



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, February 15, 2022 – 6:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

Agenda

Land Acknowledgement

1. **Call to Order**
2. **Roll Call**
3. **Review of Revisions or Deletions to Agenda**
4. **Approval of Agenda**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that City Council approves the agenda as printed / amended.

5. **Disclosure of Pecuniary Interest and General Nature**

6. Review and adoption of Council Minutes

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that City Council approves the following minutes as printed:

a) Regular Meeting of Council – February 1, 2022.

7. Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes

a) Zoning By-law Amendment (ZBA-2022-01)

Owner: Rudolf and Candice Tobler

Agent: William R. Ramsay, Ramsay Law Office Professional Corporation

Subject Land: 118072 Sales Barn Road (DYMOND CON 4 S PT LOT 12 PCL 7919SST)

Purpose of the application: To rezone the property from Prime Agriculture (A1) to an appropriate Prime Agricultural Exception.

8. Question and Answer Period

9. Presentations / Delegations

None

10. Communications

a) Tanya Daniels, City Clerk - City of Brantford

Re: Closing the Revolving Door of Justice, 2022-01-28

Reference: Received for Information

- b) Carman Kidd, TeMAG Co-Chair

Re: Boreal Forest Medieval Villages, 2022-01-31

Reference: Motion presented for consideration in Section 15 – New Business

- c) Celine Leger-Nolet, Resident

Re: Resignation from the Bicycle Friendly Committee, 2022-02-07

Reference: By-law presented for consideration in Section 16 – By-laws

- d) Lori McDonald, Director of Corporate Services/ Clerk

Re: Joint and Several Liability Reform, 2022-02-09

Reference: Received for Information

- e) Tanya Daniels, City Clerk - City of Brantford

Re: Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice, 2022-02-07

Reference: Received for Information

- f) John and Lorraine Krul, Residents

Re: Application to Purchase Municipal Land, 2022-02-09

Reference: Direct to the Municipal Clerk to process in accordance with Land Disposition By-law No. 2015-160

- g) District of Timiskaming Social Services Administration Board

Re: 2021 Quarterly Report – Q4, 2022-02-09

Reference: Received for Information

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10. g) according to the Agenda references.

11. Committees of Council – Community and Regional

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Age Friendly Community Committee meeting held on December 7, 2021; and
- b) Minutes of the District of Timiskaming Social Services Administration Board meeting held on November 17, 2021.

12. Committees of Council – Internal Departments

None

13. Reports by Members of Council

14. Notice of Motions

15. New Business

a) TeMAG Resolution - Boreal Forest Medieval Villages

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas developments known as “Boreal Forest Medieval Villages” are being proposed in unincorporated townships within the District of Timiskaming; and

Whereas the developers' of these "villages" are promoting the fact their developments are not subject to zoning by-laws, building permits, planning policies or other municipal/provincial regulations; and

Whereas the Provincial Policy Statement, 2020 states "in territories without municipal organization the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses"; and

Whereas the Provincial Policy Statement, 2020 further states that the development of new permanent townsites within territories without municipal organization shall not be permitted; and

Whereas matters relating to territories without municipal organization are under the sole jurisdiction of the Province of Ontario; and

Whereas the scale of these developments in the unincorporated townships poses a significant concern for the incorporated municipalities in the District of Timiskaming including;

- Demand for services such as landfill, fire protection, police protection and social services;
- Increase demand on our emergency and medical services such as EMS and local hospitals (who are already dealing with capacity issues);
- Environmental impacts to watersheds and groundwater sources.

Now therefore be it resolved that the City of Temiskaming Shores hereby petitions the Honourable Steve Clark, Minister of Municipal Affairs and Housing to immediately enact a Minister's Zoning Order under the Planning Act for each of the proposed "Boreal Forest Medieval Village" developments in order to ensure proper planning principles are being adhered to by the developers and that their developments are consistent with the Provincial Policy Statement, 2020; and

Further that a copy of this resolution be forward to the Honourable David Piccini, Minister of the Environment, Conservation & Parks; the Honourable Greg Rickford, Minister of Northern Development, Mines Natural Resources & Forestry; John Vanthof, MPP for Timiskaming-Cochrane; the Temiskaming Municipal Association; the Temiskaming Mayors' Action Group; and the Federation of Northern Ontario Municipalities.

b) January 2022 Year-to-Date Capital Financial Report

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of the January 2022 Year-to-Date Capital Financial Report for information purposes.

c) Memo No. 005-2022-CS – Northern Ontario Resource Development Support Fund (NORDS) Transfer Payment Agreement

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 005-2022-CS; and

That Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to enter into an agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Northern Development, Mines, Natural Resources and Forestry for the Northern Ontario Resource Development Support Fund (NORDS) Transfer Payment Agreement, for consideration at the February 15, 2022 Regular Council meeting.

d) Memo No. 006-2022-CS – Deeming By-law for Basa – 48 Lowry Street; PLAN M82NB LOTS 47 TO 49 PCL 17483SST

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the owners of 48 Lowry Street in Haileybury would like to merge lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the owners have acknowledged that registration of the pending deeming by-law on title will be at their expense.

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem PLAN M82NB

LOTS 47 TO 49 PCL 17483SST, to no longer be Lots on a Plan of Subdivision;
and

Further that Council hereby directs staff to prepare the necessary deeming by-law for consideration at the February 15, 2022 Regular Council meeting.

e) Administrative Report No. CS-007-2022 – Zoning By-law Amendment (ZBA-2021-07): DYMOND CON 3 PT S PT LOT 4 being RP 54R6087 PART 4 AND RP54R6156 PART 1

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-007-2022;

That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law 2017-154 to permit the zone change from Prime Agricultural (A1) and Open Space (OS) to Rural Residential (R1); and

That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law 2017-154, for consideration at the February 15, 2022 Regular Council meeting.

f) Administrative Report No. CS-008-2022– Sale of Municipal Property - Part of Second Street and Part of Fourth Street

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-008-2022;

That Council directs staff to continue with the disposition of municipal road allowances, being:

- a. part of Second Street, described as Part 2 on Plan 54R-6248, and
- b. part of Fourth Street, described as Part 1 on Plan 54R-6248;

in accordance with By-law No. 2015-160; and

That Council directs staff to prepare the necessary by-laws to Stop and Close the above-described road allowances, and to enter into an Offer of Purchase and Sale Agreement between the City of Temiskaming Shores as Vendor, and

Hazel and Maurice Pleau as Purchaser, for the above-described road allowances, in the amount of \$500 plus taxes (if applicable) per street, plus all associated costs (legal, registration, survey, administration, etc.), in accordance with By-law No. 2015-160, for consideration at the February 15, 2022 Regular Council meeting.

g) Memo No. 005-2022-RS – Little Claybelt Homesteaders Museum Expansion

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 005-2022-RS; and

That Council hereby approves the request from the Little Claybelt Homesteaders Museum for an addition on the existing museum building for storage and display space, conditional upon the Museum Board undertaking the project on their own time and at their own expense, and in accordance with all applicable permits, through consultation with the City's Chief Building Official.

h) Administrative Report No. RS-001-2022 – Quotation Award – Shelley Herbert-Shea Memorial Arena Chiller Replacement

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-001-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with CIMCO Refrigeration, Division of Tormont Industries Ltd. for the Shelley Herbert-Shea Memorial Arena Chiller Replacement, in the amount of \$72,900, plus applicable taxes, for consideration at the February 15, 2022 Regular Council meeting.

i) Administrative Report No. RS-002-2022 – Climate Change Committee Recommendations to Council

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-002-2022;

That Council direct staff to revise the Climate Change Committee terms of reference document, to create a standing committee of Council responsible for guiding the City towards its sustainability and climate change goals; and

That Council direct staff to investigate funding options to hire a new staff member to complete updates to the Greenhouse Gas Reduction Plan in conjunction with the Climate Change Committee.

j) Administrative Report No. RS-003-2022 – Recreation Facility User Liability Insurance Policy

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-003-2022; and

That Council for the City of Temiskaming Shores direct staff to prepare the necessary by-law to adopt the City of Temiskaming Shores Recreation Facility User Liability Policy effective March 1, 2022, for consideration at February 15, 2022 Regular Council Meeting.

k) Administrative Report No. PW-005-2022 – Purchase of a Backhoe Loader

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-005-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with J.R. Brisson Equipment for the supply and delivery of a Backhoe Loader with attachments, in the amount of \$193,500.00, plus

applicable taxes, for consideration at the February 15, 2022 Regular Council meeting; and

That Council directs staff to surplus the City of Temiskaming Shores 2008 CASE Backhoe for a trade-in value of \$8,000.00, for a subtotal price of \$185,500.00 plus applicable taxes.

16. **By-laws**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

- By-law No. 2022-024 Being a by-law to amend By-law No. 2019-018, as amended to appoint community representatives to various Committees and Boards for the 2019-2022 Term of Council
- By-law No. 2022-025 Being a by-Law to authorize the execution of the Transfer Payment Agreement for the Northern Ontario Resource Development Support Fund (NORDS) between Her Majesty the Queen in Right of Ontario represented by the Minister of Northern Development, Mines, Natural Resources and Forestry and The Corporation of the City of Temiskaming Shores
- By-law No. 2022-026 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 474 and 480 Helmer Pedersen Drive (Roll No. 54-18-010-007-005.42 / 43)
- By-law No. 2022-027 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 48 Lowry Street (Roll No. 54-18-030-001-005.03)
- By-law No. 2022-028 Being a By-law to amend By-law No. 2017-154 to rezone part of DYMOND CON 3 PT S PT LOT 4 being RP 54R6087 PART 4 AND RP54R6156 PART 1 from the Prime Agricultural (A1) and Open Space (OS) Zone to the Rural Residential (R1) Zone to permit the construction of a single detached dwelling (Roll No. part of 5418-020-001-103.00)

- By-law No. 2022-029 Being a by-law to Stop up and Close a Highway – Part of Second Street, being legally described as Part 2 on Plan 54R-6248
- By-law No. 2022-030 Being a by-law to Stop up and Close a Highway – Part of Fourth Street, being legally described as Part 1 on Plan 54R-6248
- By-law No. 2022-031 Being a by-law to authorize the Sale of Land for a Part of Second Street, described as Part 2 on Plan 54R-6248 to Maurice Pleau and Hazel Pleau
- By-law No. 2022-032 Being a by-law to authorize the Sale of Land for a Part of Fourth Street, described as Part 1 on Plan 54R-6248 to Maurice Pleau and Hazel Pleau
- By-law No. 2022-033 Being a by-law to enter into an agreement with CIMCO Refrigeration, Division of Toromont Industries Ltd. for the replacement of the Chiller for the Shelley Herbert-Shea Memorial Arena
- By-law No. 2022-034 Being a by-law to adopt a Recreation Facility User Liability Insurance Policy for the City of Temiskaming Shores
- By-law No. 2022-035 Being a by-law to enter into an agreement with J.R. Brisson Equipment for the supply and delivery of one (1) Backhoe Loader with attachments

be hereby introduced and given first and second reading.

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

- | | |
|----------------------|--------------------------|
| By-law No. 2022-024; | By-law No. 2022-030; |
| By-law No. 2022-025; | By-law No. 2022-031; |
| By-law No. 2022-026; | By-law No. 2022-032; |
| By-law No. 2022-027; | By-law No. 2022-033; |
| By-law No. 2022-028 | By-law No. 2022-034; and |
| By-law No. 2022-029; | By-law No. 2022-035; |

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

17. Schedule of Council Meetings

- a) Regular Meeting – Tuesday, March 1, 2022 at 6:00 p.m.
- b) Regular Meeting – Tuesday, March 15, 2022 at 6:00 p.m.

18. Question and Answer Period

19. Closed Session

None

20. Confirming By-law

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. 2022-036 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular meeting held on **February 15, 2022** be hereby introduced and given first and second reading.

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. 2022-036 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

21. Adjournment

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council hereby adjourns its meeting at _____ p.m.



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, February 1, 2022 – 6:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

Minutes

Land Acknowledgement

Mayor Kidd began the meeting by observing the following Land Acknowledgement:

We acknowledge that we live, work and gather on the traditional and unceded Territory of the Algonquin People, specifically the Timiskaming First Nation.

We recognize the presence of the Timiskaming First Nation in our community since time immemorial, and honour their long history of welcoming many Nations to this beautiful territory and uphold and uplift their voice and values.

1. Call to Order

The meeting was called to order by Mayor Kidd at 6:00 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors Jesse Foley, Doug Jelly, Jeff Laferriere, Mike McArthur, and Danny Whalen

Present: Logan Belanger, Clerk
Christopher Oslund, City Manager
Kelly Conlin, Deputy Clerk
Shelly Zubyc, Director of Corporate Services
Mathew Bahm, Director of Recreation
Steve Langford, Fire Chief
James Franks, Economic Development Officer
Brad Hearn, IT Administrator
Steve Burnett, Manager of Environmental Services
Mitchell McCrank, Manager of Transportation Services
Stephanie Levielle, Treasurer

Regrets: Councillor Patricia Hewitt

Media: N/A

Members of the Public: 2 in-person and 1 electronic

3. Review of Revisions or Deletions to Agenda

None.

4. Approval of Agenda

Resolution No. 2022-019

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that City Council approves the agenda as printed / amended.

Carried

5. Disclosure of Pecuniary Interest and General Nature

None.

6. Review and adoption of Council Minutes

Resolution No. 2022-020

Moved by: Councillor Foley

Seconded by: Councillor McArthur

Be it resolved that City Council approves the following minutes as printed:

a) Regular Meeting of Council – January 18, 2022.

Carried

7. Public Meetings pursuant to the Planning Act, Municipal Act and other Statutes

- a) Zoning By-law Amendment (ZBA-2021-07)

Owner: Steve and Nicole Allen

Subject Land: South side of Pete's Dam Road, across from Pete's Dam Park; Dymond Concession 3, Part of the South Part of Lot 4, Part 1 on Registered Plan 54R-6151

Purpose of the application: To rezone the property from Prime Agriculture (A1) to Rural Residential (R1).

Mayor Kidd outlined that the purpose of this public meeting is for one (1) Zoning By-law amendment application. The Planning Act requires that a public meeting be held before Council decides whether to pass a by-law adopting a proposed amendment.

The public meeting serves two purposes: first, to present to Council and the public the details and background to the proposed amendment and second, to receive comments from the public and agencies before a decision is made by Council.

Mayor Kidd declared the meeting to be open and to be a public meeting pursuant to Section 34 of the Planning Act, and requested the Planner to outline the details of the application.

Jennifer Pye, Planner, utilizing PowerPoint, outlined the background, purpose, planning analysis related to the zoning by-law amendment, and the supporting information submitted by the applicants demonstrating a buildable lot, including confirmation from the Timiskaming Health Unit that a septic system can be installed, and confirmation that an adequate source of water can be attained. Comments received prior to the public meeting were reviewed including, a note from the City's Chief Building Official stating that the proposal to construct a building on the property would likely necessitate the General Review from a Geotechnical Engineer to determine the feasibility of constructing a building on the property, due to a considerable slope along a ravine.

The notice of the public meeting was provided via the City Bulletin in accordance with the statutory notice requirements of the Planning Act.

Mayor Kidd inquired if there are any members of the public wanting to speak to this issue to input their comments into the chat box. The Director of Corporate Services indicated no comments were received.

Mayor Kidd inquired if there were any comments from members of Council, and no questions were received.

Mayor Kidd declared that this public meeting is closed, and Council will give due consideration to the application.

8. Question and Answer Period

None

9. Presentations / Delegations

None

10. Communications

- a) Accessibility Standards Canada

Re: Roadmap to 2040 – A plan to guide the work of Accessibility Standards Canada

Reference: Received for Information

- b) Erin Kwarciak, Clerk - Town of Plympton-Wyoming

Re: Support for City of Kitchener's Resolution regarding Fire Safety Measures and a Request to Review the Ontario Fire Code Retrofit Section 9.5, 2022-01-15

Reference: Received for Information

- c) The Honourable Caroline Mulroney, Minister of Transportation

Re: 2021-22 Gas Tax Program, 2022-01-19

Reference: By-law to be presented in Section 16 – By-laws

- d) Robert Bush, Chair of the Board – District School Board Ontario Northeast

Re: Letter of Support 2+1 Roadway Pilot Project, 2022-01-24

Reference: Received for Information

- e) Nick Chauvin, Project Lead – LBCG Consulting

Re: District of Timiskaming Community Safety and Well-Being Plan Update, 2022-01-25

Reference: Received for Information

- f) Danny Whalen, FONOM President; Wendy Landry, NOMA President; and Michelle Boileau, NOSDA Chair

Re: FONOM, NOMA and NOSDA Joint Media Release - Mental Health, Addictions and Homelessness Crisis in the North, 2022-01-26

Reference: Received for Information

- g) The Honourable Sylvia Jones, Solicitor General

Re: Review of Court Security and Prisoner Transportation in Ontario

Reference: Referred to the Temiskaming Shores Police Services Board

- h) The Honourable Steve Clerk – Minister for the Ministry of Municipal Affairs and Housing

Re: Update on Bill 13, the Supporting People and Businesses Act, 2021 and Bill 276, the Supporting Recovery and Competitiveness Act, 2021

Reference: Received for Information

- i) Mr. Edward Lavallee, Resident

Re: Application to Purchase Municipal Land (North Cobalt)

Reference: Direct to the Municipal Clerk to process in accordance with Land Disposition By-law No. 2015-160

Resolution No. 2022-021

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10. i) according to the Agenda references.

Carried

11. Committees of Council – Community and Regional

Resolution No. 2022-022

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Temiskaming Shores Climate Change (Ad Hoc) Committee meeting held on January 11, 2022; and
- b) Minutes of the Temiskaming Shores Public Library Board meeting held on November 24, 2021.

Carried

12. Committees of Council – Internal Departments

Resolution No. 2022-023

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that the following minutes be accepted for information:

- a) Minutes of the Building Maintenance Committee meeting held on January 19, 2022;
- b) Minutes of the Corporate Services Committee meeting held on January 19, 2022;
- c) Minutes of the Protection to Persons and Property Committee meeting held on January 19, 2022;
- d) Minutes of the Public Works Committee meeting held on January 19, 2022; and
- e) Minutes of the Recreation Committee meeting held on January 10, 2022.

Carried

13. Reports by Members of Council

- a) Mayor Carman Kidd

Re: 2022 ROMA Conference Report

- b) Councillor Doug Jelly updated that a new board Chair was elected to the District of Timiskaming Social Services Administration Board (DTSSAB), and congratulated Councillor Jesse Foley on his appointment as Vice-Chair.
- c) Councillor Whalen thanked Councillor Jelly for his work as Chair on the DTSSAB.

14. Notice of Motions

None

15. New Business

- a) **Memo No. 003-2022-CS – Fed Nor Funding Agreement Amendment No. 4
- Bilingual Project Coordinator – Project No. 39E-511659**

Resolution No. 2022-024

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 003-2022-CS;

That Council hereby confirms funding agreement amendment no. 4 signed January 20, 2022, and directs staff to prepare the necessary by-law to amend By-law No. 2018-130 (Bilingual Project Coordinator) for additional project funds; and

That Council directs staff to include a delegation of authority provision to authorize amendments that do not create any financial liability for the City that is beyond a budget approved by Council, for consideration at the February 1, 2022 Regular Council meeting.

Carried

b) Memo No. 004-2022-CS – Deeming By-law Application for Hayden Fiset – 474 and 480 Helmer Pedersen Drive; PLAN 54M365 LOTS 23 and 24

Resolution No. 2022-025

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Whereas the applicant of a vacant property located on Helmer Pederson Drive would like to merge lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the applicants have acknowledged that registration of the pending deeming by-law on title will be at their expense; and

Whereas Council is of the opinion Lots 23 and 24 on Plan 54M365 (Helmer Pederson Drive) are not integral to the settlement pattern and available infrastructure; and that deeming the two lots would prevent scattered and inefficient development.

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem 474 and 480 Helmer Pedersen Drive; PLAN 54M365 LOTS 23 and 24 to no longer be Lots on a Plan of Subdivision; and

Further that Council hereby directs staff to prepare the necessary deeming by-law for consideration at the February 15, 2022 Regular Council meeting.

Recorded Vote

For Motion

Councillor Jelly
Councillor Foley
Councillor Laferriere
Councillor McArthur
Councillor Whalen
Mayor Kidd

Against Motion

Carried

c) Administrative Report No. CS-003-2022 – Markey Consulting Service Proposal 2022 – 2024

Resolution No. 2022-026

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-003-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Markey Consulting for event planning services of the Northern Ontario Mining Showcase at PDAC 2022, 2023 and 2024 at a rate of \$650 per exhibitor plus taxes pending funding approval from Fed Nor, for consideration at the February 1, 2022 Regular Council meeting.

Recorded Vote

For Motion

Councillor Foley
Councillor Jelly
Councillor McArthur
Mayor Kidd

Against Motion

Councillor Laferriere
Councillor Whalen

Carried

- d) **Administrative Report No. CS-004-2022– Agreement with Fed Nor – Northern Ontario Mining Showcase at the CIM convention and tradeshow (May 1-4, 2022)**

Resolution No. 2022-027

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-004-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with the Federal Economic Development Agency for Northern Ontario, as represented by the Minister of Indigenous Services and Minister responsible for the Federal Economic Development Agency for Northern Ontario, for the Northern Ontario Mining Showcase at the 2022 Canadian Institute of Mining, Metallurgy and Petroleum (CIM) convention and tradeshow held in Vancouver from May 1 – 4, 2022 in the amount of \$157,500 for consideration at the February 1, 2022 Regular Council meeting.

Carried

- e) **Administrative Report No. CS-005-2022 – Evacuation Agreement with the Municipality of Temagami**

Resolution No. 2022-028

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-005-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with the Municipality of Temagami in the event of a large-scale emergency evacuation situation for consideration at the February 1, 2022 Regular Council Meeting.

Carried

f) Administrative Report No. CS-006-2022 – Short Term Accommodation Policy

Resolution No. 2022-029

Moved by: Councillor Foley

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-006-2022;

That Council directs staff to prepare the necessary by-law to adopt a Short-Term Accommodation Policy for the City of Temiskaming Shores, for consideration at the February 1, 2022 Regular Council Meeting for 1st and 2nd reading; and

That Council directs staff to engage stakeholders in the public consultation of the draft Short-Term Accommodation Policy prior to 3rd and Final Reading of the By-law and adoption of the Policy.

Carried

g) Memo No. 001-2022-PPP – 2021 Temiskaming Shores Fire Department Annual Report

Resolution No. 2022-030

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 001-2022-PPP regarding the 2021 Annual Report for the Temiskaming Shores Fire Department for information purposes.

Carried

h) Administrative Report No. PW-001-2022 – No Heavy Truck Sign on Radley Hill Road

Resolution No. 2022-031

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-001-2022;

That Council approves the placement of:

- a. Rb-62 “NO HEAVY TRUCKS” sign on Radley Hill Road adjacent to the entrance of Manitoulin Transport, facing West;
- b. Rb-62 sign on Radley Hill Road adjacent to the entrance to Grass King off of Radley Hill Road. Facing East;
- c. A Rb-62 Ahead Warning sign on Radley Hill Road at 3H Furniture, facing West; and

That Council directs staff to prepare the necessary amendment to By-law 2012-101, being a by-law to *Regulate Traffic and Parking of Vehicles in the City of Temiskaming Shores* to prohibit Heavy Traffic on Radley Hill Road from Manitoulin Transport to Lakeshore Road, for consideration at the February 1, 2022 Regular Council meeting.

Carried

i) Administrative Report No. PW-002-2022 – Household Hazardous Waste Collection Event

Resolution No. 2022-032

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-002-2022;

That Council directs staff to prepare the necessary by-law to enter into new agreement with Automotive Materials Stewardship Inc. to provide funding for the material collected at the City’s annual Household Hazardous Waste Collection Event, and to repeal By-law No. 2017-070 including amending By-law No. 2020-011, for consideration at the Regular Council Meeting held on February 1, 2022; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2015-096, as amended, for Product Care Association to provide funding for the material collected at the City's annual Household Hazardous Waste Collection Event, for consideration at the February 1, 2022, Regular Council meeting.

Carried

j) Administrative Report No. PW-003-2022 – Industrial, Commercial, and Institutional (ICI) Water Meter Program (Phase 2)

Resolution No. 2022-033

Moved by: Councillor Jelly
Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-003-2022;

That as outlined in By-law No. 2017-015, *Procurement Policy, Section 10*, Council approves to waive the tendering procedure; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Neptune Technology Group (Neptune) in the amount of \$479,380.00 plus applicable taxes, for the supply and installation of water meters for the remaining Industrial, Commercial and Institutional (ICI) sector including multi-residential establishment containing three (3) or more units, for consideration at the February 1, 2022 Regular Council Meeting.

Recorded Vote

For Motion

Councillor Foley
Councillor Jelly
Councillor McArthur
Mayor Kidd

Against Motion

Councillor Laferriere
Councillor Whalen

Carried

k) Administrative Report No. PW-004-2022 – Tender Award – Engineering Services – NL Waste Disposal Site

Resolution No. 2022-034

Moved by: Councillor Whalen
Seconded by: Councillor Jelly

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-004-2022; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with EXP Services Inc. for engineering services related to the expansion of the New Liskeard Waste Disposal Site in the amount of \$51,255 plus applicable taxes, for consideration at the February 1, 2022 Regular Council meeting.

Carried

I) Memo No. 002-2022-RS – New Liskeard Community Memorial Hall Renaming

Resolution No. 2022-035

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 002-2022-RS; and

That Council directs staff to prepare the necessary by-law to rename the New Liskeard Community Memorial Hall to the Bun Eckensviller Community Hall for consideration at the February 1, 2022 Regular Council Meeting.

Motion to Amend

The following motion was introduced to amend Resolution 2022-035:

Resolution No. 2022-035-A

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

That Council for the City of Temiskaming Shores hereby amends Resolution No. 2022-035, rename the New Liskeard Community Memorial Hall to the Lawrence “Bun” Eckensviller Community Hall.

Carried

Resolution No. 2022-035 (as amended)

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 002-2022-RS; and

That Council directs staff to prepare the necessary by-law to rename the New Liskeard Community Memorial Hall to the Lawrence “Bun” Eckensviller Community Hall for consideration at the February 1, 2022 Regular Council Meeting.

Carried

m) Memo No. 003-2022-RS – Ontario Trillium Foundation Funding Agreement – PFC Roof Replacement

Resolution No. 2022-036

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 003-2022-RS; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with the Ontario Trillium Foundation to replace the roof on the Pool and Fitness Centre in the amount of \$500,000 for consideration at the February 1, 2022 Regular Council Meeting.

Carried

n) Recreation Facilities Proof of COVID-19 Vaccination Policy for the City of Temiskaming Shores (By-Law No. 2021-139)

Resolution No. 2022-037

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 004-2022-RS; and

That Council directs staff to prepare the necessary by-law to repeal By-law No. 2021-139 (Recreation Facilities Proof of COVID-19 Vaccination Policy for the City of Temiskaming Shores) and amending By-law No. 2021-152, for consideration at the February 1, 2022 Regular Council Meeting.

Carried

16. **By-laws**

Resolution No. 2022-038

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that:

- By-law No. 2022-008 Being a by-law to authorize the execution of a funding agreement between Her Majesty the Queen in Right of Ontario, represented by the Minister of Transportation for the Province of Ontario, related to funding under the Dedicated Gas Tax Funds for Public Transportation Program – 2022
- By-law No. 2022-009 Being a by-law to amend By-law No. 2019-018, as amended to appoint community representatives to various Committees and Boards for the 2019-2022 Term of Council (Temiskaming Shores Public Library Board)
- By-law No. 2022-010 Being a by-law to amend By-law No. 2018-130 to enter into a funding agreement with Industry Canada (FedNor) for a bilingual Project Coordinator – Project No. 39E-511659 – Amendment No. 4
- By-law No. 2022-012 Being a by-law to enter into an agreement with the Federal Economic Development Agency for Northern Ontario as represented by the Minister of Indigenous Services and Minister responsible for the Federal Economic Development Agency for Northern Ontario, for the Northern Ontario Mining Showcase at the 2022 Canadian Institute of Mining, Metallurgy and Petroleum (CIM) convention and tradeshow from May 1 – 4, 2022 (Project No. 852-513725)
- By-law No. 2022-013 Being a by-law to enter into an agreement with The Corporation of the Municipality of Temagami in the event of an evacuation of its Residents
- By-law No. 2022-014 Being a by-law for the licensing of short-term accommodations in the City of Temiskaming Shores (**first and second reading only**)
- By-law No. 2022-015 Being a by-law to amend By-law No. 2012-101 as amended, to Regulate Traffic and Parking of Vehicles in the City of Temiskaming Shores – Designated Prohibited Truck Route

- By-law No. 2022-016 Being a by-law to enter into an Agreement with Automotive Materials Stewardship Inc. (AMS) for Automotive materials (oils, oil filters and antifreeze) collected as part of the Household Hazardous Waste Collection Event (Repeals By-Law No. 2017-070 & By-law No. 2020-011)
- By-law No. 2022-017 Being a by-law to amend By-law No. 2015-096 to enter into an Agreement with Product Care Association and the City of Temiskaming Shores for Phase 1 materials (paints and coatings) collected as part of the Municipal Hazardous or Special Waste Orange Drop Collection Event – Amendment No. 2
- By-law No. 2022-019 Being a by-law to enter into an agreement with EXP Services Inc. for engineering services related to the expansion of the New Liskeard Waste Disposal Site
- By-law No. 2022-020 Being a by-law to rename the New Liskeard Community Memorial Hall to the Lawrence “Bun” Eckensviller Community Hall
- By-law No. 2022-021 Being a by-law to enter into an agreement with the Ontario Trillium Foundation for the replacement of the roof at the Pool and Fitness Centre
- By-law No. 2022-023 Being a by-law to repeal By-law No. 2021-139, as amended being a by-law to adopt a Recreation Facilities Proof of COVID-19 Vaccination Policy for the City of Temiskaming Shores

be hereby introduced and given first and second reading.

Carried

Resolution No. 2022-039

Moved by: Councillor Foley

Seconded by: Councillor Laferriere

Be it resolved that:

- By-law No. 2022-011 Being a by-law to enter into an agreement with Markey Consulting to provide event management services for the Northern Ontario Mining Showcase at the Prospectors & Developers Association of Canada (PDAC) Convention from 2022 to 2024

By-law No. 2022-018 Being a by-law to enter into an agreement with Neptune Technology Group Canada Co. for the Supply and Installation of water meters for the Industrial, Commercial, and institutional (ICI) sector, including multi-residential establishments containing three (3) or more units in the City of Temiskaming Shores (Phase 2)

be hereby introduced and given first and second reading.

Recorded Vote

For Motion

Councillor Foley
Councillor Jelly
Councillor McArthur
Mayor Kidd

Against Motion

Councillor Laferriere
Councillor Whalen

Carried

Resolution No. 2022-040

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2022-008;	By-law No. 2022-016;
By-law No. 2022-009;	By-law No. 2022-017;
By-law No. 2022-010;	By-law No. 2022-019;
By-law No. 2022-012	By-law No. 2022-020;
By-law No. 2022-013;	By-law No. 2022-021; and
By-law No. 2022-015;	By-law No. 2022-023;

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

Resolution No. 2022-041

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that:

By-law No. 2022-011; and
By-law No. 2022-018;

be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Recorded Vote

For Motion

Councillor Foley
Councillor Jelly
Councillor McArthur
Mayor Kidd

Against Motion

Councillor Laferriere
Councillor Whalen

Carried

17. Schedule of Council Meetings

- a) Regular Meeting – Tuesday, February 15, 2022 at 6:00 p.m.
- b) Regular Meeting – Tuesday, March 1, 2022 at 6:00 p.m.

18. Question and Answer Period

None

19. Closed Session

Resolution No. 2022-042

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that Council agrees to convene in Closed Session at 7:04 p.m. to discuss the following matters:

- a) Adoption of the November 16, 2021 Closed Session Minutes; and
- b) Under Section 239(2)(b) of the Municipal Act, 2001 – Personal matter (identifiable individual) – Human Resources Update.

Carried

Resolution No. 2022-043

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that Council agrees to rise with report from Closed Session at 7:21 p.m.

Carried

Matters from Closed Session

Adoption of the November 16, 2021 – Closed Session Minutes

Resolution No. 2022-044

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that City Council approves the following as printed:

- a) Closed Session Minutes from the Regular meeting of Council on November 16, 2021.

Carried

Under Section 239(2)(b) of the Municipal Act, 2001 – Personal matter (identifiable individual) – Human Resources Update

Staff provided Council with an update.

20. Confirming By-law

Resolution No. 2022-045

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that By-law No. 2022-022 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular meeting held on **February 1, 2022** be hereby introduced and given first and second reading.

Carried

Resolution No. 2022-046

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that By-law No. 2022-022 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2022-047

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that Council hereby adjourns its meeting at 7:22 p.m.

Carried

Mayor

Clerk



Public Meeting Zoning By-law Amendment

Zoning By-law Amendment

Application No.: ZBA-2022-01

Owner: Rudolf and Candice Tobler

Agent: William R. Ramsay, Ramsay Law Office Professional Corporation

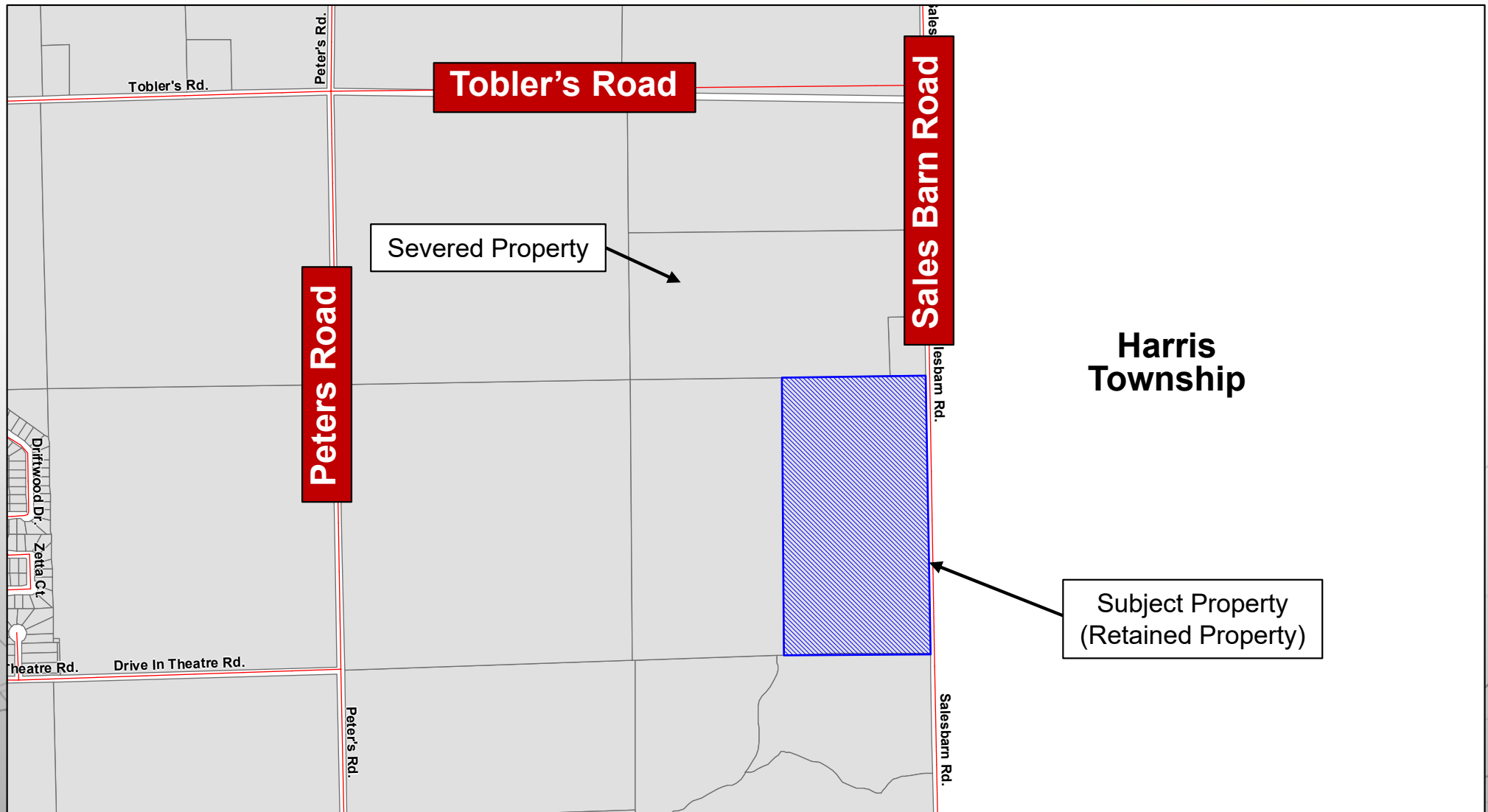
Subject Land:

- 118072 Sales Barn Road
- DYMOND CON 4 S PT LOT 12 PCL 7919SST

Purpose of the Amendment

- Amend the provisions of the Prime Agricultural (A1) Zone to:
 - Recognize a lot area of 32.4 hectares where the Zoning By-law requires a minimum lot area of 40 hectares;
 - Permit an interior side setback of 1.5m for the existing western-most structure (quonset hut) on the property
- Condition of approval of consent application B-2021-02
 - Subject property is the retained portion

Public Meeting Zoning By-law Amendment



Public Meeting Zoning By-law Amendment



Public Meeting Zoning By-law Amendment



ZBA-2022-01 – February 15, 2022

Public Meeting Zoning By-law Amendment



ZBA-2022-01 – February 15, 2022

Public Meeting

Zoning By-law Amendment



ZBA-2022-01 – February 15, 2022

Public Meeting Zoning By-law Amendment



ZBA-2022-01 – February 15, 2022

Public Meeting

Zoning By-law Amendment

Official Plan Designation

- Prime Agricultural Land
 - The protection of the agricultural land base for the long-term is identified as the priority.
 - In the prime agricultural area the predominant use of land will be for farming (agricultural uses) and the predominant type of development will be the “farm unit,” including:
 - Land base
 - Barns and other buildings that support the farm operation
 - Farm dwelling and dwellings required for additional labour
 - Secondary uses
 - Agriculture-related uses
 - Lot sizes shall be adequate to support the long-term needs of agriculture and shall ensure that land parcels remain flexible for agricultural uses.
 - Land division policies allow for the conveyance/retention of land for agricultural use, provided that both the severed and retained properties are “generally a minimum of 40 hectares.”

Current Zoning

- Prime Agricultural (A1)
 - Minimum lot area: 40 hectares (100 acres)
 - Minimum interior side yard, general use: 15 metres

Proposed Zoning

- Prime Agricultural Exception(A1-#)
 - Minimum Lot Area: 32.4 hectares
 - Minimum Interior Side Yard, General use: 1.5 metres (existing western-most structure (quonsent hut))

Public Meeting

Zoning By-law Amendment

Additional Information

- Consent application B-2021-02 was conditionally approved by the Committee of Adjustment on May 26
 - Conditions of approval include:
 - Standard legal paperwork to finalize/register consent
 - Survey
 - Confirmation that the existing septic system on the retained portion is adequate for the residential use
 - Approval of a Zoning By-law amendment for both the severed and retained properties:
 - Severed: prohibit future residential uses, recognize reduced lot area
 - Retained: recognize reduced lot area, recognize and situations of non-compliance (setbacks) created as a result of approval of the consent

Public Notice and Comments

- Notice of the public hearing was advertised in the Temiskaming Speaker beginning on January 26, 2022
- Application has been circulated to City staff
- No comments or concerns have been received from external agencies or members of the public

Next Steps

- An administrative and planning report will be presented for consideration at the March 1, 2022 Regular Council Meeting



January 28, 2022

Larry Brock, MP Brant
108 St. George Street, Suite #3
Brantford, ON N3R 1V6

Sent via email: larry.brock@parl.gc.ca

Will Bouma, MPP
96 Nelson Street
Suite 101
Brantford, ON N3T 2X1

Sent via email: will.bouma@pc.ola.org

To whom it may concern:

Please be advised that the Council of the Corporation of the City of Brantford adopted the following resolution at its City Council meeting held on January 25, 2022:

12.5.1 Closing the Revolving Door of Justice – Resolution

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the increase in criminal activity is due in part to the failure of the justice system to hold in pre-trial custody many of the likely-to-reoffend individuals, including those who are in serious breach of prior bail conditions, a situation commonly referred to as the “revolving door of justice”; and

WHEREAS those involved in the justice system, from Justices of the Peace to those who have been arrested, acknowledge the “catch and release” bail system contributes to the increase in crime. One individual in particular, who plead guilty to several break and enter charges, together with breaches of probation and release order charges, advised the court during sentencing that he had been arrested 8 times in the previous year and felt that the system bore responsibility for failing to keep him in custody; and that being released repeatedly without the appropriate supports made it all but impossible for him to discontinue the criminal activity he engaged in; and

WHEREAS concerns continue to be raised by businesses, post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, and citizens regarding the increased criminal activity; and

WHEREAS there is a pressing need for common sense bail reform that gives priority to the dignity and safety of victims over the wellbeing of criminals;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable David Lametti, Minister of Justice and Attorney General of Canada, insisting that steps be taken immediately by his government to strengthen the bail system, including:
 - i. imposing more demanding and stringent surety and supervision requirements; and
 - ii. imposing more substantive and effective consequences for continued breaches of a judicial interim release order (as known as “bail”) resulting in pre-trial incarceration, which changes are required to safeguard law abiding citizens and to restore the citizens faith in the criminal justice system; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to Brant/Brantford MP Larry Brock and MPP Will Bouma; and
- C. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Brantford Police Services Board, Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM) and the Ontario Big City Mayors (OBCM); and
- D. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the heads of all Ontario Municipalities with a request that those municipalities consider adopting a similar resolution; and
- E. THAT the City Solicitor BE DIRECTED to send the letter to be sent to the Honourable David Lametti to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

I trust this information is of assistance.

