



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, October 4, 2022 – 6:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

Agenda

Land Acknowledgement

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

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

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

6. Review and adoption of Council Minutes

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

- a) Regular Meeting of Council – September 20, 2022

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

8. Question and Answer Period

9. Presentations / Delegations

- a) 2021 Audited Financial Statements – Steve Acland, Kemp, Elliott and Blair, LLP and Stephanie Leveille, Treasurer

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt and approves the 2021 Consolidated Financial Statements for the City of Temiskaming Shores as prepared by the firm of Kemp, Elliott and Blair L.L.P. – Chartered Accountants; and

That Council directs the Treasurer to provide public notice that a copy of the 2021 Consolidated Financial Statements are available at City Hall and on the City's website in accordance with Section 295 of the Municipal Act, 2001.

10. Communications

- a) Sheila Olan-MacLean, President Ontario Coalition for Better Child Care

Re: Proclamation Request for the 22nd Annual Child Care Worker and Early Childhood Educator Appreciation Day, October 18, 2022

Reference: Proclamation presented under New Business

- b) Michelle Caron, Communications and Executive Coordinator, District of Timiskaming Social Services Administration Board

Re: 2022- Q2 – Quarterly Report

Reference: Received for Information

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

11. Committees of Council – Community and Regional

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

- a) Minutes of the Temiskaming Shores Library Board held on June 22, 2022.

12. Committees of Council – Internal Departments

None

13. Reports by Members of Council

14. Notice of Motions

15. New Business

a) Proclamation – Child Care Worker and Early Childhood Educator Appreciation Day

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas years of research confirms the benefits of high-quality early learning and child care for young children’s intellectual, emotional, social and physical development and later life outcomes; and

Whereas child care promotes the well-being of children and responds to the needs of families and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of their community; and

Whereas trained and knowledgeable Registered Early Childhood Educators and child care staff are the key to quality in early learning and child care programs; and

Whereas Registered Early Childhood Educators and child care workers will be vital to the success of the Canada-Wide Early Learning and Child Care system;

Now therefore be it resolved that October 18, 2022 be designated “Child Care Worker and Early Childhood Educator Appreciation Day” in recognition of the education, dedication and commitment of child care workers to children and their families and quality of life of the community.

b) Proclamation – Fire Prevention Week 2022

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas the City of Temiskaming Shores is committed to ensuring the safety and security of all those living in and visiting Temiskaming Shores; and

Whereas fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

Whereas smoke alarms detect smoke well before you can, alerting you to danger in the event of fire in which you may have just seconds to escape safely; and

Whereas working smoke alarms save lives by providing early warning of fire so you and your family can safely escape; and

Whereas Temiskaming Shores residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

Whereas residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas Temiskaming Shores residents will make sure their smoke and carbon monoxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

Whereas Temiskaming Shores first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and public fire safety education; and

Whereas Temiskaming Shores residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

Whereas the 2022 Fire Prevention Week theme, “Plan a Record-Breaking Escape,” effectively serves to remind us of the importance in planning and practicing a home fire escape plan and knowing two ways out in the case of an emergency.

Now therefore be it resolved that Council for the City of Temiskaming Shores does hereby proclaim October 9 to 15, 2022, as Fire Prevention Week, and urges all residents to “Plan a Record-Breaking Escape”; and

Further that residents be encouraged to support public safety activities and efforts of Temiskaming Shores fire and emergency services during Fire Prevention Week.

c) Resolution – Draven Alert System

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Whereas Council for the City of Temiskaming Shores received correspondence requesting changes to the Amber Alert System and creation of a new alert called the Draven Alert; and

Whereas the Ontario Amber Alert is a warning system that quickly alerts the public of a suspected abduction of children who are in imminent danger with the goal to broadcast as much information about the child, the abductor and suspect vehicles as quickly as possible so that the public can respond with any relevant information that might lead to the child's safe return; and

Whereas the recent tragic death of 11-year-old Draven Graham showed that the Amber Alert system is flawed when it comes to vulnerable children who can go missing but are not abducted; and

Whereas it is clear that there needs to be an addition to the alert system to allow for law enforcement to send out an alert for vulnerable children who go missing under circumstances that do not involve an abduction but are at serious risk of injury or death;

Now therefore be it resolved that Council for City of Temiskaming Shores request that the Minister of the Solicitor General and the Commissioner of the Ontario Provincial Police, as well as the Premier's Office, be requested to make the necessary changes to the Amber Alert System and create a new alert called the Draven Alert, which will protect vulnerable children who have not been abducted but are at high risk of danger, injury or death and alert the public that they are missing; and

Further that a copy of the resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, MP Anthony Rota, and MPP John Vanthof.

d) Resolution – Mandatory Firefighter Certification

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

Whereas the introduction of new provincial policies and programs can have an impact on municipalities; and

Whereas municipal governments are generally supportive of efforts to modernize and enhance the volunteer and full-time fire services that serve Ontario communities; and

Whereas the Association of Municipalities of Ontario (AMO) believes in principle that fire certification is a step in the right direction, it has not endorsed the draft regulations regarding firefighter certification presented by the Province; and

Whereas municipalities and AMO are concerned the thirty-day consultation period was insufficient to fully understand the effects such regulations will have on municipal governments and their fire services; and

Whereas fire chiefs have advised that the Ontario firefighter certification process will create additional training and new costs pressures on fire services; and

Whereas AMO, on behalf of municipal governments, in a letter to Solicitor General Jones dated February 25, 2022, made numerous comments and requests to address the shortcomings in the draft regulations;

Now therefore be it resolved that the City of Temiskaming Shores does hereby support AMO's recommendations; and

Further that the City of Temiskaming Shores hereby calls on the Solicitor General of Ontario to work with AMO, municipal governments and fire chiefs across Ontario to address the concerns raised so that municipalities can continue to offer high quality services to their communities; and

Further that a copy of this Resolution be forwarded to the Association of Municipalities of Ontario and the Federation of Northern Ontario Municipalities.

e) Memo No. 042-2022-CS – Appointment of By-Law Enforcement Officers – Animal Control

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 042-2022-CS and;

That Council directs staff to prepare the necessary by-law to amend By-law No. 2019-106, to repeal the appointment for Jennifer MacKewn as a By-Law Enforcement Officer; and to appoint Wendy Venne, Sherry Villneff, Nancy Rourke and Claire Proctor for the purpose of enforcing the City's Animal Control by-law and Noise by-law as it relates to Animal Control and Pound Services for consideration at the October 4, 2022 Regular Council meeting.

f) Administrative Report No. CS-039-2022: Animal Control and Pound Services Update

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-039-2022 and;

That Council confirms the Animal Control and Pound Services Request for Proposal CS-RFP-003-2022 be deemed cancelled and void; and

That Council directs staff, under the direction of the City Manager, to review the level of service required by the City in consultation with an animal professional for the development of a new Request for Proposal and Animal Control By-Law for Council's consideration at a future meeting; and further

That Council agrees to have the Animal Control portfolio remain with the Protection to Persons and Property Committee for review prior to Council's consideration.

g) Administrative Report No. CS-040-2022-Temagami Shared Services

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-040-2022; and

That Council hereby directs staff to prepare the necessary by-law to enter into a shared Services agreement with the Municipality of Temagami for Building Services for Council's consideration at the October 4, 2022 Regular Council meeting.

h) Administrative Report No. CS-041-2022-Temiskaming Festival of Music Lease Agreement

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-041-2022; and

That Council hereby directs staff to prepare the necessary by-law to enter into a lease agreement with the Temiskaming Festival of Music for \$100 per month (plus applicable taxes) for a three-year term, for consideration at the October 4, 2022 Regular Council meeting.

i) Memo No. 011-2022 PW – Event Road Closure Policy and Procedure

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No.011-2022-PW;

That Council directs staff to prepare the necessary by-law to adopt an Event Road Closure Policy for the City of Temiskaming Shores, for consideration at the October 4, 2022 Regular Council meeting.

j) Administrative Report No. PW-027-2022 – RFP Award – Haileybury Water Treatment Plant Filter Rehabilitation

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-027-2022; and

That Council directs staff to reallocate \$ 100,000.00 from the Robert/Elm Pumping Station By-pass Installation Project to the Haileybury Water Treatment Plant Filter Rehabilitation Project within the approved 2022 Environmental Capital Budget; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with Continental Carbon Group Inc. for the rehabilitation of one filter at the Haileybury Water Treatment Plant in the amount of \$ 360,820.00, plus applicable taxes, for consideration at the October 4, 2022 Regular Council meeting.

16. By-laws

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

By-law No. 2022-150 Being a by-law to amend By-law No. 2019-106, to appoint Municipal Law Enforcement Officers for the purpose of enforcing the City's Animal Control By-law and Noise By-law as it relates to Animal Control Services

By-law No. 2022-151 Being a by-law to enter into an agreement with the Municipality of Temagami for Chief Building Official and Building Inspector Services

By-law No. 2022-152 Being a by-Law to enter into a lease agreement with the Temiskaming Music Festival of Music for the rental of space at the Lawrence "Bun" Eckensviller Community Hall

By-law No. 2022-153 Being a by-Law to adopt an Event Road Closure Policy for municipal road allowances and rights-of-way and public lands.

By-law No. 2022-154 Being a by-law to enter into an agreement with Continental Carbon Group Inc. for the Haileybury Water Treatment Plant Filter Rehabilitation

be hereby introduced and given first and second reading.

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

By-law No. 2022-150	By-law No. 2022-153; and
By-law No. 2022-151	By-law No. 2022-154
By-law No. 2022-152	

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

17. Schedule of Council Meetings

- a) Regular Meeting – Tuesday, October 18, 2022 at 6:00 p.m.
- b) Regular Meeting – Tuesday, November 1, 2022 at 6:00 p.m.

18. Question and Answer Period

19. 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 September 20, 2022 Closed Session Minutes;
- b) Under Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Transit update
- c) Under Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board employees

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council agrees to rise with/without report from Closed Session at _____ p.m.

20. Confirming By-law

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No.2022-155 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 **October 4, 2022** be hereby introduced and given first and second reading.

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. 2022-155 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

21. Adjournment

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, September 20, 2022 – 6:00 p.m.
City Hall – Council Chambers – 325 Farr Drive

Minutes

Land Acknowledgement

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

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

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

1. Call to Order

The meeting was called to order by Mayor Kidd at 6:01 p.m.

2. Roll Call

Council: Mayor Carman Kidd; Councillors, Patricia Hewitt, Doug Jelly, Jeff Laferriere, and Mike McArthur

Present: Amy Vickery, City Manager
Kelly Conlin, Municipal Clerk
Tammie Caldwell, Interim City Manager
Shelly Zubycck, Director of Corporate Services
Mathew Bahm, Director of Recreation
Steve Burnett, Manager of Environmental Services
Stephanie Leveille, Treasurer
Airianna Leveille, Economic Development Officer

Regrets: Councillors Jesse Foley and Danny Whalen

Media: 0

Members of the Public: 0

3. Review of Revisions or Deletions to Agenda

None

4. Approval of Agenda

Resolution No. 2022-371

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

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

Carried

5. Disclosure of Pecuniary Interest and General Nature

None

6. Review and adoption of Council Minutes

Resolution 2022-372

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

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

a) Regular Meeting of Council – September 6, 2022

Carried

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

a) Potential Disposition of Land

Applicant: Klaus and Nicole Walther

Property: Portion of Amwell Street and Ferguson Avenue

Purpose: The applicant owns the land that the subject property surrounds, and is seeking to acquire the subject property for the purpose of establishing additional parking space for their tenants.

Mayor Kidd outlined that the purpose of this public meeting is to present to Council and the public details related to proposed disposition of land, being a Vacant portion of land on Ferguson Ave. and Amwell St.

The meeting also allows the public to provide comments on the proposed disposition prior to Council making a decision.

Mayor Kidd declared that this to be an open public meeting and requested the Clerk, Logan Belanger to outline the details of the proposed disposition.

Municipal Clerk Kelly Conlin, utilizing PowerPoint, outlined the background related to the proposed disposition, and the subject property/ immediate area was illustrated using an aerial photograph.

Notice of the public meeting was provided in accordance with the City's disposition of land By-law No. 2015-160, through posting on the City's website and in the City Bulletin.

Next steps would include obtaining an appraisal for Fair Market value of the property, followed by an administrative report to Council recommending a purchase and sale agreement.

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

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

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

8. Question and Answer Period

Mayor Kidd informed the Council that at this point, no direction has been received from either the Provincial or Federal Government relating to the current Council taking a new Oath of Allegiance for King Charles III. Once direction is received, Council will adhere accordingly.

9. Presentations / Delegations

None

10. Communications

- a) Christopher Oslund, Chief Administrative Officer, Township of Coleman

Re: Resolution for Support –Electoral Boundary Redistribution, 2022-08-31

Reference: Motion of Support presented under New Business

- b) Jennifer Montreuil, Municipal Clerk, Town of Kirkland Lake

Re: Resolution of Support–Creation of a Dravern Alert System, 2022-09-13

Reference: Received for Information

- c) Jennifer Montreuil, Municipal Clerk, Town of Kirkland Lake

Re: Resolution of Support – AMO Recommendations Support on Mandatory Fire Fighter Certification, 2022-09-13

Reference: Received for Information

Resolution No. 2022-373

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

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

Carried

11. Committees of Council – Community and Regional

Resolution No. 2022-374

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

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

- a) Minutes of the Age Friendly Committee meeting held on May 3, 2022;
- b) Minutes of the Recreation Committee meeting held on August 8, 2022; and
- c) Minutes of the Temiskaming Transit Committee meeting held on August 10 and August 17, 2022.

