | | |
|--|--|
| <ul style="list-style-type: none"> • Mausoleum | <ul style="list-style-type: none"> • Commercial |
| <ul style="list-style-type: none"> • Industrial | <ul style="list-style-type: none"> • Housing |

4.4.1 Policies

4.4.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.4.1.2	Permanent Use	<ul style="list-style-type: none"> Treat a cemetery as a permanent use that cannot be re-designated.
4.4.1.3	Accessory Use	<ul style="list-style-type: none"> Support development that enhances the function of a cemetery (e.g., urn vault) on Bear Island.
4.4.1.4	Shoreline Erosion	<ul style="list-style-type: none"> Support the introduction of erosion control measures to prevent shoreline erosion adjacent to the cemetery on Bear Island.
4.4.1.5	Cemetery Plan	<ul style="list-style-type: none"> Prepare a plan for the layout of the existing cemetery.



4.5 Recreation and Parks

Lands designated Recreation and Parks are intended to provide for outdoor recreational activities as well as recreation facilities. The intent of this designation is to provide a range of active and passive recreational uses for everyone, including people with disabilities.

Active uses include buildings and structures for outdoor leisure and athletic activities and can include sport fields, tracks, parks, and playgrounds, pow wow grounds, parks. Passive uses include land and water for non-intensive leisure activities such as trails and boardwalks.



The designation promotes recreational opportunities while respecting the natural and cultural resources associated with TFN/TAA Lands, as well as facilities to meet the goal of supporting a healthy community. This also applies to the intent for Recreation and Parks uses within the Potential Future Development Sites and Holistic Management Area designations.



Objectives

- Promote an active lifestyle and healthy living for everyone, including people with disabilities.
- Provide indoor and outdoor recreation and community gathering opportunities.
- Strengthen the preservation of existing trapping, hunting, and fishing areas, and encourage use of these areas by TFN/TAA citizens.
- Provide opportunities for people to experience TFN/TAA Lands in a respectful and sustainable manner.

Land Uses Considered

- Active Recreation: Motorized Trails, Boat Launches (subject to approval), Indoor and Outdoor Recreational Facilities (e.g., Baseball Diamonds, Tennis, Basketball, Swimming Pool, etc.)
- Passive Recreation: Non-Motorized Trails, Canoe Routes, Cross-Country Skiing Trails, Nature Trails and Parks, Swimming Area, Boardwalk, Beach Area, Maintenance Buildings

Land Uses Not Considered

- Racetrack
- Stadium
- Industrial
- Housing



4.5.1 Policies

4.5.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.5.1.2	Accessibility of Beach Areas	<ul style="list-style-type: none"> Promote communal access to beach areas for TFN/TAA citizens' use and enjoyment of the Lake Temagami shoreline.
4.5.1.3	Swim Areas	<ul style="list-style-type: none"> Develop new swim areas in safe areas, away from motorized boat traffic. Development must consider environmental impacts caused by uses such as Ice Road accesses.
4.5.1.4	Recreational Facilities	<ul style="list-style-type: none"> Build recreational facilities in adherence to appropriate building standards, development processes and ensure safety provisions, including lighting, signage, and access for emergency response vehicles.
4.5.1.5	Community Spaces	<ul style="list-style-type: none"> Provide amenity space for resting, sitting, or gathering. Such uses may include, but are not limited to, benches and waste collection bins along walkways and trails and communal dog parks.
4.5.1.6	Low-Impact Recreational Uses	<ul style="list-style-type: none"> Develop low-impact recreational uses and accessory uses. Such uses may include, but are not limited to, trails, boardwalks, and picnic facilities which will have no significant negative impact on natural heritage features or cultural and Historical sites.
4.5.1.7	Expansion or Redevelopment	<ul style="list-style-type: none"> Determine the availability of appropriate servicing before expanding or redeveloping existing and new recreational uses and facilities.
4.5.1.8	Environmental Integrity	<ul style="list-style-type: none"> Consider and respect the environmental integrity of the area when planning for recreational uses.

4.6 Cultural Heritage Protection and Enhancement

Lands designated as Cultural Heritage Protection and Enhancement are intended to protect and preserve areas within the community that are used for cultural, traditional, artistic practice and ceremony purposes.

Cultural land uses can help sustain and promote TFN/TAA culture and tradition to strengthen community pride and are to be protected. (Refer to Teme-Augama Anishnabai Cultural Heritage Policy for n'Daki Menan (1993)). This also applies to the intent for Cultural Heritage Protection and Enhancement within the Potential Future Development Sites and Holistic Management Area designations.



Objectives

- Protect, preserve, and enhance TFN/TAA cultural and traditional land use areas within the community, such as hunting, fishing, and wild rice harvesting areas, medicinal plant areas, sugar bush harvesting areas, within a seven-generation planning perspective.
- Encourage a sense of home and family connections through the preservation of TFN/TAA cultural, traditional, and artistic practices.
- Sacred sites, culturally significant sites, Historical sites, and burial sites are to be preserved and maintained for present and future generations.