Yours truly,

A handwritten signature in black ink, appearing to read 'Tanya Daniels', with a large, stylized loop at the end.

Tanya Daniels
City Clerk
tdaniels@brantford.ca

cc Brantford Police Services Board
Association of Municipalities of Ontario (AMO)
Federation of Canadian Municipalities (FCM)
Ontario Big City Mayors (OBCM)
Heads of all Ontario Municipalities

January 31, 2022

Attn: Mayor and Council

At our last TeMAG meeting, we had a lengthy discussion on the issue of Boreal Forest Medieval Villages springing up across the District of Timiskaming. Presently there are sites on Long Lake and Swan Lake, as well as on Keith Lake in the Cochrane District.

An investment group collectively purchases a large tract of unorganized property with lake access, then divides the property amongst themselves into 75' x 75' lots. No plans of subdivision, environmental impact studies, building permits, are required, as they are located in Unorganized Townships. Under 700 sq ft cottages, cabins, tiny homes, container homes, straw bale homes, etc. are promoted with no supply of pressurized water, utilizing compost toilets (no Black or Grey water septic systems), and the use of local water resources. They also encourage raising personal livestock and growing vegetables for community use.

With each property being between 200 and 450 acres in size, divided up into 1/2 acre lots, we have the possibility of over a thousand households with an influx of 2500 new residents requiring social services in our District. With minimal taxes being paid on these properties in unorganized townships, we foresee a major drain on our social services, including our hospitals and emergency services.

The founders of these Boreal Forest Medieval Villages have found loop holes in the Ontario Planning Act, Ministry of Environment and Local Health Unit regulations, and are leading their investors into uncharted waters.

TeMAG is urgently asking all Timiskaming District councils to forward the attached draft resolution, asking the Ministries of Municipal Affairs and Environment to get involved, in requiring planning and environmental safeguards to be put in place, for these new residents, and the surrounding municipalities in the District of Timiskaming.

If we all work together, hopefully we can avoid a major environmental disaster in our region. If you have questions please contact Lois Perry (TMA Chair) or myself.

Sincerely



Carman Kidd
TeMAG Co-Chair
ckidd@temiskamingshores.ca
705-672-3363 ext. 4103

Whereas developments known as "Boreal Forest Medieval Villages" are being proposed in unincorporated townships within the District of Timiskaming; and

Whereas the developers' of these "villages" are promoting the fact their developments are not subject to zoning by-laws, building permits, planning policies or other municipal/provincial regulations; and

Whereas the Provincial Policy Statement, 2020 states "in territories without municipal organization the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses"; and

Whereas the Provincial Policy Statement, 2020 further states that the development of new permanent townsites within territories without municipal organization shall not be permitted; and

Whereas matters relating to territories without municipal organization are under the sole jurisdiction of the Province of Ontario; and

Whereas the scale of these developments in the unincorporated townships poses a significant concern for the incorporated municipalities in the District of Timiskaming including;

- Demand for services such as landfill, fire protection, police protection and social services;
- Increase demand on our emergency and medical services such as EMS and local hospitals (who are already dealing with capacity issues);
- Environmental impacts to watersheds and groundwater sources.

Now therefore be it resolved that the Township/Town/City of _____ hereby petitions the Honourable Steve Clark, Minister of Municipal Affairs and Housing to immediately enact a Minister's Zoning Order under the Planning Act for each of the proposed "Boreal Forest Medieval Village" developments in order to ensure proper planning principles are being adhered to by the developers and that their developments are consistent with the Provincial Policy Statement, 2020; and

Further that a copy of this resolution be forward to the Honourable David Piccini, Minister of the Environment, Conservation & Parks; the Honourable Greg Rickford, Minister of Northern Development, Mines Natural Resources & Forestry; John Vanthof, MPP for Timiskaming-Cochrane; the Temiskaming Municipal Association; the Temiskaming Mayors' Action Group; and the Federation of Northern Ontario Municipalities.

Logan Belanger

Subject: FW: Bicycle Friendly Community Committee Meeting

From: Celine Leger-Nolet [REDACTED]
Sent: Monday, February 7, 2022 3:07 PM
To: Mathew Bahm <mbahm@temiskamingshores.ca>
Cc: Carman Kidd <ckidd@temiskamingshores.ca>; Jeff Thompson <jthompson@temiskamingshores.ca>
Subject: Re: Bicycle Friendly Community Committee Meeting

Hi everyone,

After much reflection, I have come to the decision to leave the Bicycle Friendly Community Committee.

Although the goals and the achievements of this committee are dear to my heart, and while I recognize the great impact this committee has had on the community, my professional workload does not permit my ongoing involvement. The COVID pandemic is partly to blame as its impact on my caseload as a health care provider has been substantial.

I thank you for your understanding, and wish continued growth of a safe cycling infrastructure in our community.

Sincerely,

Céline Léger-Nolet Sent from iCloud

February 9, 2022

Re: Item for Discussion – Joint and Several Liability Reform (Mayor, G. Smith)

At its meeting of February 2, 2022, the Council of the Corporation of the Town of Bracebridge ratified motions 22-PD-005, regarding the Item for Discussion – Joint and Several Liability Reform, as follows:

“WHEREAS municipal governments provide essential services to the residents and businesses in their communities;

AND WHEREAS the ability to provide those services is negatively impacted by exponentially rising insurance costs;

AND WHEREAS one driver of rising insurance costs is the legal principle of “joint and several liability”, which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it;

AND WHEREAS the Government of Ontario has the authority and responsibility for the legal framework of “joint and several liability”;

AND WHEREAS the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs;

AND WHEREAS the Provincial Review was conducted in 2019 with AMO and municipalities fully participating;

AND WHEREAS the results of the Provincial Review have not been released and municipalities are still awaiting news of how the Attorney General will address this important matter;

AND WHEREAS the Association of Municipalities of Ontario (AMO) on behalf of municipal governments has provided recommendations in their document “Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs” to align municipal liability with the proportionate responsibility for incidents and capping awards;

AND WHEREAS The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) has written to the Attorney General in support of the abovementioned recommendations provided by AMO;

1000 Taylor Court
Bracebridge, ON
P1L 1R6 Canada

NOW THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE TOWN OF BRACEBRIDGE RESOLVES AS FOLLOWS:

1. That the Town of Bracebridge calls on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address "joint and several liability" before the end of the government's current term.
2. That the Town of Bracebridge supports the seven (7) recommendations contained in the AMO submission "Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs" to re-establish the priority for provincial action on this issue.
3. That a copy of this resolution be forwarded to Attorney General, the Honourable Doug Downey; the Minister of Municipal Affairs and Housing, the Honourable Steve Clark; AMO President, Jamie McGarvey, AMCTO President, Sandra MacDonald; and all Municipalities in Ontario."

In accordance with Council's direction I am forwarding you a copy of the resolution for you reference.

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,

A handwritten signature in black ink, appearing to read 'L. McDonald', written in a cursive style.

Lori McDonald
Director of Corporate Services/Clerk



January 28, 2022

Association of Municipalities of Ontario (AMO)

Sent via email: policy@amo.on.ca

To whom it may concern:

Please be advised that the Council of the Corporation of the City of Brantford adopted the following resolution at its City Council meeting held on January 25, 2022:

12.5.2 Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice – Resolution

WHEREAS the City of Brantford has experienced a substantial increase in criminal activity leaving residents fearful for their personal safety and losing confidence in the criminal justice system; and

WHEREAS the City of Brantford strives to create vibrant, safe, livable neighbourhoods in its community; and

WHEREAS concerns continue to be raised by businesses, the post-secondary institutions in the downtown area and their student bodies, neighbourhood associations, citizens and others; and

WHEREAS bringing matters related to criminal charges more expeditiously through the court system will create a greater deterrence to such behaviour, and therefore improve the safety and security of citizens in this community; and

WHEREAS each year a significant sum of surety money is forfeited further to breaches of the conditions of judicial interim release orders ("bail"); however, the necessary steps are not taken to collect this forfeited money, thus leaving a substantial financial resource unavailable;

NOW THEREFORE BE IT RESOLVED:

- A. THAT Kevin Davis, Mayor of the City of Brantford, on behalf of the Council of The Corporation of the City of Brantford, correspond with the Honourable Prabmeet Sarkaria, President of the Treasury Board and the Honourable Doug Downie, Attorney General of Ontario, insisting that steps be taken immediately by the government to:

- i. provide additional judicial resources dedicated to Brantford to allow for matters to move as expeditiously through the court system as possible; and
 - ii. provide such additional space and/or technological resources for the local court to ensure there is adequate space and technological resources to most efficiently address the significant local caseload and consequently decrease the time a matter takes to be fully resolved; and
 - iii. dedicate the required resources to collect the forfeited surety monies and reinvest that money back into the provincial judicial system; and
- B. THAT the City Clerk BE DIRECTED to forward a copy of this resolution to the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), Ontario Big City Mayors (OBCM) and the list of other Ontario Municipalities with a request that those municipalities pass similar resolutions; and
- C. THAT the City Solicitor BE DIRECTED to send the letter referenced in Clause A to Brant County, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation to determine if they are willing to be signatories to the letter.

I trust this information is of assistance.

Yours truly,



Tanya Daniels
City Clerk
tdaniels@brantford.ca

cc All Ontario municipalities
Ontario Big City Mayors (OBCM)
Federation of Canadian Municipalities (FCM)

Application to Purchase Municipal Land

City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario / P0J 1K0

Office Use Only

Application No.: 2022-001 Date: Feb 9/22
Roll No.: 54-18-030-009-513.00
OP Designation: _____
Zoning: Rural (Rn)

1. Applicant Information

Name of Applicant: JOHN and LORRAINE KRUL
Mailing Address: _____
Email Address: _____ Phone: _____

2. Land Information

☐ New Liskeard ☒ Haileybury ☐ Dymond

Municipal Address
543083 PROCTORS ROAD
NORTH COBALT

Legal Description (concession and lot numbers, reference plan and lot/part numbers)

CONCESSION 2 Township of Bucke
PLAN M-60 NB

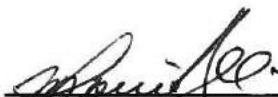
per the attached map (road allowances x PCL No. 7912 NND)

3. Proposed use of land:

Residential use proposed second dwelling

Notes:

- Applications will be circulated to internal departments for comment followed by a memo/report to council to determine if Council would like to proceed with a potential land sale;
- If approval is received to proceed a **Non-Refundable Deposit** of \$250 is required;
- Depending on the circumstances of the land sale additional deposits may be required throughout the process to cover other costs such (i.e. reference plans, advertising fees, appraisal, legal fees etc.);


Signature of Applicant

09/02/22
Date (dd/mm/yy)

REQUEST TO PURCHASE LANEWAYS LOCATED ON OUR PROPERTY

We would like to obtain approval to close up the laneways and avenues located on our property by purchasing these from the City of Temiskaming Shores.

We would also put into consideration the purchase of the City owned property adjacent to our property to the south. This would square off our property.

We would like to construct a building, so with the laneways and avenues closed, then the best geographical location can be chosen without concern of impeding on these laneways.

Kru! Property

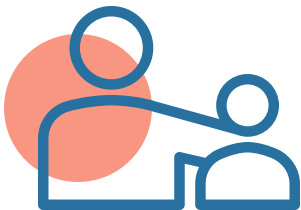
543177 543177 543177 543177 543177 543177

543177

543084 543084

[illegible]

PLUFE	PLUFE	PLUFE	PLUFE
-------	-------	-------	-------



2021

Quarterly Report

Q4

Kelly Black
Chief Administrative Officer

Lyne Labelle
Housing Services Manager

Mark Stewart
Director of Client Services

Rachel Levis
Director of Human Resources

Steven Beaton
Acting Chief of EMS

Prepared By:
Michelle Caron
CEC

CONTENTS

01

EMERGENCY MEDICAL SERVICES

Steven Beaton, Acting Chief of EMS

03

ONTARIO WORKS

Mark Stewart, Director of Client Services

09

HOUSING SERVICES

Lyne Labelle, Housing Services Manager

15

HUMAN RESOURCES

Rachel Levis, Director of Human Resources

17

CHILDREN'S SERVICES



EMS

Q4 has been a busy month for EMS with several internal staffing and resource changes.

Departure

Deputy Chief Derrick Buffam left the service effective October 31st, 2021.

Hiring of 2 Superintendents

DTSSAB EMS welcomes the addition of two new Superintendents, Robert Rosewell (October 31st) and Pierre Poulin (December 27th). Completing the EMS Leadership Restructuring.

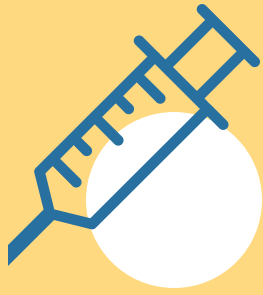
Vehicle Resources

Received a new ambulance on November 11th.

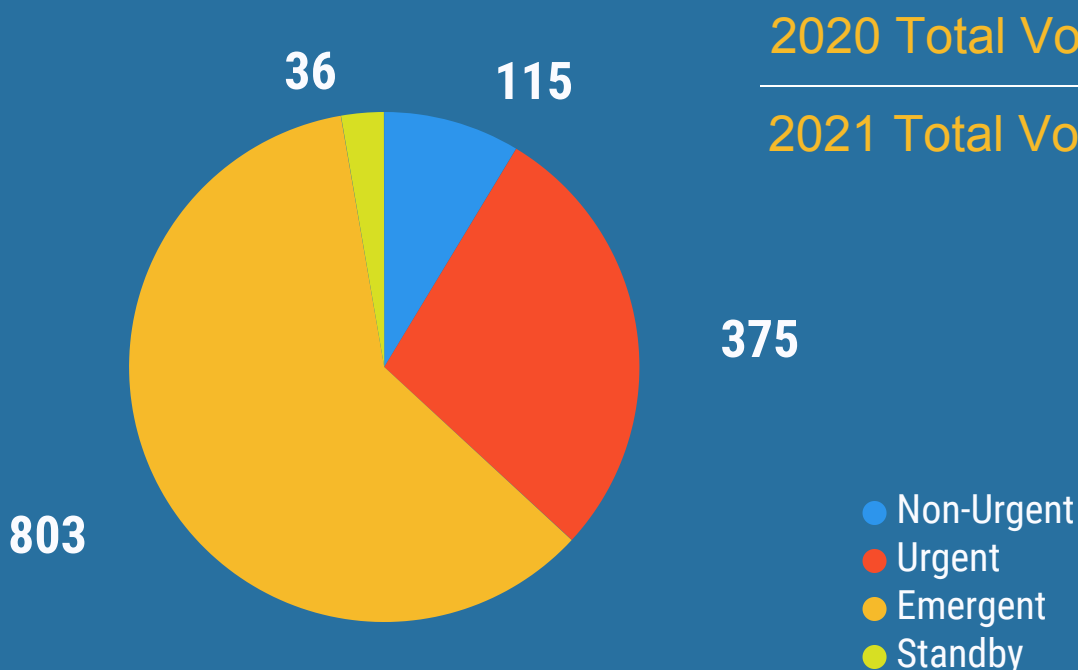
Two ambulances were decommissioned, one was donated to the Matachewan Fire Department.

New Software - Operative IQ

Launch of new software Operative IQ. The software streamlines and centralizes several aspects of daily operations and record keeping. For example, managing stock volumes and prompting reordering. This software will help increase overall service efficiency.



Call Volumes in Q4 2021



2020 Total Volume of Calls: 4579

2021 Total Volume of Calls: 4977

Defining EMS Call Codes

Code 4 - Emergent

These calls are emergencies and require immediate, life-saving care. They take the highest priority.

Code 3 - Urgent

Calls that could lead to a life threatening condition, but the patient is presently stable.

Code 2 - Scheduled

Patient is stable and needs to attend a scheduled appointment for care.

Code 1- Non-Urgent

Patient is stable and may need support and/or transportation to hospital for admission.

Code 8- Stand By

EMS Community Paramedicine

The DTSSAB EMS has received notional funding from the Ministry of Health for 2.5 year funding for the launch of Community Paramedicine (CP) Long-Term Care Program. This program will be a great benefit to the district. This launch will result in the following changes in EMS:

- Hiring of more staff, including a CP Lead
- Winding down of High Intensity CP program and transferring patients to the Long-Term Care Program
- Enhanced community partnerships with other long-term care providers.

Annual Training

In November all EMS staff participated in intensive annual training to refine their life-saving skills. This also included training of the Off-Road Response Unit, which has been proven a crucial resource in two rescues to date.

The ORU, and it's accompanying fully enclosed response trailer, provide access to traditionally difficult to reach locations, including, but not limited to:

- Remote work sites
- Snowmobile/ATV trailers
- Areas impeded by extreme weather
- Farming areas

The modifications on the unit enable the enclosed response trailer to serve as a mobile command post. The enclosed and climate-controlled compartment at the back of the ORU allows for safe transport of EMS paramedics and patients in an environment comparable to a traditional ambulance.

Stay tuned for more details on this great initiative, which is new territory for the DTSSAB EMS and to most paramedic services in Ontario.



ONTARIO WORKS

The following report summarizes key operational information for the program's fourth quarter (October-December). It includes caseload, recipients, employment activity and financials.

Applications for Assistance and Approvals

Q4 had a surge of new applications across the province. This surge was a result of Federal relief benefits such as Canada Emergency Relief Benefits (CERB), which ended in October. Applications include those completed by the province's centralized intake program and the DTSSAB's local offices. A comparison to Q4 2020 is not practical given the extraordinary circumstances in 2021.

With the Federal benefits ending in October 2021, the Ministry forecasts a 17% increase in the Ontario Works caseload province-wide over the next year. This forecasted increase would return our caseload to pre-COVID numbers by the end of 2022.

80 Cases

Q4 New Grants

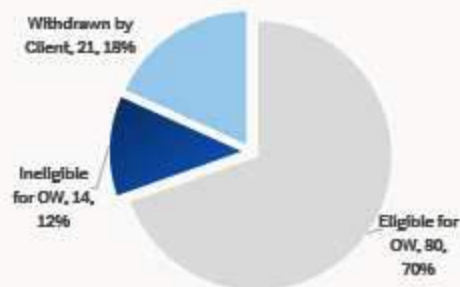
552 Cases

Q4 Average

\$501,000

Q4 Average Monthly Payout

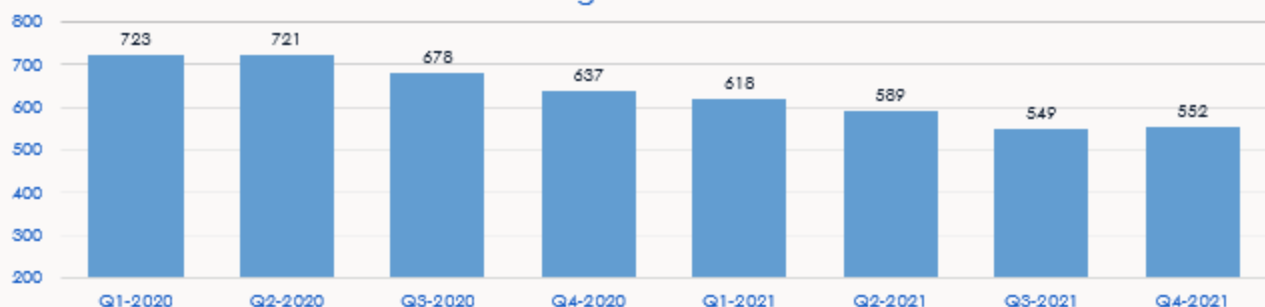
Q4 Monthly Application Outcomes



Monthly Caseload - 2021



Average Caseload 2020-21



Program Staffing

Due to internal promotions into Ontario Works management, there are two vacancies. These vacancies will be filled during the first quarter of 2022.

8

Case Workers

2

Case Aides

1

Eligibility Review and Case Presenting Officer

1

Ontario Works Supervisor

1

Ontario Works Manager

1

Director of Client Services

Note that during this time of transformation of employment services, the implementation of a life stabilization program, and centralizing financial functions to the Province, our staffing strategy must remain flexible in order to adapt to the change ahead, which includes several unknown factors. This change will continue to develop over 2022 and 2023— full implementation of the renewed social assistance program for the North by 2024.



Client Outcomes (Employment) for Q4

42

Cases with earnings

\$860

Average monthly earnings per case

20

Cases exiting assistance

Employment Assistance to Ontario Disability Support Program (ODSP) recipients

As the service manager, Ontario Works is mandated to provide employment support services to non-disabled spouses and dependent adult children.

The current ODSP caseload in the district is 1,583 cases with 2,089 individuals. While this number represents the total cases, a portion of these have spouses and adult children subject to employment supports participation. Our program must provide these services as per regulation.

It is important to note that as the Province's centralization strategy evolves, the ODSP caseload will receive all life stabilization supports, in addition to OW. What this will look like is still unknown with the Province and in the planning phase.

Timiskaming's caseload, while changed in the scope of work, may increase, theoretically, by four or five times higher than the present numbers.

8

Number of active individuals receiving employment supports during the quarter.

Ending of Federal Recovery Benefits

The province and almost all municipal partners are seeing an increase in Ontario Works applications since the expiration of federal benefits that were introduced to address the COVID-19 pandemic. These federal benefits included temporary changes to improve access to Employment Insurance that ended in September and the Canada Recovery Benefit (CRB) that expired on October 23rd. This surge in applications was anticipated by the Ministry and was a major driver for the creation of the Intake and Benefits Administration Unit (IBAU) in November 2020 and the subsequent acceleration of the new centralized intake process. The IBAU has received an 85% increase in application volumes since September 2021.

To mitigate the impact of this increase in applications the Ministry implemented the following measures:

- realigning and redeploying staff to support centralized intake
- increasing staffing
- implementing agile operational strategies
- iteratively improving technology and automation to align with the Ministry's vision of a centralized and automated intake process.

The Province reached out to municipal partners and DSSABs to support processing re-applications and providing additional support during high-volume periods. Timiskaming is actively supporting the Province at this time.



Social Services and Modernization and Renewal Plan Update

The Province's Vision Statement

"To create an efficient, effective, and streamlined social services system that focuses on people, providing them with a range of services and supports to respond to their unique needs and address barriers to success so they can move towards employment and independence."

Co-Design

In February 2021, the Province released its vision for a renewed social assistance system. There has been an unprecedented amount of engagement and work in designing the new system. The co-design process included members from the North and North East regional DSSABs. The early co-design period is now in a decision-making period, and all work to date will be consolidated and the partnerships engaged. The Province's contract with Deloitte Canada has ended, and the Ministry will continue to lead co-design work with municipalities, partners and stakeholders to develop the future-state operating model. This transition to a new model will take time, no changes are planned in early 2022.

The Province has stated that they have heard many voices and opinions throughout the system. They are committed to collaborative, inclusive, and flexible approaches and using data-based decision-making.

Client Engagement

The Ministry is committed to ensuring that client experiences are embedded in the design of a system that puts people at the center, with services that work effectively together to support them. The Province engaged approximately 500 clients in August 2021 in consultation. In the next phase of co-design with partners, the voice of clients will play an important role in setting meaningful and measurable standards, as they provide input on:

- options to support positive client experiences
- the types of services they require
- how staff roles should be organized to provide a range of supports to clients, optimizing access to a caseworker for high-impact services
- options to ensure effective digital channel design in consideration of client needs and preferences





Social Services and Modernization and Renewal Plan Update

Provincial and Municipal Staff Engagement

Ontario Works staff across the province were provided with a comprehensive list of all the client-facing services, which make up the future-state client journey, and were asked to validate it, identify any gaps, and identify areas where in-person service delivery would be required.

The five service categories are:

1. Identifying and assessing needs
2. Urgent support
3. Supporting social assistance applications and administration of financial assistance, including initial eligibility determination, ongoing eligibility monitoring, and internal reviews, where applicable
4. Stability support navigation and employment referrals
5. Ongoing coordination and post-exit support

Services identified as missing from the service catalogue included:

- Discretionary benefits:

Many clients may need additional urgent or “miscellaneous” supports that are not classified as an “emergency.” It would be helpful for caseworkers to have increased access to discretionary funds or services such as gift cards and vouchers to provide for things such as clothing, food, transportation, personal hygiene products, etc. At our local level, the DTSSAB maintains a flexible discretionary benefits strategy. Benefits and demands are reviewed with caseworkers to ensure that funding is maximized where it is most needed.

- Supports for clients who are not deemed eligible for Ontario Works upon the initial application but are in a critical spot and need assistance (e.g., released from hospital or incarceration.)
- Technology tools: A chat function for online channels would be a useful way for caseworkers to communicate with clients. Additionally, different languages in the computer systems would be helpful for non-English speaking clients. The need increased digital access for elderly, homeless and other populations who are unable to obtain their own devices. Digital signature options for clients when completing forms online and training for clients to learn how to use phones, computers, or other devices would also enable increased use of technology.
- Increased mental health, addiction, youth and social assistance exit supports. Clients who have exited assistance still need support. Service capacities for current mental health supports need to be expanded. Increased wraparound supports for all, especially for youth (under the age of 18) are needed.



Social Services and Modernization and Renewal Plan Update

Reasons for in-person delivery that were identified included:

- Lack of access to technology:

Many clients exiting incarceration or who are homeless and do not have access to technology will seek out supports in person because it is their only means to do so. Some clients may strictly come to the municipal offices to access a computer, a printer, a scanner, a phone, or other resources that they do not have themselves.

- Client safety:

Some of the assistance client situations may be sensitive (such as domestic violence); then it is necessary to remove any barriers to access assistance. A personal connection through an in-person meeting and communication may help to better relay the client's needs to the caseworker and more efficiently connect the client with community resources to help them in a time of crisis.

- Administration:

It may be easier to verify an individual's identity and their paperwork in person, which can help to avoid inaccuracies in their case file, thus ensuring that they get the appropriate services in a timely manner.

- Stability supports:

In-person meetings between clients and caseworkers can help to facilitate a more customized individual plan by helping the caseworker to identify what supports and services the client may need such as employment referrals, mental health and addiction referrals, housing supports, etc.

We are here to help.

All individuals seeking services of the DTSSAB are advised to call the office at one of the numbers listed below.

Kirkland Lake 705-567-9366 OR 888-544-5555
Temiskaming Shores 705-647-7447 OR 800-627-2944





Social Services and Modernization and Renewal Plan Update

Employment Services Transformation

MCCSS continues to support and meet with the existing Employment Services Transformation (EST) prototype locations in a monthly Community of Practice (COP) setting to continuously improve the prototype and share ideas and best practices across the prototype locations. This will provide MCCSS and the Ministry of Labour, Training and Skills Development (MLTSD) a roadmap of enhancements for 2022.

To understand the success and outcomes of the EST model, MLTSD (in close collaboration with MCCSS) is carrying out a comprehensive evaluation of the prototypes. The evaluation was launched in July 2021 and will continue to the beginning of 2023. The evaluation will help MCCSS assess:

- the implementation of the integrated model in the prototype phase
- the delivery of services within the integrated model
- the extent to which the integrated system is attaining its intended outcomes

MLTSD has contracted Goss Gilroy Inc. to conduct the evaluation. The evaluation will include key informant interviews, focus groups, and surveys with stakeholders (i.e., service system managers, social assistance caseworkers, service providers, community partners, municipalities, employers, and clients.)

In September 2021, the catchment areas for the next phase of Employment Services Transformation (EST) were announced in Halton, Kingston-Pembroke, Stratford-Bruce Peninsula, and York. MCCSS will begin to engage with these locations to build an implementation plan for the integrated service delivery that will commence in April 2023. With this expansion, the Ministry is taking another step towards the broader social assistance vision that will provide clients with supports needed to achieve greater independence, participate in their communities, and prepare them for work where applicable.

In October, it was announced that all social assistance offices (beginning with working groups) will begin using the Common Assessment and Action Plan tools to support clients. The introduction of these tools will support the future implementation of EST and will also allow for more consistent management of cases across the province, where clients only have to tell their story once and have an increased focus on providing stability supports. A working group, with representatives from each Ontario Works and ODSP sites, was created to support and inform this implementation.



HOUSING SERVICES

Centralized Wait List

In the fourth quarter of 2021, the Housing Services Program saw a continued increase in applications for housing. The increase in Q4 is largely due to new online application service offered to applicants which was rolled out in August 2021. The constant increase is also an indication of the substantial need for affordable housing in our district. **In 2021, one-hundred and three (103) households from the waitlist were housed into affordable housing units across the district.**

The chart below demonstrates a comparison with the previous year of eligible applicants on the centralized waitlist.

Applicant Type	Q1		Q2		Q3		Q4	
	2020	2021	2020	2021	2020	2021	2020	2021
With Dependents	48	41	51	47	51	51	48	56
No Dependents	109	99	115	125	115	149	109	171
Seniors	90	85	103	47	103	80	90	77
Totals	247	225	269	261	269	280	247	304

6 Individuals
were granted
SPP Status in
2021

Special Priority Status

The District of Timiskaming Social Services Administration Board manages the Centralized Waitlist for subsidized housing in our district. As per provincial guidelines, Special Priority Program (SPP) status is reserved for individuals eligible for Rent-Geared-to-Income (RGI) assistance who are victims of abuse or human trafficking.

Abuse being defined as any of the following:

- one or more confirmed incidents or physical or sexual violence, controlling behaviour
- intentional destruction of or intentional injury to property
- words, actions or gestures that threaten a household member to fear for his or her safety and that are done by specific individuals
- trafficking of the member done by an individual

Trafficking being defined as any of the following:

- one or more confirmed incidents of recruitment, transportation, transfer, harbouring or receipt of the member by improper means, including force, abduction, fraud, coercion, deception, and repeated provision of a controlled substance, for an illegal purpose, including sexual exploitation or forced labour



COVID-19

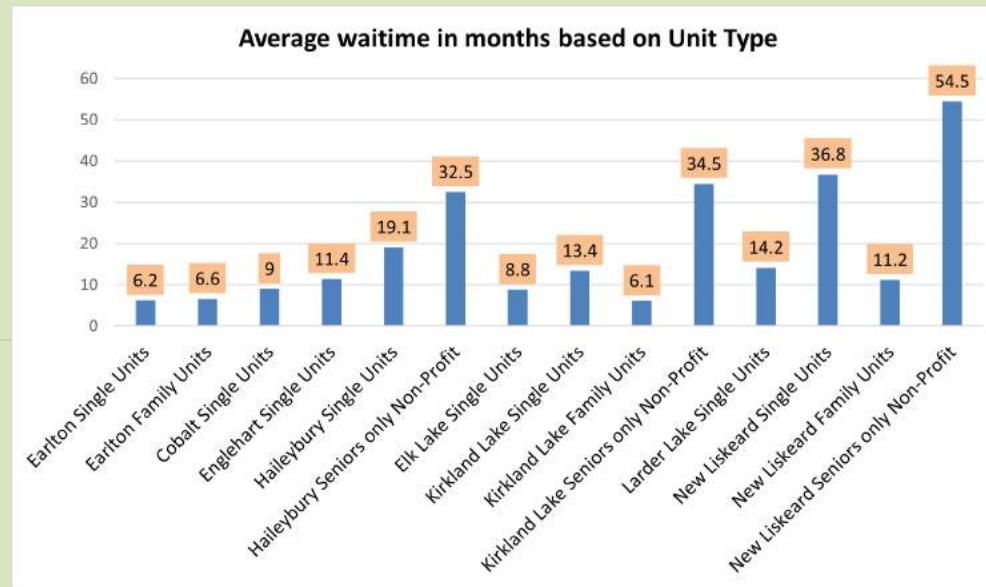


Considering the current Covid-19 situation in our district, the Housing Services Program issued a memo to all tenants reassuring them that we continue to monitor the situation and will respond according to direction from public health.

In all buildings we continue health and safety requirements such as physical distancing, wearing of masks, cleaning, enhanced sanitizing of common areas as well as providing sanitizing stations in entrances. In addition, we screen our staff and contractors regularly and have implemented a mandatory vaccination policy.

Tenants are advised to stay home and reach out to the Timiskaming Health Unit to determine next steps if they are feeling unwell.

Centralized Wait List



Times on the waitlist can vary based on SPP applications, building preferences and locations. The chart below suggests the average wait time per Unit Type.

Unit Vacancy

Q4 proved to be another demanding quarter. Processing move-ins and move-outs includes collaboration of several individuals from the Housing Services Team.

Move-in and move-out processes include:

- offering and showing units
- repairing and signing of move-out documents and lease agreement documents
- coordination of staff and contractors to prepare unit

Most units are turned over within 30 days, some heavily damaged units can take considerably more time.

Activity	Q1	Q2	Q3	Q4
Move-In	18	28	20	33
Move-Out	20	22	19	17

Smoking Policy

In June 2014, a Smoking Policy was established regarding smoking in Social Housing Buildings. Exposure to second-hand smoke has been proven to be harmful to everyone – non-smokers and smokers alike.

Due to the irritation and known health risks of exposure to second-hand smoke, increased risk of fire and increased maintenance, cleaning and redecorating costs to units, all forms of smoking were prohibited.

The smoking policy was adopted through attrition, meaning that existing tenants who smoke were grandfathered (exempted) for the length of their tenancies in their current units, however; any new tenants or tenancies who signed a lease after the effective date are required to sign the Smoking Policy Agreement. Currently we can report that **72% of our units are non-smoking units.**

24 Hour Emergency Call Stats

Northern Communications continues to provide the Housing Services Program with after-hours emergency service. Northern Communications has contact numbers and directives for emergencies including a list of Contractors. With most calls going directly to the Maintenance Supervisor or Housing Services Manager, data continues to show a decrease in needless staff callouts. 23 calls in total were received in Q4 of 2021. Any non-urgent calls are logged and emailed to the office on the next business day.



Emergency Calls were made in Q4

Capital Jobs

In 2021, the approved Capital Budget was \$669,000. The Maintenance Department had a productive year regardless of the challenges with the Global Pandemic. 2021 Capital jobs included new roofs at three buildings, balcony refurbishing at one building, various appliance replacements, landscaping projects, several plumbing, electrical and flooring upgrades. Other jobs included work on elevator pits, upgrades to hot water systems and Demtroys system installed in more buildings which improves energy consumption. As of December 31, 2021, the Housing Services Program's capital expenditures are within the 2021 Capital Budget.

Parking lot resurfacing at 60 Fifth St. Kirkland Lake



Roof Replacement at 480 Broadway St. in Haileybury



Featured Buildings



45 Tenth Ave.

Located in Englehart, a 2 storey, 12 unit building built in 1971. Maximum rents are \$585 for a 1 bedroom but vary based on household income. It has a laundry room.



26 Ferland Ave.

Located in Cobalt and built in 1978, this 2-storey building holds 22 one-bedroom units. Maximum rent is \$585 but varies based on household income. Laundry is available on both floors.



60 Fifth St.

Located close to Kirkland Lake, this 3-storey building was built in 1989 and was renovated by the DTSSAB in 2019. It is designated Senior's only with a minimum age of 55. It holds 34 one-bedroom units and 6 two-bedroom units. It is equipped with an elevator and laundry room on the main floor. Rents are determined by RGI and Market rate. Market rents are currently set at \$614 for a 1 bedroom and \$691 for a 2 bedroom.

PROVINCIAL/FEDERALLY FUNDED PROGRAMS

Home for Good (HFG)



Canadian Mental
Health Association
Mental health for all

The DTSSAB and CMHA are committed to serving our mutual clients to the best of our ability using all resources available. We strive to increase housing stability for our mutual clients and are committed to coordinating and delivering homelessness services in the District. As of October 2021, **seventy (70) individuals are in receipt of HFG supports.**

Social Infrastructure Fund (SIF)

Similar to HFG, the SIF funding is distributed through 2021-22. The DTSSAB continues to deliver SIF funding through the Housing Allowance Component to **ten (10) households in our district.** SIF funding has been confirmed until 2023-24.

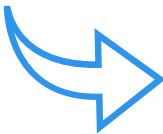
Community Housing Update - Fraser House




During Q4, the DTSSAB began the transfer process of fifteen **(15) affordable units** located at the Fraser House in Cobalt. On October 1, 2021, the DTSSAB assumed leases, operations, and oversight of the units. The DTSSAB believes they are best positioned with the ability and means to maintain the project and preserve the affordable units for the duration of the affordability period. The DTSSAB is committed to a successful partnership with the Town of Cobalt. A new Agreement will be revised to ensure suitable terms are outlined in the best interest of both parties as well as tenants.



Canada-Ontario Community Housing Initiative & Ontario Priorities Housing Initiative (COCHI & OPHI)

In mid-2019, the Ontario Community Housing Renewal Strategy was introduced as a multi-year plan to stabilize and grow Ontario’s community housing sector, with the aim of achieving the following outcomes and measures for success.

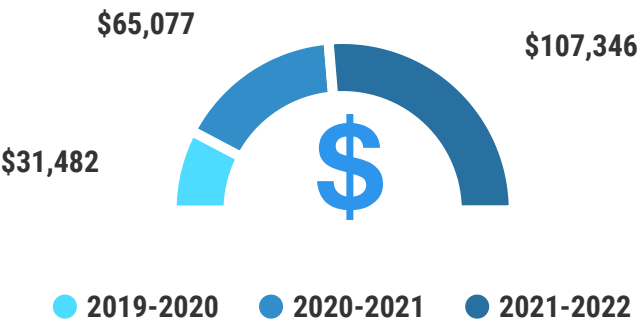


Strategic Outcomes	Desired Intermediate Outcomes
 Increased supply and appropriate mix of affordable and adequate housing	<ul style="list-style-type: none"> ✓ Increased non-profit, co-op, and municipal affordable rental supply ✓ Housing stock is in better state of repair and meets the housing needs of the people of Ontario ✓ Greater involvement of the private sector to support more opportunities for affordable and mixed-income buildings
 People have access to affordable housing and supports that meet their needs to achieve housing stability	<ul style="list-style-type: none"> ✓ People are better connected to housing assistance and supports that are responsive to their complex and changing needs ✓ People live in safe and well-maintained housing ✓ People have more choice about their housing and opportunities to participate in the economy and their community ✓ People experiencing homelessness obtain and retain housing
 Improved efficiency of the Community housing system to ensure value for money and long-term stability	<ul style="list-style-type: none"> ✓ Improved system and inter-ministerial coordination to better identify and respond to people's needs ✓ Improved system management and provider sustainability to better provide a range of housing options ✓ Increased administrative efficiency ✓ Reduced pressure on other service systems including health, social services, emergency, criminal justice

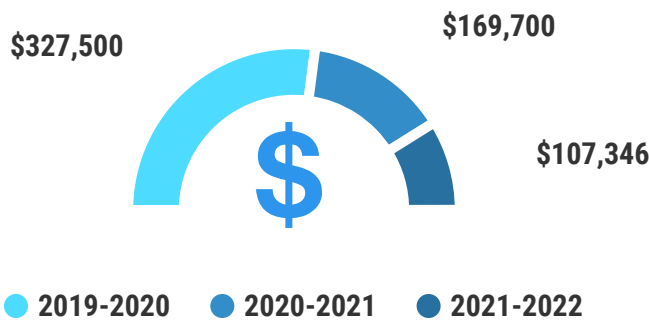
Over time, the Community Housing Renewal Strategy will help Ontarians be more connected to housing assistance and supports that better meet their needs, live in safer and well-maintained buildings, find housing more easily, and have more opportunities to participate in the economy and their community.

COCHI assists in protecting affordability for households in social housing, to support the repair and renewal of existing social housing supply, and to expand the supply of community housing over time. OPHI addresses local housing priorities, including affordability, repairs, and new construction. funding in our district is allocated through the Repairs component.

COCHI Phase 1 Funding



OPHI Phase 1 Funding



Phase II - 2022-23 Funding Allocations

COCHI
\$101, 298



OPHI
\$240,800



TIMISKAMING BY-NAME LIST



On November 22, 2021, the DTSSAB's Housing Services Program launched the Timiskaming By-Name List in conjunction with National Housing Day!

We need to move from managing homelessness to ending homelessness. The Timiskaming By-Name List will help us do that. To address homelessness, our communities need to take a coordinated approach, moving from a collection of individual programs to a community-wide response that is strategic, and data driven. Data about the needs of those experiencing homelessness will inform how we allocate resources, services, and programs.

A BNL is coordinated entry - it is a process designed to quickly identify, assess, refer, and connect people in crisis to housing and assistance, no matter where they show up to ask for help. It can pave the way for more efficient homeless assistance systems by:

- Helping people move through the system faster to housing.
- Reducing new entries into homelessness by consistently offering prevention and diversion resources upfront; and
- Improving data collection and quality and providing accurate information on what kind of assistance consumers need.

You can't end homelessness for people if you do not know who is homeless – the Timiskaming BNL will enable us to know who is homeless, and then we can work with them to end their homeless situation. By-Name Lists for people experiencing homelessness can help connect people to services and can create a foundation for better service coordination. They provide a more standardized approach for assessment and referral protocols to make sure clients are being matched to the services they need. It is a worldwide best practice in ending homelessness. It will enable us to gather the information and data we need to make informed decisions about program and homelessness system development. The BNL will also allow us to measure our progress at ending homelessness locally.