Carried

12. Committees of Council – Internal Departments

Resolution No. 2022-375

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

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

- a) Minutes of the Building Maintenance Committee meeting held on August 11, 2022;
- b) Minutes of the Corporate Services Committee meeting held on August 11, 2022;
- c) Minutes of the Protection to Persons and Property Committee meeting held on August 11, 2022; and
- d) Minutes of the Public Works Committee meeting held on August 11, 2022.

Carried

13. Reports by Members of Council

Councillor Jelly informed the Council of a Rededication Ceremony for the Lawrence “Bun Eckensviller” Community Hall on September 30, 2022 starting at 9:00 a.m.

Mayor Kidd stated that members of Council attended the Memorial Service for Her Majesty Queen Elizabeth II hosted by the Haileybury Legion on September 19, 2022.

14. Notice of Motions

None

15. New Business

a) Support - Electoral Boundary Redistribution

Resolution No. 2022-376

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

Whereas the City of Temiskaming Shores has been represented by the Member of Parliament for Nipissing-Timiskaming since 2003; and

Whereas the Federal Electoral Boundaries Commission for Ontario has proposed the elimination of one Riding in Northern Ontario and a redistribution of the remaining Electoral Ridings; and

Whereas the City of Temiskaming Shores and other municipalities in the South Temiskaming area would be part of a newly created Electoral Riding known as Cochrane-Timmins-Timiskaming; and

Whereas the population of the existing Riding of Nipissing-Timiskaming meets the population requirements to maintain the Federal Riding; and

Whereas the communities that comprise the current Electoral Riding of Nipissing-Timiskaming form a geopolitical entity that would be fragmented by the Federal Electoral Boundaries Commission for Ontario's proposal; and

Whereas this fragmentation would diminish and reduce access to Federal representation for the residents of the City of Temiskaming Shores; and

Whereas there is potential for the Province of Ontario to adopt the Federal electoral boundaries to establish Provincial electoral boundaries, which would repeat the negative effects on Provincial representation for the people and communities in Northern Ontario; and

Whereas the ability to effectively represent diverse, small, rural communities continues to be eroded with the loss of Electoral Ridings in Northern Ontario.

Now therefore be it resolved that the Corporation of the City of Temiskaming Shores hereby petitions the Federal Electoral Boundaries Commission to withdraw the proposal to eliminate a Federal Riding in Northern Ontario; and

Further that the City of Temiskaming Shores petitions the Federal Government to introduce legislation that would provide for a minimum number of guaranteed Ridings for Northern Ontario to ensure the voices of Northern and Rural Communities is not stifled; and

Further that a copy of this resolution be forwarded to the Temiskaming Municipal Association, the Federation of Northern Ontario Municipalities, the Honourable Anthony Rota MP for Nipissing-Timiskaming, and the Association of Municipalities of Ontario.

Carried

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

Resolution No. 2022-377

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

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

Carried

c) Memo No. 036-2022-CS – Feast on the Farm Update

Resolution No. 2022-378

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 036-2022-CS – Feast On the Farm for information purposes.

Carried

d) Memo No. 037-2022-CS – FedNor - Bilingual Project Coordinator Amendment No. 5

Resolution No. 2022-379

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

Be it resolved that Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No.037-2022-CS; and

That Council hereby confirms funding agreement amendment No. 5, and directs staff to prepare the necessary by-law to amend By-law No. 2018-130 (Bilingual Project Coordinator) to extend the project completion date to June

30, 2023, for consideration at the September 20, 2022 Regular Council meeting.

Carried

e) Memo No. 038-2022-CS – FedNor Funding Agreement – 2022 PDAC – Amendment No. 1

Draft Resolution No. 2022-380

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 038-2022-CS; and

That Council hereby confirms funding agreement amendment No. 1, and directs staff to prepare the necessary by-law to amend By-law 2021-188 in order to reallocate project cost categories as outlined, for consideration at the September 20, 2022 Regular Council meeting.

Carried

f) Memo No. 039-2022 CS – Reconnect Ontario 2022 Grant – 1922 Great Fire Centennial Event

Resolution No. 2022-381

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No.039-2022-CS;

That Council directs staff to prepare the necessary by-law to enter into an agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Tourism, Culture and Sport, in the amount of \$51,800 for the Great Fire Centennial event, for consideration at the September 20, 2022 Regular Council meeting.

Carried

g) Memo No. 040-2022-CS – Sale of 545 Lakeshore Road

Resolution No. 2022-382

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No.040-2022-CS – Sale of 545 Lakeshore Road; and

That Council directs staff to prepare the necessary by-law to repeal By-law 2022-117, for consideration at the September 20, 2022 Regular Council meeting.

Carried

h) Administrative Report No. CS-038-2022 – Funding Agreement for the 2023 Prospectors and Developers Association of Canada (PDAC) Convention

Resolution No. 2022-383

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-038-2022; and

That Council directs staff to prepare the necessary By-law to enter into a funding agreement with the Federal Economic Development Agency for the Northern Ontario Mining Showcase at the 2023 Prospectors and Developers Association of Canada (PDAC) Convention, held in Toronto from March 4-8, 2023, in the amount of \$745,000 for consideration at the September 20, 2022 Regular Council meeting.

Carried

i) Memo No. 012-2022-RS – Recreation Department Cancellation and Refund Policy

Resolution No. 2022-384

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 012-2022-RS - Recreation Department Cancellation and Refund Policy; and

That Council directs staff to prepare the necessary by-law to amend Section 14 of By-law 2020-032, Recreation Department Cancellation and Refund Policy to

allow for a 48-hour grace period for program registrations and cancellations for consideration at the September 20, 2022 Regular Council meeting

Carried

j) Memo No. 013-2022-RS – Recreation Facility Users Liability Insurance Policy

Resolution No. 2022-385

Moved by: Councillor Jelly
Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No.013-2022-RS; and

That Council directs staff to prepare the necessary by-law to amend the provisions of By-Law 2022-034, Recreation Facility Users Liability Insurance Policy for the City of Temiskaming Shores, to reflect the changes in procedure relating to the City's new Insurance provider, for consideration at the September 20, 2022 Regular Council meeting.

Carried

k) Administrative Report No. RS-018-2022 – Recreation Department Fee Updates

Resolution No. 2022-386

Moved by: Councillor Laferriere
Seconded by: Councillor McArthur

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No RS-018-2022, and;

That Council directs staff to amend By-law No. 2012-039 (Departmental User Fees) to update Recreational Fees for 2022 to 2024, for consideration at the September 20, 2022 Regular Council meeting.

Carried

I) Memo No. 041-2022-CS – Timiskaming District Joint Compliance Audit Committee Appointments – 2022 Municipal Election

Resolution No. 2022-387

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 041-2022-CS; and

That Council directs staff to prepare the necessary by-law to establish and appoint members of the Timiskaming District Joint Compliance Audit Committee for the 2022 Municipal Election, for consideration at the September 20, 2022 Regular Council Meeting

Carried

16. By-laws

Resolution No. 2022-388

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that:

- | | |
|---------------------|---|
| By-law No. 2022-140 | Being a by-law to amend By-law No. 2018-130 to enter into a funding agreement with Industry Canada (FedNor) for a Bilingual Project Coordinator – Amendment No. 5 |
| By-law No. 2022-141 | Being a by-law to amend By-law 2021-188 to enter into an agreement with the Federal Economic Development Agency for Northern Ontario as represented by the Minister of Indigenous Services and Minister responsible for the Federal Economic Development Agency for Northern Ontario for the Northern Ontario Pavilion at the 2022 PDAC Event in Toronto – Amendment No.1 |
| By-law No. 2022-142 | Being a by-law enter into an agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Tourism, Culture and Sport for the Great Fire Centennial Event |
| By-law No. 2022-143 | Being a by-law to repeal By-law No. 2022-117, to authorize the Sale of Land to Natasha Baril being 545 Lakeshore Road |

- By-law No. 2022-144 Being a by-law to enter into an agreement with the Federal Economic Development Agency for Northern Ontario as represented by the Minister of Indigenous Services and Minister responsible for the Federal Economic Development Agency for Northern Ontario for the Northern Ontario Pavilion at the 2023 PDAC Event
- By-law No. 2022-145 Being a by-law to amend By-law No. 2020-032 Recreation Cancellation and Refund Policy for the City of Temiskaming Shores
- By-law No. 2022-146 Being a by-law to amend By-law No. 2022-034 Recreation Facility User Liability Insurance Policy for the City of Temiskaming Shores
- By-law No. 2022-147 Being a by-law to amend By-law No. 2012-039, as amended Schedules of Departmental User Fees and Services for the City of Temiskaming Shores
- By-law No. 2022-148 Being a by-law to establish and appoint the members of the Timiskaming District Joint Compliance Audit Committee for the 2022 Municipal Election

be hereby introduced and given first and second reading.

Carried

Resolution No. 2022-389

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that:

By-law No. 2022-140	By-law No. 2022-145
By-law No. 2022-141	By-law No. 2022-146
By-law No. 2022-142	By-law No. 2022-147; and
By-law No. 2022-143	By-law No. 2022-148
By-law No. 2022-144	

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

Carried

17. Schedule of Council Meetings

- a) Regular Meeting – Tuesday, October 4, 2022 at 6:00 p.m.
- b) Regular Meeting – Tuesday, October 18, 2022 at 6:00 p.m.

18. Question and Answer Period

None

19. Closed Session

Resolution No. 2022-390

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that Council agrees to convene in Closed Session at 6:35 p.m. to discuss the following matters:

- a) Adoption of the August 12, 2022 (Special) and September 6, 2022 Closed Session Minutes;
- b) Under Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Transit Negotiations

Resolution No. 2022-391

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council agrees to rise with report from Closed Session at 7:13 p.m.

Matters from Closed Session

Adoption of the August 12, 2022 (Special) and September 6, 2022 Closed Session Minutes

Resolution No. 2022-392

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

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

- a) Adoption of the July 26 (Special) and August 9, 2022 Closed Session Minutes.

Carried

- b) Under Section 239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board – Transit Negotiations

Council provided direction to staff

20. Confirming By-law

Resolution No. 2022-393

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that By-law No. 2022-149 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 **September 20, 2022** be hereby introduced and given first and second reading.

Carried

Resolution No. 2022-394

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. 2022-149 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2022-395

Moved by: Councillor Jelly

Seconded by: Councillor McArthur

Be it resolved that Council hereby adjourns its meeting at 7:14 p.m.

Carried

Mayor

Clerk



July 18, 2022

Re: 22nd Annual Child Care Worker and Early Childhood Educator Appreciation Day, October 18, 2022

To Ontario mayors and councils,

We are writing to ask that you and your council proclaim and participate in Child Care Worker & Early Childhood Educator Appreciation Day on Tuesday, October 18, 2022. This day recognizes the commitment, hard work and dedication of Registered Early Childhood Educators (RECEs) and staff who work with young children. Each year, the day is proclaimed by The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE), municipalities and school boards across Ontario, and is marked by hundreds of child care centres, unions, and allies.

This year's Child Care Worker and Early Childhood Educator Appreciation Day is especially important as we start to build the Canada-Wide Early Learning and Child Care (CWELCC) program - a system of not-for-profit, accessible, affordable, high-quality care in Canada. After decades of advocacy, we are on our way to \$10-a-day child care. But to build a system that will serve all the families that need it, we must solve the child care workforce crisis. This starts by recognizing that ECEs and child care workers are worth more – and committing to decent work and pay for all those in the child care sector.

If your council does not issue official proclamations, there are many ways for your municipality to participate in celebrating this important day:

- Your council sponsors a public announcement;
- Display our posters and distribute our buttons; and
- Organize events and contests for the day or have councilors or the mayor participate in events hosted by child care centres.

A sample proclamation and document outlining additional ways to recognize this important day is attached.

We would love to acknowledge municipalities who choose to celebrate child care workers and ECEs across Ontario on October 18, 2022. Please let us know how your municipality is participating in the appreciation day and we will add you to our list of proclamations and celebrations.

Please direct any correspondence on proclamations and/or celebration activities to the attention of Carolyn Ferns, by mail: Ontario Coalition for Better Child Care, PO Box 73034 Wood Street PO Toronto, ON M4Y 2W5, or by email at: carolyn@childcareontario.org.

Thank you for your consideration.

Sheila Olan-MacLean
President, OCBCC

Fred Hahn
President, CUPE Ontario Division



22ND ANNIVERSARY | OCTOBER 18, 2022
**CHILD CARE WORKER AND EARLY
CHILDHOOD EDUCATOR
APPRECIATION DAY**



This day recognizes the commitment, hard work and dedication of Early Childhood Educators (ECEs) and staff who work with young children. Each year, the day is proclaimed by The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE), municipalities and school boards across Ontario, and is marked by hundreds of child care centres, unions, and allies.

Tips to Recognize and Celebrate the Day!