Land Uses Considered

- Culturally Significant Sites or Areas (i.e., Ceremonial Places, Historical Homesteads, Petroglyphs, Burial Sites, Medicinal Plant Areas, Hunting and Fishing Areas, Harvesting Areas, Fish Spawning Areas, Birthing Areas, etc.)
- Archaeologically Significant Sites or Areas

Land Uses Not Considered

- Industrial
- Commercial
- Housing



4.6.1 Policies

4.6.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.6.1.2	Protection of Significant Cultural and Historical Sites	<ul style="list-style-type: none"> Areas which are culturally and historically significant to TFN/TAA will be preserved and protected from development that would negatively impact these sites. The protection of these areas is not intended to limit the existence of other areas of importance.
4.6.1.3	Mapping of Significant Cultural and Historical Sites	<ul style="list-style-type: none"> Significant cultural and historical sites will be mapped when new areas are identified or updated when new information has become available. Significant cultural and historical sites set aside for protection can include, but are not limited to, sacred sites, culturally significant sites, historical sites, areas of traditional ecological knowledge (TEK), and burial sites. The mapping of significant areas should not be interpreted to limit other areas of cultural and historical importance.
4.6.1.4	Undocumented Archaeological Sites	<ul style="list-style-type: none"> Report undocumented archaeological sites and resources to TFN/TAA. If any archaeological sites or resources are discovered through the development process, all work must stop and TFN/TAA must be consulted. These sites must be protected and managed responsibly by TFN/TAA and developers.
4.6.1.5	Medicinal Plants	<ul style="list-style-type: none"> Promote the cultivation of medicinal plants and gardens to honour and share traditional practices across generations.
4.6.1.6	Traditional Land Use Review	<ul style="list-style-type: none"> Require that a Traditional Land Use Review be undertaken prior to any new development to determine whether a significant cultural and Historical site has previously been identified. Contact the TFN regarding the location of significant cultural and Historical sites.
4.6.1.7	Consultation with TFN	<ul style="list-style-type: none"> Contact TFN prior to any development to determine whether the proposed development is located on a Significant Cultural and Historical Site.

<p>4.6.1.8 Educational Opportunities</p>	<ul style="list-style-type: none"> • Support creating community understanding and education opportunities through signage, medicine walks, and demonstration gardens that showcase traditional plants of cultural significance and medicinal value.
<p>4.6.1.9 Existing Areas</p>	<ul style="list-style-type: none"> • Preserve and enhance existing trapping, hunting, and fishing areas.
<p>4.6.1.10 Existing Trail Networks</p>	<ul style="list-style-type: none"> • Protect existing traditional trails and routes. Trails and routes may provide opportunities for traditional modes of travel on Bear Island.



Photo Credit: Diane Johnston

4.7 Infrastructure

Lands designated Infrastructure are intended to identify lands that may have constraints for future development and may require larger setbacks from proposed nearby sensitive uses.



Objectives

- Support low impact development techniques and the use of renewable energy where feasible to lessen the strain on existing infrastructure.
- Promote remediation of contaminated sites to contribute to the health of the community and wildlife who inhabit the area.

Land Uses Considered

- | | |
|---|--|
| <ul style="list-style-type: none"> • Waste Transfer Station • Water/Wastewater Treatment Plant • Wastewater Lagoons • Warehouse | <ul style="list-style-type: none"> • Garbage Compactor/Scrap Metal Site • Community Wood Pile • Renewable Energy (e.g., solar, geothermal, fibre, hemp, wood, etc.) |
|---|--|



4.7.2 Policies

4.7.2.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.7.2.2	Existing and New Infrastructure	<ul style="list-style-type: none"> Existing and new infrastructure must meet or exceed provincial and/or federal, (as applicable) standards for safety and quality. Require areas for new infrastructure to be identified. These include water, wastewater, and solid waste management (e.g., transfer stations, landfills, etc.) The use of alternative energy sources is encouraged where feasible and economically viable. Such uses may include, but are not limited to, wind, solar and geothermal.
4.7.2.3	Land Use Compatibility	<ul style="list-style-type: none"> Discourage development of housing uses or other sensitive uses in proximity to infrastructure uses.
4.7.2.4	Wastewater System	<ul style="list-style-type: none"> Promote ongoing maintenance of new lagoon(s) and/or septic systems to maximize life span and to meet or exceed Federal standards.
4.7.2.5	Remediation	<ul style="list-style-type: none"> Require the applicant to prepare a remediation plan if land on which new development is being proposed has contamination.



4.8 Potential Future Development Sites

Lands designated Potential Future Development Sites are intended to identify lands that support the future needs and population growth of the community on Bear Island. These lands may include a mix of housing, commercial, and community uses. Further studies will be required to determine the best use of the land.



Objectives

- Identify and set aside potential developable lands to meet future housing, economic, and community development needs of TFN/TAA citizens.
- Consider the location of potential developable lands when making land use and servicing decisions.