HUMAN RESOURCES

Key non-confidential HR Q4 initiatives and/or activities included, but were not limited to:

Leadership Training - Health and Safety Roles and Responsibilities

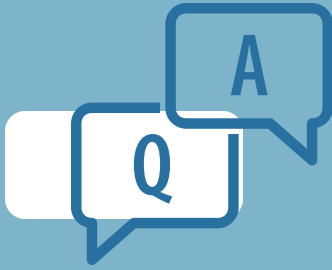
All leaders participated in a one-day practical training session facilitated by the Public Services Health and Safety Association (PSHSA) to emphasize the roles and responsibilities of workers, leaders and the Employers in the Health and Safety Management System (HSMS). Training reflected the updated and newly released organization-wide policies OHS-11, Health and Safety Roles and Responsibilities, and OHS-12, Physical and Psychological Health, Safety and Wellness. Functional insight was provided to leaders with respect to recognizing, assessing, controlling, and evaluating health and safety hazards.

In 2022, PSHSA additional training/workshops will be planned to review hazard recognition and control. This, and upcoming H&S training, are foundational to reinforcing core knowledge and competencies of DTSSAB leaders. The roles and responsibilities training also met part of the Employer's commitment to Year 1 of the WSIB Excellence Program.

2021 Q4 Recruitment and Staffing Summary

Closing Date	Position	Recruitment Status	Details and Comments
Nov 19.21	Ontario Works Case Aide - South (1 position)	Filled internally - Permanent full-time	Vacancies due to internal movement
Nov 19.21	EMS Superintendent (1 remaining vacancy)	Filled externally - Permanent full-time	Vacancy due to departure of existing incumbent
Dec 10.21	EMS Part-Time Community Paramedic - District (4 assignments until March 31, 2022)	Filled internally - Temporary part-time	Additional incumbents required to meet program needs

Workplan Culture Survey



In follow up to the December 2019 workplace culture survey, an updated 2021 employee questionnaire was released to gather constructive feedback and insight on areas of weakness, ongoing concerns, perception of leadership effectiveness, positive changes, and progress, etc.

Survey responses help Leaders determine strategies to: make a positive difference to our employees' experiences at work, make our workplace healthier and safer, and ensure responsiveness to staff and organizational needs. Amidst competing priorities and challenges presented by the pandemic, over the last year, DTSSAB leadership has begun to make changes in response to areas previously flagged as requiring improvement.

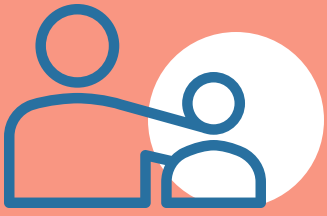
- DTSSAB leaders acknowledge there is still a lot of work ahead and are committed to continuing to invest time and resources, and to work collaboratively with staff, to make meaningful strides in 2022 and beyond to improve workplace culture. The objective is to:
- Continue to build trust among our employees and between employees and leaders
- Be more aware of ways in which to support our staff and leaders
- Improve transparency, avoid miscommunication, reduce conflicts, and ensure staff and leader behaviours align with the DTSSAB's Vision, Mission and Values

The follow-up survey captures respondents' perceptions pertaining to:

- Organizational culture
- Civility and respect in the workplace
- Clear leadership and expectations
- Interpersonal and emotional competencies of staff and leaders
- Opportunities for growth and development
- Staff involvement and influence
- Workload management
- Recognition and reward
- Employee engagement
- Psychological support in the workplace
- Work-life balance
- Protection of psychological and physical safety by leaders and the Employers

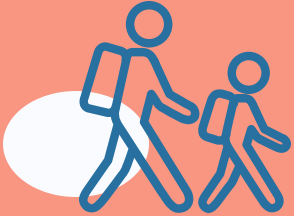


CHILDREN'S SERVICES



Child care centres operated with regular programming in the Fall as schools returned to in-person learning and workplaces continued to be open. Child care providers operated with reduced capacity due to challenges with staffing, health and safety protocols and reduced enrolment from families as the pandemic continued. This was a trend consistent across the province.

Targeted Emergency Child Care for school aged children was announced by the province at the end of December as schools shifted to virtual learning for the first 2 weeks in January 2022.



Providers adjusted operations to align with updated operational guidance documents released by the Ministry of Education providing guidance on items such as, but not limited to, hand hygiene and respiratory etiquette, transportation, permitted physical activities and field trips, ventilation and mental health. Our childcare providers have provided critical support to our communities throughout the pandemic.

Child Care Enrolment

Despite seeing increased enrollment and attendance during the summer months and into the school year, local providers continued to operate below their licensed capacity during the fourth quarter due to:

- Ongoing staff shortage; and
- Ongoing capacity reductions to ensure compliance with pandemic specific guidelines and health & safety protocols

Most providers reported operating at 50-60% of their licensed capacity, like many of their counterparts in the province.



Early Learning School Readiness Program

Discussions were had with providers during the summer months around the resumption of the ELSRP programs in September 2021 with providers ultimately deciding to postpone reopening to January 2022. Providers' decision to postpone the program can be attributed to:

- o ongoing staffing challenges;
- o restricted access to community and school-based activities; and
- o maintaining small cohorts to minimize risk of exposure and transmission of COVID-19.

The Children's Services team will continue to work with providers and school board partners in the hopes of reinstating the program in the new year.



CAPITAL PROJECTS



The status of the joint application for capital funding under the Ministry of Education's 2021-22 Capital Priorities Program, submitted in January 2021, has yet to be confirmed. If approved, this project would add 6-10 infant spaces in the District of Timiskaming. This proposed project has been delayed due to the pandemic.

SPECIAL NEEDS RESOURCES PROGRAM (SNRP)



Community Living Resource Consultants and Behaviour Specialists continued to provide virtual supports to Child Care Centres and Licensed Home Child Care Providers during the pandemic and started transitioning back to in-person services during the month of September. Community Living SNRP staff have been asked to work directly with child care providers to ensure that they adhere to the Covid-19 health and safety protocols recommended by the Timiskaming Health Unit, and the Ministry of Education.

EARLYON / ON Y VA CHILD AND FAMILY CENTRES



EarlyON / ON y va continued with outdoor programming. The Collaborative continued offering virtual services, where possible, so that children and families could access programs and services without having to attend in-person.

Child Care Fee Subsidy

DTSSAB's Fee Subsidy program continued to provide relief to local families throughout the fourth quarter. As of December 31st, a total of **394 children have been subsidized by the program.**

Fee Subsidy expenses increased throughout the summer months into September, similar to previous years, as more children attend full day child care during the summer months.

Overall fee subsidy expense level in 2021 continues to be lower than in 2019. This can be attributed to centres operating at reduced capacity and the fact that care for eligible school-aged children was offered free of charge from April to June.

Monthly Fee Subsidy Expense

	2020	2021
January	\$77,742	\$46,605
February	\$73,769	\$52,946
March	\$93,725	\$65,486
April	\$12,660	\$47,000
May	\$12,403	\$45,117
june	\$14,067	\$50,865
July	\$36,012	\$65,678
August	\$47,932	\$59,769
September	\$46,895	\$47,259
October	\$41,754	\$47,089
November	\$57,355	\$55,036
December	\$49,677	est: 50,000

Q4 Fee Subsidy Expense

2020> \$148,786
2021> est: \$152,000

YTD Fee Subsidy Expense

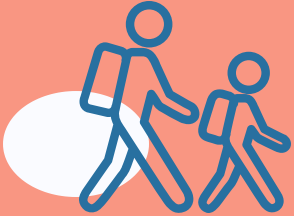
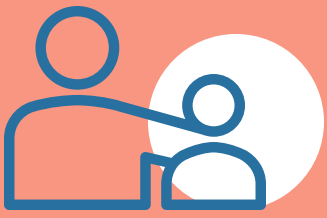
2020> \$563,992
2021> est: \$632,854

Children's Services Quality Assurance Program

The Children's Services quality assurance program continued supporting providers during the fourth quarter and in person visits resumed in the fall.

During this time, the Quality Assurance Coordinator:

- Continued to connect and support child care providers and home child care providers with ongoing changes in the guidelines, Timiskaming Health Unit suggestions and Memos from the Ministry of Education
- Continued to support child care with ongoing projects and play based and equipment funding
- Coordinated Professional Learning opportunities for educators
- Organized a second Cooks Networking session that was offered in October in partnership with Timiskaming Health Unit
- Resumed in-person visits to child care centres
- Co-organized and participated in a 4-day in-person Forest and Nature Practitioners session at Dorothy Lake in October.



Mandatory Vaccination Policies

In response to evolving data around the transmissibility of the Delta and Omicron variant, the province, in consultation with the Chief Medical Officer of Health, took action to increase protection for our most vulnerable, including young children who are not yet eligible for vaccination. This included making COVID-19 vaccination policies mandatory in high-risk settings, including child care centres.

Child care providers were expected to have their vaccination policy in place no later than September 7, 2021, and at a minimum require licensed child care centre staff, home child care providers, home child care visitors, every person who is ordinarily a resident of the premises or regularly at the premises, volunteers, students on educational placements, Special Needs Resources and frequent visitors to provide proof of one of three things:

- Full vaccination against COVID-19;
- A medical reason for not being vaccinated against COVID-19; or
- Completion of a COVID-19 vaccination educational session.

The Ministry of Education's September 14th directives confirmed that all persons covered by providers' vaccination policies that are not fully immunized, including those with medical reasons, would be required to provide verification of negative test results twice a week. Rapid antigen test kits were made available to providers by their local Chamber of Commerce (if centre located within 10 minutes of Chamber) or via school board at an assigned school location.

Providers are expected to report monthly aggregate vaccination disclosure data to the Ministry of Education as well as weekly testing verification reports to both the Ministry of Health and the Chamber of commerce.

All of the child care providers in Timiskaming were in compliance with the mandated vaccination policy directive and have been reporting to the province as required.



AGE FRIENDLY COMMUNITY COMMITTEE MEETING MINUTES
City of Temiskaming Shores - Haileybury Boardroom and virtual Jitsi meeting
Tuesday December 7th, 2021

1.0 CALL TO ORDER

The in-person/virtual Zoom meeting was called to order at 1:03pm.

2.0 ROLL CALL

PRESENT:	Matt Bahm – Director of Recreation; Suzanne Fournier – Manager; Doug Jelly – Councillor; Judy Lee – Community Representative; Lynn Marcella – Age Friendly Coordinator; Jeff Thompson – Superintendent of Community Programs; Gordon Brock – Community Representative; Sandra Lowe – Community Representative
REGRETS:	Lorna Desmarais – Public Health Promoter; Jan Edwards – Housing Manager; Janice Labonte – Accessibility Committee; Tiemoko Ouatra – ACFO; Darlene Lemay – Client Services Manager

3.0 REVIEW OF REVISIONS OR DELETIONS TO AGENDA

Doug Jelly added Community Fridge Update as item 8.2 under unfinished business.

4.0 APPROVAL OF AGENDA

MOVED BY: Sandra Lowe

SECONDED BY: Gordon Brock

That the agenda for the December 7th, 2021 Age Friendly Community Committee meeting be approved as amended.

CARRIED

5.0 DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

No disclosure of pecuniary interest and general nature

6.0 REVIEW AND ADOPTION OF PREVIOUS MINUTES

MOVED BY: Judy Lee

SECONDED BY: Suzanne Fournier

That the meeting minutes of the October 5th, 2021 Age Friendly Community Committee be approved as printed.

CARRIED

7.0 DELEGATIONS

There were no delegations

8.0 UNFINISHED BUSINESS

i) Seniors Community Grant Funding Application – Matt Discussion

Application was due in August of 2021. Verified last week on the portal but there had not been any update stating if we were successful or not. Could follow up with the program contact person.

Update for our new members, we had applied for funding to do a review/evaluation of our age friendly plan which was completed in 2016. Would like a review of what had been approved and check-in with community members that we are meeting expectations and propose changes, if we need to focus on different areas. Would utilize an external consultant/evaluator. Completion date would be end of March 2022.

ii) Community Fridge Update – Lynn

Members of the working group presented to the Library Board in November 2020, as this was our ideal host organization for the fridge. Did have some push back from some of the members, with that said, we started looking at other options for a location. Another location we explored was the Salvation Army Church in New Liskeard, plan was moving forward but the organization received quite a few red flags from the head office in Toronto.

Other options include the lobby at the Pool and Fitness Centre, revisiting the Library again, with another presentation to the board scheduled January 2022, to address some of the questions and concerns that were brought up during the first presentation.

Judy – Using the Haileybury Arena Hall upstairs, where Neighbourhood Café was. There is space and equipment (fridge) available but the space is not open to the public now. Also suggested partnering with the Food Banks

Lynn – The issue with collaborating with the Food Banks is that they are only open one day a week for a few hours. We want users to have access to the fridge 5-7 days a week. Will touch base with the Haileybury Food Bank to discuss the project and see if there would be an opportunity.

Matt – Library is in transition to collaborate with Northern College to have a location in Haileybury, see if this service can also be transitioned at that location.

Doug – How do we control the fridge users? Are we competing with the cafeteria at Northern College?

9.0 NEW BUSINESS

i) New Committee Members - Lynn

Want to welcome our new committee members, Gordon Brock and Sandra Lowe

Gordon – Joined the committee for self-interest and enjoy volunteering

Sandra – Moved to the area last April from Barrie. Involved with the Senior's Abuse Network, also participated in a focus group in 2016 when the province developed Age Friendly Community.

ii) 2022 Budget – Lynn/Matt

Age friendly Fair, which has not taken place in the past 2 years. Event is held late September. All community programs such as exercise groups, line dancing, pickleball, indoor walking, card group, hiking, snowshoeing, monthly coffee hours, music in the park, dances.

Looking at creating a community garden in Haileybury down by the Marina.

Matt – Budget process is ongoing, council will review later this month, in the hopes it will be approved before Christmas. If we are not successful in our funding application, we will have a look at our budget at the end of 2022 and include it in the next year's budget.

10.0 COMMITTEE MEMBER UPCOMING EVENTS & OPPORTUNITIES FOR COLLABORATION

Matt Bahm

- Senior Centre Without Walls. They have great telephone based programming coming up in the next couple of months. Timiskaming Connection Line is ongoing with the Health Unit; assist with errands such as prescription or grocery pick-ups.
- Active Transportation Plan has been completed. Includes infrastructure, sidewalks are lacking and needs improvement. Maintenance needs to be done during the winter months. New transit bus will be purchased every 2 years. New transit stop will be included near train station.

Sandra

- Has city council ever entertained a discount for seniors for transit passes? Yearly pass at a reduced rate, the ridership may improve.

NEXT MEETING DATES

Tuesday January 4th, 2022 at 1:00pm – City Hall/Zoom

Tuesday February 1st, 2022 at 1:00pm – City Hall/Zoom

11.0 ADJOURNMENT

MOVED BY: Sandra Lowe

That the Age Friendly Community Committee hereby adjourns at 2:02 pm.

CARRIED


Committee Chair


Recorder



MINUTES OF THE REGULAR MEETING OF THE BOARD

Held on Wednesday, November 17, 2021 at 5:30 PM via Zoom Videoconference.

Present: Doug Jelly – Chair, Derek Mundle – Vice-Chair, Jesse Foley, Pat Kiely, Ian MacPherson, Sharon Gadoury East, Clifford Fielder, Kelly Black - Chief Administrative Officer

Staff: Lyne Labelle – Housing Services Manager, Corey Mackler – Information Technology Manager, Rachel Levis – Director of Human Resources, Steven Beaton – Acting Chief of EMS, Janice Loranger – Director of Finance, Mark Stewart – Director of Client Services, Louanna Lapointe – Ontario Works Manager, Michelle Caron, Recorder

Guests: Darlene Wroe - Temiskaming Speaker, Bill Bacon, Marcus Wheeler

Absent: Patrick Adams, Airianna Leveille, Steve Cox – Housing Services Maintenance Supervisor

The Regular Meeting of the Board was called to order at 5:32 PM.

1.0 DISCLOSURE OF PECUNIARY INTEREST

Nil

2.0 PETITIONS AND DELEGATIONS

Nil

3.0 ACCEPTANCE/ADDITIONS TO THE AGENDA

Resolution #2021-92

Moved by Sharon Gadoury-East and seconded by Ian Macpherson

THAT the agenda of the regular meeting of the Board held on November 17th, 2021, be accepted as presented.

Carried.

4.0 IN-CAMERA SESSION

Resolution #2021-93

Moved by Derek Mundle and seconded by Clifford Fielder

THAT the Board move into the In-Camera Session.

Carried.

5.0 RETURN TO REGULAR MEETING

Resolution #2021-94

Moved by Ian Macpherson and seconded by Sharon Gadoury-East

THAT the Board resolve to rise from the in-camera session and reconvene with the regular meeting of the Board without report at 6:47 p.m..

Carried.

6.0 ADOPTION OF PREVIOUS MINUTES – October 20th, 2021 & November 4th, 2021

Resolution #2021-95

Moved by Derek Mundle and seconded by Jesse Foley

THAT the minutes of the regular meeting of the Board held on October 20th, 2021 be approved as presented.

Carried.

Resolution #2021-96

Moved by Ian Macpherson and seconded by Clifford Fielder

THAT the minutes of the special meeting of the Board held on November 4th , 2021 be approved as presented.

7.0 CORRESPONDENCE

7.1 OMSSA Letter to the Province on National Child Care Deal

7.2 Correspondence from the Town of Cobalt

7.3 Correspondence from Mac Hamilton

7.4 Correspondence Regarding Community Paramedicine from Ontario Health

8.0 OTHER BUSINESS

8.1 Ontario Works Budget

Presented by Mark Stewart to the Board for information.

8.2 Housing Services Budget

Presented by Lyne Labelle to the Board for information.

8.3 Housing Services Capital Budget

Presented by Lyne Labelle to the Board for information.

8.4 Program Support Budget

Presented by Janice Loranger to the Board for information.

8.5 Q3 Finance Report

Presented by Janice Loranger to the Board for information.

8.6 By-Name List Press Release

Presented by Lyne Labelle to the Board for information.

Resolution #2021-97

Moved by Pat Kiely and seconded by Derek Mundle

THAT the Board meeting be hereby adjourned at 7:30 p.m..

AND

THAT the next regular meeting of the Board be held on December 15, 2021 or at the call of the Chair.

Carried.

Minutes signed as approved by the Board:



Doug Jelly, Chair

2021-12-15
Date

Recorder: Michelle Caron



CAPITAL FINANCIAL REPORT

For the Month of January 2022

GENERAL CAPITAL
Revenues & Expenditures
as at January 31, 2022

		2022		
	Project	Actual	Budget	Variance
REVENUES				
	Transfer from Operations		1,022,097	(1,022,097)
	Transfer from Reserves		6,711,308	(6,711,308)
	Borrowing		3,118,334	(3,118,334)
	Provincial Funding		869,390	(869,390)
	Federal Gas Tax		629,229	(629,229)
	Efficiency Funding		143,747	(143,747)
	Ontario Community Infastructure Fund (OCIF)		810,881	(810,881)
	Enabling Accessibility Funding		100,000	(100,000)
	Provincial Gas Tax		110,550	(110,550)
	Investing in Canada Insfrastructure Program (ICIP)		224,450	(224,450)
	Tranport Canada		527,848	(527,848)
	Ontario Trillium Fund		500,000	(500,000)
	Partnerships / Donations / Funding - Splashpad		108,486	(108,486)
TOTAL REVENUES		\$ -	\$ 14,876,320	\$ (14,876,320)
EXPENSES				
Corporate Services:	Cemetery Zero Turn Mower		20,000	(20,000)
	Grant Drain		150,000	(150,000)
	Peters Road Drain		150,000	(150,000)
Fire:	Fire Alarm Station 2		8,000	(8,000)
	Irwin Fill Station 3		23,000	(23,000)
Public Works:	2022 Roads Program		3,000,000	(3,000,000)
	Grant Drive Ext. Construction		1,600,000	(1,600,000)
	West Road Culvert Relining		100,000	(100,000)
	Radley Hill - Road Upgrades		659,810	(659,810)
	Pedestrian Cross Walk		100,000	(100,000)
Solid Waste:	Landfill Expansion		3,000,000	(3,000,000)
Property Mtnce:	Haileybury Fire Station (carryover)		2,200,000	(2,200,000)
	NL Arena Accessibility Project		1,000,000	(1,000,000)
	PFC Upgrades (floor & water softener)		70,000	(70,000)
	Spurline Accessibility Upgrades		30,000	(30,000)
	Dymond Salt Shed Roof Repair		20,000	(20,000)
	PFC Roof Replacement		800,000	(800,000)
Fleet:	Small Fleet Replacement (carryover)		101,710	(101,710)
	Tri Axle Dump Truck (carryover)		215,700	(215,700)
	Fire Rescue (carryover)		430,100	(430,100)
	Dump Truck (box replacement)		25,000	(25,000)
	Backhoe		200,000	(200,000)
Transit:	Transit Bus	320,544	335,000	(14,456)
Recreation:	Air Runner Treadmill		7,000	(7,000)
	Haileybury Arena Chiller		100,000	(100,000)
	Splash Pad (carryover)		200,000	(200,000)
	Olympia Replacement (Electric)		170,000	(170,000)
	PFC Floor Machine	6,112	6,000	112
	Lawnmower Replacement		20,000	(20,000)
	Spurline Parking Lot Paving		115,000	(115,000)
	Utility Terrain Vehicle		20,000	(20,000)
TOTAL EXPENSES		\$ 326,656	\$ 14,876,320	\$ (14,549,664)
SURPLUS / (DEFICIT)		\$ (326,656)	\$ -	\$ (326,656)

ENVIRONMENTAL CAPITAL
Revenues & Expenditures
as at January 31, 2022

	2022		
	Actual	Budget	Variance
REVENUES			
Transfer from Operations		815,000	(815,000)
Borrowing		600,000	(600,000)
TOTAL REVENUES	\$ -	\$ 1,415,000	\$ (1,415,000)
EXPENSES			
ICI Water Meter Program		600,000	(600,000)
Hlby WTP Filter Replacement		300,000	(300,000)
Hlby WWP Rehabilitation		185,000	(185,000)
Robert/Elm PS - By-pass Installation		250,000	(250,000)
Farr Drive Pump Repairs*		80,000	(80,000)
TOTAL EXPENSES	\$ -	\$ 1,415,000	\$ (1,415,000)

Memo

To: Mayor and Council
From: James Franks
Date: February 15, 2022
Subject: NORDS Transfer Payment Amendment
Attachments: Transfer Payment Agreement (**Please refer to Draft By-law No. 2022-025**)

Mayor and Council:

Late in 2021, the City was advised that the Ministry of Northern Development, Mines, Natural Resources & Forestry (MNDMNR) was creating a new funding program to provide funding to municipalities to assist them to upgrade local infrastructure that would support businesses within the natural resource sectors.

The program is called the Northern Ontario Resource Development Support fund (NORDS) and will provide funding of \$225,173 to the City annually over a five-year period beginning in 2021.

For the 2021 budget year, staff has already submitted our request for support of the bridge replacement on Mowatt Landing Road that was completed in 2021. The project costs were \$169,316.92; therefore, the remaining portion of the City's available allocation from the program will be carried forward to cover the costs of the City's eligible project(s) in 2022. In order to access the funding, the City is required to enter into a transfer payment agreement with MNDMNR to access the funds.

The Transfer Payment Agreement with the Ministry of Northern Development, Mines, Natural Resources & Forestry will be included in the by-law section of tonight's agenda for consideration and approval.

Prepared by:

Reviewed by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

James
Economic Development
Officer

Shelly Zubyc
Director of Corporate
Services

Christopher W. Oslund
City Manager

Memo

To: Mayor and Council
From: Jennifer Pye, Planner
Date: February 15, 2022
Subject: Deeming By-law for Basa – 48 Lowry Street; PLAN M82NB LOTS 47 TO 49 PCL 17483SST
Attachments: Appendix 01: Deeming By-law Application Form
Appendix 02: Draft Deeming By-law (**Please refer to By-law No. 2022-027**)

Mayor and Council:

Frank and Elaine Basa have submitted a request for a deeming by-law for their property located at 48 Lowry Street in Haileybury. The owners have indicated that they are requesting the deeming by-law in order to permit the construction of an addition onto the existing dwelling on the property. The proposed addition would cross the lot lines. All three lots are 15m x 36.5m (50' x 120') and were created by a plan of subdivision that was registered in 1907. The three lots are included under the same roll number.

The subject property is designated Residential Neighbourhood in the City of Temiskaming Shores Official Plan and is zoned Low Density Residential (R2) in the City of Temiskaming Shores Zoning By-law.

If the Deeming By-law is passed it will be registered on title at the owner's expense. It is recommended that Council pass the deeming by-law at the February 15, 2022 regular Council meeting.

Prepared by:

Reviewed by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

Jennifer Pye, MCIP,
RPP
Planner

Shelly Zubych
Director of Corporate
Services

Christopher W. Oslund
City Manager

**Application for Deeming By-law
Under Section 50(4) of the Planning Act**

Approval authority:
Council of the City of Temiskaming Shores

Fee: \$200 + 13% HST
= \$226.00
+ legal and land titles fees required to register by-law
(billed directly from solicitor)

Office Use Only

File No.: D-2022-02

Date Received: February 9, 2022

Roll No.: 5418- 030-001-005.03

1. Owner Information

Name of Owner: FRANK & ELAINE BASA

Mailing Address: [REDACTED]

Email Address: [REDACTED] Phone: [REDACTED]

If more than one registered owner, please provide information below (attach separate sheet if necessary):

Name of Owner: _____

Mailing Address: _____

Email Address: _____ Phone: _____

2. Applicant/Agent Information (if applicant is not the owner or applicant is an agent acting on behalf of the owner):

Name of Agent: _____

Mailing Address: _____

Email Address: _____ Phone: _____

3. Please specify to whom all communications should be sent:

☒ Owner ☐ Applicant/Agent

4. Property Information

a. Location of the subject land:

☐ Dymond ☐ New Liskeard ☒ Haileybury

Municipal Address

PCL 17483 SEC 55T; LT 47-49 PL M82NB BUCKE

Legal Description (concession and lot numbers, reference plan and lot/part numbers)

48 LOWRY ST, HAILEYBURY ON R051K0

b. Date the property/properties were acquired by the current owner: 1990/07/19

c. Are there any easements or restrictive covenants affecting the property/properties?

☐ Yes ☒ No

If yes, describe the easement or covenant and its effect:

5. Reason a deeming by-law is required:

to allow a building permit which will extend onto ~~new~~ other lot.

6. Registration of By-law

If approved the deeming by-law must be registered on title to the property/properties to which it applies. The City will send the approved by-law directly to the lawyer of the applicant's choosing to ensure registration. The applicant is responsible for all fees associated with the registration of the by-law.

Name of Lawyer: Ramsay Law Office - Bill Ramsay

Name of Firm: Ramsay Law Office

Mailing Address: 18 Armstrong St. Box 160, New Liskeard ON P0J 1P0

Email Address: % jasee@ramsaylaw.ca Phone: 705-647-4010

7. Applicant/Agent Authorization

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We, FRANK & ELAINE BASA are the registered owners of the subject land and I/we hereby authorize _____ to make this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

8. Authorization for Site Visits

I/We authorize Municipal Staff and Council and/or Committee members, as necessary, to enter the subject property to gather information necessary in the assessment of the application.


Applicant Initial


Applicant Initial

9. Notice re: Use and Disclosure of Personal Information

In accordance with the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, I/We acknowledge and understand that any information collected on this form and any supplemental information submitted as part of this application can be disclosed to any person or public body.


Applicant Initial


Applicant Initial

10. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.

I, ELAINE BASA of the CITY OF TEMISKAMING SHORES
in the DISTRICT of TEMISKAMING make oath and say
(or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true and I make this solemn declaration conscientiously knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Temiskaming Shores
in the District Timiskaming
this 9th day of February, 20 22

Basa
Signature of Applicant

Jennifer Pye
A Commissioner for Taking Affidavits

Jennifer Lynn Pye, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
City of Temiskaming Shores
Expires June 26, 2024.

10. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.

I, Frank J Basa of the Temiskaming Shores
in the district of Temiskaming make oath and say
(or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true and I make this solemn declaration conscientiously knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Temiskaming Shores
in the District of Temiskaming
this 9th day of February, 2022


Signature of Applicant


A Commissioner for Taking Affidavits

Jennifer Lynn Pye, a Commissioner, etc.,
Province of Ontario, for the Corporation of the
City of Temiskaming Shores
Expires June 26, 2024.

Subject: ZBA-2021-07: DYMOND CON 3 PT S PT LOT 4 being RP 54R6087
PART 4 AND RP54R6156 PART 1

Report No.: CS-007-2022

Agenda Date: February 15, 2022

Attachments

- Appendix 01:** Planning Report
- Appendix 02:** Application Package
- Appendix 03:** Public Notice
- Appendix 04:** Draft By-law to amend Zoning By-law No. 2017-154 (**Please see Draft By-law No. 2022-028**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-007-2022;
2. That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law 2017-154 to permit the zone change from Prime Agricultural (A1) and Open Space (OS) to Rural Residential (R1); and
3. That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law 2017-154 for consideration at the February 15, 2022 Regular Council meeting.

Background

The applicant obtained a portion of the subject property through a land swap with the City in 2019. They are now seeking to rezone the property, and the adjacent property that they also owned prior to the land swap in order to permit the construction of a single detached dwelling. The property is currently zoned Prime Agricultural (A1), Open Space (OS), and Environmental Protection (EP), and the proposed zoning would change the A1 and OS zones to Rural Residential (R1). The EP Zone applies to lands within 15m of the bank of both sides of the South Wabi Creek, and will not be changed as a result of approval of this application.

Analysis

The public meeting was held on February 1, 2022 and no written or oral comments were received. Concerns noted through circulation to City staff are outlined and addressed in the Planning Report, which is attached as Appendix 01. The Planning Report also provides information regarding the application within the policy framework.

It is the opinion of the undersigned that the proposed Zoning By-law amendment is consistent with the Provincial Policy Statement (2020), does not conflict with the Growth Plan for Northern Ontario, complies with the City of Temiskaming Shores Official Plan, and represents good planning. It is recommended that Council adopt the proposed Zoning By-law amendment.

Relevant Policy / Legislation / City By-Law

- 2020 Provincial Policy Statement
- Growth Plan for Northern Ontario
- City of Temiskaming Shores Official Plan
- City of Temiskaming Shores Zoning By-law 2017-154

Consultation / Communication

- Consultation with applicant
- Consultation with applicable City staff

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☐ No ☐ N/A ☒

This item is within the approved budget amount: Yes ☐ No ☐ N/A ☒

Staffing implications related to this matter are limited to normal administrative functions and duties.

Alternatives

No alternatives were considered

Submission

Prepared by:

"Original signed by"
Jennifer Pye, MCIP,
RPP
Planner

Reviewed by:

"Original signed by"
Shelly Zubych
Director of Corporate
Services

Reviewed and submitted for
Council's consideration by:

"Original signed by"
Christopher W. Oslund
City Manager



Planning Report

Zoning By-law Amendment Application: ZBA-2021-07

Owner: Steven and Nicole Allen

Property: DYMOND CON 3 PT S PT LOT 4
RP 54R6087 PART 4 AND RP54R6156 PART 1

Roll No.: PART OF 5418-020-001-103.00

February 3, 2022

Subject Land

South of Pete's Dam Road, across from Pete's Dam Park; DYMOND CON 3 PT S PT LOT 4 RP 54R6087 PART 4 AND RP54R6156 PART 1

Background and Purpose of the Application

The property owner is seeking to rezone the subject land from Prime Agriculture (A1) and Open Space (OS) to Rural Residential (R1) to permit the construction of a single detached dwelling on the property.

The subject property was part of a land swap in 2019. The property owner previously owned the lands on both the east and west side of Pete's Dam Park and identified two areas where the trail through the park encroached onto his property. The areas of encroachment were surveyed and transferred to the City in exchange for small pieces of land on either side of the South Wabi Creek on the south side of Pete's Dam Road. The property owner already owned the adjacent pieces on either side of the Creek.

Statutory Public Notice

The complete application was received on December 21, 2021. Notice of the complete application and public hearing was advertised in the Temiskaming Speaker on January 12, 2022 in accordance with the requirements of the Planning Act. Notice was also mailed to property owners within 120 metres of the subject land in accordance with the City's common practice.

The public hearing was held on February 1, 2022. No members of the public made oral submissions at the public hearing and no written submissions have been received as of the date of this report.

Site Analysis

The subject property is located on the south side of Pete's Dam Road, across from Pete's Dam Park and directly west of the South Wabi Creek. The property has an area of 2.1025 hectares (5.2 acres) and has approximately 318 metres (1,045 feet) of frontage on Pete's Dam Road.

Servicing

The subject property is vacant and forested, and a steep slope down to the South Wabi Creek bisects the property.

Access

The property fronts, and has an existing driveway on Pete's Dam Road. Any upgrades to the existing entrance will require approval of an Entrance Permit through the Public Works Department.

Existing Land Use

The subject property is a vacant treed lot and is not currently being used for any purpose.

Adjacent Land Uses

North: Public road (Pete's Dam Road); Open Space (OS) Zone (Pete's Dam Park); Prime Agricultural (A1) Zone
South: Environmental Protection (EP) Zone; Prime Agricultural (A1) Zone
East: Waterbody (South Wabi Creek); Environmental Protection (EP) Zone; Prime Agricultural (A1) Zone
West: Prime Agricultural (A1) Zone; Public Road (Pete's Dam Road)

Planning Analysis

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) sets out the Provincial government's policy direction on matters of Provincial interest as they relate to land use planning and development. The PPS provides for appropriate

development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.

It is important to note that while the property is designated Agricultural Land in the City's Official Plan, it is not within the area that has been identified by the Province as Prime Agricultural Land and is therefore not subject to the policies of Section 2.3 of the Provincial Policy Statement for Agriculture.

1.0 Building Strong Healthy Communities

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.5 Rural Lands in Municipalities

1.1.5.1 When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

1.1.5.2 On rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;*
- b) resource-based recreational uses (including recreational dwellings);*
- c) residential development, including lot creation, that is locally appropriate;*
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
- e) home occupations and home industries;*
- f) cemeteries; and*
- g) other rural land uses.*

1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be supported.

1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

1.6 Infrastructure and Public Service Facilities

1.6.6 Sewage, Water and Stormwater

1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In settlement areas, individual on-site sewage services and individual on-site water services may be used for infilling and minor rounding out of existing development.

The subject property is an existing lot of record that is undersized and not topographically suited to support typical rural land uses. Given the constraints of the property, the proposed residential development of the property could be considered locally-appropriate.

The applicant has submitted confirmation from the Timiskaming Health Unit that a septic system can be supported on the property. A letter has also been submitted indicating that a well can be drilled on the property and will provide sufficient quantity and quality of water for the proposed residential dwelling.

The applicant completed a Minimum Distance Separation Formula 1 calculation in support of the application, using a Type B land use (a higher intensity land use, as directed by the City's Official Plan). The resultant building base distance, or the minimum distance the proposed dwelling must be located from the existing livestock facility on the adjacent property, is 162m (531').

Based on the above information it is my opinion that the proposed rezoning demonstrates consistency with the 2020 Provincial Policy Statement.

Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario was developed under the Places to Grow Act to ensure greater growth occurs in an economically and environmentally sustainable manner.

A review of the Growth Plan for Northern Ontario confirms the proposal does not conflict with any of the Growth Plan policies.

City of Temiskaming Shores Official Plan

The property is designated Agricultural Land in the City of Temiskaming Shores Official Plan.

3. Housing and Growth Management

3.12 Rural Area

The Rural Area will be conserved for the management or use of natural and renewable resources, principally agriculture, minerals, mineral aggregates, and the protection of natural heritage and water features. Recreational activities, and infrastructure and public service facilities appropriate to the rural setting (e.g. waste management facilities, communication facilities, energy facilities) may also be permitted. No residential development is allocated to the Rural Area other than development on existing lots of record, resource-related accessory dwellings, infill along the shoreline of Lake Temiskaming, and on the West Road (See Section 4.10.3(b)), and resort or recreation-based residential uses (See also Sections 4.9.8(f) for setbacks).

4. Community Development

4.10 Rural Area

3. Land uses permitted in the Rural Area other than those listed above will include:

- b. Limited residential uses including resource-related accessory dwellings, recreational dwellings, infill along the shoreline of Lake Temiskaming, along Lakeshore Road between New Liskeard and Haileybury, along the West Road, on existing lots of record, and for tourism or recreation-based residential uses including B & Bs. Rural residential subdivisions not exceeding five lots may be permitted.*

The Rural Area policies above were included as it is helpful to understand the greater policy framework regarding residential development outside of the City's identified Settlement Areas. The subject property is considered a lot of record and residential development would therefore be permitted in a standard rural setting within the City.

As the property is within the Agricultural Land designation, the specific policies for that designation must be considered as well. The lot of record policies within the Agricultural Land designation are as follows:

11. Agriculture

11.16 Lots of Record

A lot of record is a legally created separate property that existed on the date of adoption of this Plan. These lots shall be used for farming or for other uses permitted in the Agriculture designation, and may contain a farm dwelling subject to the policies defining a farm unit. There are a few lots of record in the Agriculture designation that are vacant and are smaller than the minimum lot area requirements of Section 11.19 of this Plan. These lots of record may be used for one dwelling by zoning by-law amendment provided:

- 1. Agriculture or other permitted uses are not feasible or practical on the lot;*
- 2. The lot contains a limited amount of arable land (generally less than four hectares);*
- 3. The proposed dwelling complies with the MDS formula I using Type B land use;*
- 4. The site is suitable for residential construction;*
- 5. The soil is suitable for an individual on-site sewage disposal service;*
- 6. A potable water supply will be available;*
- 7. The lot abuts a fully maintained public road.*

The subject property is considered a lot of record in accordance with the above policies. The property meets the criteria for residential development as set out in the above section as follows:

1. The size and topography of the property precludes other permitted uses.
2. The majority of the property is lightly forested and the topography is such that there is almost no arable land.
3. The applicant submitted a completed MDS formula I calculation using a Type B land use from the livestock barn on the adjacent property to the east. The building base distance was calculated at 162m (531'), and the proposed dwelling can meet this separation distance on the property.
4. The area the applicant has indicated for construction of the dwelling is relatively flat, however a geotechnical investigation will be required in order to ensure that the dwelling will not contribute to or be impacted by potential instability in the bank down to the South Wabi Creek. This will be a requirement of the building permit process and is also a requirement of the Zoning By-law.
5. The applicant submitted confirmation from the Timiskaming Health Unit that a septic system can be installed on the property. A letter from a local company providing sewage hauling services was also submitted which indicates that the company has capacity in their lagoons to accommodate the effluent from the proposed system.
6. The applicant submitted a letter from a well drilling company indicating that an adequate source of water (sufficient quality and quantity) would be available by drilling a well on the property.
7. The lot abuts Pete's Dam Road which is municipally-owned and maintained on a year-round basis.

Based on the above information it is my opinion that the proposed amendment demonstrates consistency with the City of Temiskaming Shores Official Plan.

City of Temiskaming Shores Zoning By-law

The property is zoned Prime Agricultural (A1), Open Space (OS), and Environmental Protection (EP) in the City of Temiskaming Shores Zoning By-law. The A1 Zone applies to the larger area of property, the OS Zone applies to the property obtained from the City through the previously-mentioned land swap, and the EP Zone applies to lands within 15m (50') of the bank on either side of the South Wabi Creek. The EP Zone will remain in place, but the applicant is proposing to change the A1 and OS zoned portions of the property to Rural Residential (R1) to permit the construction of a single detached dwelling.

As has been noted previously in this report, there is a steep slope on the property down to the South Wabi Creek. Section 4.25 of the Zoning By-law sets out special setback requirements for various features:

4.25.4 Setback from Top of Bank and EP zone boundaries:

- a) *Notwithstanding any other provision of this By-law, the minimum setback from the top of bank is 10 metres, or the edge of the Environmental Protection Zone, whichever is greater. For the purposes of*

this Section, top of bank means the line which defines the transition between tableland and sloping ground at the crest of a slope associated with a watercourse, and may be determined by an approved geotechnical study.

- b) *Where a geotechnical study stamped by a Professional Engineer and approved by the City indicates that development can occur within the setback without any impact on the bank stability or an Environmental Impact Study indicates that development can occur adjacent to the lands zoned Environmental Protection without negative impact on the natural feature, the setback shall be as recommended in the study, provided the development meets all other requirements of this By-law.*

The above policies are in keeping with comments received from the Chief Building Official (copied in the below section) regarding the requirement for a geotechnical review of the property in order to ensure the proposed construction will not impact the stability of the slope, and conversely to ensure the slope is stable enough to support the proposed construction. This study will be required as part of the building permit process, as compliance with the City's Zoning By-law is applicable law for issuing permits.

Comments Received from the Agency Circulation and Public Notification Process

The application was circulated to municipal departments, agencies, and the public. The following comments were received:

Manager of Environmental Services – No comments received.