Everyone	Municipalities	School Boards	Child Care Centres
<p>Show child care workers your appreciation on social media:</p> <ul style="list-style-type: none"> • Share photos of how you're celebrating the day • Share an event prior to the date to raise awareness • Write a kind message about a child care provider you know • Use the hashtag #ECEappreciation and tag us @ChildCareON 	<ul style="list-style-type: none"> • Place an ad in the local newspaper promoting the day • Nominate staff from local child care centres to be recognized by the Mayor • Encourage local councillors to tour child care centres to find out more about this important work • Organize a community-wide celebration to recognize individual staff, centres, and programs 	<ul style="list-style-type: none"> • Insert the day on the October calendar • Arrange to have the day announced on the PA • Encourage classes of students to visit the child care centre • Set up a Wall of Fame where parents have the opportunity to say thank you to staff • Place our poster on school bulletin boards 	<ul style="list-style-type: none"> • Host a pizza lunch for staff • Give staff members a certificate of appreciation. • Have every staff in the centre vote on one child care champion of the year • Set up a board near the entrance of the centre where parents may write thank-you notes • Place our poster on the main doors

*Contact the OCBCC to order posters and buttons by Monday, October 3, 2022 to ensure timely delivery.



2022

Quarterly Report

Q2

Mark Stewart
Chief Administrative Officer

Steven Beaton
Acting Chief of EMS

Louanna Lapointe
Ontario Works Manager

Steve Cox
Housing Services Manager

Lyne Labelle
Children's Services Manager

Rachel Levis
Director of Human Resources

Janice Loranger
Director of Finance

Prepared By:
Michelle Caron
Communications and Executive Coordinator

EMS

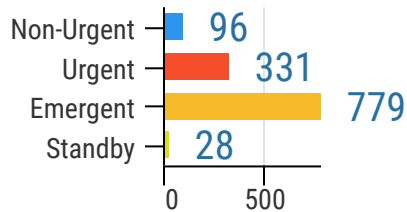
April 1, 2022 – June 30, 2022

The 2nd quarter of 2022 saw the roll out of the Community Paramedicine Long-Term Care Program and Paramedic Services Week.

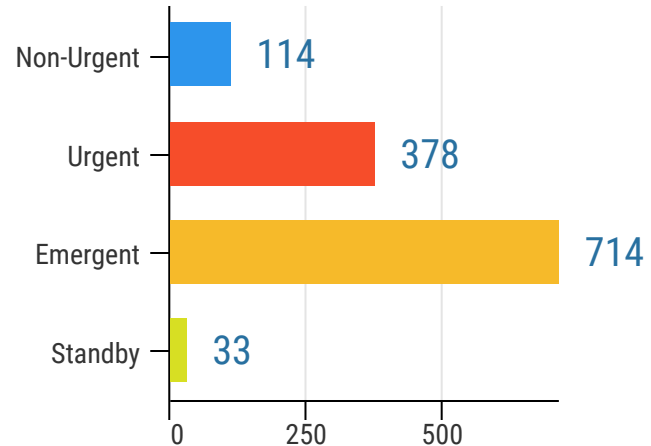
Call Volume



2022 Q1 Call Volume



2022 Q2 Call Volume



CPLTC Q2 Stats



5 Part-Time Paramedics

To accommodate those who became Community Paramedics



Executive Assistant Community Paramedicine

On May 18th the position of Executive Assistant to the Community Paramedicine Program was filled.



Community Paramedicine Staff

CP staff for the LTC program were installed in mid-April. 4 full-time staff and 8 alternates, and 1 full-time CP lead position



COVID Isolation

COVID isolation requirements took a heavy toll on our paramedic staff during April with 20% of staff off at one point in time.



Retirement

A long time paramedic retired after a 33-year career. We wish him all the best.

516

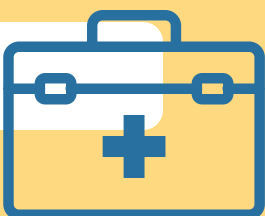
Number of CPLTC home visits

11

Number of referrals of CPLTC patients to other services

15,515

Est. hours providing care to CPLTC Patients



Paramedic Services Week

Paramedic Services week in May, we were able to express appreciation for the excellent and dedicated service our local paramedics provide to the residents of Timiskaming District on a daily basis.

This year's theme is #FacesofParamedicine. This week allows opportunity to reflect and appreciate the paramedics who work every day to keep us and our communities healthy.

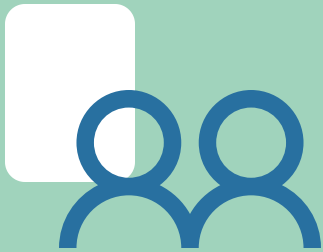
"On behalf of the DTSSAB Board, I would like to recognize all of our paramedics, this week and every week," says DTSSAB Board Chair, Derek Mundle, **"We are truly grateful for their contribution to the health and well-being of our communities. The services you provide is one that we all hope we never have to access, but that we take comfort in knowing we can count on you, should an emergency occur."**

This past year has seen the continued resilience of DTSSAB paramedics as they pivoted through the changing mandates and protocols of the pandemic. It saw the Leadership restructuring of the service, as well as the growth of the service through the welcome addition of the Off-Road Response Unit and Community Paramedicine program.

The delivery of paramedicine requires a team including dispatch, training, logistics, specialties, and much more. The DTSSAB wishes to celebrate all paramedics and support staff that make up DTSSAB EMS as we graciously serve the district.



"Our paramedics form a team that I am honoured to lead," said EMS Chief, John McCarthy, **"they are dedicated to supporting the health of our community, through their dedication on duty, continued volunteering outside of regular duties, and constant push to expand their knowledge and skill base."**



Program Staffing



There have been no changes to DTSSAB'S Ontario Works staffing requirements which are: 8 Caseworkers, 2 Case Aides, 1 Eligibility Review and Case Presenting Officer, Ontario Works Supervisor, Ontario Works Manager and Director of Client Services. Interviews were completed this quarter to replace 3 vacant positions (caseworkers – 1 in the North office and 2 in the South office). An internal applicant from the North office was the successful candidate therefore our North office is now fully staffed. The 2 remaining caseworker positions in the South office were filled at the end of Q2.

ONTARIO WORKS

The information below will provide a summary of Ontario Works program's second quarter (April, May, June 2022) performance, operation and delivery standards as well an update on activities.

Applications for Assistance and Approvals

There was a decrease in new applications this last quarter with an increase of cases exiting Ontario Works due to a high demand for workers with available employment. This is also reflected in the increase number of cases with employment earnings.

159

New Applications

105

New Cases in Q2

6

Cases received emergency assistance

45

Number of cases with employment earnings

35

Cases exited to employment

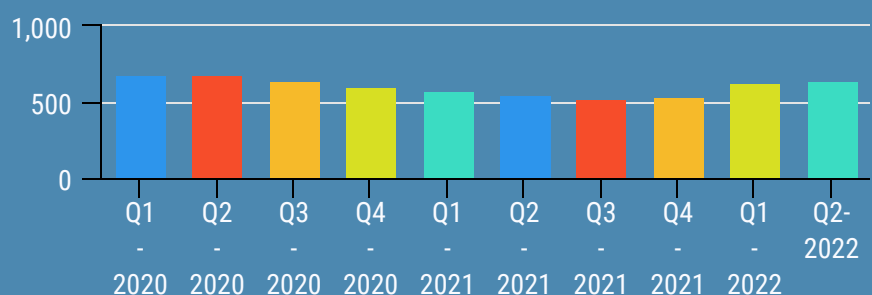
111

Cases exited total

Ontario Municipal Social Services Association

The Ontario Works Manager and the Housing and Community Outreach Coordinator virtually attended the annual Exchange conference on May 2, 3 and 4, 2022. The conference was related to how human services is innovating in response to the pandemic. The following topics were discussed: Closing the digital divide; leveraging technology / data in new ways; leading change, opening minds, and challenging the status quo; equity, inclusion, cultural competency, history and impacts of racism; pandemic-inspired innovations in Children's Services; pandemic-inspired innovations in housing and homelessness; innovative practices related to specific problems exacerbated by the pandemic (e.g. domestic violence); life stabilization and client-centered service and Workplace / workforce innovations.

Average Caseload Trend



● No. of Cases

eSignature

The Ministry introduced a new feature to initiate eSignature requests through a web service called Core Share. Staff are responsible for initiating, receiving and uploading documents directly to Social Assistance Management System (SAMS). DTSSAB Ontario Works staff were registered for eSignature on June 30, 2022. Social Assistance clients now have the ability to sign, authorize and verify documents in a fast, secure, compliant and accessible format. This will expedite service delivery times, provide greater access to services as well as reduce need for in person visits.



Personal Development

The Ontario Works Manager completed “Train the Trainer” sessions for the delivery of Supportive Approaches through Innovative Learning (SAIL). Ontario Works Manager is currently participating in SAIL (Supportive Approaches Through Innovating Learning), train the trainer sessions which will be launched locally later in 2022. 2 caseworkers completed training in Mental Health First Aid.

Working with Community Partners

The Ontario Works team participated in a virtual meeting in June 2022 with Northwood Recovery Clinic. Northwood Recovery Clinic offers addictions services for patients wanting to wean off of and recover from both prescription and illegal drug use. The most common addictions services are methadone and Suboxone/Sublocade Recovery Program. They also offer various medication and counselling-based services for patients struggling with other addictions such as alcohol, gambling as well as smoking cessation. They offer a wide variety of harm reduction supplies so that those who do use, can do so safely.



Client Outcomes for Q2 2022

45

Cases with earnings



\$869

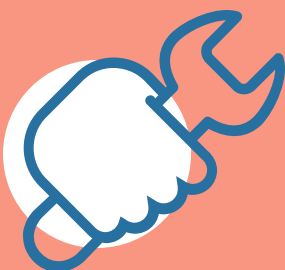
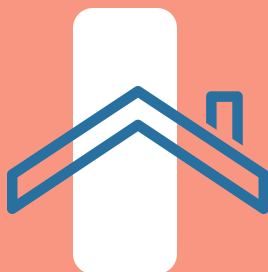
Average monthly
earnings per case



Secure
direct bank deposit
for people receiving
social assistance



Direct bank deposit is an easy way to receive Ontario Works or ODSP payments. Instead of receiving a cheque, the money you are eligible to receive can be deposited directly into the client's bank account each month.



HOUSING SERVICES

Centralized Wait List

In the second quarter of 2022, the Housing Services Program continue to see a consistent number of applications for affordable units in our district. During the second quarter of 2022,

112

New Applications

75

Without Dependents

41

With Dependents

4

Seniors

306

Current Wait List

Community Gardens

The community garden of each building varies based on the interests and creativity of the tenants. The gardens demonstrate a pride in contributing to the landscaping of the building, as evidenced by these beautiful gardens at 100 Market Street in Temiskaming Shores.

Equipment

Building Custodians are responsible for maintaining the seasonal duties at each of the buildings in the DTSSABs housing inventory. In order to do so efficiently they require proper equipment. This year a snow blower was replaced at 37 Tenth St., in Earltown as well as a push lawn mower and Zero-Turn in Kirkland Lake. The Zero-Turn has drastically improved efficiency, cutting time spent cutting grass in half.



Fire at 30 Ninth Avenue in Englehart

In the mid-afternoon of May 25th, 2022, there was a minor fire at 30 9th Avenue, a 10-unit building in Englehart, Ontario. The cause of the fire was determined to be a result of work being conducted in the building by an external contractor. The safety measures in the building were efficiently implemented with all tenants being evacuated safely and the local fire department attending the building.

The fire was quickly controlled and then extinguished. The building was cleared by Englehart and Area Fire Chief in the early evening, permitting all tenants to re-enter their units through their external access doors. The damage was restricted to the central building and did not affect the tenant's units.

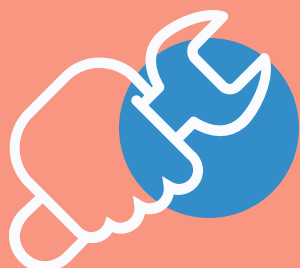
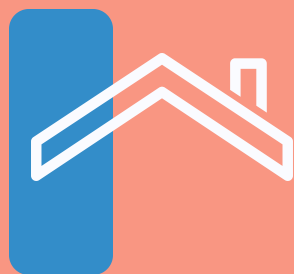
First General Restoration Contractors were contacted and completed the clean-up of the interior and completed the damage assessment for the insurance adjustor. The Interior of the building was then opened up so tenants could utilize the laundry facility.

During the damages assessment two deficiencies were identified:

- Structural issues with the Trusses
- Incorrect venting from each unit

Housing Staff are collaborating with the Engineer and Contractors to correct these issues before the Insurance related repairs will begin.

Housing Management was very pleased with the quick work of their staff and the Englehart and Area Fire department. We were lucky to be able to return the tenants to their units in a timely fashion.



Fraser House (24 Prospect Avenue Cobalt)

As of October 1st, 2021, DTSSAB took over the operation and maintenance of the 15 units in the Fraser House Affordable Housing Program. Since that time Housing Staff has been working hard to ensure that all 15 units are in good repair. Staff conducted full inspections and had our contractors make all repairs in a timely manner. Many of the units have been turned over since the fall, so it has given the opportunity to refresh them and remove all contents as it were quite old/worn. Both Housing Services Supervisor and Housing Services Manager met with Town of Cobalt staff and continue to work together on other issues related to the building.



