



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, May 16, 2023 – 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 – April 18, 2023
- b) Committee of the Whole Meeting – May 2, 2023

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

8. Presentations / Delegations

9. Communications

- a) Monique Chartrand, Executive Director, Victim Services of Temiskaming & District

Re: Proclamation Request – Elders Abuse Awareness Day

Reference: Request presented under New Business for consideration

- b) Honourable Steve Clark, Minister of Municipal Affairs and Housing

Re: Helping Homebuyers, Protecting Tenants Act

Reference: Received for Information

- c) Sheila Randall, Earlton-Timiskaming Regional Airport

Re: February Financials and Managers Report

Reference: Received for Information

- d) Amberly Spilman, Executive Assistant to the CAO and Deputy Clerk, Town of Kirkland Lake

Re: Motion – Opposition to Enbridge Gas' Proposed Utility Field Locate Fee

Reference: Received for Information

- e) Amberly Spilman, Executive Assistant to the CAO and Deputy Clerk, Town of Kirkland Lake

Re: Motion – Reinstatement of Legislation permitting a municipality to retain surplus proceeds from tax sales

Reference: Received for Information

- f) Tina Arbuckle, Deputy Clerk, Town of Bracebridge

Re: Motion – School Bus Stop Arm Camera

Reference: Received for Information

- g) Michelle Sowinski, Communications and Executive Coordinator, DTSSAB

Re: 2023 DTSSAB Budget and Apportionment

Reference: Received for Information

- h) Kathy Demarce, Resident, Temiskaming Shores

Re: Treasure Hunting Day in Temiskaming Shores

Reference: Received for Consideration

- i) Krystal Oviatt, Chair of Timiskaming District Road Safety Coalition

Re: Community Slow Down Signs

Reference: Motion presented under New Business for consideration

- j) Honourable Kinga Surma, Minister of Infrastructure

Re: Ontario launches High-Speed Internet Map

Reference: Received for Information

- k) Rachelle Cote, Executive Assistant, Timiskaming Health Unit

Re: 2022 Annual Report

Reference: Received for Information

- l) North on Tap Organizing Committee

Re: 2023 North on Tap Beer Festival – July 7, 2023

Reference: Received for Information

- m) Grade 2 Student, DSBONE Virtual Program

Re: Plant more Trees!

Reference: Received for Consideration

- n) Pauline Dumont, Resident

Re: Becoming a Monarch Friendly City

Reference: Received for Consideration

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that the Council for the City of Temiskaming Shores agrees to deal with Communications Items 10 a) through n) in accordance with agenda references.

10. 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 from the Earlington-Timiskaming Regional Airport Authority meeting held on February 16, 2023
- b) Minutes of the Committee of Adjustment meeting held on January 25, 2023
- c) Minutes of the Temiskaming Shores Public Library Board meeting held on March 22, 2023;
- d) Minutes of the District of Timiskaming Social Services Administration Board meeting held on March 22, 2023
- e) Minutes of the Timiskaming Health Unit Board of Health meeting held on April 5, 2023; and

11. Committees of Council – Internal Departments

12. Reports by Members of Council

Councillor Melanie Ducharme - Federation of Northern Ontario Municipalities (FONOM) Conference

13. Notice of Motions

14. New Business

a) **Motion of Support – Barriers for Women in Politics**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the City of Temiskaming Shores values equality and inclusivity in all areas of life, including politics; and

Whereas women have historically been underrepresented in politics, and continue to face barriers and discrimination in their pursuit of elected office; and

Whereas misogyny and harassment have been identified as significant challenges for women in politics, both in Canada and around the world; and

Whereas the City of Temiskaming Shores believes that all individuals have the right to participate in a political environment that is free from discrimination, harassment, and misogyny;

Therefore Be It Resolved that Council for The Corporation of The City of Temiskaming Shores expresses its support for women in politics and their right to participate in a political environment that is free from misogyny and harassment, and where everyone feels equal; and

That this Council commits to taking steps to ensure that our political environment is inclusive and welcoming to all individuals, regardless of gender, race, ethnicity, religion, sexual orientation, or other identity factors; and

That this Council encourage action at the provincial level to create legislation to ensure equality, safety and security of women in politics; and

That this Council encourages all forms of government across Canada in supporting women in politics and promoting gender equality in all areas of society; and

Finally that a copy of this Motion be sent to the Premier of Ontario, Ministry of Municipal Affairs and Housing (MMAH), Association of Municipalities of Ontario (AMO), Federation of Northern Ontario Municipalities (FONOM), MPP Cochrane-Timiskaming, and MP Nipissing-Timiskaming

b) **Motion of Support – Municipal Oath of Office**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas most municipalities in Ontario have a native land acknowledgement in their opening ceremony; and

Whereas a clear reference to the rights of Indigenous people is the aim of advancing Truth and Reconciliation; and

Whereas Call to Action 94 of the Truth and Reconciliation Commission of Canada called upon the Government of Canada to replace the wording of the Oath of Citizenship to include the recognition of the laws of Canada including Treaties with Indigenous Peoples; and

Whereas on June 21, 2021 an Act to amend The Citizenship Act received royal assent to include clear reference to the rights of Indigenous peoples aimed at advancing the Truth and Reconciliation Commission's Calls to Action within the broader reconciliation framework; and

Whereas the Truth and Reconciliation Commission of Canada outlines specific calls to action for municipal governments in Canada to act on, including education and collaboration;

Therefore be it resolved that Council request to the Minister of Municipal Affairs and Housing that the following changes be made to the municipal oath of office: I will be faithful and bear true allegiance to His Majesty King Charles III and that I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Metis peoples; and further

That this resolution be forwarded to the Association of Municipalities of Ontario (AMO), Premier Doug Ford, Federation of Northern Ontario Municipalities (FONOM), MPP Cochrane-Timiskaming, and MP Nipissing-Timiskaming, Timiskaming First Nation and the Ministry of Indigenous Affairs

c) **Motion of Support – AMO and Canadian Alliances to End Homelessness**

AMO

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario; and

Whereas the homelessness crisis is the result of the underinvestment and poor policy choices of successive provincial governments; and

Whereas homelessness requires a range of housing, social service and health solutions from government; and

Whereas homelessness is felt most at the level of local government and the residents that they serve; and

Whereas municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity or tools to address this complex challenge; and,

Whereas leadership and urgent action is needed from the provincial government on an emergency basis to develop, resource, and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario.

Therefore Be It Resolved that the City of Temiskaming Shores calls on the Provincial Government to urgently:

- a. Acknowledge that homelessness in Ontario is a social, economic, and health crisis;
- b. Commit to ending homelessness in Ontario;
- c. Work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource, and implement an action plan to achieve this goal; and

Further a copy of this motion be sent to the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; and to the Association of Municipalities of Ontario.

Canadian Alliances to End Homelessness (CAEH)

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the drastic recent increase in homelessness and the concurrent increase in the reliance of Canadians on food banks is evidence of the widening of the gap in income disparity due to current economic conditions; and

Whereas the CAEH has presented data illustrating that the majority of Canadians believe that homelessness is a problem and it is getting worse; and

Whereas the data also shows that the majority of Canadians believe resources should be allocated to improving the situation; and

Whereas CAEH has presented the benefits of creating a Homelessness Prevention Housing Benefit;

Now Therefore Be It Resolved that City of Temiskaming Shores supports the CAEH in requesting that the Federal government create a Housing Benefit as outlined in the CAEH report and proposal; and

Further Be it Resolved that this resolution be circulated to the Association of Municipalities of Ontario, the Ontario Municipal Social Services Association, and the local Member of Parliament.

d) Motion of Support – Ontario School Board Elections

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas in the Province of Ontario, municipalities are responsible for the entire school board election process in accordance with the Education Act, Municipal Elections Act and associated regulations; and

Whereas Ontario Regulation 412/00 provides for Elections to and Representation on District School Boards; and

Whereas a school board that has jurisdiction in more than one municipality, the board completes a report on determination and distribution of members of the board and where a geographic area consists of all or part of two or more municipalities, the municipality with the largest electoral population is deemed responsible for conducting the school board election; and

Whereas an extensive amount of staff time, administrative resources, collaboration between geographic areas and financial resources, are required to co-ordinate an election every four years; and

Whereas municipalities do not receive any administrative support, compensation or re-imbursement for use in the orchestration of the school board elections.

Now Therefore Be It Resolved that the Council of the Corporation of City of Temiskaming Shores request that staff forward this motion to the Hon. Steven Lecce, Minister of Education, Hon. Steven Clark, Minister of Municipal Affairs and Housing and MPP Cochrane-Timiskaming requesting that school boards become responsible for conducting their own school board elections or at a minimum provide compensation and support for the administrative burden of overseeing such trustee elections.

e) Proclamation Request – Elder Abuse Awareness Day

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas seniors deserve to live safely with dignity, and as independently as possible, with the supports they need.

Whereas elder abuse is most often defined as any act that harms a senior or jeopardizes their health or welfare.

Whereas it is imperative that community members are aware that elder abuse happens and educated to see older adults as positive contributors to the community; older adults need to be aware of their rights, as well as resources available to them.

Whereas all of our residents should watch for signs of abuse, such as physical trauma, withdrawal, depression, anxiety, fear of family members, friends, or caregivers.

I, Mayor of the City of Temiskaming Shores do hereby proclaim June 15, 2023 as Elder Abuse Awareness Day “Rights Don’t Get Old” and encourage all our residents to recognize and celebrate the accomplishments of our seniors.

f) **Motion of Support – Timiskaming District Road Safety Coalition**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of the request for support from the Timiskaming District Road Safety Coalition; and

Further that Council agrees to offer City Hall and the New Liskeard Library as accessible distribution locations for the Slow Down sign campaign.

g) **Administrative Report PW-009-2023 – Tender Award: 2023 Roadway Rehabilitation Program**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-009-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Miller Paving Limited, for the 2023 Roadway Rehabilitation Program in the amount of \$532,288.00 plus applicable taxes, for consideration at the May 16, 2023, Regular Council meeting.

h) **Administrative Report PW-010-2023 – Tender Award: Albert Street Reconstruction**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-010-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Pedersen Construction (2013) Inc, for the Albert Street Reconstruction Project in the amount of \$4,447,705.29 for consideration at the May 16, 2023, Regular Council meeting.

i) **Administrative Report – CS-020-2023 Proposed Provincial Planning Statement 2023 and Bill 97 – Helping Homebuyers, Protecting Tenants Act 2023**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-020-2023; and

That Council directs staff to submit comments on ERO posting 019-6822, Site Plan for Residential Developments of 10 or Fewer Units, as set out in Appendix 01; and

That Council directs staff to submit comments on ERO posting 019-6813, the Review of Proposed Policies Adapted from a Place to Grow and Provincial Policy Statement to form a new Provincial Planning Policy Instrument, as set out in Appendix 03

j) **Memo No. 017-2023-CS – Deeming By-Law for Buffett – 340 Lakeview Avenue**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the owner of 340 Lakeview Avenue would like to merge lots on title through the adoption of a deeming by-law in compliance with the Planning Act 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 M79NB LOTS 260 TO 268 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 May 16, 2023 Regular Council meeting.

15. By-Laws**Draft Resolution**

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

- | | |
|---------------------|--|
| By-law No. 2023-051 | Being a by-law to Stop up and Close Stop up a Roadway – Portion of Ethel Street, on Plan M54NB, legally identified as 61350-0363 |
| By-law No. 2023-052 | Being a by-law to Stop up and Close Being a Roadway – Unopened roadway known as Hardy Avenue, on Plan M54NB, legally identified as 61350-0314 |
| By-law No. 2023-053 | Being a by-law to authorize the Sale of Land being a portion of Ethel Street; Lots adjacent to 137 and 154, on Plan M54NB, legally identified as 61350-0363 |
| By-law No. 2023-054 | Being a by-law to authorize the Sale of Land being a portion of unopened road allowance – Hardy Avenue; Lots adjacent to 190 to 239, on Plan M54NB, legally identified as 61350-0314 |
| By-law No. 2023-055 | Being a by-law to enter into an agreement with Miller Paving Limited for the 2023 Roadway Rehabilitation Program |
| By-law No. 2023-056 | Being a by-law to enter into an agreement with Pedersen Construction (2013) Inc. for the Reconstruction of Albert Street |
| By-law No. 2023-057 | Being a by-law to enter into an agreement with GFL Environmental Services Inc. for the provisions of collection and disposal services for the Household Hazardous Waste Collection Event on June 3, 2023 |
| By-law No. 2023-058 | Being a by-law to enter into an agreement with G. Belanger Construction for the construction of an Equipment Storage Building at the New Liskeard Landfill |
| By-law No. 2023-059 | Being a by-law to enter into an agreement with Northland Group of Companies Ltd. for seasonal Ice Plant Maintenance for 2023, 2024, and 2025 |

By-law No. 2023-060	Being a by-law to enter into an agreement with Miller Maintenance for the installation of park lighting at the Murray Daniels Dog Park
By-law No. 2023-061	Being a by-law to enter into a lease agreement with Dr. Phillip J. Smith for the rental of space at the Haileybury Medical Centre (Rooms 223, 225, 227 and 230)
By-law No. 2023-062	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 – Accessible Parking Spaces
By-law No. 2023-063	Being a by-law to authorize the Sale of Land being a legally identified on Plan 54M336 Lot 16, Parcel 22122SST PT to 1739549 Ontario Inc. (Gaston's Auto)
By-law No. 2023-064	Being a by-law to amend By-law No. 2005-122, as amended, being a by-law to establish a Service Delivery Program under the Line Fences Act – Appointment of Melvin Bursey as a municipal fence viewer
By-law No. 2023-065	Being a by-law to repeal by-laws 2007-065; 2013-147; 2015-033; 2016-094; 2013-032; 2019-111; 2013-146; 2015-040; 2016-136; and 2016-17; being various Appointment by-laws that are no longer required
By-law No. 2023-066	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 - 340 Lakeview Avenue
By-law No. 2023-067	Being a by-law appoint a Temporary Deputy Clerk for the City of Temiskaming Shores

be hereby introduced and given first, second and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

16. Schedule of Council Meetings

- a) Committee of the Whole – June 6, 2023 at 3:00 p.m.
- b) Regular Council Meeting – June 20, 2023 at 6:00 p.m.

17. Question and Answer Period

18. Closed Session

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

- a) Adoption of the May 2, 2023 Closed Session Minutes;
- b) Under Section 239 (2) (d) of the Municipal Act, 2001, as amended – Labour Relations or Employee Negotiations
 - a) HR Update
 - b) Performance Evaluation – City Manager

19. Confirming By-law

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. **2023-068** 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 **May 16, 2023** be hereby introduced and given first, second, third and final reading; and be signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

20. 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, April 18, 2023 – 6:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

MINUTES

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 Laferriere at 6:00 p.m.

2. Roll Call

Council: Mayor Jeff Laferriere; Councillors Melanie Ducharme, Jesse Foley, Ian Graydon, Danny Whalen (Electronically), and Mark Wilson (Electronically)

Present: Amy Vickery, City Manager
Kelly Conlin, Municipal Clerk
Shelly Zubyck, Director of Corporate Services
Matt Bahm, Director of Recreation
Stephanie Leveille, Municipal Treasurer
Steve Burnett, Manager of Environmental Services
Brad Hearn, IT Administrator

Regrets: Councillor Nadia Pelletier-Lavigne

Media: 1

Members of the Public: 1

3. Review of Revisions or Deletions to Agenda

Under Section New Business Item 14 g)

Administrative Report CS-016-2023 – Memorandum of Understanding with the Timiskaming Health Unit – Community Safety and Well-Being Plan

Under Section By-Laws 15)

By-Law 2023-049 Being a By-Law to enter into a Memorandum of Understanding with the Timiskaming Health Unit for the purpose of the implementation of the Community Safety and Well-Being Plan

4. Approval of Agenda

Resolution No. 2023-123

Moved by: Councillor Wilson

Seconded by: Councillor Whalen

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

Carried

5. Disclosure of Pecuniary Interest and General Nature
None

6. Review and adoption of Council Minutes

Resolution No. 2023-124

Moved by: Councillor

Seconded by: Councillor

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

- a) Regular Meeting of Council – March 21, 2023
- b) Special Meeting of Council – March 28, 2023
- c) Committee of the Whole Meeting – April 4, 2023

Carried

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

None

8. Presentations / Delegations

None

9. Communications

a) Danielle Manton, Clerk, City of Cambridge

Re: Resolution of Support – Barriers for Women in Politics

Reference: Received for Information

b) Laura Vaisanen, Deputy Clerk, Township of Lake of Bays

Re: Resolution of Support – Municipal Oath of Office

Reference: Received for Information

c) Sandra Carmicheal, Corporate Services Coordinator, Municipality of Calvin

Re: Resolution of Support – Moratorium on Pupil Accommodation

Reference: Received for Information

d) Monique Chartrand, Executive Director, Victim Services of Temiskaming & District

Re: Proclamation Request - Victim and Survivors of Crime Week

Reference: Request presented under New Business for consideration

e) Honourable Doug Downey, Attorney General for the Province of Ontario

Re: Update on POA Modernization and Streamlining Initiatives

Reference: Received for Information

- f) Michelle Sownski, Communications and Executive Coordinator, DTSSAB

Re: 2022 Annual Report

Reference: Received for Information

- g) Michelle Sownski, Communications and Executive Coordinator, DTSSAB

Re: Resolutions of Support for AMO and Canadian Alliance to End Homelessness

Reference: Received for Information

- h) Robert Baker, Management Forester – Temagami Forest

Re: 2023-2024 Annual Works Schedule for the Temagami Forest

Reference: Received for Information

- i) Staci Landry, Deputy Clerk, City of Owen Sound

Re: Resolution of Support – Municipal Insurance Costs

Reference: Received for Information

- j) Amberly Spilman, Executive Assistant to the CAO and Deputy Clerk, Town of Kirkland Lake

Re: Resolution of Support – Affordable Housing and Homelessness Call to Action

Reference: Received for Information

- k) Amberly Spilman, Executive Assistant to the CAO and Deputy Clerk, Town of Kirkland Lake

Re: Resolution of Support – Ontario School Board Election

Reference: Received for Information

Resolution No. 2023-125

Moved by: Councillor Graydon

Seconded by: Councillor Ducharme

Be it resolved that the Council for the City of Temiskaming Shores agrees to deal with Communications Items 10 a) through k) in accordance with agenda references.

Carried

10. Committees of Council – Community and Regional

Resolution No. 2023-126

Moved by: Councillor

Seconded by: Councillor

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

- a) Minutes from the Bicycle Friendly Community Committee meeting held on October 25, 2022;
- b) Minutes of the Climate Change Committee meeting held on January 24, 2023
- c) Minutes of the District of Timiskaming Social Services Administration Board meeting held on February 1, 2023;
- d) Minutes of the Temiskaming Shores Public Library Board meeting held on February 22, 2023;
- e) Minutes of the Timiskaming Health Unit Board of Health meeting held on March 1, 2023; and
- f) Minutes of the Temiskaming Transit Committee meeting held on March 16, 2023

Carried

11. Committees of Council – Internal Departments

Resolution No. 2023-127

Moved by: Councillor Foley

Seconded by: Councillor Graydon

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

- a) Minutes of the Public Works Committee meeting held on March 16, 2023

Carried

12. Reports by Members of Council

Councillor Mark Wilson provided Council with a summary of the annual meeting with the City representatives and the Ministry of Transportation.

Councillor Wilson highlighted the recent speed change to 70 km/hr on a section of Highway 11 from just south of the Highway 11/11B lights to past the St. Michel school entrance. A further speed reduction is also planned for a 60 km zone, along with flashing amber lights during school hours at St. Michel school.

Councillor Wilson also updated Council on capital projects being undertaken by the Ministry of Transportation along the Highway 11 corridor.

Mayor Laferriere announced the recent hiring of a new Inspector and Detachment Commander for the Temiskaming Detachment of the Ontario Provincial Police. The Mayor welcomed and congratulated Ryan Dougan on behalf of Council.

13. Notice of Motions

14. New Business

a) Proclamation Request – Victims and Survivors of Crime Week

Resolution No. 2023-128

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Whereas, each year Victims and Survivors of Crime Week is recognized to raise awareness of services and supports for persons harmed by crime and violence. This year's theme is "The Power of Collaboration"; and

Whereas this week seeks to offer a greater understanding of victim issues and recognizes the tireless efforts of frontline victim services staff, advocates and professionals working in the criminal justice system who support and offer information and assistance to survivors; and

Whereas support for victims is imperative in an effort to help them through challenging and traumatic experiences and helps foster feelings of resilience and courage. Community support, advocacy and public demonstrations of support help promote the community's capacity for compassion and provides the opportunity for open dialogue in understanding the impact of crime and violence on society; and

Whereas the City of Temiskaming Shores is committed to community safety and the wellbeing of its residents.

Now therefore I, Mayor Jeff Laferriere, on behalf of the Council, do hereby proclaim May 14 to May 20, 2023, as “Victims and Survivors of Crime Week” in the City of Temiskaming Shores.

Carried

b) Approval of Council meeting Schedule – May 2023 to December 2023

Resolution No. 2023-129

Moved by: Councillor Whalen

Seconded by: Councillor Wilson

Whereas By-law No. 2023-022 (Procedural By-law), indicates that Committee of the Whole meetings of Council shall be held on the first Tuesdays of each month commencing at 3:00 p.m. and that Regular meetings of Council shall be held on the third Tuesday of each month commencing at 6:00 p.m.; and further that

For the months of July and August, Committee of the Whole shall be held on the 2nd Tuesday of the month commencing at 3:00 p.m., followed by a Regular meeting, unless otherwise decided by Council.

Now therefore be it resolved that Council for the City of Temiskaming Shores does hereby confirm the following schedule of meetings for the months of May 2023 to December 2023:

Tuesday, May 2, 2023	Committee of the Whole
Tuesday, May 16, 2023	Regular Meeting
Tuesday, June 6, 2023	Committee of the Whole
Tuesday, June 20, 2023	Regular Meeting
Tuesday, July 11, 2023	Committee of the Whole/Regular Meeting
Tuesday, August 8, 2023	Committee of the Whole/Regular Meeting
Tuesday, September 5, 2023	Committee of the Whole
Tuesday, September 19, 2023	Regular Meeting
Tuesday, October 3, 2023	Committee of the Whole
Tuesday, October 17, 2023	Regular Meeting
Tuesday, November 7, 2023	Committee of the Whole
Tuesday, November 21, 2023	Regular Meeting
Tuesday, December 5, 2023	Committee of the Whole
Tuesday, December 19, 2023	Regular Council Meeting

Carried

c) **Administrative Report PW-006-2023 – Tender Award for Granular M**

Resolution No. 2023-130

Moved by: Councillor Foley
Seconded by: Councillor Ducharme

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-006-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Miller Paving Limited, for supply and delivery of Granular “M” (estimated 12,000 t) in the amount of \$12.95 per ton for a total of \$155,400.00, plus applicable taxes, for consideration at the April 18, 2023, Regular Council meeting.

Carried

d) **Memo No. 013-2023-CS – Branch 54 – Haileybury Legion – Frog’s Breath Application**

Resolution No. 2023-131

Moved by: Councillor Whalen
Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 013-2023-RS; and

That Council for the City of Temiskaming Shores approve the request from the Haileybury Legion Branch 54 and agrees to sponsor their application in the amount of \$75,000 to the Frog’s Breath Foundation, to help fund their main hall renovation project.

Carried

e) **Administrative Report CS-014-2023 – Compressed Workweek Pilot – HR Policy**

Resolution No. 2023-132

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-014-2023;

That Council adopts the draft policy in principal and directs staff to implement a pilot Compressed Workweek Schedule as outlined in the draft policy for the period of May 7th, 2023 to October 7th, 2023; and

That Council directs staff to prepare a follow-up report for Council's consideration upon the completion of the pilot program.

Carried

f) **Administrative Report CS-015-2023 – 2023 Tax Ratios & Tax Rates**

Resolution No. 2023-133

Moved by: Councillor Whalen

Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-015-2023;

That Council directs staff to prepare the necessary by-laws utilizing the Revenue Neutral Tax Ratios for 2023 calculated using a phased-in elimination of the subclass reduction factors for consideration at the April 18, 2023 Regular Council meeting.

That Council directs staff to prepare the necessary by-laws utilizing the 2023 Tax Rates and Water/Sewer Rates for consideration at the April 18, 2023 Regular Council meeting.

That Council directs staff to prepare the necessary by-law to incorporate a two dollar (\$2.00) increase to the Special Tax Levy for Enhanced Program under the City of Temiskaming Shores Solid Waste Management Program (By-law 2014-172) as presented within the 2023 budget for consideration at the April 18, 2023 Regular Council meeting.

Carried

g) Administrative Report CS-016-2023 – Community Safety and Well-Being Plan Implementation & Memorandum of Agreement with the Board of Health for the Timiskaming Health Unit

Resolution No. 2023-134

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-016-2023;

That Council directs staff to prepare the necessary by-law to enter into a Memorandum of Agreement with the Board of Health of the Timiskaming Health Unit for consideration at the April 18, 2023 Regular Council meeting; and

That in recognition as one of the largest municipalities and highest apportioned cost, the City of Temiskaming Shores take an active role in providing direction, input and support to the implementation, monitoring, evaluation and reporting and requests representation within the governance structure of the Multi-Stakeholder Steering Committee; and further

That Council approves the contribution of no more than \$33,860 for the term of May 1, 2023 to April 30, 2024 under the Memorandum of Agreement between the Board of Health for the Timiskaming Health Unit, to be offset by other funding sources such as municipal contributions, donations, provincial funding, etc. received during the Agreement period where possible.

Carried

15. By-Laws

Resolution No. 2023-135

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Be it resolved that:

By-law No. 2023-036	Being a by-law to amend By-Law 2019-103 for the amendment of Schedule C to identify the operation and maintenance of the Haileybury landfill and the addition of Schedule E being an agreement with Phippen Waste Management for the operation and maintenance of the New Liskeard landfill
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By-law No. 2023-037	Being a by-law to enter into an agreement with Grass King Ltd. for Asphalt Markings and Symbol Painting Services
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By-law No. 2023-038	Being a by-law to amend By-Law 2013-054 to extend the agreement with WSP (Formerly Wood) for one year (2023) for the annual landfill monitoring
By-law No. 2023-039	Being a by-law to enter into an agreement with Toromont/CIMCO for the replacement of the Don Shepherdson Memorial Arena Condenser
By-law No. 2023-040	Being a by-law to adopt Amendment No.3 to the City of Temiskaming Shores Official Plan for Bill 109 and Bill 23 Planning Act Amendments
By-law No. 2023-041	Being a by-law to amend By-Law No. 2017-154 (Zoning By-Law) to establish the provisions for additional dwelling units as a result of Bill 23, More Homes Built Faster Act
By-law No. 2023-042	Being a by-law to amend By-Law 2018-097 (Site Plan Control) to include provisions for the municipality's ability to apply Site Plan Control to defined residential units as a result from Bill 23, More Homes Built Fast Act
By-law No. 2023-043	Being a by-law to adopt the Municipal Budget for 2023
By-law No. 2023-044	Being a by-law to establish Tax Ratios for 2023
By-law No. 2023-045	Being a by-law to provide for the adoption of 2023 tax rates for municipal and school purposes and to further provide penalty and interest for payment in default
By-law No. 2023-046	Being a by-law with respect to water and sewer service rates for 2023
By-law No. 2023-047	Being a by-law to impose a Special Tax Levy under the City of Temiskaming Shores Solid Waste Management Program
By-law No. 2023-048	Being a by-law to enter into an agreement with Miller Paving Limited for the Supply and Stockpile of Granular "M"

By-law No. 2023-049 Being a by-law to enter into a Memorandum of Understanding with the Timiskaming Health Unit for the implementation of the Community Safety and Well-Being Plan

be hereby introduced and given first, second and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

16. Schedule of Council Meetings

- a) Committee of the Whole – May 2, 2023 at 3:00 p.m.
- b) Regular Council Meeting – May 16, 2023 at 6:00 p.m.

17. Question and Answer Period

None

18. Closed Session

None

19. Confirming By-law

Resolution No. 2023-136

Moved by: Councillor Graydon

Seconded by: Councillor Whalen

Be it resolved that By-law No. **2023-050** 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 **April 18, 2023** be hereby introduced and given first, second, third and final reading; and be signed by the Mayor and Clerk and the Corporate Seal affixed thereto.

Carried

20. Adjournment

Resolution No. 2023-137

Moved by: Councillor Wilson

Seconded by: Councillor Graydon

Be it resolved that Council hereby adjourns its meeting at 6:33 p.m.

Carried



The Corporation of the City of Temiskaming Shores
Committee of the Whole
Tuesday, May 2, 2023 – 3:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

MINUTES

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 Laferriere at 3:00 p.m.

2. Roll Call

Council: Mayor Jeff Laferriere; Councillors Melanie Ducharme, Jesse Foley, Ian Graydon, Nadia Pelletier-Lavigne, Danny Whalen, and Mark Wilson

Present: Amy Vickery, City Manager
Kelly Conlin, Municipal Clerk
Shelly Zubyck, Director of Corporate Services
Matt Bahm, Director of Recreation
Steve Burnett, Manager of Environmental Services
Mitch McCrank, Manager of Transportation Services
Stephanie Leveille, Municipal Treasurer
Steve Langford, Fire Chief
Jennifer Pye, Planner

Regrets: None

Media: 2

Members of the Public: 0

3. Review of Revisions or Deletions to the Agenda

Under Section 7 a) – Presentations/Delegations

Councillor Pelletier-Lavigne – Ontario Good Roads Conference

4. Approval of the Agenda

Resolution No. 2023-138

Moved by: Councillor Wilson

Seconded by: Councillor Ducharme

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

Carried

5. Disclosure of Pecuniary Interest and General Nature

None

6. Public Meetings Pursuant to the Planning Act, Municipal Act, and Other Statutes

None

7. PUBLIC WORKS

a) Delegations/Presentations

Report – Councillor Whalen – Ontario Good Roads Conference

Councillor Danny Whalen provided Council with a summary of his attendance at the Ontario Good Roads Conference. Councillor Whalen attended on behalf of FONOM, however was able to participate in the City delegation with the Ministry of Infrastructure; which put the City's concerns on their radar. In addition, Councillor Whalen was able to presented northern Ontario issues to a variety of Ministers and ministry staff.

Report – Councillor Wilson – Ontario Goods Roads Conference

Councillor Mark Wilson provided Council with information relating to the multiple sessions he attended on behalf of the City. These included a session relating to Minimum Maintenance Standards; and the Ministry of Labour; as well as presentations by several engaging Keynote speakers. Overall Councillor Wilson stated that it was an excellent conference which provided a significant opportunity to speak with stakeholders, Ministers and other officials in the municipal sector.

Report – Councillor Pelletier-Lavigne – Ontario Goods Roads Conference

Councillor Nadia Pelletier-Lavigne reported on her attendance at a variety of presentations by Keynote speakers with topics such as Better Roads and Streets, Keeping up with Queen's Park, Rural Road Safety; and the Let's remember Adam Campaign. Councillor Pelletier-Lavigne appreciated the opportunity to attend on the City's behalf; and described the experience as high-quality with good information and networking opportunities.

b) Memo No. 008-2023-PW – 2023 Roads Program**Resolution No. 2023-139**

Moved by: Councillor Whalen

Seconded by: Councillor Pelletier-Lavigne

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 008-2023-PW; and

That Council directs staff to prepare the necessary follow up report and associated by-law to enter into an agreement with the successful bidder of the Request for Tender for the 2023 Roads Rehabilitation Program for consideration at the May 16, 2023 Regular Council meeting.

Carried

c) Memo No. 009-2023-PW – Albert Street Reconstruction

Resolution No. 2023-140

Moved by: Councillor Foley
Seconded by: Councillor Ducharme

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 009-2023-PW; and

That Council directs staff to prepare the necessary follow up report and associated by-law to enter into an agreement with the successful bidder of the Request for Tender for the Albert Reconstruction for consideration at the May 16, 2023 Regular Council meeting.

Carried

d) Administrative Report PW-007-2023 – Household Hazardous Waste Collection Event

Resolution No. 2023-141

Moved by: Councillor Graydon
Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-007-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with GFL Environmental Services Inc. allowing for the provisions of collection and disposal services for the Household Hazardous Waste Collection Event on June 3, 2023 for consideration at the May 16, 2023 Regular Council meeting.

Carried

e) Administrative Report PW-008-2023 – Award – New Liskeard Landfill Equipment Storage Building

Resolution No. 2023-142

Moved by: Councillor Wilson
Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-008-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with G. Belanger Construction for the construction of an equipment

storage building at the New Liskeard Landfill in the amount of \$224,243.00 plus applicable taxes, for consideration at the May 16, 2023 Regular Council meeting.

Carried

f) Operational Update: Memo No. 010-2023-PW – Environmental Department Report

Resolution No. 2023-143

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 010-2023-PW for information purposes.

Resolution No. 2023-144

Moved by: Councillor Pelletier-Lavigne

Seconded by: Councillor Graydon

Be it resolved that Council directs staff to prepare the necessary Purchase Order in the amount of \$77,525.75 plus applicable taxes to Xylem for the emergency purchase a Flyght pump for the Farr Drive pumping station.

Carried

8. RECREATION SERVICES

a) Delegations

None

b) Administrative Report RS-010-2023 – Award - Seasonal Ice Plant Maintenance

Resolution No. 2023-145

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-010-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Northland Group of Companies Ltd. for seasonal ice plant

maintenance in 2023, 2024 and 2025 in the amount of \$27,754.00, plus applicable taxes, for consideration at the May 16, 2023, Regular Council meeting.

Carried

c) Administrative Report RS-011-2023 –Award – Dog Park Lighting

Resolution No. 2023-146

Moved by: Councillor Whalen

Seconded by: Councillor Graydon

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-011-2023; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Miller Maintenance for the installation of park lighting at the Murray Daniels Dog Park in the amount of \$37,297.00 plus applicable taxes, for consideration at the May 16, 2023, Regular Council meeting.

Carried

**d) Memo No. 007-2023-RS – Greenhouse Gas Reduction Pathway
Feasibility Grant**

Resolution No. 2023-147

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 007-2023-RS;

That Council directs staff to finalize and submit the funding application to the Green Municipal Fund through the Federation of Canadian Municipalities for the Greenhouse Gas Reduction Pathway Feasibility Study.

Carried

e) Operational Update: Memo No. 008-2023-RS – Recreation Department Report

Resolution No. 2023-148

Moved by: Councillor Pelletier-Lavigne

Seconded by: Councillor Graydon

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 008-2023-RS for information purposes.

Carried

9. FIRE SERVICES

a) Presentations/Delegations

None

b) Fire Department Activity Report

Resolution No. 2023-149

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of the Fire Activity Report for the period February 7 – April 10, 2023 for information purposes.

Carried

10. CORPORATE SERVICES

a) Presentations/Delegations

None

b) Administrative Report CS-017-2023 – Lease Agreement – Haileybury Medical Centre – Dr. Smith

Resolution No. 2023-150

Moved by: Councillor Whalen

Seconded by: Councillor Pelletier-Lavigne

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-017-2023; and

That Council directs staff to prepare the necessary by-law to enter into a two-year (2) lease agreement with Dr. Phillip Smith for use of space at the Haileybury Medical Centre for consideration at the May 16, 2023 Regular Council meeting.

Carried

c) Administrative Report No. CS-018-2023 – Amendments to Traffic and Parking By-law 2012-101 – Accessible Parking Spaces

Resolution No. 2023-151

Moved by: Councillor Wilson

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-018-2023; and

That Council directs staff to prepare the necessary by-law to amend By-Law 2012-101 being the Traffic and Parking By-law to revise certain provisions relating to the dimensions and number of accessible parking spaces required in off-street parking areas and the locations and details of certain accessible parking spaces contained in Appendix 18; for consideration at the May 16, 2023 Regular Council meeting.

Carried

d) Administrative Report No. CS-019-2023 – Sale of Land – 1739549 Ontario Inc

Resolution No. 2023-152

Moved by: Councillor Graydon

Seconded by: Councillor Pelletier-Lavigne

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 019-2023-CS; and

That the property identified as Lot 16 Parcel 22122SST PT be declared as surplus to municipal needs; and further acknowledges that the purchaser will pay for a legal survey to remove the portion of the property that encompasses the drainage ditch that shall remain the property of the City; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with 1739549 Ontario Inc. to complete the sale of City owned land in the amount of \$10,000.00, plus applicable taxes and legal fees for consideration at the May 16, 2023 Regular Council meeting.

Carried

e) Memo No. 014-CS-2023 – Meeting Follow up – Ministry of Solicitor General

Resolution No. 2023-153

Moved by: Councillor Wilson

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 014-2023-CS for information purposes.

Carried

f) Memo No. 015-CS-2023 – Proclamation Requests

Resolution No. 2023-154

Moved by: Councillor Graydon

Seconded by: Councillor Whalen

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 015-2023-CS for information purposes.

Carried

Proclamation Request – Emergency Preparedness Week

Resolution No. 2023-155

Moved by: Councillor Foley

Seconded by: Councillor Ducharme

Whereas the City of Temiskaming Shores recognizes the importance of Emergency Management in Ontario; and

Whereas the goal of Emergency Preparedness Week is to raise community awareness and the need to prepare for the possibility of an emergency; and

Whereas the safety of our community is the responsibility of each and every one of us, we must prepare now and learn how to secure a strong and healthy tomorrow;

Now Therefore Be It Resolved That Council for the City of Temiskaming Shores does hereby proclaim May 7 to May 13, 2023 as Emergency Preparedness Week, in the City of Temiskaming Shores.