Manager of Transportation Services

- As this is in a rural area, there is no water or sewer services to this property. The applicant has outlined that in their well and septic confirmations.*
- There looks to be an existing driveway but I am not sure of the extent of it.*
- Based on my experience in that area it has an elevation change from the bridge to the proposed.*
- The South Wabi Creek has, in the past, fluctuated high water marks but I am not sure as to the exactness.*
- Pete's Dam Bridge was identified in the most recent bridge inspection report to repair multiple components by no impact to traffic in the foreseeable future.*

Chief Building Official – *I would like to note that there is a considerable slope leading to a ravine at the rear of the property, not far from the roadway along its entire length and that any proposal to construct a building on that property will likely necessitate the General Review from a Geo-Technical Engineer to determine the feasibility of constructing a building at that location along with directions and design to do so.*

Fire Chief – *No concerns from Fire Services.*

Director of Recreation – *This property is located across from Pete's Dam Park and the associated trail system. Pete's Dam Park is utilized by thousands of people throughout the year for outdoor recreation as verified by our trail counters. One of the trails has a trailhead on the North side of Pete's Dam Rd, west of the river and directly across from the applicant's property. Members of the public utilize this trailhead by walking along Pete's Dam Road between this trailhead and the park entrance. The City should ensure that the applicant is aware of the public's use of this property as any increased barriers or deterrents to the use of the City's park would not be worth the benefits from the proposed development in my opinion. Further, City staff have noted numerous issues with beavers in the area including on the river which bisects the applicant's property.*

Director of Corporate Services – *No comments or concerns.*

City Manager – *I have no concerns.*

Clerk – *No concerns. No municipal drains in this area. If approved, we will likely need to reassign the civic address to Pete's Dam Road when the driveway is installed as part of the residential construction, as this portion is part of a larger parcel that fronts on Highway 65 W.*

Economic Development and Funding Application Coordinator – *No concerns.*

Tax Collector / Treasurer – No comments received.

Agency/Public Comments: No formal or informal comments have been received as of the date of this report.

Conclusion

The proposed Zoning By-law amendment will rezone the subject land from Prime Agricultural (A1) and Open Space to Rural Residential (R1) in order to permit the construction of a single detached dwelling. An area of the property along the South Wabi Creek is also zoned Environmental Protection (EP), and this zoning is proposed to remain.

As previously outlined in this report, the proposed amendment is appropriate because:

- ✓ Locally-appropriate residential development on rural lands in municipalities is permitted in the 2020 Provincial Policy Statement.
- ✓ The property is considered a lot of record and is undersized in accordance with the Agriculture policies in the City of Temiskaming Shores Official Plan. The Official Plan allows for the use of an undersized lot of record for a single detached dwelling provided the property and proposed construction comply with a list of criteria, all of which are met for this proposal.
- ✓ The existing Environmental Protection (EP) Zone along the South Wabi Creek will remain.
- ✓ The topography of the property will be addressed through the building permit process and will require a geotechnical study to confirm the stability of the slope that bisects the property.

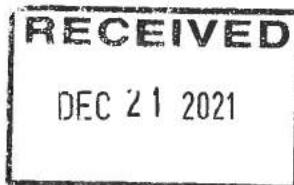
Recommendation

Based on the information presented in this report, in my opinion the proposed Zoning By-law amendment is consistent with the Provincial Policy Statement (2020); does not conflict with the Northern Ontario Growth Plan; conforms to the City of Temiskaming Shores Official Plan and the intent of the City of Temiskaming Shores Zoning By-law; and represents good planning.

It is therefore recommended that Council approve the Zoning By-law Amendment application.

Respectfully submitted,

Jennifer Pye, MCIP, RPP
Planner



The City of Temiskaming Shores
P.O. Box 2050
325 Farr Drive
Haileybury, Ontario P0J 1K0
705-672-3363

**Application for Zoning By-law Amendment
Under Section 34 of the Planning Act**

Fee for Application to Amend the Zoning By-law: \$750 + \$100 advertising fee + 13% HST = \$960.50

Please read before completing this application

This application reflects the mandatory information that is prescribed in the Schedules to Ontario Regulation 545/06 made under the Planning Act, RSO, 1990, as amended, as well as information required by the City of Temiskaming Shores to assist in the assessment of the proposal.

In addition to completing this form, the Applicant is required to submit the fee, a detailed site plan and any additional information or studies that may be necessary to assess the proposal.

Failure to submit the required information will delay the consideration of this Application. An application which is not considered complete under the Planning Act is not subject to the timelines of the Act.

Applicants are encouraged to consult with the Municipality prior to completing the application.

OFFICE USE ONLY

File No.: ZBA-2021-07
Date Received: December 21, 2021
Roll No.: 5418- 020-001-103.00

1. Owner Information

Name of Owner: Steven Allen

Mailing Address: _____

Email Address: _____

Phone: _____

If more than one registered owner, please provide information below (attach separate sheet if necessary):

Name of Owner: Nicole Allen

Mailing Address: _____

Email Address: _____

Phone: _____

2. Applicant/Agent Information (if applicant is not the owner or applicant is an agent acting on behalf of the owner):

Name of Agent: _____

Mailing Address: _____

Email Address: _____

Phone: _____

3. Please specify to whom all communications should be sent:



Owner



Applicant/Agent

4. Property Information

a. Location of the subject land:



Dymond



New Liskeard



Haileybury

Municipal Address

Legal Description (concession and lot numbers, reference plan and lot/part numbers) Plan 54R-6156

Part of the South 1/2 of lot 4, Concession 3 Part 1 + 4

b. Date the subject land was acquired by the current owner: April 28 / 2013

c. Names and addresses of the holders of any mortgages, charges, or other encumbrances of the subject land:

d. Are there any easements or restrictive covenants affecting the subject land?



Yes



No

If yes, describe the easement or covenant and its effect:

e. Dimensions of subject land:

Lot Area: 5.2 Acres Road Frontage: 216.327 Meter
 Water Frontage: _____ Lot Depth: 59.127

f. Existing use(s) of the subject land (check all that apply):

- ☐ Residential ☐ Commercial ☐ Industrial
☐ Institutional ☐ Agricultural ☒ Vacant
☐ Mixed Use (specify): _____
☐ Other (specify): _____

g. Length of time the existing uses of the subject land have continued: _____

h. Are there any buildings or structures existing on the subject land?

☐ Yes ☒ No

If yes, complete the table below (attach a separate sheet if necessary):

	Building 1	Building 2	Building 3	Building 4	Building 5
Type or use of building					
Height of building (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line one side (m)					
Setback from side lot line other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					
Date constructed					
Is building to remain or be removed?					

i. Has the subject land ever been used for commercial or industrial purposes?

☐ Yes ☒ No

If yes, has a Record of Site Condition ever been completed in accordance with Ontario Regulation 153/04?

☐ Yes ☐ No

j. Existing use(s) of abutting properties:

North: Residential land and Park East: Farm

South: Farm West: Residential

k. Are any of the following uses or features on the subject land or within 500m (unless otherwise specified)?

Use or Feature	On the subject land	Within 500 metres of subject land (indicate approximate distance)
An agricultural operation including livestock or stockyard	<input type="checkbox"/>	<input checked="" type="checkbox"/> <u>700'</u>
A landfill	<input type="checkbox"/>	<input type="checkbox"/> _____
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	<input type="checkbox"/> _____
A provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	<input type="checkbox"/> _____
A provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____
A waterbody, watercourse, river, or stream	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <u>NA</u>
A rehabilitated mine site	<input type="checkbox"/>	<input type="checkbox"/> _____
A non-operating mine site within 1 kilometre of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____
An active mine site, gravel pit or quarry	<input type="checkbox"/>	<input type="checkbox"/> _____
An industrial or commercial use (specify)	<input type="checkbox"/>	<input type="checkbox"/> _____
An active railway line	<input type="checkbox"/>	<input type="checkbox"/> _____
Utility corridor(s)	<input type="checkbox"/>	<input type="checkbox"/> _____
Provincial Highway	NA	<input type="checkbox"/> _____

5. Planning Information

a. Current Official Plan Designation(s): Agricultural land

b. Explain how the application conforms with the Official Plan:

Development is proposed on an existing lot of records, in compliance with Section 11.16 of the Official Plan. The lot is too small to farm. Excellent building lot, written approval for septic system and well. The lot is 5.2 acres in size

c. Current Zoning: Agriculture

d. Nature and extent of the rezoning being requested:

Rezone to Residential

e. Reason why rezoning is being requested:

To build a residence

f. Is the subject land within an area where the municipality has predetermined the minimum and maximum density requirements or the minimum and maximum height requirements?

☐ Yes ☒ No

If yes, provide a statement of these requirements:

g. Is the subject land within an area where zoning with conditions may apply?

☐ Yes ☒ No

If yes, explain how the application conforms to the Official Policies related to zoning with conditions:

h. Does the application propose to change the boundary of a settlement area or establish a new area of settlement?

☐ Yes ☒ No

If yes, provide details of the current Official Plan policies or Official Plan Amendment dealing with the alteration or establishment of an area of settlement:

i. Does the application propose to remove land from an area of employment?

☐ Yes ☒ No

If yes, provide details of the current Official Plan policies or Official Plan Amendment dealing with the removal of land from an area of employment:

6. Proposed Use of Property

a. Proposed use(s) of the subject land (check all that apply):

☒ Residential ☐ Commercial ☐ Industrial
☐ Institutional ☐ Agricultural ☐ Vacant
☐ Mixed Use (specify): _____
☐ Other (specify): _____

b. Are any buildings proposed to be constructed on the property?

☒ Yes ☐ No

If yes, complete the table below (attach a separate sheet if necessary):

	Building 1	Building 2	Building 3	Building 4	Building 5
Type or use of building	Residential Dwelling		No immediate Plans		
Height of building (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line one side (m)					
Setback from side lot line other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m ²)					

7. Access and Servicing

a. What type of access is proposed for the subject land?

- | | |
|-------------------------------------------------------------------------|---------------------------------------|
| <input type="checkbox"/> Provincial Highway | <input type="checkbox"/> Private Road |
| <input checked="" type="checkbox"/> Municipal Road, maintained all year | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Municipal Road, maintained seasonally | <input type="checkbox"/> Water Access |
| <input type="checkbox"/> Other (specify): _____ | |

i. If access to the subject land will be by water only, describe the docking and parking facilities to be used and the approximate distance to these facilities from the subject land and the nearest public road:

b. What type of water supply is proposed for the subject land?

- ☐ Publicly owned and operated piped water supply (City water)
- ☒ Privately owned and operated individual well
- ☐ Privately owned and operated communal well
- ☐ Lake or other water body
- ☐ Water service not proposed
- ☐ Other (specify): _____

c. What type of sewage disposal is proposed for the subject land?

- ☐ Publicly owned and operated sanitary sewage system (City sewer)
- ☒ Privately owned and operated individual septic system
- ☐ Privately owned and operated communal septic system
- ☐ Privy
- ☐ Sewage disposal service not proposed
- ☐ Other (specify): _____

i. If the proposed amendment would permit development on a privately owned and operated individual or communal septic system, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report prepared by a qualified professional are required to be submitted:

- ☐ Title and date of servicing options report: _____
- ☐ Title and date of hydrogeological report: _____

d. What type of storm drainage is proposed for the subject land?

☐ Storm sewer

☒ Ditches

☐ Swales

☐ Other (specify): _____

8. Previous Applications

Has the subject land ever been the subject of any of the following applications under the Planning Act (if the answer to any of the following is yes, please provide the file number and status of the application if known):

☒ Unknown

Official Plan Amendment ☐ Yes ☐ No File No.: _____ Status: _____

Zoning By-law Amendment ☐ Yes ☐ No File No.: _____ Status: _____

Minor Variance ☐ Yes ☐ No File No.: _____ Status: _____

Plan of Subdivision ☐ Yes ☐ No File No.: _____ Status: _____

Consent ☐ Yes ☐ No File No.: _____ Status: _____

Site Plan Control ☐ Yes ☐ No File No.: _____ Status: _____

Minister's Zoning Order ☐ Yes ☐ No File No.: _____ Status: _____

9. Concurrent Applications

Is the subject land currently the subject of any of the following applications under the Planning Act (if the answer to any of the following is yes, please provide the file number and status of the application if known):

Official Plan Amendment ☐ Yes ☒ No File No.: _____ Status: _____

Zoning By-law Amendment ☐ Yes ☒ No File No.: _____ Status: _____

Minor Variance ☐ Yes ☒ No File No.: _____ Status: _____

Plan of Subdivision ☐ Yes ☒ No File No.: _____ Status: _____

Consent ☐ Yes ☒ No File No.: _____ Status: _____

Site Plan Control ☐ Yes ☒ No File No.: _____ Status: _____

10. Provincial Policies

a. Is the proposed zoning by-law amendment consistent with the policy statements issued under subsection 3(1) of the Planning Act?

☒ Yes ☐ No

- i. If yes, explain how the zoning by-law amendment is consistent with the policy statements issued under subsection 3(1) of the Planning Act:

It represents Residential development that is locally appropriate, an on site well and septic system will be installed in accordance with THU requirements, and that it complies with MDS Formula.

- b. Is the subject land within an area of land designated under any provincial plan or plans?

☒ Yes ☐ No

- i. If yes, explain how the zoning by-law amendment conforms or does not conflict with the provincial plan or plans:

Does not conflict with growth plan for Northern Ontario

11. Public Consultation Strategy

Detail the proposed strategy for consulting with the public with respect to the application:

☒ Follow Planning Act requirements

☐ Other (please specify):

12. Additional Studies or Information

Additional studies or information may be required by the Municipality to support the application. The application may not be considered a complete application unless these studies have been completed. Applicants are advised to pre-consult with the Municipality to determine what additional studies or information is required.

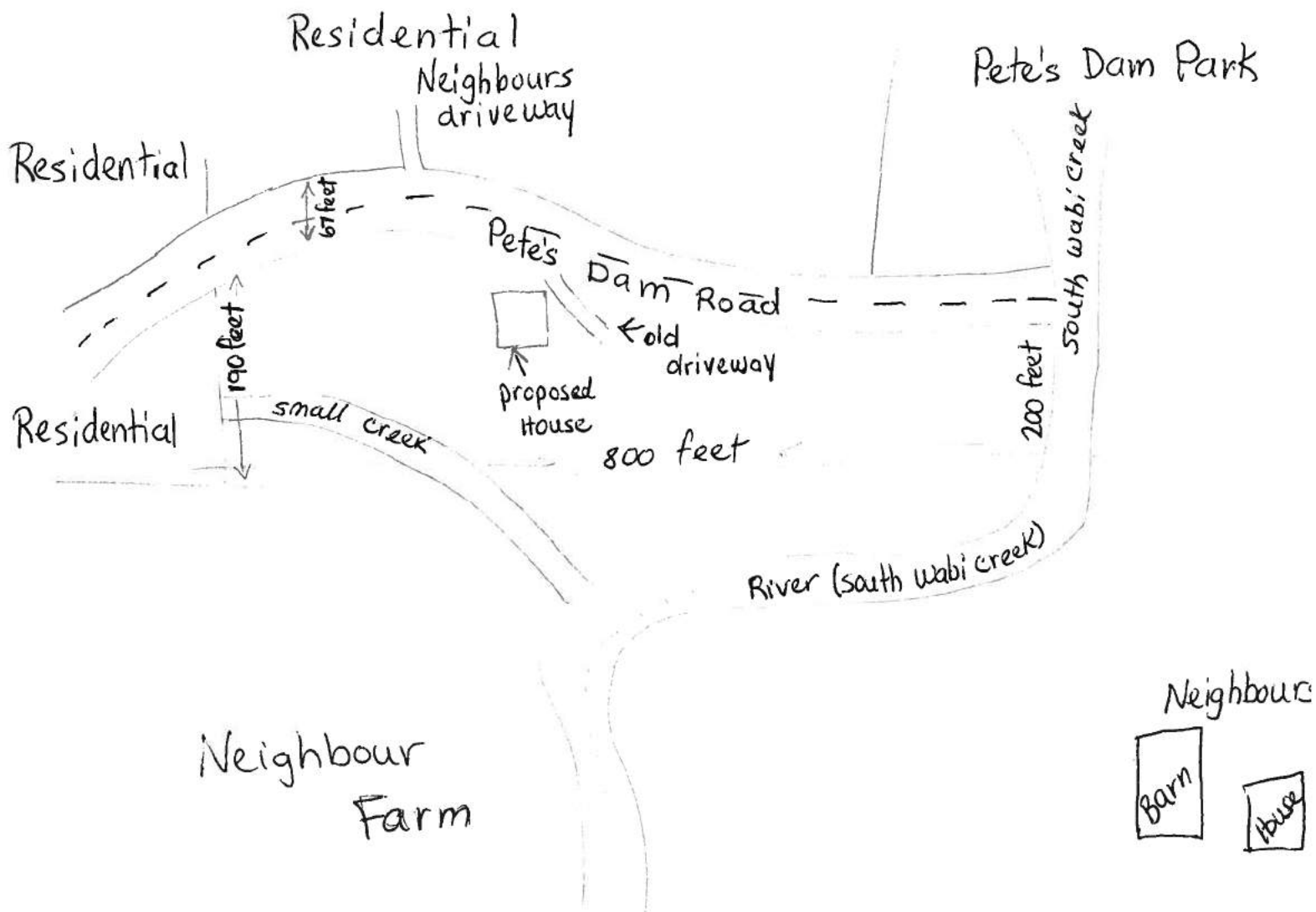
List of additional studies or information required by the Municipality (to be provided by the Municipality):

- ☐ MDS 1 Calculation
- ☐ Confirmation from Health Unit that a septic can be installed
- ☐ Confirmation from a well drilling company
- ☐ Letter from a sewage hauling company

13. Sketch

The application shall be accompanied by a site plan showing the following information:

- ☐ The boundaries of the subject land;
- ☐ The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- ☐ The approximate location of all natural and artificial features (for example: buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks, etc.) that:
 - ☐ Are located on the subject land and on land that is adjacent to the subject land, and
 - ☐ In the applicant's opinion, may affect the application;
- ☐ The current uses of land that is adjacent to the subject land;
- ☐ The location, width, and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
- ☐ If access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- ☐ The location and nature of any easement affecting the subject land.



PLAN OF SURVEY OF PART OF THE
SOUTH 1/2 OF LOT 4,
CONCESSION 3
TOWNSHIP OF DYMOND
DISTRICT OF TIMISKAMING

SCALE 1 : 1000 METRES
0 20 40 60 80 100 120
THE INTENDED PLOT SIZE OF THIS PLAN IS 500m IN WIDTH BY
457m IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000.
SURVEYORS ON SITE INC.

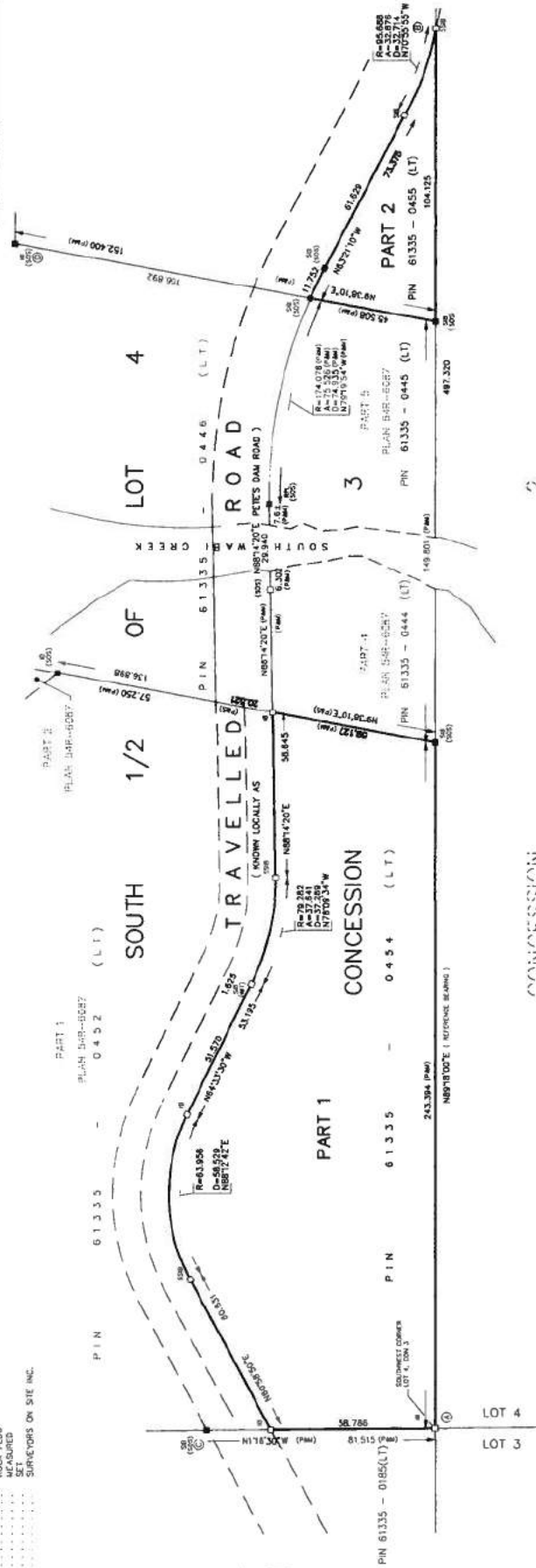
LEGEND

- MONUMENT PLANT
- MONUMENT PLANTED
- SHORT STANDARD IRON BAR
- STANDARD IRON BAR
- ROCK PLUG
- MEASURED
- RECALCULATED
- CONCESSION
- SURVEYORS ON SITE INC.

SCHEDULE			
PART	LOT	CONCESSION	AREA (ha)
1	PART OF THE SOUTH 1/2 OF LOT 4	3	1.8225
2		PIN 61335-0454(LT)	0.2142

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048. DISTANCES ON THIS PLAN ARE HORIZONTAL AND CAN BE CONSIDERED AS SUCH. DISTANCES BY FOLLOWING BY THE AVERAGE CORNER SCALE FACTOR OF 0.9998172. BEARINGS ARE UTM GRID AND ARE DERIVED FROM SCPA CORNER MONUMENTS H-000019740134 & H-000009740135 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83(ORIGINAL).



INTEGRATION COORDINATE TABLES

MONUMENT	SPEICED CONTROL POINT (SCP)	
	NORTHING	EASTING
00019740134	5 260 465.302	597 668.228
00019740135	5 261 359.658	598 036.733

OBSERVED REFERENCE POINTS ARE DERIVED FROM RTM MEASUREMENTS ON SCPs AND ARE REFERRED TO UTM ZONE 17, NAD83(ORIGINAL). COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14(2) OF OREG. 18/10 UNDER THE SURVEYS ACT.

POINT ID	NORTHING		EASTING	
	NORTHING		EASTING	
①	5264052.84	597774.62	5264052.84	597774.62
②	5264055.90	598271.74	5264055.90	598271.74
③	5264141.21	595772.60	5264141.21	595772.60
④	5264214.63	596183.13	5264214.63	596183.13

COORDINATES CANNOT BE THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 27th DAY OF OCTOBER, 2019.

DECEMBER 24, 2019

RYAN W. SEGUIN
ONARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2128249.



17 WELLINGTON STREET
NEW LUSKARD, ONTARIO
PO BOX 190
705-622-0872
www.surveyorsonsite.com

PLAN 54R-6156
Received and deposited
June 26th, 2020
Shawn Savard

Representative for the
Land Registrar for the
Land Titles Division of
Timiskaming (No.54)

14. Applicant/Agent Authorization

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.

I/We, _____ are the registered owners of the subject land and I/we hereby authorize _____ to make this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

Date: _____ Owner's Signature: _____

Date: _____ Owner's Signature: _____

15. Authorization for Site Visits

I/We authorize Municipal Staff and Council and/or Committee members, as necessary, to enter the subject property to gather information necessary in the assessment of the application.


Applicant Initial


Applicant Initial

16. Notice re: Use and Disclosure of Personal Information

In accordance with the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, I/We acknowledge and understand that any information collected on this form and any supplemental information submitted as part of this application can be disclosed to any person or public body.


Applicant Initial


Applicant Initial

17. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.

I, Steven Allen of the TEMISKAMING SHORES
in the DISTRICT of TEMISKAMING make oath and say
(or solemnly declare) that the information contained in this application is true and that the information contained in
the documents that accompany this application is true and I make this solemn declaration conscientiously knowing
that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Temiskaming Shores
in the District of Temiskaming
this 21st day of December, 2021

Steve Allen
Signature of Applicant

[Signature]
A Commissioner for Taking Affidavits

Logan Belanger, a Commissioner, etc.
While Clerk of the
City of Temiskaming Shores

17. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.

I, Nicole Allen of the Temiskaming Shores
in the district of Timiskaming make oath and say
(or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true and I make this solemn declaration conscientiously knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Temiskaming Shores
in the District of Timiskaming
this 21st day of December, 2021

Nicole Allen
Signature of Applicant

[Signature]
A Commissioner for Taking Affidavits

**Logan Belanger, a Commissioner, etc.
While Clerk of the
City of Temiskaming Shores**



Garbage and Recycling Services
643377 Sunnyside Rd
Haileybury, ON P0J 1K0
705-647-6217
phippen@paralink.net

October 14, 2021

City of Temiskaming Shores
325 Farr Drive
Haileybury, Ontario,
P0J 1K0

Attention Jennifer Pye

Dear Ms. Pye

Applicant – Steve Allen

Re: Part1 on plan 54R-6156 and Part4 on Plan 54R-6085

Please be advised that the proposed septic system that may be installed on the property located South part of Lot4 Concession3, Dymond Twp., in the District of Temiskaming, Ontario will be serviced upon request by Phippen Waste Management Limited under the license for hauled sewage No. A920195.

The contents of the septic tank will be disposed of according to environmental regulations at our MOE certified disposal site. The capacity of our disposal site at present time is approximately 95% and has sufficient reserve capacity to accept the hauled sewage from the retained and severed land.

Yours truly,

A handwritten signature in blue ink that reads "Lois Phippen". The signature is written in a cursive, flowing style.

Lois Phippen



Services de santé du

TIMISKAMING
Health Unit

Enhancing your health in so many ways.

Head Office:

247 Whitewood Avenue, Unit 43

PO Box 1090

New Liskeard, ON P0J 1P0

Tel.: 705-647-4305 Fax: 705-647-5779

Branch Offices:

Dymond Tel.: 705-647-8305 Fax: 705-647-8315

Englehart Tel.: 705-544-2221 Fax: 705-544-8698

Kirkland Lake Tel.: 705-567-9355 Fax: 705-567-5476

www.timiskaminghu.com

October 15, 2021

Mr. Steven Allen

RE: PROPOSED PROPERTY BEING REZONED, PART 1 ON PLAN 54R-6156, AND PART 4 ON PLAN 54R-6087, TIMISKAMING DISTRICT, DYMOND TWP., ROLL# 5418 020 0011 0300

Dear Steve Allen:

An inspection of the above property which you would like to rezone, the area on the south side of Pete's Dam Road, West of the river, approximately 5.2 acres, resulted in clay soils. With the addition of septic sand, this area could be made suitable for a Class 4 Septic System.

The Land Control Division of the Timiskaming Health Unit has no objections to this proposal to rezone this area of land.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

John Dickinson
Chief Building Officer

JD



1700248 Ontario Inc.
59 Clear Lake Rd N
Kapuskasing, Ontario P5N 2X7
Tel:705-335-4667

October 15, 2021

Dear Sir/Madam:

We were contacted by Steve Allen regarding a property in Dymond Township, in the District of Temiskaming of which they want to have served. (Part 1 Plan 54R-6156 and Part 4 Plan 54R-6087, Lot 4, Conc. 3).

It is my opinion, based on our records & Well Logs from the Ministry of environment and those of Don Groleau Diamond Drilling, that an adequate source of water would be attainable by drilling a well on the property.

Please Note: One never knows how deep they may have to drill, or attempts (holes) made to acquire a sufficient amount of water. The chances of having more gallons per minute increase with a technique known as a **HYDRO FRACTURE**, which was not available at the time when one or more of the following existing wells were drilled. (Hydro Fracture has been done since the early 90's). Three to four GPM is sufficient water to run a household.

For your information, I have outlined below one (or more) other existing well(s) in this area that we were able to locate.

Owner	Twp.	Concession.	Lot	Well depth	Pumping Rate	Date Drilled
Michael Conelly	Dymond		1	120	3 GPM	08/29/2013
Well Logs from MOE	Dymond	Various – See attached			4-6 GPM	

We hope you find this information is helpful.

Regards,

Daniel Tailleux

MDS I

General information

Application date December 21, 2021	Municipal file number	Proposed application Other Type B land use
---------------------------------------	-----------------------	-----------------------------------------------

Applicant contact information Steven Allen 884246 Hwy 65 Wesr RR#1 New Liskeard, ON P0J1P0 705-676-5934 allen5@live.ca	Location of subject lands District of Timiskaming City of Timiskaming Shores DYMOND Concession 3, Lot 4 Roll number: 5418020001103000000
------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------

Calculations

New farm

Farm contact information Don Pipe New Liskeard, ON P0J1P0	Location of existing livestock facility or anaerobic digester District of Timiskaming City of Timiskaming Shores DYMOND Concession 3, Lot 11	Total lot size 165 ac
--------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------

Livestock/manure summary

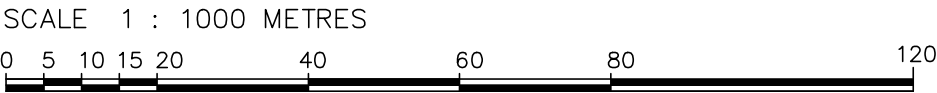
Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Chickens, Broiler breeder growers (males/females transferred out to layer barn)	200	0.7 NU	340 ft ²
Liquid	- Not Specified -	0	0 NU	NA

Setback summary

Existing manure storage	V3. Solid, outside, no cover, >= 30% DM
Design capacity	0.7 NU
Potential design capacity	0.7 NU
Factor A (odour potential)	0.7
Factor D (manure type)	0.7
Factor B (design capacity)	150
Factor E (encroaching land use)	2.2

Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)	162 m (531 ft)
Actual distance from livestock barn	NA
Storage base distance 'S' (minimum distance from manure storage)	162 m (531 ft)
Actual distance from manure storage	NA

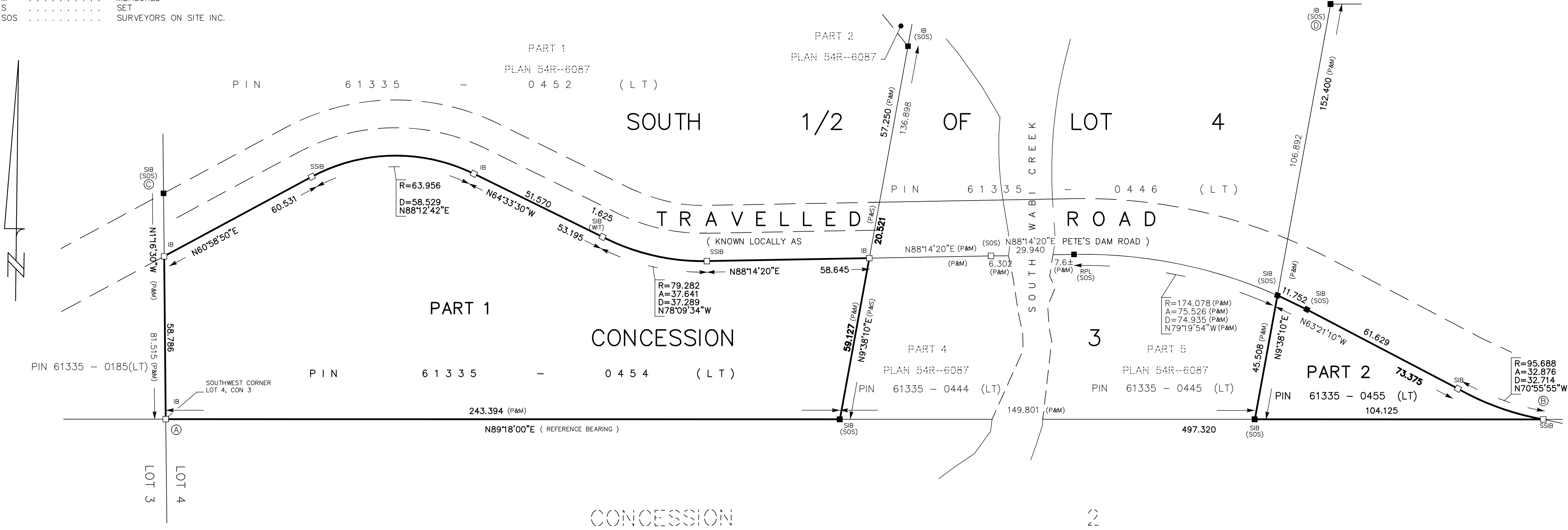
PLAN OF SURVEY OF PART OF THE
SOUTH 1/2 OF LOT 4,
CONCESSION 3
TOWNSHIP OF DYMOND
DISTRICT OF TIMISKAMING



THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000. SURVEYORS ON SITE INC.

LEGEND

■	.....	MONUMENT FOUND
□	.....	MONUMENT PLANTED
SSIB	.....	SHORT STANDARD IRON BAR
SIB	.....	STANDARD IRON BAR
IB	.....	IRON BAR
RPL	.....	ROCK PLUG
M	.....	MEASURED
S	.....	SET
SOS	.....	SURVEYORS ON SITE INC.



INTEGRATION COORDINATE TABLES

SPECIFIED CONTROL POINT (SCP)		
MONUMENT	NORTHING	EASTING
00819740134	5 260 465.302	597 668.228
00819740135	5 261 369.858	598 036.733
UTM ZONE 17, NAD83(ORIGINAL)		

OBSERVED REFERENCE POINTS ARE DERIVED FROM RTK MEASUREMENTS ON SCPs AND ARE REFERRED TO UTM ZONE 17, NAD83(ORIGINAL).

COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14(2) OF O.REG. 216/10 UNDER THE SURVEYS ACT.

POINT ID	NORTHING	EASTING
Ⓐ	5264059.84	595774.62
Ⓑ	5264065.90	596271.74
Ⓒ	5264141.31	595772.80
Ⓓ	5264214.83	596193.15

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SCHEDULE				
PART	LOT	CONCESSION	PIN	AREA (Ha)
1	PART OF THE SOUTH 1/2 OF LOT 4	3	PART OF PIN 61335-0454(LT)	1.8225
2			PART OF PIN 61335-0455(LT)	0.2142
GEOGRAPHIC TOWNSHIP OF DYMOND				

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99968176.

BEARINGS ARE UTM GRID, AND ARE DERIVED FROM SCPs, COSINE MONUMENTS HCM00819740134 & HCM00819740135 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83(ORIGINAL).

PLAN 54R-6156

Received and deposited

June 26th, 2020

Shaun Savard

Representative for the
Land Registrar for the
Land Titles Division of
Timiskaming (No.54)

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 22nd DAY OF OCTOBER, 2019.

DECEMBER 24, 2019

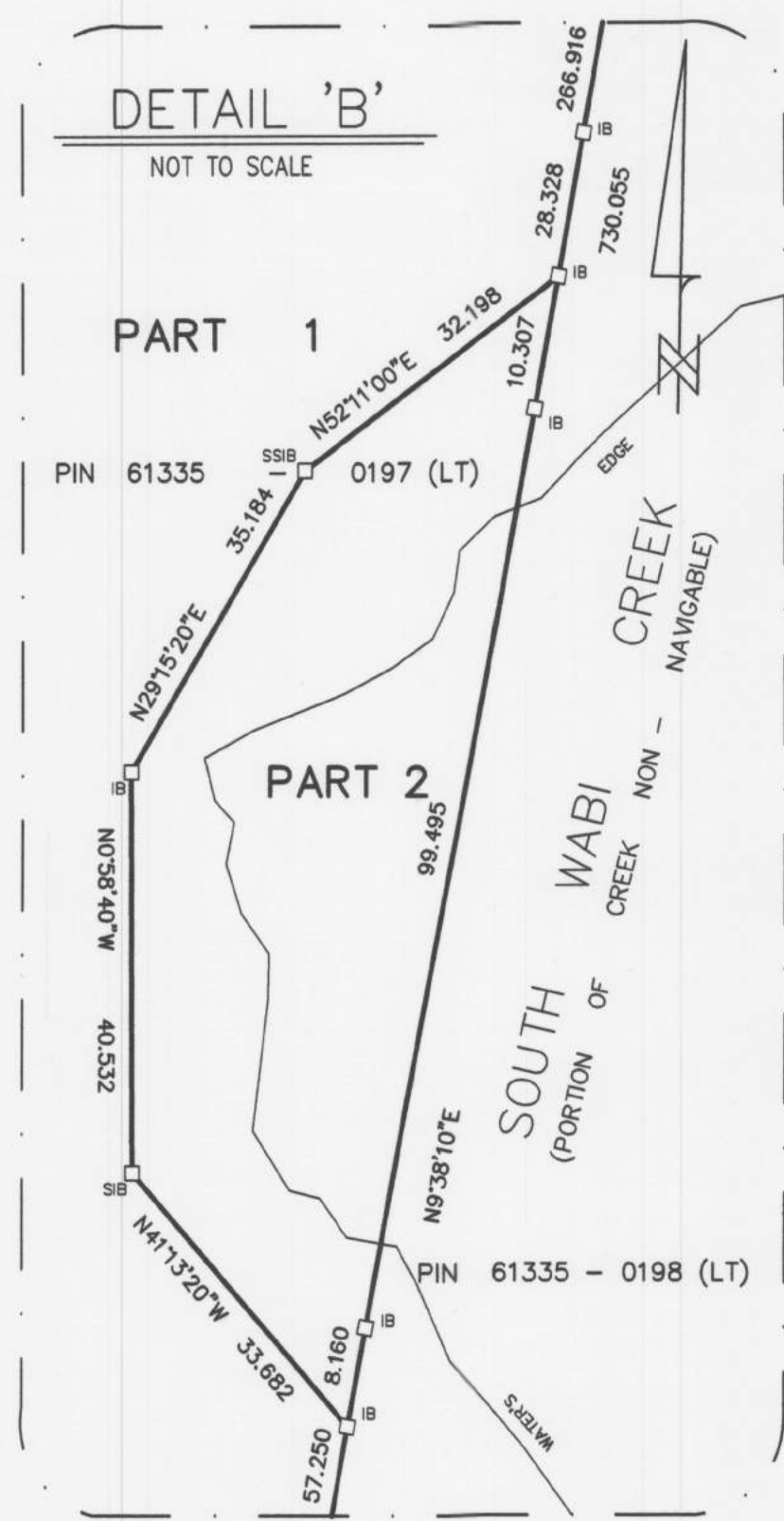
Ryan W. Sequin

RYAN W. SEQUIN
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER 2126249.