25 - 25A Tweedsmuir



First Floor Carpet Replacement



New Tile Flooring in Elevators

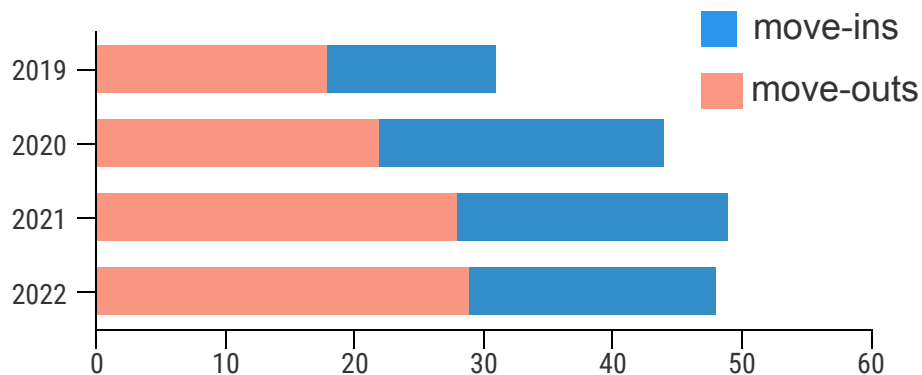
Capital Projects

The Board approved a Capital Repairs Budget of 648,820.00 for the year 2022. As with previous years, our capital budget is based on building condition assessments. Budget amounts fluctuate from year to year depending on the costs of the necessary repairs required to maintain DTSSAB's housing inventory. In the 2nd Quarter of 2022 scheduled work included Roof Repairs, Equipment Purchases, Flooring Projects, Building Repairs and Upgrades. It has been challenging to complete projects as the costings and products availability since over the past 2 ½ years have not improved.

Unit Vacancy

Unit activity is unpredictable from month to month. In the second quarter of 2022 the Housing Services Program saw 29 move-ins and 19 move-outs.

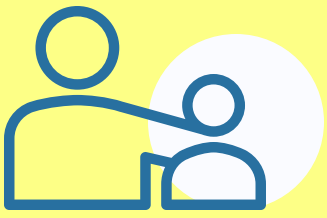
The table below outlines the move-ins and move-outs in the second quarter for the past five years.



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

COCHI funding is allocated to repairs and regenerate existing community housing inventory. The OPHI funding provides support to individuals in the district through four components: Tenant Supports, rent Supplement, Ontario Renovates and Home Ownership program.

Program Name	2019-20	2020-21	2021-22	2022-23
COCHI	\$31,482	\$65,077	\$45,846	\$101,298
OPHI	\$327,500	\$169,700	\$264,100	\$240,800



CHILDREN'S SERVICES

Canada-Wide Early Learning Child Care (CWELCC)

The Children's Services Program staff continues to work with child care centres in Timiskaming by providing support with the Canada-Wide Early Learning Child Care system (CWELCC) application process. Child Care centres who wish to participate in the CWELCC system must indicate their intent by November 1, 2022. Key objectives of CWELCC include lowering child care fees for eligible children, improving wages and increasing access to quality child care programs. Families will see financial relief through reduced average parent fees every year, with \$10/day average licensed child care fees for children ages 0-6 by September 2025.



For licensed child care agencies participating in the CWELCC system, all families with children six or under as of June 30 attending care, will see a fee reduction of up to 25% (to a minimum of \$12/day), retroactive to April 1, 2022. Parents can expect a further reduction by the end of December 2022, on average reducing fees by 50%. The Children's Services Manager will be working with programs over the summer months to complete application forms and help programs gather the necessary documentation.

Wage Enhancement

Registered Early Childhood Educators (RECEs) and other child care program staff play a key role during the critical years of a child's development. However, there is a significant gap between RECEs working in publicly funded education system and those in licensed child care sector. This wage gap creates challenges in retaining pedagogical professionals to deliver affordable high-quality services.

The Ontario government continues to support a wage enhancement for eligible child care professionals by providing an increase of up to \$2.00 per hour plus up to 17.5 percent benefits to Registered Early Childhood Educators. The DTSSAB received \$604,506 for 2022.

During the second quarter of 2022 child care centres in Timiskaming were funded over \$131,000 in Wage Enhancement.



Child Care Fee Subsidy

Families in the district of Timiskaming can apply for the Ontario child care fee subsidy. Children are eligible if they are under 13 years old (or up to 18 years old if the child has special needs and meets other criteria. Child care subsidy is available in licensed child care programs both in centre-based or in-home services. The amount a parent pays for child care depends on family adjusted net income. In Timiskaming families can apply by contacting the Children’s Services Eligibility Worker at 705-647-7447 X 2234.

In the second quarter of 2022 the DTSSAB provided \$**166,586.38** in fee subsidy to eligible families.

	Infants	Toddlers	Preschool	JK	SK	School Age	Over 12	Total
April 2022	12	16	67	19	17	60	0	191
May 2022	11	12	60	16	16	55	0	170
June 2022	12	15	62	20	22	60	0	191
Q2 Average	11	14	63	18	18	58	0	184

Family Discount

In 2021 the District of Timiskaming Social Services Administration Board (DTSSAB) reinstated the Family Discount Program. The Family Discount was initially introduced in July 2018 as a local initiative made possible by funding received through the Canada-Ontario Early Learning and Child Care (ELCC) Agreement. Families with two or more children receiving licensed child care services, in any of the District’s child care centres and/or home child care settings, receive a flat rate discount of \$10 per day for the second and subsequent children as long as additional children are enrolled in programs with daily rates exceeding \$10 per day. The discount is calculated on the lowest number of days attended by a child (children) in the family. CWELCC does will not affect the family discount – The family discount will continue to be applied to parent accounts after the CWELCC is calculated.

UPDATE Child Care

WHAT THE CANADA-WIDE EARLY LEARNING AND CHILD CARE PROGRAM MEANS FOR YOU.

Ontario and Canada signed the Canada-Wide Early Learning and Child Care (CWELCC) agreement that will lower fees for parents and provide more accessible and high-quality child care for Ontario families. **What does this mean for you?**

Licensed child care operators will have the option to enroll in the CWELCC agreement. The fee reductions will apply to those licensed child care operators that choose to enroll.

25% Fee Reduction Retroactive to April 1st

Ontario families with children 5 years old and younger

will see a fee reduction of up to 25%. Although the reduction will not be immediate, payments will be made retroactive to April 1st, 2022. Payments can be anticipated before January 2023.



50% fee reduction announcement by the end of December 2022

Parents can anticipate a further fee reduction by the end of December 2022, averaging a 50% reduction.

Additional Child Care Spaces

The Province’s vision is to provide care to all children who require it, to achieve this vision there will be significant investment in the creation of new child care spaces to meet demand.

Child Care Fee Subsidy

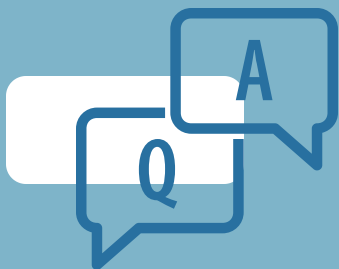
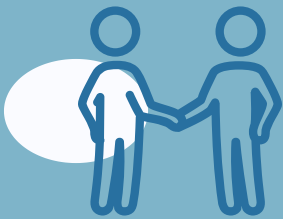
Eligible families will continue to apply and access the Child Care Fee Subsidy program.

See the full news release here:
<https://www.ontario.ca/page/canada-ontario-early-years-and-child-care-agreement>

If you have further questions contact your child care service provider.



The objective is to obtain a \$10-a-day child care, on average, by September 2025



HUMAN RESOURCES

Key non-confidential HR Q2 initiatives and/or activities included, but were not limited to:

Disconnecting From Work Policy – Employment Standards Act

With recent changes to the Employment Standards Act, workplaces in Ontario were required to introduce, by June 30th, a policy to support employees in disconnecting from work outside of regularly scheduled hours, where possible. The ESA defines disconnecting from work as a means to not engage in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages so as to be free from the performance of work. DTSSAB's new policy encourages employees to set boundaries between work and personal lives to help achieve a healthy and sustainable balance.



WSIB Excellence Program (EP) – Update

In June confirmation was received from the WSIB that DTSSAB successfully completed initial Excellence Program topics. The following themes were tackled by way of policy review and revision, engagement of the leadership team, practical training, as well as engagement from the Health and Safety Committees: Leadership and Commitment; Communication; Participation; Roles and Responsibilities. The WSIB formally recognized DTSSAB's participation to the program through health and safety improvements; our progress was rewarded by receiving a generous rebate of \$11,000 to our annual WSIB premiums. Next phases of the program will begin in the fall, where new 2022-2023 EP topics will be selected.

Recruitment and Onboarding

Much of the second quarter focused on ongoing recruitment of several union and non-union vacancies.

2022 Q2 Recruitment and Staffing Summary

Closing date	Position	Recruitment status	Details & comments
Mar 14/22	Ontario Works - South Caseworker (2 positions)	Filled externally Permanent full-time	Vacancies due to internal movement
Apr 08/22	Housing Services Social Housing Building Custodian	Filled internally Permanent full-time	Vacancy due to incumbent resignation
Apr 22/22	Emergency Medical Services Full-Time Paramedic – North Base	Filled internally Permanent full-time	Vacancy due to incumbent departure
May 03/22	Children's Services Children's Services Supervisor	Filled externally Permanent full-time	Vacancy due to incumbent departure
May 03/22	Housing Services Housing Services Maintenance Supervisor	Filled internally Permanent full-time	Vacancy due to internal promotion
May 15/22	Emergency Medical Services Full-Time Paramedic – South Base (4 assignments)	Filled internally Temporary full-time	Vacancy due to internal movement
May 15/22	Emergency Medical Services Full-Time Paramedic – Central Base	Filled internally Temporary full-time	Vacancy due to incumbent's leave of absence
May 03/22	Housing Services Program Assistant - Housing Services	Filled externally Permanent full-time	Vacancy due to internal movement
May 30/22	Emergency Medical Services Full-Time Paramedic – North Base (2 assignments)	Filled internally Temporary full-time	Vacancy due to internal movement
May 30/22	Emergency Medical Services Base-Specific Paramedic – South Base	Filled internally Permanent Part-Time	Vacancy due to internal movement
May 30/22	Emergency Medical Services Base-Specific Paramedic – Central Base	Filled internally Permanent Part-Time	Vacancy due to internal movement
May 30/22	Emergency Medical Services Base-Specific Paramedic – North Base	Filled internally Permanent Part-Time	Vacancy due to internal movement
Jun 01/22	Ontario Works - South Caseworker	Filled externally Temporary full-time	Vacancy due to incumbent's leave of absence
Jun 07/22	Housing Services Social Housing Building Custodian	Filled externally Permanent full-time	Vacancy due to incumbent retirement
Jun 13/22	Human Resources Human Resources Coordinator	Filled externally Permanent full-time	Vacancy due to HR Department restructure
Jun 17/22	Housing Services Program Assistant	Filled externally Temporary full-time	Vacancy due to internal promotion to non-union role

Temiskaming Shores Public Library Board

Meeting Minutes

Wednesday, June 22, 2022

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

1. Call to Order

Meeting called to order by Chair Brigid Wilkinson at 7:05 p.m.

2. Roll Call

Present: Chair Brigid Wilkinson, Jeff Laferriere, Joyce Elson, Erica Burkett, and Library CEO Rebecca Hunt in person. Thomas McLean via Zoom.

Regrets: Claire Hendrikx, Emily Kotalowski, Sarah Bahm, Danny Whalen.

Members of the Public: 0

3. Adoption of the Agenda

Motion #2022-47

Moved by: Joyce Elson

Seconded by: Thomas McLean

Be it resolved that the Temiskaming Shores Public Library Board accepts the June 22, 2022 agenda as amended.

Carried.

Addition: Report LIB-05-2022 THU Digital Divide Grant application

4. Declaration of conflict of interest: None.

5. Adoption of the Minutes

Motion #2022-48

Moved by: Joyce Elson

Seconded by: Erica Burkett

Be it resolved that the Temiskaming Shores Public Library Board approves the minutes of the meeting held on Wednesday, May 18, 2022 as presented.

Carried.

6. Business arising from Minutes:

- a. Community Fridge:** The CEO gave an update on the progress of drafting the MOU.

7. Correspondence:

- a.** From FOPL Re: Post Election Engagement and Advocacy. For information and discussion. A letter will be sent out with the invitations to the grand opening.

8. Secretary–Treasurer’s Report

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

Library CEO’s Report

June 13, 2022

Building: I have continued to do the Fire Safety checks on a monthly basis and report that I have completed them to the Fire Prevention Officer for the City.

CJTT Chats: I am continuing to do monthly CJTT chats to promote library programs.

Grants: The library was successful in the application to the International Dyslexia Association Ontario Mini-Grant program in the amount of \$500. The funds are to be used to purchase dyslexia resources for the library collection and promote dyslexia awareness in the community. The funds will be sent out by the end of June. Our commitment to receive the funds are to order books from their approved lists, participate in dyslexia awareness month in October, and provide invoices and lists of books purchased with the funds to IDA Ontario by the end of December.

Partnerships to date:

Age Friendly Program: provided information sessions at their monthly coffee time

Athabasca University: proctored exams

BIA: took part in the Easter Hop, acted as drop off point for completed forms

Centre d'éducation des adultes: partnered on beginner tablet sessions in French

Climate Action Temiskaming: purchase of books for area libraries with donated funds

Digital Creator North: partnered on March Break programming

NEOFACS: Story Walk during Children's Mental Health Week

New Liskeard Public School: Introduced class to Creator Space

Rise CO2 monitors: the company has donated 3 monitors to loan to library patrons

Timiskaming Health Unit: print out vaccine certificates, distribute information

Summer Programs:

Introduction to Robotics: two sessions, one in July and one in August. Children will guide a Sphero robot through a maze they create and have races in teams. The first session has reached maximum registration.

Magic Show: Magician Peter Mennie will be bringing his family magic show to the library on Tuesday, July 19. We have had him in the past and he usually ties his show into books and the TD Summer Reading Program theme.