Carried

Proclamation Request – Paramedic Services Week

Resolution No. 2023-156

Moved by: Councillor Graydon

Seconded by: Councillor Pelletier-Lavigne

Whereas the third week in May of each year is recognized across North America as Paramedic Services Week by municipalities, Paramedic organizations and associations, as well as other levels of government; and

Whereas the 2023 Paramedic Services Week is May 21-27, 2023; and

Whereas the District of Timiskaming Social Services Administration Board Emergency Medical Services serve the people of the district every day, we take the opportunity to recognize the exceptional service they provide, from their prompt and compassionate response to our citizens in urgent need to the supportive role of Community Paramedics; and

Whereas Paramedics dedicate their lives to public service, and their skills often make the difference when community members are at their most vulnerable; and

Whereas access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas the services, dedication and commitment of our highly trained Paramedics deserves to be recognized and honoured; and

Whereas the City of Temiskaming Shores wishes to recognize the important contribution of the 63 full-time and part-time paramedics who work out of three bases across the district, as well as recognize the Paramedics across Canada;

Now Therefore Be It Resolved That I do hereby proclaim May 21-27, 2023, as 'Paramedic Services Week' in the City of Temiskaming Shores and urge our fellow community members to recognize the vital contributions provided by all Paramedics in the district of Timiskaming.

Carried

g) Memo No. 016-CS-2023 – Fence Viewing Appointment and Repealing Appointments

Resolution No. 2023-157

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 016-2023-CS.

That Council directs staff to prepare the necessary by-law to amend By-Law 2005-122 for the purpose of appointing Melvin Bursey as a municipal fence viewer; and further to prepare a by-law to repeal all the applicable previous appointments for consideration at the May 16, 2023 Regular Council meeting.

Carried

11. Schedule of Council Meetings

- a) Regular Meeting of Council – May 16, 2023 starting at 6:00 p.m.
- b) Committee of the Whole – June 6, 2023 starting at 3:00 p.m.

12. Closed Session

Resolution No. 2023-158

Moved by: Councillor Whalen

Seconded by: Councillor Graydon

Be it resolved that Council agrees to convene in Closed Session at 4:30 p.m. to discuss the following matters:

- a) Adoption of the December 20, 2022 Closed Session Minutes;
- b) Under Section 239 (2) (h) of the Municipal Act, 2001 – information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them – Haileybury Medical Centre

Carried

Resolution No. 2023-159

Moved by: Councillor Wilson

Seconded by: Councillor Ducharme

Be it resolved that Council agrees to rise with report from Closed Session at 4:56 p.m.

Carried

Matters from Closed Session

Adoption of the December 20, 2022 Closed Session Minutes

Resolution No. 2023-160

Moved by: Councillor Graydon

Seconded by: Councillor Wilson

Be it resolved that Council approves the following as printed:

- a) December 20, 2022 Closed Session Minutes

Carried

- b) Under Section 239 (2) (h) of the Municipal Act, 2001 – information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them – Haileybury Medical Centre

Council provided staff with direction.

13. Adjournment

Resolution No. 2023-161

Moved by: Councillor Ducharme

Seconded by: Councillor Wilson

Be it resolved that Council hereby adjourns its meeting at 4:59 p.m.

Carried



March 13, 2023

SENT BY EMAIL lbelanger@temiskamingshores.ca

Logan Belanger, Municipal Clerk
City of Temiskaming Shores – Mayor and Council Members
PO Box 2050, 325 Farr Drive
Haileybury, ON P0J 1K0

Dear Logan,

RE: Elder Abuse Awareness Day 2023

On behalf of the Timiskaming Elder Abuse Task Force, I am writing to make a request to Council that they proclaim Wednesday, June 15, 2023 as "Elder Abuse Awareness Day - RIGHTS DON'T GET OLD" in the City of Temiskaming Shores. We are also planning a Spring Fling Luncheon for seniors at Riverside Place on June 21. This event is meant to treat our seniors to a day of entertainment, luncheon and to provide education about Elder Abuse.

We would be honored if you would support us by signing the attached proclamation regarding **Elder Abuse Awareness Day 2023**.

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

Thank you.

(sent by email)

Monique Chartrand
Board Chair
Timiskaming Elder Abuse Task Force
Email: ed@tdvictimservices.ca

Temiskaming Office
P.O. Box 1312, 300 Armstrong St. N.
New Liskeard, Ontario P0J 1P0
(705) 647-0096
Email: ed@tdvictimservices.ca

Kirkland Lake Office
(705) 568-2154
Website: www.tdvictimservices.ca

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto (Ontario) M7A 2J3
Tél. : 416 585-7000



234-2023-1754

April 6, 2023

Good afternoon,

Today, our government announced further action to tackle the housing supply crisis and reach our goal of 1.5 million homes by 2031. The *Helping Homebuyers, Protecting Tenants Act* is the latest in a series of steps our government is taking to increase housing supply and help more Ontarians find a home they can actually afford.

Despite external economic challenges that are slowing down new home construction, including inflation and soaring interest rates, Ontario's plan to build more homes faster is working – with the highest number of housing starts in more than 30 years in 2021 and 2022, and the highest number of rental housing starts on record last year.

Details about the range of measures in our plan can be found in the [news release here](#).

As part of the plan, our government is introducing a new province-wide planning policy document that would provide municipalities with more flexibility, reduce duplication, create more homes in urban and rural communities, support local economies and create jobs while continuing to protect the environment (including existing Greenbelt protections), and public safety. It would also require coordination between municipalities and school boards to consider school and childcare needs earlier in the planning process, so that families moving to new housing can expect that local schools will be available for their children.

Ontario is undertaking a 60-day consultation on the proposed new Provincial Planning Statement until June 6, 2023 <https://ero.ontario.ca/notice/019-6813>.

In addition, the plan contains numerous actions to further tackle Ontario's housing crisis, including:

- A \$6.5 million investment to appoint an additional 40 adjudicators and hire five staff to improve service standards and continue to reduce active applications and decision timeframes at the Landlord and Tenant Board. This increase more than doubles of the number of full-time adjudicators at the Landlord Tenant Board.

- Proposed changes to make life easier for renters, with changes that would, if passed, clarify and enhance tenants' rights to install air conditioners. We are proposing to further strengthen protections against evictions due to renovations, demolitions and conversions, as well as those for landlord's own use.
- Proposed changes to the *Planning Act*, *City of Toronto Act*, and *Ministry of Municipal Affairs and Housing Act* to support the proposed new Provincial Planning Statement as well as other housing supply priorities.
- Doing more to protect first-time home buyers and their savings by expanding deposit insurance for First Home Savings Accounts held at Ontario credit unions.
- We are exploring a cooling-off/cancellation period on purchases of new freehold homes, and a requirement that purchasers of all new homes receive legal advice on their purchase agreements when they make one of the biggest purchases of their lives – a new home.

These and other related consultations can be found through the [Environmental Registry of Ontario and the Ontario Regulatory Registry](#).

Our plan was informed by AMO's 2022 A Blueprint for Action and ROMA's 2022 Task Force Report on Attainable Housing and Purpose-Built Rentals. These changes build on our continued work to provide a solid foundation to address Ontario's housing supply crisis over the long term and will be supplemented by continued action in the future.

The housing supply action plan is the latest in a series of steps our government is taking to increase housing supply and help more Ontarians find a home they can afford. We look forward to continued collaboration with our municipal partners to create the homes that Ontarians need today, tomorrow and in the decades to come.

Sincerely,



Steve Clark
Minister

c. Chief Administrative Officer

EARLTON-TIMISKAMING REGIONAL AIRPORT FEBRUARY 2023

REVENUE

	<u>ACTUAL</u>	<u>YTD</u>
Fuel	\$29,943	\$242,298
FedNor		\$912,500
Operations	\$10,414	\$323,611
	<hr/>	<hr/>
	\$40,357	\$1,478,409

EXPENSES

Fuel	\$24,616	\$215,214
Operations	\$54,567	\$390,285
	<hr/>	<hr/>
	\$79,183	\$605,499

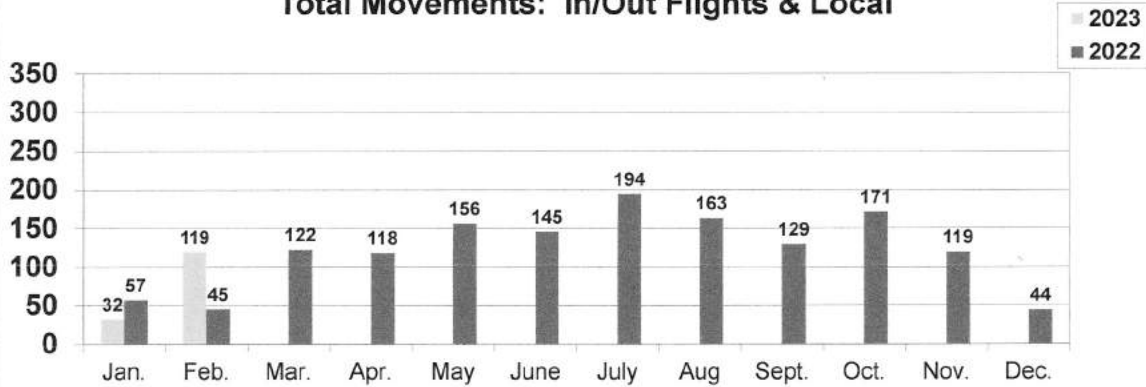
NET PROFIT/LOSS

Fuel	\$5,327	\$27,084
Operations	-\$44,153	\$845,826
Capital Expenses		-\$195,000
	<hr/>	<hr/>
	-\$38,826	\$677,910

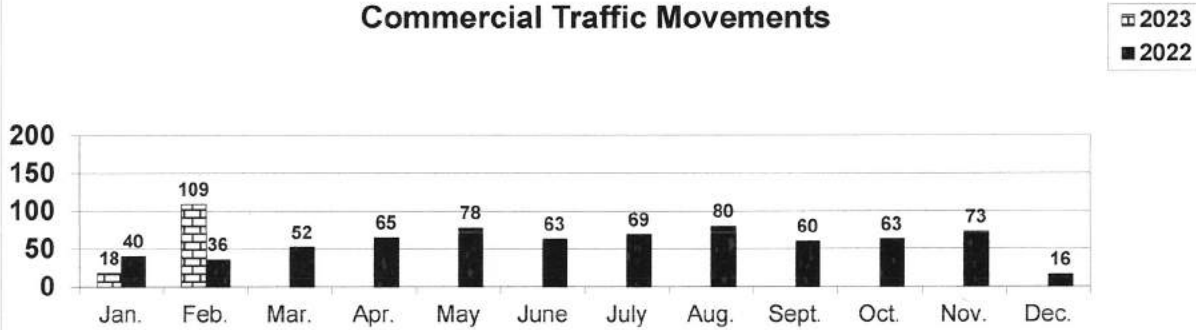
<u>FUEL INVENTORY - JET A1</u>	\$	22,913
<u>FUEL INVENTORY - AVGAS</u>	\$	15,500
<u>FUEL INVENTORY - DIESEL</u>	\$	5,884

ANNUAL AIRCRAFT MOVEMENTS

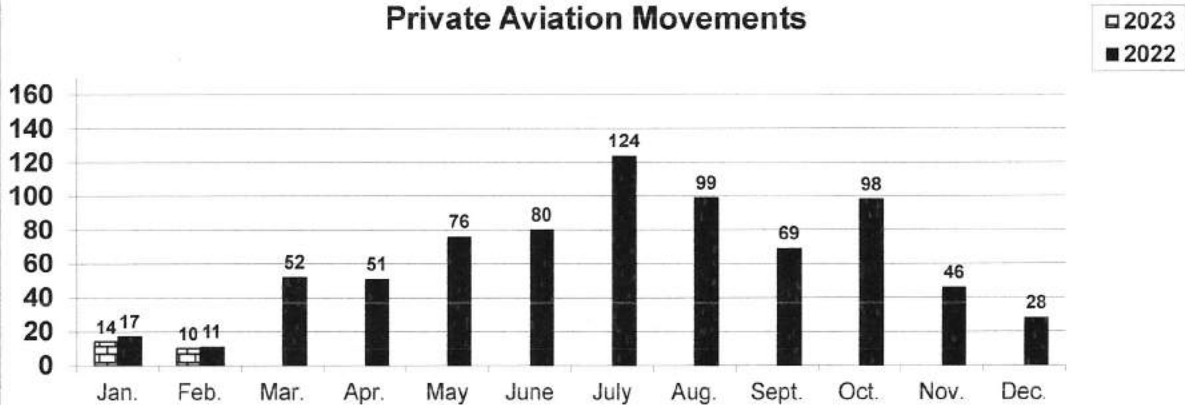
Total Movements: In/Out Flights & Local



Commercial Traffic Movements

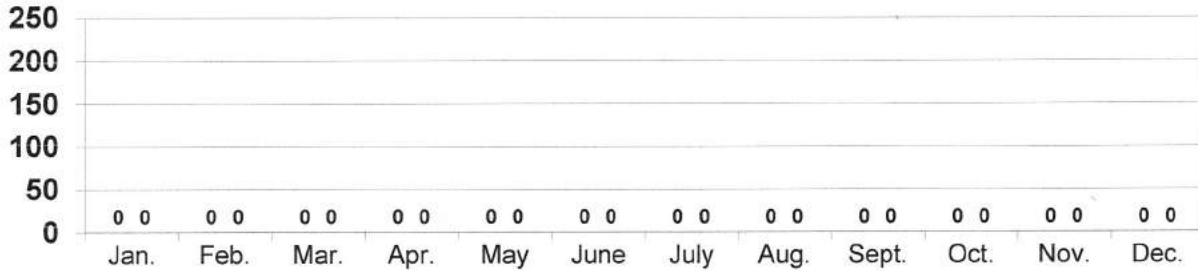


Private Aviation Movements



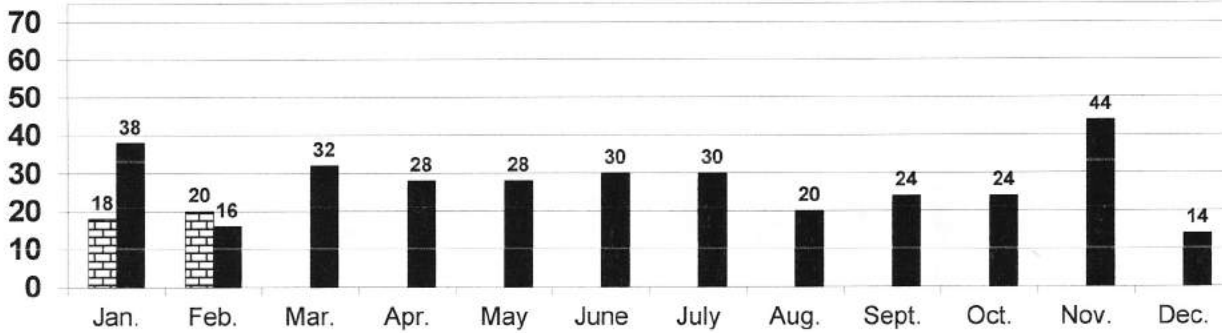
Air Carriers Movements

2023
2022



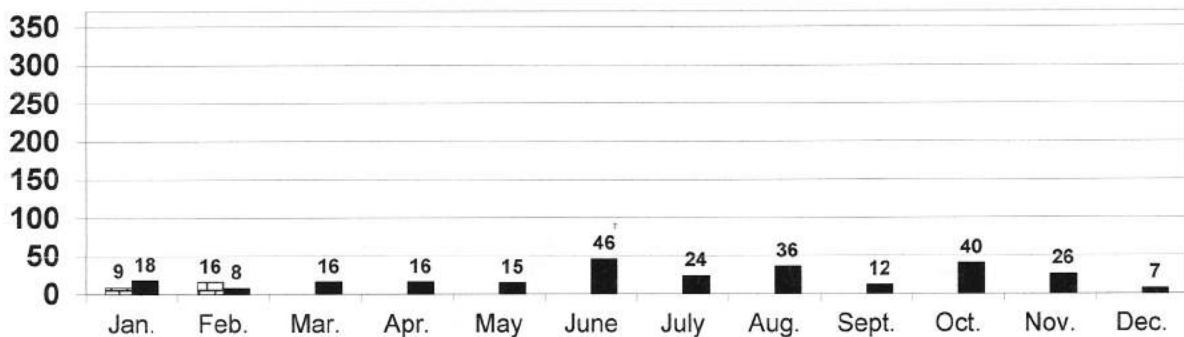
Air Ambulance Movements

2023
2022



Pgrs. via Air Charter

2023
2022



Community Contribution Summary
2022 Sharing Contribution
Per Capita Contribution - \$9.33

<u>Community</u>	<u>Population</u>	<u>Contribution</u>	<u>Paid</u>
Armstrong	1166	\$10,879	\$10,879.00
Casey	368	\$3,433	\$3,433.00
Chamberlain	332	\$3,098	\$3,098.00
Charlton and Dack	686	\$6,400	\$6,400.00
Coleman	595	\$5,551	\$5,551.00
Englehart	1479	\$13,799	\$13,799.00
Evanturel	449	\$4,189	\$4,189.00
Harley	551	\$5,141	\$5,141.00
Hilliard	223	\$2,081	\$2,081.00
Hudson	503	\$4,693	\$4,693.00
Temiskaming Shores	9920	\$92,554	\$92,554.00
Thornloe	112	\$1,045	\$1,045.00
Total Contributions	16384	\$152,863	\$152,863.00

Donation

Kerns	358	\$3,340	\$3,340.00
Total Contributions		\$156,203	\$156,203

As of February 28, 2023

To: Chair of the Board, Earlton-Timiskaming Regional Airport Authority

From: James Smith, Manager, Earlton-Timiskaming Regional Airport, The Loomex Group

Date: March 13, 2023

Re: Managers Report, February 2023

Miscellaneous Updates:

This month of February proved to be one of the busiest we have seen since 2018. We recorded a total of 119 movements compared to 45 in 2022.

Most of these movements were helicopter traffic, we had a survey crew in for just over a week with a large magnetometer on a long line working around Cobalt as well as 4 Great Lakes helicopters that make an annual pilgrimage to Elk Lake area for winter training. This boosted our fuel sales on both Avgas and Jet.

We also had 2 charters through including a group from the US, coming in to hit the snowmobile trails. Interestingly they flew in on a Lear Jet 31, it's the first one we have had into CYXR since I started here, including a visit from Search and Rescue C130 doing an exercise with TEMSAR, unfortunately they didn't take any fuel.



Learjet 31 at the pumps.

Infrastructure Issues:

The weather mid February presented us with some issues with our airfield electrical. We had about 4 days of warm weather above 0 that included 24 hours of plus 6 and rain that then dropped to minus 18 in less than 24 hours. Two days latter over the long weekend my phone lit up at about 2300 hrs.

The first call was from Ornge dispatch indicating that they had a flight trying to land at CYXR but the runway lights weren't working. As soon as I hung up from that call Toronto Centre that handles air traffic in this area called to indicate the same information, as soon as I hung up from that call London FIC (Flight Information Centre) called about the lights, I asked them to issue a NOTAM indicating we had no runway edge lights. This means that we could not have any aircraft arrive or depart after dusk until sunrise, we were operational through the day. As mentioned Ornge was advised of this and I was in contact with them throughout.

The following morning, we came out to further investigate the problem, initially we thought that the problem was with the regulator that powered the runway lights, when we activate the lights normally, we hear the regulator make a loud thump on start up and then a steady hum, we didn't get either of those indications.

Jean Caron our electrician was then called, fortunately he was able to come out immediately to assist, he reset some circuits and indicated that the regulator was working fine but we likely had a break in the runway lighting circuit, that could be anywhere. We determined water penetrated some of the pulpits that froze and caused the break.

We inspected a few pulpits and several had heavy ice accumulation and we would need a vac truck with steam to get rid of the ice to access the wiring for inspection. Jean had other work scheduled and wouldn't be available until Tuesday following the long weekend. I contacted Ray and Sons to be on standby for Tuesday afternoon.

On Tuesday the 21st, Jean and Max started off by locating the main feed to the runway circuit and started running jumper cables to the lights West of the main feed, if the lights worked then we would know that the problem was East of the main feed. We would then run a jumper across the runway to check the lights on the South side. The lights worked on the South side of the runway but not the North, so now it was a process of elimination running the jumper to the next light to see if we had a good circuit.

By the end of the day, we had located 6 breaks in the circuit but still had no lights meaning there were more breaks in the circuit, we did have Ray and Sons in to steam out about six pulpits that were full of ice.

On Wednesday we continued checking pulpits on the North side of the runway and eventually located the last break and were able to get the lights to function properly.

The NOTAM was pulled at noon on Wednesday afternoon.

In all we checked 11 pulpits and had 7 breaks in the circuit all along the North side of the runway.

Staff / Training:

Monthly safety meeting was held with a discussion about winter fatigue, shorter days mean that it may be harder to get up in the mornings, making staff feel rushed and disoriented when they get to work.

Winter fatigue can cause a decrease in hazard perception, productivity, and adherence to safety measures. It can also affect workers' mental health.

Poor mental health can be caused in winter due to SAD (Seasonal Affective Disorder)

Even though mental health doesn't fall under the OSHA recordable criteria, it's still a key hazard and, so, a key toolbox talk topic for a safe working environment.

Equipment:

All equipment is in good working order.

Correspondence:

A letter of thanks has been sent to Kerns Township for its donation of \$ 3,340.00.

I have attached a copy of a recent article from Darlene that appeared in the Speaker February 24th.

Winter Operations: 2021/2022 Summary

For the month of February, snow operations/clearing was activated nine times with two call outs outside of normal operational hours. There was a combined 16.5 hours of overtime.

Feb 05 23	15.24 dry snow	NA	NA	NA	SE 3-5
Feb 07 23	5 cm wet snow	NA	NA	NA	SE 15-20
Feb 10 23	6.25 cm wet snow	NA	NA	NA	NW 15-30
Feb 11 23	3.81 cm dry snow	NA	NA	6	S 10-20
Feb 15 23	+6 rain, to -18 over nite				
Feb 21 23	5.08 cm dry snow	NA	NA	1.5	N 15-30
Feb 24 23	5.08 cm dry snow	NA	NA	NA	S 10-15
Feb 26 23	5.08 cm dry snow	NA	NA	8	N 15-15
Feb 28 23	8.89 cm dry snow	NA	NA	1	E 5-10

Yours Truly,

Jamie Smith



Jamie Smith
Airport Manager | The Loomex Group
925-550 Airport Rd, Peterborough, ON, K9J 0E7
M: 613-484-4120 | O: 705-775-5022
Your Aviation and Emergency Management Specialists

WEEKENDER

THE SPEAKER'S
WEEKEND EDITION



Vol. 22 - No. 10

FRIDAY, FEBRUARY 24, 2023

Visit us on



Airport Authority seeking more support

Darlene Wroe
Local Journalism Initiative Reporter

HILLIARDTON - Representatives of the Earton-Timiskaming Regional Airport Authority will be reaching out to non-participating area municipalities in an attempt to convince them of the merit of joining and supporting the airport.

The Airport Authority is a partnership of a number of area municipalities who deem it beneficial to the region to maintain and operate the airport.

The participating municipalities provide financial support to the airport to keep it operating.

The Authority also discussed the importance of updating the levies charged to the municipalities through the 2021 census numbers to ensure that the levies fairly represent the population changes that have occurred in the district in recent years.

The airport is a regional central point for air ambulance, corporate business flights in and out of the area, as well as private plane owners who can lease hangars there. Temiskaming Search and Rescue also has a base at the airport and the Hercules military aircraft frequently flies in for search and rescue training events. During a major forest fire in the region in 2019, the airport was used as a base by firefighting teams sent in to the area.

At the Airport Authority's February 16 meeting at the municipal hall in Hilliard Township (which is one of the participating municipalities), an agreement was reached to request financial support from the non-participating municipalities.

The airport had previously belonged to Transport Canada, but was transferred to Armstrong Township. Area municipalities agreed to provide financial support and, in 2016, it was decided to form the Airport Authority, which would be able to apply independently for grants to support capital projects.

Temiskaming Shores Mayor Jeff Laferriere is the chair of the board, taking the position held until re-



FAMILY DAY SKIERS

The Englehart Nordic Ski Club hosted a Family Day event at Kap-Kig-Iwan Provincial Park on February 20 where people could ski or snowshoe free of charge. Pictured beside the club's new Piston Bully groomer from the left are skiers Chrystal Ellerton, Henri Savarie, Adryan Peddie and Shawna Savarie. (Staff photo by Sue Nielsen)

cently by former mayor Carman Kidd. James Smith is the airport manager.

"Our fuel sales are significantly higher year over year," said Laferriere in an email interview after the meeting. He said there were 328 air ambulance movements in 2022. There has been a small increase in the number of charters with 264 in 2022, he added.

Airport Authority members have agreed to seek the support of the Federation of Northern Ontario Municipalities on the view that the airport is an integral part of the area's health care, with the goal of obtaining provincial financial support for the air-

port in that role.

The need to increase revenues at the airport was a main topic of discussion at the meeting as the Airport Authority approaches its 2023 budget. Laferriere stated at the meeting "there are a number of things we are going to have to look at for generating revenues." He added that the Airport Authority will also have to "develop some strategies."

The approval of the 2023 budget has been deferred to the March 16 meeting of the Airport Authority.

"We need to clarify a few items," Laferriere stated in the email.

The Best of Both Worlds 705-672-2488 1-888-672-2488

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CI ASSANTE
WEALTH MANAGEMENT

ROBERT A. NICHOLLS & ASSOCIATES
Financial Peace of Mind Starts at Assante

51 Armstrong St., New Liskeard 705-647-6838 www.nichollsandassociates.ca

April 20, 2023

SENT VIA EMAIL ONLY

Hon. Doug Ford, Premier of Ontario
Legislative Assembly of Ontario
111 Wellesley St. W.
Toronto, ON M7A 1A2

Dear Premier Ford:

RE: Motion – Opposition to Enbridge Gas’ Proposed Utility Field Locate Fee

At its meeting held April 18, 2023, Council of The Corporation of the Town of Kirkland Lake ratified the following Motion:

*“Moved by: Mayor Stacy Wight
Seconded by: Councillor Rick Owen*

WHEREAS Enbridge recently made an announcement of their intention to begin charging third-party contractors and other utilities \$200.00 CAD (plus applicable taxes) for utility locates where a field locate is required;

AND WHEREAS third-party contractors include Ontario municipalities;

AND WHEREAS these locate requests are only required where Ontario municipalities have allowed utilities to use municipal rights-of-ways at no charge to the utilities;

AND WHEREAS this announcement of new downloaded costs will negatively impact the budgets of Ontario municipalities which are already burdened;

AND WHEREAS if Enbridge is successful in implementing this new charge, a precedence is set for other utility companies to also begin charging for locates;

THEREFORE IT BE RESOLVED THAT Council for The Corporation of The Town of Kirkland Lake strongly opposes these utility locate costs being downloaded to Ontario municipalities by Enbridge Gas or other utilities;

AND THAT the Province of Ontario’s Ministry of Public and Business Service Delivery make it clear that these costs must be borne by the utilities themselves;

AND FINALLY THAT a copy of this motion be forwarded to the Premier of Ontario, Ministry of Public and Business Service Delivery (MPBSD), Ministry of Infrastructure (MOI), Ministry of Energy (MOE), MPP Cochrane-Timiskaming, MP Timmins-James Bay, Association of Ontario Municipalities (AMO), Federation of Northern Ontario Municipalities (FONOM), Association of Ontario Road Supervisors (AORS), and all municipalities within the District of Timiskaming.

CARRIED".

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

Sincerely,

A handwritten signature in black ink, appearing to be 'JM' with a stylized flourish.

Jennifer Montreuil
Municipal Clerk

CC. Hon. Minister Kaleed Rasheed, Ministry of Public Business Service Delivery (MPBSD)
Hon. Minister Kinga Surma, Ministry of Infrastructure (MOI)
Hon. Minister, Ministry of Energy (MOE)
Association of Municipalities of Ontario (AMO)
Federation of Northern Ontario Municipalities (FONOM)
John Vanthof, MPP Cochrane-Timiskaming
Charlie Angus, MP Timmins-James Bay
Timiskaming District Municipalities
Association of Ontario Road Supervisors (AORS)

April 20, 2023

SENT VIA EMAIL ONLY

Hon. Doug Ford, Premier of Ontario
Legislative Assembly of Ontario
111 Wellesley St. W.
Toronto, ON M7A 1A2

Dear Premier Ford:

**RE: Motion – Reinstatement of Legislation Permitting a Municipality to Retain
Surplus Proceeds from Tax Sales**

At its meeting held April 18, 2023, Council of The Corporation of the Town of Kirkland Lake ratified the following Motion:

*“Moved by: Mayor Stacy Wight
Seconded by: Councillor Casey Owens*

WHEREAS prior to being repealed by the Modernizing Ontario’s Municipal Legislation Act, 2017, Section 380(6) of the Municipal Act, 2001, as amended, allowed for a municipality to retain surplus proceeds from tax sales within their jurisdiction.

AND WHEREAS the Public Tax Sale process is burdensome to municipalities who invest a considerable amount of time and money recovering these proceeds for the potential sole benefit of the Crown in Right of Ontario.

THEREFORE BE IT RESOLVED THAT Council for The Corporation of The Town of Kirkland Lake directs the Mayor to send a letter, through the Office of the Municipal Clerk, to all relevant provincial taxation bodies urging them to re-instate previous legislation that permitted a municipality to apply for and retain the surplus proceeds from a tax sale within its jurisdiction.

AND FINALLY THAT a copy of this motion be sent to the Premier of Ontario, Ministry of Finance (MOF), Ministry of Municipal Affairs and Housing (MMAH), Association of Municipalities of Ontario (AMO), Federation of Northern Ontario Municipalities (FONOM), MPP Cochrane-Timiskaming, and all municipalities within the District of Timiskaming.

CARRIED”.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'JM' with a stylized flourish.

Jennifer Montreuil
Municipal Clerk

cc. Hon. Minister Peter Bethlenfalvy, Ministry of Finance (MOF)
Hon. Minister Steve Clark, Ministry of Municipal Affairs and Housing (MMAH)
Association of Municipalities of Ontario (AMO)
Federation of Northern Ontario Municipalities (FONOM)
John Vanthof, MPP Cochrane-Timiskaming
Timiskaming District Municipalities

April 26, 2023

Re: Item for Discussion - School Bus Stop Arm Camera

At its meeting of April 19, 2023, the Council of the Corporation of the Town of Bracebridge ratified motion 23-GC-079, regarding the Item for Discussion - School Bus Stop Arm Camera, as follows:

“WHEREAS almost 824,000 students travel in about 16,000 school vehicles every school day in Ontario and according to the Ministry of Transportation’s statistics the rate of vehicles failing to stop for a stopped school buses is over 30,000 times every day;

AND WHEREAS the Province of Ontario passed the Safer School Zones Act in 2017 which authorized the use of Automated School Bus Stop Arm Camera Systems to detect incidents where vehicles failed to stop when the school bus has the stop-arm extended (O. Reg. 424/20);

AND WHEREAS the Association of Municipalities (AMO) working on behalf of all Ontario Municipalities made its submission to the Standing Committee on General Government on May 21, 2019 in support of Administrative Monetary Penalties (AMPs) to be used to collect fine revenue for school bus stop arm infractions and other applications, including Automated Speed Enforcement (ASE) technologies deployed in school and community safety zones;

AND WHEREAS police resources cannot be spread any thinner to enforce additional Highway Traffic Act offences throughout municipalities;

AND WHEREAS the administrative and financial costs to establish the required municipal AMPs program under the Highway Traffic Act, and its regulations, are substantial and maybe out of reach for small or rural municipalities that have insufficient amounts of traffic to generate the required funds to offset the annual operational costs of a municipal AMPs program;

NOW THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Town of Bracebridge urges the Provincial Government to:

1. Require all school buses to have stop arm cameras installed and paid for by the Province for the start of the 2023-2024 school year; and
2. Underwrite the costs for the implementation and ongoing annual costs for Administrative Monetary Penalties in small and rural municipalities;

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, Attorney General Doug Downey, Minister of Education Stephen Lecce, Minister of Natural Resources and Forestry and MPP for Parry Sound-Muskoka Graydon Smith, Provincial opposition parties, AMO, and all municipalities in Ontario.”

1000 Taylor Court
Bracebridge, ON
P1L 1R6 Canada

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 "Lori McDonald". The signature is stylized with a large, looped "L" and "M".

Lori McDonald
Director of Corporate Services/Clerk



District of Timiskaming Social Services Administration Board
Conseil d'administration des services sociaux du district de Timiskaming
www.dtssab.com

April 20, 2023

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

Attn: Amy Vickery

Dear Amy:

Please find enclosed in your budget package, the following budget documents:

- a) 2023 Budget
- b) Municipal Billing Comparison 2023 (compared to 2022)

In 2023, as in every year, the DTSSAB will strive to maximize the financial contributions from senior levels of government in order to minimize the impact to municipalities. This year, the DTSSAB is faced with an increase in the municipal billing of \$238,546 or 3.53% compared to the 2022 municipal amount billed. In order to reduce the cost to municipalities, the Board will use \$200,000 from the working fund reserve, resulting in a net billing increase of \$80,966 or 1.20%.

The apportionment cost to the City of Temiskaming Shores will be as follows:

2023 Apportionment	\$2,443,950	2022 Apportionment	\$2,419,877
Reserve Contribution	\$ 55,155	Reserve Contribution	\$ 55,419
2023 Owed to DTSSAB	\$2,388,795	2022 Owed to DTSSAB	\$2,364,458

Overall, your township will see a billing increase of \$24,337 or 1.03% over your 2022 billing. There are 4 factors that contribute to your apportionment amount, and your final apportionment depends on each of these factors (property assessment, Ontario Works caseload, population, and number of households). As per our past procedure, you will receive monthly invoices for your 2023 payments.

If you have any questions in regards to our budget figures, please feel free to contact me.

Yours sincerely,

Mark Stewart
Chief Administrative Officer
705-567-9366 ext. 3229
stewartm@dtssab.com



DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD

2023 APPROVED BUDGET

Program	2023 Budget	2022 Budget	% Variance	2023 Contribution From Reserves	2022 Contribution From Reserves	2023 Fed/Prov Share	2022 Fed/Prov Share	2023 TWOMO Share	2022 TWOMO Share	2023 Municipal Share	2022 Municipal Share	Municipal Variance	% Variance of Program
Ontario Works	7,641,800	10,232,507											
Employment Assistance	220,000	220,000											
OW Program Support Allocation	1,351,000	1,351,000											
Contribution to Reserves	-	-											
Subtotal	9,212,800	11,803,507	-21.95%	-	-	8,079,000	10,669,707	132,820	134,008	1,000,980	999,792	1,188	0.12%
Children's Services	12,801,734	9,975,527											
CC Program Support Allocation	425,555	336,900											
Subtotal	13,227,289	10,312,427	28.27%	-	-	12,947,202	10,032,340	42,772	42,370	237,315	237,717	(402)	-0.17%
Housing Services	7,666,198	7,083,818											
HS Program Support Allocation	140,000	138,384											
Contribution to Reserves	227,700	57,700				(Note 1)	(Note 1)						
Subtotal	8,033,898	7,279,902	10.36%	70,000	40,000	5,531,298	4,768,123	371,480	373,913	2,061,120	2,097,866	(36,746)	-1.75%
Emergency Medical Services	9,062,700	9,008,050											
EMS Program Support Allocation	553,000	553,538											
Contribution to Reserves	4,500	89,900				(Note 2)	(Note 2)	*	*				
Subtotal	9,620,200	9,651,488	-0.32%	187,000	239,300	4,458,600	4,605,000	1,327,780	1,275,880	3,646,820	3,531,308	115,512	3.27%
Board	41,100	40,100	2.49%	-	-	-	-	4,815	4,740	36,285	35,360	925	2.62%
Total Budget	\$ 40,135,287	\$ 39,087,424	2.68%	\$ 257,000	\$ 279,300	\$ 31,016,100	\$ 30,075,170	\$ 1,879,667	\$ 1,830,911	\$ 6,982,520	\$ 6,902,043	\$ 80,477	1.17%

Program Support Budget **	\$ 2,535,000	\$ 2,468,500	2.69%

** Net of interest income \$14,000 (2021 - \$70,000) and reserve contributions of \$417,000 (2021 - \$640,000)

Note 1 - Housing Services Fed/Prov Share includes rental and misc income of \$2,791,900 (2021 - \$2,885,900)

Note 2 - Includes interest income and miscellaneous income of \$4,900 (2021 - \$5,300)

* TWOMO Share includes First Nation share of \$11,580, which is 100% provincially funded

DISTRICT OF TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD
BILLING COMPARISON
WITH \$200,000 (2023) CONTRIBUTION FROM WORKING FUND RESERVE (\$200K - 2022)

Municipality	A 2023 Apportionment	% of Total Municipal Billing	2023 Reduction	B 2023 Final Billing	C 2022 Apportionment	2022 Reduction	D 2022 Final billing	B - D \$ Change	% Change
Township of Armstrong	\$ 305,392	3.4460%	\$ 6,892	\$ 298,500	\$ 296,571	\$ 6,792	\$ 289,779	\$ 8,721	3.01%
Township of Brethour	31,457	0.3550%	710	30,747	40,307	923	39,384	(8,637)	-21.93%
Township of Casey	94,254	1.0636%	2,127	92,127	95,686	2,191	93,495	(1,368)	-1.46%
Township of Chamberlain	96,034	1.0836%	2,167	93,867	96,893	2,219	94,674	(807)	-0.85%
Town of Charlton and Dack	155,315	1.7526%	3,505	151,810	148,099	3,392	144,707	7,103	4.91%
Town of Cobalt	196,566	2.2180%	4,436	192,130	207,846	4,760	203,086	(10,956)	-5.39%
Township of Coleman	206,159	2.3263%	4,653	201,506	211,114	4,835	206,279	(4,773)	-2.31%
Town of Englehart	319,710	3.6076%	7,215	312,495	314,358	7,199	307,159	5,336	1.74%
Township of Ewanturel	127,845	1.4426%	2,885	124,960	117,864	2,699	115,165	9,795	8.51%
Township of Gauthier	35,950	0.4057%	811	35,139	33,532	768	32,764	2,375	7.25%
Township of Harley	147,256	1.6616%	3,323	143,933	151,496	3,470	148,026	(4,094)	-2.77%
Township of Harris	167,351	1.8884%	3,777	163,574	165,664	3,794	161,870	1,704	1.05%
Township of Hilliard	57,512	0.6490%	1,298	56,214	53,728	1,230	52,498	3,717	7.08%
Township of Hudson	181,146	2.0440%	4,088	177,058	174,009	3,985	170,024	7,034	4.14%
Township of James	100,362	1.1325%	2,265	98,097	106,117	2,430	103,687	(5,590)	-5.39%
Township of Kerns	104,155	1.1753%	2,351	101,804	103,938	2,380	101,558	247	0.24%
Town of Kirkland Lake	1,689,468	19.0638%	38,128	1,651,340	1,671,936	38,290	1,633,646	17,695	1.08%
Township of Larder Lake	173,416	1.9568%	3,914	169,502	166,471	3,812	162,659	6,844	4.21%
Town of Latchford	133,040	1.5012%	3,002	130,038	123,691	2,833	120,858	9,179	7.60%
Township of Matachewan	70,772	0.7986%	1,597	69,175	61,246	1,403	59,843	9,331	15.59%
Township of McGarry	123,076	1.3888%	2,778	120,298	119,096	2,728	116,368	3,930	3.38%
Temiskaming Shores	2,443,950	27.5773%	55,155	2,388,795	2,419,877	55,419	2,364,458	24,338	1.03%
Village of Thornloe	22,334	0.2520%	504	21,830	22,504	515	21,989	(159)	-0.72%
Sub-Total	6,982,520	78.7900%	157,580	6,824,940	6,902,043	158,069	6,743,974	80,966	1.20%
TWOMO	1,879,667	21.2100%	42,420	1,837,247	1,830,911	41,931	1,788,980	48,267	2.70%
TOTALS	\$ 8,862,187	100.0000%	\$ 200,000	\$ 8,662,187	\$ 8,732,954	\$ 200,000	\$ 8,532,954	\$ 129,233	1.51%

If we withdraw \$200,000 from the working fund reserve the increase in billing compared to 2022 would be \$80,966 or 1.20%

Kathy Demarce

New Liskeard, Ontario

POJ 1PO

May 1, 2023

To The Temiskaming Shores Mayor and City Councillors:

This letter comes to you, as a request for approval to have a Free Treasure Hunting Day in Temiskaming Shores June 17th.