Land Uses Considered

- Housing per Section 4.1
- Commercial per Section 4.2
- Community Uses and Buildings per Section 4.3
- Cemetery per Section 4.4
- Recreation and Parks per Section 4.5
- Cultural Heritage Protection per Section 4.6
- Infrastructure per Section 4.7

4.8.1 Policies

<p>4.8.1.1 General Policies</p>	<ul style="list-style-type: none"> • Apply the General Policies outlined in Section 3 of the Land Use Plan.
<p>4.8.1.2 Concept</p>	<ul style="list-style-type: none"> • Require the development of a Concept Plan prior to any new development.
<p>4.8.1.3 Development of Guidelines</p>	<ul style="list-style-type: none"> • Develop guidelines for development on lands designated as Potential Future Development Site(s). The intent of the guidelines are to provide guidance on building siting, form and character, landscaping, building materials, parking, buffers/fences, etc.
<p>4.8.1.4 Land Use Plan Amendment</p>	<ul style="list-style-type: none"> • Require that land designated as Potential Future Development Site(s) be subject to a Land Use Plan amendment to accurately reflect the proposed use of the land prior to receiving development approval, at which point the policies of the appropriate designations will apply.



4.9 Environmental Protection and Enhancement

Lands designated Environmental Protection and Enhancement are intended to protect, and where necessary, enhance the natural values of the area. Areas may include areas of significance for their ecosystems, such as wetlands and/or species at risk habitat.



Uses which both maintain the natural integrity of the area and provide opportunities for TFN/TAA to utilize the land for cultural purposes will be considered. Uses may include activities such as traditional teachings and culture camps.

This also applies to the intent for Environmental Protection and Enhancement within the Potential Future Development Sites and Holistic Management Area designations.

Objectives

- Encourage a culture of sustainability and environmental stewardship.
- Protect and manage natural areas and resources, including the Lake Temagami shoreline **and other shorelines within n'Daki Menan**, for the benefit of all TFN/TAA citizens and wildlife who inhabit the area.
- Maintain the old pine component of the Skyline Reserve for aesthetic beauty, except in community areas where trees would have to be removed for central docking to occur.

Land Uses Considered

- Traditional teachings
- Culture camps

Development is not permitted in areas designated as Environmental Protection and Enhancement. Traditional land use activities such as trapping and gathering are permitted.

4.9.1 Policies

4.9.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.9.1.2	Mapping of Significant Environmental Sites	<ul style="list-style-type: none"> Significant environmental sites will be mapped when new areas are identified or updated when new information has become available. Significant environmental sites set aside for protection can include, but are not limited to, wetlands, environmentally sensitive areas, sensitive nature sites, areas of traditional ecological knowledge, and species at risk areas.



4.10 Holistic Management Area

Lands designated as Holistic Management Area are intended to support resource-based economic development activities that can advance community development goals and promote sustainable use of natural resource potential. Economic development opportunities include forestry, renewable energy, recreation, eco-tourism, including community-led and community partnership ventures.



Objectives

- Promote and follow responsible stewardship principles of lands and resource management.
- Encourage environmentally sustainable economic development, including commercial forest management, while ensuring the protection of important values and features.
- Create employment and income generation opportunities for the community through eco-tourism activities.
- Support clean energy projects such as wind, solar and geothermal, where feasible and economically viable.

Land Uses Considered

- Cultural Heritage Protection and Enhancement per Section 4.6
- Recreation and Parks per Section 4.5
- Forestry, Commercial Development of Primary Industries that process natural resources (e.g., Sawmill)
- Tapping of trees and berry picking
- Animal Farm (e.g., Chicken Farm, Wild Game Farm), Vegetable Farm, Co-Ops
- Renewable Energy (e.g., Solar, geothermal, fibre, hemp, wood)
- Prospecting

4.10.1 Policies

4.10.1.1	General Policies	<ul style="list-style-type: none"> Apply the General Policies outlined in Section 3 of the Land Use Plan.
4.10.1.2	Mapping of Significant Environmental Sites	<ul style="list-style-type: none"> Significant environmental sites will be mapped when new areas are identified or updated when new information has become available. Significant environmental sites set aside for protection can include, but are not limited to, wetlands, environmentally sensitive areas, sensitive nature sites, areas of traditional ecological knowledge, and species at risk areas.
4.10.1.3	Mapping of Significant Cultural and Historical Sites	<ul style="list-style-type: none"> Significant cultural and historical sites will be mapped when new areas are identified or updated when new information has become available. Significant cultural and historical sites set aside for protection can include, but are not limited to, sacred sites, culturally significant sites, historical sites, areas of traditional ecological knowledge (TEK), and burial sites. The mapping of significant areas should not be interpreted to limit other areas of cultural and historical importance.
4.10.1.4	Wildlife Habitat Preservation	<ul style="list-style-type: none"> Preserve fish and wildlife habitat to the extent possible to protect wildlife. Consider appropriate rehabilitation of and for similar species within a reasonable time frame, generally one year, unless otherwise approved by TFN/TAA. Species at risk and other natural resources adversely affected must be addressed through rehabilitation. Baseline studies must be presented.
4.10.1.5	Forestry Activities	<ul style="list-style-type: none"> Preserve environmental habitat to the extent possible to protect environment. Consider appropriate rehabilitation of and for similar species within a reasonable time frame, generally one year, unless otherwise approved by TFN/TAA. Tree removal is permitted for non-commercial purposes in some areas where it is compatible with the area intent and existing use (e.g., as part of existing operations).
4.10.1.6	Forest Stewardship Plan	<ul style="list-style-type: none"> Carry out forest management needs in accordance with the Bear Island Forest Stewardship Plan and any subsequent updates.
4.10.1.7	Location of Natural Resources	<ul style="list-style-type: none"> Consult with TFN/TAA to obtain information on known mineral deposits and forest resources based on Provincial mapping and knowledge of TFN/TAA.