Morning at the Movies: Three sessions throughout the summer. We are showing children's movies that have PPR licensing from Criterion. Two will be in English and one will be in French.

Scientists in Situ: One session in August. This is an online virtual workshop called Science Meets Art.

TD Summer Reading Club programs: Alternating Craft and STEAM (science, technology, engineering, arts and math) programs on Wednesdays from 10-11:30. The theme this year is Once Upon a Time, Myths and Legends.

TD Summer Reading Club Family Fun Program: Every second Saturday starting July 2, from 10-11:30.

Finances and Statistics

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

Motion #2022-49

Moved by: Jeff Laferriere

Seconded by: Erica Burkett

Be it resolved that the Temiskaming Shores Public Library Board accepts the June Secretary-Treasurer's 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. **Sign for the side of the building.** Discussion. The Board directed the CEO for get a quote for a sign for the parking lot side of the building.
- b. **2021 final budget variance report.** For information.
- c. **Grand opening.** Discussion, start planning. The Chair will email the Board to get volunteers for a committee to plan the event.
- d. **Report LIB-05-2022 THU Digital Divide Micro-grant application.** Motion.

Motion #2022-50

Moved by: Joyce Elson

Seconded by: Jeff Laferriere

Be it resolved that the That Temiskaming Shores Public Library Board acknowledges receipt of Administrative Report No. LIB-05-2022 and applies to the THU Digital Divide Micro-grant program for funds in the amount of \$4301 to \$5000 to support purchasing additional portable wifi devices as outlined in the report.

Carried.

Thomas McLean left the meeting.

- 11. Plan, Policy review and By-law review:** The Chair will circulate the policies to the Board for approval and they will be ratified at the September meeting.

- a. Internet and computer use policy.** Motion.

Motion #2022-51

Moved by: Jeff Laferriere

Seconded by: Erica Burkett

Be it resolved that the Temiskaming Shores Public Library Board accepts the policy Internet and computer use as reviewed and amended by the Board.

The Chair will circulate the policies to the Board for approval and they will be ratified at the September meeting.

- b. Internet filtering and control policy.** Motion.

Motion #2022-52

Moved by: Joyce Elson

Seconded by: Jeff Laferriere

Be it resolved that the Temiskaming Shores Public Library Board accepts the Internet filtering and control policy as reviewed and amended by the Board.

The Chair will circulate the policies to the Board for approval and they will be ratified at the September meeting.

12. Closed session

Motion #2022-53

Moved by: Joyce Elson

Seconded by: Erica Burkett

Be it resolved that the Temiskaming Shores Public Library Board goes into closed session at 7:58 p.m. in regards to identifiable individuals.

Carried.

Motion #2022-54

Moved by: Jeff Laferriere

Seconded by: Joyce Elson

Be it resolved that the Temiskaming Shores Public Library Board rises from closed session at 8:06 p.m. without report.

Carried.

13. Adjournment

Adjournment by Erica Burkett at 8:07 p.m.

Chair –

Memo

To: Mayor and Council
From: Amy Vickery, City Manager
Date: October 4, 2022
Subject: By-law Enforcement Officer Appointments
Attachments: Draft By-Law to amend By-Law 2019-016 (**Please refer to By-Law 2022-150**)

Mayor and Council:

On August 9th, 2022, Mayor and Council directed staff to continue with the contract for Animal Control and Pounds Services with Animals First (Roxanne St. Germain) on a month-by-month basis.

As per the City's Animal Control By-Law 2013-051, all contractors must be appointed through By-law as By-Law Enforcement Officers for the purposes of Animal Control.

By-Law 2019-106 identifies the appointments of Roxanne St. Germain and Jennifer MacKewn as Municipal Law Enforcement Officers for the purpose of enforcing the City's Animal Control By-law and Noise By-law as it relates to Animal Control Services.

Ms. Germain has requested the following individuals be appointed as Officers as they are employed by Animals First. An amendment to By-Law 2019-106 is required to repeal the appointment for Jennifer MacKewn and to include the following appointees:

- Wendy Venne
- Sherry Villneff
- Nancy Rourke
- Claire Proctor

All Vulnerable Sector Checks for the above individuals have been received and verified by staff.

Submission:

Prepared by:

"Original signed by"

Amy Vickery
City Manager

Subject: Animal Control Update

Report No.: CS-039-2022

Agenda Date: October 4, 2022

Attachments

None

Recommendations

It is recommended:

1. That the Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-039-2022; and
2. That Council confirms the Animal Control and Pound Services Request for Proposal CS-RFP-003-2022 be deemed cancelled and void; and
3. That Council directs staff, under the direction of the City Manager, to review the level of service required by the City, in consultation with an animal professional, for the development of a new Request for Proposal and Animal Control By-Law for Council's consideration at a future meeting; and further
4. That Council agrees to have the Animal Control portfolio remain with the Protection to Persons and Property Committee for review prior to Council's consideration.

Background

At the August 9, 2022 Regular meeting, Council passed the following Resolution No. 2022-323:

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Whereas Resolution 2022-293 was passed at the July 12, 2022 Council meeting; and

Whereas the resolution referred to the Animal Control and Pound Services contract was covered under By-law No.2019-089 and further amended under Bylaw No. 2020-003; and

Whereas the wording of said resolution should state that the current contract be extended from month to month, as per the terms of the agreement; and

Whereas Council has cancelled Request For Proposal CS-RFP-003-2022;

Now therefore the Council of the City of Temiskaming Shores rescinds resolution 2022-293 and replaces with the following:

Be it resolved that the Council of the City of Temiskaming Shores extends the existing and current Animal and Pound Services Agreement as outlined in the agreement by month to month to the current contractor known as Animal First; and

Further that the Animal First provide proof of new location including lease, approval of facility from OMAFRA and proof of liability insurance; and

Further that Council subject to the written consent of the applicants, continue the review of the existing Request for Proposal Submissions; and

Further that the appointed Steering Committee have a report, with recommendations, completed and in the office of the City Manager by September 29, 2022; and

Further that the Provincial Government through OMAFRA be lobbied to make necessary changes to the Animal for Research Act to address No Kill facilities.

A point of clarification to Resolution 2022-323 was provided at the meeting of September 6, 2022 as follows:

*“Councillor Jelly stated that the intent of the Resolution (2022-323) was for the **two existing proponents to be contacted for their written consent for the review of the existing proposals** by the Steering Committee. Following that, a report is to be prepared for Council’s consideration”*

Analysis:

It has been confirmed that:

- Pursuant to Section 1.2 of By-law 2019-089 (being a by-law to execute an Agreement for the provision of Animal Control and Pound Services) Council exercised the provision of service on a monthly basis, with conditions
- Conditions for the monthly basis included:

Proof of new location and lease details	Condition met
Facility inspection and approval (OMAFRA)	Condition met
Proof of Liability Insurance	Condition met

- A non-partisan, Steering Committee was established (although not appointed by Council) with the objective of reviewing RFP-003-2022 and animal control service.
- The Steering Committee meeting was scheduled for September 9, 2022 although, the meeting was postponed, **as the concept of the committee required clarification**, after the one bid proponent denied consent to review the RFP-003-2022 bid submissions.
- CS-RFP-003-2022 “Animal Control and Pound Services” is deemed to be cancelled due to the expiry of the time period and denial of consent to review.
- The Steering Committee was unable to proceed as intended and the matter was referred to The Protection to Persons and Property Committee (PPP).

The Protection to Persons and Property Committee met on September 22, 2022 and passed the following recommendation:

*Recommendation PPP-2022-029
Moved by: Councillor Doug Jelly*

Be it resolved that:

The Protections of Persons and Property hereby recommends that Council cancel the Animal Control and Pound Services (CS-RFP-003-2022), review the level of service required by the City, in consultation with an animal professional, and develop a new RFP for Council’s review and approval.

The objective of the Steering Committee was discussed by the PPP Committee and determined the work could be done efficiently and effectively by staff with consultation of a professional in the field and is recommending there no longer be a separate Steering Committee. Finance and By-law Enforcement staff would be engaged on this portfolio, led by the City Manager.

Considerations

The current Animal Control By-law (By-law 2013-051) provides for regulating and registration of dogs and cats and further provides for the registration process, enforcement of the keeping of such pets.

As you are aware, this is the current guiding document and provides the authority for Animal Control to enforce the regulations within the by-law and provide set fines.

Section 6 of By-law 2013-051 – Seize and Impound sets out the authority to the Animal Control Officer and the levying of fees when animals are seized when running at large, abandoned or otherwise.

It should be noted that By-law 2013-051 (Animal Control By-law) does not further provide for delivery to a pound or shelter service and the intent of the RFP process was to consider all options available.

Of note, By-law 2013-051 (Animal Control By-law) only applies to persons and property within the geographic limits of the City of Temiskaming Shores.

The Municipal Act, RSO 2001 provides broad authority in relation to Animals with provisions set out in Section 103(1) impounding animals.

Community members have petitioned to seek alternatives for impoundment and relocation of dogs and cats.

The City attempted to consider options of regulating and enforcement of Animal Control and the provision of impoundment options throughout the RFP process.

Combining these two different services is difficult without a clear scope of each service and they must align to the by-laws, within their scope of authority.

When considering a level of service there should be regard to:

- Respecting the limits of our authority within legislation and within our geographic area.
- Equal opportunity for all service providers
- Consideration of the financial impact for the provision of these services
- Consideration of the health and safety and protection to persons, property, and animals.
- Ensure professional and respectful conduct when dealing with all matters; especially of those of sensitive nature.

Consultation / Communication

- Interim City Manager Report
- File and By-law Review

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 ☒

Alternatives

Staff are not recommending any alternatives

Submission

Prepared by:

"Original signed by"

Amy Vickery
City Manager

Subject: Shared Building Services -
Temagami

Report No.: CS-040-2022

Agenda Date: October 4, 2022

Attachments

Appendix 01: Shared Services Agreement (**Please refer to By-Law 2022-151**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-040-2022;
2. That Council hereby directs staff to prepare the necessary By-Law to enter into a shared Services agreement with the Municipality of Temagami for Building Services for Council's consideration at the October 4, 2022 Regular Council meeting.

Background

The Shared Services agreement between the City of Temiskaming Shores and the Municipality of Temagami will expire on October 31st, 2022.

Analysis

The Municipality of Temagami has requested the use of the City's CBO for an additional period of one (1) year.

The Corporate Services Committee and Protection and Property Committee met on September 22nd, 2022 and directed staff to prepare the necessary By-law for Council's consideration with an annual increase according to the Consumer Price Index. For 2022, CPI is 6.8%.

Included in the agreement is the provision of the Municipality of Temagami naming the City as an additional insured for liability insurance purposes. In addition, at the time City employees are conducting work for Temagami, the employees will be covered under the Municipality of Temagami's Workplace Safety and Insurance Board Insurance.

Work will continue to be scheduled directly with the City's CBO through Temagami's Deputy Clerk. The work of the City of Temiskaming Shores will remain priority so that there is no burden or disruption in service provided to City's taxpayers.

Over the duration of the contract, staff will monitor the time spent performing services for Temagami. Should both parties mutually agree, an extension of the agreement could be negotiated upon Council's approval.

On September 22, 2022, both the Corporate Services Committee and Protection to Persons and Property Committee met and directed staff to prepared the necessary by-law for Council's consideration including an increase in accordance with CPI.

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 City will receive \$55,500 plus applicable taxes for the duration of the contract – 1 year.

This amount includes mileage costs incurred for the travel to and from Temagami from Temiskaming Shores. A vehicle will be provided by Temagami for use within their municipal boundaries. Water access in both the summer and the winter will be the responsibility of the Municipality of Temagami with a boat and snowmobile available for use.

Also included in the agreement is that should any court cases arise from situations such as order appeals, then all legal costs incurred will be the responsibility of the Municipality of Temagami.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for Council's consideration by:

"Original signed by"

Shelly Zubych
Director of Corporate Services

"Original signed by"

Amy Vickery
City Manager

Subject: Music Festival - Lease Agreement

Report No.:

CS-041-2022

Agenda Date:

October 4, 2022

Attachments

Appendix 01: Draft Lease Agreement (**Please refer to By-Law 2022-152**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-041-2022;
2. That Council hereby directs staff to prepare the necessary By-Law to enter into a lease agreement with the Temiskaming Festival of Music for \$100 per month (plus HST) for a three-year term, for consideration at the October 4, 2022 Regular Council meeting.

Background

The current lease agreement with the Temiskaming Festival of Music expired on September 30th, 2022.

Analysis

The Temiskaming Festival of Music is a local, non-profit group that began in 1932 helping musicians within our community learn and grow.

The Music Festival has requested the lease be renewed for the purpose of storage at the New Liskeard Community Hall. As the proposed use of the space fits with the intent of the building and there has been no other requests to use this space, staff is recommending entering into a 3-year lease agreement with the Music Festival for the use of the space.

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 City will receive \$100 plus applicable tax per month for the use of the space.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for Council's
consideration by:

"Original signed by"

"Original signed by"

Shelly Zubych
Director of Corporate Services

Amy Vickery
City Manager

Memo

To: Mayor and Council
From: Mitch McCrank, Manager of Transportation Services
Date: October 4, 2022
Subject: Event Road Closure Policy
Attachments: Draft Event Road Closure Policy (**Please refer to By-law No. 2022-153**)

Mayor and Council:

Coming out of COVID, the City has seen an increase in Road Closure Requests for Events. This is great news for the City as events such as these showcase our amazing City and beautiful streetscapes. However, it is of the opinion of the Public Works department, stronger policies, procedures and language need to be in place for future requests.