17 WELLINGTON STREET
NEW LISKEARD, ONTARIO
P0J 1P0
705-622-0872
www.surveyorsonsite.com

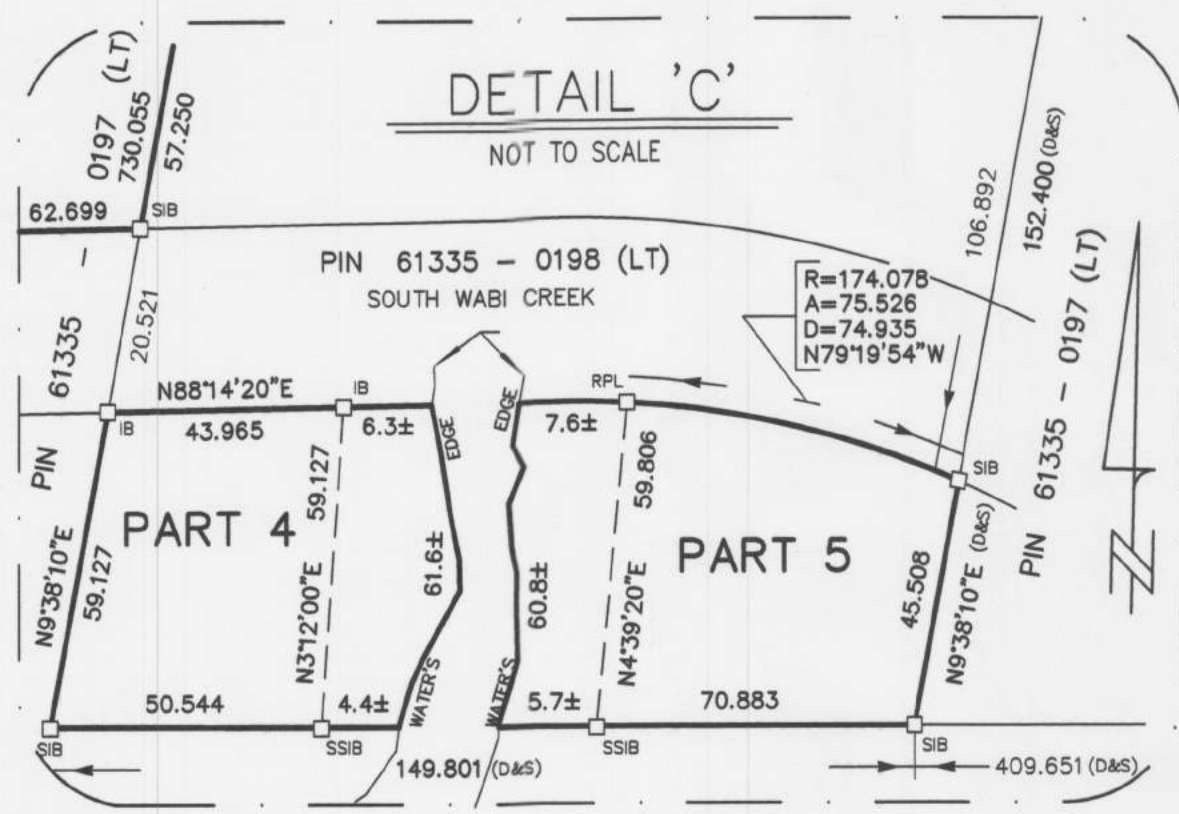


THE KING'S HIGHWAY 65

NORTH 1/2 OF LOT 3

PIN 61335 - 0390 (LT)

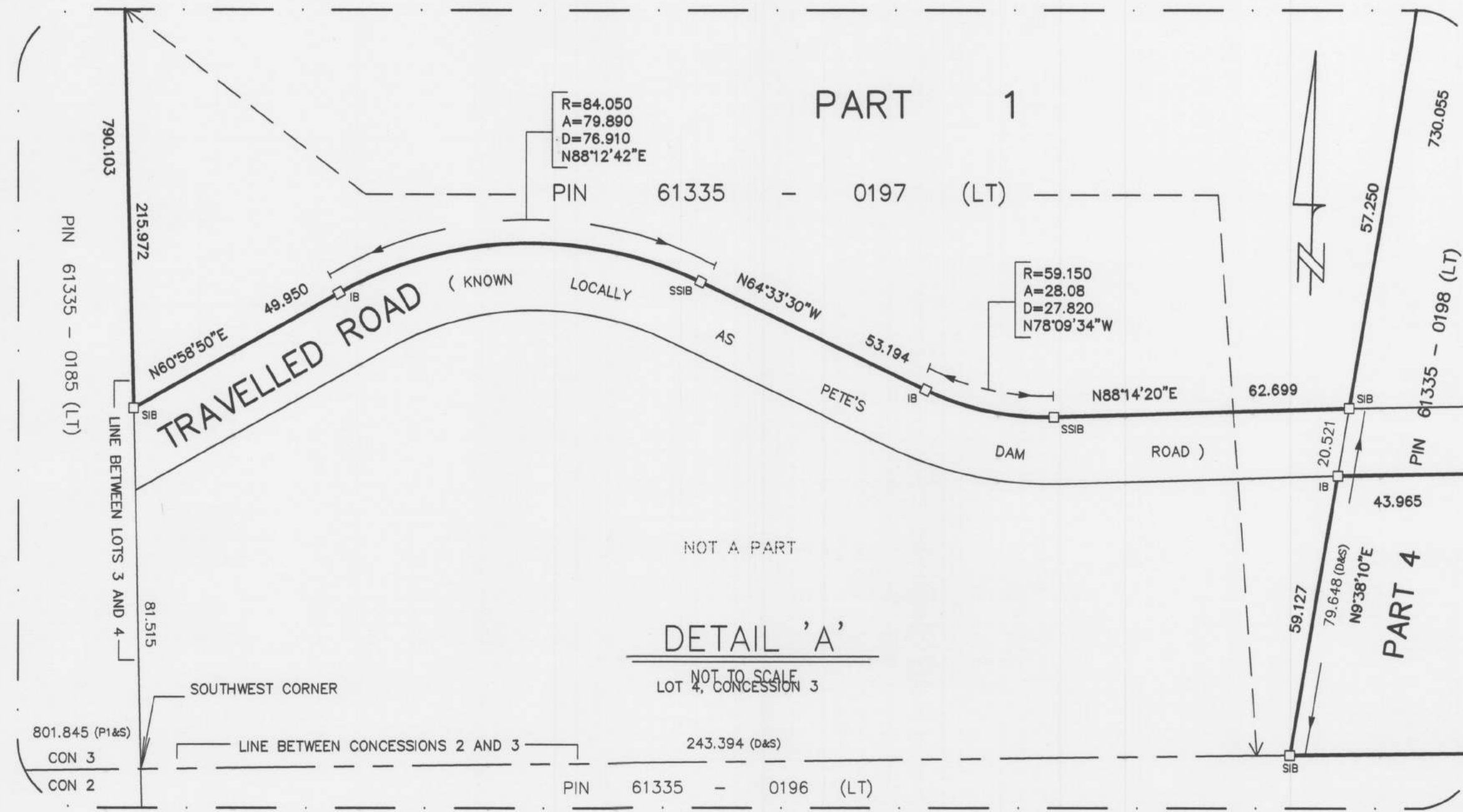
CONCESSION



SOUTH 1/2 OF LOT 3

PIN 61335 - 0185 (LT)

CONCESSION



DETAIL 'A' NOT TO SCALE

LOT 4, CONCESSION 3

NORTH 1/2 OF LOT 3

PIN 61335 - 0107 (LT)

CONCESSION

SOUTH 1/2 OF LOT 3

PIN 61335 - 0185 (LT)

CONCESSION

RADIAL TIES FROM © TO WATER'S EDGE	
AZIMUTH	DISTANCE
149°22'	120.9
148°44'	114.3
147°11'	92.2
148°37'	79.0
153°23'	65.1
164°28'	53.7
170°42'	46.4
3°22'	33.8
8°29'	25.3
8°37'	17.5
167°41'	8.2
117°18'	8.5
91°18'	13.8
87°18'	27.9
90°57'	41.0
90°45'	54.0
89°41'	64.8
90°59'	82.3
86°56'	105.9
83°41'	114.7
80°28'	121.3

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 54R-6087 RECEIVED AND DEPOSITED

DATE: FEBRUARY 20, 2019

DATE: 2019-03-06

RYAN W. SEQUIN
ONTARIO LAND SURVEYOR

'S. DOUPE'
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TIMISKAMING (No 54).

SCHEDULE				
PART	LOT	CONCESSION	PART OF PIN	AREA (Ha)
1			PIN 61335-0197 (LT)	22.77±
2				0.2643
3	SOUTH 1/2 LOT 4	3		0.2563
4			PIN 61335-0198 (LT)	0.28±
5				0.40±

GEOGRAPHIC TOWNSHIP OF DYMOND
PIN SUMMARY - PARTS 1, 2 & 3 COMPRISE PART OF PIN 61335-0197 (LT).
PARTS 4 & 5 COMPRISE PART OF PIN 61335-0198 (LT).

PLAN OF SURVEY OF PART OF THE SOUTH 1/2 OF LOT 4, CONCESSION 3 TOWNSHIP OF DYMOND DISTRICT OF TIMISKAMING

SCALE 1 : 3000 METRES
0 30 60 90 180 360
SURVEYORS ON SITE INC.

LEGEND

■	MONUMENT FOUND
□	MONUMENT PLANTED
SSIB	SHORT STANDARD IRON BAR
SIB	STANDARD IRON BAR
IB	IRON BAR
P1	DENOTES PLAN 54R-5902
P2	DENOTES PLAN 54R-2111
D	DENOTES DEED NTL 18349
M	MEASURED
S	SET
OU	ORIGIN UNKNOWN
915	RICHARD W. FARRELL O.L.S.
H	SUTOUFFE LTD. O.L.S.
SC	STORY GEOMATICS INC. O.L.S.
SGI	STORY GEOMATICS INC. O.L.S.
MTO	DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
FNE	FOUND NO EVIDENCE
WT	WITNESSED

NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE CORRECTION SCALE FACTOR OF 0.99968176.
BEARINGS ARE UTM GRID, AND ARE DERIVED FROM SCPs, COSINE MONUMENTS H0M00819740134 & H0M00819740135 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83(ORIGINAL).
FOR BEARING COMPARISONS A ROTATION OF -0°58'00" (COUNTER-CLOCKWISE) HAS BEEN APPLIED TO THE BEARINGS OF PLAN P2.

INTEGRATION COORDINATE TABLES		
SPECIFIED CONTROL POINT (SCP)		
MONUMENT	NORTHING	EASTING
00819740134	5 280 465.302	597 668.228
00819740135	5 281 369.858	598 036.733
UTM ZONE 17, NAD83(ORIGINAL)		

OBSERVED REFERENCE POINTS ARE DERIVED FROM RTK MEASUREMENTS ON SCPs AND ARE REFERRED TO UTM ZONE 17, NAD83(ORIGINAL).
COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14(2) OF O. REG. 216/10 UNDER THE SURVEYS ACT.

POINT ID	NORTHING	EASTING
①	5,284,849.50	595,757.04
②	5,284,862.60	596,440.75
③	5,284,050.05	594,973.09
④	5,284,078.15	596,577.01

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 5th DAY OF DECEMBER, 2018.

JANUARY 15, 2019
NEW LISKEARD, ONTARIO

RYAN W. SEQUIN
ONTARIO LAND SURVEYOR

SOS
SURVEYORS ON SITE INC.
17 WELLINGTON STREET
NEW LISKEARD, ONTARIO
POJ 1P0
705-622-0872
www.surveyorsonsite.com



Application for Zoning By-law Amendment

Notice of Complete Application And Notice of Statutory Public Hearing

Under Section 34 of the Planning Act, R.S.O. 1990 c.P.13

The City of Temiskaming Shores has received the following application to amend the City of Temiskaming Shores Zoning By-law:

File #: ZBA-2021-07
Owner: Steve and Nicole Allen
Property: South side of Pete's Dam Road, on the west side of the river; DYMOND CON 3 PT S PT LOT 4 RP 54R6156 PART 1 AND RP 54R6087 PART 4

A public hearing will be held to consider the Zoning By-law Amendment application:

Date: Tuesday, February 1, 2022
Time: 6:00 p.m.
Place: Council Chambers at City Hall, 325 Farr Drive, Haileybury
***Please note:** due to the changing nature of Covid-19 Public Health measures this meeting may be held virtually. Please contact Jennifer Pye (contact information below) to review the current circumstances and your participation options.

The application proposes to rezone the subject land from Prime Agriculture (A1) to Rural Residential (R1) to permit the construction of a single detached dwelling on the property, which is existing and undersized per the Official Plan and Zoning By-law provisions. The application has been submitted in accordance with Section 11.16 of the Official Plan which permits the use of an existing undersized lot of record for one single detached dwelling provided certain criteria are met and subject to the approval of a Zoning By-law amendment.

The property is designated Agricultural Land in the City of Temiskaming Shores Official Plan.

Any person may attend the public meeting and/or make written or verbal presentation to express support of, or opposition to, this application. If you are aware of any person who may be affected by this application, who has not received a copy of this notice, it would be appreciated if you would inform them of the application.

Written comments on this application may be forwarded to the City prior to the hearing.

If you are receiving this notice as the owner of a multi-unit residential building, please post this notice in a location that is visible to all of the residents.

If you wish to be notified of the decision of the City of Temiskaming Shores on the proposed Zoning By-law Amendment, you must make a written request to the City of Temiskaming Shores at the address below.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Temiskaming Shores to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Temiskaming Shores before the by-law is passed, the person or public body is not entitled to appeal the decision.

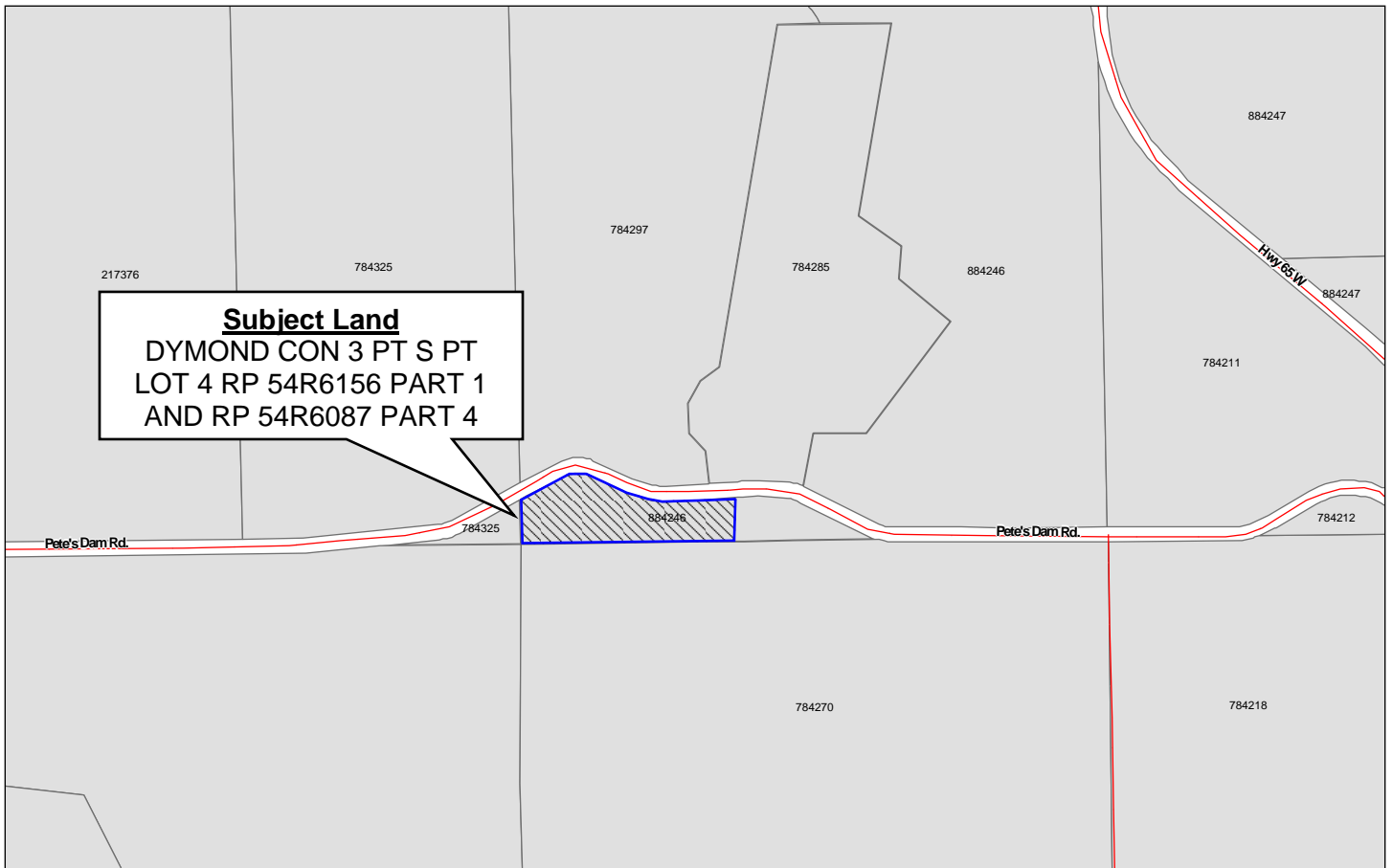
If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Temiskaming Shores before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information pertaining to the application is available by contacting the undersigned.

Dated this 12th day of January, 2022.

Jennifer Pye, MCIP, RPP
Planner
City of Temiskaming Shores
325 Farr Drive, PO Box 2050
Haileybury, ON P0J 1K0
Tel: 705-672-3363 ext. 4105
jpye@temiskamingshores.ca

Key Map



Subject: Sale of Municipal Property - Part
of Second Street and Part of
Fourth Street

Report No.: CS-008-2022

Agenda Date: February 15, 2022

Attachments

- Appendix 01:** Notice of Public Meeting
- Appendix 02:** Reference Plan No. 54R-6248
- Appendix 03:** Draft By-law to Stop Up and Close a Highway – Part of Second Street
(Refer to By-law No. 2022-029)
- Appendix 04:** Draft By-law to Stop Up and Close a Highway – Part of Fourth Street
(Refer to By-law No. 2022-030)
- Appendix 05:** Notice to Stop Up and Close a Highway
- Appendix 06:** Draft By-law Offer of Purchase and Agreement – Sale of Part of
Second Street (Refer to By-law No. 2022-031)
- Appendix 07:** Draft By-law Offer of Purchase and Agreement – Sale of Part of
Second Street (Refer to By-law No. 2022-032)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-008-2022;
2. That Council directs staff to continue with the disposition of municipal road allowances, being:
 - a. part of Second Street, described as Part 2 on Plan 54R-6248, and
 - b. part of Fourth Street, described as Part 1 on Plan 54R-6248;

in accordance with By-law No. 2015-160; and

3. That Council directs staff to prepare the necessary by-laws to Stop and Close the above-described road allowances, and to enter into an Offer of Purchase and Sale Agreement between the City of Temiskaming Shores as Vendor, and Hazel and Maurice Pleau as Purchaser, for the above-described road allowances, in the amount of \$500 plus taxes (if applicable) per street, plus all associated costs (legal, registration, survey, administration, etc.), in accordance with By-law No. 2015-160, for consideration at the February 15, 2022 Regular Council meeting.

Background

The City received a request from Hazel and Murice Pleau, to purchase a part of Second Street, and a Part of Fourth Street, for the purpose of contiguous ownership, for continued residential uses. The Pleau's own the adjacent properties to these unopened road allowances, described as 115 Groom Street (vacant parcel) and 975202 Silver Centre Road (Residential property). The previous owner of 975202 Silver Centre Road purchased the northern section of Fourth Street in 2018, to create a driveway, for frontage on an open municipal road (being Silver Centre Road). The current subject part of Fourth Street was determined to have a pre-existing fence located on the road allowance, and the Pleau's requested the fence be removed by the City as a condition of the sale. The request was presented to the Corporate Services Committee on July 28, 2021, and the Committee supported the sale of the road allowance as is, and to encourage the applicant to see legal advice on having the fence removed.

Recommendation CS-2021-041

Moved by: Councillor Danny Whalen

Be it resolved that:

The Corporate Services Committee hereby recommends that Council consider selling the laneway (off Silver Centre Road), as is, without the removal of the fence as requested by the applicant.

CARRIED

The application was circulated to internal departments for comment, with no departments indicating any concern with the potential disposition of the lands.

In accordance with the Land Disposition By-law (No. 2015-160), public notice regarding the Public Meeting for the proposed disposition, was publicized via the City Bulletin (Speaker and Weekender Editions) (**Appendix 01**). The Public Notice was also mailed to one homeowner located to the east of the subject lands, which included an area map to illustrate the general location of the road allowances. No comments objecting the sale were received, but the following comments were provided by the City's Planner:

The subject properties are:

- designated Rural Areas in the City of Temiskaming Shores Official Plan; and
- zoned Rural (RU) and Environmental Protection (EP) in the City of Temiskaming Shores Zoning By-law. The EP Zone applies to Mill Creek and surrounding land.

Based on the proposed uses for these lands it is recommended that:

- A deeming by-law be filed to merge the properties. Note: both 115 Groom Drive and 975202 Silver Centre Road are currently in the same

ownership, therefore passing a deeming by-law for all of the lots (included in both properties) will merge both properties to each other, as such an approval of a consent to sever would be required to separate them in the future. In this case, the applicants should be notified that prior to any future development on either property, approval of a deeming by-law will be required.

The Public Meeting was held during the September 7, 2021 regular Council meeting, and no comments or concerns were received during the presentation. The next steps were identified to include obtaining a reference plan, the adoption of a stop-up and closure by-law for each section of road allowance, an Administrative Report to Council recommending a Purchase and Sale Agreement, and a deeming by-law to merge the properties on title.

Following the meeting, a survey was commissioned from Surveyor on Site Inc. (SOS), and the survey was registered on January 12, 2022 (**Appendix 02**).

Analysis

As part of Second Street, and a Part of Fourth Street are unopened road allowances there is no impact on municipal road operations.

It is recommended that Council consider a by-law for the Stopping Up and Closing of each section of road allowance, which would be registered on title (**Appendix 03 and Appendix 04**). The public notice regarding the proposed stop up was advertised on the in the Temiskaming Speaker and Weekender, in accordance with the City's Notice By-law No. 2004-022 (**Appendix 05**).

In addition, it is recommended that Council consider an Offer of Purchase and Sale Agreement for the sale of the subject road allowances to Hazel and Maurice Pleau (**Appendix 06 and Appendix 07**), for consideration at the February 15, 2022 Regular Council meeting.

Relevant Policy / Legislation / City By-Law

- By-law No. 2004-022 – Establish Procedures for Public Notice
- By-law No. 2015-160, Procedural Policy for the Disposal of Real Property

Consultation / Communication

- Consultation with City Manager throughout the process
- Corporate Services Committee – July 28, 2021

- Notices in accordance with By-law No. 2004-022 & By-law No. 2015-160
- Circulated to Staff for comment

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☐ No ☐ N/A ☒

This item is within the approved budget amount: Yes ☐ No ☐ N/A ☒

It is recommended to transfer each section of road allowance directly to the Pleau's for \$500.00, plus all costs related to each respective sale (i.e., reference plan, legal fees, registration fees, and incidental costs).

Staffing implications are limited to normal administrative functions of staff.

Alternatives

No alternatives are being proposed by staff; however, the disposal of Municipally owned property is governed through By-law No. 2015-160 (Disposal By-law), and outlines a variety of methods for disposal and for determining fair market value. The relevant options for this proposed sale have been identified below.

Section 3: Disposal Methods

One or more of the following disposal methods may be utilized:

1. Direct sale by the City
2. Public Tender or Request for Proposals
3. Public Auction
4. Listing land with a broker and/or real estate firm at a negotiated commission
5. Posting on the proposed land to be sold a "For Sale" sign which will include contact information for inquiries
6. Funding agreements
7. Direct negotiation
8. Direct advertising
9. Property exchange

Section 4: Determining Fair Market Value

One or more of the following methods may be utilized to determine the fair market value:

1. Obtaining an appraisal
2. Using the assessed value
3. Comparing recent sales of similar properties based on willing buyer / willing seller
4. Using recent appraisals for similar properties

Submission

Prepared by:

Reviewed by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

Logan Belanger
Municipal Clerk

Shelly Zubycck
Director of Corporate
Services

Christopher W. Oslund
City Manager

Notice of Public Meeting

Potential Sale of Municipal Land – Portion of Second Street and Portion of Fourth Street

Notice is hereby given in accordance with By-law No. 2015-160, in respect to the City considering the sale of a portion of Second Street and a portion of Fourth Street.

This public notice is being given to advise the public that Council is considering the sale of the subject lands as described below and shown in the key map.

Any person may attend the public meeting or provide written comments for the public meeting.

The Public Meeting will be held:

Date: Tuesday, September 7, 2021
Time: 6:00 p.m.
Location: Council Chambers (325 Farr Drive)

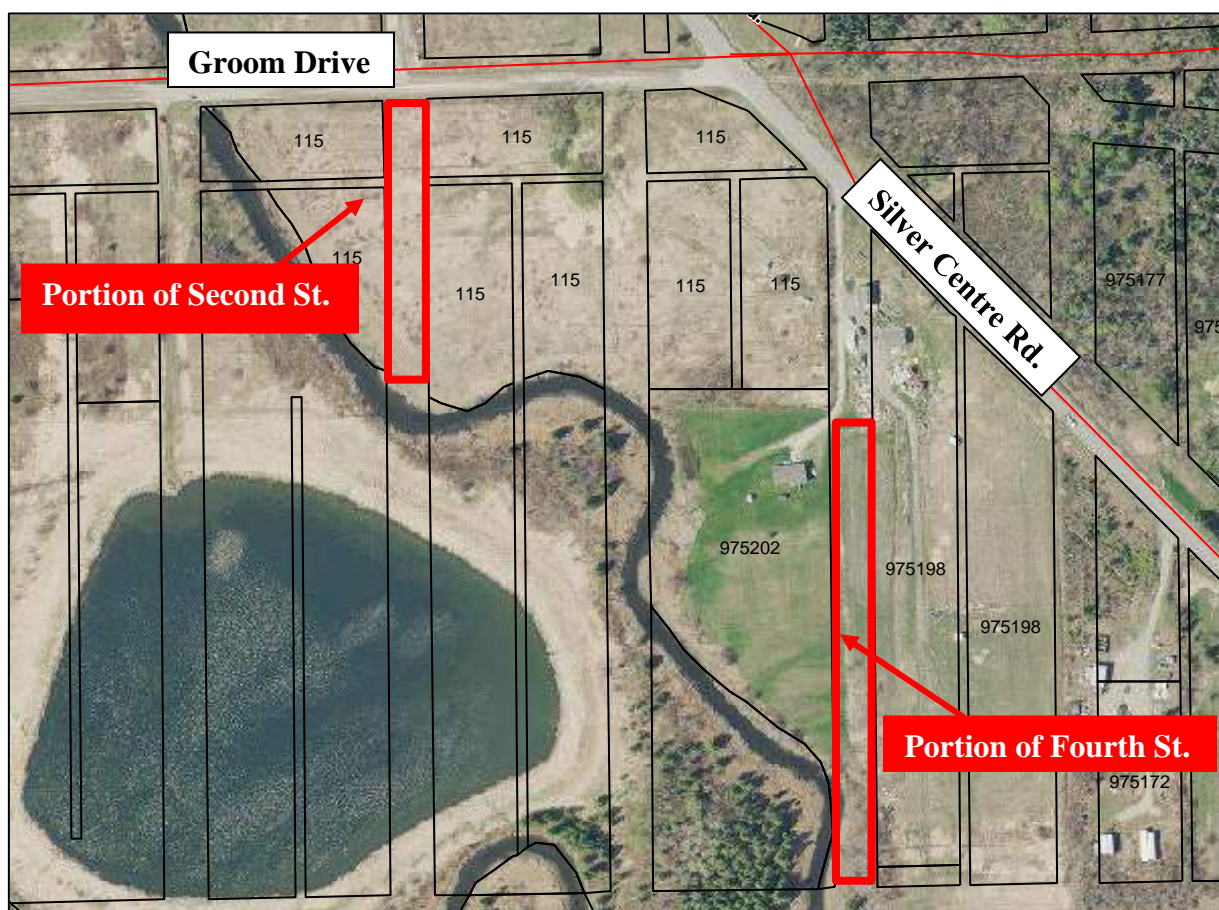
Further information or written submissions:

Logan Belanger, Municipal Clerk
Email: clerk@temiskamingshores.ca
Phone: 705-672-3363 x 4136

The public can provide input on the proposed sale, as follows:

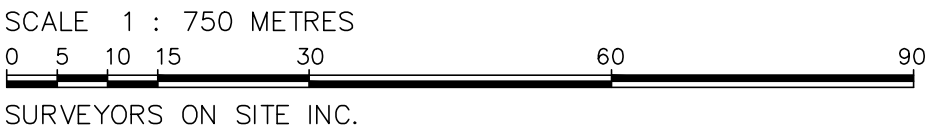
- **Submit Comments in Writing:** Persons wishing to provide written comments may submit in writing, using the email address above, prior to 4:30 p.m. on Tuesday, September 7, 2021; or may submit comments to questions@temiskamingshores.ca, during the live-streamed Council meeting, viewed on the City of Temiskaming Shores Facebook page.
- **Register to Speak at the Meeting:** Persons wishing to speak to Council must register with the Clerk prior to 3:00 p.m. on Tuesday, September 7, 2021, using the above-noted email or telephone number.

Description of Land: Portion of Second Street and a Portion of Fourth Street as shown below:



This map is provided for illustrative purposes. It is not a substitute for a legal survey. Boundaries on aerial photos may be skewed.

PLAN OF SURVEY OF
PART OF SECOND STREET (NOT OPEN)
AND
PART OF FOURTH STREET (NOT OPEN)
REGISTERED PLAN M-147 NB
CITY OF TEMISKAMING SHORES
DISTRICT OF TIMISKAMING



THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 762mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:750 METRES.

LEGEND

□	.....	MONUMENT PLANTED
■	.....	MONUMENT FOUND
SB	.....	STANDARD IRON BAR
IB	.....	IRON BAR
M	.....	MEASURED
S	.....	SET
WIT	.....	WITNESS
P1	.....	PLAN TER-959
P2	.....	PLAN 54R-6023
MTO	.....	MINISTRY OF TRANSPORTATION ONTARIO
SC	.....	H. SUTCLIFFE LTD.
SOS	.....	SURVEYORS ON SITE INC.

SCHEDULE				
PART	STREET	CONCESSION	PIN	AREA (Ha)
1	PART OF FOURTH STREET	REGISTERED PLAN M-147 NB	ALL OF PIN 61358-0246 (LT)	0.423±
2	PART OF SECOND STREET	REGISTERED PLAN M-147 NB	ALL OF PIN 61358-0186 (LT)	0.265±

PART 1 COMPRISES ALL OF PIN 61358-0246 (LT).
PART 2 COMPRISES ALL OF PIN 61358-0186 (LT).

PLAN 54R-6248

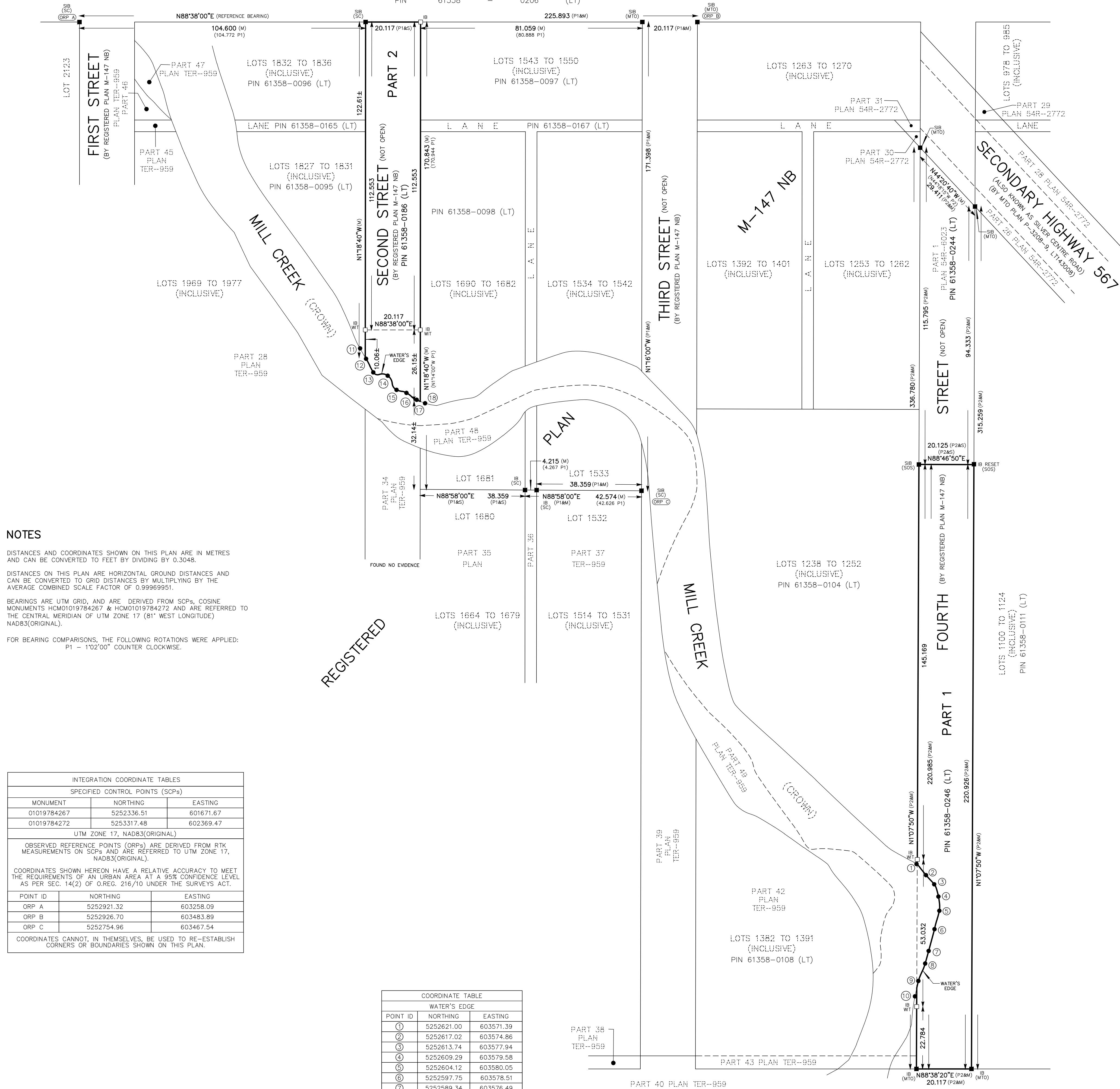
Received and deposited

January 12th, 2022

Alex Jecchinis

Representative for the
Land Registrar for the
Land Titles Division of
Timiskaming (No.54)

ARGENTITE ROAD



NOTES

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99969951.

BEARINGS ARE UTM GRID, AND ARE DERIVED FROM SCPS, COSINE MONUMENTS HCM01019784267 & HCM01019784272 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83(ORIGINAL).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:
P1 - 1°02'00" COUNTER CLOCKWISE.

INTEGRATION COORDINATE TABLES		
SPECIFIED CONTROL POINTS (SCPs)		
MONUMENT	NORTHING	EASTING
01019784267	5252336.51	601671.67
01019784272	5253317.48	602369.47
UTM ZONE 17, NAD83(ORIGINAL)		
OBSERVED REFERENCE POINTS (ORPs) ARE DERIVED FROM RTK MEASUREMENTS ON SCPS AND ARE REFERRED TO UTM ZONE 17, NAD83(ORIGINAL).		
COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14(2) OF O.REG. 216/10 UNDER THE SURVEYS ACT.		
POINT ID	NORTHING	EASTING
ORP A	5252921.32	603258.09
ORP B	5252926.70	603483.89
ORP C	5252754.96	603467.54
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

COORDINATE TABLE		
WATER'S EDGE		
POINT ID	NORTHING	EASTING
①	5252621.00	603571.39
②	5252617.02	603574.86
③	5252613.74	603577.94
④	5252609.29	603579.58
⑤	5252604.12	603580.05
⑥	5252597.75	603578.51
⑦	5252589.34	603576.49
⑧	5252584.72	603575.33
⑨	5252578.29	603573.00
⑩	5252572.64	603571.88
⑪	5252804.56	603363.35
⑫	5252800.82	603365.72
⑬	5252795.88	603368.51
⑭	5252794.80	603373.80
⑮	5252789.69	603377.15
⑯	5252788.70	603380.76
⑰	5252786.38	603384.12
⑱	5252785.05	603387.70

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

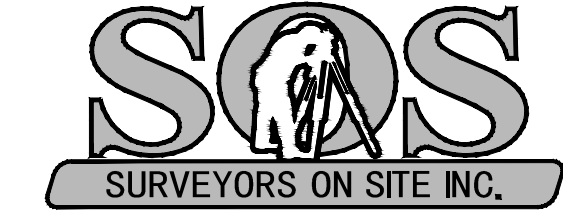
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 16th DAY OF SEPTEMBER, 2021.

OCTOBER 23, 2021

Ryan W. Seguin
RYAN W. SEGUIN
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-20060.



50 WHITEWOOD AVENUE
NEW LISKEARD, ONTARIO
POJ 1P0
705-622-0872
www.surveyorsonsite.com

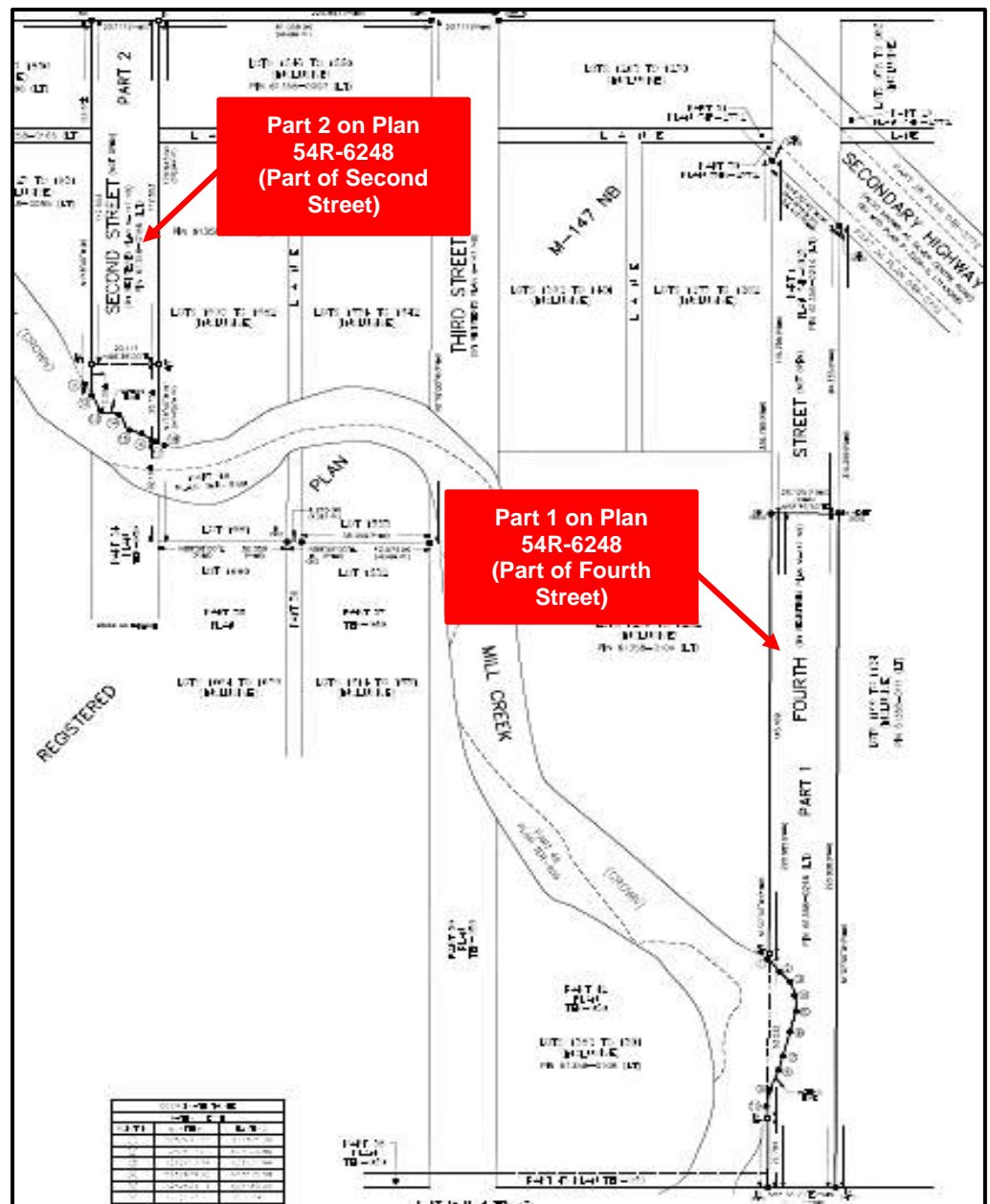
Notice of Proposed By-law to Stop Up and Close a Highway

Notice is hereby given in accordance with By-law No. 2004-022 in respect to the permanent closure of a highway:

This public notice is being given to advise the public that Council will be considering the adoption of a by-law to Stop up and Close a part of Fourth Street described as Part 1 on Plan 54R-6248; and a part of Second Street, described as Part 2 on Plan 54R-6248, as shown in the key map below.

Key Map

The By-laws will be considered at the **February 15, 2022** Regular Council meeting either held virtually or in Council Chambers at City Hall – 325 Farr Drive in Haileybury, commencing at 6:00 p.m.



Further information:

Logan Belanger, Municipal Clerk
Email:

clerk@temiskamingshores.ca

Telephone: 705-672-3363 ext.
4136

Dated: January 24, 2022

Excerpt of Plan 54R-6248

Memo

To: Mayor and Council
From: Mathew Bahm, Director of Recreation
Date: February 15, 2022
Subject: Little Claybelt Homesteaders Museum Expansion
Attachments: **Appendix 01:** Correspondence from Little Claybelt Homesteaders Museum
Appendix 02: Site Plan (approximately location of addition)

Mayor and Council:

Members of the Little Claybelt Homesteaders Museum presented plans to the Building Maintenance Committee on November 17, 2021 regarding a proposed expansion of the facility. The museum wishes to expand the building to provide additional storage and display space for their growing collection of artifacts.

The Museum board has proposed undertaking the expansion on their own with no requirements of City staff to contribute to the project, beyond normal administrative duties of the building department. Further, the Museum would be solely responsible for the costs of the expansion and plan to apply for grants to cover these costs.

The Committee considered the Museum board's presentation and passed the following recommendation:

Recommendation BM-2021-040

Moved by: Mayor Carman Kidd

Be it resolved that:

The Building Committee Meeting hereby recommend that Council support the request from the Little Claybelt Homesteaders Museum for an addition on the existing museum building.

CARRIED

As the owner of the building, the City of Temiskaming Shores needs to provide formal permission to the Little Claybelt Homesteaders Museum for the board to move forward with this project. There are no concerns from staff about this project and no anticipated ongoing costs to the municipality.

Prepared by:

Reviewed and submitted for Council's
consideration by:

“Original signed by”

“Original signed by”

Mathew Bahm
Director of Recreation

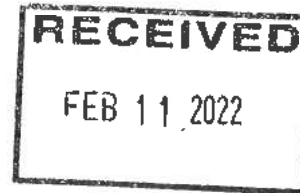
Christopher W. Oslund
City Manager

February 7, 2020

City of Temiskaming Shores,

Haileybury, Ontario

Att: Matt Bahm



Dear Matt:

Attached you will see the preliminary drawings for the structure we talked to council members about in December.

As the plans show this is not an overly complicated structure but will help the Little Claybelt Museum with two problems we have.

First it will provide needed storage for some of our pieces that cannot be left in the wewather elements while at the same time the doors on the southside will provideadded display for these bigger pieces.

The plans call for the structure to maintain the same roof profile to blend with the current museum and will also have sidingconsistent with the current museum siding.

We are asking for council's approval to proceed with this structure which will allow us to continue to price the structure out and then seek funding sources for the project.

Thank you for your time and consideration.

Dick Farrow

Chair

A handwritten signature in black ink, appearing to be "Dick Farrow", written over a horizontal line.

Little Claybelt Museum

Appendix 02



Subject: SHSMA Chiller Replacement
RFQ Award

Report No.: RS-001-2022

Agenda Date: February 15, 2022

Attachments

Appendix 01: Bid Results

Appendix 02: CIMCO Refrigeration Supporting Information

Appendix 03: Draft Agreement (**Please refer to By-law No. 2022-033**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-001-2022; and
2. That Council directs staff to prepare the necessary by-law to enter into an agreement with CIMCO Refrigeration, Division of Tormont Industries Ltd. for the Shelley Herbert-Shea Memorial Arena Chiller Replacement in the amount of \$72,900, plus applicable taxes, for consideration at the February 15, 2022 Regular Council meeting.