<p>4.10.1.8 Processing Facilities</p>	<ul style="list-style-type: none"> Permit the development of a secondary facility that converts natural resource materials into commodities and products for community use on Bear Island. Such uses may include, but are not limited to, aggregate crushing and sawmill.
<p>4.10.1.9 Closure Plan</p>	<ul style="list-style-type: none"> Submit a Closure Plan as part of the development process for approval by TFN. Depending on the specific project, the Closure Plan could include, but is not limited to, reclamation objectives, the removal or stabilization of any structures and workings; the reclamation and re-vegetation of the surface disturbances wherever feasible; methods for protection of water resources; a cost estimate of the work required for closure and reclamation of the project site; and a plan for ongoing and post-closure monitoring and reporting at the site.
<p>4.10.1.10 Prospecting on Bear Island</p>	<ul style="list-style-type: none"> Permit prospecting on Bear Island. Inform TFN prior to any prospecting taking place on Bear Island. Exploration and development are not permitted.
<p>4.10.1.11 Rehabilitation of Aggregate Pit</p>	<ul style="list-style-type: none"> Rehabilitate the aggregate pit to a state of equal or greater ecological value relative to the entire site. Rehabilitation measures should be representative of local ecosystem and use native species.
<p>4.10.1.12 Post Closure Use of Aggregate Pit</p>	<ul style="list-style-type: none"> Provide communal access to the aggregate pit, if appropriate, once final rehabilitation has been completed, subject to consideration of Health and Safety.



5 Implementation

5.1 Implementation of the Plan

Our community worked together to develop this plan for everyone to follow for future decisions made about use of the land. By implementing the Land Use Plan TFN and TAA will put the vision, goals and guiding principles into action. The success of any plan depends on the efforts that are directed towards integrating its policies into decision-making.

Implementation of the Land Use Plan will require the feedback, support, collaboration, and cooperation of TFN/TAA citizens and stakeholders from the private and public sectors. This section outlines roles and responsibilities, community involvement and policies to ensure the effective implementation of the Land Use Plan.

5.2 Roles and Responsibilities

Successful implementation of this Land Use Plan will rely on several groups, who will need to cooperate and collaborate. Specific roles and responsibilities include:

Chief and Council has the authority to consider, approve and implement this Land Use Plan within the boundaries of the reserve and any proposed lands that may become under TFN/TAA jurisdiction. Chief and Council can also create administrative procedures and adopt new laws (e.g., development, conservation, protection, management, use and possession of TFN/TAA Lands) that will improve the efficiency of implementing the policies in this Land Use Plan. Chief and Council can approve future amendments to the Land Use Plan. Chief and Council will also review development applications and review and approve development permits.

TFN/TAA Lands and Resources Department is responsible for undertaking the programs and activities that support the implementation of the Land Use Plan, including the policies and documents noted in Section 3.2. The Lands Department will also review development applications and review and approve development permits. The department will also be responsible for updating the Land Use Plan with minor amendments which could include wording and minor refinements on mapping.

For significant amendment, the process followed will be that identified in the Land Code, which requires a community-wide vote that receives a minimum vote of 51% of Band Members (including on and off reserve) 18 years and older.

Temagami First Nation/Teme-Augama Anishnabai Citizens will participate in the implementation of the Land Use Plan by sharing their thoughts in additional engagement sessions such as those held for development applications and future land use planning efforts of the community. The Land Use Plan is a living document.

However, to be a living document, it is necessary for all citizens to put the Land Use Plan into practice and continue to review and amend the Plan, as necessary.

Temagami Lands Committee has the responsibility to advise Chief and Council on land use planning and development activities, and to create laws and policies to successfully implement the Land Use Plan as per the TFN Land Code. The Lands Committee is also responsible to oversee meetings of members and member approvals required under the Land Code.

Developers who choose to apply and then develop on TFN/TAA Lands have the responsibility to follow all policies outlined in the Land Use Plan including the vision, objectives, policies, and procedures it outlines. Developers must also follow all development permit processes and applicable development procedures outlined in the various TFN laws, policies, plans, and programs. This includes community members who are acting as developers.

5.3 Community Involvement

Meaningful community participation is a key component of creating a plan that is reflective of community values. To ensure proper community engagement and achievement of TFN and TAA's **vision and objectives, community engagement and consultation programs need to** be transparent, inclusive, collaborative, and provide an opportunity for the exchange of information. Every effort should be made to continue to provide information about development and opportunities for feedback.

a. Community Consultation Process	<ul style="list-style-type: none"> A consultation process for amendments to this Land Use Plan will be created by TFN/TAA citizens that articulates processes for community involvement and feedback.
b. Delivery of Information	<ul style="list-style-type: none"> Public information relating to land use planning matters will be communicated with TFN/TAA citizens through the community newsletter, TFN website, and other forms of delivery of information as appropriate.
c. Information from Developers	<ul style="list-style-type: none"> Developers or proponents of land use activities may be requested to provide relevant and up-to-date information to TFN/TAA citizens on an on-going basis regarding development or land use activity proposals on TFN/TAA Lands.
d. Engagement with Non-TFN/TAA citizens	<ul style="list-style-type: none"> As considered appropriate, TFN/TAA will provide opportunities for non TFN/TAA citizens to be engaged in land use matters that may directly impact them (e.g., road access, aesthetics) as the need arises, such as the Municipality of Temagami and the Ontario Ministry of Transportation.