The Manager of Transportation and Transportation Superintendent have the delegated authority to Temporarily close roads under By-law 2015-141. This By-law allows us to make informed and accurate decisions on closing roads without the timely correspondence of a Council's direction.

As a result, Event Road Closure requests are typically directed to the Manager of Transportation or Transportation Superintendent with no guidelines or procedures to adequately follow to make informed decisions. This past year has resulted in the judgment to draft an Event Road Closure Procedure and Policy. Therefore, the Manager of Transportation, Transportation Superintendent and any staff member receiving requests can easily and accurately supply Event Organizers with standard documentation that outlines requirements from the City to close City roads.

The Policy and Procedure was circulated to appropriate staff and the Public Works Committee for review and comment. Comments were noted and the draft was updated to reflect. At the Public Works committee meeting held September 22nd, 2022, the members passed the following recommendation:

Recommendation PW-2022-047

Moved by: Councillor Danny Whalen

Be it resolved that:

The Public Works Committee hereby recommends that Council approve the Event Road Closure Policy and Procedure for implementation in 2023.

CARRIED

This By-law shall be valuable for staff to make guidelines straightforward and to eliminate any liabilities the City may have with closing roads. Thank you for your consideration.

Prepared by:

Reviewed and submitted for Council's
consideration by:

"Original signed by"

Mitch McCrank
Manager of Transportation Services

"Original signed by"

Amy Vickery
City Manager

Subject: RFP Award – Haileybury Water
Treatment Plant Filter Rehabilitation

Report No.: PW-027-2022

Agenda Date: October 4, 2022

Attachments

Appendix 01: Form of Proposal Submission – Continental Carbon Group Inc.

Appendix 02: Draft Agreement (**Please refer to By-law No. 2022-154**)

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-027-2022; and
2. That Council directs staff to reallocate \$ 100,000.00 from the Robert/Elm Pumping Station By-pass Installation Project to the Haileybury Water Treatment Plant Filter Rehabilitation Project within the approved 2022 Environmental Capital Budget; and
3. That Council directs staff to prepare the necessary by-law to enter into an agreement with Continental Carbon Group Inc. for rehabilitation of one filter at the Haileybury Water Treatment Plant in the amount of \$ 360,820.00, plus applicable taxes, for consideration at the October 4th, 2022 Regular Council meeting.

Background

The filters at the Haileybury Water Treatment Plant (HWTP) have been showing signs of aging and deterioration resulting in the need for more frequent backwashing. In addition, traces of the media for the filter are being found in the underdrain system and clear well resulting in higher than normal turbidity measurements.

As a result, Council approved the HWTP Filter Rehabilitation Project during the 2022 Capital Budget deliberation process in the amount of \$ 300,000.00. This project would see the rehabilitation of one of the three filters in 2022. The rehabilitation of the remaining two filters will be presented to Council for consideration as future capital projects.

Analysis

Request for Proposal (RFP) PW-RFP-005-2022 – Filter Rehabilitation – Haileybury WTP was released with a closing date of September 1st, 2022. A Mandatory Site Visit was scheduled for August 18th, 2022 which had two companies in attendance. Addendum 1

was released to address questions as a result of the site visit and Addendum 2 was released extending the closing date to September 8th, 2022.

One submission related to PW-RFP-005-2022 – Filter Rehabilitation – Haileybury WTP was received from Continental Carbon Group Inc. in the amount of \$ 376,180.00. The submission was reviewed for completeness and as a result of the submission being over budget, staff entered into negotiations with Continental Carbon Group Inc. in accordance with the negotiation requirements outlined within the RFP.

Throughout the negotiation it was identified that material costs have substantially increased over the past year as has been seen throughout all industries. The negotiations resulted in Continental Carbon Group submitting a revised proposal in the amount of \$ 360,820.00. This equates to a reduction of \$ 15,360.00 from the original proposal.

As a result of the proposal being over the approved budget, staff looked at the overall Environmental Capital Budget. It was identified that the Robert/Elm Pumping Station – By-pass Installation Project will be required to be carried over into 2023. This would allow for a reallocation of \$ 100,000.00 to the HWTP Filter Rehabilitation Project to cover the overage and any potential change orders that may occur. With the reallocation, the overall Environmental Capital Budget would not be negatively impacted.

At the Public Works Committee Meeting held on September 22, 2022, the importance of having this project completed was discussed resulting in the following recommendation:

Recommendation PW-2022-048
Moved by: Mayor Carman Kidd

Be it resolved that:
The Public Works Committee hereby recommends proceeding with the Water Treatment Plant Filter Rehabilitation project and suggest it be added to the Corporate Services Agenda for their approval.

CARRIED

Similarly, this item was discussed at the Corporate Services Committee Meeting held on September 22, 2022 resulting in the following recommendation:

Recommendation CS-2022-057
Moved by: Councillor Danny Whalen

Be it resolved that:
The Corporate Services Committee hereby recommends the reallocation of \$100,000 to cover the overage amount for the Water Treatment Plant Filter Rehabilitation Project.

CARRIED

Relevant Policy / Legislation / City By-Law

- By-Law No. 2017-015, Procurement Policy
- 2022 Environmental Capital Budget

Consultation / Communication

- Public Works Committee Meeting – September 22, 2022
- Corporate Services Committee Meeting – September 22, 2022

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, with the reallocation of \$ 100,000.00 to this project the overall approved 2022 Environmental Capital Budget will not be negatively impacted.

Climate Considerations

The climate lens was used to consider the impacts of the Filter Rehabilitation Project at the HWTP. Results indicate that this project does not contribute to an increase in greenhouse gases, temperature or precipitation exposure. It is anticipated that there will be a reduction of greenhouse gas emissions as the completion of the project will result in less backwashes that require treatment at the Haileybury Sewage Treatment Plant.

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

The Corporation of the City of Temiskaming Shores

By-law No. 2022-150

Being a by-law to amend By-law No. 2019-106, to appoint Municipal Law Enforcement Officers for the purpose of enforcing the City's Animal Control By-law and Noise By-law as it relates to Animal Control Services

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; and

Whereas Section 15 (2) of the Police Services Act, R.S.O. 1990, as amended, defines municipal law enforcement officers as peace officers for the purpose of enforcing municipal by-laws; and

Whereas in accordance with Section 103 of the Municipal Act, S.O. 2001, Chapter M.45 as amended, Council may pass by-laws of the municipality with respect to the being at large or trespassing of animals; and

Whereas the Council of the City of Temiskaming Shores passed an Animal Control By-law regulating the keeping of animals and the registration of dogs and cats; and

Whereas Council of the City of Temiskaming Shores has passed a by-law to prohibit and regulate certain noises in accordance with Section 129 of the Municipal Act, S.O. 2001, Chapter M.45 as amended; and

Whereas the City of Temiskaming Shores Animal Control By-law defines an Animal Control Officer as a person appointed by Council as a Municipal Law Enforcement Officer to enforce the provisions of the by-law; and

Whereas Council passed By-law No. 2019-089, as amended being a by-law to execute an agreement with Ms. Roxanne St. Germain o/a Animal First – Temiskaming Shores and Area Animal Services for the provision of Animal Control and Pound Services; and

Whereas Council considered Memo No. 013-2019-CS at the July 9, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to Roxanne St. Germain and Jennifer MacKewn as Municipal Law Enforcement Officers for the purpose of enforcing the City's Animal Control by-law and Noise by-law as it relates to Animal Control Services for consideration at the July 9, 2019 Regular Council meeting;

And whereas Council considered Memo No. 042-2022-CS at the October 4, 2022 Regular Council meeting and directed staff to prepare the necessary by-law to repeal the appointment for Jennifer MacKewn as Municipal Law Enforcement Officers; and to appoint the following individuals for the purpose of enforcing the City's Animal Control by-law and Noise by-law as it relates to Animal Control Services; for consideration at the October 4, 2022 Regular Council meeting;

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That **Wendy Venne, Sherry Villneff, Nancy Rourke and Claire Proctor** are hereby appointed as Municipal Law Enforcement Officers for the purposes of enforcing the City of Temiskaming Shores Animal Control by-law and Noise by-law as it relates to Animal Control Services.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor changes or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

Read a first, second and third time and finally passed this 4th day of October, 2022.

Mayor

Clerk

The Corporation of the City of Temiskaming Shores

By-Law 2022-151

Being a By-law to adopt an Agreement between the City of Temiskaming Shores and the Municipality of Temagami for Chief Building Official and Building Inspector Services

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 Municipal Act, 2001, Section 20(1) provides that a municipality may enter into an agreement with one or more municipalities or local bodies, as defined in Section 19, or a combination of both to jointly provide, for their joint benefit, any matter which all of them have the power to provide within their own boundaries; and

Whereas Council considered Administrative Report No. CS-040-2022 at the October 4th, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into a Shared Services Agreement with the Municipality of Temagami for consideration at the October 4th, 2022 Regular Council meeting;

Whereas the Council of the Corporation of the City of Temiskaming Shores and the Council of the Corporation of the Municipality of Temagami wish to enter into an Agreement for the provision of the City of Temiskaming Shores providing Building Services to the Municipality of Temagami.

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That the Agreement between the City of Temiskaming Shores and the municipality of Temagami for the provision of providing Building Services, as attached hereto as Schedule A, is hereby adopted.
2. That the Mayor and Clerk are hereby authorized to sign the Agreement on behalf of the Corporation of the City of Temiskaming Shores.

3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, 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 4th, day of October, 2022.

Mayor

Clerk



Schedule A to
By-law No. 2022-151
Agreement between
The Corporation of the City of Temiskaming Shores
and
The Municipality of Temagami
for Chief Building Official and Building Inspector Services

This Agreement made as of this 4th day of October, 2022.

Between:

The Corporation of The City of Temiskaming Shores
(hereinafter referred to as “the City”)

And:

The Municipality of Temagami

Whereas the City and the Municipality of Temagami wish to enter into an Agreement for the provision of the City providing Building Services (Attached as Appendix “A”) to the Municipality of Temagami upon the terms and conditions set out in this Agreement pursuant to Section 3 of the Building Code Act, S.O. 1992.

Now therefore witnessed that in consideration of the terms, covenants and provisions herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Term

The terms of this Agreement (the “Term”) shall begin November 1st, 2022 (the “Commencement Date”) and shall continue to remain in effect for a one (1) year period ending on October 31st, 2023 unless either party terminates this Agreement by providing the other party with written notice of termination ninety (90) days prior to the effective date of termination

2. Fees

For the term of this agreement, the fees payable to the City for the provision of providing Building Services shall be at the annual rate of fifty-five thousand five hundred dollars (\$55,500) plus applicable taxes (the “Fees”). The Fees shall be billed quarterly by the City

3. Qualifications and Experience

The City will provide qualified and certified Building Inspectors who are competent in conducting plans review and inspection services required under the Ontario Building Code.

4. Reporting

The Chief Building Official (CBO) for the City of Temiskaming Shores as appointed by the Municipality of Temagami shall report directly to the Deputy Treasurer for the Municipality of Temagami.

5. Deadlines

The parties hereby acknowledge that, under the OBC, all Ontario Municipalities are required to meet deadlines for responding to Building Permit Applications and are also required to complete inspections within certain timelines at different stages of construction. The Municipality of Temagami hereby agrees to provide the City with as much notice as possible, and in any event, not more than one (1) days' notice prior to the date of any building permit application decision that must be rendered and prior to the date of building inspection deadlines.

6. Administration

All administrative and inspection support services shall be completed by the Municipality of Temagami. Permit fees shall be issued, delivered and collected by the Municipality of Temagami.

The CBO and Building Inspector will be accessible by employees of the Municipality of Temagami and not the general public, unless so engaged by the CBO or Building Inspector, Monday to Friday from 8:30am to 4:30pm or after hours by telephone message or email.

7. Water Access

The Municipality of Temagami is responsible for providing transportation (boat with motor and snowmobile) for the provision of providing Building Services to properties accessible only by water in accordance with the deadlines as prescribed under the OBC.

8. Court Proceedings

The parties hereby acknowledge and agree that in the event that it becomes necessary to take any court action to enforce the provisions of the Building Code Act, OBC, Municipal By-laws or to respond to any action arising out of the enforcement, the Municipality of Temagami shall be responsible for any legal costs that may be incurred in undertaking or responding to the proceeding.

9. Indemnity

The Municipality of Temagami agrees that it shall, at all times, indemnify and save harmless the City of Temiskaming Shores, its officers, employees and agents from and against all claims, demands, losses, costs, damages, actions, suits or other proceedings made, sustained, brought or prosecuted that are based upon, or caused in any way by anything done or omitted to be done by the City of Temiskaming Shores or any of its officers, directors, employees or agents in connection with services performed, purportedly performed or required to be performed by the City of Temiskaming Shores.

10. Insurance

The Municipality of Temagami shall obtain and maintain throughout the term of this Agreement such insurance coverage as may be reasonably requested by the City including but not limited to:

- a) Comprehensive general liability insurance with limit of not less than five million (\$5,000,000.00) dollars per occurrence for bodily injury and/or property damage. The policy coverage must include personal injury, including harassment, discrimination, blanket contractual liability with cross-liability and severability of interest clauses;
- b) Professional liability and errors and omissions insurance in the amount of not less than one million (\$1,000,000.00) dollars;
- c) Property damage insurance against loss or damage by perils of “all risks” to the extent available and generally obtainable from time to time;

This required insurance coverage shall name the City as an additional insured. The Municipality of Temagami shall provide Certificates of Insurance showing compliance with this provision within thirty (30) days upon signing of this Agreement.