Background

As part of regular lifecycle replacement, City of Temiskaming Shores Recreation staff proposed the replacement of the Shelley Herbert-Shea Memorial Arena chiller as part of the 2022 municipal capital budget. The chiller is a main component of the facility's ice plant which removes heat from the ice surface by transferring it from the underfloor brine to the refrigerant.

The refrigerant and brine never mix within the chiller ensuring the safe transfer of heat from inside the arena to the atmosphere.

It is a critical safety matter to ensure that the chiller is in good working order and that no mixing of the refrigerant and brine takes place. This mixing can cause runaway pressure build-up, environmental contamination and potential public safety issues.

The City undertakes annual sampling and analysis of brine from both arenas to ensure that there is no refrigerant contamination.

The chiller within the SHSMA is nearing the end of its life expectancy and to ensure continued safe operation of the ice plant it is important to replace this piece of equipment now.

Council approved the chiller replacement project as part of the 2022 municipal capital budget with a budgeted amount of \$100,000.

Request for quotation RS-RFQ-001-2022 - Shelley Herbert-Shea Memorial Arena Chiller Replacement was released on the City's website and BidDingo on January 13, 2022.

Analysis

Three submissions were received in response to RS-RFQ-001-2022 by the closing date of February 7, 2022 at 2:00pm.

The submissions received are listed below and summarized in Appendix 01:

Cimco/Tormont – \$72,900

Northland Group - \$74,750

Black & McDonald - \$84,850

The quotations were reviewed and evaluated in accordance to the requirements of the RFQ and deliverables to be provided by the submitters.

Staff are recommending that this project be awarded to Cimco Refrigeration, Division of Tormont Industries Ltd.

The City has utilized Cimco Refrigeration for other large projects at our arenas in the past and they are an industry leader in industrial refrigeration.

Relevant Policy / Legislation / City By-Law

- 2022 Municipal Capital Budget
- By-Law No. 2017-015, Procurement Policy

Consultation / Communication

- Consultation with City Manager throughout the project

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☒ No ☐ N/A ☐

This item is within the approved budget amount: Yes ☒ No ☐ N/A ☐

During the 2022 capital budget deliberation process, Council approved \$100,000 to complete this project.

Alternatives

Council could direct staff to reissue this request for quotation with a new closing date. This option would jeopardize regular operations of the SHSMA later in 2022 due to procurement timelines.

Council could direct staff to cancel this procurement.

Submission

Prepared by:

Reviewed and submitted for Council's consideration by:

"Original signed by"

"Original signed by"

Mathew Bahm
 Director of Recreation

Christopher W. Oslund
 City Manager

Document Title: RS-RFQ-001-2022 "SHSMA Chiller Replacement"

Closing Date: **Monday, February 7, 2021**



Closing Time: **2:00 p.m.**

Department: **Recreation**

Opening Time: **2:45 p.m.**

Attendees via teleconference: 705-672-2733 Ext. 774

City of Temiskaming Shores:

Logan Belanger, Clerk	Kelly Conlin, Deputy Clerk	Mathew Bahm, Director of Recreation	
		<i>via teleconference</i>	

Others (teleconference):

<i>Steve, Black & McDonald</i>	<i>Patrick, Cimco Refrig.</i>	<i>Darryl, Northland Grp.</i>
------------------------------------	-------------------------------	-------------------------------

Submission Pricing

Bidder: *Black & McDonald*

Description	Amount
Lump Sum Price (exclusive of HST)	<i>\$84,850.00</i>

Bidder: *Cimco / Toromont*

Description	Amount
Lump Sum Price (exclusive of HST)	<i>\$72,900.00</i>

Bidder: *Northland Group*

Description	Amount
Lump Sum Price (exclusive of HST)	<i>\$74,750.00</i>

Bidder: 

Description	Amount
Lump Sum Price (exclusive of HST)	\$

Bidder: 

Description	Amount
Lump Sum Price (exclusive of HST)	\$

Bidder: 

Description	Amount
Lump Sum Price (exclusive of HST)	\$

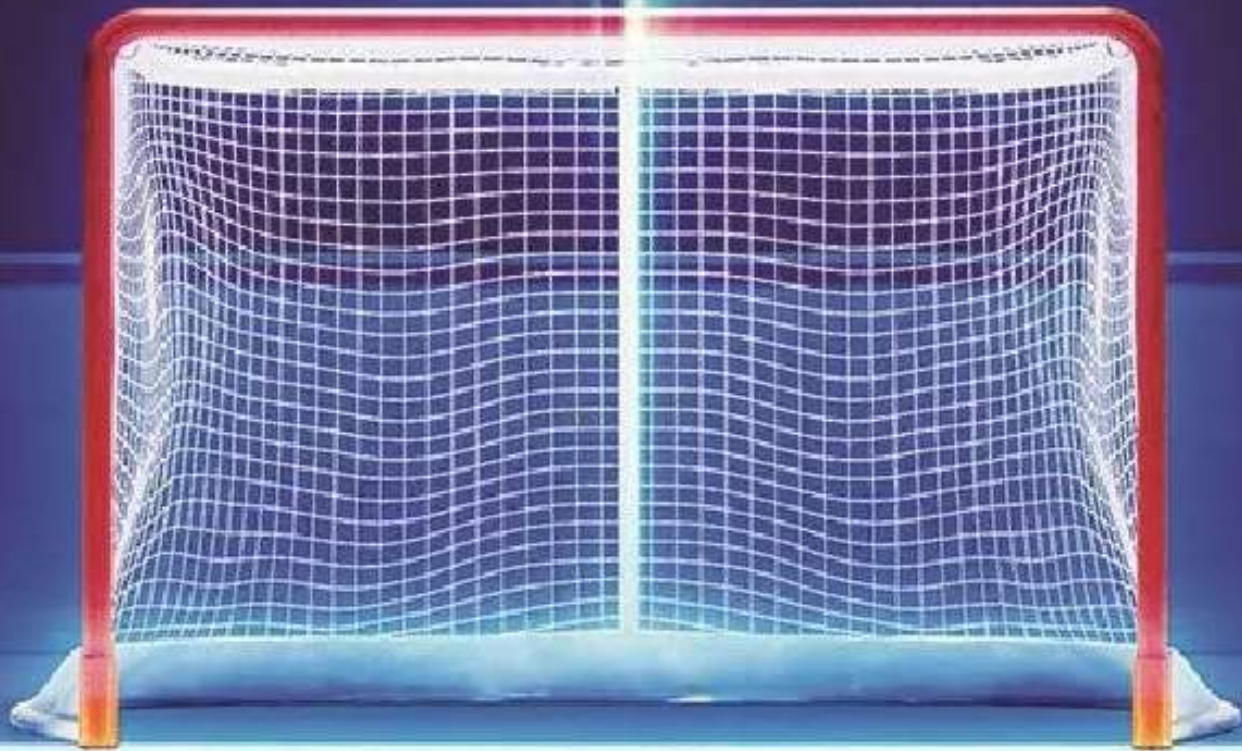
Note: All offered prices are offers only and subject to scrutiny. Submissions will be reviewed for errors, omissions and accuracy by municipal staff prior to any awarding. All proponents whether successful or not will be notified of results, in writing at a later date.

Proposal for Chiller Replacement at Shelley Herbert-Shea Memorial Arena

RS-RFQ-001-2022

TOROMONT

CIMCO



Prepared By:

Patrick McCarron
[Sender.Email]

Prepared For:

Paul Allair,
400 Ferguson St.
Haileybury, ON P0J1K0
pallair@temiskamingshores.ca

February 7th, 2022

CIMCO is pleased to provide pricing for a Chiller Replacement at the Shelley Herbert-Shea Memorial Arena. Refer to page 17 of the attached for project specific details and notes



CIMCO Advantage

CIMCO would first and foremost like to thank you for the opportunity to work with your upcoming chiller and header replacement. With over 100 years experience in recreation refrigeration, CIMCO boasts a reputation unparalleled in the industry today. At CIMCO, we pride ourselves on being the best, and we understand the difference is in the attention to detail;

- CIMCO employs our own certified welders- This means that any welding can be done internally and would not have to be outsourced through a third party company, keeping costs to a minimum and ensuring quality workmanship that CIMCO stands behind.
- Joel Blanchette, our lead mechanic, is also a certified welder. Having the service mechanic and welder as same person affords CIMCO to have less people on site, which is greatly beneficial during COVID.
- CIMCO also employs our own engineers- From drawing to sign off, CIMCO engineers are with you every step of the way, ensuring our industry leading standard is always maintained.

Key Facts About CIMCO- North America's largest refrigeration contractor

- Over 1000 employees
- Over 15,000 completed refrigeration projects
- 8000 active customers
- 23 locations throughout North America
- Completed 50% of the world's ice rinks (70% of professional rinks in North America)
- Successfully installed ice rinks in over 45 countries
- Sustainable designs which included
 - 0 GWP natural refrigerants
 - 100% heat recovery

Scope of Work

- Remove brine and ammonia from the system and store in approved containers;
- Decommission, remove and dispose of the existing chiller;
- Cut, remove and dispose the existing high side float and all associated valves including the main suction valve;
- Remove and dispose of existing EGO Saver unit and piping, which is no longer in use;
- Supply and install (1) new shell and tube chiller, replacing the existing unit which measures 108" long by 65" in diameter and 156" long by 65" in diameter, with a refrigeration capacity of 70 tons.
- Supply and install (1) new main suction valve, (1) high liquid level valve assembly, (1) hand expansion valve, (1) high side float assembly complete with an isolation valve and an oil drain valve;
- Supply and install the necessary purge and drain valves on the chiller (stainless steel);
- Supply and install the necessary insulation and white PVC cladding;
- Register the new chiller, piping as well as a registered TSSA pressure test;
- Paint all new steel lines to match existing;
- Evacuate the system and re-install the ammonia and brine;
- Install new piping identification labels;
- Test system operations;
- Provide all warranty, identification, maintenance, commissioning and other applicable documentation to the City of Temiskaming Shores;
- Complete any necessary job cleanup including disposal of waste.



Pricing

CIMCO Price: \$72,900 CAD (All Taxes Extra)

***Please note that current lead time for this chiller is 10-12 weeks. CIMCO currently has (1) chiller in stock for this project, subject to prior sale.**

Should the City take the full 60 days to issue a PO, the June 24th project completion date would be very difficult to meet given the current lead times on raw material and finished

products.

Prices are valid for 60 days from the date of quotation.

Taxes not included.

Standard Terms & Conditions apply.

Subject: Climate Change Committee
Recommendations to Council

Report No.: RS-002-2022

Agenda Date: February 15, 2022

Attachments

Appendix 01: N/A

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-002-2022;
2. That Council direct staff to revise the Climate Change Committee terms of reference document, to create a standing committee of Council responsible for guiding the City towards its sustainability and climate change goals; and
3. That Council direct staff to investigate funding options to hire a new staff member to complete updates to the Greenhouse Gas Reduction Plan in conjunction with the Climate Change Committee.

Background

At the January 9, 2018 regular meeting of Council, council received a presentation about the Partners of Climate Protection (PCP) Program organized by the Federation of Canadian Municipalities. Council then passed resolution number 2018-003 which directed staff to join the PCP program.

The City subsequently hired VIP Energy to create a greenhouse gas reduction plan which would fulfil steps 1-3 of the PCP program. VIP Energy had previously worked with the City to create the Municipal Energy Plan which was adopted in 2016. VIP Energy completed the Greenhouse Gas Reduction Plan in August 2019. The report was presented to Council at the November 3, 2020 regular meeting. Council passed the following resolution:

Resolution No. 2020-513

Moved by: Councillor Whalen
Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 014-2020-RS; and

That Council directs staff to release the Greenhouse Gas Reduction Plan to complete a public consultation period from November 4, 2020 until December 4, 2020, and return the plan for consideration at the December 15, 2020 Regular Council meeting.

Carried

Following a public consultation process, council considered Administrative Report No. RS-011-2020 – Greenhouse Gas Reduction Plan and passed the following resolution:

Resolution No. 2020-615

Moved by: Councillor Whalen
Seconded by: Councillor Jelly

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-011-2020;

That Council acknowledges receipt of the Greenhouse Gas Reduction Plan prepared by VIP Energy; and

That Council directs staff to investigate improvements to the Greenhouse Gas Reduction Plan through further consultation with community partners and the public.

Carried

To meet council's request, staff created the ad-hoc Climate Change Committee with representatives from Climate Change Temiskaming, the Temiskaming Health Unit and a member of the community at large. The Committee was tasked with reviewing the completed Greenhouse Gas Reduction Plan, reviewing the City's participation in the PCP program and make recommendations to council for future greenhouse gas reduction targets.

Analysis

The CCC has met five times since its creation including most recently on February 8, 2022. The committee began by reviewing the Greenhouse Gas Reduction Plan including the proposed reduction targets from 2017 levels of 10% for corporate emissions by 2027 and 5% for community emissions by 2027. The committee received information from staff which outlined what target measures other municipalities within Ontario have set and had an extensive discussion about the federal government's goals of reaching net zero emissions by 2050.

The general consensus of the committee is that, in the near future, the federal government will begin to require funding applicants to provide information on how they will align their emission reduction goals with the federal government's. Further, it is expected that the federal government will also begin to provide funding opportunities for municipalities to assist in meeting improved greenhouse gas reduction targets. Some of this type of funding is already being made available through grants such as the Infrastructure Canada - Active Transportation Fund.

The committee also received a presentation about the recommissioning of the New Liskeard Landfill site and potential opportunities to mitigate methane emissions. The committee extensively discussed the use of a Climate Lens as a means to reframe municipal decision making to better consider environmental impact. The committee also discussed various other greenhouse gas reduction measures that could be undertaken by the municipality including the electrification of the municipal fleet including Temiskaming Transit.

Finally, the committee received a presentation from the City of Sault Ste. Marie's Sustainability Coordinator who outlined how they have progressed through the same PCP program and the innovative methods that they've implemented to meet their goals. One of the main themes noted by the committee from the presentation was the immense value that a full-time employee brings to this file. In Sault Ste. Marie the sustainability coordinator has not only been able to complete the full requirements for the PCP program but has also been able to, in conjunction with other city staff, implement a number of cost saving projects. These projects have that not only saved their municipality energy costs but also reduce their greenhouse gas emissions.

With this information, the committee is recommending council take the following actions:

1. Direct staff to update the greenhouse gas reduction plan with new emission reduction targets, updated emission data and new reduction measures;
2. Update the City's emission reduction targets including a goal of having net zero emissions by at least 2050;
3. Transition the Climate Change Committee into a standing committee of council responsible for guiding the city towards its sustainability and climate change goals;
4. Direct staff to investigate funding options to hire a full-time staff member to complete updates to the Greenhouse Gas Reduction Plan including the potential use of co-op students, various external funding options and potential use of municipal tax dollars;
5. Direct the new staff member and current staff, as part of updating the Greenhouse Gas Reduction Plan, to create a new energy benchmark for the City, investigate potential greenhouse gas reduction measures and use these potential measures to set an interim emission reduction goal to be reached before 2050 and begin

implementing these measures and any other environmental sustainability programs deemed beneficial for the City;

6. Direct staff to create a Climate Lens framework that all reports to council shall utilize to reframe regular municipal decision making to better consider environmental impacts.

These recommendations would align the City of Temiskaming Shores environmental sustainability goals with the Government of Canada and other municipalities around Canada. It would increase our staff capacity to reach these goals including the ability to recognize, apply and implement energy efficiency upgrades with the potential for ongoing cost savings for the City. It would also ensure that a standing committee of council was continually reviewing and updating council on the City's progress towards these goals and allow for greater monitoring of the general state of environmental sustainability.

Relevant Policy / Legislation / City By-Law

- 2022 City of Temiskaming Shores Operating Budget
- City of Temiskaming Shores Greenhouse Gas Reduction Plan (2019)
- By-Law no. 21-111 TOR Climate Change Committee
- Canadian Net-Zero Emissions Accountability Act (S.C. 2021, c. 22)

Consultation / Communication

- Consultation with City Manager
- Consultation with the City of Temiskaming Shores' Climate Change Committee

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☐ No ☒ N/A ☐

This item is within the approved budget amount: Yes ☐ No ☐ N/A ☒

The 2022 municipal operations budget does not include any funding towards implementation of the recommendations of the Climate Change Committee. However, City staff have been directed to investigate the hiring of an environmental sciences co-op student for a period of May 2022-August 2022 using savings accumulated and expected within the 2022 budget.

This co-op student would be tasked with beginning to work on the recommendations of the Climate Change Committee in conjunction with the Director of Recreation and a new standing committee of council.

Staff would also investigate potential funding options for a more long-term solution for a staff position to work on these initiatives. Such funding is readily available but may necessitate a matching contribution from the municipality. Any such decisions will need to be approved by Council.

Alternatives

Council could alternatively:

1. Accept the current Greenhouse Gas Reduction Plan as the City's goals towards emission reductions or;
2. Council could accept some of the recommendations brought forward by the Climate Change Committee or;
3. Council could decide to take no action.

Submission

Prepared by:

Reviewed and submitted for Council's
consideration by:

"Original signed by"

"Original signed by"

Mathew Bahm
Director of Recreation

Christopher W. Oslund
City Manager

Subject: Recreation Facility User Liability Insurance Policy

Report No.: RS-003-2022

Agenda Date: February 15, 2022

Attachments

Appendix 01: Draft Recreation Facility User Liability Insurance Policy (**Please refer to By-law No. 2022-034**)

Appendix 02: BFL Canada Facility Users Program Overview

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-004-2022; and
2. That Council for the City of Temiskaming Shores direct staff to prepare the necessary by-law to adopt the City of Temiskaming Shores Recreation Facility User Liability Policy effective March 1, 2022, for consideration at February 15, 2022 Regular Council Meeting.

Background

The City of Temiskaming Shores (City) purchases general liability insurance to protect the Corporation from claims arising from actions on City property and facilities.

The City of Temiskaming Shores also operates numerous recreation facilities throughout the municipality which can be rented by members of the public. The City has a comprehensive process to ensure smooth handling of rentals from initial contact through to cleaning completed afterwards. As part of the rental process, the City requires, in some instances, proof of general liability coverage which names the City as an additional insured. This ensures that the City of Temiskaming Shores is adequately covered in case of incidents which take place within municipal facilities during rentals by outside parties.

The City does not have a comprehensive policy outlining details of how this insurance requirement is applied to rentals, who is required to provide proof of general liability insurance and the amount of coverage which is required. Additionally, there are few options available for members of the public who rent facilities for one off or a small number of events to purchase general liability insurance.

Staff created the draft Recreation Facility User Liability Insurance Policy to assist with this issue and to further minimize the risk to the municipality.

The draft policy was presented to the Recreation Committee at their regular meeting on November 8, 2021. After consideration, the committee passed the following recommendation:

Recommendation RS-2021-042

Moved by: Danny Lavigne

Be it resolved that:

The Recreation Committee hereby acknowledges review of the Facility Users Liability Policy and further recommends that Council approve the policy as presented.

CARRIED

Analysis

The policy outlines the requirements for recreation facility renters to provide proof of general liability insurance to the municipality in all but a few instances. It further provides an option for renters to purchase liability insurance from the municipality as part of the overall fee for their rental. This is a cost-effective way for rental organizers to have general liability themselves and for the municipality to ensure that taxpayers are adequately covered in the event of an issue.

This type of program is used by numerous municipalities and would be coordinated through the City of Temiskaming Shores' current insurance provider.

There is no requirement for extensive paperwork or time for City staff to administer this program. Staff will be required to charge the appropriate premium based upon the list provided to us, record basic information about the rental including the organizer's information, the date and facility used and remit any premiums collected on an annual basis.

The majority of facility renters already have general liability insurance which covers their use of City of Temiskaming Shores facilities. They are therefore unaffected by this policy and will see no cost increases due to this policy.

Other users will see a nominal increase in their cost to use facilities but will also now be covered from liability in the event of an issue. As an example, a group of 20 people who rent a ball diamond for a 1-hour pickup baseball game would be charged \$35.00 plus HST by the municipality for use of the facility. Their insurance premium would be an additional \$1.68 plus PST for a \$2,000,000 general liability policy.

Relevant Policy / Legislation / City By-Law

N/A

Consultation / Communication

- Consultation with City Manager
- Consultation with the City of Temiskaming Shores' Recreation Committee

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☐ No ☐ N/A ☒

This item is within the approved budget amount: Yes ☐ No ☐ N/A ☒

This policy is revenue neutral as any premiums that the City collects will be remitted to BFL Canada on a regular basis. Any administrative tasks for staff will be completed as part of regular duties.

Alternatives

Council could alternatively:

1. Direct Staff to investigate other methods of requesting proof of liability insurance from facility users.
2. Decide to take no action.

Submission

Prepared by:

Reviewed and submitted for Council's consideration by:

"Original signed by"

"Original signed by"

Mathew Bahm
 Director of Recreation

Christopher W. Oslund
 City Manager



BFL FACILITY USERS PROGRAM

BFL MAKES A DIFFERENCE



LIABILITY INSURANCE

What is **liability insurance**?

- Protects you if an action is brought against you as a result of bodily injury or property damage to a third party
- Provides coverage for legal expenses as well as awards for settlements
- Does not cover damage to your own personal property



WHERE CAN YOU GET LIABILITY INSURANCE?

Homeowner's policy

- May not adequately cover your event

Commercial General Liability (CGL) policy

- Suitable when a policy is already in place and will extend to cover the event

Special Event policy

- Tend to be expensive

Or.....



FACILITY USERS PROGRAM

- Provides Facility User and event participants with CGL insurance
- Protects the Facility User in the event an action is brought against them as a result of bodily injury or property damage to a third party
- Also protects the Municipality



WHY USE IT?

Easy

- Actual usage is reported once a month to BFL
- No need to collect Certificate of Insurance from User

Inexpensive

- Premium can be built into rental fee
- Municipality is not out of pocket
- Rates are very reasonable for Users
- Example: meeting rate starts at only **\$1.50**

Effective

- Protects the Facility User and participants
- Protects the Municipality and its taxpayers



HOW DOES IT WORK?

1. Facility User books a rental and advises purpose of rental / activities to take place
2. Municipality looks up the activity in the Facility User Rating Guide, adds the appropriate premium (plus 8% PST) to the rental amount and collects payment from the Facility User
3. **If an activity is not listed or there is uncertainty as to the rate to be charged, Municipality is to contact BFL for assistance**
4. Municipality adds the event details and premium to the BFL bordereau
5. At the end of each month, Municipality sends completed bordereau to BFL
6. BFL issues corresponding invoice for payment



WHAT ACTIVITIES CAN BE COVERED?

Low Risk

- Non-sporting events such as Meetings, Seminars, Workshops, Church Mass, Chess Clubs, Bingo, Keno, Euchre, Bridge, Weight Loss Clinics, Prayer Meetings
- Concessions, Kiosks, Vendors, Buskers
- Theatre, Performances (excluding professionals or members of Actors Guild)
- Parties, Cooking Classes, Baby & Bridal Showers, Baptisms, Funerals
- Dances, Weddings
- Picnics, Street Parties, small Parades



WHAT ACTIVITIES CAN BE COVERED?

Sporting Activities

- **Low-Risk:** Badminton, Tennis, Curling, Horse Shoes, Baton Twirling, Indoor Mini Golf, Shuffle Board, Table Tennis, Bocce Ball
- **Medium-Risk:** Baseball, Basketball, Soccer, Softball, Track & Field, Volleyball, Figure / Speed / Power / Pleasure Skating, Cricket, Racquet Ball, Squash, Yoga / Fitness classes, Touch / Flag Football, Lawn Bowling, T-Ball, Field Hockey, Tai Chi, Dry Land Training, Pickleball, Ultimate Frisbee, Dancing / Dance Practice, Broomball, Net Ball, Skipping Rope, Swimming, Tchoukball
- **High-Risk:** Soft Touch Martial Arts, Sledge Hockey, Skate Boarding, BMX Biking, Inline Skating, Quidditch

BFL MAKES A DIFFERENCE



WHAT ACTIVITIES CAN BE COVERED?

Very High-Risk

- Ice Hockey (non-contact)
- Ball Hockey (non-contact)
- Lacrosse
- Floor Hockey
- Roller Hockey
- Ringette
- Kabaddi



ACTIVITIES FOR REFERRAL

- Beer Gardens (alcohol sales to the general public with the purpose of raising money)
- Dances / Weddings over 1000 attendees
- Special Events that don't fit a rating category
- Street Festivals
- Parades over 1000 spectators
- Low and Medium Risk Sporting Events over 500 participants (hourly rental) / 250 participants (daily or multi-day rental)
- High Risk Sporting Events over 100 participants (hourly rental)
- All High Risk Sporting Events (daily or multi-day rental)
- All Season Sporting Activities over 250 participants



EXCLUDED ACTIVITIES

- Full-contact Martial Arts
- Full-contact Hockey
- Any form of Boxing
- Hockey Leagues playing at non-Municipal facilities
- Sports Schools / Camps more than two weeks' duration
- Sports Tournaments more than seven days' duration
- Inflatables (bouncy castles, bubble soccer)
- Motorized vehicles of any type
- Animals (petting zoos, wagon rides, etc.)



ADDITIONAL INFORMATION

- Any part of an hour is to be charged the hourly rate i.e. if an event is 1.5 hours, charge for 2 hours
- For events involving Alcohol, a copy of the Liquor License must be on file with the Municipality, and the liquor license number is to appear on the monthly bordereau report
- Rates do not include 8% PST – this must be added to the total premium charged

Subject: Purchase of Backhoe Loader

Report No.:

PW-005-2022

Agenda Date:

February 15, 2022

Attachments

Appendix 01: Backhoe Opportunity Presentation

Appendix 02: Sales Agreement Quote – JR Brisson

Appendix 03: Draft Agreement (Please refer to **By-law No. 2022-036**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-005-2022;
2. That Council directs staff to prepare the necessary by-law to enter into an agreement with J.R. Brisson for the supply and delivery of a Backhoe Loader with attachments, in the amount of \$193,500.00, plus applicable taxes, for consideration at the February 15, 2022 Regular Council meeting; and
3. That Council directs staff to surplus the City of Temiskaming Shores 2008 CASE Backhoe for a trade-in value of \$8,000.00, for a net subtotal price of \$185,500.00 plus applicable taxes.

Background

In conjunction with the Asset Management and Fleet Replacement Plans, staff recommended the replacement of one of our Backhoe Loaders within the current fleet. Council considered and approved the replacement of this unit as part of the 2022 budget process.

It was determined in combination with the current backhoe failure and timeliness of the upcoming spring season and lack of supply, a formal RFQ process was superseded by way of an open and competitive informal RFQ process, based on the City's needs and requirements. The logic behind this approach can be viewed in the presentation within Appendix 1.

On Thursday, February 10, 2022, the Public Works Committee heard the presentation and supported the decision to purchase the Backhoe, in addition to recommending the presentation to the Corporate Services Committee.

Recommendation PW-2022-007

Moved by: Mayor Carman Kidd

Be it resolved that:

The Public Works Committee hereby supports the purchase of a new CASE Backhoe Loader; and further recommends that staff present this request to the Corporate Services Committee for their consideration.

CARRIED

On Friday, February 11, 2022, the Corporate Services Committee listened to the presentation and recommended the purchase to Council.

Recommendation CS-2022-008

Moved by: Mayor Carman Kidd

Be it resolved that:

The Corporate Services Committee hereby supports the purchase of a new CASE Backhoe Loader; and further recommends that Council consider waiving the requirements of the Procurement Policy for this purchase.

CARRIED

Analysis

The Transportation Department identified the JR Brisson Dealer in Sudbury was going to provide the best option for the City. The Supplier agreed to supply and deliver the new backhoe along with attachments, as well as purchase the retired 2008 Case Backhoe from the City for a price below the budgeted amount. See Appendix 2 for Sales Agreement Quote.

To compare, and for the Department's due diligence, prices for comparable machines were investigated to make certain the City was receiving an appropriate price, which the results showed. The proposal from JR Brisson was reviewed, evaluated and presented in accordance to the requirements of the Public Works Committee and Corporate Services Committee.

Relevant Policy / Legislation / City By-Law

- 2022 Public Works Capital Budget
- By-Law No. 2017-015, Procurement Policy

Consultation / Communication

- Consultation with City Manager throughout the project
- Consultation with Public Works Staff, Public Works Committee and Corporate Services Committee

Financial / Staffing Implications

This item has been approved in the current budget: Yes ☒ No ☐ N/A ☐

This item is within the approved budget amount: Yes ☒ No ☐ N/A ☐

During the 2022 capital budget deliberation process, Council approved a total of \$200,000.00 for this Backhoe purchase. The actual price of the backhoe is \$193,500.00, less the sale of the City's 2008 backhoe for \$8,000.00, and the total cost to the City is \$185,500.00, plus applicable taxes.

Alternatives

Alternatives were investigated; however, no alternatives are being considered at this time.

Submission

Prepared by:

Reviewed and submitted for Council's
consideration by:

"Original signed by"

"Original signed by"

Mitch McCrank, CET
Manager of Transportation Services

Christopher W. Oslund
City Manager



Backhoe Opportunity

Public Works Committee

Mitch McCrank

February 10th 2022

Why are we here?

- Recommending the purchase of a Backhoe Loader
- Explaining how the Transportation Department made decisions and our reasonings for endorsement
- Answering questions

Current PW Backhoe Situation

- 2008 CASE Backhoe Loader is not operational
 - Mechanic indicated Transmission failure
 - Refusal to switch gears
 - Leaking fluids
 - Cost to fix is unknown
 - Mechanic implied the cost would be a significant amount and temporary
 - As a team we weighed the pros and cons of fixing
 - Decision: Sell as is, get moving on a new Backhoe.
- 2004 Caterpillar Backhoe is operational

2022 Budget

2022 FLEET

Project	Total Cost	Funding	Borrowing	Reserves	City Cost
Small Fleet Replacement (carryover)	36,710			36,710	-
Small Fleet Replacement (carryover)	65,000			45,000	20,000
Fire Rescue (carryover)	430,100		391,109	38,991 a	-
Triaxle Dump Truck (carryover)	215,700		215,700		-
Fleet - Dump Truck (box replacement)	25,000			25,000	-
Fleet - Backhoe	200,000		200,000		-
Capital Projects Recommended	\$ 972,510	\$ -	\$ 806,809	\$ 145,701	\$ 20,000

Reasoning for Recommendation

- Existing Attachments
 - Manufacturer specific attachments – Hydraulic Compactor (\$10 – 15,000), Angle Broom (\$7,000), Forklifts, Ditching Bucket. Attachments in good working order. \$\$\$
- Emergency
 - Our Backhoes are used heavily in the Spring thaw season (ditching, inlets, catchbasins). Historically in March, which is only 3 weeks away.
- Urgency
 - In today's market, any piece of heavy equipment has a quick shelf life.
 - High demand because not a lot of stock.
- Fleet Purchasing Group
 - I sat with a group of my staff (6) to make sure their opinions were heard. We talked about wants, needs and requirements. We came to a decision as a team.
- Under Budget
 - With the purchase of our old machine, the dealer brought their overall purchase price well below the budget line.

The Backhoe

2022 Case 580SN	Brisson Dealer – Sudbury
C/W Quick Attach front & rear, 24" Bucket, 82" Bucket, Hydraulic Thumb, Snowblade, Severe Cold Weather Package (SmartClutch), 5 year/4000 hr Premier Warranty, Free Shipping and In Stock. Sale of 2008 Case - \$8,000	
Subtotal Price	\$185,500

Comparisons

2021 Caterpillar 420	CAT Dealer – Timmins
C/W Quick Attach, 24" Bucket, 1.31 yrd Bucket, Hydraulic Thumb, Snowblade, Cold Weather Package, 5 year/5000 hr Extended Warranty, Shipping Extra and In Stock	
Subtotal Price	\$188,433

2020 Case 580SN – Used 223 hours	J. Smith Properties
C/W Quick Attach front & rear, 24" Bucket, 82" Bucket, Hydraulic Thumb, Snowblade, Cold Weather Package, 3 year/4000 hr Warranty, Shipping Extra	
Subtotal Price	\$192,500

2022 Caterpillar 420	Tim McDowell Eqt.
Subtotal Price	\$195,425

Questions

- Why not just go to tender?
 - Tenders are great when used appropriately, however, there's always a bit of risk. Scope Creep.
 - Timing
 - Chance
 - Availability of Spec'd equipment
- Is this competitive? How do you know these are the best prices? Government deals?
 - Yes, dealers presented their best prices and applied government pricing for comparable models. The suppliers offered comparison bids.
- What's the goal after this?
 - My hope is that you will support this recommendation and we can ask council to begin negotiating purchase with JR Brisson Case Dealer in Sudbury.

SALES AGREEMENT / CONTRAT DE VENTE

SOLD BY Percy Jackson (705) 665-1629 / pjackson@jrbrisson.com

DATE / DATE: February 9th, 2022

SOLD TO:

NAME / NOM: Temiskaming Shore
ADDRESS / ADRESSE: 325 Farr Drive, PO Box 2050, Haileybury, ON P0J 1K0
PHONE / TÉLÉPHONE: 705-672-3363
E-MAIL:
CUSTOMER / CLIENT #:

SHIP TO:

NAME / NOM: Temiskaming Shore
ADDRESS / ADRESSE: 325 Farr Drive, PO Box 2050, Haileybury, ON P0J 1K0
PHONE / TÉLÉPHONE: 705-672-3363
E-MAIL:
CUSTOMER / CLIENT #:

BRAND / MARQUE	MODEL / MODÈLE	YEAR / ANNÉE	DESCRIPTION	SERIAL # / # DE SÉRIE	STOCK # / # DE STOCK	AMOUNT / MONTANT
CASE	580SN	2022	H-TYPE POWERSHIFT, TIRES, 305/70 R 16.5, MICHELIN, FRONT, 500/70 R 24 MICHELIN REAR, COMBO REAR AUX HYD, PILOT CONTROLS W/POWER LIFT, REAR HYD PIN COUPLER, 24" BKT, FLIPOVER PADS, RIDE CONTROL, COMFORT STEER, LDR AUX HYD, LDR FFC HYD QUICK ATTACH, CAB, 2 DOOR, HEATER, A/C, DELUXE INTERIOR, BLUETOOTH RADIO, HEATED AIR SEAT, FRONT FENDERS, LED LIGHT PACKAGE, TOOL BOX, DUAL BATTERIES, SEVERE COLD WEATHER PACKAGE, CASE SITEWATCH W/3 YEAR ADVANCED	JJGN58SNLMC773183	2B8471 / EQ0022327	\$169,500.00
			FFC Quick Attach	TBD	TBD	incl
CASE			82" FFC style bucket	59410100019682	L82748	incl
GRB			Hydraulic Thumb	TBD	TBD	incl
AMI			AMI 4-1 snow blade / 9-15'	TBD	TBD	\$24,000.00
			5 year / 4000 Premier warranty			
			FOB Customer			
SUB TOTAL						\$193,500.00

TRADE-INS / ÉCHANGES

BRAND / MARQUE	MODEL /MODÈLE	YEAR /ANNÉE	DESCRIPTION		HOURS / HEURES	AMOUNT / MONTANT
CASE	580SN	2008	580SN B/H with front and rear bucket - unit not operating / transmission issues	N7C428143	11905 hrs	\$8,000.00
Trade in allowed						\$8,000.00
Payout						
Net trade						\$8,000.00

*** Customer is responsible for any money owed on the machine being traded-in on this invoice***

INSURANCE INFORMATION CONFIRMATION				SUB TOTAL	\$185,500.00
AGENT		POLICY#		HST (Ontario 13%) R102726528	\$24,115.00
COMPANY		AGENT EMAIL		GST (Québec 5%) R102726528	
CUSTOMER'S SIGNATURE / SIGNATURE DU CLIENT		X		QUE PST/TVP (9.975%) M1008257414TQ0001FM	
SALES MANAGER / GÉRANT DES VENTES		X		OTHER/AUTRE	
THIS CONTRACT IS NOT VALID UNLESS SIGNED BY AN AUTHORIZED MANAGER				DOWN PAYMENT	
CE CONTRAT DOIT ETRE SIGNÉ PAR UN GÉRANT AUTORISÉ POUR ETRE VALIDE				TOTAL	\$209,615.00

PLAISANCE

216, RUE PRINCIPALE
PLAISANCE QC J0V 1S0
819 427-5476

STITTSVILLE

495, JINKINSON ROAD
STITTSVILLE ON K2S 1B9
613 836-0654

VARS

121, ST-PIERRE ROAD
VARS ON K0A 3H0
613 443-3300



TERAPRO.CA

The Corporation of the City of Temiskaming Shores

By-law No. 2022-024

**Being a by-law to amend By-law No. 2019-018, as amended to appoint
community representatives to various Committees and Boards for the
2019-2022 Term of Council**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas Council adopted By-law No. 2019-018 to appoint community representatives to various Committees and Boards for 2019-2022 term of Council; and

Whereas Céline Léger-Nolet tendered her resignation as community representative on the Bicycle Friendly Committee, effective February 7, 2022.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Schedule "A" to By-law No. 2019-018, as amended be further amended by removing Céline Léger-Nolet as community representative on the Bicycle Friendly Committee for the 2019-2022 Term of Council; and
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor changes or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

The Corporation of the City of Temiskaming Shores

By-law No. 2022-025

Being a by-Law to authorize the execution of the Transfer Payment Agreement for the Northern Ontario Resource Development Support (NORDS) Fund between Her Majesty the Queen in Right of Ontario represented by the Minister of Northern Development, Mines, Natural Resources and Forestry and The Corporation of the City of Temiskaming Shores

Whereas Section 8 of the Municipal Act 2001, c.25, as amended, states that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority; and

Whereas Section 9(1) of the Municipal Act 2001, c.25, as amended, interprets Section 8 as to enable a municipality to govern their affairs as they consider appropriate; and

Whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas the Council of The Corporation of the City of Temiskaming Shores acknowledged receipt of Memo 005-2022-CS at the February 15, 2022 Regular Council meeting regarding the Transfer Payment Agreement for the Northern Ontario Resource Development Support Fund (NORDS), and directed staff to prepare the necessary by-law for consideration at the February 15, 2022 Regular meeting; and

Whereas Council deems it expedient to enter into an agreement with her Majesty the Queen in Right of Ontario as represented by the Minister of Northern Development, Mines, Natural Resources and Forestry for the Northern Ontario Resource Development Support (NORDS) Fund.

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts as follows:

1. That the Mayor and Clerk are hereby authorized to execute on behalf of The Corporation of the City of Temiskaming Shores, the Transfer Payment Agreement for the Northern Ontario Resource Development Support (NORDS) Fund between Her Majesty the Queen in Right of Ontario, represented by the Minister of Northern Development, Mines, Natural Resources and Forestry, and the City of Temiskaming Shores, a copy of which is attached hereto as Schedule "A" and forming part of this by-law.
2. That the Mayor and Clerk have the delegation of authority to execute any and all required documentation and amendments, on behalf of the City of Temiskaming Shores, as required under the Transfer Payment Agreement, as long as the amendments do not create any financial liability for the City that is beyond a budget approved by Council.

3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk



Schedule “A” to

By-law No. 2022-025

Being a by-Law to authorize the execution of the Transfer Payment Agreement for the Northern Ontario Resource Development Support (NORDS) Fund between Her Majesty the Queen in Right of Ontario represented by the Minister of Northern Development, Mines, Natural Resources and Forestry and The Corporation of the City of Temiskaming Shores

ONTARIO TRANSFER PAYMENT AGREEMENT

THE AGREEMENT is effective as of the 1st day of April 2021

B E T W E E N :

**Her Majesty the Queen in right of Ontario
as represented by the Minister of Northern Development,
Mines, Natural Resources and Forestry**

(the “Province”)

- and -

The Corporation of the City of Temiskaming Shores

(the “Recipient”)

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules to the Agreement. The following schedules form part of the Agreement:

Schedule “A” -	General Terms and Conditions
Schedule “B” -	Project Specific Information and Additional Provisions
Schedule “C” -	Project
Schedule “D” -	Budget
Schedule “E” -	Payment Plan
Schedule “F” -	Reports.

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 **One and the Same Agreement.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 **Acknowledgement.** The Recipient acknowledges that:

- (a) the Funds are to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
- (b) the Province is not responsible for carrying out the Project; and
- (c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by the Minister of
Northern Development, Mines, Natural Resources
and Forestry**

Date

Helen Mulc
Assistant Deputy Minister

The Corporation of the City of Temiskaming Shores

Date

Mrs. Logan Belanger
Municipal Clerk
I have authority to bind the Recipient.

Date

Name:
Title:
I have authority to bind the Recipient.

SCHEDULE “A” GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) “include”, “includes” and “including” denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

“Additional Provisions” means the terms and conditions set out in Schedule “B”.

“Agreement” means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

“Budget” means the budget attached to the Agreement as Schedule “D”.

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

“Effective Date” means the date set out at the top of the Agreement.

“Event of Default” has the meaning ascribed to it in section A12.1.

“Expiry Date” means the expiry date set out in Schedule “B”.

“Funding Year” means:

- (a) in the case of the first Funding Year, the period commencing on the

Effective Date and ending on the following March 31; and

- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31 or the Expiry Date, whichever is first.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any other part of the Agreement.

“Maximum Funds” means the maximum set out in Schedule “B”.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the Project or with any other part of the Agreement.

“Project” means the undertaking described in Schedule “C”.

“Records Review” means any assessment the Province conducts pursuant to section A7.4.