I saw this great idea on the City of North Bay Facebook page, and thought, we need to do this here!

How it works: Community members would put their gently used household goods at their curb for the day, allowing neighbours to come by and Hunt for a Treasure, FREE of charge! This is not a yard sale, no money will be exchanged. At the end of the day, residents are responsible for removing the items from the curb, as the city will not be responsible for doing so. Suggested date: June 17th, Rain day: June 24th 8am-5pm Only.

What is the purpose and importance of this event?

1. With the cost of living continually increasing, some people are having a tough time purchasing household items, why not help your neighbour and give away that small table you never use anymore!
2. Our landfills are full to overflowing, so, to lessen the capacity, give away those drapes, those pots and pans or mirror that are sitting in your basement. We need to decrease the amount we put in our landfills!
3. Comradery.. what better way to get to know the new neighbour, but by exchanging pleasantries while searching for a treasure!

It would be very beneficial if the city advertise on social media, radio and newspaper so as to get the word out across the district. If you wish, I could make a Facebook page, keep it updated with answering questions, inquiries etc? I certainly do not mind volunteering for this.

If approved, please let me know how I can help/volunteer to further promote this event.

Thank you for your time and consideration.

Kathy Demarce from New Liskeard



Timiskaming District Road Safety Coalition

PO Bag 1090

247 Whitewood Avenue, Unit 43

New Liskeard, ON P0J 1P0

Mayor and Council of Temiskaming Shores

325 Farr Drive

PO Box 2050

Haileybury, ON P0J 1K0

April 28, 2023

Dear Mayor and Council,

Timiskaming District Road Safety Coalition (TDRSC) has been working hard for many years to improve road safety across the district. This year, in partnership Safe Streets Temiskaming we aim to bring awareness to the problem of speeding on our local streets.

Safe Streets Temiskaming is a group of concerned residents that have rallied together to bring awareness of the excessive speeds on the roads in their community. The group has secured funding to produce 100 bilingual lawn signs to help remind drivers to slow down. These types of signs are used in many communities to raise awareness of the high levels of unacceptable speeding in areas where people live, work and play. The signs will be given to residents at no cost for use on their private property.

Speeding is a serious safety problem in many communities in Ontario and there are various solutions to the problem. This community lawn sign campaign is a small step in a coordinated effort to make our streets more liveable. People of all ages and abilities deserve to feel safe when walking, rolling, driving, or taking transit in Temiskaming Shores.

TDRSC and Safe Streets Temiskaming are requesting support from the City of Temiskaming Shores by having City Hall and the library be accessible distribution spots for these signs. Residents wanting to get involved and support safe speed in their neighbourhood, would receive their sign along with directions on where to place it in accordance with the by-law and would fill out a short form. We anticipate that this would add minimal administrative workload for city staff.

We look forward to working with the City of Temiskaming Shores to make our streets safer and more enjoyable for all who use them.

Yours in road safety,

Krystal Oviatt

Chair of TDRSC

From: [Jeff Laferriere](#)
To: [Amy Vickery](#); [Kelly Conlin](#)
Subject: FW: Ontario Launches New Interactive High-Speed Internet Map | Le gouvernement de l'Ontario lance une nouvelle carte interactive des projets d'Internet haute vitesse
Date: Tuesday, May 2, 2023 1:24:49 PM

FYI

Sent from [Mail](#) for Windows

From: [Minister of Infrastructure](#)
Sent: April 27, 2023 2:19 PM
To: [Minister of Infrastructure](#)
Subject: Ontario Launches New Interactive High-Speed Internet Map | Le gouvernement de l'Ontario lance une nouvelle carte interactive des projets d'Internet haute vitesse

Good Afternoon,

I am excited to share with you the launch of our new high-speed internet map. This interactive map identifies the locations and details of provincially funded high-speed internet projects, as well as the location of existing high-speed internet service availability.

Today's news release ([English/French](#)) announces the [Ontario High-Speed Internet Access Map](#), which will make it easier for people to learn more about provincially funded high-speed internet projects in their communities. The map will provide users with the ability to search by address, community or municipality to find project details, including construction status, provincial and federal contribution, and who the internet service providers are.

This map also shows where high-speed internet service is currently available in communities across Ontario. This includes the minimum service standard of 50 Megabits per second (Mbps) download and 10 Mbps upload speeds, or 50/10 as set by the Canadian Radio-television and Telecommunications Commission (CRTC).

The high-speed internet map will be updated by the Ministry of Infrastructure when new information becomes available, including modifying project details, or adding new government funded projects. Additional provincially funded high-speed internet projects will also be added to the map as project agreements are finalized. If you have any questions, please contact the ministry at: broadband@ontario.ca.

This announcement continues to build on our government's progress towards bringing high-speed internet access to every community by the end of 2025, and I look forward to continuing to work together with you to achieve our goal.

Yours sincerely,

The Honourable Kinga Surma
Minister of Infrastructure

Bonjour,

J'ai le plaisir de vous annoncer le lancement de notre nouvelle carte des projets d'Internet haute vitesse. Cette carte interactive indique l'emplacement et les détails des projets d'Internet haute vitesse financés par le gouvernement provincial et les emplacements où le service Internet haute vitesse est déjà disponible.

Le communiqué d'aujourd'hui ([anglais/français](#)) porte sur la [carte des projets d'Internet haute vitesse en Ontario](#), qui aidera les gens à se renseigner sur les projets de cette nature réalisés dans leur communauté. La carte permet d'effectuer une recherche par adresse, communauté ou municipalité et de consulter les détails des projets, notamment l'état d'avancement, les contributions provinciale et fédérale et les fournisseurs de services Internet retenus.

La carte montre également les emplacements où le service Internet haute vitesse est actuellement disponible en Ontario. Il comprend la norme minimale de service de 50 mégabits par seconde (Mb/s) pour le téléchargement et de 10 Mb/s pour le téléversement (50/10), telle que définie par le Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC).

Le ministère de l'Infrastructure mettra à jour la carte lorsque de nouveaux renseignements seront disponibles. Il pourra notamment modifier les détails des projets et ajouter de nouveaux projets financés par le gouvernement. Il y ajoutera aussi d'autres projets d'Internet haute vitesse financés par le gouvernement de l'Ontario après l'adoption des ententes connexes. Si vous avez des questions, communiquez avec le ministère de l'Infrastructure à broadband@ontario.ca.

La présente annonce s'ajoute aux autres bonnes nouvelles concernant les progrès de notre gouvernement dans sa démarche ayant pour but de procurer l'accès à Internet haute vitesse à chaque communauté d'ici la fin de 2025, et j'ai bien hâte de poursuivre notre collaboration pour atteindre cet objectif.

Bien cordialement,

L'honorable Kinga Surma
Ministre de l'Infrastructure

Confidentiality Warning: This e-mail contains information intended only for the use of the individual(s) named above. If you have received this e-mail in error, we would appreciate it if you could advise us through the Minister's website at www.ontario.ca/page/ministry-infrastructure and destroy all copies of this message. Thank you.



Services de santé du

TIMISKAMING
Health Unit

RECOVERY AND BEYOND



2022

Annual Report

timiskaminghu.com

Land Acknowledgement

for Timiskaming Health Unit Catchment Area

We respectfully acknowledge that the Timiskaming Health Unit operates within the Robinson-Huron Treaty, Treaty 9 and unceded Indigenous territory, specifically within the traditional territories of Beaverhouse, Matachewan, Temagami and Timiskaming First Nations. Today these lands encompass communities with enduring presence of Algonquin, Anishnabai, Ojibwe, Cree, and Métis Peoples.

We acknowledge that original peoples have been stewards and caretakers of these lands and waters since time immemorial and acknowledge that they continue to maintain this responsibility for generations to come.

With honour and respect, we say miigwetch to the original peoples and affirm our commitment and responsibility to reconciliation.



Mobilizing for Recovery

Since early 2020, Timiskaming Health Unit (THU) has been responding to the COVID-19 pandemic. This has required extraordinary effort and sacrifice by staff as, together with our communities, we navigated uncertain times. At THU, there were intense periods with almost all staff involved in either case, contact, and outbreak management, vaccination, and/or providing support and information to various sectors and the public on prevention and protection guidance, which evolved as the virus and pandemic progressed. Supporting these efforts was data analysis and epidemiological reviews, communications, stakeholder updates, and the upgrading of technology supports.



"THU endeavors to live up to achieving our vision of healthy communities where everyone can thrive."

Dr. Glenn Corneil (AMOH/CEO)

Throughout 2020 and 2021, established THU programs and services were adapted, and many were reduced or paused all together. In 2022, staff at THU turned their attention to beginning a path to recovery. This meant balancing ongoing COVID-19 pandemic response activities while resuming efforts for key public health programs, services, and new priority areas.

Guided by our public health mandate and our strategic plan, along with our knowledge of community strengths and gaps, staff identified programs and services to restore and resume. Our recovery dialogue also encouraged space for reimagining longer-term actions for a transformed and resilient local public health agency. It is also important to note that the well-being and rejuvenation of staff and their own recovery was top of mind.

This 2022 annual report highlights actions of a highly professional, dedicated, and resilient team at THU. We would also like to acknowledge the crucial role our Board of Health leadership, community partners, and members play in the success of public health initiatives. Through ongoing collaboration on important initiatives and the delivery of key programs and services while maintaining a robust response to threats to public health, THU endeavors to live up to achieving our vision of healthy communities where everyone can thrive.

For more detailed information on program activities, various reports to our Board of Health members, please visit our [website](#).

Dr. Glenn Corneil

Acting Medical Officer of Health/Chief Executive Officer

Carrying On Public Health Priorities During a Pandemic

Local public health priorities not only include the prevention and control of infectious diseases but other complex issues, such as: promoting mental health, preventing substance use and related harms, and addressing factors that drive health inequities. These inequities shape the ways power, money, and resources are distributed in society, stigma and discrimination, health adaptations to climate change; as well as supporting babies, their families, youth, and seniors to achieve and maintain optimal health.

While local public health resources continued a focus on prevention and control of COVID-19 in our community, Timiskaming Health Unit continued to provide essential and priority public health programs and services.

2022 initiatives spanning multiple topics and programs included the following:

- Created a Board of Health briefing note and public communications campaign on public health issues influenced by government policy decisions timed with the provincial and municipal elections in 2022. These campaigns also highlighted the importance of voting.

Provincial Election Campaign

Municipal Election Campaign

- Created and distributed *Public Health Matters* a health care provider newsletter highlighting resources and tools to support key public health issues.
- Created and distributed a Municipal Newsletter (Fall 2022 edition) highlighting local opportunities for municipalities to affect the health and well-being of their communities.
- Profiled the role of local public health by celebrating **Canada's First Canadian Public Health Week** (April). This included external social media posts recognizing our diverse local public health workforce and their contributions to THU's vision of healthy communities where everyone can thrive.



Behind the Scenes

of Essential Public Health Work

To ensure THU programs and services are responsive to our area's current needs and evolving issues, staff work to provide the best available data, tools, and processes to support decisions. In 2022, staff with expertise in population health assessment and planning and evaluation collected, monitored, analyzed, and shared data summaries and reports related to COVID-19, 2 community foodborne illness outbreaks, opioids and other substance-related harms and a variety of other topics in 2022.

Supported a process to prioritize the resume and restore work, including acknowledgement of the backlog, supported data gathering, and synthesis for internal and collaborative.

Other key accomplishments addressing local public health priorities during the 2022 year of recovery are organized by program area below.



Oral Health and Vision Program

The oral health team at THU screened nearly 900 students in schools and at the THU office in 2022. In the academic year 2022-2023, the staff will return to schools across the district. Despite being unable to conduct vision screenings in JK/SK classes in 2022, the vision team will resume activities in 2023.

The Ontario Seniors Dental Care Program continued to increase its capacity to provide free routine dental care as the pandemic response shifted in 2022. We maintained partnerships with local oral health providers in the community, and qualifying seniors from all district areas received care. In 2022, 251 individuals applied for the Ontario Seniors Dental Care Program. **In total, 883 seniors received dental care within the Timiskaming district, 197 received care at THU offices, and 686 obtained services from community providers.**



Healthy Growth and Development

The Healthy Babies Healthy Children (HBHC) Program adapted and maintained the blended home-visiting program in 2022. Family Home Visitors (FHV's) and Public Health Nurses (PHNs) completed 498 home visits across the district. In August of 2022, daily visits to Timiskaming Hospital were resumed at full capacity, 5 days a week. These visits allow the PHNs to complete a post-partum HBHC screening, assist families with breastfeeding and discuss services at THU and within the community.

Perinatal Mood Disorder (PMD) screenings resumed at full capacity in May 2022. PMD screenings are offered to each family in the prenatal and post-partum periods. They aim to identify parents who may be experiencing signs and symptoms of perinatal depression or anxiety. Referrals to community programs are then able to be completed if needed.

Over 700 well-baby visits were provided by PHNs in the Healthy Growth & Development Program.

Over 700 well-baby visits were provided by PHNs in the Healthy Growth & Development Program. These visits reach children aged 0 to 6 years and offer services such as immunizations, weights, and developmental screening.

Car seat inspections continued to be offered throughout the district. Twenty-six inspections were completed in 2022 and a Winter car seat communications campaign was launched in December.

Breastfeeding remained a priority for THU in 2022, initiatives included:

- The breast pump program;
- The Timiskaming Breastfeeding Buddies Facebook group;
- Prenatal breastfeeding education;
- Lactation consultation support, with 15% of families having received at least one consultation.

School and Childcare Health

As schools and Childcare Centres continued to adjust to the changing pandemic landscape and its related impacts, many of which are long-term, THU staff provided ongoing support in a variety of health topics such as mental health, healthy sexuality, healthy eating, and physical activity. Staff attended school council meetings, provided resources for parents and caregivers ahead of the start of kindergarten, and strengthened relationships with school boards.



- Maintained partnerships through participation in regular meetings with Directors of Education, school COVID-19 Leads and school transportation providers.
- Participated in DTSSAB-hosted meetings with childcare providers and regularly communicated with individual schools to respond to questions and provide resource materials related to COVID-19 measures and other infectious/reportable diseases.
- Coordinated the implementation of the School Northern Fruit and Vegetable Program, collaborating with Porcupine Health Unit to develop and evaluate [Northern Fruit and Vegetable Program Activity Calendar](#), [Fact Sheets & Recipes](#), and [Implementation Guide](#).
- Supported the Active School Travel (AST) program, including school-wide activities, accessing funds for bicycle racks at 2 schools, a [Walk n Roll Project in the Town of Englehart](#), creation of outdoor AST banners at 3 schools, and 1 school with creating a [School Pick-up Planner](#).
- Adapted and promoted a [Prom Toolkit](#) with local secondary schools and parents/caregivers and supported 5 local secondary schools with implementing [Youth Mental Health and Addictions Champions](#) program, adapted an updated progressive enforcement toolkit for use in enforcing the [Smoke-Free Ontario Act](#), and provided schools with [resources to support tobacco use prevention](#).

Chronic Disease Prevention and Well-Being

As part of our pandemic recovery work, we focused on the built environment, road safety, active travel, healthy aging, and mental health promotion.

- Launched [Walk 'N Roll Timiskaming website](#) and a communications strategy using [Facebook](#) and [Instagram](#), and developed and published a bilingual video series on cycling and pedestrian safety starring local elementary school students: [Pedestrian Safety 101](#) and [Bike Safety 101](#). The 2022 Community Bike Exchange was successful again this year and engaged high school students in Temiskaming Shores, as seen in this [video](#).
- Supported the [Healthy Eating in Recreation Settings Project](#), a children's cooking camp in Temiskaming Shores, which carried out education sessions to local youth on eating well on a budget, and participated in a [panel discussion](#) on food insecurity among rural seniors.
- Promoted mental health through awareness campaigns and, as part of the focus on [workplace mental health](#) organized and sponsored [Mental Health First Aid](#) training for workplaces and certified THU staff in Psychological Health and Safety.

Substance Use and Injury Prevention

In this program area, we focused on mental health, prevention of high-risk substance use and prevention of injuries related to substance use.

- Co-chaired and provided backbone support for the Timiskaming Drug and Alcohol Strategy (TDAS).
- Led planning and communication related to both the Prevention and Harm Reduction Pillars of TDAS, participated in the Communications Working Group, and supported the Persons with Lived and Living Experience group.
- Increased access to sharps disposal sites, passed a resolution to support the [Decriminalization of Substance Use](#) and launched the [Timiskaming Drug and Alcohol Strategy](#).
- Supported tobacco cessation by providing [nicotine replacement therapy vouchers](#) to community members and referring to provincial resources such as [STOP On the Net](#), Telehealth Ontario, Smoker's Helpline, and local STOP programs at local Family Health Teams as well as implementing several communications campaigns to raise awareness.
- Supported concerned physicians and other community partners to launch a campaign to renew advocating for safer highway measures through Temiskaming Shores on Highway 11.
- Developed and shared [Evidence and Promising Practices for Lowering Speeds on Municipal Roadways](#), an evidence-based report on safer systems approach to road safety.
- Supported healthy aging by hosting [Stand Up](#) training, implemented a Fall Prevention Month communications campaign, delivered [Fall Prevention Month](#) presentations, hosted a [Stay on Your Feet](#) booth at the Age Friendly Fair, and supported [Timiskaming Rising Stars](#) troupe promotion and recruitment.
- Supported the creation of a Community Safety and Well-Being Plan for Timiskaming, including the municipality of Temagami.

Health Equity - Health for All

The following section highlights local public health work in 2022 toward reducing health inequities, so everyone has equal opportunities for optimal health and well-being. Root causes of inequitable opportunities for health are linked to our social and structural systems, and many of these were exacerbated by the pandemic.

- Our COVID-19 prevention and control program supported a local First Nation Control Group, high-risk settings were prioritized for prevention and control support. The COVID-19 vaccine program worked with First Nations and Urban Indigenous communities, and priority populations.
- We continued the implementation of the COVID-19 Timiskaming Connections Volunteer Line, including providing support to those who were required to isolate until March 2022.
- Chaired the COVID-19 Timiskaming Collaborative, whose aim is to prevent or mitigate health and well-being disparities due to COVID-19 and related response measures.
- Continued to lead the Closing the Digital Divide project addressing digital inequity by distributing devices and supports for Internet access and supported community partner initiatives to address digital equity.
- Established People with Lived and Living Experience Committee to inform the development of the Timiskaming Drug and Alcohol Strategy.
- Consulted with First Nations community leaders and local Métis council for the development of THU's first iteration of a land acknowledgement.
- Provided staff education on the impact of colonialism and of the social determinants of Indigenous health and the work of reconciliation as well as education on culture as a social determinant of health, racism, gender identity and expression and sexual orientation.
- Increased awareness of income and food security issues, paid sick days, housing, affordable oral health care, digital equity, and racism through external communications.

Research Project: *Identifying enabling supports and structures that will strengthen response to future disruption:* THU is a knowledge user role in a research project to support municipalities in Northern Ontario with populations less than 10,000 and their associated local public health units in learning from the COVID-19 pandemic and identifying ways to strengthen and prepare for future emergencies.

Knowledge Exchange Spotlight: THU staff participated in the Northern Directions Conference (North Bay), hosted by the Northern Policy Institute and the Canadian Rural Revitalization Foundation. THU staff co-authored and participated in a panel titled [Re]Framing Healthy and Resilient Communities and on the final day presented Connexions Timiskaming Connections: Learning from COVID equity measures to increase community resilience, describing work done in Timiskaming to mitigate equity related impacts of the pandemic and foster learning to reduce the impact of future emergencies.

Immunization – Vaccine Safety and Vaccine Administration

COVID-19 Vaccine Program

The importance of COVID-19 vaccinations and the pandemic remained a priority for most of 2022.

Regular communication continued through social and traditional media while building on partnerships with community organizations helped to reach specific populations. Communications focused on eligibility and addressing vaccine hesitancy. The communications strategy was data-focused, using evidence related to vaccine hesitancy and confidence and adjusting according to local vaccine uptake by age group, geography, and other factors. In the spring, we saw an enhanced investment in targeted strategies to reach youth under the age of 30, which included youth [Q&A video series with the Acting MOH](#).

Other COVID-19 vaccine program highlights:

- The COVID-19 vaccine campaign opened booster doses for the 60+ population, including First Nation and Métis individuals and their non-Indigenous household members 18 years of age and older (April 2022). We ramped up local clinics to help support vaccinating this group.
- In April 2022, booster doses for children 6 to 11 years of age became available.
- We supported Bear Island with COVID-19 vaccinations (May 26, August 30, and November 4). Influenza was also offered at the November 4 clinic.
- Moderna became available as the first product for children under 5 in August. The Pfizer pediatric product was available in September 2022.
- The bivalent booster dose was available in October. We saw an increase in attendance at the fall COVID-19 vaccination clinics.
- The Pfizer pediatric COVID-19 vaccine was made available to children aged 5 to 11 on December 20, 2022.
- COVID-19 vaccine clinics continued weekly throughout 2022 for New Liskeard and Kirkland Lake offices. Mid-year, clinics in Englehart moved to monthly. In July and August, we offered pop-up clinics in smaller locations (Cobalt, Virginiatown, Larder Lake, Elk Lake, and Earleton).
- 17,541 doses were administered in 2022 through THU.

Routine Immunizations

On top of continuing to navigate through the COVID-19 pandemic, routine immunizations also remained a high priority at THU. Routine vaccinations continued in office throughout 2022 through our general intake clinics, well baby clinics and in-office school-based clinics. On the first Tuesday of every month, in-office evening clinics for New Liskeard, Kirkland Lake, and Englehart resumed in December 2022.

Other routine vaccination program highlights:

Travel Health Consultations

Office	2016	2017	2018	2019	2020	2021	2022
Kirkland Lake	272	259	210	208	109	0	78
New Liskeard	595	620	695	611	324	64	340
Englehart	(Included in New Liskeard Statistics)						

Note: KL staff remained redeployed to COVID-19 work and did not see any tropical travellers between Jan. and Mar. 2022.

Immunization Program

Immunizations Administered in Office	NL	KL	ENG	Total 2022
# of clients receiving immunizations	876	391	116	1,383
# of immunizations administered	1,380	644	198	2,222

Note: These numbers do not include Influenza Vaccine Generated from PANORAMA-R07090 Immunization Administered or Wasted at Health Unit.

School Health Immunization and Licensed Childcare

School clinics were held for routine immunization in the fall of 2022, including offering catch-up doses. We continued to work closely with local schools and parents to ensure student immunization records were up-to-date. Due to the pandemic and capacity, THU did not enforce the ISPA (Immunization School Pupils Act) in 2022. However, we did work with a few families and completed 2 ISPA virtual sessions for those requesting a non-medical exemption. THU was able to maintain good momentum in the Childcare program throughout 2022. We continued to support and collaborate with licensed Childcare Centres for immunization monitoring. In 2022, efforts to update and modernize the Childcare process initiated pre-covid resumed.

For the 2021-2022 school year, 28 immunization clinics took place in-schools for grade 7 and 8 students. The school-based program included the hepatitis B vaccine (HBV), meningococcal vaccine and the human papillomavirus vaccine (HPV). High school booster clinics for routine and catch-up vaccinations were offered in 5 high schools within our district.

Number of HBV, meningococcal & HPV doses administered to students (September 1, 2021 to August 31, 2022)	
HBV to students in grade 7-8	354
Meningococcal vaccine in grade 7-12	230
HPV vaccine to eligible students in grade 7-12	429

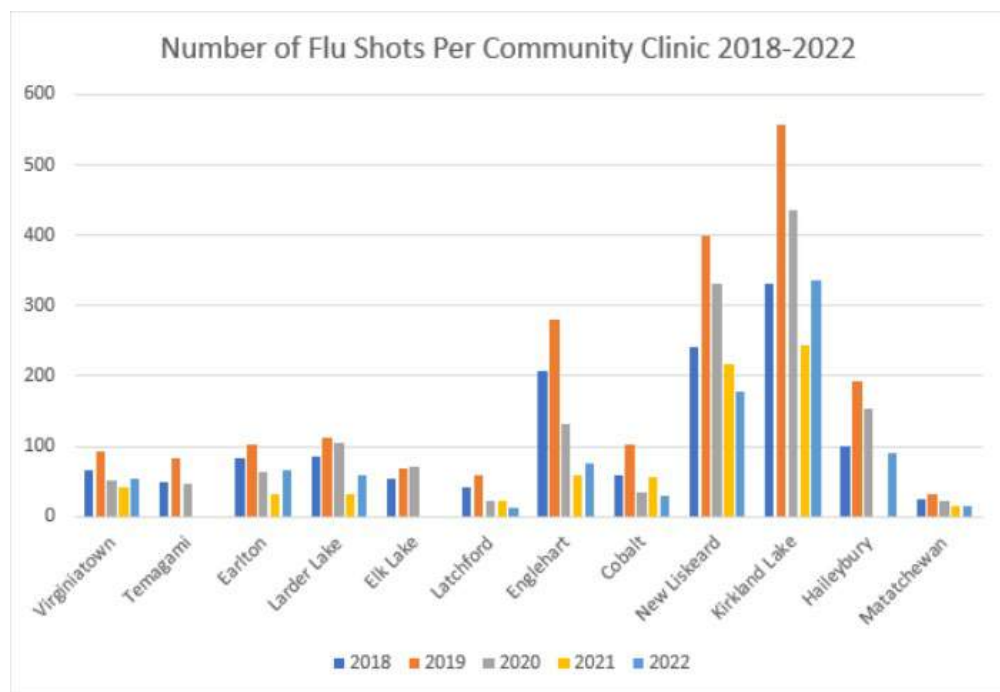
2021-2022 Universal Influenza Immunization Program (UIIP)

Community flu clinics were modified to work in conjunction with the COVID-19 vaccination clinics. We continued to offer influenza and COVID-19 vaccines at our regular venues, the first hour of the clinic offered COVID-19 vaccines, and the latter part offered influenza. Clients were encouraged to book appointments online through the provincial booking system or by calling THU's booking line.

Other routine vaccination program highlights:

- Communications on our influenza program went out via social media, and posters were distributed throughout the district. We also relied on provincial and national media coverage to help promote the importance of the influenza vaccine this year.
- Participating pharmacies and primary care providers contributed to the influenza campaign this year, making the vaccine accessible to everyone including homebound clients.
- We offered in-office appointments for clients requesting this service.
- Our local pharmacies administered over 2,900 influenza vaccines in 2022 (October to December).

Note: Missing data, Temagami & Elk Lake ran their own clinics in 2021 & 2022 and there was no clinic venue for Haileybury in 2021)



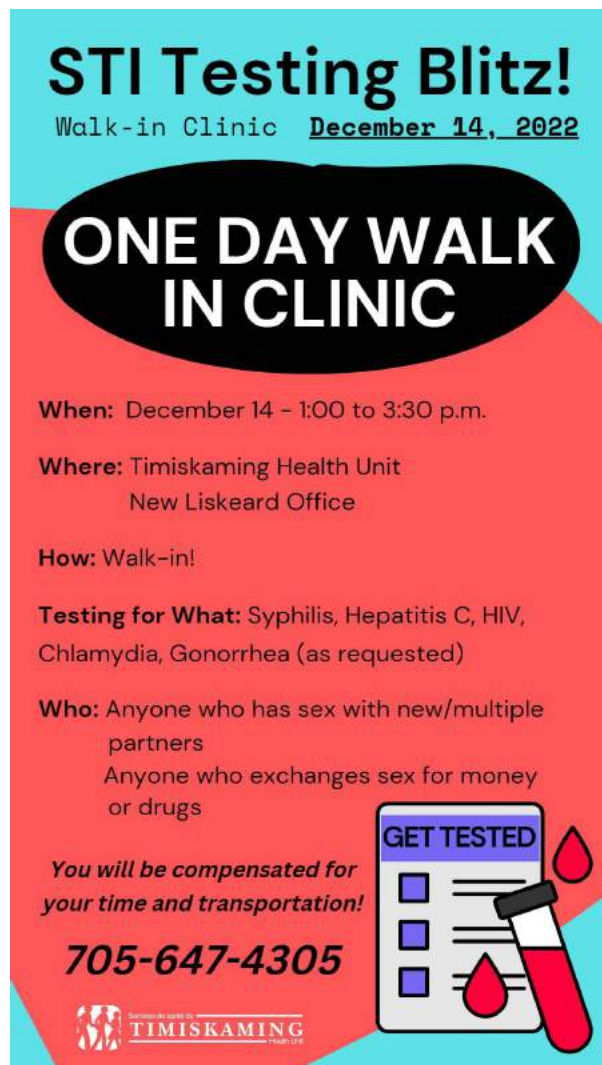
Plans for 2023 - Recovery and Moving Forward

As we look ahead to 2023, we will continue to work on COVID-19 vaccinations, provide immunization clinics for routine and travel vaccines, and support health care providers with cold chain inspections and vaccine storage and handling. We will resume regular internal vaccine-preventable disease meetings and ISPA processes. During the 2023 fall campaign, we plan to emphasize the importance of all vaccines through our communication plans and include influenza and COVID-19 vaccines.

Infectious Disease & Clinical Services

Sexual Health Program

THU offices across our district completed 111 tests for Sexually Transmitted Infections (STIs) and 11 pap tests for individuals under 25 years of age in 2022. Besides confidential HIV testing, we offered clients free condoms, affordable contraception, and Emergency Contraception Plan B, which was provided to 13 clients in 2022. As a result of OHIP+ (2018), there was a decrease in demand for contraceptives for clients under the age of 25 at THU. At 437, the number of clients seen in 2022 is lower than in previous years. Through pandemic recovery plans, we aim to focus more on our priority populations and increase outreach initiatives.



STI Testing Blitz!
Walk-in Clinic December 14, 2022

ONE DAY WALK IN CLINIC

When: December 14 – 1:00 to 3:30 p.m.

Where: Timiskaming Health Unit
New Liskeard Office

How: Walk-in!

Testing for What: Syphilis, Hepatitis C, HIV, Chlamydia, Gonorrhea (as requested)

Who: Anyone who has sex with new/multiple partners
Anyone who exchanges sex for money or drugs

You will be compensated for your time and transportation!

705-647-4305

GET TESTED

TIMISKAMING
Health Unit

Instagram Story for Sexual Health clinic

Needle Exchange and Harm Reduction Program

The Timiskaming Health Unit's Harm Reduction Distribution Program is designed to ensure that people who use drugs can access sterile injection equipment and safer inhalation kits to reduce the incidence and prevalence of HIV, Hepatitis B, Hepatitis C, and other harms. An increase in encounters has been noted from the previous year as public health measures changed throughout the pandemic. We have seen an increase in encounters with the Needle Exchange Program and other Harm Reduction supplies (308) compared to 2021 (207). Resuming services and increasing our messaging in the community and on various social media platforms likely account for the increase.



OVERDOSE PREVENTION

- Do not use alone. If you are using alone, call someone and keep them on the line or try the National Overdose Response Service at 1-888-688-NORS (6677)
- Test a small amount first and go slow
- Avoid mixing different types of substances
- Carry a naloxone kit. You could reverse an overdose. You could save a life.

Pick up a free naloxone kit at Timiskaming Health Unit, CMHA and most pharmacies.

Social media post

Environmental Health

Land Control - Sewage System & Property Development

A busy year for septic systems

The Timiskaming Health Unit enforces the provisions of the Building Code Act as they relate to sewage systems with a flow rate of 10000 litres per day or less. The Code and Guide for Sewage Systems govern the requirements for design, construction, operation, and maintenance of various classifications of sewage systems located within properties.

Throughout the pandemic, the construction and maintenance of sewage systems remained a priority function and continued with no pauses. In the beginning of the pandemic, this activity slowed down and fewer permits were issued. However, 2022 had an 18% increase in permits issued over 2021 and had the highest number of permits issued since 2015.

18%
increase in permits
issued in 2022



A typical class 4 septic system under construction

Safe Food Program

Options for Food Handler Training

In 2022, our Public Health Inspectors continued to increase inspections of food premises. Moving forward in 2023, our regular inspection schedule will return to standard rotation. As part of the safe food program, we ensure people have access to food handler training programs. This training can be completed through online courses, of which we provide information to people on how to access them. The training can also be done through in-person courses offered by the Timiskaming Health Unit.

During the pandemic, we had to re-direct our resources and online courses had to be the main avenue; this was also the case in 2021. In 2022, we began offering in-person courses once again and will continue with that in 2023. Providing options of online and in-person courses ensures those who need the food handler training can access it.

Food Handler Certifications

	2015	2016	2017	2018	2019	2020	2021	2022
Englehart	63	26	23	75	58	3	24	10
New Liskeard	90	68	144	351	182	19	55	29
Kirkland Lake	70	41	58	127	15	34	5	12
TOTAL	223	135	225	553	255	56	84	51

Safe Water Program

A good year for Small Drinking Water Systems (SDWS)

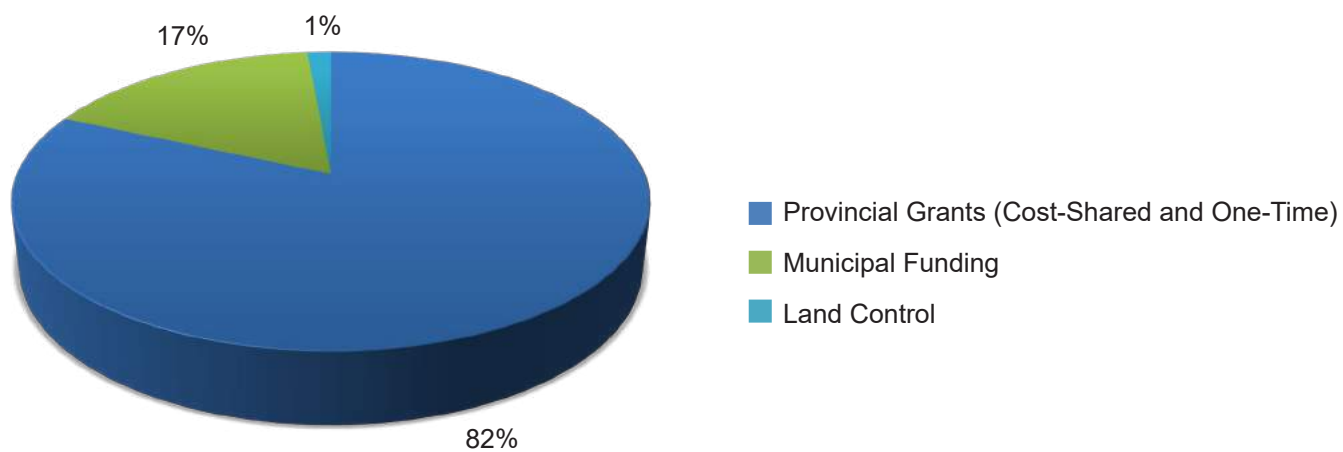
If your business makes drinking water available to the public and you do not get your drinking water from a municipal drinking water system, you may be an owner or operator of a small drinking water system. These systems are inspected on a rotating basis by our Public Health Inspectors. During 2020 and 2021, this area had minimal activity due to pandemic constraints. In 2022, we were pleased to re-focus a great deal of attention in this area and were able to complete a massive catch-up, allowing the rotation schedule to get back on track. **Thirty-six inspections were completed, the highest amount done annually since 2019.** This program will continue with its regular rotation in 2023.