The required insurance coverage will not be cancelled or altered without thirty (30) days advance written notice to the City, unless otherwise required by law.

11. Workplace Safety Insurance Board Insurance

The Municipality of Temagami must be certified and in good standing with the Workers Compensation Board. The Municipality of Temagami agrees to submit to the City, a Clearance Certificate from the Workplace Safety and Insurance Board (WSIB) of Ontario.

Workplace Safety Insurance Act coverage, assessments or reports are the exclusive responsibility of the Municipality of Temagami.

12. Records

All records and information received the City for the purpose of providing the Building Services shall remain the property of the Municipality of Temagami and shall not be divulged or revealed to third parties. Such records and information shall, upon termination of this Agreement, be returned to the Municipality of Temagami.

13. Consequence of Termination

In the event of termination of this Agreement for any reason:

- a) The City shall return to the Municipality of Temagami all records obtained by the City in connection with the performance of the Building Services, subject to the right of the City to retain copies of the said records for its own files; and
- b) There shall be a reconciliation of all amounts due and owing to the City for the Building Services as of the date of termination.

14. Notice

Any notice to be given pursuant to this Agreement shall be in writing and signed by the person giving such notice. Any notice, offer, payment, certificate or other communication required or desired to be given in connection with this Agreement may be delivered personally or may be sent by pre-paid registered post, e-mail or facsimile transmission addressed to:

If to the City, at:

The Corporation of the City of Temiskaming Shores
325 Farr Drive
P.O. Box 2050
Haileybury, ON
P0J 1K0
Attention: Mike Pilon
mpilon@temiskamingshores.ca
(705) 672-3363 Extension: 4131

If to the Municipality of Temagami, at:

The Corporation of the Municipality of Temagami
7 Lakeshore Drive
P.O. Box 220
Temagami, ON
P0H 2H0
Attention: Sabrina Pandolfo
projects@temagami.ca
(705) 569-3421

And, any notice so delivered personally, by facsimile or by e-mail shall be deemed to have been received at the time of delivery, and any notice so mailed shall be deemed to have been effectively given and received on the fourth business day following and exclusive of the postmarked date thereof. Any party hereto may change his or its address for the purpose of this paragraph by giving notice of such change of address to the other parties hereto in the manner provided in this section.

15. Force Majeure

The City shall not be responsible for delays or any failure in the performance of their obligations under this Agreement resulting from acts of God, strikes, labour disturbances, illness, inclement weather or other emergencies and causes beyond the control of the City hereto.

16. Assignment

Neither party shall assign or transfer this Agreement.

17. Governing Law

This Agreement shall be governed by the law of the Province of Ontario.

18. Extension, Modification and Renewal

This Agreement may be amended or modified from time to time within the enforcement duties as described in the OBC. It shall not be amended or modified to include duties that are not prescribed within the OBC unless written consent from the City has been acknowledged. The course of dealing or of performance does not affect the waiver or modification of this Agreement unless adopted by the Council of the City of Temiskaming Shores and the Municipality of Temagami.

This Agreement shall expire one (1) year from its Commencement Date at which time a review of the Agreement by each party shall be undertaken. A By-law may be passed at the Council of each party to renew the Agreement once review has taken place.

19. Severability

If any term, covenant or provision of this Agreement or the application thereof to either party or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or provision to the other party or circumstances other than those to which it is held invalid or unenforceable shall not be

affected thereby and each term, covenant or provision of this Agreement shall be valid and enforceable to the fullest extent of the law.

20. Binding Effect

This Agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.

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 and Sealed in
the presence of

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Municipality of Temagami

Municipal Seal

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Mayor

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Clerk

Municipal Seal

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

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Mayor

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Clerk

Appendix 01 to By-law 2022-151

Building Services

1. Review plans, drawings, applications and specifications to determine whether the proposed construction of the building complies with the OBC;
2. Liaise with architects and engineers to ensure the OBC requirements are addressed in the design and engineering plans;
3. Review amended plans to ensure compliance with the requirements of the OBC;
4. Whenever possible, plans examination services is to be carried-out in the Municipal Office in the City of Temiskaming Shores;
5. Review other materials to determine whether the proposed construction of the building complies with the OBC;
6. Issue Change of Use Permits;
7. Renovation Permits;
8. Issue Plumbing Permits;
9. Issue Building Permits;
10. Issue Stop Work Orders;
11. Issue Orders;
12. Issue Occupancy Permits;
13. Prepare the Building Annual Report;
14. Conduct inspections of the construction of all buildings at all phases of construction required under the OBC or the Regulations there under;
15. Issue Inspection Reports; and
16. Perform or recommend the performance of such other functions as may be required under the OBC or the regulations relating thereto.

The Corporation of the City of Temiskaming Shores

By-law No. 2022-152

**Being a By-Law to authorize the entering into a lease agreement with the
Temiskaming Music Festival of Music for the rental of space at the Lawrence “Bun”
Eckensviller Community Hall**

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. CS-041-2022 at the October 4th, 2022 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into a lease agreement with The Temiskaming Festival of Music for the rental of space at the Lawrence “Bun” Eckensviller Community Hall; and

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 The Temiskaming Festival of Music for the rental of space at the Lawrence “Ben” Eckensviller Community Hall, 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

Read a first, second and third time and finally passed this 4th day of October, 2022.

Mayor

Clerk



Schedule “A” to

By-law 2022-152

Lease Agreement between

The Corporation of the City of Temiskaming Shores

and

Temiskaming Festival of Music

For use of space at the Lawrence “Bun” Eckensviller Community Hall

This Lease made this 4th day of October, 2022

Between: **The Corporation of The City of Temiskaming Shores**
(Hereinafter called the "Landlord")

-and-

The Temiskaming Festival of Music
(Hereinafter called the "Tenant")

Whereas the Lessor is the owner of the building known as the Lawrence "Bun" Eckensviller Community Hall (hereinafter called the "Building"), having an entrance off Whitewood 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 Lessor hereby demises and leases to the Lessee part of the upper level in the Lessor's Building containing a rentable space located at 90 Whitewood Avenue, City of Temiskaming Shores, Ontario.

Ingress and Egress

TOGETHER with the right of ingress and egress for the Lessee's employees, servants and agents, customers, patients and invitees, and the use of elevators, entrances, lobbies, hallways, stairways, driveways, sidewalks, common loading and stopping areas in and about the Lands and Building (hereinafter called the "common areas").

2. Term

TO HOLD the premises for a term commencing on the 1st day of October, 2022 and ending on the 30th September, 2025

3. Rent

AND PAYING therefore, to the Lessor, subject to the provisions of this Lease, the sum of one hundred dollars (\$100) including HST per month payable on the first day of each and every month during the term hereof.

AND the parties hereto covenant and agree as follows:

4. Tenants 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 if so required;
- 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 operating the elevators, 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, elevators, 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 a health team member 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 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;
- 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;
- k) Termination by Tenant** – Notwithstanding any unexpired term of this agreement, in the event that the Tenant is not otherwise in default of the terms of this lease, he shall be entitled to terminate this lease upon giving 60 days written notice to the Landlord and upon payment to the Landlord of a penalty equal to three months rental.
- l) Monthly tenancy** – If upon the termination of this lease or any extension thereof the Landlord permits the Tenant to remain in possession of the Lands and Building and accepts rent, a tenancy from year to year is not created by implication of law and the Tenant is deemed to be a monthly tenant only, subject to all the terms and conditions of this lease except as to duration.
- m) Notice** – the Tenant must give 60 days' notice in writing if they wish to end their tenancy and they must have the property vacated by the final day of their 60 days' notice.

- n) **Insurance** - The tenant shall maintain adequate insurance coverage on its equipment, supplies, inventory and the Tenant's fixtures and all other property belonging to it. The Tenant agrees to not carry on or permit to be carried on any business in the Building which may make void or voidable any insurance held by the Landlord or other occupants of the Building.

The tenant will keep in force a full policy of public liability insurance with respect to the business operated by the Tenant in the Leased Premises. The policy shall name the Landlord and Tenant as insured and shall contain a clause that the insurer will not cancel or change the insurance without first giving the Landlord 10 day's written notice. A certificate of such insurance shall be delivered to the Landlord prior to the commencement of the term and, so far as renewals are concerned, thirty days prior to the expiry of any such policy.

5. Landlord's Covenants

The Landlord covenants with the Tenant;

- a) **Quiet enjoyment** - for the quiet enjoyment;
- b) **Taxes** – to pay all taxes and rates levied against the premises or to the Landlord on account thereof;
- c) **Access** - to permit the Tenant, its employees, and all persons lawfully requiring communication with them to have the use at all reasonable times in common with other of the main entrance and the stairways and corridors of the building leading to the premises;
- d) **Air conditioning** - to install and operate air conditioning units to air condition the premises at the expense of the Landlord;
- e) **Electricity and water** - to pay for the electricity and water supplied to the premises;
- f) **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 is done daily five days of the week;
- g) **Heat** - to heat the premises;
- h) **Plug-ins** - to provide outside plug-in service for not less than 18 cars in the staff parking area adjacent the premises;

- i) **Structural soundness** - to keep the premises, common areas and parking lot structurally sound and to look after any structural defects which may arise;
- j) **Notice** – the Landlord can terminate the lease upon giving 60 days written notice; and
- k) **Insurance** - The Landlord shall maintain adequate fire and other perils insurance coverage on the Leased premises and its fixtures for the full value thereof and shall maintain such insurance throughout the term of this Lease and any renewal thereof. Such policy shall contain a waiver of subrogation as against the Tenant and its employees and officers.

6. 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 re-building 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;

- 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;
- i) **Right of termination** - 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;

- j) **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;
- k) **Overholding** - 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;
- l) **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 designate 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;
- m) **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; and

- n) **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 P.O. Box 2050, Haileybury, Ontario, P0J 1K0 and in the case of notice to the Tenant, to P.O. Box 2010, Haileybury, Ontario, P0J 1K0. 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 parties have executed this Agreement the day and year first above written.

Signed and Sealed in
the presence of

Tenant

Temiskaming Festival of Music Representative

Municipal Seal

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

Mayor – Carman Kidd

Clerk – Kelly Conlin

The Corporation of the City of Temiskaming Shores

By-law No. 2022-153

Being a By-Law to adopt an Event Road Closure Policy for municipal road allowances and rights-of-way and public lands.

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 By-law No. 2015-141 provides for the Delegation of Powers and Duties for Temporary Road Closures; and

Whereas Council considered Memo No. 011-2022-PW at the October 4, 2022, Regular Council meeting and has deemed it appropriate to determine measures to enhance the efficiency of its decision making and administrative processes, as established within the Delegation of Powers and Duties Policy pursuant to By-law No. 2015-141 and further deems it desirable to delegate to a designated municipal employee the authority for administering this By-law as outlined herein for matters such as approving a temporary closure of a highway for events and from time to time to temporarily close all or part of a highway in order to facilitate events;

Now therefore the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That Council for the City of Temiskaming Shores hereby adopts Policy for the Regulation of Temporary Road Closures for Events, a copy of which is attached hereto as Schedule "A" forming part of this by-law;
2. That the Policy for the Regulation of Temporary Road Closures for Events, a copy of which is attached hereto as Schedule "A", come into force and effect the 1st day of January 2023.
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

Read a first, second and third time and finally passed this 4th day of October, 2022.

Mayor

Clerk



Schedule "A" to

By-law 2022-153

Event Road Closure Policy

Short Title

1. This By-law may be referred to as the "Event Road Closure By-law"

Scope

2. This By-law applies to any works within a Highway under the jurisdiction of the City of Temiskaming Shores

Definitions

3. In this By-law,
 - a. "Applicant" means the Person applying for a Permit;
 - b. "Apron" means an area of the Boulevard consisting of a hard surface leading from the travelled portion of the Highway to a private Driveway;
 - c. "Boulevard" means that the portion of a highway between the travelled portion of the highway and the limit of the Highway line;
 - d. "By-law" means this By-law being the 'Event Road Closure By-law';
 - e. "Decorative Pavement" means covering with a hard surface and without limiting the generality of the foregoing shall include concrete, brick, cobble or interlocking stone.
 - f. "Director" means the Director of Public Works, of the City (or any successor job title) and his/her designate(s), unless otherwise specified;
 - g. "Ditch" means a narrow channel dug in the earth, usually used for drainage, irrigation or as a boundary mark;
 - h. "Driveway" means that portion of a lot used to provide vehicular access from a highway to an off-street parking or loading area located on the same lot;
 - i. "Encroachment" means anything constructed or erected with a fixed location on, or in the ground or attached to something having a fixed location on the ground that extends on, over or under City lands including the following:
 - j. "Entrance" means a public or private roadway, driveway, sidewalk, footpath or easement, gate structure or any facility structured or used as a means of ingress and egress to and from any road and;
 - k. "Highway" means a common and public walkway, lane, street, avenue, parkway, driveway, square, place, road, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and pedestrians and includes the untraveled portion of a road allowance, a street as defined in the Municipal Act, 2001 and the Highway Traffic Act and

a highway as defined in the Municipal Act, 2001 and the Highway Traffic Act.