“Reports” means the reports described in Schedule “F”.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary

to carry out the Project;

- (b) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete the Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A3.0 TERM OF THE AGREEMENT

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 or

Article A12.0.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 Funds Provided. The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule “E”; and
- (c) deposit the Funds into an account the Recipient designates provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides evidence satisfactory to the Province that the Recipient’s council has authorized the execution of this Agreement by the Recipient by municipal by-law;
- (b) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (c) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project; and
- (d) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.2.

A4.3 Use of Funds and Carry Out the Project. The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget; and

- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 **Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A4.5 **Interest.** If the Recipient earns any interest on the Funds, the Province may do either or both of the following:

- (a) deduct an amount equal to the interest from any further instalments of Funds;
- (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Province will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will do so through a process that promotes the best value for money.

A5.2 **Disposal.** The Recipient will not, without the Province's prior consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.2 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

- (a) the Recipient:
 - (i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest;
 - (ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;
- (b) the Province provides its consent to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and
- (c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 **Province Includes.** For the purposes of sections A7.4, A7.5 and A7.6, “Province” includes any auditor or representative the Province may identify.

A7.2 **Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1:
 - (i) all Reports in accordance with the timelines and content requirements as provided for in Schedule “F”;
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time;
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and
 - (i) signed by an authorized signing officer of the Recipient.

A7.3 **Record Maintenance.** The Recipient will keep and maintain for a period of seven years from their creation:

- (a) all financial records (including invoices and evidence of payment) relating to the Funds or otherwise to the Project in a manner consistent with either international financial reporting standards or generally

accepted accounting principles or any other accounting principles that apply to the Recipient; and

- (b) all non-financial records and documents relating to the Funds or otherwise to the Project.

A7.4 Records Review. The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties;
- (b) the progress of the Project;
- (c) the Recipient's allocation and expenditure of the Funds.

A7.5 Inspection and Removal. For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records and documents referred to in section A7.3; and
- (b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 Cooperation. To assist the Province in respect of its rights provided for in section A7.5, the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents wherever they are located;
- (b) assisting the Province to copy records and documents;
- (c) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (d) carrying out any other activities the Province requests.

A7.7 No Control of Records. No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 Auditor General. The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Acknowledge Support. Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its Project-related publications, whether written, oral, or visual:

- (a) acknowledge the support of the Province for the Project;
- (b) ensure that any acknowledgement is in a form and manner as the Province directs; and
- (c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence, which commercial general liability insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 Proof of Insurance. The Recipient will:

- (a) provide to the Province, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or

- (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) in the event of a Proceeding, and upon the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement, or both.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
 - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (i) carry out the Project;
- (ii) use or spend Funds; or
- (iii) provide, in accordance with section A7.2, Reports or such other reports as the Province may have requested pursuant to section

A7.2(a)(ii).

A12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;
- (i) demand from the Recipient an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (j) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 Opportunity to Remedy. If, in accordance with section A12.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A12.4 Recipient not Remediating. If the Province provided the Recipient with an

opportunity to remedy the Event of Default pursuant to section A12.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A12.2(a), (c), (d), (e), (f), (g), (h), and (i).

A12.5 When Termination Effective. Termination under Article A12.0 will take effect as provided for in the Notice.

A13.0 FUNDS AT THE END OF A FUNDING YEAR

A13.1 Funds at the End of a Funding Year. Without limiting any rights of the Province under Article A12.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

A14.0 FUNDS UPON EXPIRY

A14.1 Funds Upon Expiry. The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession, under its control, or both.

A15.0 DEBT DUE AND PAYMENT

A15.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay to the Province an amount equal to the excess Funds.

A15.2 Debt Due. If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A15.3 Interest Rate. The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then current interest rate charged by the Province of Ontario on accounts receivable.

A15.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province as provided for in Schedule “B”.

A15.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A16.0 NOTICE

A16.1 Notice in Writing and Addressed. Notice will be:

- (a) in writing;
- (b) delivered by email, postage-prepaid mail, personal delivery, courier or fax; and
- (c) addressed to the Province or the Recipient as set out in Schedule “B”, or as either Party later designates to the other by Notice.

A16.2 Notice Given. Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of fax, one Business Day after the Notice is delivered; and
- (c) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A16.3 Postal Disruption. Despite section A16.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, courier or fax.

A17.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A17.1 Consent. When the Province provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A18.0 SEVERABILITY OF PROVISIONS

A18.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A19.0 WAIVER

A19.1 Waiver Request. Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A19.2 Waiver Applies. If in response to a request made pursuant to section A19.1 a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A20.0 INDEPENDENT PARTIES

A20.1 Parties Independent. The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A21.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A21.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

- (a) the Recipient's successors, and permitted assigns; and
- (b) the successors to Her Majesty the Queen in right of Ontario.

A22.0 GOVERNING LAW

A22.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A23.0 FURTHER ASSURANCES

A23.1 **Agreement into Effect.** The Recipient will:

- (a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and
- (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A24.0 JOINT AND SEVERAL LIABILITY

A24.1 **Joint and Several Liability.** Where the Recipient comprises of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A25.0 RIGHTS AND REMEDIES CUMULATIVE

A25.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A26.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a **"Failure"**);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A27.0 SURVIVAL

A27.1 Survival. The following Articles and sections, and all applicable cross-referenced Articles, sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 2.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.4, A4.5, A4.6, section A5.2, section A7.1, A7.2 (to the extent that the Recipient has not provided the Reports or other reports as the Province may have requested and to the satisfaction of the Province), sections A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, Article A8.0, Article A9.0, section A11.2, sections A12.1, sections A12.2(d), (e), (f), (g), (h), (i), and (j), Article A13.0, Article A14.0, Article A15.0, Article A16.0, Article A18.0, , section A21.2, Article A22.0, Article A24.0, Article A25.0 and Article A27.0.

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE “B”
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	\$1,125,868.12
Expiry Date	September 30, 2026
Amount for the purposes of section A5.2 (Disposal) of Schedule “A”	\$1000
Insurance	\$ 2,000,000
Contact information for the purposes of Notice to the Province	Tracey Dawson-Kinnonen, Director Transportation, Trade and Investment Branch Northern Development Division Ministry of Northern Development, Mines, Natural Resources and Forestry Fax: 705-541-2140 Email: Tracey.Dawson-Kinnonen@ontario.ca
Contact information for the purposes of Notice to the Recipient	Mr. James Franks, Economic Development Officer 325 Farr Drive Haileybury P0J 1K0, ON Fax: (705) 672-3200 Email: jfranks@temiskamingshores.ca
Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement	Mrs. Logan Belanger, Municipal Clerk 325 Farr Drive Haileybury P0J 1K0, ON Fax: Email: lbelanger@temiskamingshores.ca

Additional Provisions:

B1: Definitions. The following additional definitions are added to Schedule “A” as follows:

“Eligible Costs” means those eligible costs set out in the Program Guidelines, as may be amended from time to time.

“Funding Period” means the period from April 1, 2021 to March 31, 2026.

“Project Information Form” means the form attached as Appendix I to be submitted to the Province by the Recipient that describes the undertakings being proposed to be undertaken by the Recipient, including any amendments or updates thereto, that have been approved in writing by the Province.

B2: Section A4.2(a) is intentionally deleted.

B3: Section A4.3 is amended by adding the following as A4.3(e):

(e) only use the Funds for Eligible Costs.

B4: Section A7.2(a)(ii) is deleted and replaced with the following:

(ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time, which for greater certainty may include a report to be submitted by the Recipient from time to time on 30 days notice from the Province;

B5: Section A13.1 is deleted and replaced with the following:

A13.1 Funds at the End of Funding Period. Without limiting any rights of the Province under Article A12.0, if the Recipient has not spent all of the Funds allocated for the Funding Period as provided for in the Budget, unspent Funds form a debt due immediately repayable without any further action or demand from the Province.

SCHEDULE “C” PROJECT

The Recipient will carry out any undertaking described in a Project Information Form delivered pursuant to this Agreement that has been approved in writing by the Province, as may be updated from time to time with the written approval of the Province, including as delivered in accordance with the requirements of Schedule “E” (the “**Project**”).

SCHEDULE “D” BUDGET

The Budget for the Project is included in a Project Information Form approved by the Province (each a “**PIF Budget**”), provided that the costs in that PIF Budget are Eligible Costs.

**SCHEDULE “E”
PAYMENT PLAN**

Payment Schedule:

Milestone	Due Date	Payment Date	Amount
Delivery of the Agreement signed by the Recipient to the Province		Within 30 days after receipt and acceptance* by the Province	\$225,173.62
Upon delivery of the following: <ul style="list-style-type: none"> • Project Information Form; and • 2021-2022 Annual Report 	April 7, 2022	Within 30 days after receipt and acceptance* of the completed Project Information Form and Annual Report by the Province, but no earlier than April 1, 2022	\$225,173.62
Upon delivery of the following: <ul style="list-style-type: none"> • Project Information Form; and • 2022-2023 Annual Report 	March 31, 2023	Within 30 days after receipt and acceptance* of the completed Project Information Form and Annual Report by the Province, but no earlier than April 1, 2023	\$225,173.62
Upon delivery of the following: <ul style="list-style-type: none"> • Project Information Form; and • 2023-2024 Annual Report 	March 31, 2024	Within 30 days after receipt and acceptance* of the completed Project Information Form and Annual Report by the Province, but no earlier than April 1, 2024	\$225,173.62
Upon delivery of the following: <ul style="list-style-type: none"> • Project Information Form; and • 2024-2025 Annual Report 	March 31, 2025	Within 30 days after receipt and acceptance* of the completed Project Information Form and Annual Report by the Province, but no earlier than April 1, 2025	\$225,173.62

**Note: Receipt and acceptance requires completion and submission of all requirements and reports as listed, including those in Schedule “F”, and the Province’s approval of those requirements and reports, as applicable.*

SCHEDULE "F" REPORTS

Reports. The Recipient will submit Annual Reports by the dates indicated in the Report Schedule chart below.

Report Schedule	
Name of Report	Due Date
2021-2022 Annual Report	April 7, 2022
2022-2023 Annual Report	March 31, 2023
2023-2024 Annual Report	March 31, 2024
2024-2025 Annual Report	March 31, 2025
2025-2026 Annual Report	September 30, 2026

Report Details:

Each Annual Report must:

1. Provide an accounting of all income and expenditures incurred during the Funding Year as it pertains to the Agreement, including an explanation for any variances from the Budget in Schedule "D";
2. Include a statement signed by the signing authority of the Recipient confirming actual project expenditures;
3. Include an accounting of any unspent Funds, including any interest earned on those Funds, and an explanation as to why there are remaining Funds; and
4. Be submitted in the format shown in Appendix II to this Schedule "F".

Appendix I
Form of Project Information Form

PROJECT INFORMATION FORM
(April 1, 20xx to March 31, 20xx)

**Please fill out one PROJECT INFORMATION FORM per proposed project.*

Municipality: _____

Project Name: _____

Project Description: *Please provide a brief description of the project and the proposed activities*

Resource Development Impacts. *Please describe how the proposed capital project is impacted by, or advances opportunities related to resource development and how the project is addressing or mitigating those impacts.*

Alignment with Existing Municipal Planning Documents: *Does the proposed project align with existing municipal planning documents (i.e. Asset Management Plan, Official Plan)? If yes, please identify the applicable municipal planning documents. If no, please provide an explanation.*

Project Start Date (mm/dd/yyyy)

Project End Date (mm/dd/yyyy)

--	--

Partnership Type: *(Select One)*

- Sole Municipality Lead (no partnership) ☐

Lead Municipality (partnership) ☐

Supporting Municipality (partnership) ☐

For partnerships only. If you are the lead partner, please indicate that you own the asset. If you are a supporting municipality, please identify the project lead and confirm the amount of NORDS funding that is to be transferred to the lead municipality. Note that supporting municipalities must submit a Council resolution confirming your support.

Do you intend to allocate all or part of your ANNUAL FUNDING allocation to this project in a future year?

If yes, please select the funding year(s) you intend to use the NORDS funds. Note: all applicable fields within this project information form must be completed for all projects where Year 2 funding will be used to fund, including in future years. (Note: Please add additional years as required.)

Year X <i>(April 1, 20XX to March 31, 20XX)</i> <input type="checkbox"/>	Year X <i>(April 1, 20XX to March 31, 20XX)</i> <input type="checkbox"/>	Year(s) X <i>(April 1, 20XX to March 31, 20XX)</i> <input type="checkbox"/>
---------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------

Identify the Total Project Costs for the whole project.? In the fields below, enter the total project cost amount and the timing of when the costs will be incurred.

Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>

Identify the Eligible Project Costs (e.g. capital costs) for the project. In the fields below, enter the total eligible cost amount and the timing of when the costs will be incurred.

Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>

Identify the proposed amount of your NORDS annual allocation that will be applied to the project in the applicable year the funding will be utilized. In the fields below, identify the timing of your NORDS allocation will be utilized. For Multi-Year projects where the municipality intends to utilize NORDS funding in upcoming year(s), please identify the NORDS allocation amount in the year that your NORDS allocation will be applied to the project (e.g. \$75,000 in Year 2 and \$75,000 in Year 3. In the fields below.)

Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>	Year X <i>(April 1, 20XX to March 31, 20XX)</i>

Identify any other funding sources related to the proposed project. Please identify the name of the organization or funding program, the amount of funding requested or approved, and the status of the funding request (e.g. approved, application submitted pending decision, application not yet submitted).

Name of Funding Source #1	Funding Amount	Status
Name of Funding Source #2	Funding Amount	Status
Name of Funding Source #3	Funding Amount	Status

Certification

The Recipient confirms that the proposed project and information submitted associated with it meets program requirements including:

The proposed capital project(s) is impacted by, or advances opportunities related to resource development;

☐

Project costs funded through NORDS funding are directly related to the proposed project(s) and recorded as a capital expense;

☐

Assets associated with the project are owned by the Recipient;

☐

All projects are in compliance with and satisfy applicable Provincial and Federal laws and requirements and adhere to required approvals and processes.

☐

On behalf of the Recipient, I hereby certify that, to the best of my knowledge, the information in this Project Information Form to which this certification is attached, is true, correct, and is in compliance with the terms and conditions of the Agreement.

Name of Signing Authority

Title

Signature

Date

**Appendix II
Form of Annual Report**

ANNUAL REPORT – Year X (April 1, 20XX to March 31, 20XX)

Please fill out one ANNUAL REPORT per submitted project.

Municipality: _____

Project Name: _____

1) Project Activity Report

Description	Start Date	End Date
<i>Please describe key project activities that were achieved during this fiscal year. What was accomplished? (April 1 to March 31).</i>	<i>mm/dd/yyyy</i>	<i>mm/dd/yyyy</i>

2) Has the project been completed?

Yes ☐ No ☐

Note: If the project has not been completed and the municipality intends on utilizing their NORDS allocation for the next year to support this project, please submit an updated Project Information Form describing the project's activities for the upcoming year.

3) Budget Report (Actuals) – Year X (April 1, 20XX to March 31, 20XX)

	Total
Total Project Costs	<i>Enter costs</i>
Total Eligible (capital) Costs	<i>Enter costs</i>
NORDS Funding Applied to Project	<i>Enter funding applied</i>

Other Approved Funding Applied, including own (if applicable)

	Total
<i>Please enter program name approved funding (#1)</i>	<i>Enter funding applied</i>
<i>Please enter program name approved funding (#2)</i>	<i>Enter funding applied</i>
<i>Please enter program name approved funding (#3)</i>	<i>Enter funding applied</i>

4) Is any current year funding being accumulated/carried forward for a future funding year?

Yes ☐ No ☐

Note: If yes, the municipality is required to submit a Project Information Form identifying the project which those funds will be used towards in a future year of the program.

5) Accumulation of funds – Year X (April 1, 20XX to March 31, 20XX)

**Only applicable if municipality did not utilize all of its annual allocation.*

NORDS Annual Allocation: *Enter amount (A)* _____

Name of Project	<i>Name of project #1</i>	<i>Name of project #2 (if applicable)</i>	<i>Name of project #3 (if applicable)</i>
NORDS Allocation Spent (in Annual Report's fiscal year)	<i>Enter amount (B1)</i>	<i>Enter amount (B2)</i>	<i>Enter amount (B3)</i>

NORDS Annual Allocation Balance: *Enter amount (A-(B1+B2+B3))=C* _____

Accumulation of Funds

NORDS Annual Allocation Balance	<i>Enter amount (C)</i>
Interest Gained on Accumulated Balance	<i>Enter amount (D)</i>

Adjusted Allocation (Next Year)

Adjusted Allocation for Upcoming Disbursement	<i>Enter amount (A-D)=(E)</i>
------------------------------------------------------	-------------------------------

CERTIFICATION

On behalf of the Recipient, I hereby certify that, to the best of my knowledge, the information in this Annual Report to which this certification is attached, is true, correct, and is in compliance with the terms and conditions of the Agreement, and that to the best of my knowledge the financial data in this Annual Report true, correct, and agrees with the books and records of the Recipient.

Name of Signing Authority

Title

Signature

Date

The Corporation of the City of Temiskaming Shores

By-law No. 2022-026

Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 474 and 480 Helmer Pedersen Drive Roll No. 54-18-010-007-005.42 / 43

Whereas Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended authorizes the Council of a municipality to designate by by-law, a plan of subdivision, or any part thereof, that has been registered for eight (8) years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subdivision control; and

Whereas Council considered Memo No. 004-2022-CS at the February 1, 2022 Regular Council meeting and directed staff to prepare the necessary by-law to deem PLAN 54M365 LOTS 23 AND 24, to no longer be lots on a plan of subdivision for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That the lands hereinafter described shall be deemed not to be a lot or block on a Registered Plan of Subdivision for the purposes of Section 50(4) of the Planning Act R.S.O. 1990, c.P.13, as amended and as generally illustrated on Schedule "A" attached hereto and forming part of this by-law.
2. That the lands are described as:
 - PLAN 54M365 LOT 23;
 - PLAN 54M365 LOT 24
3. That in accordance with Section 50(28) of the Planning Act, R.S.O. 1990, c.P.13, as amended, a certified copy or duplicate of this by-law shall be registered by the Clerk of the Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
4. That in accordance with Section 50(29) of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council shall give notice of the passing of the by-law within 30 days of the passing to the owner of land to which the by-law applies.
5. That in accordance with Section 50(30) of the Planning Act R.S.O. 1990, c.P.13, as amended, Council shall hear in person or by an agent any person to whom a notice was sent, who within twenty days of the mailing of the notice gives notice to the Clerk of The Corporation of the City of Temiskaming Shores that the person desires to make representations respecting the amendment or repeal of the by-law.

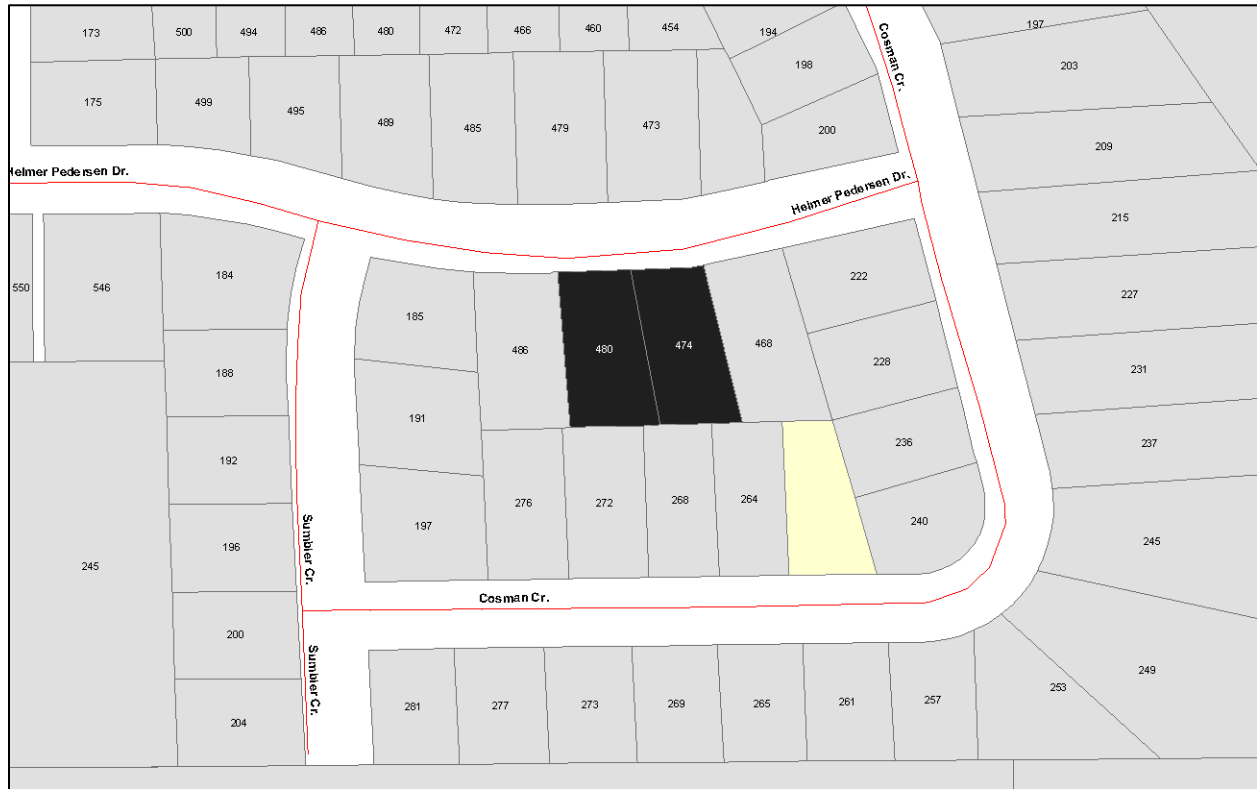
6. That the Mayor and Clerk are authorized to sign all necessary documents in connection with this by-law.
7. That this by-law shall not be effective until a certified copy or duplicate of this by-law is registered by the Clerk of The Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
8. That the passing of this by-law shall be subject to the provisions of the Planning Act.
9. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

City of Temiskaming Shores – PLAN 54M365 LOTS 23 AND 24



The Corporation of the City of Temiskaming Shores

By-law No. 2022-027

Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 48 Lowry Street (Roll No. 54-18-030-001-005.03)

Whereas Section 50(4) of the Planning Act, R.S.O. 1990, c.P.13, as amended authorizes the Council of a municipality to designate by by-law, a plan of subdivision, or any part thereof, that has been registered for eight (8) years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subdivision control; and

Whereas Council considered Memo No. 006-2022-CS at the February 15, 2022 Regular Council meeting and directed staff to prepare the necessary by-law to deem PLAN M82NB LOTS 47 TO 49 PCL 17483SST, to no longer be lots on a plan of subdivision for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That the lands hereinafter described shall be deemed not to be a lot or block on a Registered Plan of Subdivision for the purposes of Section 50(4) of the Planning Act R.S.O. 1990, c.P.13, as amended and as generally illustrated on Schedule "A" attached hereto and forming part of this by-law.
2. That the lands are described as:
 - PLAN M82NB LOTS 47 TO 49 PCL 17483SST;
3. That in accordance with Section 50(28) of the Planning Act, R.S.O. 1990, c.P.13, as amended, a certified copy or duplicate of this by-law shall be registered by the Clerk of the Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
4. That in accordance with Section 50(29) of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council shall give notice of the passing of the by-law within 30 days of the passing to the owner of land to which the by-law applies.
5. That in accordance with Section 50(30) of the Planning Act R.S.O. 1990, c.P.13, as amended, Council shall hear in person or by an agent any person to whom a notice was sent, who within twenty days of the mailing of the notice gives notice to the Clerk of The Corporation of the City of Temiskaming Shores that the person desires to make representations respecting the amendment or repeal of the by-law.
6. That the Mayor and Clerk are authorized to sign all necessary documents in connection with this by-law.

7. That this by-law shall not be effective until a certified copy or duplicate of this by-law is registered by the Clerk of The Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
8. That the passing of this by-law shall be subject to the provisions of the Planning Act.
9. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

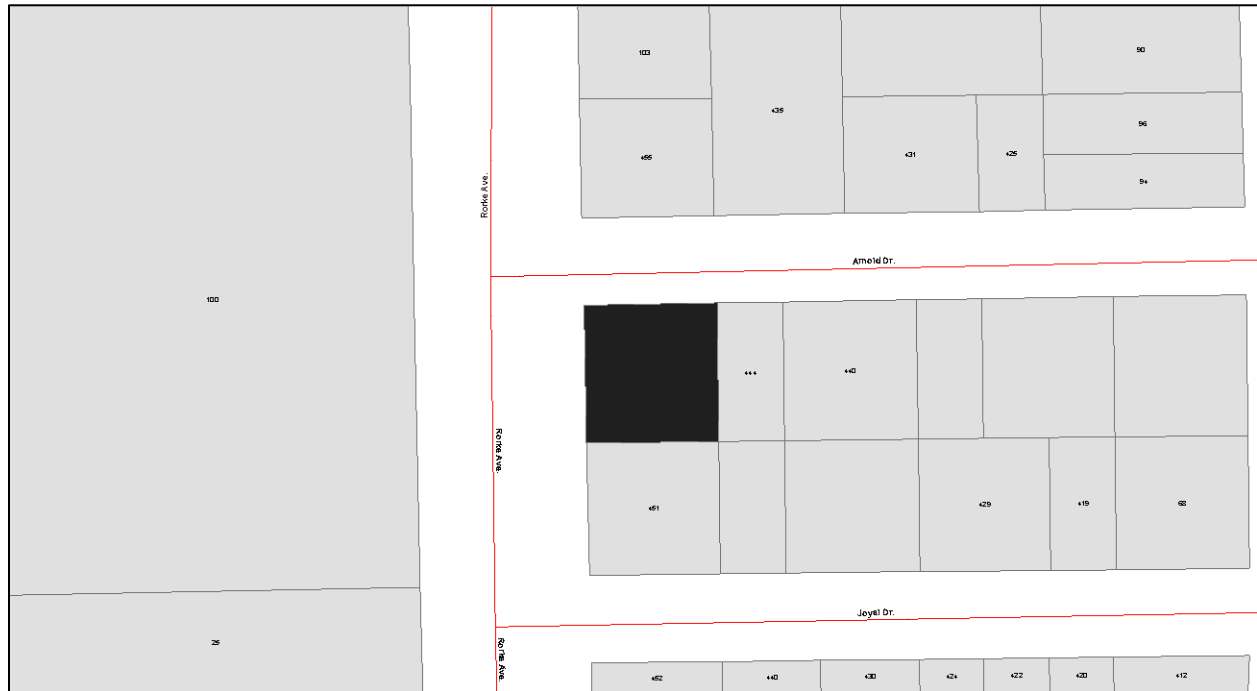
Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

Schedule “A”

City of Temiskaming Shores – PLAN M128NB LOTS 77,78 PCL 23461SST PT



The Corporation of The City of Temiskaming Shores

By-law No. 2022-028

**Being a By-law to amend By-law No. 2017-154 to rezone part of
DYMOND CON 3 PT S PT LOT 4 being RP 54R6087 PART 4 AND
RP54R6156 PART 1 from the Prime Agricultural (A1) and Open Space
(OS) Zone to the Rural Residential (R1) Zone to permit the
construction of a single detached dwelling
Roll No. part of 5418-020-001-103.00**

Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 c.P. 13, as amended, the Council of a Municipality may enact by-laws to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited; and

Whereas By-law No. 2017-154 regulates the use of land and the use and erection of buildings and structures within the Corporation of the City of Temiskaming Shores; and

Whereas Council considered Administrative Report No. CS-007-2022 at the Regular Council meeting held on February 15, 2022, and directed staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law No. 2017-154 to rezone the property from Prime Agricultural (A1) and Open Space to Rural Residential (R1); and

Whereas the Council of the Corporation of the City of Temiskaming Shores deems it advisable to amend By-law No. 2017-154 as hereinafter set forth.

Now therefore be it resolved that the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

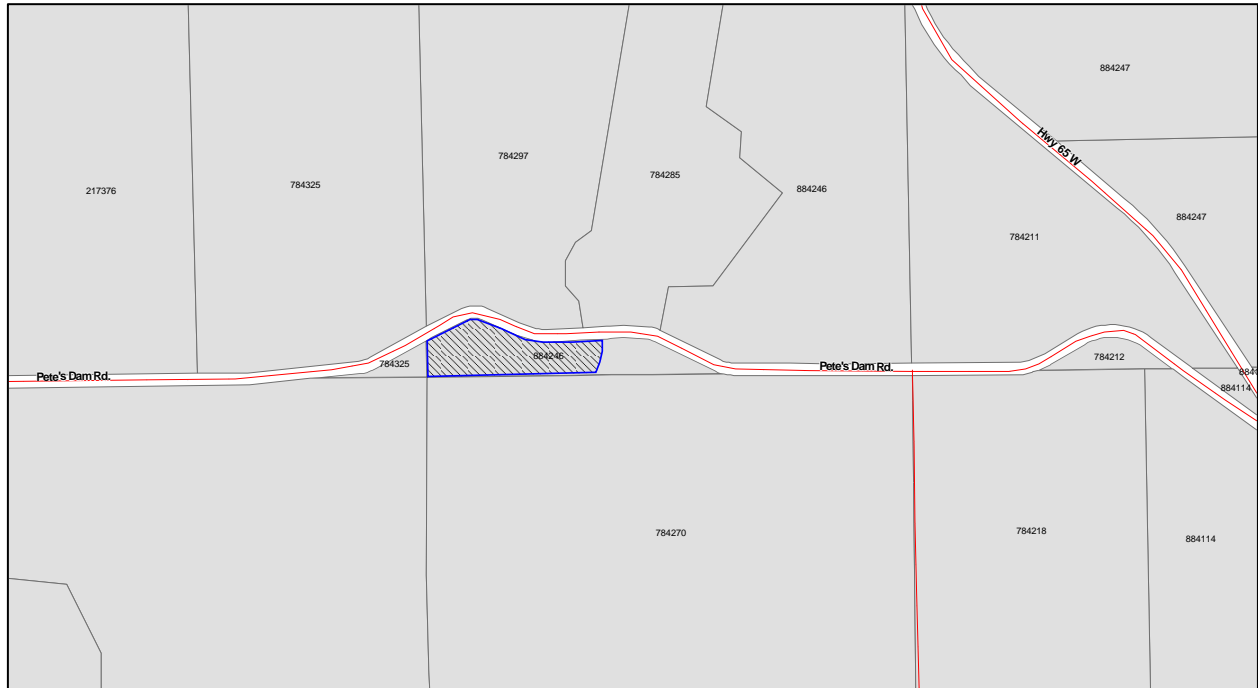
1. The property affected by this By-law is located at part of DYMOND CON 3 PT S PT LOT 4, being RP 54R6087 PART 4 AND RP54R6156 PART 1.
2. By-law No. 2017-154 is hereby amended as follows:
 - (a) Schedule 'E2' of By-law 2017-154 is hereby amended by rezoning the affected property from "Prime Agricultural (A1) Zone" and "Open Space (OS) Zone" to "Rural Residential (R1) Zone" in accordance with the provisions of this By-law.
3. This By-law shall come into full force and effect in accordance with Section 34 (19) of the *Planning Act*, R.S.O. 1990.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

Schedule 'A' to By-law 2022-028
Roll No. part of 5418-020-001-103.00



Rezoned from Prime Agricultural (A1) and Open Space (OS) to
Rural Residential (R1)

The Corporation of the City of Temiskaming Shores

By-law No. 2022-029

**Being a by-law to Stop up and Close a Highway – Part of
Second Street, being legally described as Part 2 on Plan 54R-
6248**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas the provisions of Section 34 (1) of The Municipal Act, 2001, S.O., c. 25 sets out procedures for the closing of Highways; and

Whereas Council considered Administrative Report No. CS-008-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law for the Stopping Up and Closing a Part of Second Street, being described as Part 2 on Plan 54R-6248, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Municipal Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Part of Second Street being legally described as Part 2 on Plan 54R-6248; is hereby stopped up and closed.
2. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law.
3. That a copy of this by-law be registered at the Land Registry Office in accordance with Section 34 of (1) of the Municipal Act 2001, S.O., c. 25.
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

City of Temiskaming Shores – Part of Second Street (Part 2 on Plan 54R-6248)



The Corporation of the City of Temiskaming Shores
By-law No. 2022-030
Being a by-law to Stop up and Close a Highway – Part of
Fourth Street, being legally described as Part 1 on Plan 54R-
6248

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas the provisions of Section 34 (1) of The Municipal Act, 2001, S.O., c. 25 sets out procedures for the closing of Highways; and

Whereas Council considered Administrative Report No. CS-008-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law for the Stopping Up and Closing a Part of Fourth Street, being described as Part 1 on Plan 54R-6248, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Municipal Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Part of Fourth Street being legally described as Part 1 on Plan 54R-6248; is hereby stopped up and closed.
2. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law.
3. That a copy of this by-law be registered at the Land Registry Office in accordance with Section 34 of (1) of the Municipal Act 2001, S.O., c. 25.
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

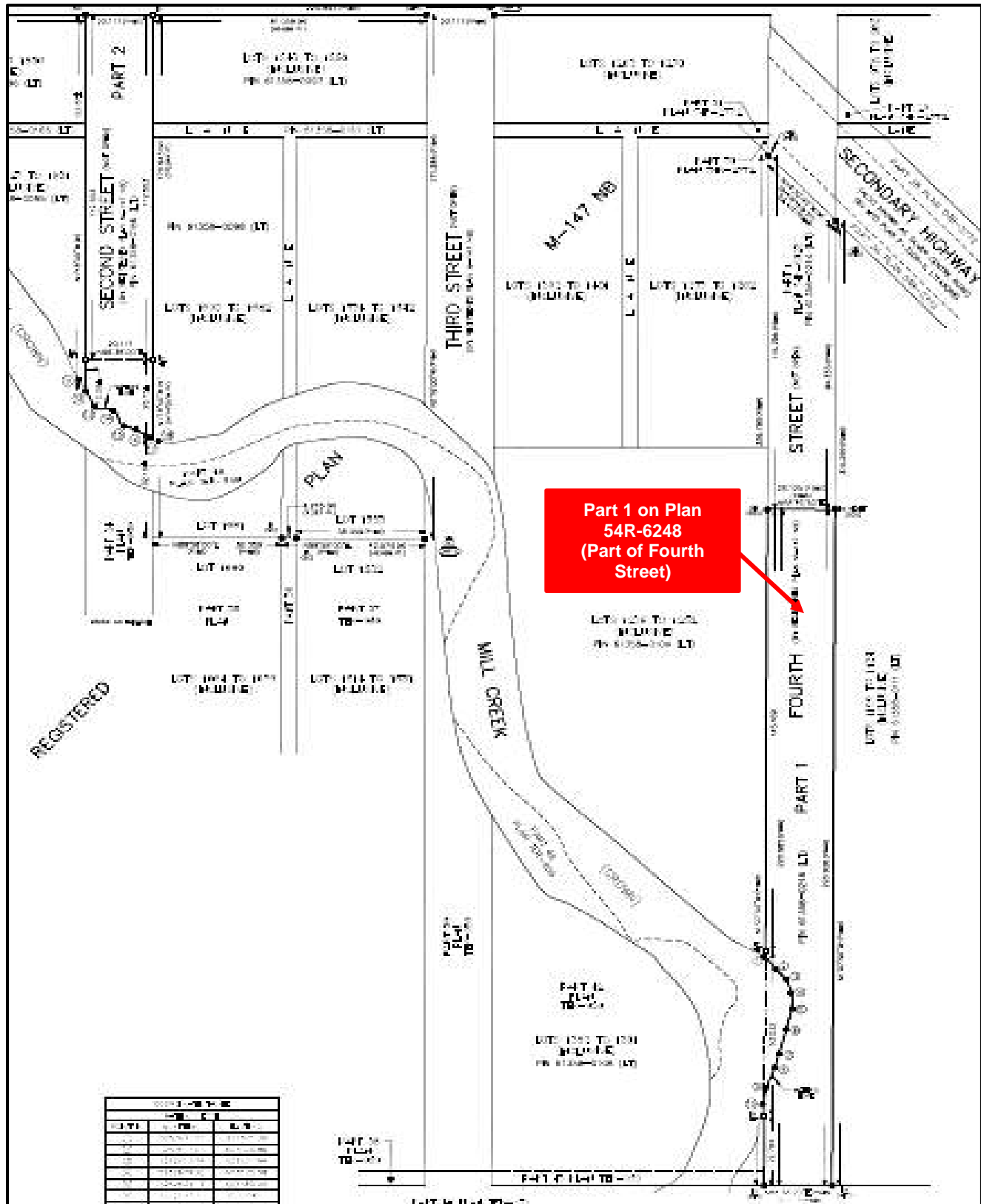
Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

Schedule “A”

City of Temiskaming Shores – Part of Fourth Street (Part 1 on Plan 54R-6248)



Excerpt of Plan 54R-6248

The Corporation of the City of Temiskaming Shores

By-law No. 2022-031

**Being a by-law to authorize the Sale of Land for a Part of
Second Street, described as Part 2 on Plan 54R-6248 to
Maurice Pleau and Hazel Pleau**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas By-law No. 2015-160 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land; and

Whereas Council considered Administrative Report No. CS-008-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into an Agreement of Purchase and Sale with Maurice and Hazel Pleau for municipal real property, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Council hereby confirms the procedures set forth in By-law No. 2015-160 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law.
2. That Council authorizes the entering into an Agreement of Purchase and Sale between Maurice Pleau and Hazel Pleau as Purchaser and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law.
3. That Council agrees to sell the subject land in the amount of \$500.00, plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:

Part of Second Street, described as Part 2 on Plan 54R-6248

4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

Offer to Purchase

Maurice Pleau and Hazel Pleau

(as "Purchaser"), having inspected the property, hereby agree to and with

The Corporation of the City of Temiskaming Shores,

(as "Vendor") to purchase the property being:

Part of Second Street, described as Part 2 on Plan 54R-6248

(herein called the "Real Property") at the purchase price of five-hundred dollars (\$500.00) payable to the Vendor, subject to adjustments, on the closing date hereinafter set forth.

The Purchaser acknowledges that the land forming part of this transaction is being purchased in an "as is where is" condition without any representations or warranties whatsoever.

This offer to Purchase shall be conditional upon the Purchaser entering into an agreement with the Vendor on or before closing, failing which this Offer to Purchase shall be null and void. Only the Vendor may waive this condition at its option.

Release of Information

Vendor authorizes the release of any information relating to the Real Property to the Purchaser and the Purchaser's solicitor by any governmental body or authority and appoints the Purchaser and the Purchaser's solicitor as its agent for the purpose. Without limiting the generality of the foregoing the Vendor consents to the disclosure to the Purchaser and the Purchaser's solicitor of any information relating to the Real Property or the use thereof pursuant to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990. C.F. 31 and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, C. M. 56.

Deficiency Notices and Work Orders

The Vendor represents that as at the date of acceptance hereof the Vendor has not received from any municipal or other governmental authority any deficiency notice or work order affecting the Real Property pursuant to which any deficiencies are required to be remedied or any demolition, repairs or replacements are required to be carried out. If the Vendor receives any such deficiency notice or work order after the date of acceptance hereof, the Vendor shall forthwith produce same to the Purchaser for inspection. If by the date of closing the Vendor has not either (a) complied with such deficiency notice or work order, or (b) settled with the Purchaser any question of an abatement of the purchase price arising out of such deficiency notice or work order, the Purchaser may at his option either (a) accept the Real Property subject to such deficiency notice or work order or (b) terminate this Agreement. In the event of termination as aforesaid, all moneys paid hereunder shall be returned to the Purchaser without interest or deductions.

Adoption of LSUC – OBA Document Registration Agreement

Provided the solicitors for each of the Vendor and the Purchaser are able to complete transactions using electronic registration, the parties agree to complete this transaction using electronic registration, to adopt the LSUC-OBA Document Registration Agreement in use on the Closing Date, and to abide by, and instruct their solicitors to abide by, the closing procedures set forth therein for electronic registration.

Acceptance

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 15th day after the date of signing the offer**, after which time, if not accepted, this Offer shall be null and void.

Title

Title to the Real Property shall be good and free from all encumbrances, except as set out in this Agreement, and except local rates, and except as to any registered restrictions or covenants that run with the land, and subdivision agreements with the municipality, provided the same have been complied with, and except for minor easements for hydro, gas, telephone or like services. Purchaser shall accept the Real Property subject to municipal and other governmental requirements, including building and zoning by-laws, regulations and orders, provided same have been complied with.

Requisitions

Purchaser shall be allowed until closing to investigate the title at his own expense and to satisfy himself that there is no breach of municipal or other governmental requirements affecting the Real Property, that its present use may be lawfully continued and that the principal buildings may be insured against risk of fire. If within that time any valid objection to title or to any breach of municipal or other governmental requirements, or to the fact that the present use may not be lawfully continued, or that the principal buildings may not be insured against risk of fire, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement shall notwithstanding any intermediate acts or negotiations, be null and void and the deposit money returned to the Purchaser, without interest or deduction, and the Vendor shall not be liable for any costs or damages whatever. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the Real Property.

Surveys and Documents

The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except such as are in the possession or control of the Vendor. The Vendor agrees that he will deliver any existing survey to the Purchaser as soon as possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a Chartered Bank, Trust Company, Credit Union or Insurance Company which is not to be assumed by the Purchaser on completion, is not

available in registrable form on completion, the Purchaser agrees to accept the Vendor's solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge out of the balance due on completion.

Closing

This Agreement shall be completed on or before March 18, 2022 on which date vacant possession of the Real Property shall be given to the Purchaser unless otherwise provided for herein.

Inspection of Property

The Purchaser acknowledges having inspected the Real Property prior to submitting this Offer and understands that upon the Vendor accepting this offer there shall be a binding Agreement of Purchase and Sale between the Purchaser and the Vendor. The Purchaser shall be entitled to inspect the Real Property immediately prior to the date for completion.