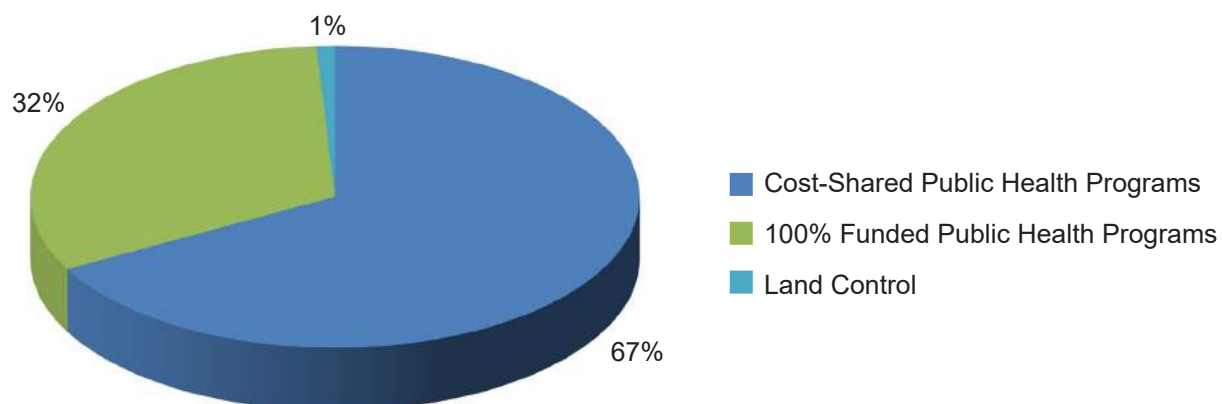
Pictured above is an example of a SDWS

2022 Budget

Total Revenues



Total Expenditures



2022 Board of Health

Carman Kidd, Chair - City of Temiskaming Shores

Patrick Kiely, Vice-Chair - Town of Kirkland Lake

Nina Wallace - Towns of Englehart, Charlton, Townships of Chamberlain, Ewanturel, Hilliard & Dack

Paul Kelly - Township of McGarry/Gauthier & Town of Larder Lake

Casey Owens - Town of Kirkland Lake

Sue Cote - Towns of Cobalt and Latchford, Municipality of Temagami, and Township of Coleman

Jesse Foley - City of Temiskaming Shores

Vacant - Townships of Armstrong, Hudson, James, Kerns & Matachewan

Vacant - Townships of Brethour, Harris, Dymond, Harley and Casey, Village of Thornloe

Mike McArthur - City of Temiskaming Shores

Curtis Arthur - Provincial Appointee

Office Locations

New Liskeard

247 Whitewood Avenue, Unit 43

705-647-4305

1-866-747-4305

Englehart

63 Fifth Street

705-544-2221

1-877-544-2221

Kirkland Lake

31 Station Road

705-567-9355

1-866-967-9355

For more information contact:
Ryan Peters, Manager of Communications
Timiskaming Health Unit
247 Whitewood Avenue, Unit 43
New Liskeard, ON P0J 1P0
Telephone: 705-647-4305
Toll-free: 866-747-4305
www.timiskaminghu.com





May 8, 2023

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

Attention: Ms. Amy Vickery – City Manager

Dear Ms. Vickery:

Re: North On Tap Craft Beer Festival – July 8th, 2023

The North On Tap organizing committee is pleased to advise you that we will be holding our 5th Annual North On Tap Craft Beer Festival on July 7th (set up) and July 8th (actual festival date) 2023. In accordance with the requirements of the Alcohol and Gaming Commission of Ontario, we are required to provide written notice to the City of Temiskaming Shores that we will be holding this event in order to obtain our Special Occasion Permit.

As you know, the event will be taking place in the same location as previous years around the Harbour Place at the Haileybury waterfront. We have a maximum of 2500 tickets available for the event. We also confirm that we have included the City as an additional insured on our liability insurance policy for the event. We thank you again for your continued support, your generous in-kind contributions and for permitting us to use this beautiful location to host the event.

For further information please contact Gwenn Hearn at sghearn@live.com or at 705-672-2490 or Hugo Rivet 705-672-5555 or at hugo@h2tsportswear.ca.

Sincerely,

The North on Tap Committee

North On Tap Craft Beer Festival, P.O. Box 572, Haileybury, ON P0J 1K0

Date: Wed Mar 29 2023

Dear Mayor Jeff Latierre

Please help keep our air clean for us to breathe!

One way to keep the air clean is by...

Planting more trees



I like having clean air because...

Everyone needs clean air to live.

From a Grade 2 student at dsb/virtual

138334 Peters Road,
Temiskaming Shores,
Ontario
P0J1P0

March 28, 2023

Re : Becoming a Monarch Friendly City

Temiskaming Shores council members



As an avid nature lover, I have the pleasure of observing the beautiful monarch butterfly in our backyard milkweed patch. I have also become aware of its fragile status.

During the last two decades, the World Wildlife Fund recorded a 90% drop in the monarch population.

Fortunately, many community leaders across Ontario and Quebec have taken notice and have chosen to take part in the Monarch Friendly City program, initiated in Canada by the the David Suzuki Foundation. This project encourages municipalities to take measures to restore the monarch's habitat while informing citizens about its plight for survival. Leamington, Thunder Bay, Markham and Montreal are among the many participating cities.

I invite the Temiskaming Shores Municipal Council to come on board and take the Mayors' Monarch Pledge proposed by the David Suzuki Foundation.

Here are a few examples of actions which could be taken :

- Promote monarch habitat in school yards, public parks, along roadways, and near public buildings like the library.
- Engage with community garden groups and urge them to plant native milkweed and nectar-producing plants. (Milkweed is the only host plant for monarch reproduction)

- Display multilingual educational signage at monarch gardens and pollinator habitats.

A guide towards certification is available on the David Suzuki Foundation web site along with online resources.

Included with this letter is :

- a pledge form,
- a complete list of action items from which you can choose (French and English)
- an example of a declaration (city of Montréal) with regards to the protection of monarch butterflies.
- a document on the economic importance of pollinators (butterflies included)

As a citizen of Temiskaming Shores, and author of a book on monarchs, I am confident that our community is ready to embark on this worthwhile adventure.

Lets be proud of our city . Lets become a Monarch Friendly City.

Merci, Thank you, Meegwetch.

Pauline Dumont

705-622-9907

A handwritten signature in black ink, appearing to read 'Pauline Dumont', with a stylized flourish at the end.

**EARLTON-TIMISKAMING REGIONAL
AIRPORT AUTHORITY (ETRAA)
MINUTES**

Thursday, February 16, 2023
Hilliard Twp. Hall
Hilliardton, ON

Attendance: Doug Metson, Kerry Stewart, Barbara Beachey, Dan Perreault,
Pauline Archambault, Laurie Bolesworth, Jeff Laferriere, Crystal Gauthier,
Debbie Veerman, Wayne Miller, James Smith, Sheila Randell

Guest : Darlene Wroe

Absent : Guy Labonte, Chris O'Reilly

1. Welcome - Meeting called to order

Moved by: Doug Metson

Seconded by: Barbara Beachey

BE IT RESOLVED THAT "the meeting of February 16, 2023, be called to order at 6:32 p.m."

Carried

Moved by : Barbara Beachey

Seconded by : Doug Metson

WHEREAS "Municipal Elections were held in the fall of 2022"; and

WHEREAS "some Municipalities have appointed new representatives to the ETRAA";

BE IT RESOLVED THAT "the ETRAA accepts the appointment of Crystal Gauthier as representative for the Township of Hudson" and furthermore;

Moved by: Barbara Beachey

Seconded by: Doug Metson

BE IT RESOLVED THAT "the ETRAA accepts the appointment of Wayne Miller as representative for the Village of Thornloe" and furthermore;

Moved by : Wayne Miller

Seconded by : Laurie Bolesworth

BE IT RESOLVED THAT "the ETRAA accepts the appointment of Dan Perreault as representative for Armstrong Township."

Carried

2. Approval of Agenda

Moved by: Wayne Miller

Seconded by: Laurie Bolesworth

BE IT RESOLVED THAT "the Agenda be approved as amended, adding Treasurer under New Business, and moving Loomex to Closed Session."

Carried

3. Approval of Minutes of Last Meeting

Moved by: Kerry Stewart

Seconded by: Doug Metson

BE IT RESOLVED THAT "the Minutes of the Meetings held January 19, 2023, be adopted as presented."

Carried

4. Business Arising from Minutes

None

5. Financial Report

Moved by: Barbara Beachey

Seconded by: Kerry Stewart

BE IT RESOLVED THAT "the Finance Report for the month of January 2023 be adopted as presented and be attached hereto, forming part of these Minutes."

Carried

HST refund questioned – Jamie offered to contact CRA regarding this outstanding amount.

6. Manager's Report

Moved by: Kerry Stewart

Seconded by: Laurie Bolesworth

BE IT RESOLVED THAT "the Manager's Report for the month of January 2023 be adopted as presented and attached hereto forming part of these Minutes."

Carried

7. New Business

Budget for March 2023 to February 2024

Discussion took place regarding the draft budget. Many questions arose regarding more income. Members asked to give this consideration, and budget was deferred to next meeting.

Moved by : Doug Metson

Seconded by : Barbara Beachey

WHEREAS "Treasurer position needs to be filled"; and

WHEREAS "Dan Perrault was absent from last meeting";

BE IT RESOLVED THAT "the ETRAA nominates Dan Perreault to the position of Treasurer for the Earlton-Timiskaming Regional Airport Authority."

Carried

Discussion took place on getting presentations to non-member municipalities, to get their support for the Airport.

Regarding property taxes – Dan Perrault reported that the Township of Armstrong is looking into past documents and discussions to assess if a reduction in taxes is possible.

Question arose regarding the sale of land at the Airport – if someone wanted to build their own hangar – sale or lease? This to be considered and discussed at a later date.

Municipal contributions – rate was set January 18, 2018 at \$9.33 per 2016 census.
Consideration to be given to new rate, and updated census.

8. Closed Session

Moved by : Debbie Veerman

Seconded by : Pauline Archambault

BE IT RESOLVED THAT "the ETRAA approve to convene in closed session
at 7:36 p.m. to discuss Loomex contract."

Carried

Moved by : Pauline Archambault

Seconded by : Wayne Miller

BE IT RESOLVED THAT "the ETRAA approve to adjourn closed session
at 8:11 p.m. with the following report:

Jeff Laferriere will contact the Airport's lawyers to have a letter drawn up advising
Loomex that they are not fulfilling their part of the contract. This letter to be sent
via registered mail.

Jeff will also call Loomex and advise them that the Airport is not happy, and
that the letter is on the way.

All members present agreed to the legal fees required to prepare this letter.

10. Adjournment

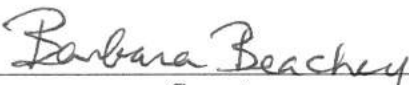
Moved by: Barbara Beachey

Seconded by: Doug Metson

BE IT RESOLVED THAT "this meeting be adjourned at 8:12 p.m."

Carried


Chair


Secretary

**The Corporation of the City of Temiskaming Shores
Committee of Adjustment**

Meeting Minutes

January 25, 2023

Present: Chair: Carman Kidd
Members: Dan Dawson; Melanie Ducharme; Florent Heroux; Suzanne Othmer; Robert Ritchie; Voula Zafiris

Also Present: Jennifer Pye, Planner and Secretary-Treasurer

Public: Sébastien Tassé, Applicant A-2022-06

1. Opening of Meeting

Resolution No. 2023-01

Moved By: Dan Dawson

Seconded By: Suzanne Othmer

Be it resolved that the Committee of Adjustment meeting be opened at 1:32 p.m.

Carried

2. Adoption of Agenda

Resolution No. 2023-02

Moved By: Florent Heroux

Seconded By: Robert Ritchie

Be it resolved that the Committee of Adjustment adopts the agenda as printed.

Carried

3. Appointments and Elections

3.1 Motion to appoint Jennifer Pye to the position of Secretary-Treasurer

Resolution 2023-03

Moved By: Carman Kidd

Seconded By: Voula Zafiris

Be it resolved that the Committee of Adjustment appoints Jennifer Pye as Secretary-Treasurer to the Committee of Adjustment in accordance with Section 44(8) of the Planning Act, R.S.O. 1990, c. P.13, as amended.

Carried

3.2 Motion to appoint Chair of the Committee of Adjustment

Resolution 2023-04

Moved By: Suzanne Othmer

Seconded By: Florent Heroux

Be it resolved that the Committee of Adjustment elects Carman Kidd to the position of Chair of the Committee of Adjustment in accordance with Section 44(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended.

Carried

4. Declaration of Pecuniary Interest

None

5. Adoption of Minutes

**The Corporation of the City of Temiskaming Shores
Committee of Adjustment**

Meeting Minutes

January 25, 2023

Resolution No. 2023-05

Moved By: Dan Dawson

Seconded By: Florent Heroux

Be it resolved that the Committee of Adjustment for the City of Temiskaming Shores hereby approves the minutes of the October 26, 2022 Committee of Adjustment Meeting as printed.

Carried

6. Public Hearings

Chair Carman Kidd advised that this afternoon a public hearing is scheduled for one minor variance application.

The Planning Act requires that a public hearing be held before the Committee of Adjustment decides whether to approve such applications. The public hearing serves two purposes: first, to present to the Committee and the public the details and background to the proposed application and second, to receive comments from the public and agencies before a decision is made.

6.1 Minor Variance Application A-2022-06 – Sébastien Tassé

The Chair declared the public hearing for Minor Variance Application A-2022-05 to be open.

The Chair asked the Planner, Jennifer Pye, to summarize the proposal, provide any additional information that may be relevant and summarize any correspondence received to date regarding this application.

Subject land: 704121 Rockley Road; DYMOND CON 2 S PT LOT 5 PCL 14916SST

Purpose of the application: The property owner is seeking relief from the maximum accessory building height requirement to permit the construction of a 9.75 metre x 12.192 metre (32' x 40') accessory garage on the property. The applicant is requesting to exceed the maximum height requirement in order to allow for the parking of larger vehicles in the garage.

The following relief is being sought from the requirements of the City of Temiskaming Shores Zoning By-law:

Provision	Zoning By-law	Subject Property
Section 6.4, Table 6.3 – Residential Zone Requirements – Rural Residential (R1) Zone – Maximum Accessory Building Height	5 metres	5.43 metres

Statutory Public Notice: The application was received on December 21, 2022 and was circulated to City staff. Notice of the complete application and the public hearing was advertised in the Temiskaming Speaker and Weekender beginning on January 11, 2023 in accordance with the statutory notice requirements of the Planning Act. Notice of the application was also mailed to property owners within 60m of the subject land.

Jennifer Pye reviewed the planning report and advised that the application is consistent with the Provincial Policy Statement (2020), and meets the general intent and purpose of the City of Temiskaming Shores Official Plan and City of Temiskaming Shores Zoning By-law, and recommended that the Committee approve the application.

**The Corporation of the City of Temiskaming Shores
Committee of Adjustment**

Meeting Minutes

January 25, 2023

A Committee member mentioned that a Zoning By-law amendment should be considered for accessory building heights.

A Committee member asked if the application had been circulated for comments specifically related to drainage when vehicles are being washed. Jennifer Pye noted that drainage in the garage for disposal into the existing septic system would need to be discussed with the Temiskaming Health Unit.

The Committee considered and adopted the following resolution:

Resolution No. 2023-06

Moved By: Dan Dawson

Seconded By: Melanie Ducharme

Whereas the Committee of Adjustment for the City of Temiskaming Shores has considered Minor Variance Application A-2022-06 as submitted by Sébastien Tassé for the following lands: 704121 Rockley Road; DYMOND CON 2 S PT LOT 5 PCL 14916SST;

And whereas the applicant is requesting relief from the following provisions of the City of Temiskaming Shores Zoning By-law 2017-154:

- 1) Section 6.4, Table 6.3 – Zone Requirements for Residential Zones – Rural Residential (R1) Zone – Maximum Accessory Building Height is 5 metres. The applicant is requesting 5.43 metres;

And whereas the Committee of Adjustment for the City of Temiskaming Shores has received the planning report dated December 21, 2022 and has considered the recommendations therein;

Be it resolved that the Committee of Adjustment for the City of Temiskaming Shores approves Minor Variance Application A-2022-06.

Further be it resolved that the following variance be granted:

That the Committee of Adjustment grant relief from Section 6.4, Table 6.3 of Zoning By-law 2017-154 to allow a maximum accessory building height of 5.43 metres.

Subject to the following conditions:

- 1) That this approval applies only to the accessory garage as proposed in this application.

For the following reasons:

In the opinion of the Committee:

1. The variance maintains the general intent and purpose of the City of Temiskaming Shores Official Plan;
2. The variance maintains the general intent and purpose of the City of Temiskaming Shores Zoning By-law;
3. The variance is desirable for the appropriate development or use of the land, building, or structure;
4. The variance is minor.

Carried

7. New Business

None

***The Corporation of the City of Temiskaming Shores
Committee of Adjustment***

Meeting Minutes

January 25, 2023

8. Unfinished Business

None

9. Applications for Next Meeting

Next meeting: February 22 – B-2023-01 Kidd Crest Farms Inc.

10. Adjournment

Resolution No. 2023-07

Moved By: Robert Ritchie

Seconded By: Suzanne Othmer

Be it resolved that the Committee of Adjustment meeting be closed at 1:52 p.m.

Carried

Carman Kidd
Chair

Jennifer Pye
Secretary-Treasurer

Temiskaming Shores Public Library Board

Meeting Minutes

Wednesday, March 22, 2023

7:00 p.m. in person and via zoom

1. Call to Order

Meeting called to order by Library Board Chair Brigid Wilkinson at 7:02 p.m.

2. Roll Call

Present: Claire Hendriks, Erin Little, Nadia Pelletier-Lavigne, Sarah Bahm, Chair Brigid Wilkinson and Library CEO Rebecca Hunt in person. Erica Burkett via zoom, and Thomas McLean arrived at 7:42 via zoom.

Regrets: Melanie Ducharme, Joyce Elson.

Members of the Public: 1 member arrived at 8:05.

3. Adoption of the Agenda

Motion #2023-17

Moved by: Erin Little

Seconded by: Claire Hendrikx

Be it resolved that the Temiskaming Shores Public Library Board accepts the March 22, 2023 agenda as presented.

Carried.

4. Declaration of conflict of interest: none.

5. Adoption of the Minutes

Motion #2023-18

Moved by: Nadia Pelletier-Lavigne

Seconded by: Erica Burkett

Be it resolved that the Temiskaming Shores Public Library Board approves the minutes of the meeting held on Wednesday, February 22, 2023 as presented.

Carried.

6. Business arising from Minutes:

a. None.

7. Correspondence:

a. From ESCSM: Re May Ball Bursary. For information.

b. From NEOnet: Membership drive. For information.

8. Secretary–Treasurer’s Report

Report, workplace inspection reports, monthly financial statement and Scotiabank Statements included in the trustees’ information packet

Library CEO’s Report

March 15, 2023

Building: Fire Safety checks are completed on a monthly basis and reported to the Fire Prevention Officer for the City. Workplace safety inspections are completed on a monthly basis by the Library’s Health and Safety Representative.

Grants:

Connectivity Fund Grant: We were successful in our application to the fund for internet connectivity. The Connectivity Fund covers 100% of the cost of our internet connections for the year and we can apply every year.

International Dyslexia Association Ontario Grant: The grant application has been sent in and we should know if we were successful by the end of April.

Library Collection: We are weeding in the Fiction, Large Print, Fantasy and Paperback sections of the library and shifting books to make more room in the Fiction area as space is tight there. The weeded books go into the booksale and are sold pay-as-you-please with a donation in the donation box.

Timiskaming Health Unit Senior's Exercise Class: The Timiskaming Health Unit is renting the programming room twice a week for their seniors chair based exercise class called From Soup To Tomatoes. The classes are taught by a volunteer and take place on Tuesday and Thursday mornings.

Programs:

Gadget Helper—Thursdays

Afternoon English Book Club—Every 6 weeks on Wednesday afternoons

Class Visits—As scheduled on Wednesdays

Alzheimer Awareness booth in lobby—As scheduled once a month

Saturday Family Storytime—Every second Saturday, starting February 25

Service Canada Information Session: CPP and Old Age Benefits—March 21

From Soup to Tomatoes Exercise Class—Tuesdays and Thursdays, starting March 23.

Spring Preschool Storytime—Wednesdays starting April 5

Easter Craft and Storytime—Saturday, April 8

Finances and Statistics

The Board reviewed the workplace inspection, financial and statistical reports, including the Scotiabank Statements as provided by the CEO.

Motion #2023-19

Moved by: Claire Hendrikx

Seconded by: Erin Little

Be it resolved that the Temiskaming Shores Public Library Board accepts the March Secretary-Treasurer's report, workplace inspection report and financial reports.

Carried.

9. Committee Reports:

- a. FINANCE AND PROPERTY: Nothing to report.
- b. PLANNING, POLICY, PERSONNEL AND PUBLICITY: Nothing to report.
- c. STRATEGIC PLANNING: Nothing to report.
- d. LIBRARY SERVICES: Nothing to report.

10. New Business:

- a. Distribution of the Board contact list and committee membership.
- b. Signing officers.
- c. Description of the May Ball investment funds. Discussion about a policy for the allocation of the interest from the fund and about the Scotiabank account.
- d. Review of the Policy Review Schedule.

11. Closed Session

- a. Closed session in regards to identifiable individuals.

Motion #2023-20

Moved by: Sarah Bahm

Seconded by: Claire Hendrikx

Be it resolved that the Temiskaming Shores Public Library Board go into closed session at 7:42 p.m. in regards to identifiable individuals.

Carried.

Motion #2023-21

Moved by: Claire Hendrikx

Seconded by: Nadia Pelletier-Lavigne

Be it resolved that the Temiskaming Shores Public Library Board rise from closed session at 8:08 p.m. in regards to identifiable individuals.

Carried.

b. Approval of the January 2023 closed session minutes. Motion.

Motion #2023-22

Moved by: Erin Little

Seconded by: Thomas McLean

Be it resolved that the Temiskaming Shores Public Library Board accepts the January closed session minutes as reviewed by the Board.

Carried.

c. Approval of the staff training discussed in closed session. Motion.

Motion #2023-23

Moved by: Sarah Bahm

Seconded by: Claire Hendrikx

Be it resolved that the Temiskaming Shores Public Library Board approves funding for the CAMH courses “Managing Mental Health in the Workplace” and “Customer Service and De-escalation Training” for up to 8 (eight) library staff members.

Carried.

12. Adjournment

Adjournment by Brigid at 8:10 p.m.

Chair –



MINUTES OF THE REGULAR MEETING OF THE BOARD

Held on Wednesday, March 22nd, 2023, at 5:30 PM at DTSSAB South Office

Present: Derek Mundle (Chair), Jeff Laferriere, Mary-Jo Lentz, Jesse Foley, Lois Perry, Clifford Fielder, Ian Macpherson, Pat Kiely, Rick Owen, Mark Stewart (CAO)

Staff: Janice Loranger – Director of Finance, Louanna Lapointe – Ontario Works Manager, Rachel Levis – Director of Human Resources, Steve Cox – Housing Services Manager, Corey Mackler – Information Technology Manager, John McCarthy – EMS Chief, Lyne Labelle – Children's Services Manager, Michelle Caron - Recorder

Absent:

Guests: Darlene Wroe (Media)

The Regular Meeting of the Board was called to order at 5:30 PM.

1.0 CALL TO ORDER AND LAND ACKNOWLEDGMENT

2.0 DISCLOSURE OF PECUNIARY INTEREST

Nil

3.0 PETITIONS AND DELEGATIONS

Nil

4.0 ACCEPTANCE/ADDITIONS TO AGENDA

Resolution 2023- 22

Moved by Lois Perry and seconded by Pat Kiely

THAT the agenda of the Regular Meeting of the Board held on March 22nd, 2023, be accepted as presented.

Carried.

5.0 ADOPTION OF PREVIOUS MINUTES – February 15th, 2023, REGULAR MEETING OF THE DTSSAB BOARD

Resolution 2023-23

Moved by Rick Owen and seconded by Ian Macpherson

THAT the Minutes of the Regular Meeting of the DTSSAB Board held on February 15th, 2023, be accepted as presented.

Carried.

6.0 CORRESPONDENCE

6.1 Association of Municipalities of Ontario (AMO) – Pre-Budget Presentation to the Standing Committee

Resolution 2023-24

Moved by Jeff Laferriere and seconded by Jesse Foley

WHEREAS the homeless crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario;

WHEREAS the homelessness crisis is the result of the underinvestment and poor policy choices of successive provincial governments;

WHEREAS homelessness requires a range of housing, social service and health solutions from government;

WHEREAS homelessness is felt most at the level of local government and the residents that they serve;

WHEREAS municipalities and District Social Administration Boards are doing their part, but do not have the resources, capacity or tools to address this complex challenge; and,

WHEREAS leadership and urgent action is needed from the provincial government on an emergency basis to develop, resource, and implement a comprehensive plan to prevent, reduce and ultimately end homelessness in Ontario.

THEREFORE BE IT RESOLVED THAT the District of Timiskaming Social Services Administration Board calls on the Provincial Government to urgently:

- a. Acknowledge that homelessness in Ontario is a social, economic, and health crisis;**
- b. Commit to ending homelessness in Ontario;**
- c. Work with AMO and a broad range of community, health, Indigenous and economic partners to develop, resource, and implement an action plan to achieve this goal.**

AND FURTHER THAT a copy of this motion be sent to the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; and to the Association of Municipalities of Ontario.

Carried.

6.2 Canadian Alliance to End Homelessness (CAEH) – Homelessness Prevention and Housing Benefit

Resolution 2023-25

Moved by Mary Jo Lentz and seconded by Lois Perry

WHEREAS the drastic recent increase in homelessness and the concurrent increase in the reliance of Canadians on food banks is evidence of the widening of the gap in income disparity due to current economic conditions; and

WHEREAS the CAEH has presented data illustrating that the majority of Canadians believe that homelessness is a problem and it is getting worse; and

WHEREAS the data also shows that the majority of Canadians believe resources should be allocated to improving the situation; and

WHEREAS CAEH has presented the benefits of creating a Homelessness Prevention Housing Benefit;

NOW THEREFORE BE IT RESOLVED that the District of Timiskaming Social Services Administration Board supports the CAEH in requesting that the Federal government create a Housing Benefit as outlined in the CAEH report and proposal.

FURTHER BE IT RESOLVED that this resolution be circulated to all District of Timiskaming Social Services Administration Board member municipalities, the Association of Municipalities of Ontario, the Ontario Municipal Social Services Association, and the local Member of Parliament.

Carried.

7.0 NEW BUSINESS

7.1 2023 Budget

Resolution 2023-26

Recorded Vote:

Pat Kiely – <i>In Favour</i>	Rick Owen – <i>In Favour</i>	Derek Mundle – <i>In Favour</i>
Jeff Laferriere – <i>In Favour</i>	Jesse Foley – <i>In Favour</i>	Lois Perry – <i>In Favour</i>
Clifford Fielder – <i>Against</i>	Mary Jo Lentz – <i>In Favour</i>	Ian Macpherson – <i>In Favour</i>

THAT the Board approve the 2023 Budget of \$40,135,287 total expenditures, with a municipal share of \$6,982,520 and a Territories Without Municipal Organization (TWOMO) share of \$1,879,667, and that an amount of \$200,000 be applied from the Working Fund Reserve to offset the municipal and TWOMO billing amounts, resulting in a final 2023 billing amount of \$1,824,940 municipal share and \$1,837,247 TWOMO share.

Carried.

7.2 2022 Annual Report

This report was presented to the Board for information.

7.3 Zack's Crib Media Release

This media release was presented to the Board for information.

7.4 CAO Report

This report was presented to the Board for information.

8.0 IN-CAMERA SESSION

Resolution 2023-27

Moved by Ian Macpherson and seconded by Clifford Fielder

THAT the Board move to the in-camera session to discuss human resources matters and items pertaining to land acquisition.

Carried.

9.0 RETURN TO REGULAR SESSION

Resolution 2023-28

Moved by Jeff Laferriere and seconded by Clifford Fielder

THAT the Board resolve to rise from the in-camera session and reconvene with the Regular Meeting of the Board with report at 6:49 PM.

Carried.

Resolution 2023-29

Moved by Jesse Foley and seconded by Mary Jo Lentz

THAT the Board approve the direction given In-Camera regarding item 8.4

Carried.

10.0 ADJOURNMENT/NEXT MEETING

Resolution 2023-30

Moved by Lois Perry and seconded by Pat Kiely

THAT the Board meeting be hereby adjourned at 6:50 PM. AND THAT the next meeting be held on April 26th, 2023, or at the call of the Chair.

Carried.

Minutes signed as approved by the Board:


Derek Mundle, Chair

March 22, 2023

Date

Recorder: Michelle Caron



MINUTES

Timiskaming Health Unit Board of Health

Regular Meeting held on April 5, 2023 at 6:30 P.M.

New Liskeard Boardroom / Microsoft Teams

1. The meeting was called to order at 6:30 p.m.

2. **ROLL CALL (All - Virtual Attendance)**

Board of Health Members

Jesse Foley	Vice-Chair, Municipal Appointee for Temiskaming Shores
Mark Wilson	Municipal Appointee for Temiskaming Shores
Jeff Laferriere	Municipal Appointee for Temiskaming Shores
Paul Kelly	Municipal Appointee for Township of Larder Lake, McGarry & Gauthier
Curtis Arthur	Provincial Appointee
Carol Lowery	Municipal Appointee for Town of Cobalt, Town of Latchford, Municipality of Temagami, and Township of Coleman
Steve McIntyre	Municipal Appointee for Township of Armstrong, Hudson, James, Kerns & Matachewan
Guy Godmaire	Municipal Representative for Township of Brethour, Harris, Harley & Casey, Village of Thornloe

Regrets

Stacy Wight	Chair, Municipal Appointee of Kirkland Lake
Casey Owens	Municipal Appointee for Town of Kirkland Lake
Lori Jordan	Municipal Appointee for Township of Chamberlain, Charlton, Evanturel, Hilliard, Dack & Town of Englehart

Timiskaming Health Unit Staff Members

Dr. Glenn Corneil	Acting Medical Officer of Health/CEO
Randy Winters	Director of Corporate Services
Erin Cowan	Director of Strategic Services and Health Promotion
Rachelle Cote	Executive Assistant
Amanda Mongeon	Public Attendee (Video)

3. **APPROVAL OF AGENDA**

MOTION #17R-2023

Moved by: Paul Kelly

Seconded by: Jeff Laferriere

Be it resolved that the Board of Health adopts the agenda for its regular meeting held on April 5, 2023, as presented.

CARRIED

4. **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE**

None.

5. **APPROVAL OF MINUTES**

MOTION #18R-2023

Moved by: Guy Godmaire

Seconded by: Carol Lowery

Be it resolved that the Board of Health approves the minutes of its regular meeting held on March 1, 2023, as presented.

CARRIED

6. **BUSINESS ARISING**

N/A

7. **PRESENTATION: Household Food Insecurity – The Cost of Eating Well in Timiskaming**

By Rim Mouhaffel | Presentation available [here](#).

8. **REPORTS OF MOH/CEO**

Dr. Corneil provided a summary of the local COVID-19 situation and other related updates.

CSWBP Municipalities Agreements:

A communication prompt will be issued next week to the remaining municipalities as a reminder. The respective Board members to be copied on the correspondence as requested.

9. **HUMAN RESOURCES & FINANCE UPDATE**

Randy Winters provided an update for information purposes.

Municipal Expense Allocation Method:

Board Direction: Management to prepare a motion and a presentation summary for Board approval at the next meeting.

10. **NEW BUSINESS**

a. **alPHa Annual Conference – June 12-14, 2023**

MOTION #19R-2023

Moved by: Jeff Laferriere

Seconded by: Mark Wilson

Be it resolved that the Board of Health approves the in-person attendance of the following Board of Health members at the alPHa Annual Conference, June 12-14, 2023:

- Guy Godmaire

CARRIED

b. **Briefing Note: Icelandic Prevention Model**

MOTION #20R-2023

Moved by: Curtis Arthur

Seconded by: Guy Godmaire

Be it resolved that the Board of Health endorse the implementation of the Icelandic Prevention Model as a local strategy to reduce youth substance use.

CARRIED

c. **Briefing Note: Household Food Insecurity**

MOTION #21R-2023

Moved by: Curtis Arthur

Seconded by: Mark Wilson

Be it resolved that the Board of Health review updated information on “*Household Food Insecurity: A Serious Issue in Timiskaming, Ontario, and Canada*” and the following **report** and **infographic** on Monitoring Food Affordability in Timiskaming; And further that the Board endorse the Ontario Dietitians in Public Health’s letter (Appendix A) and send copies of this endorsement calling for the adoption of income-based policy solutions along with a summary of this briefing note to:

- Hon. Doug Ford, Premier of Ontario
- Hon. Sylvia Jones, Deputy Premier and Minister of Health
- Hon. Michael Parsa, Minister of Children, Community and Social Services

cc:

- John Vanthof, MPP – Timiskaming-Cochrane
- Anthony Rota, MP – Timiskaming-Nipissing
- Charlie Angus, MP – Timmins-James Bay
- Association of Local Public Health Agencies (alPHA)
- Association of Municipalities of Ontario (AMO)
- Federation of Canadian Municipalities (FCM)
- Ontario Public Health Association (OPHA)
- Ontario Dietitians in Public Health (ODPH)

CARRIED

d. **Briefing Note: Physical Literacy**

MOTION #22R-2023

Moved by: Jeff Laferriere

Seconded by: Guy Godmaire

Be it resolved that the Board of Health receive the briefing note for Physical Literacy for consideration; And further that the Board of Health endorse Public Health Sudbury & District’s Motion #29-22: *Physical Literacy for Healthy Active Children* (Appendix A) and share a copy of THU’s motion and a summary of this briefing note with local school boards, sports and recreation organizations, early learning centres, and the local member Provincial Parliament.

CARRIED

e. **Public Reappointment**

MOTION #23R-2023

Moved by: Paul Kelly

Seconded by: Mark Wilson

Be it resolved that the Board of Health recommends the reappointment of Curt Arthur as a Public Appointee to the Timiskaming Board of Health for the Public Appointments Secretariat's review and consideration.

CARRIED

11. **CORRESPONDENCE**

MOTION #24R-2023

Moved by: Paul Kelly

Seconded by: Jeff Laferriere

Be it resolved the Board of Health acknowledges receipt of the correspondence for information purposes.

CARRIED

12. **IN-CAMERA**

Nothing to report.

13. **RISE AND REPORT**

N/A

14. **DATES OF NEXT MEETINGS**

The next Board of Health meeting will be held on May 3, 2023 at 6:30 pm in Kirkland Lake.

15. **ADJOURNMENT**

MOTION #25R-2023

Moved by: Mark Wilson

Seconded by: Curtis Arthur

Be it resolved that the Board of Health agrees to adjourn the regular meeting at 7:49 pm.

CARRIED

Report from Councillor Ducharme
Federation of Northern Ontario Municipalities Conference
May 8-11, 2023

The conference was held in the Town of Parry Sound and hosted municipal representatives from across Northeastern Ontario.

May 8, 2023

We heard welcoming remarks from Deputy Mayor Whalen who also sits as the FONOM president. A number of provincial government Ministers spoke. We heard from Chief Warren Tabobondung of Wasauksing First Nation and Minister of Northern Development and Indigenous Affairs, Greg Rickford.

ICECAP Project – Parry Sound area: We heard a panel discussion on a regional collaboration through a nonprofit corporation to undertake climate change initiatives that small communities would not have capacity for. One takeaway was the value of the collaboration on environmental and GHG reduction projects across small municipalities who may not be able to do it on their own but are more successful when resources are pooled.

MCAP update – The property value re-assessment that was delayed due to COVID-19 has not at this time been announced. We received an outline of the services available to municipalities and individual property owners. In particular, rate payers can now update their school tax information online.

We heard from Minister Smith (MNR), Minister Mulroney (MTO), Sylvia Jones (Deputy Premier/MOHealth), and Steve Clark (Minister of Municipal Affairs and Housing). Key points were in regards to ensuring that municipalities can respond to the housing crisis, safety on highways including the 2+1 pilot, and the return of the ONR Passenger rail service.

May 9, 2023

INTACT insurance – Provided information about the types of claims and liability municipalities face and outlined the effects of adverse weather events due to climate change on insurance premiums.

IESO – We heard an outline of power grid planning over the coming three decades to prepare for demand while ensuring power becomes greener.

ONR – The ONR shared their progress on the return of passenger rail, the planned route, the features of the new trains and plans to ensure the rail stops are upgraded over the coming year. They plan to meet with host municipalities in 2023.

FEDNOR- We received an update on funding programs and priorities for the region.

BAIL REFORM – Timmins Police did a presentation on the need for Bail Reform as it relates to violent offenders but seemed to also want to extend this to individuals with multiple charges. FONOM is supporting research into this topic. Issues around insufficient resources in the court system and corrections were identified by municipal representatives as contributing factors and I would encourage individuals to also put pressure on these interconnected systems when trying to reduce crime in

communities. I am interested to hear the research that comes out of this project as national statistics show violent crime dropping and what this looks like in small northern communities.

SPEEDIER – We looked at a scalable micro-grid project being used with interesting potential uses for small municipalities.

Minister Fedeli – Minister of Finance – The focus of the conversation was on the need for northern collaboration in terms of making Ontario a leader in green technology. There was a focus on resources from the north also being processed in the North and I would encourage continued pressure for funding and supports to ensure businesses establish in the north using sustainable approaches that benefit the north from a long-term standpoint.

May 10, 2023

FONOM held its AGM.

Ontario Power Generation discussed its hydro power generation projects in the north.

Marit Styles, Leader of the NDP Party of Ontario discussed her approaches to healthcare, northern development and road safety in the North.

The conference will be held next year in Sudbury.

The networking opportunities were outstanding as I was able to meet and connect with many representatives that are facing similar challenges in their own municipalities.

Subject: 2023 Roadway Rehabilitation Program

Report No.: PW-009-2023

Agenda Date: May 16, 2023

Attachments

Appendix 01: RFT Results

Appendix 02: Proposed 2023 Program with Overall Costs

Appendix 03: Draft Agreement (**Please refer to By-Law 2023-055**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-009-2023; and
2. That Council directs staff to prepare the necessary by-law to enter into an agreement with Miller Paving Limited for the 2023 Roadway Rehabilitation Program in the amount of \$532,288.00, plus applicable taxes, for consideration at the May 16, 2023 Regular Council meeting.

Background

During the 2023 budget deliberations, Council considered and approved a 2023 Roads Program budget of \$543,632. This budget estimate was developed by using previous data and an outline of municipal roads that need rehabilitation. This small amount, in comparison to other years, allows the Public Works department to continue the momentum of upgrading road surfaces, yet allows for additional funds to be allocated to Full Road Reconstruction, such as the approved Albert Street reconstruction project.

For this estimate roads were selected based on the Asset Management plan, pavement condition index, road use and function, approximations of Annual Average Daily Traffic, Maintenance Class Type and Operational review and records. Also, it should be noted, below ground infrastructure was another factor in the consideration for road repairs.

