

1980

# c 294 Moosonee Development Area Board Act

Ontario

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CHAPTER 294

Moosonee Development Area Board Act

1. In this Act,

Interpre-  
tation

- (a) "Board" means The Moosonee Development Area Board;
- (b) "Development Area" means the area defined in Schedule A;
- (c) "Minister" means the Minister of Intergovernmental Affairs or such other member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1970, c. 277, s. 1, *revised*

2.—(1) The Moosonee Development Area Board is con-  
tinued as a corporation without share capital. R.S.O. 1970,  
c. 277, s. 2 (1).

Board,  
continued

(2) The Board shall consist of seven members appointed and  
designated as chairman, vice-chairman and members by the  
Lieutenant Governor in Council. R.S.O. 1970, c. 277, s. 2 (2);  
1974, c. 76, s. 1 (1).

composition

(3) Four members of the Board constitute a quorum. R.S.O.  
1970, c. 277, s. 2 (3); 1974, c. 76, s. 1 (2).

quorum

(4) If a vacancy occurs on the Board through death,  
resignation or otherwise, the vacancy may be filled and the  
members may be redesignated by the Lieutenant Governor  
in Council.

vacancy

(5) The Board shall be deemed to be a local board for the  
purposes of the *Ontario Municipal Employees Retirement  
System Act*.

deemed  
local board  
under  
R.S.O. 1980,  
c. 348

(6) The Board shall appoint a secretary-treasurer who may  
be a member of the Board, who shall hold office during  
pleasure and, with respect to the Development Area, has the  
powers and shall perform the duties of the clerk, treasurer  
and collector of a municipality. R.S.O. 1970, c. 277, s. 2 (4-6).

Secretary-  
treasurer

3. For the purposes of every Act, the Board, in respect of  
the purposes specified in Schedule B, has, in the Development  
Area, all the powers and duties of the council of a township  
including, but without limiting the generality of the foregoing,

Powers of  
Board

the power to levy, impose and collect taxes and rates, and, when any such power or duty is exercised under any Act in respect of any of such purposes, the Act applies with necessary modifications. R.S.O. 1970, c. 277, s. 3.

Further powers of Board

**4.** In addition to the powers provided in section 3, the Board may,

- (a) acquire and hold land within the Development Area for development purposes;
- (b) survey, clear, grade, subdivide and service such land; and
- (c) sell, lease or otherwise dispose of such land. R.S.O. 1970, c. 277, s. 4.

District assessor  
R.S.O. 1980,  
c. 31

**5.** The Development Area is a locality for the purposes of the *Assessment Act*. R.S.O. 1970, c. 277, s. 5.

Application of  
R.S.O. 1980,  
c. 303

**6.** The Board is subject to Part III of the *Municipal Affairs Act* as though it were a municipality. R.S.O. 1970, c. 277, s. 6; 1972, c. 1, s. 104 (6).

Grants

**7.** The Minister may make grants to the Board out of the moneys appropriated therefor by the Legislature. R.S.O. 1970, c. 277, s. 7.

Application of  
R.S.O. 1980,  
c. 399

**8.** The *Provincial Land Tax Act* does not apply to the Development Area. R.S.O. 1970, c. 277, s. 8.

Board not municipality under  
R.S.O. 1980,  
c. 347

**9.** Except as otherwise provided in this Act, the Board is not a municipality under the *Ontario Municipal Board Act*. R.S.O. 1970, c. 277, s. 9.

Development Area deemed municipality under  
R.S.O. 1980,  
cc. 349, 347

**10.** For the purposes of the *Ontario Municipal Improvement Corporation Act* and sections 57, 58, 59, 60 and 61 of the *Ontario Municipal Board Act*, the Board shall be deemed to be a municipality and the approval of the Ministry of Intergovernmental Affairs shall be deemed to be an approval of the Ontario Municipal Board under sections 64 and 65 of the *Ontario Municipal Board Act*. R.S.O. 1970, c. 277, s. 10; 1972, c. 3, s. 17 (2).