Adjustments

Unearned fire insurance premiums, fuel, taxes, rentals and all local improvements and water rates and other charges for municipal improvements to be apportioned and allowed to the date of completion of sale (the day itself to be apportioned to the Purchaser). Provided Purchaser may elect not to accept assignment of fire insurance in which case no adjustment for insurance premiums.

Costs

The deed or transfer, save for Land Transfer Tax Affidavit, to be prepared at the expense of the Vendor in a form acceptable to the Purchaser and if a mortgage or charge is to be given back, it shall be prepared at the expense of the Purchaser in a form acceptable to the Vendor.

Planning Act Compliance

This Agreement shall be effective only if the provisions of Section 50 of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended, are complied with, and the Vendor agrees, at his expense, to comply with such provisions and to proceed diligently with the application for such compliance, if necessary.

The Transfer/Deed of Land to be given to the Purchaser shall contain a statement of the Vendor and the Vendor's solicitor pursuant to section 50(22) of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended.

Spousal Consent

The Vendor represents and warrants that no consent to this transaction is required pursuant to s.21(1) of the *Family Law Act*, R.S.O. 1990, C.F. 3 unless the Vendor's spouse has executed this agreement to consent thereto, and that the Transfer/Deed shall contain a statement by the Vendor as required by section 21(3) of the *Family Law Act*, R.S.O. 1990, C.F. 13 or the spouse of the Vendor shall execute the Transfer/Deed to consent thereto.

Residency of Vendor

Vendor further agrees to produce evidence that he is not now and that on closing he will not be a non-resident of Canada within the meaning of s.116 of the *Income Tax Act* of Canada, or in the alternative, evidence that the provisions of s.116 regarding disposition of property by a non-resident person have been complied with at or before closing, failing which the Purchaser will be credited towards the purchase price with the amount, if any, which shall be necessary for the Purchaser to pay to the Minister of Revenue in order to satisfy the Purchaser's liability in respect of tax payable by the Vendor under S. 116 of the *Income Tax Act* of Canada by reason of the sale.

Facsimile

Either party may execute this document by signing a facsimile thereof. The parties agree that execution by any party of a facsimile shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile of the signature of any party as evidence of the fact that the agreement has been executed by that party. In all respects a facsimile signature may be accepted as having the same effect as an original signature.

Counterpart

This agreement may but need not be executed in counterpart.

Time of Essence

This Offer, when accepted, shall constitute a binding contract of purchase and sale, and time in all respects shall be of the essence in this Agreement.

H.S.T.

If this transaction is subject to Harmonized Sales Tax (HST) pursuant to the Excise Tax Act (Canada) as amended (the "Act") then such HST shall be in addition to and not included in the purchase price, and:

- (a) HST shall be collected and remitted by the Vendor in accordance with the applicable legislation; or
- (b) If applicable, the parties shall jointly execute an election pursuant to Act, such election to be filed by the Purchaser as required under the Act; or

- (c) If the Purchaser is registered under the Act, the Purchaser shall provide the Vendor and its solicitor with proof of his/her HST registration number in a form reasonably satisfactory to the Vendor and its solicitor.

If this transaction is not subject to HST pursuant to the Act, the Vendor agrees to provide on or before closing to the Purchase or Purchaser's solicitor a certificate in the form prescribed by the Act, if so prescribed, or otherwise in a form reasonably satisfactory to the Purchase and his/her solicitor certifying that the transaction is not subject to HST.

Representations and Warranties

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or the Real Property or supported hereby other than as expressed herein in writing.

Tender

Any tender of documents or money hereunder may be made upon the Vendor or Purchaser or upon the solicitor acting for the party on whom tender is desired, and it shall be sufficient that a cheque certified by a chartered bank or a trust company or the trust cheque of the law firm acting for the party desiring such tender be tendered instead of cash.

Costs of Registration

The Purchaser shall pay all costs of registration and taxes for both parties documents.

Legal Fees

The Parties agree that the Purchaser will pay the Vendor's reasonable legal fees for the transaction.

Gender

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

Road Closing By-Law

The Purchaser and the Vendor acknowledge and agree that a Stop Up and Road Closing By-Law is required as a condition of this transaction. The Purchaser agrees that he shall be fully responsible for the legal costs relating to the registration of the said By-Law.

The Purchaser further agrees that he shall be fully responsible for the costs of obtaining the reference plan that shall be required as part of this said By-Law. The Purchaser and Vendor agree that this By-Law must be registered prior to closing and that the Closing Date may be extended as required to permit this.

Remainder of this page left blank intentionally

Signed, Sealed and Delivered this _____ day of _____, 2022.

in the presence of:

Purchaser: ***Maurice Pleau and Hazel Pleau***

Per: _____

Maurice Pleau

Purchaser's Address:

Per: _____

Hazel Pleau

The Vendor hereby accepts the above offer.

Dated at the _____ this _____ day of _____, 2022.

Vendor: ***The Corporation of the City of Temiskaming Shores***

Mayor - Carman Kidd

Clerk – Logan Belanger

Vendor's Address:

City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario
P0J 1K0

Attn.: Logan Belanger, Clerk

We have authority to bind the Corporation.

Purchaser's Solicitor:

Kemp Pirie Crombeen

P.O. Box 1540
22 Armstrong Street
New Liskeard, ON P0J 1P0

Phone Number: (705) 647-7353

Vendor's Solicitor:

Kemp Pirie Crombeen

P.O. Box 1540
22 Armstrong Street
New Liskeard, ON P0J 1P0

Phone Number: (705) 647-7353

The Corporation of the City of Temiskaming Shores

By-law No. 2022-032

**Being a by-law to authorize the Sale of Land for a Part of
Fourth Street, described as Part 1 on Plan 54R-6248 to
Maurice Pleau and Hazel Pleau**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas By-law No. 2015-160 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land; and

Whereas Council considered Administrative Report No. CS-008-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into an Agreement of Purchase and Sale with Maurice and Hazel Pleau for municipal real property, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Council hereby confirms the procedures set forth in By-law No. 2015-160 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law.
2. That Council authorizes the entering into an Agreement of Purchase and Sale between Maurice Pleau and Hazel Pleau as Purchaser and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law.
3. That Council agrees to sell the subject land in the amount of \$500.00, plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:

Part of Fourth Street, described as Part 1 on Plan 54R-6248

4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk

Offer to Purchase

Maurice Pleau and Hazel Pleau

(as "Purchaser"), having inspected the property, hereby agree to and with

The Corporation of the City of Temiskaming Shores, (as "Vendor") to purchase the property being:

Part of Fourth Street, described as Part 1 on Plan 54R-6248

(herein called the "Real Property") at the purchase price of five-hundred dollars (\$500.00) payable to the Vendor, subject to adjustments, on the closing date hereinafter set forth.

The Purchaser acknowledges that the land forming part of this transaction is being purchased in an "as is where is" condition without any representations or warranties whatsoever.

The Purchaser acknowledges that there is an existing encroachment consisting of a fence which is partially situated on the Real Property, which belongs to the owner of the abutting land.

This offer to Purchase shall be conditional upon the Purchaser entering into an agreement with the Vendor on or before closing, failing which this Offer to Purchase shall be null and void. Only the Vendor may waive this condition at its option.

Release of Information

Vendor authorizes the release of any information relating to the Real Property to the Purchaser and the Purchaser's solicitor by any governmental body or authority and appoints the Purchaser and the Purchaser's solicitor as its agent for the purpose. Without limiting the generality of the foregoing the Vendor consents to the disclosure to the Purchaser and the Purchaser's solicitor of any information relating to the Real Property or the use thereof pursuant to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990. C.F. 31 and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, C. M. 56.

Deficiency Notices and Work Orders

The Vendor represents that as at the date of acceptance hereof the Vendor has not received from any municipal or other governmental authority any deficiency notice or work order affecting the Real Property pursuant to which any deficiencies are required to be remedied or any demolition, repairs or replacements are required to be carried out. If the Vendor receives any such deficiency notice or work order after the date of acceptance hereof, the Vendor shall forthwith produce same to the Purchaser for inspection. If by the date of closing the Vendor has not either (a) complied with such deficiency notice or work order, or (b) settled with the Purchaser any question of an abatement of the purchase price arising out of such deficiency notice or work order, the Purchaser may at his option either (a) accept the Real Property subject to such deficiency notice or work order or (b)

terminate this Agreement. In the event of termination as aforesaid, all moneys paid hereunder shall be returned to the Purchaser without interest or deductions.

Adoption of LSUC – OBA Document Registration Agreement

Provided the solicitors for each of the Vendor and the Purchaser are able to complete transactions using electronic registration, the parties agree to complete this transaction using electronic registration, to adopt the LSUC-OBA Document Registration Agreement in use on the Closing Date, and to abide by, and instruct their solicitors to abide by, the closing procedures set forth therein for electronic registration.

Acceptance

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 15th day after the date of signing the offer**, after which time, if not accepted, this Offer shall be null and void.

Title

Title to the Real Property shall be good and free from all encumbrances, except as set out in this Agreement, and except local rates, and except as to any registered restrictions or covenants that run with the land, and subdivision agreements with the municipality, provided the same have been complied with, and except for minor easements for hydro, gas, telephone or like services. Purchaser shall accept the Real Property subject to municipal and other governmental requirements, including building and zoning by-laws, regulations and orders, provided same have been complied with.

Requisitions

Purchaser shall be allowed until closing to investigate the title at his own expense and to satisfy himself that there is no breach of municipal or other governmental requirements affecting the Real Property, that its present use may be lawfully continued and that the principal buildings may be insured against risk of fire. If within that time any valid objection to title or to any breach of municipal or other governmental requirements, or to the fact that the present use may not be lawfully continued, or that the principal buildings may not be insured against risk of fire, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement shall notwithstanding any intermediate acts or negotiations, be null and void and the deposit money returned to the Purchaser, without interest or deduction, and the Vendor shall not be liable for any costs or damages whatever. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the Real Property.

Surveys and Documents

The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except such as are in the possession or control of the Vendor. The Vendor agrees that he will deliver any existing survey to the Purchaser as soon as

possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a Chartered Bank, Trust Company, Credit Union or Insurance Company which is not to be assumed by the Purchaser on completion, is not available in registrable form on completion, the Purchaser agrees to accept the Vendor's solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge out of the balance due on completion.

Closing

This Agreement shall be completed on or before March 18, 2022 on which date vacant possession of the Real Property shall be given to the Purchaser unless otherwise provided for herein.

Inspection of Property

The Purchaser acknowledges having inspected the Real Property prior to submitting this Offer and understands that upon the Vendor accepting this offer there shall be a binding Agreement of Purchase and Sale between the Purchaser and the Vendor. The Purchaser shall be entitled to inspect the Real Property immediately prior to the date for completion.

Adjustments

Unearned fire insurance premiums, fuel, taxes, rentals and all local improvements and water rates and other charges for municipal improvements to be apportioned and allowed to the date of completion of sale (the day itself to be apportioned to the Purchaser). Provided Purchaser may elect not to accept assignment of fire insurance in which case no adjustment for insurance premiums.

Costs

The deed or transfer, save for Land Transfer Tax Affidavit, to be prepared at the expense of the Vendor in a form acceptable to the Purchaser and if a mortgage or charge is to be given back, it shall be prepared at the expense of the Purchaser in a form acceptable to the Vendor.

Planning Act Compliance

This Agreement shall be effective only if the provisions of Section 50 of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended, are complied with, and the Vendor agrees, at his expense, to comply with such provisions and to proceed diligently with the application for such compliance, if necessary.

The Transfer/Deed of Land to be given to the Purchaser shall contain a statement of the

Vendor and the Vendor's solicitor pursuant to section 50(22) of the Planning Act, R.S.O. 1990, C.P. 13 as amended.

Spousal Consent

The Vendor represents and warrants that no consent to this transaction is required pursuant to s.21(1) of the *Family Law Act*, R.S.O. 1990, C.F. 3 unless the Vendor's spouse has executed this agreement to consent thereto, and that the Transfer/Deed shall contain a statement by the Vendor as required by section 21(3) of the *Family Law Act*, R.S.O. 1990, C.F. 13 or the spouse of the Vendor shall execute the Transfer/Deed to consent thereto.

Residency of Vendor

Vendor further agrees to produce evidence that he is not now and that on closing he will not be a non-resident of Canada within the meaning of s.116 of the *Income Tax Act* of Canada, or in the alternative, evidence that the provisions of s.116 regarding disposition of property by a non-resident person have been complied with at or before closing, failing which the Purchaser will be credited towards the purchase price with the amount, if any, which shall be necessary for the Purchaser to pay to the Minister of Revenue in order to satisfy the Purchaser's liability in respect of tax payable by the Vendor under S. 116 of the *Income Tax Act* of Canada by reason of the sale.

Facsimile

Either party may execute this document by signing a facsimile thereof. The parties agree that execution by any party of a facsimile shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile of the signature of any party as evidence of the fact that the agreement has been executed by that party. In all respects a facsimile signature may be accepted as having the same effect as an original signature.

Counterpart

This agreement may but need not be executed in counterpart.

Time of Essence

This Offer, when accepted, shall constitute a binding contract of purchase and sale, and time in all respects shall be of the essence in this Agreement.

H.S.T.

If this transaction is subject to Harmonized Sales Tax (HST) pursuant to the Excise Tax Act (Canada) as amended (the "Act") then such HST shall be in addition to and not included in the purchase price, and:

- (a) HST shall be collected and remitted by the Vendor in accordance with the applicable legislation; or

- (b) If applicable, the parties shall jointly execute an election pursuant to Act, such election to be filed by the Purchaser as required under the Act; or
- (c) If the Purchaser is registered under the Act, the Purchaser shall provide the Vendor and its solicitor with proof of his/her HST registration number in a form reasonably satisfactory to the Vendor and its solicitor.

If this transaction is not subject to HST pursuant to the Act, the Vendor agrees to provide on or before closing to the Purchase or Purchaser's solicitor a certificate in the form prescribed by the Act, if so prescribed, or otherwise in a form reasonably satisfactory to the Purchase and his/her solicitor certifying that the transaction is not subject to HST.

Representations and Warranties

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or the Real Property or supported hereby other than as expressed herein in writing.

Tender

Any tender of documents or money hereunder may be made upon the Vendor or Purchaser or upon the solicitor acting for the party on whom tender is desired, and it shall be sufficient that a cheque certified by a chartered bank or a trust company or the trust cheque of the law firm acting for the party desiring such tender be tendered instead of cash.

Costs of Registration

The Purchaser shall pay all costs of registration and taxes for both parties documents.

Legal Fees

The Parties agree that the Purchaser will pay the Vendor's reasonable legal fees for the transaction.

Gender

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

Road Closing By-Law

The Purchaser and the Vendor acknowledge and agree that a Stop Up and Road Closing By-Law is required as a condition of this transaction. The Purchaser agrees that he shall be fully responsible for the legal costs relating to the registration of the said By-Law.

The Purchaser further agrees that he shall be fully responsible for the costs of obtaining the reference plan that shall be required as part of this said By-Law. The Purchaser and Vendor agree that this By-Law must be registered prior to closing and that the Closing Date may be extended as required to permit this.

Remainder of this page left blank intentionally

Signed, Sealed and Delivered this _____ day of _____, 2022.

in the presence of:

Purchaser: ***Maurice Pleau and Hazel Pleau***

Per: _____

Maurice Pleau

Purchaser's Address:

Per: _____

Hazel Pleau

The Vendor hereby accepts the above offer.

Dated at the _____ this _____ day of _____, 2022.

Vendor: ***The Corporation of the City of Temiskaming Shores***

Mayor - Carman Kidd

Clerk – Logan Belanger

Vendor's Address:

City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario
P0J 1K0

Attn.: Logan Belanger, Clerk

We have authority to bind the Corporation.

Purchaser's Solicitor:

Kemp Pirie Crombeen

P.O. Box 1540
22 Armstrong Street
New Liskeard, ON P0J 1P0

Phone Number: (705) 647-7353

Vendor's Solicitor:

Kemp Pirie Crombeen

P.O. Box 1540
22 Armstrong Street
New Liskeard, ON P0J 1P0

Phone Number: (705) 647-7353

The Corporation of the City of Temiskaming Shores

By-law No. 2022-033

Being a by-law to enter into an agreement with CIMCO Refrigeration, Division of Toromont Industries Ltd. for the replacement of the Chiller for the Shelley Herbert-Shea Memorial Arena

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to responds to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas Council considered Administrative Report No. RS-001-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into an agreement with CIMCO Refrigeration, Division of Toromont Industries Ltd. for the replacement of the Chiller for the Shelley Herbert-Shea Memorial Arena, at a cost of \$72,900, plus applicable taxes, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council authorizes the entering into an agreement with CIMCO Refrigeration, Division of Toromont Industries Ltd. for the replacement of the Chiller for the Shelley Herbert-Shea Memorial Arena at a cost of \$72,900, plus applicable taxes, a copy of which is attached hereto as Schedule "A" and forming part of this by-law.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk



Schedule “A” to

By-law 2022-033

Agreement between

The Corporation of the City of Temiskaming Shores

and

CIMCO Refrigeration, Division of Toromont Industries Ltd.

replacement of the Chiller for the Shelley Herbert-Shea Memorial Arena

This agreement made this 15th day of February 2022.

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

and

CIMCO Refrigeration
Division of Toromont Industries Ltd.
(hereinafter called "the Contractor")

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

Article I:

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

The Corporation of the City of Temiskaming Shores
SHSMA Chiller Replacement
Request for Quotation No. RS-RFQ-001-2022

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement attached hereto Appendix 01; and
- c) Complete, as certified by the Director, all the work by **June 24, 2022**.

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid Seventy-Two Thousand, Nine-Hundred Dollars and Zero Cents (\$72,900.00) plus applicable taxes, subject to additions and deductions as provided in the Contract Documents.
- b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

Article III:

All communications in writing between the parties, or between them and the Manager shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by hand, Canada Post, courier, facsimile or by another electronic communication where,

during or after the transmission of the communication, no indication or notice of a failure or suspension of transmission has been communicated to the sender. For deliveries by courier or by hand, delivery shall be deemed to have been received on the date of delivery; by Canada Post, 5 days after the date on which it was mailed. A communication sent by facsimile or by electronic communication with no indication of failure or suspension of delivery, shall be deemed to have been received at the opening of business on the next day, unless the next day is not a working day for the recipient, in which case it shall be deemed to have been received on the next working day of the recipient at the opening of business.

The Contractor:

CIMCO Refrigeration, Division of Toromont Industries Ltd.

2939 Belisle Drive
Sudbury, Ontario
P3N 1B3

The Owner:

City of Temiskaming Shores

P.O. Box 2050, 325 Farr Drive
Haileybury, Ontario
P0J 1K0

The Director:

Mathew Bahm

City of Temiskaming Shores
P.O. Box 2050, 325 Farr Drive
Haileybury, Ontario
P0J 1K0

Remainder of Page left blank intentionally

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in
the presence of

**CIMCO Refrigeration, Division of Toromont
Industries Ltd.**

Rich Welner, District Manager

Municipal Seal

**The Corporation of the City of Temiskaming
Shores**

Mayor – Carman Kidd

Clerk – Logan Belanger



Appendix 01 to
Schedule “A” to

By-law No. 2022-033

Form of Agreement



City of Temiskaming Shores
RS-RFQ-001-2022
SHSMA Chiller Replacement

Form of Quotation

Each Quotation should contain the legal name under which the Proponent carries on business, telephone number and email address, as well the name or names of appropriate contact personnel which the City may consult regarding the Quotation.

We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment, labor, apparatus and documentation as is required to satisfy this Quotation.

NOTE: All portions of Form of Quotation must be accurately and completely filled out.

Proof of Insurance Submitted: Yes ☒

WSIB Certification Submitted: Yes ☒

List of Sub-Contractors Submitted: Yes ☒

Non-Collusion Affidavit Submitted: Yes ☒

Conflict of Interest Declaration Submitted: Yes ☒

Lump Sum Price (exclusive of HST):	\$ 72,900.00
------------------------------------	--------------

We/I, CIMCO Refrigeration, Div of Toromont Ind Ltd
(Registered Company Name/Individuals Name)

Of, 2939 Belisle Drive, Sudbury, ON P3N 1B3
(Registered Address and Postal Code) Local Branch

Business:

Phone Number (705) - 897-5768

Email Address rwelner@toromont.com



City of Temiskaming Shores
RS-RFQ-001-2022
SHSMA Chiller Replacement

List of Proposed Sub-Contractors

None. All work completed by CIMCO

Name	Address	Component

I / We verify that the information provided above is accurate and that the individuals are qualified, experienced operators capable of completing the work outlined in this Quotation document.

Signed by Company Official

RICH WELNER

Printed DISTRICT MANAGER

Signed



City of Temiskaming Shores
RS-RFQ-001-2022
SHSMA Chiller Replacement

NON-COLLUSION AFFIDAVIT

I/ We Rich Welner of Cimco the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid.

Such bid is genuine and is not a collusive or sham bid.

Neither the bidder nor any of its officers, partners, owners, agents, representatives, employees or parties of interest, including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other Bidder, firm or person to submit a collective or sham bid in connection with the work for which the attached bid has been submitted nor has it in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit or cost element of the bid price or the price of any bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Temiskaming Shores or any person interested in the proposed bid.

The price or prices quoted in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Signed



Company Name

Cimco Refrigeration Division of Torment Industries Ltd

Title

District Manager



City of Temiskaming Shores
RS-RFQ-001-2022
SHSMA Chiller Replacement

Conflict of Interest Declaration

Please check appropriate response:

- ☒ I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- ☐ The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

In making this quotation submission, our Company has / has no (*strike out inapplicable portion*) knowledge of or the ability to avail ourselves of confidential information of the City (other than confidential information which may have been disclosed by the City in the normal course of the quotation process) and the confidential information was relevant to the Work/Services, their pricing or quotation evaluation process.

Dated at KANATA, ON this 4th day of February, 2022.

FIRM NAME:

CIMCO Refrigeration Division of
TOROMONT INC Ltd.

BIDDER'S AUTHORIZED OFFICIAL:

RICH WELNER

TITLE:

District Manager

SIGNATURE:

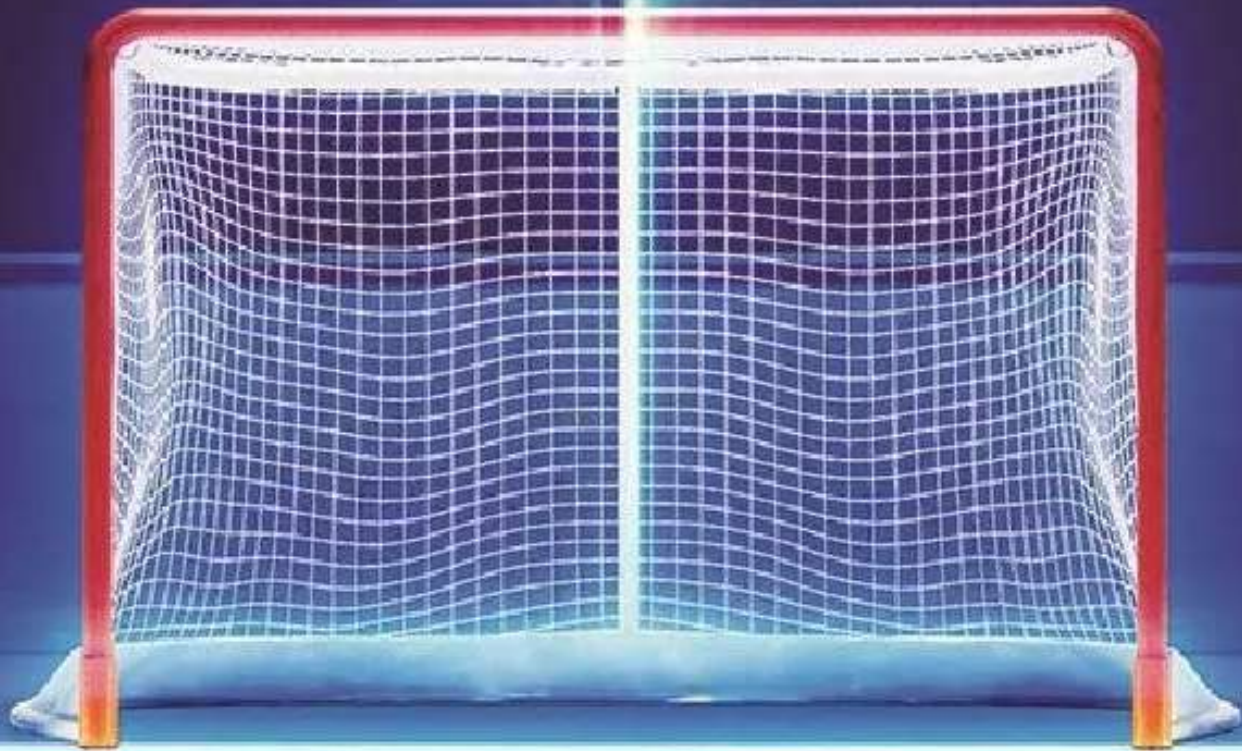
[Signature]

Proposal for Chiller Replacement at Shelley Herbert-Shea Memorial Arena

RS-RFQ-001-2022

TOROMONT

CIMCO



Prepared By:

Patrick McCarron
[Sender.Email]

Prepared For:

Paul Allair,
400 Ferguson St.
Haileybury, ON P0J1K0
pallair@temiskamingshores.ca

February 7th, 2022

CIMCO is pleased to provide pricing for a Chiller Replacement at the Shelley Herbert-Shea Memorial Arena. Refer to page 17 of the attached for project specific details and notes



CIMCO Advantage

CIMCO would first and foremost like to thank you for the opportunity to work with your upcoming chiller and header replacement. With over 100 years experience in recreation refrigeration, CIMCO boasts a reputation unparalleled in the industry today. At CIMCO, we pride ourselves on being the best, and we understand the difference is in the attention to detail;

- CIMCO employs our own certified welders- This means that any welding can be done internally and would not have to be outsourced through a third party company, keeping costs to a minimum and ensuring quality workmanship that CIMCO stands behind.
- Joel Blanchette, our lead mechanic, is also a certified welder. Having the service mechanic and welder as same person affords CIMCO to have less people on site, which is greatly beneficial during COVID.
- CIMCO also employs our own engineers- From drawing to sign off, CIMCO engineers are with you every step of the way, ensuring our industry leading standard is always maintained.

Key Facts About CIMCO- North America's largest refrigeration contractor

- Over 1000 employees
- Over 15,000 completed refrigeration projects
- 8000 active customers
- 23 locations throughout North America
- Completed 50% of the world's ice rinks (70% of professional rinks in North America)
- Successfully installed ice rinks in over 45 countries
- Sustainable designs which included
 - 0 GWP natural refrigerants
 - 100% heat recovery

Scope of Work

- Remove brine and ammonia from the system and store in approved containers;
- Decommission, remove and dispose of the existing chiller;
- Cut, remove and dispose the existing high side float and all associated valves including the main suction valve;
- Remove and dispose of existing EGO Saver unit and piping, which is no longer in use;
- Supply and install (1) new shell and tube chiller, replacing the existing unit which measures 108" long by 65" in diameter and 156" long by 65" in diameter, with a refrigeration capacity of 70 tons.
- Supply and install (1) new main suction valve, (1) high liquid level valve assembly, (1) hand expansion valve, (1) high side float assembly complete with an isolation valve and an oil drain valve;
- Supply and install the necessary purge and drain valves on the chiller (stainless steel);
- Supply and install the necessary insulation and white PVC cladding;
- Register the new chiller, piping as well as a registered TSSA pressure test;
- Paint all new steel lines to match existing;
- Evacuate the system and re-install the ammonia and brine;
- Install new piping identification labels;
- Test system operations;
- Provide all warranty, identification, maintenance, commissioning and other applicable documentation to the City of Temiskaming Shores;
- Complete any necessary job cleanup including disposal of waste.



Pricing

CIMCO Price: \$72,900 CAD (All Taxes Extra)

***Please note that current lead time for this chiller is 10-12 weeks. CIMCO currently has (1) chiller in stock for this project, subject to prior sale.**

Should the City take the full 60 days to issue a PO, the June 24th project completion date would be very difficult to meet given the current lead times on raw material and finished

products.

Prices are valid for 60 days from the date of quotation.

Taxes not included.

Standard Terms & Conditions apply.

The Corporation of The City of Temiskaming Shores
By-Law No. 2022-034
Being a By-Law to adopt a Recreation Facility User Liability Insurance
Policy for the City of Temiskaming Shores

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas Council considered Administrative Report No. RS-003-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to adopt the Recreation Facility User Liability Insurance Policy for the City of Temiskaming Shores, at the February 15, 2022, Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council adopts the Recreation Facility User Liability Insurance Policy for the City of Temiskaming Shores, identified as Schedule "A", attached hereto and forming part of this by-law.
2. That this by-law shall come into force and effect on March 1, 2022.
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk



Schedule “A” to

By-law No. 2022-034

**Adopt a Recreation Facilities User Liability Insurance Policy
for the City of Temiskaming Shores**

City of Temiskaming Shores Recreation Facility User Liability Insurance Policy

1. Policy Statement

The City of Temiskaming Shores (City) purchases insurance to protect the Corporation from claims arising from actions on City property and facilities. The City also permits usage at facilities to individuals and organizations. As part of the City's risk management strategy, it requires lessees/renters of municipal facilities to either:

- a) Purchase liability insurance during the booking process; or
- b) Provide proof that they already have obtained General Liability insurance (third party liability insurance) showing the City of Temiskaming Shores as an additional insured that meets the requirements set forth in this policy.

2. Purpose

The purpose of this policy is to:

- a) Provide individuals and/or groups renting a facility or space with a straightforward and affordable avenue to obtain liability insurance protection to mitigate their financial exposure resulting from claims that may result from a facility rental;
- b) Protect the municipality from any future claims by ensuring all individuals renting municipal facilities have adequate insurance coverage;
- c) Provide guideline on the procedure that is to be followed to ensure that all individuals and organizations renting municipal facilities have adequate insurance coverage.

3. Application

This policy applies to all municipally owned recreation facilities, including those managed by the City of Temiskaming Shores and those managed by an appointed Committee or Board of Council; and any future municipal building that is managed by the City and may be rented out to a third party for intermittent use. This policy applies to all residents or non-residents, community groups, organizations, businesses/enterprises that lease/rent a City facility for an event, activity, program or function.

4. Exception(s)

Non-sporting events at a City facility where no food, drinks or alcohol are being served, e.g. meetings, seminars or workshops.

5. Policy

Lessees/Renters of municipal facilities are required to provide proof of General Liability Insurance, showing the City of Temiskaming Shores as an additional insured, at the time of renting / booking a municipal facility in the following prescribed limits:

a) High risk activities, i.e. ice-hockey activities, high risk sport activities, any event with alcohol being served.

The City requires the leasee/renter to carry or cause to be carried General Liability Insurance in an amount of not less than **five million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured.

Confirmation of coverage must include that all activities are insured up to the full policy limits. Additional insurance coverage may be required when other authorities have jurisdiction over the activities.

If other authorities have jurisdiction the City requires confirmation of their General Liability Insurance in an amount agreed to by the City but not less than **five million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured.

b) Term lessees/renters of City of Temiskaming Shores owned facilities

The City requires the lessee/renter to carry or cause to be carried General Liability Insurance in an amount of not less than **five million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured. Confirmation of coverage must include that all activities are insured up to the full policy limits.

c) Alcohol being served

The City requires the lessee/renter to carry General Liability Insurance in an amount of not less than **five million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured. Confirmation of coverage must also include Host Liquor Liability up to the full policy limits.

d) No alcohol being served

The City requires the lessee/renter to carry general liability insurance in an amount of not less than **two million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured. Additional insurance coverage may be required when other authorities have jurisdiction over the activities e.g. filming, licenses.

If other authorities have jurisdiction the City requires confirmation of their General Liability Insurance in an amount agreed to by the City but not less than **two million dollars** and to provide the City with proof of insurance coverage naming the City as an additional insured.

For those lessees/renters that cannot meet this requirement the City will facilitate the purchase of coverage through the Municipal Facility User General Liability Insurance Program, offered through the City's insurance broker.

This coverage is available for qualified renters and will be purchased and paid for at the time of the issuance of the rental permit through the Recreation Department.

High risk activities shall be defined by the Facility User Rating Guide provided by the City's Insurance Broker.

6. Procedure

- a) Through an Insurance Provider, the City of Temiskaming Shores has developed a program that will be administered by staff and will allow customers to secure affordable insurance at the same time they process their permit, allowing for a one-stop shopping experience.
- b) All individuals leasing/renting City of Temiskaming Shores facilities are required to provide a minimum of \$2 million liability insurance naming the City as additionally insured; a \$5 million policy is required for certain high-risk rentals including all ice hockey rentals, and all rentals where alcohol will be served. Additional liability insurance requirements may be required at the discretion of the Director of Recreation or designate. If a facility user has obtained insurance coverage through another source, proof of the coverage must be provided at the time of finalizing the lease/rental, naming the City of Temiskaming Shores as additionally insured.
- c) If the facility user does not provide their own proof of insurance at the time of booking, they are required to purchase insurance through the Facility User Liability Insurance Program. This premium is added to the facility permit and included in the rental payment to the City of Temiskaming Shores. A copy of the insurance coverage must be kept with the signed facility permit and maintained as per records management.

- d) Collected insurance premiums are paid to the insurance provided as per a pre-determined schedule.

7. Responsibilities

- a) It is the responsibility of all staff who administer the rental of City facilities to abide by the policy and procedures outlined herein. It is also the responsibility of all Committees or Boards of Council permitting City facilities to adhere to the policy and procedures outlined herein.
- b) It is the responsibility of the Director of Recreation to monitor the effectiveness of the Facility Rental User Liability Insurance Program and bring any recommendations or changes to this policy to Council for their approval.

The Corporation of the City of Temiskaming Shores

By-law No. 2022-035

**Being a by-law to enter into an agreement with J.R. Brisson
Equipment for the supply and delivery of one (1) Backhoe
Loader with attachments**

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to responds to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas Council considered Administrative Report No. PW-005-2022 at the February 15, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into an agreement with J.R. Brisson Equipment for the supply and delivery of one (1) backhoe loader, in the amount of \$193,500, plus applicable taxes, less the trade-in value for the City's 2008 Case Backhoe, for consideration at the February 15, 2022 Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the Mayor and Clerk be authorized to execute an agreement with J.R. Brisson Equipment for the supply and delivery of one (1) backhoe loader, in the amount of \$193,500, plus applicable taxes, less the trade-in value for the City's 2008 Case Backhoe, a copy of which is attached hereto as Schedule "A" and forms part of this by-law.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk



Schedule “A” to

By-law 2022-035

Agreement between

The Corporation of the City of Temiskaming Shores

And

J.R. Brisson Equipment

for the supply and delivery of a Backhoe

This agreement made this 15th, day of February, 2022.

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

and

J.R Brisson Equipment
(hereinafter called "the Supplier")

Witnesseth:

That the Owner and the Supplier shall undertake and agree as follows:

Article I:

The Supplier will:

- a) Provide one (1) Backhoe Loader with attachments, in accordance to the specifications contained in the submission attached hereto as Appendix 01.
- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement attached hereto as Appendix 01 and forming part of this agreement.

Article II:

The Owner will:

- a) Pay the Supplier in lawful money of Canada for services aforesaid, in the amount of One-Hundred and Ninety-Three Thousand, Five-Hundred Dollars and Zero Cents (\$193,500.00), plus applicable taxes, less the trade-in value as described in the attached Form of Agreement, attached hereto as Appendix 01.
- b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

Article III:

All communications in writing between the parties shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by hand, Canada Post, courier, facsimile or by another electronic communication where, during or after the transmission of the communication, no indication or notice of a failure or suspension of transmission has been communicated to the sender. For deliveries by courier or by hand, delivery shall be deemed to have been received on the date of delivery; by Canada Post, 5 days after the date on which it was mailed. A communication sent by facsimile or by electronic communication with no indication of failure or suspension of delivery, shall be deemed to have been received at the opening of business on the next

day, unless the next day is not a working day for the recipient, in which case it shall be deemed to have been received on the next working day of the recipient at the opening of business.

The Supplier:

J.R. Brisson Equipment
259 Fielding Road
Sudbury, ON P3Y 1L8

The Owner:

City of Temiskaming Shores
325 Farr Drive / P.O. Box 2050
Haileybury, Ontario P0J 1K0

Remainder of Page left Blank Intentionally

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in
the presence of

J.R. Brisson Equipment

Percy Jackson, Sales Representative

Municipal Seal

**The Corporation of the City of Temiskaming
Shores**

Mayor – Carman Kidd

Clerk – Logan Belanger



Appendix 01 to
Schedule “A” to

By-law No. 2022-035

Form of Agreement

SALES AGREEMENT / CONTRAT DE VENTE

SOLD BY Percy Jackson (705) 665-1629 / pjackson@jrbrisson.com

DATE / DATE: February 9th, 2022

SOLD TO:

NAME / NOM: Temiskaming Shore
ADDRESS / ADRESSE: 325 Farr Drive, PO Box 2050, Haileybury, ON P0J 1K0
PHONE / TÉLÉPHONE: 705-672-3363
E-MAIL:
CUSTOMER / CLIENT #:

SHIP TO:

NAME / NOM: Temiskaming Shore
ADDRESS / ADRESSE: 325 Farr Drive, PO Box 2050, Haileybury, ON P0J 1K0
PHONE / TÉLÉPHONE: 705-672-3363
E-MAIL:
CUSTOMER / CLIENT #:

BRAND / MARQUE	MODEL / MODÈLE	YEAR / ANNÉE	DESCRIPTION	SERIAL # / # DE SÉRIE	STOCK # / # DE STOCK	AMOUNT / MONTANT
CASE	580SN	2022	H-TYPE POWERSHIFT, TIRES, 305/70 R 16.5, MICHELIN, FRONT, 500/70 R 24 MICHELIN REAR, COMBO REAR AUX HYD, PILOT CONTROLS W/POWER LIFT, REAR HYD PIN COUPLER, 24" BKT, FLIPOVER PADS, RIDE CONTROL, COMFORT STEER, LDR AUX HYD, LDR FFC HYD QUICK ATTACH, CAB, 2 DOOR, HEATER, A/C, DELUXE INTERIOR, BLUETOOTH RADIO, HEATED AIR SEAT, FRONT FENDERS, LED LIGHT PACKAGE, TOOL BOX, DUAL BATTERIES, SEVERE COLD WEATHER PACKAGE, CASE SITEWATCH W/3 YEAR ADVANCED	JJGN58SNLMC773183	2B8471 / EQ0022327	\$169,500.00
			FFC Quick Attach	TBD	TBD	incl
CASE			82" FFC style bucket	59410100019682	L82748	incl
GRB			Hydraulic Thumb	TBD	TBD	incl
AMI			AMI 4-1 snow blade / 9-15'	TBD	TBD	\$24,000.00
			5 year / 4000 Premier warranty			
			FOB Customer			
SUB TOTAL						\$193,500.00

TRADE-INS / ÉCHANGES

BRAND / MARQUE	MODEL / MODÈLE	YEAR / ANNÉE	DESCRIPTION	HOURS / HEURES	AMOUNT / MONTANT
CASE	580SN	2008	580SN B/H with front and rear bucket - unit not operating / transmission issues	N7C428143	11905 hrs
					\$8,000.00
Trade in allowed					\$8,000.00
Payout					
Net trade					\$8,000.00

*** Customer is responsible for any money owed on the machine being traded-in on this invoice***

INSURANCE INFORMATION CONFIRMATION				SUB TOTAL	\$185,500.00
AGENT		POLICY#		HST (Ontario 13%) R102726528	\$24,115.00
COMPANY		AGENT EMAIL		GST (Québec 5%) R102726528	
CUSTOMER'S SIGNATURE / SIGNATURE DU CLIENT		X		QUE PST/TVP (9.975%) M1008257414TQ0001FM	
SALES MANAGER / GÉRANT DES VENTES		X		OTHER/AUTRE	
THIS CONTRACT IS NOT VALID UNLESS SIGNED BY AN AUTHORIZED MANAGER				DOWN PAYMENT	
CE CONTRAT DOIT ETRE SIGNÉ PAR UN GÉRANT AUTORISÉ POUR ETRE VALIDE				TOTAL	\$209,615.00

PLAISANCE

216, RUE PRINCIPALE
PLAISANCE QC J0V 1S0
819 427-5476

STITTSVILLE

495, JINKINSON ROAD
STITTSVILLE ON K2S 1B9
613 836-0654

VARS

121, ST-PIERRE ROAD
VARS ON K0A 3H0
613 443-3300



TERAPRO.CA

The Corporation of the City of Temiskaming Shores
By-law No. 2022-036
Being a by-law to confirm certain proceedings of Council of The
Corporation of the City of Temiskaming Shores for its Regular
meeting held on February 15, 2022

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, 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 under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas it is the desire of the Council of The Corporation of the City of Temiskaming Shores to confirm proceedings and By-laws.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the actions of the Council at its Regular meeting held on **February 15, 2022**, with respect to each recommendation, by-law and resolution and other action passed and taken or direction given by Council at its said meeting, is, except where the prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. That the Mayor, or in his absence the presiding officer of Council, and the proper officials of the municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor, or in his absence the presiding officer, and the Clerk are hereby directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and to affix the corporate seal of the municipality to all such documents.

Read a first, second and third time and finally passed this 15th day of February, 2022.

Mayor

Clerk