The Request for Tender document was released April 14th with the hope of securing a knowledgeable contractor to present prices forthcoming. The tender closed May 10th at 2pm. Roads identified in the tender and budget estimate included:

1. Pine Avenue E/W from Kendall Street to Robert Street (Jumping over Armstrong Street)
 - a. Approximately 600 m
2. May Street from Cedar Avenue to Sharpe Street

- a. Approximately 250 m
3. Dawson Point Road from Robert Street to McKelvie Avenue.
 - a. Approximately 144 m
4. Dixon Street from Agnes Avenue to Broadwood Avenue.
 - a. Approximately 100 m
5. Ferguson Avenue from Marcella Street to Blackwall Street
 - a. Approximately 82 m
6. Blackwall Street from Sutherland Way to Farr Drive.
 - a. Approximately 211 m

The roads presented in the Tender were based on careful consideration taking into account all residents in our community. It should be noted that this list is the framework of the roads program. Roads are subject to change and additions and removals can occur at any time throughout the contract due to unforeseen circumstances.

Analysis

One (1) submission was received in response to the Request for Tender prior to the closing date.

Miller Paving Limited supplied a bid for the requested roads, however the subtotal price was higher than the budgeted amount as seen in Appendix 01 – RFT Results. As per the Tender document, discussions and negotiations took place between City Staff and Miller Paving, eventually coming to an agreement to reduce scope of the Tender.

The main points of reduction were the removals of the contingency amount, removal of the small section of Dixon Crescent and the reduction in paving length on May Street. Explanations for this include, there is a level of contingency built into each road section, Dixon Crescent was a small section that will become part of the Road Patching program, and the reduction in length shall now go from intersection to intersection. This reduction still allows the City to perform a rehab of 2.4 lane kilometers of road.

An updated breakdown of costs can be found below:

Section	Approx. Length	Cost	Non Ref. HST	Total
Pine Ave	600 meters	\$ 258,165.00	\$ 4,543.70	\$262,708.70
May Street	175 meters	\$ 82,775.00	\$ 1,456.84	\$ 84,231.84
Dawson Point	144 meters	\$ 61,802.00	\$ 1,087.72	\$ 62,889.72
Ferguson and Blackwall (Hlby Arena)	293 meters	\$ 129,546.00	\$ 2,280.01	\$131,826.01
		Total including Non-Refundable		\$541,656.27

Miller Paving Limited has successfully completed many projects for Temiskaming Shores and throughout Northern Ontario and has demonstrated the ability to complete this work as intended.

The Tender was analysed for errors and/or omissions and was found to be correct and complete. The acquisition process was in keeping with the City's Procurement Policy (By-Law 2017-015).

It is recommended that the City proceed with Miller Paving to perform the required road rehabilitation services.

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

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 costs associated with this Roads program is around \$2,000.00 under the budgeted amount.

Climate Considerations

Climate Lens has been complete. Based on the results there are no expectations for increased GHG emissions, increased temperature, or increased precipitation based on this contract. The method of supply and delivery is in line with current scope of paving operations and no planned changes exist currently.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for Council's
consideration by:

"Original signed by"

"Original signed by"

Mitch McCrank, CET
Manager of Transportation Services

Amy Vickery
City Manager

Document Title: **PW-RFT-003-2023 "Road Rehabilitation"**

Closing Date: **Wednesday, May 10, 2023**

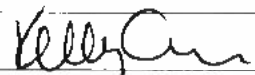
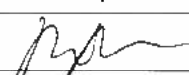
Closing Time: **2:00 p.m.**

Department: **Public Works**

Opening Time: **2:30 p.m.**

Attendees via teleconference: 705-672-2733 Ext. 774

City of Temiskaming Shores:

Kelly Conlin, Municipal Clerk	Mitch McCrank Manager of Transportation		
			

Others (teleconference):

Submission Pricing

Bidder: *Miller Paving*

Bid Form	Amount
Part A – Road Rehabilitation and Resurfacing Subtotal	\$ <i>609,962.00</i>
Part B – Contingency Allowance Subtotal	\$50,000.00
Part C – Provisional Items Subtotal	\$ <i>112,575.00</i>
Subtotal for Parts A, B	\$ <i>722,537.00</i>
Subtotal for all Parts A, B, C	\$ <i>772,537.00</i>

Bidder:

Bid Form	Amount
Part A – Road Rehabilitation and Resurfacing Subtotal	\$
Part B – Contingency Allowance Subtotal	\$50,000.00
Part C – Provisional Items Subtotal	\$
Subtotal for Parts A, B	\$
Subtotal for all Parts A, B, C	\$

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.

2023 Roadway Resurfacing Program

Pine Ave E/W from Kendall Street to Robert Street - \$258,165.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structures
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Adjust Driveways

May Street South from Whitewood Avenue to Riverside/Cedar - \$82,775.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structure
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Grade Gravel parking lot to the east

Dawson Point Road from Robert Street to McKelvie Ave – \$61,802.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structures
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Adjust Driveways, if required.

Haileybury Arena Area along Ferguson from Marcella to Blackwall and along Black wall from Sutherland Way to Farr Drive – \$129,546.00

1. Pulverize remaining existing surfaces
2. Complete subgrade remedial work
3. Place, grade and compact minimum 50mm of Granular A.
4. Adjust Structures
5. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
6. Adjust Driveways, if required.

Approved 2023 Roads Program Allocation	\$ 543,632.00
Estimated cost for above noted work (with Non Ref.)	\$ 541,656.27
Available Funds (Budget less Estimated)	\$ 1,975.73

Subject: Tender Award – Albert Street
Reconstruction

Report No.: PW-010-2023

Agenda Date: May 16, 2023

Attachments

Appendix 01: EXP – Tender Report and Recommendation

Appendix 02: Draft Agreement (**Please refer to By-law No. 2023-056**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-010-2023; and
2. That Council directs staff to prepare the necessary By-law to enter into an agreement with Pedersen Construction (2013) Inc. for the Albert Street Reconstruction Project in the amount of \$ 4,447,705.29 plus applicable taxes for consideration at the May 16,2023 Regular Council Meeting.

Background

The reconstruction of Albert Street has been a priority project for some time. In 2017, Council approved entering into an agreement (By-law 2017-017) with EXP Services Inc. to complete the detailed design for reconstruction of approximately 600m of Albert Street from Rorke Avenue to Bruce Street.

The design was completed and has remained “shelf ready” since 2018 as it was anticipated that funding opportunities from the Provincial/Federal governments may become available. Since that time there have been no funding opportunities announced that met the criteria for full road construction projects.

Currently, within the City’s Asset Management Plan, the condition ratings (1-5) for the underground infrastructure (water, sanitary and storm) on Albert St. from Rorke Ave. to Bruce St. is very low at 1. In addition, the road condition score is also very low with an average rating of 1.66.

As a result, during the 2023 budget deliberation process Council approved the reconstruction of Albert St. as a multi-year capital project (2023/24) with a total budget amount of \$ 4,567,462.00.

As part of the requirements under By-law 2017-017, EXP was responsible to prepare and release the associated construction tender as well as provide a recommendation to award. Tender document NWL-01701012 was prepared and released on April 17, 2023, and closed on May 9, 2023.

The major items and quantities included in the tender documents are as follows:

- 991 t - Super Pave SP12.5 hot mix paving.
- 3,608 t - Granular 'A'.
- 10,918 t - Granular 'B'.
- 1,335 m - Concrete Curb and Gutter
- 7 ea - 1,200 mm diameter sanitary maintenance holes.
- 667 m - Sanitary sewer and associated services.
- 21 ea – Storm Catchbasins, maintenance holes, and ditch inlets. (various sizes)
- 655m – Storm sewer (various sizes)
- 668 m – Watermain, appurtenances and associated services.

Analysis

One submission was received as it relates to the above noted tender.

EXP reviewed the submission for completeness and provided a tender report recommending that the City enter into an agreement with Pedersen Construction (2013) Inc. for the reconstruction of Albert St. in the amount of \$ 4,447,705.29 plus applicable taxes. Included within the above amount is a 5% contingency which totals \$ 211,795.50.

Appendix 01 outlines the EXP tender report and recommendation.

Staff is currently in discussions with EXP to establish a cost to provide the necessary Contract Administrative (CA) services for the project. Once the final cost for CA is received, staff will present an administrative report to Council for consideration at a future meeting.

Relevant Policy / Legislation / City By-Law

- By-Law No. 2017-015, Procurement Policy

Consultation / Communication

- Tender – NWL-01701012 – Albert Street Reconstruction

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 ☐

As mentioned above, Council approved the reconstruction of Albert St. as a multi-year project totalling \$ 4,567,462.00. The construction cost for the project inclusive of non-refundable HST is \$ 4,525,984.80.

Climate Considerations

The climate lens was used to consider the impacts of reconstructing Albert St. Although the results indicate that construction activities will create a minimal impact to GHG emissions, there is a strong potential that GHG emissions may be reduced with the expansion of the active transportation trail.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for Council's consideration by:

"Original signed by"

"Original signed by"

Steve Burnett
Manager of Environmental Services

Amy Vickery
City Manager



May 10, 2023

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

Re: **Tender Report and Review**
Reconstruction of Albert Street,

Project # NWL-01701012

Dear Mr. Burnett,

We are pleased to present our review of the scanned Tender received via email from Pedersen Construction (2013) Inc. on May 9, 2023 for the above noted project. A total of one (1) Tender Package was received for the proposed works. Our review of the submission is as follows.

A tender was received from Pedersen Construction (2013) Inc.

- The tenderer submitted a Bid Bond, and Consent of Surety in accordance with the Tender requirements.
- The tenderer provided a list for all anticipated work to be sub-contracted and the identity of the sub-contractors.
- The Tenderer provided a detailed list of all equipment.
- The Tenderer provided labour rates and confirmed that the OPSS 127 Equipment Rates would be used in the event additional work is required.
- All addendums were acknowledged.
- It appears the submitted documents have been sealed appropriately but this cannot be confirmed as the documents were transmitted to EXP electronically.
- Pedersen's tender contained an arithmetical error on Item 22 – Entered Amount = \$112,500.12, Correct Amount = \$112,500.00.
Therefore: **Total (Excluding HST) = \$4,447,705.29**

The tender received is as follows:

1. Pedersen Construction (2013) Inc. Total of **\$4,447,705.29 (Excluding H.S.T.)**

The submission contained all required documents as set out in the Tender documents.

At this time, we would recommend that the Corporation of the City of Temiskaming Shores consider entering into an Agreement with Pedersen Construction (2013) Inc. provided the tendered price is acceptable to the City.

Should the City of Temiskaming Shores wish to accept Pedersen Construction (2013) Inc. tender please provide EXP with direction to proceed with preparation of the Articles of Agreement.

Sincerely,



Brad Gilbert, A.Sc.T, rcsi,
Project Manager

Subject: Proposed Provincial Planning Statement, 2023, and Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023

Report No.: CS-000-2023

Agenda Date: May 16, 2023

Attachments

- Appendix 01:** Draft Comments on ERO Posting 019-6822, Site Plan for Residential Development of 10 or Fewer Units
- Appendix 02:** Proposed Provincial Planning Statement, 2023
- Appendix 03:** Draft Comments on Proposed Provincial Planning Statement, 2023
- Appendix 04:** Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-000-2023;
2. That Council directs staff to submit comments on ERO posting 019-6822, Site Plan for Residential Developments of 10 or Fewer Units, as set out in Appendix 01;
3. That Council directs staff to submit comments on ERO posting 019-6813, the Review of Proposed Policies Adapted from a Place to Grow and Provincial Policy Statement to form a new Provincial Planning Policy Instrument, as set out in Appendix 03.

Background

On April 6, 2023 the Provincial Government released the next phase of its plan to build 1.5 million homes by 2031. The release included: Bill 97, the Helping Homebuyers, Protecting Tenants Act, 2023; the proposed Provincial Planning Statement, 2023 (ERO Posting 019-6813); and a Minister's Regulation under the Planning Act related to the use of site plan control for 10 or fewer residential units (ERO posting 019-6822).

Bill 97 contains mostly minor changes to a number of Acts, including the Planning Act in which the relevant changes for the City of Temiskaming Shores are as follows: a change to the definition of "area of employment" which limits the uses can be considered employment uses (this is an enabling definition for revised policies in the proposed Provincial Planning Statement); pushing back of the in force date for the application fee refunds based on the timelines established in Bill 109, the More Homes for Everyone Act,

2022, from January 1, 2023 to July 1, 2023; and allowing site plan control to be used for the development of 10 or fewer residential units if the property is within a “prescribed area.”

Bill 97 also includes an amendment to the Building Code Act that would require the Deputy Minister of Municipal Affairs and Housing to appoint inspectors to enforce the Building Code Act in unincorporated areas.

The comment period for the Bill 97 ERO posting closed on May 6, 2023. Given the limited timeframe for the submission of comments and the relatively inconsequential and favourable nature of the proposed amendments, City staff did not provide comments on the posting.

As outlined in Administrative Report CS-012-2023, considered by Council at the Committee of the Whole meeting on April 4, 2023, Bill 23, which was passed on November 28, 2022, removed the ability for municipalities to use site plan control for all residential developments of 10 or fewer units regardless of the location of the property or any other site-specific considerations. On April 6, 2023, ERO posting 019-6822 introduced a proposed regulation under the Planning Act that would allow the use of site plan control for residential development of 10 or fewer units where any part of the parcel of land is located within 120 metres of a shoreline, and 300 metres of a railway line. Development on waterfront properties has been the primary concern raised by municipalities regarding the changes to the applicability of site plan control, and the proposed regulation addresses that concern. The comment period for this posting closes on May 21, 2023 and draft comments are attached as Appendix 01.

The remainder of this report outlines the proposed Provincial Planning Statement and discusses the impact this document, if passed as currently presented, would have on the City’s policies.

Analysis

Under the current planning policy regime in Ontario, the Provincial Government’s interests are set out in the Provincial Policy Statement (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), which only applies to certain areas in southern and central Ontario, and the Provincial Policy Statement, which applies to the entire Province. It should be noted that the Growth Plan for the Greater Golden Horseshoe builds on the policies of the Provincial Policy Statement and sets out more detailed policies and targets for growth and development in the affected municipalities.

The proposed Provincial Planning Statement, if approved, would replace both the PPS and the Growth Plan with the stated goal, as set out in the April 6, 2023 Ontario News release, being to “provide municipalities with more flexibility, reduce duplication, create more homes in urban and rural communities, support local economies and create jobs

while continuing to protect the environment (including existing Greenbelt protections), and public safety.”

One of the primary concerns with the current and previous versions of the PPS that has been voiced at reviews over the years is that the policies apply province-wide with no acknowledgement to the fact that certain considerations may not be as applicable or important in a northern Ontario context as in southern Ontario. The proposed Provincial Planning Statement appears to offer a more flexible approach that will allow municipalities to respond to provincial policies based on individual circumstances.

The ERO posting states that the policies are grouped under five pillars:

- Generate an appropriate housing supply;
- Make land available for development;
- Provide infrastructure to support development;
- Balance housing with resources;
- Implementation.

In general terms, the policies proposed in the Provincial Planning Statement are less stringent than the policies of the current PPS and lean heavily toward facilitating development, with a focus on the provision of housing and ensuring the availability of designated residential land. The proposed Provincial Planning Statement will be most impactful in terms of growth planning in areas that are currently covered by the Growth Plan, however there are a number of changes that will impact how development is planned and land use is managed in Temiskaming Shores.

The following section details the proposed policies that are most applicable to the local context, or those that represent significant changes to certain concepts in the current PPS. The section headings in bold font are taken directly from the proposed Provincial Planning Statement, with the underlined subheadings representing various concepts detailed within the specific chapter but not mirroring specific policy headings.

Building Homes, Sustaining Strong and Competitive Communities

Planning Horizon

The current PPS requires municipalities to make sufficient land available to accommodate an appropriate range and mix of land uses to meet the projected needs up to 25 years. The proposed Provincial Planning Statement extends the timeline to a minimum of 25 years. The requirement to maintain at all times the ability to accommodate residential growth for a minimum of 15 years has been carried forward in the proposed policies, however the requirement to accommodate this development through residential intensification and redevelopment has been removed and the revised policy only references “lands which are *designated and available* for residential development.” Designated and available is a defined term: “means lands designated in the official plan for urban residential use.”

Settlement Area Boundaries

Changes are also proposed to the way settlement area boundary expansions are handled. Settlement area boundaries are required to be established through a municipality's official plan, with "settlement area" being defined in the proposed policy as:

"means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) Built-up areas where development is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an official plan for development over the long term."

The current PPS only allows settlement area boundary expansions in very specific circumstances, and only at the time of a comprehensive review of the local official plan. A comprehensive review is a municipally-initiated process and is based on a review of population and employment projections, intensification and redevelopment considerations, infrastructure and public service facilities reviews, water quality and quantity confirmations, and sewage and water service capacity reviews.

The proposed Provincial Planning Statement softens the language surrounding intensification and redevelopment, stating only that planning authorities should consider these criteria. Additionally, the requirements for expanding settlement area boundaries have been loosened considerably, allowing for such an expansion seemingly at any time and by anyone who wishes to bring forward an application to amend the official plan. The proposed policy for the expansion of a settlement area boundary is:

"In identifying a new settlement area or allowing a settlement area boundary expansion, planning authorities should consider the following:

- a) That there is sufficient capacity in existing or planned infrastructure and public service facilities;
- b) The applicable lands do not comprise specialty crop areas;
- c) The new or expanded settlement area complies with the minimum distance separation formulae;
- d) Impacts on agricultural lands and operations which are adjacent or close to the settlement area are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and

- e) The new or expanded settlement area provides for the phased progression of urban development.”

While this change does provide flexibility for the expansion of settlement area boundaries outside of prescribed processes that generally occur on a timetable established by legislation, it also opens the door for expansion requests that do not maintain the primary intent and purpose of the settlement area boundary and promotes greenfield development and sprawl. The municipality will still have the authority to approve or refuse any requests for settlement area boundary expansions, and the Planning Act does not allow for appeal of the refusal of or indecision on such a request.

Large and Fast-Growing Municipalities

The proposed Provincial Planning Statement includes various policies that only apply to “large and fast-growing municipalities,” which are 29 municipalities that are specifically identified in a schedule attached to the document, all of which are located in southern Ontario. Policies specific to these large and fast-growing municipalities include the identification of strategic growth areas and major transit station areas. While these policies must be adhered to by the identified large and fast-growing municipalities, other municipalities can identify and include policies in their local planning documents under these sections but are not required to do so.

Rural Development

In previous versions of the PPS residential uses in rural areas was restricted to resource-based recreational uses (seasonal cottages) and limited residential development. The current provincial government loosened this rule in the current PPS, which allows “residential development, including lot creation, that is locally appropriate.”

The proposed Provincial Planning Statement almost entirely eliminates restrictions on residential development in the rural area by including language allowing “lot creation and multi-lot residential development, where site conditions are suitable for the provision of appropriate sewage and water services.” The City’s Official Plan policies currently limit residential lot creation in rural areas to infill along the shoreline of Lake Temiskaming and along West Road. All other rural severances require both the severed and retained parcel(s) to be a minimum of 10 hectares (24.7 acres) to maintain rural character.

Employment Areas and Employment Land Conversions

Employment Areas are required to be identified in municipal official plans and are areas designated for “clusters of businesses and economic activities...” The current PPS allows a host of uses including, but not limited to manufacturing, warehousing, offices, and associated retail and ancillary facilities. The proposed Provincial Planning Statement would change the definition to permit “manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities” and would introduce a list of uses excluded from

employment areas: “institutional and commercial, including retail and office not associated with the primary employment use listed above.”

The City currently has three designated employment areas: the Dymond Industrial Park, the area around Craven Drive (including the area on the north side of Highway 65 West up to and including Hydro One), and land on the west side of Niven Street South adjacent to the Haileybury Industrial Park (including Niemi Trucking and Boart Longyear). These areas include lower-order industrial and related commercial uses, and the functions/future development potential of these areas will need to be analyzed through an official plan update. As the proposed policies are more limiting as to the types of uses that are permitted in designated employment areas, the City’s ability to see these areas developed in the future could be hindered.

Climate Change Considerations

The current PPS includes a section dedicated to “Energy Conservation, Air Quality and Climate Change” and this section is carried over to the proposed Provincial Planning Statement, however the policies have been entirely overhauled. The proposed policies are not as prescriptive as the policies included in the current PPS, and a number of other supportive policies found throughout the document are proposed to be removed, including numerous references to intensification.

The proposed section reads as follows:

“Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:

- a) Support the achievement of compact, transit supportive, and complete communities;
- b) Incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;
- c) Support energy conservation and efficiency;
- d) Promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and
- e) Take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.”

Wise Use and Management of Resources

Natural Heritage

At the time of release of the proposed Provincial Planning Statement the natural heritage policies were still under consideration and were not included in the draft. The policies are still not available as of the date of this report. These policies are to be released once they

are ready for review and input. Natural heritage includes such things as wetlands, woodlands, areas of natural and scientific interest, wildlife habitat, and valleylands.

Residential Severances in Prime Agricultural Areas

Land severances have traditionally been heavily regulated in those areas designated by the province as prime agricultural areas. The current PPS only allows severances in prime agricultural areas for: agricultural uses, provided the lot size is appropriate; agriculture-related uses, provided the lot size is limited to the minimum required to accommodate the use and on-site sewage and water installations; a residence surplus to a farming operation as a result of a farm consolidation, subject to a number of criteria; and infrastructure where the facility cannot be accommodation through the use of easements or rights of way. The current PPS also contains a policy expressly prohibiting the creation of new residential lots in prime agricultural areas.

The proposed Provincial Planning Statement would allow the creation of up to three residential lots from a parcel of land that existed on January 1, 2023, provided: the residential use is compatible with and would not hinder surrounding agricultural operations; any new lot is located outside of a specialty crop area (none of these areas exist in Temiskaming Shores); the lot complies with the minimum distance separation formulae; the lot area is limited to the minimum size needed to accommodate the use and on-site services; the lot has existing access on a public road as well as appropriate frontage for ingress and egress; and the lot is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands. Surplus farm dwelling severances would also still be permitted.

It should be noted here that the current PPS contains a policy stating that the PPS represents the minimum standard and municipalities are permitted to enact more stringent policies through local official plans. The proposed Provincial Planning Statement includes the same policy, however there is a special policy stating that local official plans and zoning by-laws cannot include more restrictive policies related to residential severances in prime agricultural areas. This same caveat also appears in relation to employment land conversions but is not found anywhere else in the proposed document.

Protecting Public Health and Safety

The section deals with planning for development in and around natural and human-made hazards such as areas impacted by flooding hazards, erosion hazards, dynamic beach hazards, mine hazards, oil, gas and salt hazards, mineral mining operations, mineral aggregate operations, and petroleum resource operations. Substantial changes to this section are not proposed.

Implementation

The current PPS states that the official plan is the most important vehicle for implementation of the PPS. The proposed Provincial Planning Statement includes this

language as well, however it has been relocated to the Preamble section and therefore is not considered a true policy of the province. The proposed policy document states that municipalities shall keep their zoning by-law up-to-date with their official plans and the provincial planning statement, and that where a decision must be rendered on a planning matter before a local official plan has been updated the decision must be consistent with the Provincial Planning Statement.

Proposed Implementation of Proposed Provincial Planning Statement

The April 6 release included the Province's proposed approach to the implementation protocol for the proposed Provincial Planning Statement, if approved. Once the commenting period has closed, the Ministry of Municipal Affairs and Housing will review the comments and make any changes to the proposed policies. The final policies will be released for a short review period before they take effect, which the Province is targeting for fall of 2023.

The Province has stated that the intention is that local official plans would be updated to reflect the new policies through the ordinary official plan review cycle (every 10 years for a new official plan and every 5 years thereafter), however there will be a need to update official plans to ensure existing uses in employment areas that do not align with the new policy direction are recognized on a site-specific basis.

Comments

The Province has requested feedback on the proposed policies, with the following questions being posed:

1. What are your thoughts on the policies that have been included from the PPS (Provincial Policy Statement) and A Place to Grow in the proposed policy document, including the proposed approach to implementation?
2. What are your thoughts on the proposed policy direction for large and fast-growing municipalities and other municipalities?
3. What are your thoughts regarding the proposed policies to generate housing supply, including an appropriate range and mix of housing options?
4. What are your thoughts on the proposed policies regarding the conservation of agriculture, aggregates, natural and cultural heritage resources?
5. What are your thoughts on the proposed policies regarding planning for employment?
6. Are there any other barriers to, or opportunities for, accelerating development and construction (e.g. (for example), federal regulations, infrastructure planning and approvals, private/public partnerships for servicing, provincial permitting, urban design guidelines, technical standards, zoning, etc. (et cetera))?

Staff have drafted comments in response to this posting, which are attached as Appendix 03.

It should be noted that while amendments to legislation are subject to review and public input at committee hearings, policy documents are not required to go through the same process. The proposed Provincial Planning Statement does not require review by any government committees and can be passed as presented by a simple majority vote.

Relevant Policy / Legislation / City By-Law

- Bill 97 – the Helping Homebuyers, Protecting Tenants Act
- Proposed Provincial Planning Statement, April 6
- Proposed Approach to Implementation of the proposed Provincial Planning Statement
- Provincial Policy Statement, 2020
- Ontario Planning Act, RSO 1990, c.P.13, as amended
- City of Temiskaming Shores Official Plan

Consultation / Communication

- None

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. If the proposed Provincial Planning Statement is approved an official plan amendment may be required to recognize existing non-employment uses in designated employment areas, dependant upon timing with the City's upcoming official plan review. If Bill 97 is passed an amendment to the City's site plan control by-law will be required.

Climate Considerations

The purpose of this report is to inform Council of the proposed Provincial Planning Statement to replace the current Provincial Policy Statement. Changes to local policy are not being proposed at this point, however it is anticipated that the changes proposed in the policy document would lead to an increase in GHG emissions as the overall policies

are less climate-focused than the current PPS. The proposed policies also lay the groundwork for enabling more sprawl and remove the heavy encouragement toward intensification that is found in the current PPS. As a province-wide policy, this could have a major impact on climate change mitigation efforts.

Alternatives

No alternatives were considered

Submission

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May 17, 2023

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City of Temiskaming Shores Comments on ERO Posting 019-6822, Site Plan for Residential Developments of 10 or Fewer Units

The City of Temiskaming Shores is a small community in Northeastern Ontario located at the head of Lake Temiskaming, in proximity to the Quebec border. The City is made up of an urban component, being the former Town of New Liskeard and the built-up areas of the former Town of Haileybury and Township of Dymond, with the remainder of the City being made up of Provincially-designated prime agricultural land as well as rural lands. The City also includes a significant contingent of waterfront property and a main railway line controlled by Ontario Northland bisects the entire length of the community.

The City applauds the provincial government for considering a regulation that would allow municipalities to apply site plan control to properties within 120 metres of a shoreline and 300 metres of a railway line. The wording should be clarified through the final regulation to ensure the government's intention is clear that site plan control can be used on any property any part of which is within 120 metres of a shoreline or any part of which is within 300 metres of railway line. The wording included in the ERO posting makes it appear as though both conditions must be met in order for site plan control to be applicable.

Site Plan Control is an important tool for municipalities to manage aspects of development, especially on properties located near sensitive features such as watercourses and those which may be impacted by infrastructure such as railway lines.



PROPOSED PROVINCIAL PLANNING STATEMENT

April 6, 2023

Environmental Registry of Ontario Posting # 019-6813

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**PROPOSED
PROVINCIAL PLANNING STATEMENT
APRIL 2023**

Environmental Registry of Ontario
Posting # 019-6813

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Preface

Proposed Provincial Planning Statement

April 2023

The Ministry of Municipal Affairs and Housing (MMAH) is seeking input on proposed policies for an integrated province-wide land use planning policy document. This proposed Provincial Planning Statement takes policies from both A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement, 2020 to support the achievement of housing objectives across Ontario.

The Provincial Policy Statement, 2020 is issued under the *Planning Act* and is the primary provincial land use planning policy document, applying across Ontario. A Place to Grow is a growth plan issued under the *Places to Grow Act, 2005*. The Province is now seeking input on a proposed Provincial Planning Statement that would replace the existing Provincial Policy Statement and A Place to Grow.

Should the government adopt the proposed Provincial Planning Statement, the government would consequentially revoke the Provincial Policy Statement, 2020 and A Place to Grow, as well as amend regulations (O. Reg. 416/05 and O. Reg. 311/06) under the Places to Grow Act, 2005.

Seeking Feedback

Please submit written comments or questions on the [Environmental Registry of Ontario](#) (ERO) in response to posting [#019-6813](#). The deadline for written comments is June 6, 2023.

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Table of Contents

CHAPTER 1: INTRODUCTION	1
Preamble	1
Legislative Authority	2
How to Read this Policy Statement	2
Vision	4
CHAPTER 2: BUILDING HOMES, SUSTAINING STRONG AND COMPETITIVE COMMUNITIES	6
2.1 Planning for People and Homes	6
2.2 Housing	7
2.3 Settlement Areas and Settlement Area Boundary Expansions	7
2.4 Strategic Growth Areas	8
2.5 Rural Areas in Municipalities	9
2.6 Rural Lands in Municipalities	10
2.7 Territory Without Municipal Organization	10
2.8 Employment	11
2.9 Energy Conservation, Air Quality and Climate Change	13
CHAPTER 3: INFRASTRUCTURE AND FACILITIES	14
3.1 General Policies for Infrastructure and Public Service Facilities	14
3.2 Transportation Systems	14
3.3 Transportation and Infrastructure Corridors	15
3.4 Airports, Rail and Marine Facilities	15
3.5 Land Use Compatibility	15
3.6 Sewage, Water and Stormwater	16
3.7 Waste Management	17
3.8 Energy Supply	17
3.9 Public Spaces, Recreation, Parks, Trails and Open Space	18
CHAPTER 4: WISE USE AND MANAGEMENT OF RESOURCES	19
4.1 Natural Heritage	19
4.2 Water	19
4.3 Agriculture	20
4.4 Minerals and Petroleum	22
4.5 Mineral Aggregate Resources	23
4.6 Cultural Heritage and Archaeology	24
CHAPTER 5: PROTECTING PUBLIC HEALTH AND SAFETY	26
5.1 General Policies for Natural and Human-Made Hazards	26
5.2 Natural Hazards	26
5.3 Human-Made Hazards	27
CHAPTER 6: IMPLEMENTATION AND INTERPRETATION	28
6.1 General Policies for Implementation and Interpretation	28
6.2 Coordination	29
7: DEFINITIONS	31
8: APPENDIX – SCHEDULE 1: LIST OF LARGE AND FAST MUNICIPALITIES	44

Chapter 1: Introduction

Preamble

The proposed Provincial Planning Statement (or “Policy Statement”) provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, this Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The proposed Provincial Planning Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. This Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The proposed Provincial Planning Statement also provides policy direction on matters applying only to Ontario’s largest and fastest growing municipalities with the greatest need for housing. *Large and fast-growing municipalities* is a defined term and the list of these municipalities is identified in Schedule 1 of this Policy Statement.

The policies of this Policy Statement may be complemented by provincial plans or by locally-generated policies regarding matters of municipal interest. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term.

Municipal official plans are the most important vehicle for implementation of this Policy Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Zoning and development permit by-laws are also important for the implementation of this Policy Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications and affect planning matters, and assist in implementing these interests.

Within the Great Lakes – St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

The Province’s rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of

Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

Legislative Authority

The proposed Provincial Planning Statement is issued under the authority of section 3 of the *Planning Act* and came into effect on [effective date]. This Policy Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after [effective date].

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with this Policy Statement.

How to Read this Policy Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. This Policy Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

Read the Entire Policy Statement

This Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read this Policy Statement as a whole.

There is no implied priority in the order in which the policies appear.

Consider Specific Policy Language

When applying this Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

This Policy Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While this Policy Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. This Policy Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Policies Represent Minimum Standards

The policies of this Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of this Policy Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in this Policy Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

Provincial Guidance

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of this Policy Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Policy Statement.

Relationship with Provincial Plans

This Policy Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this policy statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Growth Plan for Northern Ontario, build upon the policy foundation provided by this Policy Statement. They provide additional land use

planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with this Policy Statement. They take precedence over the policies of this Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of this Policy Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of this Policy Statement. In contrast, where matters addressed in this Policy Statement do not overlap with policies in provincial plans, the policies in this Policy Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with this Policy Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Vision

Ontario is a vast province with a diversity of urban, rural and northern communities that is distinguished by different populations, economic activity, pace of growth, and physical and natural conditions.

The long-term prosperity and social well-being of Ontario depends on celebrating these differences and planning for complete communities for people of all ages, abilities and incomes. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. In addition, a prosperous Ontario will support a strong and competitive economy, and a clean and healthy environment.

Ontario will increase the supply and mix of housing options and address the full range of housing affordability needs. Every community will build homes that respond to changing market needs, and local needs and demand. Providing a sufficient supply with the necessary range and mix of housing options will support a diverse and growing population and workforce, now, and for many years to come.

A successful Ontario will also be one with a competitive advantage of being investment-ready and celebrated for its influence, innovation and cultural diversity. The Ontario economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this Province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. While progress has been made, equity-deserving groups still face a complex range of challenges. Municipalities will work with the Province to design complete communities with increased access to housing, employment, schools, transportation options, recreation and public spaces, and services that are equitable and sustainable for all Ontarians.

Land use will be managed to accommodate appropriate development to meet the full range of current and future needs. Efficient land use and development patterns will contribute to achieving equitable outcomes for all Ontarians by design. Downtowns, main streets and rural

areas will be vital and viable. Cultural heritage and archaeology in Ontario will provide people with a sense of place. Prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities will support convenient access to housing, quality employment, services and recreation for all Ontarians.

Housing must be built in the right places so that Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the Province's economic prosperity and overall identity. Growth and development will be focused within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production and the agri-food network.

The wise use and management of resources will be encouraged including natural areas, agricultural lands and the Great Lakes while providing attention to appropriate housing supply and public health and safety. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated. This will require the Province, planning authorities, and conservation authorities to work together.

Across rural Ontario, local circumstances vary by region. Northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of the southern regions of the Province. The Province will continue to ensure northern communities are supported and economic growth is promoted so that the region remains strong, while protecting its natural features.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

1. At the time of each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 25 years, informed by provincial guidance. Planning for *infrastructure*, *public service facilities*, *strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

2. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
 - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.
3. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.2 shall be based on and reflect the allocation of population and units by the upper-tier municipality.
4. Planning authorities should support the achievement of *complete communities* by:
 - a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
 - a) coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including housing affordability needs;
 - b) permitting and facilitating:
 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 2. all types of residential *intensification*, including the conversion of existing commercial and institutional buildings for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment* which results in a net increase in residential units in accordance with policy 2.3.3;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
 - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;
 - c) support *active transportation*;
 - d) are *transit-supportive*, as appropriate; and
 - e) are *freight-supportive*.
3. Planning authorities should support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.

4. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities should consider the following:
 - a) that there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - b) the applicable lands do not comprise *specialty crop areas*;
 - c) the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - d) impacts on agricultural lands and operations which are adjacent or close to the *settlement area* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
 - e) the new or expanded *settlement area* provides for the phased progression of urban development.
5. Planning authorities are encouraged to establish density targets for new *settlement areas* or *settlement area* expansion lands, as appropriate, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a minimum density target of 50 residents and jobs per gross hectare.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

1. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, planning authorities may, and *large and fast-growing municipalities* shall, identify and focus growth and development in *strategic growth areas* by:
 - a) identifying an appropriate minimum density target for each *strategic growth area*; and
 - b) identifying the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas.
2. Any reduction in the size or change in the location of *urban growth centres* identified in an in effect official plan as of [effective date] may only occur through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*.

2.4.2 Major Transit Station Areas

1. *Large and fast-growing municipalities* shall delineate the boundaries of *major transit station areas* on *higher order transit* corridors through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within a 500 to 800 metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit* corridors, *large and fast-growing municipalities* shall plan for a minimum density target of:

- a) 200 residents and jobs combined per hectare for those that are served by subways;
 - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
 - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional inter-city rail.
- 3. For any particular *major transit station area*, *large and fast-growing municipalities* may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
 - a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
 - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.
- 4. Planning authorities that are not *large and fast-growing municipalities* may plan for *major transit station areas* on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
- 5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit* corridors by delineating boundaries and establishing minimum density targets.
- 6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
 - a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.5 Rural Areas in Municipalities

- 1. Healthy, integrated and viable *rural areas* should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment* of *brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in rural *settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;

- g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. When directing development in rural *settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation and multi-lot residential development, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - 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.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. 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*.

3. The establishment of new permanent townsites shall not be permitted.
4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; and
 - d) encouraging *intensification* of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement *complete communities*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. On lands for employment outside of *employment areas*, and taking into account the transition of uses to prevent *adverse effects*, a diverse mix of land uses, including residential, employment, *public service facilities* and other institutional uses shall be permitted to support the achievement of *complete communities*.
4. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 2.8.1.3 except for purposes of public health and safety.
5. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas*:
 - a) for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs; and
 - b) that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
2. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
 - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to the primary employment use; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility.
3. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*.
4. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
 - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
 - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5; and
 2. maintaining access to *major goods movement facilities and corridors*;
 - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
 - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
 - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
 - c) support energy conservation and efficiency;
 - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
 - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure and public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs.
2. Planning and investments in *infrastructure and public service facilities* should be prioritized to support *strategic growth areas* as focal areas for growth and development.
 3. Before consideration is given to developing new *infrastructure and public service facilities*:
 - a) the use of existing *infrastructure and public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
 4. *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
 5. *Public service facilities* should be co-located to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
 6. Planning authorities, in consultation with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
3. As part of a *multimodal* transportation system, connectivity within and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate negative impacts on and from the corridor and transportation facilities.

4. The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
5. The co-location of linear *infrastructure* should be promoted, where appropriate.

3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities* and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other sensitive land uses in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) discouraging land uses which may cause a potential aviation safety hazard.

3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.