- l. "Highway Traffic Act" means the Highway Traffic Act, R.S.O. 1990, c. H.8 and its regulations as amended from time and any successor legislation thereto;
- m. "Permit" means an acknowledgement issued and authorized by the City pursuant to this By-law, for the occupancy or closure of any Highway for any purpose or Construction Activity.
- n. "Permit Holder" means the person or organization named in the Permit;
- o. "Person" includes an individual, association, firm, partnership, corporation, trust, organization, trustee, agent or legal representative of an individual;
- p. "Prescribed Forms" means those forms as are created and approved by the Director.
- q. "Property" means any lands and premises.
- r. "Road Closure" means the temporary or permanent closing of a Highway;
- s. "Road Occupancy" means any activity likely to impact on the operational efficiency of the Highway network, in other words, any activity that requires the road to be used in such a way as to affect traffic flow, or an off road activity that affects or can affect traffic flow and may involve the closure of traffic lanes.
- t. "City" means The Corporation of the City of Temiskaming Shores;

Administration

4. Purpose

- a. To state the policy and permit process for temporary road closures for special events in the community. To facilitate advanced planning for these special events, to protect public safety and to manage risk to Organizers, participants, and the City of Temiskaming Shores.

5. Policy

- a. The City of Temiskaming Shores Public Works Department acknowledges that, from time to time, community organizations wish to hold events that require the temporary closure of City roads. Such events include, but not limited to, parades, community street parties, car shows open to the public, fundraisers, races/runs, etc. Through a permitting process, the City will be able to provide logistical assistance to Event Organizers to ensure that municipal interests are

met, improve service to the Event Organizers and ensure that road closures are conducted safely, legally, and in a manner to manage risk to all parties.

- b. Temporary road closures for special events shall not be permitted without obtaining a written permit from the City.
- c. Permits and approvals are issued with no fee.
- d. Fundraisers, Street Parties or Events for private individuals or sole corporations will not be approved under this policy.
- e. Event Organizers must contact the Temiskaming Ontario Provincial Police detachment to make arrangements for police assistance, if required. Should such assistance be required, the organizers must provide the City with information on the arrangements that have been made with the police.
- f. Event Organizers shall be responsible for notifying police, ambulance, and fire services about the road closure, at least 14 days in advance of the closure, and shall copy the City on such correspondence in a manner agreed upon between the Organizer and the Public works Department.

6. Procedure

- a. Requests shall be submitted to the municipal office no later than one (1) month and no earlier than three (3) months prior to the event. Event Organizers must contact the Public Works department in advance of submitting the request to get assistance completing the necessary road closure maps and traffic control plans.
- b. The Public Works department can be reached by leaving a message at the PW office (705-647-6220) or by sending an email requesting contact to roads@temiskamingshores.ca
- c. Every request for a temporary road closure must be submitted individually for a specific date.
- d. Requests shall be submitted on the request form attached as Appendix A. Forms are available at the municipal office or can be printed off the City's website.
- e. Every request will be reviewed and shared with the Public Works Committee. Approval of requests are the sole discretion of the Public Works Department.
- f. The completed and signed Request Form must be accompanied by a route map, and a traffic control plan per the Ontario Traffic Manual, Book 7 (latest

applicable version). The City encourages Event Organizers to work with Public Works to create the map and the plan before submitting the completed application package.

- g. A Certificate of Insurance must also accompany the Request Form. The certificate shall confirm that the organizer has comprehensive general liability insurance in the amount of \$2,000,000.00 and shall name the Corporation of the City of Temiskaming Shores as an "additional insured."
- h. If Applicants require special assistance from the Public Works Department (barricades, etc.), the request for this assistance must be noted in the application and discussed in advance.
- i. The City will provide the Event Organizer with a signed copy of their request as the physical permit to conduct the activity.

7. Enforcement

- a. The City reserves the right to refuse an application or to impose on the event whatever restriction it deems appropriate.
- b. Organizers who choose to conduct an event without temporary road closure permit shall be denied future permits until they provide verification of proper event management satisfactory to the City, and organizers without a permit may be fined in accordance with provisions under the law.

8. Evaluation

- a. The Policy will be reviewed from time to time, as deemed necessary.

9. Force and Effect

- a. This By-law shall come into full force on the day of January 1st, 2023



Appendix 01 to
Schedule “A” to

By-law No. 2022-153

Appendix A: Request for Road Closure for Special Event

General Conditions:

1. The Applicant agrees and accepts full responsibility for the protection of all utilities, private property and persons affected by their operations.
2. The applicant shall indemnify and save harmless the City from any form of claim, action, suit, or lien whatsoever caused by the actions or works performed by the Applicant, including without limiting the generality of the foregoing, claims for harm to utilities by the actions or works of the application. The rights to indemnity contained herein shall survive the termination or expiry of the application.
3. The applicant agrees to provide proof of liability insurance with a limit of not less than \$2,000,000.00, through a **Certificate of Insurance** naming the Corporation of the City of Temiskaming Shores as additional insured.
4. It is prohibited to work on any City-owned property without the proper permit from the City. Non-compliance will be subject to penalties deemed necessary by the City.
5. The Permit may be denied if unresolved claim(s) or any performance issues exist between the City and Applicant.
6. The Applicant is encouraged to collaborate with the Public Works Department to create a Traffic Control Plan satisfactory to the City, including determining responsibility for the provision, maintenance and placement of barricades, warning signs, delineators and flashing lights necessary for the protection of the public. At the Public Works discretion, the Applicant may be required to pay for services that are deemed "over and beyond" the normal requirements for an event, to compensate the City for the expenses related to these services.
7. The Applicant is to supply manpower for Traffic Control, i.e. assist pedestrians crossing unmarked area, if deemed necessary by the Municipality.
8. The City may proceed to take the necessary action stated in Clause 6 above, and all costs will be charged to the Applicant, should the Applicant not be able to satisfy the City with respect to the required actions.
9. The Applicant must pay for all damage to City property however caused, arising out of or during the use of the facilities/Right of way under this application.
10. The Applicant shall notify Emergency Services at least 14 days prior to the road closing.

1. Event Details		
Event Name:		Application Date:
Organizer / Host:		
Location:		
2. Date/Time <u>Road to be Closed</u>		
Start Date:		Start Time:
End Date:		End Time:
3. Applicant Information		
Applicant / Company Name:		Phone #:
Street Address:		Fax #:
City:		Postal Code:
4. Activity Information		
Brief Description of Activity:		
5. Road(s) / sidewalk(s) / Parking Lot(s) to be closed		
Please list the road(s), sidewalk(s), or parking lot(s) / stall(s) to be closed (from start to finish):		
6. Additional City Assistance Requested		
Has any additional City assistance been requested for your event? i.e. Recreation. Yes <input type="checkbox"/> No <input type="checkbox"/>		
If yes, Please list the Department and Contact:		
7. Safety Measures		
a) Have you contacted Emergency Services?		Yes <input type="checkbox"/> N/A <input type="checkbox"/>
b) Will you require Barricades, Pylons, Signs or Other Needs?		Yes <input type="checkbox"/> No <input type="checkbox"/>
8. Submission Checklist		
<input type="checkbox"/> Request letter, information about event or identifying the nature of event, participants, dates and time.		
<input type="checkbox"/> Sketch of proposed location(s) of traffic warning device's locations and barricades		
<input type="checkbox"/> Copy of Certificate of Insurance (see General Conditions #3)		

SIGNATURE REQUIRED

BY SIGNING BELOW, THE APPLICANT:

- **MAKES APPLICATION TO THE CORPORATION OF THE CITY OF TEMISKAMING SHORES (THE "CORPORATION") TO OCCUPY THE RIGHT OF WAY FOR THE PURPOSE DESCRIBED AND AGREES TO ABIDE BY THE TERMS OF BY-LAW 2015-141 (AS AMENDED) AND THE CONDITIONS ESTABLISHED HEREIN.**
- **COVENANTS AND AGREES TO ASSUME ALL LIABILITY AND/OR COST INCURRED BY THE CORPORATION AS A RESULT OF ROAD OCCUPANCY TO MAINTAIN THE WORK AREA AND INDEMNIFY AND SAVE HARMLESS THE CORPORATION, ITS AGENTS, EMPLOYEES AND COUNCIL MEMBERS FROM AND AGAINST ANY AND ALL LIABILITIES, SUITS, CLAIMS, DEMANDS, FINES, ACTIONS, COSTS, LOSSES, EXPENSES, OR PROCEEDINGS OF ANY KIND (INCLUDING LEGAL COSTS OF A SOLICITOR AND HIS OWN CLIENT BASIS), INCLUDING WITHOUT LIMITATION CLAIMS TO PROPERTY DAMAGE , PERSONAL INJURY OR DEATH , SUFFERED OR INCURRED BY THE CORPORATION ARISING OUT OF OR IN ANY WAY CONNECTED, DIRECTLY OR INDIRECTLY TO THE APPLICANTS EXERCISE OF ITS RIGHTS CONTAINED IN THIS APPLICATION AND THE FAILURE OF THE APPLICANT TO PERFORM ITS OBLIGATIONS UNDER THIS AGREEMENT, EXCEPT FOR CLAIMS CAUSED BY THE GROSS NEGLIGENCE OF THE CORPORATION.**
- **ACKNOWLEDGES HAVING READ, UNDERSTOOD, THE INFORMATION PROVIDED AND AGREES TO ABIDE BY ALL GENERALS CONDITIONS, SPECIAL PROVISIONS AND ALL CONDITIONS LISTED HEREIN.**
- **ACKNOWLEDGES THAT THE INFORMATION CONTAINED IN THIS APPLICATION, ATTACHED PLANS, SPECIFICATIONS AND OTHER ATTACHED DOCUMENTATION IS TRUE TO THE BEST OF THEIR KNOWLEDGE.**
- **ACKNOWLEDGES THAT IF THE OWNER IS A CORPORATION OR PARTNERSHIP, THEY HAVE THE AUTHORITY TO BIND THE CORPORATION OR PARTNERSHIP.**

APPLICANT (NAME): _____

Signature: _____

Date: _____

Submit Application to roads@temiskamingshores.ca, hand deliver to City Hall or Fax to 705-672-3200

For Internal Use Only	
We/I concur and certify that the closure may be undertaken pursuant to By-law No. 2015-141	
 _____ City Manager and/or Manager of Transportation Services, Public Works	 _____ Date

The Corporation of the City of Temiskaming Shores

By-law No. 2022-154

Being a by-law to enter into an agreement with Continental Carbon Group Inc. for the Haileybury Water Treatment Plant Filter Rehabilitation

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-027-2022 at the October 4, 2022 Regular meeting of Council, and directed staff to prepare the necessary by-law to enter into an agreement with Continental Carbon Group Inc. for the Haileybury Water Treatment Plant Filter Rehabilitation in the amount of \$360,820.00 plus applicable taxes, for consideration at the October 4, 2022, Regular Council meeting.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council authorizes the entering into an agreement with Continental Carbon Group Inc. for the Haileybury Water Treatment Plant Filter Rehabilitation in the amount of \$360,820.00 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 4th day of October,
2022

Mayor

Clerk



Schedule “A” to

By-law 2022-154

Agreement between

The Corporation of the City of Temiskaming Shores

and

Continental Carbon Group Inc.

For the Haileybury Water Treatment Plant Filter Rehabilitation

This agreement made this 4th day of October 2022

Between:

The Corporation of the City of Temiskaming Shores
(hereinafter called "the Owner")

And

Continental Carbon Group 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
Haileybury Water Treatment Plant Filter Rehabilitation
PW-RFP-005-2002**

- 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 Environmental Services, all the work by **December 31, 2022**; and
- 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 **Three hundred and sixty thousand, eight hundred and twenty dollars and zero cents (\$360,820.00) 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 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:

Continental Carbon Group Inc.
1100 South Service Rd Suite 321
Stoney Creek, ON L8E 0C5

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

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

Continental Carbon Group Inc.

Micheal Massis - President

Municipal Seal

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

Mayor – Carman Kidd

Clerk – Kelly Conlin



Appendix 01 to
Schedule “A” to

By-law No. 2022-154

Form of Agreement

**City of Temiskaming Shores
PW-RFP-005-2022
Filter Rehabilitation – Haileybury WTP**

Form of Proposal

Proponent's submission of bid to:

The Corporation of the City of Temiskaming Shores

Stipulated Bid Price

We/I, Continental Carbon Group Inc / Michael Massis
(Registered Company Name/Individuals Name)

Of, 321-1100 South Service RD, L8E 0C5
(Registered Address and Postal Code)

Phone Number: 905-643-7615 Email: mmassis@continental-carbon.com

We/I hereby offer to enter into an agreement for the goods and/or services, as required in accordance to the Proposal for a price of (must be CDN funds and without HST):

Lump Sum Price: \$ 360,820.00

Acknowledgement of Addenda

I/We have received and allowed for ADDENDA NUMBER 1 & 2 in preparing my/our proposal.

Bidder's Authorized Official: Michael Massis

Title: Owner/Vice President

Signature: 

Date: 09.08.2022

Form 1 to be submitted.

The Corporation of the City of Temiskaming Shores

By-law No. 2022-155

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 October 4, 2022

Whereas under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

Whereas under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public; and

Whereas it is the desire of the Council of The Corporation of the City of Temiskaming Shores to confirm proceedings and By-laws.

Now therefore the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That the actions of the Council at its Regular meeting held on **October 4, 2022** with respect to each recommendation, by-law and resolution and other action passed and taken or direction given by Council at its said meeting, is, except where the prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. That the Mayor, or in his absence the presiding officer of Council, and the proper officials of the municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor, or in his absence the presiding officer, and the Clerk are hereby directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and to affix the corporate seal of the municipality to all such documents.

Read a first, second and third time and finally passed this 4th day of October 4, 2022.

Mayor

Clerk