5.4 Planning and Development

While implementation of this Land Use Plan will rely on the Chief and Council, TFN/TAA citizens, and administration for decision making, many of its policies will also be implemented through the following existing and updated guidelines and procedures.

5.4.1 TFN Tribal Constitution

The TFN Tribal Constitution directs the decision-making process of community leaders and elected representation when making decisions for the community. It provides laws pertaining to membership, political representation, infrastructure, and the environment. The TFN Tribal Constitution enables Council to propose by-laws to maintain and improve the quality of life on Bear Island.

5.4.2 Temagami Land Code

The Framework Agreement on First Nation Land Management was ratified and came into effect under the First Nations Land Management Act (FNLMA) in 1999. The First Nations Land Management Regime refers to the Framework Agreement and the FNLMA, which together provide the opportunity for First Nations to opt out of land-related sections of the Indian Act and assume jurisdiction over their Reserve lands and resources under their own land code (Aboriginal Affairs and Northern Development, 2013).

Through the Framework Agreement on First Nations Land Management, in 2017, TFN developed a Land Code to regain control over the day-to-day management of our Reserve lands and resources (ratified in June 2017; certified August 25, 2017). Currently, the Land Code only applies to the Reserve lands that are within the boundary of Bear Island Indian Reserve No. 1. However, any other future lands under TFN/TAA jurisdiction, such as those in the Proposed Settlement Lands that TFN may acquire, can also be protected under the Land Code if the Nation chooses to do so.

5.4.3 TFN Housing Policy

The TFN Housing Policy is a policy that is developed for the betterment of Bear Island Indian Reserve No. 1. Having a structured Housing Policy provides Chief and Council, Housing Advisory Committee and Housing Staff with the framework to deliver the policy, while also following principles, rules and regulations by which housing programs and services will be provided.

Currently, the Housing Policy only applies to the Reserve lands that are within the boundary of Bear Island Indian Reserve No. 1. However, any housing on other lands to come under TFN/TAA jurisdiction, such as those in the Proposed Settlement Lands may also fall under the Housing Policy if the Nation chooses to do so. Please see the current Housing Policy for more information.

5.4.4 Memorandum of Understanding

In 2003, TFN and TAA entered into a Memorandum of Understanding (MOU) with the **Municipality of Temagami**. The MOU outlines TFN, TAA, and the Municipality of Temagami's commitment towards ongoing co-operation and partnership regarding the lands that are included under the **Municipality of Temagami's Official Plan**. TFN, TAA, and the Municipality are committed towards the following fundamental principles:

- The land is our common bond with respect to co-existing and co-operation.
- **Mutual respect must be maintained for each other's laws**, customs, traditional practices and beliefs.
- Sustained life is the primary goal in the management of land. The natural integrity of the land and all life forms will be maintained.
- Principles of sustainability and sustainable development will facilitate all uses and activities on the land.

In addition, TFN, TAA, and the Municipality recognize the importance of a positive **interdependent relationship towards one another's government, laws and citizens**. As stated in the MOU, all three parties recognize that they have a shared interest in promoting access to land and resources, expertise, information sharing, as well as infrastructure and services.

5.5 Non-Conforming Use

If a land use does not conform to the land use designation in the Land Use Plan but existed prior to the adoption of the Land Use Plan, it will be referred to as an "Accepted Non-Conforming Use" or as being "grandfathered" in accordance with TFN Laws. Non-conforming or grandfathered uses will continue to be permitted unless the use is discontinued. Any alteration of the land use will require prior approval by Chief and Council.

5.6 Minor Changes and Amendment

In some instances, a person may request a minor change to the policies within this Land Use Plan. A change to the Land Use Plan may be requested when the change is minor as opposed to a significant amendment as referenced in the TFN Land Code.

Minor changes are those that:

- Maintain the general intent and purpose of the Land Use Plan;
- Align with the vision and objectives of the land use designations; and
- Align with the desirable outcome for the appropriate development or use of the land, building or structure.

As noted in Section 5.2, for minor amendments approved by Chief and Council (i.e., wording and minor refinements on mapping), these can be addressed directly by the Land & Resources Department.

An amendment to the Land Use Plan may be required to:

- Improve the clarity of the Land Use Plan and thereby contribute to a better decision-making process;
- Accommodate Addition to Reserve lands; or
- Address a new land use or new information, or to update the Land Use Plan in respect to decisions regarding improvements to land management.

The procedure for member approval outlined in Section 17 of the Land Code must be followed for any significant amendments to the Land Use Plan. For significant amendments, a community-wide vote that receives a minimum vote of 51% of Band Members (including on- and off reserve) 18 years and older.