2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that proposed adjacent *sensitive land uses* are only permitted if potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
 - b) ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
 4. considers comprehensive municipal planning for these services, where applicable.
 - c) promote water and energy conservation and efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process;
 - e) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5; and
 - f) integrate with source protection planning.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.
3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
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*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
 - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5 (a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.
8. Planning for stormwater management shall:
 - a) be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
 - b) minimize, or, where possible, prevent increases in contaminant loads;
 - c) minimize erosion and changes in water balance including through the use of *green infrastructure*;
 - d) mitigate risks to human health, safety, property and the environment;
 - e) maximize the extent and function of vegetative and pervious surfaces;
 - f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
 - g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a *watershed* scale.

3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
 - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

As of April 6, 2023, natural heritage policies and related definitions remain under consideration by the government. Once proposed policies and definitions are ready for review and input, they will be made available through a separate posting on the Environmental Registry of Ontario. ERO# 019-6813 will be updated with a link to the relevant posting once it is available.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development* and *site alteration* to:
 1. protect drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are encouraged to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation may be permitted in *prime agricultural areas* as an agricultural use, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1 b).
5. Subordinate to the principal dwelling, up to two additional residential units may be permitted in *prime agricultural areas*, provided that:
 - a) any additional residential units are within, attached to, or in close proximity to the principal dwelling;
 - b) any additional residential unit complies with the *minimum distance separation formulae*;
 - c) any additional residential unit is compatible with, and would not hinder, surrounding agricultural operations; and
 - d) appropriate *sewage and water services* will be provided.

The additional residential units may only be severed from the lot containing the principal dwelling in accordance with policy 4.3.3.1.

4.3.3 Lot Creation and Lot Adjustments

1. Residential lot creation in *prime agricultural areas* is only permitted in accordance with provincial guidance for:
 - a) new residential lots created from a lot or parcel of land that existed on January 1, 2023, provided that:
 1. agriculture is the principal use of the existing lot or parcel of land;
 2. the total number of lots created from a lot or parcel of land as it existed on January 1, 2023 does not exceed three;
 3. any residential use is compatible with, and would not hinder, surrounding agricultural operations; and
 4. any new lot:
 - i. is located outside of a *specialty crop area*;
 - ii. complies with the *minimum distance separation formulae*;
 - iii. will be limited to the minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*;
 - iv. has existing access on a public road, with appropriate frontage for ingress and egress; and
 - v. is adjacent to existing non-agricultural land uses or consists primarily of lower-priority agricultural lands.
 - b) a *residence surplus to an agricultural operation* as a result of farm consolidation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective.
2. Official plans and zoning by-laws shall not contain provisions that are more restrictive than policy 4.3.3.1 (a) except to address public health or safety concerns.
3. Non-residential lot creation in *prime agricultural areas* is discouraged and may only be permitted, in accordance with provincial guidance, for:
 - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use while still ensuring appropriate *sewage and water services*; and
 - c) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
4. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.4.

4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon provided for in policy 2.1.1 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on surrounding agricultural lands and operations are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

4.4 Minerals and Petroleum

4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

4.5 Mineral Aggregate Resources

4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.
4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
 - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
 - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1 (b), complete rehabilitation to an *agricultural condition* is not required if:
 - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) agricultural rehabilitation in remaining areas is maximized.

4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.

4. Planning authorities are encouraged to develop and implement:
 - a) archaeological management plans for conserving *archaeological resources*; and
 - b) proactive strategies for identifying properties for evaluation under the *Ontario Heritage Act*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c) *hazardous sites*.
3. *Development* and *site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.
5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor

additions or passive non-structural uses which do not affect flood flows.

6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development* and *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and *access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

Chapter 6: Implementation and Interpretation

6.1 General Policies for Implementation and Interpretation

1. This Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. This Policy Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. This Policy Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing this Policy Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Policy Statement. The policies of this Policy Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Policy Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with this Policy Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with this Policy Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

9. To assess progress on implementation of this Policy Statement, the Province may:
 - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in this Policy Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
 - b) monitor and assess the implementation of this Policy Statement through the

- collection and analysis of data under each indicator; and
 - c) consider the resulting assessment in each review of this Policy Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, and data standards and including through any other guidelines that may be issued by the Minister.
 11. *Strategic growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
 - a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal* transportation systems, *public service facilities* and *waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
 - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement this Policy Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient

communities.

6. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
7. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
 - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
 - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
 - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
 - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
8. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.7 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

7: Definitions

Access standards: means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards, erosion hazards and/or other water-related hazards*.

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Additional needs housing: means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- c) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property*.

Adverse effect: as defined in the *Environmental Protection Act*, means one or more of:

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Agricultural condition: means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
- b) in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced.

Agricultural impact assessment: means the evaluation of potential impacts of non-*agricultural uses* on agricultural lands and operations and, where applicable, the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

Agricultural system: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

- a) An agricultural land base, based on mapping provided by the Province where mapping is available and requested, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers, when the size and nature of the operation requires additional employment.

Agri-food network: Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Airports: means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

Alternative energy system: means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Compact built form: means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

Comprehensive rehabilitation: means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Complete communities: means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

Conserved: means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker.

Mitigative measures and/or alternative development approaches should be included in these plans and assessments.

Cultural heritage landscape: means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flood hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Deposits of mineral aggregate resources: means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidance for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) works subject to the *Drainage Act*.

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *floodplain hazard* limit plus a dynamic beach allowance.

Employment area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *floodplain* between the *floodway* and the *floodplain hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Flood plain: for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *floodplain hazards*.

Floodplain hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *floodplain hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *floodplain hazard* limit is the greater of:

1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
2. the *one hundred year flood*; and
3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *floodplain hazards*, *wave effects* and other water-related hazards along the shorelines of the *Great Lakes - St. Lawrence River System*

and *large inland lakes*, and *flooding hazards along river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

Freight-supportive: in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

Green infrastructure: means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels,

permeable surfaces, and green roofs.

Ground water feature: means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Hazardous forest types for wildland fire: means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources and Forestry, as amended from time to time.

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage attributes: means, as defined under the *Ontario Heritage Act*, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter or regional inter-city rail), light rail, and buses in dedicated rights-of-way.

Housing options: means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

Hydrologic function: means the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.1.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the

same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means
a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;

- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by

the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to policy 4.2, degradation to the *quality and quantity of water*, sensitive *surface water features* and sensitive *ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
- c) in regard to policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of

innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products. Land-extensive energy facilities, such as ground-mounted solar or battery storage are permitted in *prime agricultural areas*, including *specialty crop areas*, only as *on-farm diversified uses*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or
- b) *municipal water services* or *private communal water services* combined with *individual on-site sewage services*.

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs, or by a planning authority based on provincial guidance.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means

- property designated under Part IV or VI of

the *Ontario Heritage Act*;

- property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*;
- property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*;
- property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under Part III.1 of the *Ontario Heritage Act* and the heritage standards and guidelines;
- property with known *archaeological resources* in accordance with Part VI of the *Ontario Heritage Act*;
- property protected under federal heritage legislation; and
- UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include *infrastructure*.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands

for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water*

services or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is

concentrated and which have a mix of land uses; and

- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means in regard to mineral potential, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.

Criteria for determining significance is provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, *urban growth centres* and other areas where growth or development will be focused, that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service

routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban growth centres: means areas originally delineated in the official plan in effect as of [effective date] that were required to be identified as a result of the urban growth centre policies of the Growth Plan for the Greater Golden Horseshoe, 2019. It is anticipated that no new *urban growth centres* will be identified.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate solid waste from one

or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Watershed: means an area that is drained by a river and its tributaries.

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), natural heritage features and areas, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

8: Appendix – Schedule 1: List of Large and Fast Municipalities

Town of Ajax	City of Mississauga
City of Barrie	Town of Newmarket
City of Brampton	City of Niagara Falls
City of Brantford	Town of Oakville
City of Burlington	City of Oshawa
Town of Caledon	City of Ottawa
City of Cambridge	City of Pickering
Municipality of Clarington	City of Richmond Hill
City of Guelph	City of St. Catharines
City of Hamilton	City of Toronto
City of Kingston	City of Vaughan
City of Kitchener	City of Waterloo
City of London	Town of Whitby
City of Markham	City of Windsor
Town of Milton	

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Proposed Approach to Implementation of the proposed Provincial Planning Statement

This document outlines the proposed approach to implementation of the new policy document, if approved. These include the proposed approach to the following:

- Effective date and transition
- Timing for official plan updates
- Employment area changes
- Various matters specific to the Greater Golden Horseshoe, including:
 - Continued implementation of forecasts to 2051
 - Timing for changes to upper-tier planning responsibilities
 - Go-forward approach to Provincially Significant Employment Zones
 - Approach to maintain existing Greenbelt policies

The Ministry of Municipal Affairs and Housing welcomes your feedback on the following proposed approach to key aspects of implementation.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs (such as Building Code Act, Endangered Species Act, Ontario Heritage Act, Clean Water Act, etc.) may apply to decisions with respect to Planning Act applications and affect planning matters, and assist in implementing these interests.

Effective Date and Transition

The effective date would be the date specified through an order in council approved by the Lieutenant Governor in Council pursuant to section 3 of the Planning Act. To provide municipalities and other planning authorities an opportunity to understand and adapt to the policy changes, the Ministry is proposing to release the final policies for a short period of time before they take effect (targeting fall 2023).

Any decision on a planning matter made on or after the effective date of the new policy document would be subject to the new policies. The only exception would be if a transition regulation were made under a new authority proposed in the *Helping Homebuyers, Protecting Tenants Act, 2023* (if passed). The government is seeking feedback on any specific transition issues anticipated to be associated with these proposed new policies that could be mitigated through the use of this proposed new regulation-making authority (including any potential issues associated with the repeal of the existing Growth Plan transition regulation O. Reg. 311/06).

Timing for Official Plan Updates

The Planning Act requires official plans to be revised every five years (or every ten years after a new official plan). The intention is that official plans would be updated as necessary to implement these new policies at the time of their ordinary review cycle.

Official Plan Updates related to Change to the Definition of “Area of Employment”

The *Helping Homebuyers, Protecting Tenants Act, 2023* will, if passed, change the definition in the *Planning Act* of “area of employment” to scope them to only those uses that cannot locate in mixed-use areas and require protection against conversion (e.g., heavy industry, manufacturing, large-scale warehousing, etc.). This change is proposed to take effect on proclamation, to facilitate alignment with the new policy document.

As many municipalities’ existing employment areas currently allow a range of uses, including a mix of office, retail, industrial, warehousing, and other uses, time-sensitive official plan updates will be needed to align with the new definition. Once the proposed legislative and policy changes (if approved) take effect, areas that do not meet the definition would no longer be subject to policy requirements for “conversions” to non-employment uses.

To maintain the integrity of employment areas that are intended to remain protected over the long-term, municipalities should update their official plans to explicitly authorize the site-specific permission of any existing uses that do not align with the new definition.

Continued Implementation of 2051 Forecasts (at minimum)

A Place to Grow currently requires municipalities in the Greater Golden Horseshoe to plan for specific population and employment forecasts to 2051. These have been implemented in many, but not all, municipal official plans throughout the region.

Where an upper- or single-tier municipality’s official plan is still in progress, it is expected that the municipality would continue to use the 2051 forecasts provided by the province (at a minimum) or a higher forecast as determined by the municipality. Lower-tier municipalities would be expected to meet or exceed the growth forecasts allocated to them by the upper-tier.

As time passes and it becomes necessary to update the forecasts and extend their horizon beyond 2051, it is expected that municipalities in the Greater Golden Horseshoe would move towards doing their own forecasting of population and employment growth (as is the approach for all other municipalities in the province).

Timing for Changes to Upper-tier Planning Responsibilities

Bill 23, the *More Homes Built Faster Act, 2022* made changes to the *Planning Act* that, upon proclamation, will remove statutory approval authorities under the *Planning Act* from 7 upper-tier municipalities. The timing for proclamation of these changes is a government decision. It is anticipated that the changes would not take effect until winter 2024 at the earliest.

Go-Forward Approach to Provincially Significant Employment Zones

In 2019, the Minister of Municipal Affairs and Housing, in consultation with municipalities in the Greater Golden Horseshoe, established [31 Provincially Significant Employment](#)

[Zones \(PSEZs\)](#), pursuant to A Place to Grow: Growth Plan for the Greater Golden Horseshoe for the purpose of long-term planning for job creation and economic development.

Notwithstanding the proposal to revoke A Place to Grow: Growth Plan for the Greater Golden Horseshoe pursuant to section 7(7) of the Places to Grow Act, 2005, including PSEZs, the government is seeking feedback on the need to identify select PSEZs or portions of PSEZs for the sole purpose of protecting lands exclusively for employment uses through an alternative approach (e.g., section 47 of the Planning Act).

Protections would be consistent with the proposed definition of areas of employment under the Planning Act and would ensure the highest priority locations, such as sites for heavy industry and other uses that cannot be located near sensitive uses (e.g., the Ontario Food Terminal: PSEZ 30, Sanofi Canada's Toronto biopharmaceutical facility: PSEZ 9, Stelco's Hamilton Works: PSEZ 25 and Lake Erie Works: PSEZ 28) would receive elevated levels of protection from conversion to non-employment uses.

Approach to maintain existing Greenbelt policies

Should the proposed Provincial Planning Statement come into effect, there is the potential for the revocation of A Place to Grow and the changes made to the Provincial Policy Statement policies to affect the implementation of the policies in the Greenbelt Plan. To address this issue, an amendment is being proposed to the Greenbelt Plan that would indicate that the previous policies in A Place to Grow and the Provincial Policy Statement would continue to apply in those cases where the Greenbelt Plan refers to them. This would ensure that there would be no change to how the Greenbelt Plan policies are implemented if the proposed Provincial Planning Statement comes into effect.

May 17, 2023

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Ministry of Municipal Affairs and Housing
Provincial Land Use Plans Branch
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City of Temiskaming Shores Comments on ERO Posting 019-6813, Review of Proposed Policies Adapted from A Place to Grow and Provincial Policy Statement to Form a New Provincial Planning Policy Instrument

The City of Temiskaming Shores is a small community in Northeastern Ontario located at the head of Lake Temiskaming, in proximity to the Quebec border. The City is made up of an urban component, being the former Town of New Liskeard and the built-up areas of the former Town of Haileybury and Township of Dymond, with the remainder of the City being made up of Provincially-designated prime agricultural land as well as rural lands.

The City welcomes the opportunity to review and comment on the proposed Provincial Planning Statement. Temiskaming Shores is not covered by the Growth Plan for the Greater Golden Horseshoe and therefore cannot comment on the specific Growth Plan policies in detail. The following comments on the merging and subsequent repeal of A Place to Grow and the Provincial Policy Statement are provided for your consideration.

1. What are your thoughts on the policies that have been included from the PPS and A Place to Grow in the proposed policy document, including the proposed approach to implementation?

Policies that have been included from the Provincial Policy Statement, 2020 (PPS) are generally accepted and have been working well since their original implementation. The greater concern is with policies that have been excluded from the proposed policies, specifically those policies related to intensification and climate change. As climate change accelerates, policies to help mitigate greenhouse gas emissions should be increasingly stringent, and what is being presented through the draft policies is less rigorous than what exists in the current framework.

The proposed implementation schedule is ambitious and will be difficult to accomplish in the City. As a small municipality with one Planner on staff, time is scarce and generally dedicated to customer service. It would be beneficial for the final policies to be released for a longer period of time, and it is suggested that the government should consider extending the in-force target date to at least January 1, 2024 to allow municipalities to begin the processes of reviewing and amending their planning documents. It seems disingenuous of the government to release proposed policies that already have an in-force target, especially considering that the Natural Heritage policies have not yet been released for review.

2. What are your thoughts on the proposed policy direction for large and fast-growing municipalities and other municipalities?

The City generally supports the inclusion of separate policies for larger municipalities that are facing high levels of population growth. The ability for municipalities that are not identified as large and fast-growing municipalities to adopt some of the same policies is also a sound policy direction, although it seems that there should be a requirement for all municipalities with populations over a defined threshold, or within a specific geographical area, to adopt policies such as the identification of strategic growth areas and major transit station areas. The policies could be structured such that municipalities that are not large and fast-growing municipalities would not need to comply with the same thresholds, but would still need to focus development on their identified areas. This would help ensure more development occurs in suitable locations, while also promoting intensification and redevelopment of larger communities.

3. What are your thoughts regarding the proposed policies to generate housing supply, including an appropriate range and mix of housing options?

The City acknowledges the need for more housing, especially in those locales experiencing intense population growth. Significant steps have already been taken by the Provincial government to reduce the approvals and other requirements associated with certain development applications. The City cautions, however, that the proposed policies seem to promote development at the expense of thoughtful, well-planned, and contiguous communities, as well as the long-term financial wellbeing of municipalities. Specifically, the ability for anyone to apply for a settlement area boundary expansion or the establishment of a new settlement area at any time subject to limited criteria is concerning and could lead to an increase in sprawl on the outskirts of communities where infill and intensification may be more preferable to the local municipality. These policies should be reconsidered with thought toward the long term impacts.

4. What are your thoughts on the proposed policies regarding the conservation of agriculture, aggregates, natural and cultural heritage resources?

As noted previously, the City of Temiskaming Shores includes a substantial rural and agricultural component and the previous Township of Dymond as well as the current City of Temiskaming Shores have always acted in the interest of protecting this valuable resource. The policies to allow multi-lot development in the rural areas is concerning as these developments require a higher level of service than is generally provided in the rural context. Additionally, residential areas in our community are not serviced by transit and therefore anyone living in these areas will require a vehicle to complete all trips thus leading to an increase in greenhouse gas emissions.

The City is concerned about the proposed policies allowing for residential severances in prime agricultural areas. Agricultural land is a finite resource and is already threatened across the province by development and sprawl. The allowance of residential severances on agricultural land further erodes the utility of farmland and will injure agricultural production across the province. Existing protections have been working well in our community and should remain to allow our agricultural sector to continue to thrive. Our area of the north is unique in its rich agricultural heritage and the protection of this sector is of utmost importance to our community.

5. What are your thoughts on the proposed policies regarding planning for employment?

As a small community, the City of Temiskaming Shores attempts to maintain some flexibility when it comes to development, especially in the case of non-residential development. Temiskaming Shores currently has three designated employment areas that are mostly made up of businesses that would be considered lower-order industrial/commercial uses. The proposed employment area policies would significantly hinder the City's ability to develop our primary industrial park, for which

substantial Provincial funding was granted, as well as the other designated employment areas. Our community does not see the intensity of manufacturing, warehousing, and goods movement uses that are prevalent in other areas of the province, and our concern with the proposed policies is that new businesses looking to locate in the community would not be able to develop in our industrial parks as they would not meet the requirements of the proposed policies. The City requests the government revise the proposed employment area policies in consideration of smaller municipalities that do not attract the same types of industries as larger municipalities.

6. Are there any other barriers to, or opportunities for, accelerating development and construction (eg. Federal regulations, infrastructure planning and approvals, private/public partnerships for servicing, provincial permitting, urban design guidelines, technical standards, zoning, etc)?

There have been numerous legislation and policy changes over the past 18 months and it is becoming increasingly difficult to ensure local policy is keeping pace with provincial changes. It should also be noted that the barriers to development are not all rooted in the planning approvals process and that supply chain issues, a shortage of labour, the high cost of materials, and many other factors are also playing a significant role in the speed at which housing is brought to market. The Province should consider spending some time addressing these other factors and allow municipalities an opportunity to enact policies consistent with recent legislation to make sure the changes are having the intended impact.

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 43RD LEGISLATURE, ONTARIO
1 CHARLES III, 2023

Bill 97

An Act to amend various statutes with respect to housing and development

The Hon. S. Clark

Minister of Municipal Affairs and Housing

Government Bill

1st Reading April 6, 2023

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

SCHEDULE 1 BUILDING CODE ACT, 1992

Currently, subsection 4 (4) of the *Building Code Act, 1992* requires that inspectors necessary for the enforcement of the Act in the areas in which Ontario has jurisdiction be appointed under Part III of the *Public Service of Ontario Act, 2006*. The subsection is re-enacted to require the Deputy Minister of Municipal Affairs and Housing to appoint those inspectors.

SCHEDULE 2 CITY OF TORONTO ACT, 2006

The Schedule amends the *City of Toronto Act, 2006* in the following ways:

1. Section 111 is amended by providing the Minister of Municipal Affairs and Housing with authority to make regulations with respect to a variety of matters including governing the powers of the City under section 111 and authorizing the City to require certain owners of land to make payments and provide compensation.
2. New subsection 111 (8) provides that in the event of a conflict, the provisions of the regulations made under section 111 prevail over the provisions of the Act or any other Act or regulation.
3. Currently, subsection 114 (1.2) provides that the construction, erection or placing of a building or structure for residential purposes on a parcel of land does not constitute “development” for the purposes of section 114 if the parcel of land will contain no more than 10 residential units. This subsection is amended to provide that such activities do in fact constitute “development” if the parcel of land includes land in a prescribed area.
4. Subsection 114 (14.1) currently provides for circumstances in which the City is required to refund fees for processing an application for the approval of plans and drawings that are submitted on or after January 1, 2023. This subsection is amended to apply with respect to plans and drawings that are received by the City on or after July 1, 2023. A new subsection 114 (14.2) provides for the cancellation of any refund if the plans and drawings are received by the City before July 1, 2023. In addition, a new subsection 114 (14.3) gives the Minister the power to make a regulation providing that the City is not required to refund fees for plans and drawings received on or after a specified date or during a specified period.
5. Subsection 114 (15.2) is amended to provide that any information or material an applicant must provide to the City under subsections 114 (4.2) and (4.3) must also be forwarded by the city clerk to the Ontario Land Tribunal in the case of an appeal to the Tribunal under subsection 114 (15) or (15.1).

SCHEDULE 3 DEVELOPMENT CHARGES ACT, 1997

The Schedule amends subsections 2 (3.2) and (3.3) of the *Development Charges Act, 1997* by striking out “parcel of urban residential land” in paragraph 3 of each subsection and substituting “parcel of land”.

SCHEDULE 4 MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

Currently, subsection 12 (2) of the *Ministry of Municipal Affairs and Housing Act* authorizes the Minister of Municipal Affairs and Housing to appoint and fix the terms of reference for the Provincial Land and Development Facilitator. Subsection 12 (3) of the Act requires the Facilitator to perform specified functions at the direction of the Minister. Subsections 12 (2) and (3) of the Act are re-enacted to authorize the Minister to appoint the Facilitator and up to four Deputy Facilitators and fix their terms of reference and to require the Facilitator and Deputy Facilitators to perform specified functions at the direction of the Minister.

SCHEDULE 5 MUNICIPAL ACT, 2001

The Schedule amends section 99.1 of the *Municipal Act, 2001* by providing the Minister with authority to make regulations with respect to a variety of matters including governing the powers of local municipalities under section 99.1 and authorizing certain local municipalities to require certain owners of land to make payments and provide compensation. New subsection 99.1 (8) provides that in the event of a conflict, the provisions of the regulations made under section 99.1 prevail over the provisions of the Act or any other Act or regulation.

SCHEDULE 6 PLANNING ACT

The Schedule makes various amendments to the *Planning Act*, including the following:

1. The definition of “area of employment” in subsection 1 (1) is remade to provide that specified uses are not business and economic uses for the purposes of that definition. A transitional provision is also included.

2. Subsection 34 (10.12) currently provides for circumstances in which a municipality is required to refund fees for processing an application to amend its by-laws that is received on or after January 1, 2023. This subsection is amended to apply with respect to applications that are received by the municipality on or after July 1, 2023, and a new subsection 34 (10.13) provides for the cancellation of any refunds for applications received by the municipality before July 1, 2023. In addition, a new subsection 34 (10.14) provides that a municipality is not required to refund fees if the municipality is prescribed by regulation when it receives the application.
3. Amendments are made to section 38 of the Act to shorten the period of time within which the clerk of a municipality is required to give notice of a by-law made under subsection 38 (1) or (2) and to apply a single procedure for all persons or public bodies having received notice of the by-law to appeal to the Ontario Land Tribunal.
4. Currently, subsection 41 (1.2) provides that the construction, erection or placing of a building or structure for residential purposes on a parcel of land does not constitute “development” for the purposes of section 41 if the parcel of land will contain no more than 10 residential units. This subsection is amended to provide that such activities do in fact constitute “development” if the parcel of land includes land in a prescribed area.
5. Subsection 41 (11.1) currently provides for circumstances in which a municipality is required to refund fees for processing an application for the approval of plans and drawings that are submitted on or after January 1, 2023. This subsection is amended to apply with respect to plans and drawings that are received by the municipality on or after July 1, 2023, and a new subsection 41 (11.2) provides for the cancellation of any refunds for plans and drawings received by the municipality before July 1, 2023. In addition, a new subsection 41 (11.3) provides that a municipality is not required to refund fees if the municipality is prescribed by regulation when it receives the plans and drawings.
6. Subsection 41 (12.0.2) is amended to provide that any information or material that an applicant must provide to a municipality under subsections 41 (3.3) and (3.4) must also be forwarded by the clerk to the Ontario Land Tribunal in the case of an appeal to the Tribunal under subsection 41 (12) or (12.0.1).
7. A new subsection 47 (4.0.1) is added to provide that the Minister may, in an order made under clause 47 (1) (a), provide that policy statements, provincial plans and official plans do not apply in respect of a licence, permit, approval, permission or other matter required before a use permitted by the order may be established.
8. A new section 49.2 is added to give the Minister the power to make an order requiring an owner of land to enter into an agreement with the Minister or a municipality in matters where the Provincial Land and Development Facilitator or the Deputy Facilitator has been directed by the Minister to advise, make recommendations or perform any other functions with respect to the land.

SCHEDULE 7

RESIDENTIAL TENANCIES ACT, 2006

The Schedule makes various amendments to the *Residential Tenancies Act, 2006*, including the following amendments:

1. Part IV is amended to add section 36.1, which permits tenants to install and use a window or portable air conditioner in a rental unit for which the landlord does not supply air conditioning, subject to specified exceptions and conditions. In cases where the landlord is obligated under the tenancy agreement to supply electricity to the rental unit, the landlord may increase the rent charged to the tenant, subject to the tenancy agreement providing otherwise. Rules are set out requiring rent decreases if a tenant seasonally ceases to use an air conditioner, or removes it. Certain provisions of the section are made to apply to previously-installed window or portable air conditioners.
2. Subsection 50 (3) is re-enacted to provide that when a landlord gives notice of termination of a tenancy because the landlord requires possession of a rental unit in order to do repairs or renovations to it that are so extensive that they require a building permit and vacant possession, the notice must be accompanied by a report prepared by a person who has the prescribed qualifications, which states that the repairs or renovations are so extensive that they require the vacant possession and which meets any other prescribed requirements. Failure to meet the requirement renders the notice void. Subsection 73 (4) is enacted to require the Board to consider the report when determining whether to make an order terminating the tenancy, although the Board is not bound by the report.
3. Currently, under section 53, a tenant who receives notice of termination of a tenancy for the purpose of repairs or renovations may have a right of first refusal to occupy the rental unit as a tenant when the repairs or renovations are completed. The section is amended to provide that, if a tenant gives notice that they wish to have a right of first refusal, the landlord must provide specified notices to the tenant respecting the unit’s readiness for occupancy. When the unit is ready for occupancy, the landlord must give the tenant at least 60 days to exercise the right of first refusal to occupy the unit. Section 57.1 is amended to provide that a failure to comply with the notice requirements is deemed to constitute a failure to have afforded a right of first refusal for the purposes of subsection 57.1 (1) (former tenant’s application, failure to afford tenant right of first refusal). Section 57.1 is also amended to change the time limit applicable to the making of an application under subsection 57.1 (1).
4. Currently, under clause 57 (1) (a), the Board may make various orders if the Board determines that, among other things, a landlord has given a notice of termination under section 48 in bad faith and no person referred to in clause 48 (1) (a), (b), (c) or (d) occupied the rental unit within a reasonable time after the former tenant vacated the rental unit. New

subsection 57 (6.1) provides that if none of the specified persons occupied the rental unit within the prescribed period of time after the former tenant vacated the rental unit, it is presumed that the landlord gave the notice of termination in bad faith and that the rental unit was not occupied within a reasonable time.

5. Subsection 206 (1) is amended to require that the written agreement reached between the landlord and the tenant to resolve the subject-matter of an application to the Board be in the form approved by the Board.
6. Section 238 is amended to increase the maximum fines from \$50,000 to \$100,000 in the case of a person other than a corporation and from \$250,000 to \$500,000 in the case of a corporation.

An Act to amend various statutes with respect to housing and development**CONTENTS**

1.	Contents of this Act
2.	Commencement
3.	Short title
Schedule 1	Building Code Act, 1992
Schedule 2	City of Toronto Act, 2006
Schedule 3	Development Charges Act, 1997
Schedule 4	Ministry of Municipal Affairs and Housing Act
Schedule 5	Municipal Act, 2001
Schedule 6	Planning Act
Schedule 7	Residential Tenancies Act, 2006

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Except as otherwise provided in this section, this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any of its provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *Helping Homebuyers, Protecting Tenants Act, 2023*.

SCHEDULE 1
BUILDING CODE ACT, 1992

1 Subsection 4 (4) of the *Building Code Act, 1992* is repealed and the following substituted:

Inspectors

(4) The Deputy Minister of Municipal Affairs and Housing shall appoint inspectors necessary for the enforcement of this Act in the areas in which Ontario has jurisdiction.

Commencement

2 This Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

**SCHEDULE 2
CITY OF TORONTO ACT, 2006**

1 (1) Subsection 111 (1) of the *City of Toronto Act, 2006* is amended by striking out “The City” at the beginning and substituting “Subject to the regulations, if any, the City”.

(2) Subsection 111 (7) of the Act is repealed and the following substituted:

Regulations

(7) The Minister of Municipal Affairs and Housing may make regulations,

- (a) governing the powers of the City under this section, including regulations,
 - (i) imposing restrictions, limits and conditions on the powers of the City to prohibit and regulate the demolition and conversion of residential rental properties,
 - (ii) prescribing requirements to be contained in by-laws made under this section,
 - (iii) prescribing conditions that the City must include as a requirement for obtaining a permit, and
 - (iv) prescribing requirements that the City must impose on owners of land to which a by-law passed under this section applies;
- (b) authorizing the City to require an owner of land to which a by-law passed under this section applies to make payments and to provide compensation;
- (c) for the purposes of clause (b), prescribing the amounts to be paid, the compensation to be provided, the persons to whom payments and compensation shall be made and the circumstances in which payments and compensation shall be made, and otherwise governing the payments and compensation;
- (d) prescribing steps the City must take or conditions that must be met before passing a by-law under this section and governing any transitional matters with respect to the implementation of such conditions;
- (e) defining, for the purposes of this section and any regulations under this section, any word or expression not defined in subsection 3 (1) of this Act.

Conflict

(8) If there is a conflict between a regulation made under this section and a provision of this Act, other than this section, or of any other Act or regulation, the regulation made under this section prevails.

2 (1) Subsection 114 (1.2) of the Act is amended by striking out “residential units” at the end and substituting “residential units, unless the parcel of land includes any land in a prescribed area”.

(2) Subsection 114 (14.1) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

Refund

(14.1) With respect to plans and drawings referred to in subsection (5) that are received on or after July 1, 2023, the City shall, subject to a regulation made under subsection (14.3), refund any fees paid pursuant to section 69 of the *Planning Act* in respect of the plans and drawings in accordance with the following rules:

.

(3) Section 114 of the Act is amended by adding the following subsections:

No refunds, plans and drawings received before July 1, 2023

(14.2) Any refund of fees required under subsection (14.1), as it read before the day subsection 2 (2) of Schedule 2 to the *Helping Homebuyers, Protecting Tenants Act, 2023* came into force, with respect to plans and drawings received before July 1, 2023 shall be deemed never to have been required.

Exception

(14.3) The Minister of Municipal Affairs and Housing may, by regulation, provide that subsection (14.1) does not apply to plans and drawings received by the City on and after a specified date or during a specified period.

(4) Subsection 114 (15) of the Act is amended by striking out “submitted to the City” and substituting “received by the City”.

(5) Subsection 114 (15.2) of the Act is amended by adding the following paragraph:

- 3.1 Any information or material required under subsections (4.2) and (4.3).

3 Section 122.2 of the Act is repealed and the following substituted:

Regulations re s. 114

122.2 The Minister of Municipal Affairs and Housing may make regulations prescribing anything that is referred to in section 114 as being prescribed.

Commencement

4 This Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

SCHEDULE 3
DEVELOPMENT CHARGES ACT, 1997

1 (1) Paragraph 3 of subsection 2 (3.2) of the *Development Charges Act, 1997* is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

(2) Paragraph 3 of subsection 2 (3.3) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

Commencement

2 This Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

SCHEDULE 4
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

1 Subsections 12 (2) and (3) of the *Ministry of Municipal Affairs and Housing Act* are repealed and the following substituted:

Same

(2) The Minister may appoint the Facilitator and up to four Deputy Facilitators and fix their terms of reference.

Functions

(3) The Facilitator and Deputy Facilitators shall, at the direction of the Minister,

- (a) advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests; and
- (b) perform such other functions as the Minister may specify.

Commencement

2 This Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

SCHEDULE 5
MUNICIPAL ACT, 2001

1 (1) Subsection 99.1 (1) of the *Municipal Act, 2001* is amended by striking out “A local municipality” at the beginning and substituting “Subject to the regulations, if any, a local municipality”.

(2) Subsection 99.1 (7) of the Act is repealed and the following substituted:

Regulations

(7) The Minister may make regulations,

- (a) governing the powers of a local municipality under this section, including regulations,
 - (i) imposing restrictions, limits and conditions on the powers of local municipalities to prohibit and regulate the demolition and conversion of residential rental properties,
 - (ii) prescribing requirements to be contained in by-laws made under this section,
 - (iii) prescribing conditions that local municipalities must include as a requirement for obtaining a permit, and
 - (iv) prescribing requirements that the local municipality must impose on owners of land to which a by-law passed under this section applies;
- (b) authorizing local municipalities that pass a by-law under this section to require an owner of land to which a by-law passed under this section applies to make payments and to provide compensation;
- (c) for the purposes of clause (b), prescribing the amounts to be paid, the compensation to be provided, the persons to whom payments and compensation shall be made and the circumstances in which payments and compensation shall be made, and otherwise governing the payments and compensation;
- (d) prescribing steps local municipalities must take or conditions that must be met before passing a by-law under this section and governing any transitional matters with respect to the implementation of such conditions;
- (e) defining, for the purposes of this section and any regulations under this section, any word or expression not defined in subsection 1 (1) of this Act.

Conflict

(8) If there is a conflict between a regulation made under this section and a provision of this Act, other than this section, or of any other Act or regulation, the regulation made under this section prevails.

Commencement

2 This Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

**SCHEDULE 6
PLANNING ACT**

1 (1) The definition of “area of employment” in subsection 1 (1) of the *Planning Act* is repealed and the following substituted:

“area of employment” means an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:
 - i. Manufacturing uses.
 - ii. Uses related to research and development in connection with manufacturing anything.
 - iii. Warehousing uses, including uses related to the movement of goods.
 - iv. Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.
 - v. Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.
 - vi. Any other prescribed business and economic uses.
2. The uses are not any of the following uses:
 - i. Institutional uses.
 - ii. Commercial uses, including retail and office uses not referred to in subparagraph 1 iv; (“zone d’emploi”)

(2) Section 1 of the Act is amended by adding the following subsection:

Area of employment

(1.1) An area of land designated in an official plan for clusters of business and economic uses is an “area of employment” for the purposes of this Act even if the area of land includes one or more parcels of land whose use is excluded from being a business and economic use under paragraph 2 of the definition of “area of employment” in subsection (1) provided that the following conditions are satisfied:

1. The parcels of land in question are subject to official plan policies authorizing the continuation of the use.
2. The use was lawfully established on the parcel of land before the day subsection 1 (1) of Schedule 6 to the *Helping Homebuyers, Protecting Tenants Act, 2023* came into force.

(3) Subsection 1 (2) of the Act is amended by striking out “38 (4.1)” and substituting “38 (4)”.

(4) Paragraph 1 of subsection 1 (4.1) of the Act is amended by striking out “Paragraph 1.1” and substituting “Paragraph 1”.

(5) Paragraph 2 of subsection 1 (4.1) of the Act is amended by striking out by “Paragraph 1.1” and substituting “Paragraph 1”.

(6) Paragraph 5 of subsection 1 (4.1) of the Act is amended by striking out “Paragraph 2.1” and substituting “Paragraph 2”.

(7) Paragraph 7 of subsection 1 (4.1) of the Act is amended by striking out “38 (4.1)” and substituting “38 (4)”.

(8) Paragraph 1 of subsection 1 (4.3) of the Act is amended by striking out “Paragraphs 1.1 and 4” and substituting “Paragraphs 1 and 4”.

(9) Paragraph 2 of subsection 1 (4.3) of the Act is amended by striking out “Paragraphs 1.1 and 3” and substituting “Paragraphs 1 and 3”.

(10) Paragraph 5 of subsection 1 (4.3) of the Act is amended by striking out “Paragraph 2.1” and substituting “Paragraph 2”.

(11) Paragraph 7 of subsection 1 (4.3) of the Act is amended by striking out “38 (4.1)” and substituting “38 (4)”.

(12) Subsection 1 (5) of the Act is repealed.

2 (1) Clause 3 (5) (a) of the Act is amended by adding “subject to a regulation made under subsection (6.1),” at the beginning.

(2) Clause 3 (6) (a) of the Act is amended by adding “subject to a regulation made under subsection (6.1),” at the beginning.

(3) Section 3 of the Act is amended by adding the following subsections:

Minister's regulations re transition

(6.1) The Minister may make regulations providing for transitional matters which, in the opinion of the Minister, are necessary or desirable to facilitate the implementation of a policy statement issued under subsection (1), other than a policy statement deemed under subsection (8) to be a policy statement issued under subsection (1).

Same

(6.2) Without limiting the generality of subsection (6.1), a regulation under that subsection may,

- (a) provide for transitional matters respecting matters, applications and proceedings that were commenced before or after a policy statement comes into effect;
- (b) provide that the policy statement being implemented does not apply, in whole or in part, to specified matters, applications and proceedings or providing that a previous policy statement continues to apply, in whole or in part, to the specified matters, applications and proceedings;
- (c) deem a matter, application or proceeding to have been commenced on the date or in the circumstances described in the regulations.