Development Area remains territory

**11.** The Development Area shall remain territory without municipal organization. R.S.O. 1970, c. 277, s. 11.

Application of  
R.S.O. 1980,  
c. 95

**12.** The *Corporations Act* does not apply to the Board. R.S.O. 1970, c. 277, s. 12.

Regulations

**13.** The Lieutenant Governor in Council may make regulations amending Schedule B. R.S.O. 1970, c. 277, s. 13.

## SCHEDULE A

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the District of Cochrane and Province of Ontario, being composed of the whole of the geographic townships of Caron, Horden and Moose, including the Moosonee Townsite, part of the right-of-way of the Ontario Northland Transportation Commission and part of the Moose River, which said parcel or tract of land may be more particularly described as follows:

COMMENCING at the southwest angle of the said Township of Horden;

THENCE due north astronomically along the west boundary of the said township being along the centre line of the allowance for road between the townships of Winnington and Horden, as established by Ontario Land Surveyor H. W. Sutcliffe in the year 1932, a distance of 1 Mile (5,280 feet) to the 1-mile post;

THENCE North  $0^{\circ} 00.7'$  East astronomically, continuing along the west boundary of the said Township of Horden being along the centre line of the road allowance between the townships of Winnington and Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 20 chains (1,320 feet);

THENCE due north astronomically continuing along the centre of the road allowance between the townships of Winnington and Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 300 chains (19,800 feet) to the 5-mile post;

THENCE North  $0^{\circ} 00.5'$  East astronomically, continuing along the west boundary of the said Township of Horden, being along the centre line of the allowance for road between the townships of Winnington and Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 1 mile (5,280 feet) to the 6-mile post;

THENCE due north astronomically continuing along the west boundary of the said Township of Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 1 mile (5,280 feet) to the 7-mile post;

THENCE North  $0^{\circ} 00.1'$  West astronomically, continuing along the west boundary of the said Township of Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 40.0 chains (2,640 feet) to a post;

THENCE due north astronomically continuing along the west boundary of the said Township of Horden, being along the centre line of the allowance for road between the townships of Winnington and Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 40 chains (2,640 feet) to the 8-mile post;

THENCE North  $0^{\circ} 00.4'$  West astronomically continuing along the west boundary of the said Township of Horden, being along the centre of the allowance for road between the townships of Winnington and Horden, as established by the said H. W. Sutcliffe in the year 1932, a distance of 80 chains (5,280 feet) to the northwest angle of the said Township of Horden and the southwest angle of the Township of Caron;

THENCE North  $0^{\circ} 00.4'$  West along the west boundary of the Township of Caron, being along the centre line of the allowance for road between the townships of Caron and Greer, as established by Ontario Land Surveyor H. W. Sutcliffe in the year 1932, a distance of 5.0 miles (26,400 feet) to a point;

THENCE North  $0^{\circ} 01.3'$  West astronomically continuing along the west boundary of the Township of Caron, as established by the said H. W. Sutcliffe in the year 1932, a distance of 40 chains (2,640 feet) to a point;

THENCE due north continuing along the west boundary of the Township of Caron, being along the boundary between the townships of Caron and Greer, as established by the said H. W. Sutcliffe in the year 1932, a distance of 279.39 chains (18,439.74 feet) more or less to the northwest angle of the Township of Caron;

THENCE North  $89^{\circ} 59'$  East, astronomically, along the north boundary of the said Township of Caron, as established by Ontario Land Surveyor H. W. Sutcliffe in the year 1932, a distance of 77.98 chains (5,146.68 feet) to the 8-mile post;

THENCE due east, astronomically, continuing along the north boundary of the Township of Caron, as established by the said H. W. Sutcliffe in the year 1932, a distance of 80.00 chains (5,280 feet) to the 7-mile post;

THENCE South  $89^{\circ} 59.5'$  East, astronomically, continuing along the north boundary of the Township of Caron, as established by the said H. W. Sutcliffe in the year 1932, a distance of 80.00 chains (5,280 feet) to the 6-mile post;

THENCE due east, astronomically, continuing along the north boundary of the Township of Caron, as established by the said H. W. Sutcliffe in the year 1932, a distance of 6.0 miles (31,680 feet) more or less, to the north-east angle of the Township of Caron and the northwest angle of the Township of Moose;

THENCE due east, astronomically, along the north boundary of the said Township of Moose, as established by Ontario Land Surveyor H. W. Sutcliffe in the year 1932, a distance of 2 miles (10,560 feet) to the 2-mile post;

THENCE North  $89^{\circ} 59.7'$  East, astronomically, continuing along the north boundary of the said Township of Moose, as established by the said H. W. Sutcliffe in the year 1932, a distance of 20 chains (1,320 feet);