According to Section 16.1 of the Land Code, member approval must be obtained for any deletion or development of a heritage site or Significant Site. A Significant Site is a site set aside for protection and is identified as, but not limited to, a sacred site, culturally significant site, Historical site, burial site, wetlands, environmentally sensitive area, sensitive nature site, and/or a species at risk area. If a Significant Site is found, the site must remain undisturbed for at least seven generations before any changes are made.



5.7 Monitoring and Reviewing

The Land Use Plan shall be monitored and reviewed on a regular basis to ensure that it continues to reflect the needs of TFN. The Land Use Plan will be reviewed approximately every five (5) years and amendments will only be made if it is determined that these changes will benefit the community.

a. Review Period	<ul style="list-style-type: none"> Every five (5) years, a comprehensive review of the Land Use Plan will be completed.
b. Community Involvement	<ul style="list-style-type: none"> TFN/TAA shall create a community consultation process for amendments to this Land Use Plan as outlined in the TFN Land Code.
c. Confidentiality	<ul style="list-style-type: none"> TFN shall work to ensure that all confidential information be protected, and access will be controlled to prevent the misuse of private information. Confidential information may include any information that an individual wishes not to make public (e.g., name, address, date of birth, phone number).



6 Definitions

Active Recreational Uses refers to recreational activities that require the use of special facilities, courses, fields, or equipment.

Accessory refers to a land use that is supportive of and secondary to the primary use on land.

Building refers to any structure built for permanent use, or intended to be used for shelter, accommodation, or enclosure of persons, animals, or things.

Climate Change Mitigation refers to reducing GHG emissions, which can be achieved through greater use of energy efficiency and renewable energy sources (e.g., solar) and following a green building design and Zero Energy Design.

Climate Change Adaptation refers to measures that respond to climate change, which can include building location (e.g., away from flood prone areas), planting drought resistant species, and the use of green infrastructure, such as grassy swales and rain gardens to promote infiltration; roadside curb cuts to direct runoff to grassy swales and rain gardens; permeable pavement and green roofs to reduce runoff; rock pits, catch basins, and detention ponds to reduce peak runoff flows; and water and energy conserving infrastructure, such as greywater and rain water recycling systems.

Commercial Establishment refers to a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail or on a rental basis.

Convenience Store refers to a retail commercial establishment supplying groceries and other daily household conveniences primarily to the immediate surrounding area.

Community refers to Temagami First Nation citizens living on-reserve and off-reserve.

Cottage refers to structure that serves as a temporary occupancy and not a year-round or permanent human habitation. Limited servicing is provided to cottage lots depending on the location of the structure and availability of existing services.

Development refers to partitioning of a new plot of land, the leasing of land, a change in land use designation, or the construction of buildings, structures, and infrastructure.

Environmental Management Plan refers to an operational manual to be used by a particular community or organization to manage activities and related environmental features that have the potential to impact the environment and health of people on their lands.

Existing refers to a use, building and/or structure that was permitted by Temagami First Nation prior to approval of this Land Use Plan.

First Nation Land Management Act (FNLMA) was enacted in 1999 and provides signatory First Nations with the authority to make laws in relation to Reserve lands,

resources, and the environment. This act ratifies the Framework Agreements on First Nations Land Management.

Health Clinic refers to an establishment used by two or more qualified medical practitioners, including physicians, dentists, chiropractors, physiotherapists, and their staff for the purposes of consulting, diagnosis and office treatment.

Housing refers to a permanent structure that serves as a home, residence or living quarters and may include the following:

- Single-Detached Homes
- Duplexes
- Townhouses
- Apartments (up to two storeys along the waterfront, up to six storeys inland without obstructing view of the lake)
- **Elders' Housing**
- Transition Housing
- Tiny Homes
- Cottages (Seasonal Housing)
- Off-Grid Housing

Housing does not include any travel trailer, mobile home, motor home or recreational vehicle.

Home-Based Business refers to any business or service occupation or activity conducted for gain or profit which is clearly incidental, subordinate, and secondary to the principle housing use of the property; and is conducted either entirely within a single detached dwelling or in an accessory building on the same lot. Temporary outdoor storage may be permitted as long as the environment and neighbouring properties are not negatively impacted.

Infrastructure refers to physical structures that form the foundation for existing and continued development. Infrastructure can include, but is not limited to sewage and water treatment, stormwater management, electricity transmission, transportation corridors, pipelines, and communications.

Industrial Facility refers to a facility or activity relating to: the assemblage and/or storage of substances/foods/raw materials; their processing and/or manufacturing; and/or the packaging and shipping of finished products.

Farming:

- Small Scale Farming refers to the keeping of small livestock (e.g., bees, honey, goats, chickens, pigs) and vegetable farming, including small green houses) as long as any undesirable impacts (e.g., odour, noise) on the surrounding land uses are minimized.
- Commercial Farming refers to the use of land, buildings or structures for the purpose of forestry, field crops, orchard crops, berry crops, aviaries, animal husbandry, tree nurseries, market gardening, dairying, poultry, aquafarming and any other use customarily and normally related to the field of agriculture and includes a farm dwelling and accessory buildings.

Off Grid Housing refers to housing that is not serviced by TFN.

Passive Recreational Uses refers to an area used for non-consumptive and non-obtrusive recreational uses that requires minimal development. Examples include trails, walkways, bicycle paths, boardwalks, picnic facilities and portages.

