



February 27, 2023

Tammy Cook, CAO
Lakehead Region Conservation Authority
130 Conservation Road
PO Box 10427
Thunder Bay ON P7B 6T8

Dear Tammy:

Re: Municipality of Oliver Paipoonge By-law No. 08-2023
Memorandum of Understanding with LRCA for Mapping Services

Attached please find an executed copy of By-law No. 08-2023 and one copy of Schedule "A", a Memorandum of Understanding (MOU) between the Lakehead Region Conservation Authority and the Municipality of Oliver Paipoonge for mapping services, approved by the Oliver Paipoonge Municipal Council at its Meeting held on February 14, 2023.

If you require further information, please do not hesitate to contact our office.

Yours very truly,

Wayne Hanchard

Wayne Hanchard
CAO/Clerk

/cp

Attachments



**THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE**

BY-LAW NO. 08 - 2023

A By-law to authorize the execution of a Memorandum of Understanding (MOU) between the Corporation of the Municipality of Oliver Paipoonge and the Lakehead Region Conservation Authority for mapping services.

WHEREAS the *Municipal Act, 2001*, c. 25, s. 9 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Council for the Corporation of the Municipality of Oliver Paipoonge deems it expedient to enter into a Memorandum of Understanding with the Lakehead Region Conservation Authority to access the Lakehead Region Conservation Authority Mapping website and provide GIS services to centralize, maintain and update municipal information;


NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

1. The Corporation of the Municipality of Oliver Paipoonge is hereby authorized to enter into a Memorandum of Understanding (MOU) with the Lakehead Region Conservation Authority to access the Lakehead Region Conservation Authority Mapping website and provide GIS services to centralize, maintain and update municipal information in the form attached hereto as Schedule "A" and expiring December 31, 2023.
2. That the Chief Administrative Officer/Clerk be authorized to execute the Memorandum of Understanding on behalf of the Corporation of the Municipality of Oliver Paipoonge.
3. This by-law shall come into force and take effect upon the date it is passed.

Enacted and passed this 14th day of February, 2023, A.D. as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE



Mayor Lucy Kloosterhuis

Wayne Hanchard, CAO/Clerk

SCHEDULE "A"
Memorandum of Understanding (MOU)

BY-LAW NO. 08-2023

Between

Lakehead Region Conservation Authority (LRCA)



And

Municipality of Oliver Paipoonge

Pertaining to access to Lakehead Region Conservation Authority Online Mapping website and provision of GIS services to centralize, maintain and update municipal information.

1.0 Background:

LRCA will provide GIS services and access to the LRCA Web Based Map Viewer to access and query properties on screen, create, and print site maps. This will integrate municipal and Conservation Authority information in LRCA's mapping website. This project will result in more efficient land use planning, reduced duplicate effort, and provide GIS capabilities for the Municipality of Oliver Paipoonge.

2.0 Roles and Responsibilities:

The parties agree to adhere to all FIPPA/MFIPPA legislation.

2.1 LRCA (Service Provider):

- Will aim to achieve 100% availability of the website and availability of GIS professional services; however, as with all web services there will be periods, where due to circumstances beyond our control, services may be unavailable.
- Work with partner to determine optimal database setup.
- Provide training to partner as required.
- Maintain and enhance the web site and update the data layers as required.
- Host meetings or teleconferences as required to explore future needs and desired enhancements.

- Understand the intellectual property remains with the data providers and the LRCA is not responsible for omissions or errors as outlined in Appendix B.

2.2 Municipality of Oliver Paipoonge (Partner):

- Will commit to the project for a period of one year from the date of signature.
- Provide annual service fee as outlined in Appendix A.
- Provide planning data to LRCA on agreed upon time basis for integration into web accessible database.
- Will use the website and report to LRCA on any identified issues.
- Explore future needs and desired enhancements with LRCA through discussions/meetings.
- Participate in training offered by LRCA.
- Use up-to-date local anti-virus software as LRCA is not responsible for infection of end-user devices.
- Understand the intellectual property remains with the data provider and the LRCA is not responsible for omissions or errors as outlined in Appendix B.

3.0 Effective Date and Signatures:

This agreement will commence on January 1, 2023 for a one-year period terminating December 31, 2023 and can be amended and/or renewed as agreed to by the parties.

The Parties noted below have the authority to bind their respective agencies.

Donna Blunt

Donna Blunt

Chair

Lakehead Region Conservation Authority

Jan 27/23

Date

Tammy Cook

Tammy Cook

Chief Administrative Officer

Lakehead Region Conservation Authority

Jan 20/23

Date

Wayne Hanchard

Wayne Hanchard

CAO

Feb 15/23

Date

Appendix A: Annual Service Fee:

Core Service \$12,350 plus HST/year which includes:

- basic support and training
- web mapping services maintenance/management
- periodic data updates with most up-to-date information available and information provided by partner
- adding/programming new features/enhancements as agreed to by both parties
- Official Plan and Zoning By-Law mapping assistance during comprehensive updates
- Printing of large format paper maps as required (limits on number of maps printed in a given year may be set if warranted (i.e. greater than 50 in a given year))

Additional GIS Services

- Other GIS services not within the scope of this Agreement can be provided by the LRCA under a separate agreement.

Appendix B: Data Sharing Agreement:

The data is provided "as is" without any guarantee, representation, condition or warranty of any kind, either expressed, implied or statutory, including but not limited to the implied warranties and representations of merchantability and fitness for a particular purpose. The **Lakehead Region Conservation Authority**, its directors, employees and agents are not liable to the user of the data for any direct, indirect, special, consequential or exemplary damages, or damages of any nature.

All digital data may not be transferred, sublicensed, sold (commercially or privately), or lent out to any other entity other than the **Municipality of Oliver Paipoonge or LRCA**.

The Data or Third Party Data may not be used to create any derivative products, in whole or part, without express written consent of the data provider.

The Service Provider does not assume any liability with respect to the contents and accuracy thereof of any derivative products.