THENCE due east, astronomically, continuing along the north boundary of the said Township of Moose, as established by the said H. W. Sutcliffe in the year 1932, a distance of 300 chains (19,800 feet) to the 6-mile post;

THENCE South  $89^{\circ} 59.8'$  East, astronomically, continuing along the north boundary of the said Township of Moose, as established by the said H. W. Sutcliffe in the year 1932, a distance of 40 chains (2,640 feet);

THENCE due east, astronomically, continuing along the north boundary of the said Township of Moose, as established by the said H. W. Sutcliffe in the year 1932, a distance of 169 chains (11,154 feet) to the extreme high tide line of James Bay;

THENCE due east, astronomically, continuing along the north boundary of the said Township of Moose, a distance of 82.13 chains (5,420.58 feet) more or less to the normal high tide line or shore of James Bay;

THENCE southerly and southeasterly along the shore of James Bay and along the north shore of Ship Sands Island and continuing southeasterly to a point in Moose River along a line joining the northeasterly extremity of Ship Sands Island and Arnold Point, distant one mile (5,280 feet) measured southeasterly at right angles from the southeast shore of the said Island;

THENCE southwesterly parallel with the southeast shore of Ship Sands Island and continuing southwesterly parallel with the left bank of the Moose River and distant 1 mile (5,280 feet) measuring southeasterly at right angles to the said bank, to the intersection of said parallel line with the easterly prolongation of the south boundary of the Township of Horden;

THENCE North  $89^{\circ} 55'$  West, astronomically, along the last-mentioned prolongation to the westerly limit of the road allowance along the north bank of Moose River;

THENCE continuing North  $89^{\circ} 55'$  West, astronomically, along the south boundary of the said Township of Horden, being along the centre line of the allowance for road between the townships of Horden and Parr, as established by Ontario Land Surveyor H. W. Sutcliffe in the year 1932, a distance of 89.31 chains (5,894.46 feet) more or less, to the point of commencement.

R.S.O. 1970, c. 277, Sched. A.

## SCHEDULE B

1. The provision, maintenance and operation of sewer and water services.
2. The provision and maintenance of highways, including drainage thereof and the regulation and control of traffic therein or thereon.
3. The collection, removal and disposal of garbage and other refuse.
4. All the purposes of the *Planning Act*.
5. The provision, maintenance and operation of fire protection services.
6. The provision, maintenance and operation of street lighting.
7. The provision, maintenance and operation of parks, community centres and programs of recreation.
8. The purposes of the *Municipal Act* with respect to trailers, trailer camps, trailer parks, tourist camps, motels, air harbours and landing grounds.
9. The licensing, regulating and governing of owners and drivers of cabs, buses and motor vehicles and other vehicles used for hire and of persons keeping boats for hire.
10. The purposes of Part 1 of the *Dog Licensing and Live Stock and Poultry Protection Act*.
11. The purposes of paragraph 59 of section 208 of the *Municipal Act* with respect to the acquisition of real property for the purpose of leasing such property to a legally qualified medical or dental practitioner.
12. The prohibiting or regulating the discharge of guns or other firearms, air guns and spring guns or any class or type thereof in the Development Area or in any defined area or areas thereof.
13. The purposes of the *Municipal Act* with respect to establishing, widening, altering, diverting or stopping up highways or parts thereof.
14. The purposes of the *Cemeteries Act*.
15. The purposes of the *Municipal Act* with respect to drainage.
16. The purposes of the *Drainage Act*.
17. The purposes of clause (c) of paragraph 73 of section 210 of the *Municipal Act* with respect to sewage waste removal.
18. The purposes of paragraph 6 of section 232 of the *Municipal Act*.
19. The purposes of the *Public Halls Act*.
20. The purposes of sections 4, 8, 10 and 11 of the *Ontario Unconditional Grants Act*.
21. The provision and operation of public, separate and secondary schools.
22. The purposes of the *Housing Development Act*.

23. The provision, maintenance and operation of library services.

R.S.O. 1970, c. 277, Sched. B; 1972, c. 10, s. 1;  
O. Reg. 57/71, s. 1; O. Reg. 570/74, s. 1; O. Reg. 810/76,  
s. 1; O. Reg. 370/77, s. 1.