Significant Site is a site set aside for protection and is identified as, but not limited to, a sacred site, culturally significant site, Historical site, burial site, wetlands, environmentally sensitive area, sensitive nature site, and/or a species at risk area. If a Significant Site is found, the site must remain undisturbed for at least seven generations before any changes are made.

Small Business refers to a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business or where professionally qualified or licensed persons and their staff serve clients or patients who seek advice, consultation or treatments and for the purposes of this Plan may include the administrative offices of a non-profit or charitable organization.

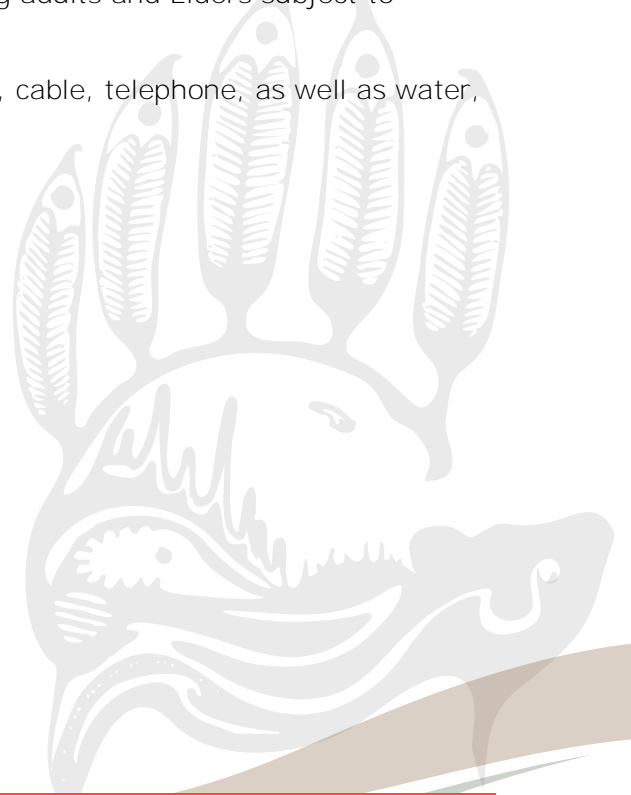
Species at Risk (SAR) refers to a wildlife species that may become a threatened or an endangered species because of a combination of biological characteristics and identified threats.

Stormwater Management refers to the control, storage and discharge of surface water runoff resulting from precipitation.

Tiny Home refers to a structure that is built for year-round use and has a living area, a kitchen, a space for dining, a bathroom, and a sleeping area. A tiny home must have a minimum size of 17.5 m² **as set out in Ontario's Building Code.**

Transition Housing refers to the development of a second dwelling on a lot with an existing structure to provide transition housing for young adults and Elders subject to having appropriate land area and servicing available.

Utilities may include, but are not limited to, hydro, gas, cable, telephone, as well as water, wastewater, stormwater, greywater and rainwater.



Appendix A

TFN will consider drafting and implementing the following laws/by-laws, guidelines and plans to support the goals, objectives, and vision of the Land Use Plan.

Recommendation	Responsibility	Timeframe	Priority
<ul style="list-style-type: none"> Consider the addition of cottage lots to Housing Policy 	Housing Coordinator/ Housing Advisory Committee/ Community Infrastructure Manager & Chief & Council	Long term - Proposed lands	3
<ul style="list-style-type: none"> Maintain a business inventory that lists current businesses on Bear Island and the Proposed Settlement Lands 	LNR & TFN Admin.	Now	1
<ul style="list-style-type: none"> Maintain a recreational use inventory that lists recreational activities on Bear Island and the Proposed Settlement Lands 	Health & Social	Already in process	TBD
<ul style="list-style-type: none"> Inspect restaurants for health and safety 	Environmental Health Officer – Health Canada	Long term - Proposed lands	3
<ul style="list-style-type: none"> Maintain an inventory of significant sites that outlines why these sites are significant 	LNR	Now and Long term - Proposed lands	1
<ul style="list-style-type: none"> Establish a Cemetery Board to manage the cemetery on Bear Island and the future cemetery in the New Community Site 	Community Members & Land Use Committee	Now	1

Recommendation	Responsibility	Timeframe	Priority
<ul style="list-style-type: none"> Educate community members and visitors on proper fuel storage practices to prevent spillage 	Infrastructure	Now	1
<ul style="list-style-type: none"> Create and implement a signage, education and policy program of the community's river systems aimed at recreational users and boaters 	LNR and Land use committee	Now	1
<ul style="list-style-type: none"> Maintain the natural environment to manage potential risks (e.g., sweep underbrush to prevent risk of fire) 	Infrastructure	Now	1
<ul style="list-style-type: none"> Review resource management plans for Bear Island regularly 	LNR & Land Use Committee	When needed	1
<ul style="list-style-type: none"> Provide vegetation, pesticides, and herbicide specifications 	TBD	TBD	TBD
<ul style="list-style-type: none"> Supplement provincial legislation with TFN legislation. 	Bring to community LNR & Land Use Committee	Continuously	1
<ul style="list-style-type: none"> Consider timing windows for development especially close to water (e.g., breeding birds, spawning fish) 	TBD	TBD	TBD
<ul style="list-style-type: none"> Balance fire mitigation measures with tree retention 	Infrastructure & Fire Department	Continuously	1