3 Subsection 16 (3.1) of the Act is amended by adding “other than the primary residential unit” at the end.

4 (1) Clause 17 (24.1) (c) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

(2) Clause 17 (36.1) (c) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

5 Subclause 22 (7.2) (c) (iii) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

6 (1) Subsection 34 (10.12) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

Refund of fee

(10.12) With respect to an application received on or after July 1, 2023, with the exception of an application referred to in subsection (10.14), the municipality shall refund any fees paid pursuant to section 69 in respect of the application in accordance with the following rules:

.

(2) Section 34 of the Act is amended by adding the following subsections:

No refunds, applications received before July 1, 2023

(10.13) Any refund of fees required under subsection (10.12), as it read before the day subsection 6 (1) of Schedule 6 to the *Helping Homebuyers, Protecting Tenants Act, 2023* came into force, with respect to applications received before July 1, 2023 shall be deemed never to have been required.

Exception

(10.14) Subsection (10.12) does not apply with respect to an application if the land to which the application relates is located in a municipality that, on the day on which the application is received by the municipality, is prescribed for the purposes of this subsection.

(3) Clause 34 (19.1) (c) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

7 Subsection 35.1 (1.1) of the Act is amended by striking out “of this section” at the end and substituting “other than the primary residential unit”.

8 (1) Subsection 38 (3) of the Act is amended by striking out “thirty” and substituting “20”.

(2) Subsection 38 (4) of the Act is repealed and the following substituted:

Appeal to Tribunal re by-law passed under subs. (1) and (2)

(4) Any person or public body who was given notice of the passing of a by-law under subsection (3) may, within 50 days after the date of the passing of the by-law, appeal to the Tribunal by filing with the clerk of the municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection.

(3) Subsection 38 (4.1) of the Act is repealed and the following substituted:

Transition

(4.1) This section, as it read immediately before the day the *Helping Homebuyers, Protecting Tenants Act, 2023* received Royal Assent, continues to apply to a by-law under subsection (1) or (2) passed before that day.

(4) Subsection 38 (5) of the Act is amended by striking out “or (4.1)”.

9 (1) Subsection 41 (1.2) of the Act is amended by striking out “residential units” at the end and substituting “residential units, unless the parcel of land includes any land in a prescribed area”.

(2) Subsection 41 (11.1) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

Refund

(11.1) With respect to plans and drawings referred to in subsection (4) that are received on or after July 1, 2023, with the exception of plans and drawings referred to in subsection (11.3), the municipality shall refund any fees paid pursuant to section 69 in respect of the plans and drawings in accordance with the following rules:

(3) Section 41 of the Act is amended by adding the following subsections:

No refunds, plans and drawings received before July 1, 2023

(11.2) Any refund of fees required under subsection (11.1), as it read before the day subsection 9 (2) of Schedule 6 to the *Helping Homebuyers, Protecting Tenants Act, 2023* came into force, with respect to plans and drawings received before July 1, 2023 shall be deemed never to have been required.

Exception

(11.3) Subsection (11.1) does not apply with respect to plans and drawings submitted to a municipality that, on the day that the plans and drawings are received by the municipality, is prescribed for the purposes of this subsection.

(4) Subsection 41 (12) of the Act is amended by striking out “submitted to the municipality” and substituting “received by the municipality”.

(5) Subsection 41 (12.0.2) of the Act is amended by adding the following paragraph:

3.1 Any information or material required under subsections (3.3) and (3.4).

10 Clause 42 (1.3) (c) of the Act is amended by striking out “parcel of urban residential land” and substituting “parcel of land”.

11 Section 47 of the Act is amended by adding the following subsection:

Non-application of policy statements, etc.

(4.0.1) The Minister may, in an order made under clause (1) (a), provide that policy statements issued under subsection 3 (1), provincial plans and official plans do not apply in respect of a licence, permit, approval, permission or other matter required before a use permitted by the order may be established.

12 The Act is amended by adding the following section:

Minister’s order re agreements

49.2 (1) If the Minister has directed the Provincial Land and Development Facilitator or a Deputy Facilitator appointed under subsection 12 (2) of the *Ministry of Municipal Affairs and Housing Act* to advise, make recommendations or perform any other functions with respect to land, the Minister may, by order, require the owner of the land to enter into one or more agreements with the Minister or with a municipality addressing any matters that the Minister considers necessary for the appropriate development of the land.

Notice to municipality

(2) If the Minister requires the owner of the land to enter into an agreement with a municipality, the Minister shall inform the municipality in writing of the matters that the agreement must address.

Restrictions on use of land

(3) Until the owner has entered into all agreements required by the order, no person shall, except as permitted by the order,

- (a) use the land other than for a purpose for which the land was lawfully used on the day the order was made;
- (b) erect or locate any building or structure on the land, other than a building or structure for which a permit has been issued under section 8 of the *Building Code Act, 1992* on or before the day the order was made and has not been revoked under subsection 8 (10) of that Act;
- (c) use any buildings or structures on the land not referred to in clause (b) other than for a purpose for which the building or structure was lawfully used on the day the order was made; or
- (d) place or dump fill on the land, remove topsoil from the land, alter the grade of the land or destroy or injure trees on the land except if failing to do so would result in,

- (i) danger to the health or safety of any person,
- (ii) impairment or serious risk of impairment of the quality of the natural environment for any use that can be made of it, or
- (iii) injury or damage or serious risk of injury or damage to any property or to any plant or animal life.

Effect of order

(4) An agreement required under subsection (1) may require the owner of the land to provide anything or pay for anything in excess of what the owner is required to provide or pay for under this Act, the *Development Charges Act, 1997* or any other Act.

Same

(5) An agreement required under subsection (1) may be registered against the land to which it applies and the Minister or the municipality, as the case may be, is entitled to enforce the provisions of that agreement against the owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, against any subsequent owners.

Non-application of *Legislation Act, 2006*, Part III

(6) Part III (Regulations) of the *Legislation Act, 2006* does not apply to an order made under subsection (1).

Commencement

13 (1) Except as otherwise provided in this section, this Schedule comes into force on the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent.

(2) Subsections 1 (1), (2) and (12) come into force on a day to be named by proclamation of the Lieutenant Governor.

(3) Subsections 1 (8) to (11) come into force on the later of the day the *Helping Homebuyers, Protecting Tenants Act, 2023* receives Royal Assent and the day subsection 1 (5) of Schedule 9 to the *More Homes Built Faster Act, 2022* comes into force.

**SCHEDULE 7
RESIDENTIAL TENANCIES ACT, 2006**

1 Part IV of the *Residential Tenancies Act, 2006* is amended by adding the following section:

Air conditioning

36.1 (1) A tenant may install and use a window or portable air conditioner in a rental unit for which the landlord does not supply air conditioning, unless prohibited from doing so by the landlord under subsection (2), and subject to the conditions set out in subsection (3).

Exception

(2) The landlord may, in the prescribed circumstances, prohibit a tenant from installing an air conditioner.

Conditions

- (3) The installation and use of a window or portable air conditioner under subsection (1) is subject to the following conditions:
1. Before installing the air conditioner, the tenant must notify the landlord in writing.
 2. If subsection (4) may apply in the circumstances, the notice must include any information available to the tenant about the energy efficiency of the air conditioner, and information about the tenant's anticipated usage of the air conditioner.
 3. The tenant shall ensure that the air conditioner, including its installation and operation, does not damage the rental unit or residential complex.
 4. The air conditioner must be installed safely and securely.
 5. The installation of the air conditioner is not prohibited by any applicable municipal property standards by-law or other applicable law, and the air conditioner is installed and maintained in accordance with any applicable laws.
 6. Any other prescribed conditions.

Rent increase

(4) If, on or after the day section 1 of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, a tenant installs and uses a window or portable air conditioner in a rental unit to which the landlord is obligated under the tenancy agreement to supply electricity, the landlord may increase the rent charged to the tenant.

Exception

(5) Subsection (4) does not apply if the tenancy agreement expressly provides that the tenant may install a window or portable air conditioner without any increase of rent.

Maximum

(6) An increase under subsection (4) shall not exceed the actual cost to the landlord of the electricity supplied for the operation of the air conditioner or, where the actual cost cannot be established, a reasonable estimate based on the information provided by the tenant under paragraph 2 of subsection (3).

Rent decrease, removal

(7) If a tenant who is subject to a rent increase under subsection (4) removes the air conditioner, the landlord shall decrease the rent charged to the tenant by the amount of the increase.

Rent decrease, seasonal use

(8) If a tenant who is subject to a rent increase under subsection (4) seasonally ceases to use the air conditioner, the landlord shall decrease the rent charged to the tenant by the amount of the increase.

Same, resumption of use

(9) If the tenant seasonally resumes using the air conditioner, the landlord may increase the rent charged to the tenant, and subsections (6) to (8) apply with necessary modifications with respect to the rent increase.

Application

(10) Sections 110, 116, 119 and 120 and any order under paragraph 6 of subsection 30 (1) do not apply with respect to a rent increase under this section.

Application to existing air conditioners

(11) Subsection (3), other than paragraphs 1 and 2, applies with necessary modifications with respect to a window or portable air conditioner installed by a tenant in a rental unit before the day section 1 of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, subject to subsection (12).

Non-application

(12) This section does not apply with respect to rental units in a mobile home park or land lease community.

2 Subsection 50 (3) of the Act is repealed and the following substituted:

Notice requirements, repairs or renovations

(3) A notice under clause (1) (c) shall,

- (a) inform the tenant that if the tenant wishes to exercise the right of first refusal under section 53 to occupy the premises after the repairs or renovations, the tenant must give the landlord notice of that fact in accordance with subsection 53 (2) before vacating the rental unit; and
- (b) in the case of a notice under clause (1) (c) given on or after the day section 2 of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, be accompanied by a report prepared by a person who has the prescribed qualifications and that,
 - (i) states that the repairs or renovations are so extensive that they require vacant possession of the rental unit; and
 - (ii) meets any other prescribed requirements.

Same, report

(3.1) For greater certainty, a failure to meet the requirements of clause (3) (b) with respect to a notice renders the notice void.

3 Section 53 of the Act is amended by adding the following subsections:

Requirements for landlord to notify

(2.1) In the case of notice given by a tenant on or after the day section 3 of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, the following requirements apply:

- 1. The landlord shall, without delay after receiving the tenant's notice, notify the tenant in writing of the estimated date by which the rental unit is expected to be ready for occupancy following the repairs or renovations.
- 2. The landlord shall, without delay after becoming aware of any change in a previously-estimated date by which the rental unit is expected to be ready for occupancy following the repairs or renovations, notify the tenant in writing of the new estimated date.
- 3. The landlord shall, without delay after the rental unit is ready for occupancy, notify the tenant in writing.

Time for tenant to reoccupy rental unit

(2.2) If a rental unit in respect of which the tenant has a right of first refusal becomes ready for occupancy on or after the day section 3 of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, the landlord shall give the tenant at least 60 days after the day the rental unit is ready for occupancy to exercise the right of first refusal to occupy the unit.

4 (1) Section 57 of the Act is amended by adding the following subsection:

Presumption, prescribed period of time

(6.1) For the purposes of an application under clause (1) (a), if no person referred to in clause 48 (1) (a), (b), (c) or (d) occupied the rental unit within the prescribed period of time after the former tenant vacated the rental unit, it is presumed, unless the contrary is proven on a balance of probabilities, that,

- (a) the landlord gave the notice of termination under section 48 in bad faith; and
- (b) the rental unit was not occupied within a reasonable time after the former tenant vacated the rental unit.

(2) Subsection 57 (7) of the Act is repealed and the following substituted:

Application of subs. (6.1)

(7) Subsection (6.1) applies with respect to an application under clause (1) (a) if the application is made on or after the day subsection 4 (1) of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force.

5 (1) Section 57.1 of the Act is amended by adding the following subsection:

Deemed failure

(1.1) A landlord who fails to comply with the requirements of subsection 53 (2.1) or (2.2) is deemed, for the purposes of subsection (1) only, to have failed to afford a former tenant a right of first refusal.

(2) Subsections 57.1 (2), (2.1), (2.2) and (3) of the Act are repealed and the following substituted:

Time limitation

(2) No application may be made under subsection (1) after the later of the following days:

1. The second anniversary of the day the former tenant vacated the rental unit.
2. The day that is six months after the day the repairs or renovations are completed.

Transition, ongoing applications

(3) Subsection (2), as it reads on the day subsection 5 (2) of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* comes into force, applies with respect to applications made but not finally determined before that day.

Transition, dismissed applications

(4) A former tenant whose application was dismissed before the day subsection 5 (2) of Schedule 7 to the *Helping Homebuyers, Protecting Tenants Act, 2023* came into force for a failure to comply with subsection (2) of this section may, subject to subsection (2) as it reads on that day, make a fresh application.

6 (1) Clause 72 (1) (a) of the Act is amended by striking out “on or after the day section 13 of the *Rental Fairness Act, 2017* comes into force”.

(2) Subsection 72 (1.1) of the Act is repealed.

(3) Subsections 72 (3) and (4) of the Act are amended by striking out “subsection (1), (1.1) or (2)” wherever it appears and substituting in each case “subsection (1) or (2)”.

7 Section 73 of the Act is amended by adding the following subsection:

Report re repairs, renovations

(4) In determining an application with respect to a notice of termination given under clause 50 (1) (c), the Board shall consider but is not bound by a report referred to in clause 50 (3) (b) stating that the repairs or renovations are so extensive that they require vacant possession of the rental unit.

8 Subsection 206 (1) of the Act is amended by adding the following clause:

(a.1) the agreement is in the form approved by the Board;

9 (1) Subsection 238 (1) of the Act is amended by striking out “\$50,000” and substituting “\$100,000”.

(2) Subsection 238 (2) of the Act is amended by striking out “\$250,000” and substituting “\$500,000”.

10 Subsection 241 (1) of the Act is amended by adding the following paragraph:

12.1 for the purposes of section 36.1,

- i. prescribing circumstances for the purposes of subsection 36.1 (2), and
- ii. governing the installation, use and maintenance of window or portable air conditioners for the purposes of subsection section 36.1, including prescribing additional conditions for the purposes of subsection 36.1 (3);

11 (1) Subsection 241.1 (1) of the Act is amended by adding the following paragraph:

3.1 prescribing qualifications and requirements for the purposes of clause 50 (3) (b);

(2) Subsection 241.1 (1) of the Act is amended by adding the following paragraph:

3.2 prescribing a period of time for the purposes of subsection 57 (6.1), including prescribing different periods of time that apply in different circumstances;

Commencement

12 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

Memo

To: Mayor and Council
From: Jennifer Pye, Planner
Date: May 16, 2023
Subject: Deeming By-law for Buffett – 340 Lakeview Avenue; PLAN M79NB
LOTS 260 TO 268
Attachments: Appendix 01: Deeming By-law Application Form
Appendix 02: Draft Deeming By-law (**Please refer to By-law No.
2023-066**)

Mayor and Council:

Sherry Buffet has submitted a request for a deeming by-law for her property located at 340 Lakeview Avenue in New Liskeard. Ms. Buffett also submitted an application for a building permit to construct a detached garage on the property, which would be located on a different lot than the dwelling which is the principal use of the property. The original lots were created by a plan of subdivision that was registered in 1907.

Lots of a plan of subdivision do not automatically merge on title when they are registered in the same ownership like properties described in the lot/concession format do (typically located in rural areas). In order to cause lots on a plan of subdivision to merge on title a deeming by-law must be passed by Council and registered on title to the applicable PIN(s). A deeming by-law is passed under the authority of Section 50(4) of the Planning Act, which states: *“The council of a local municipality may by by-law designate any part of a plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subsection (3).”* Once a deeming by-law is passed, any further transactions involving any individual pieces of the property will require approval of an application for consent to sever.

The subject property is designated Residential Neighbourhood in the City of Temiskaming Shores Official Plan, with the east portion being zoned Low Density Residential (R2) and the west portion being zoned Development (D) 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.

Prepared by:

Reviewed by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

Jennifer Pye, MCIP,
RPP
Planner

"Original signed by"

Shelly Zubyck
Director of Corporate
Services

"Original signed by"

Amy Vickery
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: \$250.00
+ legal and land titles fees required to register by-law
(billed directly from solicitor)

Office Use Only

File No.: D-2023-03

Date Received: May 11, 2023

Roll No.: 5418-010-008-349.00

1. Owner Information

Name of Owner: Sherry Buffett

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 340 Lakeview Avenue
Legal Description (concession and lot numbers, reference plan and lot/part numbers) PLAN M79NB LOTS 260 TO 268

b. Date the property/properties were acquired by the current owner: April 15, 2019

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:

Need to merge lots to build a garage.

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: _____

Name of Firm: _____

Mailing Address: _____

Email Address: _____ Phone: _____

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, _____ 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, Sherry Buffett of the City of 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 11th day of May, 2023

Sherry Buffett
Signature of Applicant

J. 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.

The Corporation of the City of Temiskaming Shores

By-law No. 2023-051

Being a by-law to Stop up and Close a Roadway – Portion of Ethel Street, on Plan M-54 NB, legally identified as 61350-0363

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-013-2023 at the April 4, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law for the Stopping up and Closing of a Roadway – Portion of Ethel Street, on Plan M-54 NB, adjacent to lots 137 and 154, legally identified as 61350-0363, for consideration at the May 16, 2023 Regular Council meeting.

Now therefore the Municipal Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

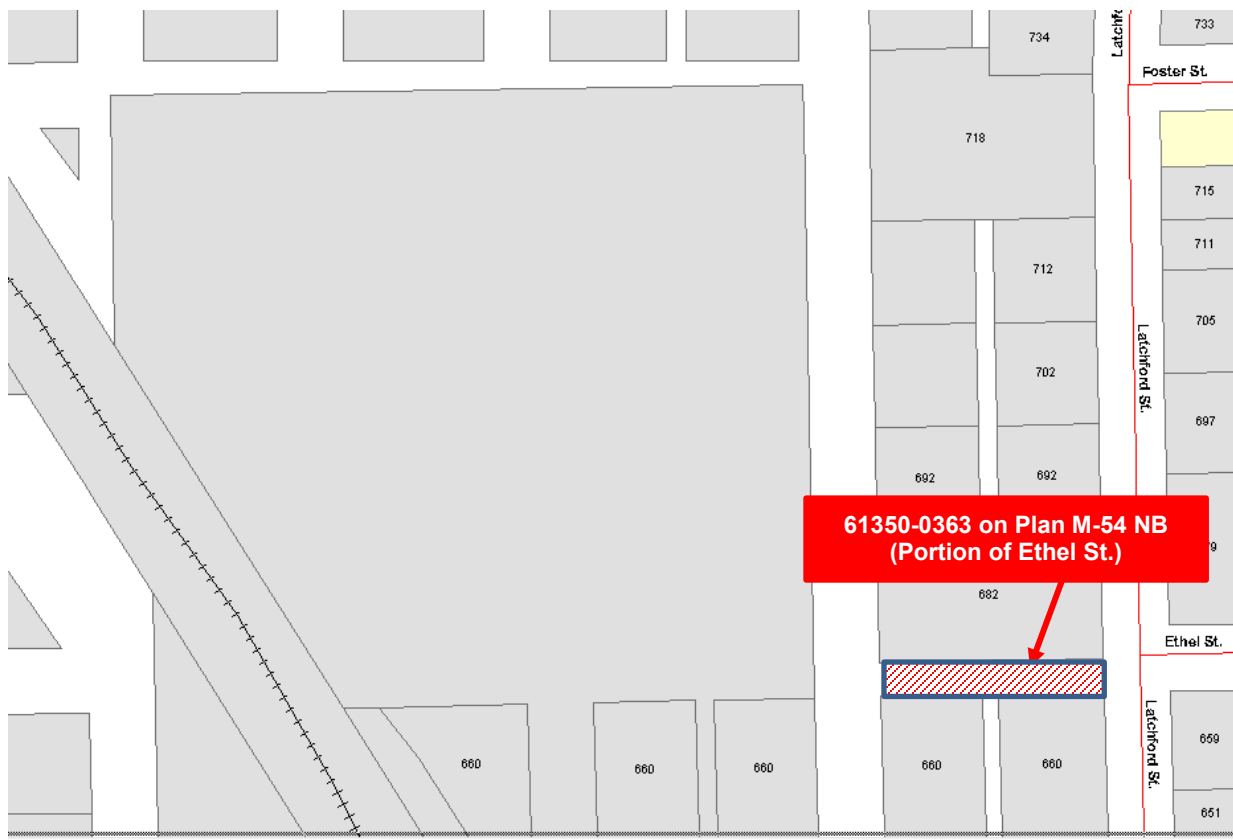
1. That Part of Roadway described as legally identified as 61350-0363 on Plan M-54 NB; is hereby stopped up and closed.
2. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law.
3. That a copy of this by-law be registered at the Land Registry Office in accordance 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 16th day of May, 2023

Mayor

Clerk

City of Temiskaming Shores



The Corporation of the City of Temiskaming Shores

By-law No. 2023-052

**Being a by-law to Stop up and Close a Roadway – Unopened
Roadway known as Hardy Avenue, on Plan M-54 NB, legally
identified as 61350-0314**

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-013-2023 at the April 4, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law for the Stopping up and Closing of a Roadway – Hardy Avenue, on Plan M-54 NB, adjacent to lots 190 to 239, legally identified as 61350-0314, for consideration at the May 16, 2023 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 Roadway described as legally identified as 61350-0314 on Plan M-54 NB, 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 16th day of May, 2023

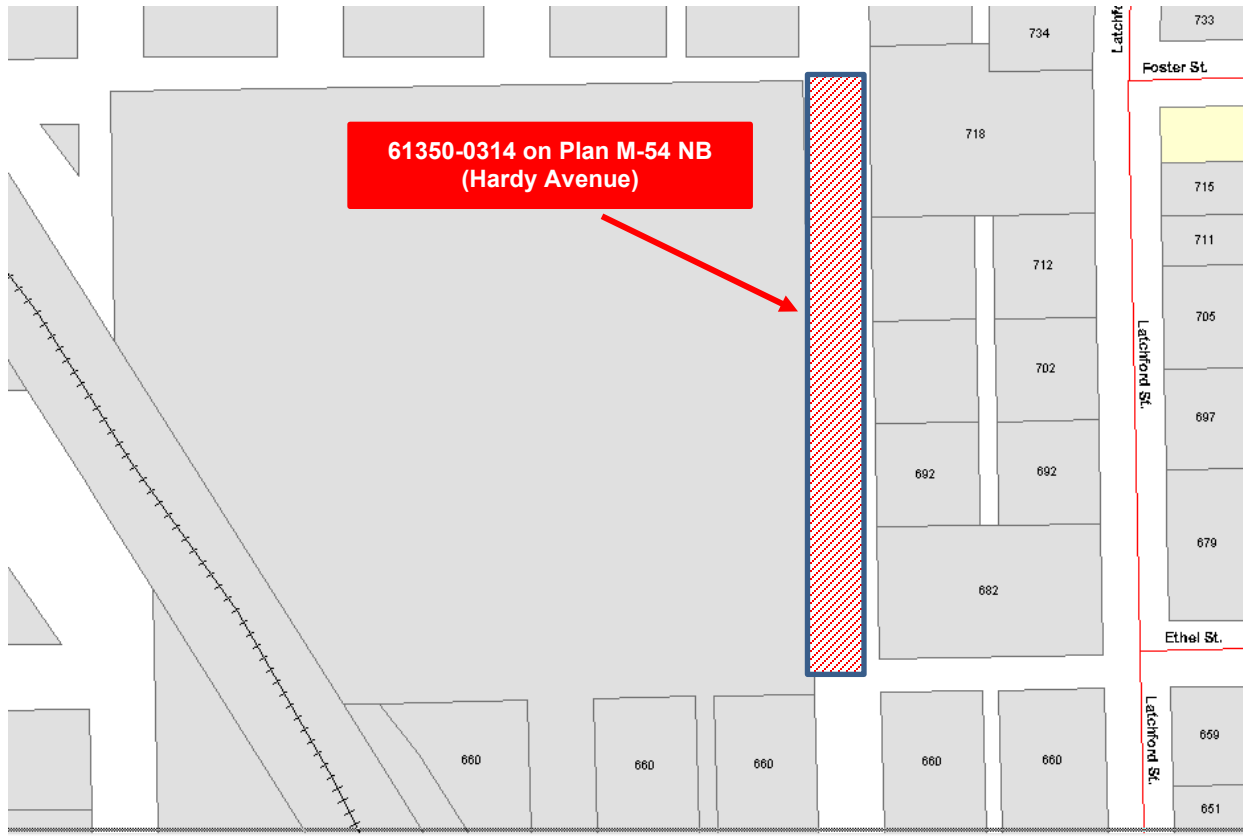
Mayor

Clerk

Schedule “A”

Portion of Unopened Roadway known as Hardy Avenue, legally identified as 61350-0314 on Plan M-54NB

City of Temiskmaing Shores



The Corporation of the City of Temiskaming Shores

By-law No. 2023-053

Being a by-law to authorize the Sale of Land being a portion of Ethel Street; Lots adjacent to 137 and 154, on Plan M-54NB, legally identified as 61350-0363

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-013-2023 at the April 4, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to authorize the sale of a portion of Ethel Street, identified on Plan M-54NB, adjacent to Lots 137 and 154 to Northern College in the amount \$1.00 plus applicable taxes and other such considerations at the May 16, 2023 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 Northern College 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 \$1.00 plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:
 - PIN 61350-0363, being a portion of Ethel Street; parcel adjacent to lots 137 and 154 on Plan M54NB (Town of Haileybury)

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 16th day of May, 2023

Mayor

Clerk

Offer to Purchase

Northern College

(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:

PIN:61350-0363, Portion of Ethel Street legally identified on Plan M-54NB, adjacent to
Lots 137 and 154

(herein called the "Real Property") at the purchase price of one dollar (**\$1.00**) 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 acknowledges the 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 **CLOSING DATE 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

Each party to pay the costs of registration and taxes on his own documents.

Legal and Other Considerations

The Parties agree that the Purchaser will pay the Vendor’s reasonable legal fees for the transaction, in addition to the cost for the completion of a legal survey, registration of easements, and any land registration costs associated with the transaction.

Gender

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

Remainder of this page left blank intentionally

Signed, Sealed and Delivered this _____ day of _____, 2023.

in the presence of:

Purchaser: ***Northern College***

Purchaser's Address:

Per: _____

The Vendor hereby accepts the above offer.

Dated at the _____ this _____ day of _____, 2023.

Vendor: ***The Corporation of the City of Temiskaming Shores***

Mayor – Jeff Laferriere

Clerk – Kelly Conlin

Vendor's Address:

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

Attn.: Kelly Conlin, Clerk

We have authority to bind the Corporation.

Purchaser's Solicitor:

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. 2023-054

Being a by-law to authorize the Sale of Land being a portion of unopened road allowance – Hardy Avenue; Lots adjacent to 190 to 239, on Plan M-54NB, legally identified as 61350-0314

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-013-2023 at the April 4, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to authorize the sale of a portion the unopened road allowance known as Hardy Avenue, identified on Plan M-54NB, adjacent to Lots 190 to 239 to Northern College in the amount \$1.00 plus applicable taxes and other such considerations at the May 16, 2023 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 Northern College 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 \$1.00 plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:

- PIN 61350-0314, being a portion of Unopened Road Allowance known as Hardy Avenue adjacent to lots 190 to 239 on Plan M-54NB (Town of Haileybury)
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 16th day of May, 2023

Mayor

Clerk

Offer to Purchase

Northern College

(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:

PIN:61350-0314, Portion of Hardy Avenue Street legally identified on Plan M-54NB,
adjacent to Lots 190 to 239

(herein called the "Real Property") at the purchase price of one dollar (**\$1.00**) 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 acknowledges the 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 **CLOSING DATE (TBD) 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

Each party to pay the costs of registration and taxes on his own documents.

Legal and Other Considerations

The Parties agree that the Purchaser will pay the Vendor’s reasonable legal fees for the transaction, in addition to the cost for the completion of a legal survey, and any land registration costs associated with the transaction.

Gender

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

Remainder of this page left blank intentionally

Signed, Sealed and Delivered this _____ day of _____, 2023.

in the presence of:

Purchaser: ***Northern College***

Purchaser's Address:

Per: _____

The Vendor hereby accepts the above offer.

Dated at the _____ this _____ day of _____, 2023.

Vendor: ***The Corporation of the City of Temiskaming Shores***

Mayor – Jeff Laferriere

Clerk – Kelly Conlin

Vendor's Address:
City of Temiskaming Shores
P.O. Box 2050 / 325 Farr Drive
Haileybury, Ontario
P0J 1K0

Attn.: Kelly Conlin, Clerk

We have authority to bind the Corporation.

Purchaser's Solicitor:

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. 2023-055

**Being a by-law to enter into an agreement with Miller Paving
Limited for the 2023 Roadway Rehabilitation Program**

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-009-2023 at the May 16, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Miller Paving Limited for the 2023 Roadway Rehabilitation Program in the amount of \$532,288.00, for consideration at the May 16, 2023 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 Miller Paving Limited for 2023 Roadway Rehabilitation Program, in the amount of \$532,288.00 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 16th day of May 16, 2023

Mayor

Clerk



Schedule “A” to

By-law 2023-055

Agreement between

The Corporation of the City of Temiskaming Shores

and

Miller Paving Limited

Roadway Rehabilitation Services within the City of Temiskaming Shores

This agreement made in duplicate this 16th day of May, 2023

Between:

The Corporation of the City of Temiskaming Shores

(hereinafter called "the Owner")

and

Miller Paving Limited

(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:

**Corporation of the City of Temiskaming Shores
Request for Quotation (PW-RFT-003-2023)
Roadway Rehabilitation Services**

- 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.
- c) Complete, as certified by the Manager of Transportation Services, all the work identified attached hereto as Appendix 02 by **November 30, 2023.**

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid, in the upset amount of Five hundred and thirty two thousand, two hundred and eighty eight dollars and zero cents (\$532,288.00) 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 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:

Miller Paving Limited
P.O. Box 248
704024 Rockley Road
New Liskeard, Ontario P0J 1P0

The Owner:

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

The Manager of Transportation Services:

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

Remainder of Page left blank intentionally

Signed and Sealed in
the presence of

Britt Herd - Senior Manager, Estimating & Contracts

**Corporation of the City of
Temiskaming Shores**

Mayor – Jeff Laferriere

Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to

By-law No. 2023-055

2023 Roadway Rehabilitation Program

2023 Roadway Rehabilitation Program

Pine Ave E/W from Kendall Street to Robert Street - \$258,165.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structures
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Adjust Driveways

May Street South from Whitewood Avenue to Riverside/Cedar - \$82,775.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structure
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Grade Gravel parking lot to the east

Dawson Point Road from Robert Street to McKelvie Ave – \$61,802.00

1. Pulverize remaining existing surfaces
2. Place, grade and compact minimum 50mm of Granular A.
3. Adjust Structures
4. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
5. Adjust Driveways, if required.

Haileybury Arena Area along Ferguson from Marcella to Blackwall and along Black wall from Sutherland Way to Farr Drive – \$129,546.00

1. Pulverize remaining existing surfaces
2. Complete subgrade remedial work
3. Place, grade and compact minimum 50mm of Granular A.
4. Adjust Structures
5. Place 50mm Hot Laid Asphalt at a width equal to the existing paved surface.
6. Adjust Driveways, if required.

Approved 2023 Roads Program Allocation	\$ 543,632.00
Estimated cost for above noted work (with Non Ref.)	\$ 541,656.27
Available Funds (Budget less Estimated)	\$ 1,975.73



Appendix 02 to
Schedule “A” to
By-law No. 2023-055
Form of Agreement

The Corporation of the City of Temiskaming Shores

By-law No. 2022-056

**Being a by-law to enter into an agreement with Pedersen
Construction (2013) Inc. for the Reconstruction of Albert Street
Project No. NWL-01701012**

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 EXP Services Inc; as part of the obligations in By-Law 2017-017; released Tender Documents identified as Project No. NWL-01701012 on behalf of the City of Temiskaming Shores; and further accepted and reviewed tender submissions prior to making a recommendation for award.

Whereas Council considered Administrative Report No. PW-011-2023 at the May 16, 2023 Regular meeting of Council and directed staff to prepare the necessary by-law to enter into an agreement with Pedersen Construction (2013) Inc. for the Reconstruction of Albert Street in the amount of \$4,447,705.29 plus applicable taxes, for consideration at the May 16, 2023 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 Pedersen Construction (2013) Inc. for the Reconstruction of Albert Street in the amount of \$4,447,705.29 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 16th day of May,
2023

Mayor

Clerk



Schedule “A” to

By-law 2023-054

Agreement between

The Corporation of the City of Temiskaming Shores

and

Pedersen Construction (2013) Inc.

for the Reconstruction of Albert Street
Project No. NWL-01701012

This agreement made this 16th day of May, 2023

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

And

Pedersen Construction (2013) Inc.
(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
Reconstruction of Albert Street
Project No. NWL-01701012**

- 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; and
- c) Complete, as certified by the Manager of Environmental Services, all the work by **June 30, 2024**
- d) The time limits referred to in this Agreement may be abridged or extended by mutual agreement by both Parties.

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **Four Million, Four Hundred and Forty-Seven Thousand, Seven Hundred and Five Dollars and twenty-nine cents (4,447,705.29) plus applicable taxes**, subject to additions and deductions as provided in the Contract Documents, if applicable.
- 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 Contractor:

Pederson Construction (2013) Inc.
177246 Bedard Road
New Liskeard, Ontario P0J 1P0

The Owner:

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

The Manager of Environmental Services:

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

The Manager of Transportation Services:

Manager of Transportation Services
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

Pedersen Construction (2013) Inc.

Karl Pedersen, President

Municipal Seal

**The Corporation of the City of Temiskaming
Shores**

Mayor – Jeff Laferriere

Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to

By-law No. 2023-056

Form of Agreement

The Corporation of the City of Temiskaming Shores

By-law No. 2023-057

**Being a by-law to enter into an agreement with GFL
Environmental Services Inc. for the provisions of collection and
disposal services for the Household Hazardous Waste Collection
Event on June 3, 2023**

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 considered Administrative Report No. PW-007-2023 at the May 2, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with GFL Environmental Services Inc. for the provisions of collection and disposal services for the Household Hazardous Waste Collection Event on June 3, 2023 for consideration at the May 16, 2023 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 Drain-All Ltd. for the provisions of collection and disposal services for the Household Hazardous Waste Collection Event on June 3, 2023, 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 16th day of May, 2023

Mayor

Clerk



Schedule “A” to

By-law 2023-057

Agreement between

The Corporation of the City of Temiskaming Shores

and

GFL Environmental Services Inc.

For the collection and disposal services for the Household Hazardous Waste
Collection Event on June 3, 2023

This agreement made this 16th day of May 2023

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called “the Owner”)

and

GFL Environmental Services Inc.
(hereinafter called “the Contractor”)

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

Article I Contractor:

The Contractor will:

- a) Provide all material and perform all work described within this Agreement.
- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents as itemized in **Appendix 01**, a copy of which is hereto attached and forming part of this agreement; and
- c) Complete, as certified by the Manager Environmental Services, all the work on **June 3, 2023**.
- d) The time limits referred to in this Agreement may be abridged or extended by mutual agreement by both Parties, such as extending the termination time should the circumstance warrant (i.e., line-up of vehicles wanting to dispose of MHSW materials).

Article II Owner:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the services aforesaid, as described on **Appendix 01**, a copy of which is hereto attached and forming part of this agreement.
- 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 Communications:

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:

GFL Environmental Services Inc.
3385 Hawthorne Road
Ottawa, Ontario
K1G 4G2

The Owner:

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

The Manager of Environmental Services:

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

Article IV Indemnity and Insurance:

- a) Each party (the “indemnifying Party”) hereby indemnifies and saves harmless the other party (the “indemnified Party”) on its behalf and as trustee for, its respective directors, officers, contractors, employees and agent, from and against any and all manner of actions causes of actions, damages, but not including consequential damages, costs, loss or expenses of whatever kind, including related legal fees on a full indemnity basis which the indemnified Party, its directors, officers, contractors, employees and agents may sustain, incur or be put to by reason of or directly or indirectly arising out of any breach of this Agreement by the other party or any willful misconduct or negligence of the indemnifying Party or any person for

whom the indemnifying Party is, at law, responsible, in relation to matters arising out of this Agreement.

- b) The Contractor will, during the term of this Agreement maintain at its expense Comprehensive General Liability coverage with limits of not less than \$5,000,000 (five million dollars) per occurrence.
- c) The Comprehensive General Liability policy of insurance referred to in this section will include the City as an additional insured.
- d) The Contractor will deliver a copy of a Certificate of Insurance maintained by the Contractor pursuant to this Agreement, upon the effective date of this Agreement naming the City as an additional insured with the following language:

The City of Temiskaming Shores and its affiliated entities, officers, partners, directors, employees, representatives and agents are included as Additional Insured's for Comprehensive General Liability. Such coverage is primary and non-contributing.

Article V Public Courtesy:

- a) The Contractor shall ensure that all employees engaged in the collection services are courteous with the general public.

Article VI AODA Compliance:

- a) The Contractor shall comply with the provisions of the Accessibility for Ontarians with Disabilities Act, 2005, and the Regulations thereunder with regard to the provision of its goods or services contemplated herein to persons with disabilities. Without limitation, if applicable, pursuant to section 6 of Ontario Regulation 429/07, Accessibility Standards for Customer Service, made under the Accessibility for Ontarians with Disabilities Act, 2005, the Contractor shall ensure that all of its employees, agents, volunteers, or others for whom it is at law responsible, receive training about the provision of its goods and services to persons with disabilities. The Contractor acknowledges that pursuant to the Accessibility for Ontarians with Disabilities Act, 2005, the City of Temiskaming Shores must, in deciding to purchase goods or services through its procurement process, consider the accessibility for persons with disabilities to such goods or services.