Recommendation	Responsibility	Timeframe	Priority
<ul style="list-style-type: none"> Provide central Wi-Fi for high-density populated areas 	Infrastructure & Ontera	When needed	
<ul style="list-style-type: none"> Consider implementing a water and soil monitoring program 	LNR	Can start now	1
<ul style="list-style-type: none"> Consider implementing a monitoring program for campsites and portages 	LNR. Create a summer student program to implement this -TFN HR to find funding	Now	1
<ul style="list-style-type: none"> Consider implementing a monitoring program for hunting camps, cultural and Historical sites 	LNR and interested community residents, especially those who know the land	Now	1
<ul style="list-style-type: none"> Consider implementing a Historical Landfill Site monitoring program 	TBD	TBD	TBD
<ul style="list-style-type: none"> Consider implementing a Waste Management Systems monitoring program 	Infrastructure (Heavy Equipment Crew) & LNR	Now	1
<ul style="list-style-type: none"> Update Waste Management Plan (Flyers Bay) 	Infrastructure (Heavy Equipment Crew) & LNR	Now	1
Consider drafting and implementing the following Laws/By-Laws and Applications			
<ul style="list-style-type: none"> Site Plan By-law 	Housing & Committee, LNR, community feed back	Short-term	2
<ul style="list-style-type: none"> Building Code 	TBD	TBD	TBD
<ul style="list-style-type: none"> Development Permit Process 	LNR with community feed back	Short-term	2

Recommendation	Responsibility	Timeframe	Priority
• Camping By-Law (Bear Island/Proposed Settlement Lands)	LNR with Community feed back	Short-term	2
• Sewer Discharge By-Law	Infrastructure (Heavy Equipment), LNR	ASAP	1
• Noise By-Law	Housing & Committee add to housing policy	Short-term	2
• Light Pollution By-Law	LNR & Infrastructure with Community feed back	Short-term	1
• Property Standards By-Law	LNR, Housing & Housing Committee Community feed back	Short-term	1
• Animal By-Law	Community amends existing dog by-law	ASAP	1
• Sign By-Law	Infrastructure	TBD	TBD
• Fencing By-Law	Infrastructure	TBD	TBD
• Open Air Burning By-Law	Infrastructure, Fire Dept. & Community	Now	1
• Renewable Energy By-law	TBD	TBD	TBD
Consider drafting and implementing the following Guidelines & Policies			
• Design Guidelines	TBD	TBD	TBD
• Site Plan and Subdivision Plan Requirements	Housing & Committee, LNR and Community feed back	Now	1
• Environmental Assessment Requirements through environmental laws	TBD	TBD	TBD

Recommendation	Responsibility	Timeframe	Priority
<ul style="list-style-type: none"> Traditional lands, hunting grounds and boundaries protocol 	TBD	TBD	TBD
<ul style="list-style-type: none"> Land Tenure and Allocation 	Housing & Committee, LNR and Community feed back	Short term	2
<ul style="list-style-type: none"> Language Laws 	TBD	TBD	TBD
<ul style="list-style-type: none"> Record Keeping and Reporting (For Exceedances) 	LNR	Long term	2
<ul style="list-style-type: none"> Fees/Taxes 	TBD	TBD	TBD
<ul style="list-style-type: none"> Business Registry 	TFN Finance Department & LNR	Short term	2
Consider drafting and implementing the following Plans			
<ul style="list-style-type: none"> Cemetery Plan (Bear Island/Proposed Settlement Lands) 	Community Members & Land Use Committee	Now	1
<ul style="list-style-type: none"> Sugar Bush Improvement Plan (Bear Island/ Proposed Settlement Lands) 	LNR, Community Members & those who work/maintain sugar bush	Now	1
<ul style="list-style-type: none"> Waste Management Plan (Proposed Settlement Lands) 	Infrastructure & LNR	Long term	TBD
<ul style="list-style-type: none"> Environmental Management Plan 	TBD	TBD	TBD
<ul style="list-style-type: none"> Environmental Stewardship Plan (Bear Island/ Proposed Settlement Lands) 	LNR with community feedback	Now	1

Recommendation	Responsibility	Timeframe	Priority
<ul style="list-style-type: none"> Archaeological Protection Protocol 	TAA & TFN citizens and C&C's	Now	1
<ul style="list-style-type: none"> Resource Management Plan for Aggregate Development (Bear Island/Proposed Settlement Lands) 	Infrastructure & LNR	Now	1
<ul style="list-style-type: none"> Resource Management Plan for Mineral Development (Proposed Settlement Lands) 	Infrastructure & LNR	Now	1
<ul style="list-style-type: none"> Forest Management Plan (Proposed Settlement Lands) 	LNR with community feedback	Short term	2
<ul style="list-style-type: none"> Spill Response/ Control Plan (Bear Island/ Proposed Settlement Lands) 	Infrastructure (Heavy Equipment) & LNR	Now	1
<ul style="list-style-type: none"> Housing Plan 	Housing & Committee, LNR & Infrastructure	Now	1