Article VII Workplace Safety and Insurance Act:

- a) The Contractor shall at all times pay, or cause to be paid, any assessment or compensation required to be paid pursuant to the *Workplace Safety and Insurance Act*. The Contractor shall make a **Statutory Declaration** when requested by the City that all assessment or compensation have been paid.

Article VIII Assignment and Sub-Contractors:

- a) The Contractor shall not **assign or sub-let the contract** or any part thereof or any benefit or interest therein, or there under, without the written consent of the City.
- b) The Contractor shall be held as fully responsible to the City for the acts and omissions of its sub-contractors and of persons directly or indirectly employed by it as for the acts and omissions of persons directly employed by it.

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

GFL Environmental Services Inc.

Joey Cardinali
Household Hazardous Waste Manager

Municipal Seal

**The Corporation of the City of Temiskaming
Shores**

Mayor – Jeff Laferriere

Clerk – Kelly Conlin



Appendix 01 to
Schedule "A" to

By-law No. 2023-057

Contract Documents



February 3, 2023

Steve Burnett
The City of Temiskaming Shores
P.O. Box 2050, 325 Farr Dr.
Haileybury, ON
POJ 1K0

RE: Quotation for 2023 Household Hazardous Waste Event

We at GFL Environmental Services Inc. are pleased to provide you with the following quotation for the transport, removal, recycling and disposal of the following waste material at your Household Hazardous Waste Event this year.

In the event that the regulations governing the disposal of MHSW (HHW) are updated, removed or otherwise altered during the term of your agreement, both parties agree that there will be no penalty, financial or otherwise imposed on your municipality as a result of the adjustment.

Saturday, June 3, 2023 9:00AM – 2:00 PM

Total Fixed Mobilization and Operation Fee = \$ 8,500.00

This will include: 3 tractor trailers with operators, one supervisor/chemical technician, 2 chemical technicians; lab packing and loading full drums of waste, and the transportation to Ottawa.

The event time would be from 9:00 am till 2:00 pm, with GFL Environmental employees arriving at the site to set up at 8:00 am. The above pricing also includes: GFL's mobile ECA, check in sheets, all supplies, drums and manifests. All volunteers would receive tyvek suits, safety glasses and gloves from GFL.

<u>Waste Description</u>	<u>Price 2023</u> <u>(\$/Labpack Drum)</u>
Acid	\$ 130.00
Aerosol	\$ 125.00
Antifreeze	\$ 95.00
Base	\$ 130.00
Batteries	\$ 3.00 / KG
Fertilizer	\$ 170.00
Fire Extinguisher	\$ 125.00
Flammable	\$ 105.00



Gasoline	\$ 125.00 / Bulk Drum
Light Bulbs	\$ 0.90 / Bulb
Light Tubes	\$ 0.55 / Foot
Used Oil	\$ 65.00 / Bulk Drum
Oil Filters	\$ 110.00
Oxidizer	\$ 225.00
Paint	\$ 140.00
Pesticide	\$ 225.00
Pharmaceutical	\$ 200.00
Propane	\$ 200.00
Recycled Plastic	\$ 2.00 / KG
Sharps	\$ 75.00 / Box
RPRa One-Time Registraion Fee (if required)	\$ 50.00 / One Time
RPRa Manifest and Administration Fee	\$ 15.00 / Manifest

GFL utilizes 3.3 cubic meter cages to contain the paint. This allows for quick and uniform storage of the 4 liter and 20 liters of paint related material. The cages being loaded by a forklift allows a quicker loading time at the end of the event day.

The City of Temiskaming Shores would supply the following: staff (volunteers) to direct traffic, check in vehicles, unload the vehicles, and assist in bulking of oil. 3 –5 people are recommended for ease of operation. This is a cost saving measure for your municipality, as they should be no additional cost to the municipality. These people could be environmental groups, service club members, volunteer firefighters, town counselors or any civic-minded persons or groups. The Town would also supply a non –hazardous bin (garbage) and a fork lift.

I look forward to working with you to meet your waste management needs. Should you require any further assistance, please contact me at our Head Office – 613-739-1070.

Sincerely,

Joey Cardinali | Household Hazardous Waste Manager

GFL Environmental Services Inc.

3385 Hawthorne Rd, Ottawa, ON K1G 4G2

T (613) 739-1070 | C (613) 859-0995 | jcardinali@gflenv.com | www.gflenv.com

The Corporation of the City of Temiskaming Shores

By-law No. 2023-058

Being a by-law to enter into an agreement with G. Belanger Construction for the construction of an Equipment Storage Building at the New Liskeard Landfill

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 -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-008-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to enter into an agreement with G. Belanger Construction for the construction of an Equipment Storage Building at the New Liskeard Landfill in the amount of \$224,243.00, plus applicable taxes for consideration at the May 16, 2023 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 enter into an agreement with agreement with **G. Belanger Construction** for the construction of an Equipment Storage Building at the New Liskeard Landfill in the amount of **\$224,243.00**, plus applicable taxes, a copy 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.

Read a first, second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk



Schedule “A” to

By-law No. 2023-058

Agreement between

The Corporation of the City of Temiskaming Shores

and

G. Belanger Construction

Construction of an Equipment Storage Building at the New
Liskeard Landfill

This agreement made this 16th day of May, 2023

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

And:

G. Belanger Construction
(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 Tender Documents entitled:

**The Corporation of City of Temiskaming Shores
New Liskeard Landfill Building Construction
PW-RFP-002-2023**

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement, attached hereto as Appendix 01; and
- c) Complete, as certified by the Manager of Environmental Services, all the work by October 31, 2023
- d) The time limits referred to in this Agreement may be abridged or extended by mutual agreement by both Parties.

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **Two hundred and twenty-four thousand, two hundred and forty-three dollars and zero cents (\$224,243.00) plus applicable taxes**, subject to additions and deductions as provided in the Contract Documents, if applicable.
- 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 Engineer 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:

1644149 Ontario Ltd. O/A G. Belanger Construction
349 Niven Street South
Haileybury, ON
P0J 1K0

The Owner:

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

The Manager of Environmental Services:

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

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Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to
By-law No. 2023-058
Form of Agreement

The Corporation of the City of Temiskaming Shores

By-law No. 2023-059

Being a by-law to enter into an agreement with Northland Group of Companies for seasonal Ice Plant Maintenance

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 -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-010-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to enter into an agreement with Northland Group of Companies Ltd. for seasonal ice plant maintenance for 2023, 2024, and 2025 in the amount of \$27,754.00 plus applicable taxes for consideration at the May 16, 2023 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 enter into an agreement with Northland Group of Companies Ltd. for seasonal ice plant maintenance for 2023, 2024, and 2025 in the amount of \$27,754.00 plus applicable taxes, a copy 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.

Read a first, second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk



Schedule “A” to

By-law No. 2023-059

Agreement between

The Corporation of the City of Temiskaming Shores

and

Northland Group of Companies Ltd.

Seasonal Ice Plant Maintenance for 2023, 2024 and 2025

This agreement made this 16th day of May, 2023

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

And:

Northland Group of Companies 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 Tender Documents entitled:

**The Corporation of City of Temiskaming Shores
Seasonal Ice Plant Maintenance
RS-RFQ-001-2023**

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement, attached hereto as Appendix 01; and
- c) Completed each year for the duration of the agreement, as certified by the Director of Recreation, all the work by **July 15th**
- d) The time limits referred to in this Agreement may be abridged or extended by mutual agreement by both Parties.

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **Twenty-Seven Thousand, Seven hundred and fifty four dollars and zero cents (\$27,754.00) plus applicable taxes**, subject to additions and deductions as provided in the Contract Documents, if applicable.
- 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 Engineer 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:

Northland Group of Companies Ltd.

1-167 Laurette St,
Chelmsford, ON
P0M 1L0

The Owner:

City of Temiskaming Shores

P.O. Box 2050, 325 Farr Drive
Haileybury, Ontario
P0J 1K0

Director of Recreation

City of Temiskaming Shores

P.O. Box 2050, 325 Farr Drive
Haileybury, Ontario
P0J 1K0

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Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to
By-law No. 2023-059
Form of Agreement

The Corporation of the City of Temiskaming Shores

By-law No. 2023-060

Being a by-law to enter into an agreement with Miller Maintenance for the installation of park lighting at the Murray Daniels Dog Park

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 -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-011-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to enter into an agreement with Miller Maintenance for the installation of park lighting at the Murray Daniels Dog Park in the amount of \$37,297.00 plus applicable taxes for consideration at the May 16, 2023 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 enter into an agreement with Miller Maintenance for the installation of park lighting at the Murray Daniels Dog Park in the amount of \$37,297.00 plus applicable taxes, a copy 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.

Read a first, second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk



Schedule “A” to

By-law No. 2023-060

Agreement between

The Corporation of the City of Temiskaming Shores

and

Miller Maintenance

Installation of Park Lighting at the Murray Daniels Dog Park

This agreement made this 16th day of May, 2023

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

And:

Miller Maintenance
(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 Tender Documents entitled:

**The Corporation of City of Temiskaming Shores
Dog Park Lighting
RS-RFQ-002-2023**

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement, attached hereto as Appendix 01; and
- c) Completed each year for the duration of the agreement, as certified by the Director of Recreation, all the work by **August 30, 2023**
- d) The time limits referred to in this Agreement may be abridged or extended by mutual agreement by both Parties.

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **Thirty-Seven thousand, two hundred and ninety seven dollars and zero cents (\$37,297.00) plus applicable taxes**, subject to additions and deductions as provided in the Contract Documents, if applicable.
- 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 Engineer 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:

Miller Maintenance
704024 Rockley Road
New Liskeard, ON
P0J 1P0

The Owner:

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

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

Remainder of Page left blank intentionally

Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to
By-law No. 2023-060
Form of Agreement

The Corporation of the City of Temiskaming Shores

By-law No. 2023-061

Being a by-law to enter into a lease agreement with Dr. Phillip J. Smith for the rental of space at the Haileybury Medical Centre (Rooms 223, 225, 227 and 230)

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;

Whereas Council considered Administrative Report CS-017-2023 at the May 2, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a two (2) year lease agreement with Dr. Phillip J. Smith for the rental of 372 ft² of office space at the Haileybury Medical Center and to apply a rental rate increase of 2% per annum for consideration at the May 16, 2023 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 enter into an Agreement with Dr. Phillip J. Smith for the rental of space at the Haileybury Medical Centre, 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 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 16th day of May, 2023.

Mayor

Clerk



Schedule “A” to
By-law No. 2023-061
Agreement between
The Corporation of the City of Temiskaming Shores
and
Dr. Phillip J. Smith
for the rental of space at the
Haileybury Medical Center

Lease Agreement

between:

The Corporation of the City of Temiskaming Shores

and:

Dr. Phillip J. Smith

Lease

Corporate Services
The Corporation of the City of Temiskaming Shores
P.O. Box 2050
Haileybury, Ontario
P0J 1K0

This Lease made this 16th day of May, 2023.

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called the "Landlord")

And:

Dr. Phillip J. Smith
(hereinafter called the "Tenant")

Whereas the Landlord is the owner of the lands described as follows: Part Lot 13 and Part Lot 137, Concession 3, as shown on Plan M-58, Parcel 19899SST in the City of Temiskaming Shores, District of Timiskaming, in the Province of Ontario, (hereinafter called the "Land"), and there is located on the Lands a building (hereinafter called the "Building"), having an entrance off Meridian Avenue in the City of Temiskaming Shores, in the Province of Ontario.

And whereas the parties hereto have agreed to enter into this Lease.

1. Leased Premises

The Landlord hereby demises and leases to the Tenant part of the **upper level** in the Landlord's Building containing a rentable area of Three Hundred and Seventy Two square feet (372 ft²) located at 95 Meridian Avenue, City of Temiskaming Shores, Ontario being hereinafter called the "premises".

2. Ingress and Egress

Together with the right of ingress and egress for the Tenant's employees, servants, agents, customers, and invitees, and the use of parking areas, driveways, sidewalks, common loading and stopping areas in and about the Lands and Building (hereinafter called the "common areas").

3. Term

To hold the premises for a term commencing on the 1st day of April, 2023 and ending on the 31st day of March, 2025.

4. Rent

And paying therefore, to the Lessor, subject to the provisions of this Lease, the sum of **four hundred sixty eight dollars and forty one cents (\$468.41)** per month plus HST, which represents a lease rate of **\$15.11/ft²/year**. Rent will be increased two percent (2%) annually for the duration of the term.

Rent is payable to the City of Temiskaming Shores and due on the first day of each and every month during the term hereof. Such payment to be mailed to P.O. Box 2050 Haileybury, Ontario P0J 1K0.

And the parties hereto covenant and agree as follows:

5. Tenant’s Covenants

The Tenant covenants with the Landlord:

- a) Rent** - to pay rent;
- b) Telephone** - to pay when due the cost of the telephone and intercom services supplied to the premises;
- c) Repair** - to repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to permit the Landlord to enter and view the state of repair and to repair according to notice in writing, reasonable wear and tear and damage by fire, lightning and tempest only excepted; and to leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted;
- d) Cost of repair where Tenant at fault** - that if the building including the premises, boilers, engines, pipes and other apparatus (or any of them) used for the purpose of heating or air conditioning the building, or if the water pipes, drainage pipes, electric lighting or other equipment of the building or the roof or outside walls of the building get out of repair or become damaged or destroyed through the negligence, carelessness or misuse of the Tenant, his servants, agents, employees or anyone permitted by him to be in the building (or through him or them in any way stopping up or injuring the heating apparatus, water pipes, drainage pipes, or other equipment or part of the building) the expense of any necessary repairs, replacements or alterations shall be paid by the Tenant to the Landlord forthwith on demand;
- e) Assigning or subletting** - not to assign, sublet or part with possession of any part of the premises without leave of the Landlord, which leave shall not be unreasonably withheld, and which leave shall not be required in the event of a sublease to add any personnel to the group comprising the Tenant or to a management corporation which may be incorporated by the Tenant;
- f) Entry by Landlord** - to permit the Landlord or its agents to enter upon the premises at any time and from time to time for the purpose of inspecting and making repairs, alterations or improvements to the premises or to the building, and the Tenant shall not be entitled to compensation for any inconvenience, nuisance, or discomfort occasioned thereby; provided that the Landlord shall give reasonable advance notice to avoid inconvenience

- to the Tenant, given the private and confidential nature of the profession of the Tenant;
- g) Indemnity** - to indemnify and save harmless the Landlord against and from any and all claims by or on behalf of any person or persons, firm or firms, or corporation or corporations arising from the conduct or any work, by or through any act of negligence of the Tenant or any assignee, subtenant, agent, contractor, servants, employee or licensee of the Tenant;
 - h) Exhibiting premises** - to permit the Landlord or its agents to exhibit the premises to prospective Tenants between the hours of 9:00 a.m. and 11:00 p.m. during the last month of the term;
 - i) Alterations** - not to make or erect in or to the premises any installation, alteration, addition, or partition without submitting plans and specifications to the Landlord and obtaining the Landlord's prior written consent (in each instance); such work shall if the Landlord so elects, be performed by employees of or contractors designated by the Landlord; in the absence of such election, such work may be performed with the Landlord's consent in writing (given prior to letting of contract) by contractors engaged by the Tenant but in each case only under written contract approved in writing by the Landlord and subject to all conditions which the Landlord may impose; the Tenant shall submit to the Landlord or the Tenant's contractors (as the case may be), when due the costs of all such work and of all materials, labour and services involved therein and of all decoration and all changes in the building, its equipment or services, necessitated thereby; provided, that it is at this time understood by the Landlord that certain equipment is to be installed and to be placed at convenient places as designated by the Tenant;
 - j) Name of building** - not to refer to the building by any other name other than that designated from time to time by the Landlord nor use the name of the building for any purpose except as the business address of the Tenant;

6. Landlord's Covenants

The Landlord covenants with the Tenant;

- a) Quiet enjoyment** - for the quiet enjoyment;
- b) Taxes** - to pay all taxes and rates, municipal, parliamentary or otherwise, levied against the premises or the Landlord on account thereof;
- c) Air conditioning** - to install and operate air conditioning units to air condition the premises at the expense of the Landlord;
- d) Electricity and water** - to pay for the electricity and water supplied to the premises;

- e) **Janitor service** - to cause, when reasonably necessary, given the professional nature of the Tenant's use of the premises, (from time to time) the floors and windows of the premises to be vacuumed, swept and cleaned and the desks, tables and other furniture of the Tenant to be dusted, but (with the exception of the obligation to cause the work to be done) the Landlord shall not be responsible for any act or omission or commission on the part of the person or persons employed to perform such work, provided vacuuming, sweeping and dusting to be done daily five days of the week;
- f) **Heat** - to heat the premises;
- g) **Structural soundness** - to keep the premises, common areas and parking lot structurally sound and to look after any structural defects which may arise;

7. Provisos

Provided always and it is hereby agreed as follows:

- a) **Fixtures** - The Tenant may remove his fixtures, but all installations, alterations, additions, partitions and fixtures except trade or Tenant's fixtures in or upon the premises, whether placed there by the Tenant or by the Landlord, shall be the Landlord's property without compensation therefore to the Tenant and shall not be removed from the premises at any time (either during or after the term);
- b) **Fire** - In case of damage to the premises by fire, lightning or tempest, rent shall cease until the premises are rebuilt; and the Landlord, instead of rebuilding or making the premises fit for the purpose of the Tenant, may at its option terminate this lease on giving to the Tenant within thirty days after such fire, lightning or tempest, notice in writing of its intention (so to do) and thereupon rent and any other payments for which the Tenant is liable under this lease shall be apportioned and paid to the date of such fire, lightning or tempest, and the Tenant shall immediately deliver up possession of the premises to the Landlord;
- c) **Damage to property** - The Landlord shall not be liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Tenant or to the employees of the Tenant or to any other person while in the building or in the yard of the building unless such loss, damage or injury shall be caused by the negligence of the Landlord or its employees, servants or agents for any damage to any such property caused by steam, water, rain or snow which may leak into, issue or flow from any part of the building or from the water, steam or drainage of the building or from any other place or quarter nor for any damage caused by or attributable to the condition or arrangement of any electric or other wiring omitted by any other Tenant;

- d) Impossibility of performance** - It is understood and agreed that whenever and to the extent that the Landlord shall be unable to fulfill, or shall be delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, goods, equipment, service, utility or labour required to enable it to fulfill such obligations or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control whether of the foregoing character or not, the Landlord shall be relieved from the fulfillment of such obligation and the Tenant shall not be entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned;
- e) Default of Tenant** - If the rent reserved or any part thereof shall not be paid on the day appointed for payment, whether lawfully demanded or not, or in case of breach or non-observance or non-performance of any of the covenants or agreements or rules or regulations herein contained or referred to on the part of the Tenant to be observed and performed, or in case the premises shall be vacated or remain unoccupied or in case the term shall be taken in execution or attachment for any cause whatsoever, (and in every such case) the Landlord shall be entitled thereafter to enter (into and) upon the premises (or any part thereof in the name of the whole) and the same to (have again), repossess and enjoy as of its former estate, anything herein contained to the contrary notwithstanding;
- f) Bankruptcy of Tenant** - In case without the written consent of the Landlord the premises shall remain vacant or not used for the period of fifteen days or be used by any other person than the Tenant or for any other purpose than that for which they were let or in case the term or any of the goods and chattels of the Tenant shall at any time be seized in execution or attachment by any creditor of the Tenant or if the Tenant shall make any assignment for the benefit of creditors or any bulk sale of any act (now or hereafter in force) for bankrupt or insolvent debtors (or if the Tenant is a company any order shall be made for the winding up of the Tenant), then in any such case this lease shall at the option of the Landlord cease and terminate and the term shall immediately become forfeited and void and the current month's rent and the next ensuing three month's rent shall immediately become due and payable and the Landlord may re- enter and take possession of the premises as though the Tenant or other occupant (or occupants) of the premises was (or were) holding over after the expiration of the term without any right whatever;
- g) Distress** - The Tenant waives and renounces the benefit of any present or future statute taking away or limiting the Landlord's right of distress, and

covenants and agrees that notwithstanding any such statute none of the goods and chattels of the Tenant on the premises at any time during the term shall be exempt from levy by distress for rent in arrears;

h) Right of re-entry - On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord in addition to all other rights may do so as the agent of the Tenant, using force if necessary, without being liable for any prosecution therefore, and may re-let the premises as agent of the Tenant, and receive the rent therefore, and as agent of the Tenant may take possession of any furniture or other property on the premises and sell the same at a public or private sale without notice and apply the proceeds of such sale and any rent derived from re-letting the premises upon account of rent under this lease, and the Tenant shall be liable to the landlord for any deficiency;

i) Right of termination by the Tenant

The lease may be terminated for any valid operational reason with the consent of both parties and upon payment of three months rent in lieu of notice.

j) Right of termination by the Landlord

On the Landlord's becoming entitled to re-enter the premises under any of the provisions of this lease, the Landlord, in addition to all other rights, shall have the right to terminate this lease forthwith by leaving upon the premises notice in writing of its intention, and thereupon rent and any other payments for which the Tenant is liable under this lease shall be computed, apportioned and paid in full to the date of such termination, and the Tenant shall immediately deliver up possession of the Premises to the Landlord, and the Landlord may re-enter and take possession of the premises;

k) Non-waiver - Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant at any time in respect of any covenant, provision or condition herein contained shall not operate as a waiver of the Landlord's rights hereunder in respect of any subsequent default, breach or non-observance, and shall not defeat or affect in any way the rights of the Landlord herein in respect to any default, breach or non-observance by the Landlord, mutatis mutandis.

l) Over-holding - If the Tenant shall continue to occupy the premises after the expiration of this lease with or without the consent of the Landlord, and without any further written agreement, the Tenant shall be a monthly Tenant at the monthly rental herein mentioned and on the terms and conditions herein set out except as to length of tenancy.

m) Arbitration - Any dispute between the parties hereto arising out of the provision of this lease shall be referred to the arbitration of three persons,

one to be appointed by each of the parties hereto and the third to be chosen by the two so appointed. If either of the parties fails to appoint an arbitrator for 15 days after the one party has appointed an arbitrator and has notified the other party in writing of the appointment and of the matter in dispute to be dealt with, the decision of the arbitrator appointed by the first of such parties shall be final and binding on both of the parties hereto. If the two arbitrators appointed by the parties hereto fail to agree upon a third arbitrator for 15 days after the appointment of the second arbitrator, either party hereto may apply on 15 days' notice (written) giving the order to a Judge of the District Court of the District of Timiskaming as a *persona designata* to appoint such third arbitrator. The said Judge, upon proof of such failure of appointment and of the giving of such notice, may forthwith appoint an arbitrator to act as such third arbitrator. If any arbitrator refuses to act or is incapable of acting or dies, a substitute for him may be appointed in the manner herein before provided. The decision of the three arbitrators so appointed, or a majority of them, shall be final and binding upon the parties hereto. All costs and expenses of any such arbitration shall be borne by the parties hereto equally;

- n) Subordination** - This lease and everything herein contained shall be postponed to any charge or charges now or from time to time hereafter created by the Landlord in respect of the premises by way of institutional mortgage or mortgages and to any extension, renewal, modification, consolidation or replacement thereof, and the Tenant covenants that it will promptly at any time during the term hereof as required by the Landlord give all such further assurances to this provision as may be reasonably required to evidence and effectuate this postponement of its rights and privileges hereunder to the holders of any such charge or charges. The Tenant further covenants on demand at any time to execute and deliver to the Landlord at the Landlord's expense any and all instruments which may be necessary or proper to subordinate this lease and the Tenant's rights hereunder to the lien or liens of any such extension, renewal, modification, consolidation, replacement or new mortgage or mortgages, and the Tenant hereby irrevocably constitutes and appoints the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for and on behalf of the Tenant and any assumption of this lease by any assignee of the Tenant named herein shall in itself include this provision so that the assignee assuming this lease does thereby irrevocably constitute and appoint the Landlord as its attorney with full power and authority to execute any necessary documents in the implementation hereof for or on behalf of the said assignee;
- o) Notice** - Any notice required or contemplated by any provision of this lease shall be deemed sufficiently given if contained in writing enclosed in a sealed envelope addressed, in the case of notice of the Landlord, to it, at c/o Corporate Services, 325 Farr Drive, P.O. Box 2050, Haileybury, Ontario. P0J 1K0, and in the case of notice to the Tenant, to the premises and

deposited in one of Her Majesty's post offices in Haileybury, Ontario, registered and prepaid. The date of receipt of such notice shall be the fourth day next following the date of so mailing by registered mail. Provided that either party may, by notice to the other, designate another address in Canada to which notices mailed or delivered more than ten days thereafter shall be addressed.

8. Headings

The headings in this lease have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this lease or any provisions hereof.

9. Effect of Lease

This lease and everything herein contained, shall extend to and bind and may be taken advantage of by the heirs, executors, administrators, successors and assigns, as the case may be, of each (and every) of the parties hereto, and where there is more than one Tenant or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenants shall be deemed joint and several.

Remainder of page left blank intentionally

In witness whereof the Party of the First Part has hereunto affixed its corporate seal attested by the hands of its duly authorized officers, and the Party of the Second Part has hereunto set its hand and seal by execution under seal by each and every individual comprising the Party of the Second Part.

Signed, Sealed and Delivered in the presence of:

The Corporation of the City of Temiskaming Shores

Date

Mayor

Date

Clerk

Dr. Phillip J. Smith

Date

Dr. Phillip J. Smith

Date

Witness
Name: _____

The Corporation of The City of Temiskaming Shores

By-law No. 2023-062

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 – Accessible Parking Spaces

Whereas Section 102 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting the health, safety and well-being of persons; and

Whereas Section 102.1(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles; and

Whereas the Council of the Corporation of the City of Temiskaming Shores adopted By-law No. 2012-101 on November 6, 2012, to regulate traffic and parking of vehicles in the City of Temiskaming Shores; and

Whereas Council considered Administrative Report No. CS-018-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to amend By-law No. 2012-101 to Regulate Traffic and Parking of Vehicles in the City of Temiskaming Shores to reflect the requirements of the Accessible Parking requirements of the Accessibility Standard for the Design of Public Spaces Standard of the Integrated Accessibility Standards Regulation 191/11, made under the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11;

Now therefore be it resolved that the Council of the Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. Part 7, Section 7.4 of By-law 2012-101 is amended by deleting clauses b) and c) and inserting the following:
 - b) have a width of not less than 3.4 metres (11.15 feet);
 - c) have direct access to a 1.5 metre (5 feet) wide access aisle (one access aisle may be shared between two adjacent accessible spaces), which shall be demarcated with high tonal contact diagonal lines on hard surfaces;
 - d) have a vertical clearance of 2.75 metres (9 feet); and
2. Appendix 18 of By-law 2012-101 is hereby amended as follows:

Adding parking stalls

	<u>Street</u>	<u>Intersection at</u>	<u>Directional Location</u>	<u>Description</u>
	Armstrong Street		West side of Armstrong Street	One parking stall in front of 40 Armstrong Street.
	Wellington Street	Fleming Drive	Southeast corner	One parking stall on the Southeast corner of Wellington Street and Fleming Drive.

Removing parking stalls

	<u>Street</u>	<u>Intersection at</u>	<u>Directional Location</u>	<u>Description</u>
7	Ferguson Avenue		East side of Ferguson Avenue	One space directly in front of 451 Ferguson Avenue.
9	Lakeshore Road North	Broadwood Avenue	West side of Lakeshore Road N.	One from a point 67 metres from the Northwest corner of Broadwood Avenue intersection Northward for 15 metres. Signage as follows: Accessible Parking Only between the Hours of 8:30 a.m. to 9:30 a.m. and 3:00 p.m. to 4:30 p.m., Monday to Friday. Regular parking at all other times
24	Whitewood Avenue		North side of Whitewood Avenue	One space in front of 303 Whitewood Avenue.

Changing current wording

	<u>Street</u>	<u>Intersection at</u>	<u>Directional Location</u>	<u>Description</u>
10	Lakeshore Road south		East side of Lakeshore Road S.	One Parking Stall in front of 545 Lakeshore Road S.
15*	Paget Street		East side of Paget Street	One parking stall in front of 25 Paget Street.
18	Wellington Street	Whitewood Avenue	Southeast corner	One parking stall on the East side of Wellington Street approximately 23 metres from corner.

Off Street Accessible Parking Spaces

Changing current wording

	<u>Location</u>	<u>Directional Location</u>	<u>Description</u>
1	Temiskaming Shores Public Library	285 Whitewood Avenue	One parking stall in the parking lot

Adding parking stalls

	<u>Location</u>	<u>Directional Location</u>	<u>Description</u>
	Haileybury Fire Hall	54 Rorke Ave	Two parking stalls in the parking lot

3. Appendix 19 of By-law 2012-101 is hereby amended by deleting the chart in its entirety and replacing it with the following:

Total Number of Spaces in Parking Facility	Minimum Number of Accessible Parking Spaces
1 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 – 133	5
134 – 166	6
167 – 250	7
251 – 300	8
301 – 350	9
351 – 400	10
401 – 450	11
451 – 500	12
501 – 550	13
551 – 600	14
601 – 650	15
651 – 700	16
701 – 750	17
751 – 800	18
801 – 850	19
851 – 900	20
901 – 950	21
951 – 1000	22
1001 +	11 spaces plus 1% of the total number of spaces, rounded up to the next whole number

4. That this by-law shall come into force and take effect on the date of its final passing.
5. 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 as may be deemed necessary after the passage of this By-law, where such modification or corrections do not alter the intent of the By-law.

Read a first, second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk

The Corporation of the City of Temiskaming Shores
By-law No. 2023-063

**Being a by-law to authorize the Sale of Land being a
legally identified on Plan 54M336 Lot 16, Parcel
22122SST PT to 1739549 Ontario Inc. (Gaston's Auto)**

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 governing the sale of commercial/industrial land; and

Whereas Council considered Administrative Report No. CS-019-2023 at the May 2, 2023 Committee of the Whole meeting and identified Lot 16 Parcel 22122SST PT on Plan 54M336 as surplus; and further acknowledged that the purchaser will undertake a legal survey at their cost to remove a portion of the property that encompasses a municipally owned drainage ditch; and

Whereas Council considered Administrative Report No. CS-019-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to authorize the sale of Land being a legally identified as Lot 16 Parcel 22122SST PT to 1739549 Ontario Inc. (Gaston's Auto) of plus applicable taxes and other such considerations at the May 16, 2023 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 1739549 Ontario Inc. 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 \$10,000 plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:

- Plan 54M336 Lot 16, Parcel 22122SST PT

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 16th day of May, 2023

Mayor

Clerk

Offer to Purchase

1739549 Ontario Inc.,
(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:
PLAN 54M336 Lot 16, Pcl 22122SST PT;
TEMISKAMING SHORES; DISTRICT OF TIMISKAMING

(herein called the "Real Property") at the price of \$^{10,000.00}~~14,200~~ payable 5% to the Vendor as a deposit to be held in trust pending completion or other termination of this Agreement and to be credited on account of the purchase price on closing and agree to pay the balance of the purchase price by certified cheque, subject to adjustments, on the closing date hereinafter set forth. LOT 16

This offer to Purchase shall be conditional upon the Purchaser entering into an agreement with the Vendor on or before closing substantially in the form attached hereto as Schedule "A" failing which this Offer to Purchase shall be null and void and the deposit returned to the Purchaser without any reduction or interest. 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

7

therein for electronic registration.

ACCEPTANCE:

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 28th day after the date of signing the offer**, after which time, if not accepted, this Offer shall be null and void and the deposit returned to the Purchaser without interest or deduction.

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 June 16, 2023 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.

G.S.T./H.S.T.:

This transaction is subject to Goods and Services Tax (G.S.T.) pursuant to the *Excise Tax Act* (Canada) as amended (the "Act") and/or Harmonized Sales Tax (H.S.T.) pursuant to the Act and the *Ontario Tax Plan for More Jobs and Growth Act*, 2009, S.O. 2009, C.34, and such G.S.T./H.S.T. is in addition to and not included in the purchase price.

The Purchaser is registered under the Act and shall provide the Vendor and his solicitor with proof of his G.S.T./H.S.T. registration and an indemnity in a form reasonably satisfactory to the Vendor and its solicitor.

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 is required to pay the costs of registration and taxes for both parties documents.

COSTS OF LEGAL FEES:

The Purchaser is required to pay the costs of legal fees for both parties documents.

GENDER:

2.1.2.2. This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

SIGNED, SEALED AND DELIVERED this
in the presence of:

25 day of APRIL, 2023.

Purchaser:

Per:

President

Per:

Secretary

We have authority to bind the Corporation.

The Vendor hereby accepts the above offer.

Dated at the City of Temiskaming Shores this day of , 2023.

Vendor: **THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

Jeff Laferriere, Mayor

Kelly Conlin, Municipal Clerk

We have authority to bind the Corporation.

Purchaser's Address:

Purchaser's Address:
GASTON'S AUTO CENTRE
1739549 ONTARIO INC
95 CRAVEN DR.
NEW LICKHEAD

Phone Number: (705) 647-4445
Fax Number: (705) 647-4112

Vendor's Address:

City of Temiskaming Shores
Attn: Kelly Conlin, Municipal Clerk
P.O. Box 2050
325 Farr Drive
Haileybury, Ontario P0J 1K0

Phone Number: (705)672-3363 ext 4116
Fax Number: (705)672-3200

Purchaser's Solicitor:

KEMP PIRIE

Phone Number: (705)
Fax Number: (705)



Vendor's Solicitor:

KEMP PIRIE
P.O. Box 1540
22 Armstrong Street
New Liskeard, ON P0J 1P0
Attn: George W. Kemp

Phone Number: (705) 647-7353
Fax Number: (705) 647-6473

The Corporation of the City of Temiskaming Shores

By-law No. 2023-064

**Being a by-law to amend By-law No. 2005-122, as amended,
Establishing a Service Delivery Program under the Line
Fences Act in order to Appoint a Fence Viewer for the City of
Temiskaming Shores – Melvin Bursey**

Whereas Section 2 of the *Municipal Act* requires municipalities to deliver and participate in provincial programs and initiatives; and

Whereas The *Line Fences Act* requires local Councils to enact a by-law to establish a service delivery program as described under the Act; and

Whereas Council adopted By-law No. 2005-122, as amended to establish a service delivery program as described under the Act; and

Whereas Section 3 of the *Line Fences Act* requires that the Council of every local municipality appoint such number of fence-viewers as are required to carry out the provisions of the Act.

Whereas Council considered Memo No. 016-CS-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to appoint Melvin Bursey, Chief Building Official as a Municipal Fence Viewer.

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

1. That Council for the City of Temiskaming Shores hereby amends By-law No. 2005-122, as amended by appointing **Melvin Bursey**, in his capacity as Chief Building Official as a Fence-viewer within the corporate limits of the City of Temiskaming Shores.

Read a first second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk

The Corporation of the City of Temiskaming Shores

By-law No. 2023-065

**Being a by-law to repeal by-laws 2007-065, 2013-147, 2015-033,
2016-094, 2013-032, 2019-111, 2013-146, 2015-040, 2016-136,
and 2016-171**

Whereas Section 4(1) of the *Protection of Livestock and Poultry from Dogs Act* requires the Council of every local municipality to appoint one or more persons as valuers of livestock and poultry for the purposes of making full investigation and determining the extent and amount of damage;

Whereas Section 3 (2) of the Building Code Act, S.O. 1992, Chapter 23, requires that the Council of each municipality appoint a Chief Building Official and such Inspectors as are necessary for the enforcement of the Building Code Act, its associated Regulations and any by-laws passed there under;

Whereas pursuant to Section 15 (1) of the *Police Services Act*, R.S.O. 1990, as amended, Council of a municipality may appoint persons to enforce the by-laws of the municipality;

Whereas Council considered Memo No. 016-CS-2023 at the May 2, 2023 Committee of the Whole meeting and directed staff to prepare the necessary by-law to repeal by-laws 2007-065, 2013-147, 2015-033, 2016-094, 2013-032, 2019-111, 2013-146, 2015-040, 2016-136, and 2016-171.

Now therefore the Council of The Corporation of the City of Temiskaming Shores enacts the following as a by-law:

That Council for the City of Temiskaming Shores hereby repeals by-laws 2007-065, 2013-147, 2015-033, 2016-094, 2013-032, 2019-111, 2013-146, 2015-040, 2016-136, and 2016-171.

Read a first, second and third time and finally passed this 16th day of May, 2023

Mayor

Clerk

The Corporation of the City of Temiskaming Shores

By-law No. 2023-066

**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
340 Lakeview Avenue - Roll No. 5418-010-008-349.00**

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. 017-2023-CS at the May 16, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to deem PLAN M79NB LOTS 260 TO 268 to no longer be lots on a plan of subdivision for consideration at the May 16, 2023 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:
3. PLAN M79NB LOTS 260 TO 268.
4. 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.
5. 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.
6. 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.
7. That the Mayor and Clerk are authorized to sign all necessary documents in connection with this by-law.

8. 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.
9. That the passing of this by-law shall be subject to the provisions of the Planning Act.
10. 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 16th day of May, 2023.

Mayor

Clerk

Schedule “A”

City of Temiskaming Shores – PLAN M79NB LOTS 260 TO 268



The Corporation of The City of Temiskaming Shores

By-Law No. 2023-067

**Being a by-law to Appoint a Temporary Deputy Clerk 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 single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas under Section 228 (2) of The Municipal Act, 2001, S.O., 2001, c.25, as amended, a municipality may appoint a Deputy Clerk who has all the powers and duties of the Clerk under The Municipal Act and any other Act; and

Whereas Council deems it necessary to appoint Amy Vickery as Temporary Deputy Clerk for the purpose of attending and recording minutes at a Council meeting for a period effective May 16, 2023 to August 1, 2023, for The Corporation of the City of Temiskaming Shores.

Now Therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

- 1) That Amy Vickery be hereby appointed as Deputy Clerk for The Corporation of the City of Temiskaming Shores effective Tuesday, May 16, 2023 to August 1, 2023.
- 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 16th day of May, 2023

Mayor

Clerk

The Corporation of the City of Temiskaming Shores

By-law No. 2023-068

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 May 16, 2023

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 **May 16, 2023** 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 16th day of May, 2023

Mayor

Clerk