



**The Corporation of the City of Temiskaming Shores  
Regular Meeting of Council  
Tuesday, March 21, 2023 – 6:00 p.m.  
City Hall – Council Chambers – 325 Farr Drive**

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**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 – March 7, 2023

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

- a) Official Plan Amendment (OPA-2023-001) & Zoning By-Law Amendment (ZBA-2023-001)

**Owner/Applicant:** Corporation of the City of Temiskaming Shores

**Purpose of the application:** Comprehensive amendments to address legislative changes introduced by Bill 109, the More Homes for Everyone Act 2022, and Bill 23, the More Homes Built Faster Act 2022

**8. Question and Answer Period**

**9. Presentations / Delegations**

**10. Communications**

- a) Trisha Hopkins, Administrator, Northdale Manor

**Re:** Emergency Exit – Potential disposition of a portion of Dymond Cres.

**Reference:** Received for Information

- b) Annamaria Cross, Director, Environmental Assessment Modernization Branch, Ministry of Environment, Conservation and Parks

**Re:** Environmental Assessment Process

**Reference:** Received for Information

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

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

**11. Committees of Council – Community and Regional**

None

**12. Committees of Council – Internal Departments**

None

**13. Reports by Members of Council**

**14. Notice of Motions**

**15. New Business**

- a) **Memo No. 008-2023-CS - Treasurer's 2022 – Statement of Remuneration**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Whereas Section 284 (1) of the Municipal Act, 2001 states that the Treasurer of a municipality shall in each year, on or before March 31, provide to the

Council of the municipality an itemized statement of remuneration and expenses paid in the previous year to each member of Council and to each person, other than a member of Council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.

Now therefore be it resolved that Council acknowledges receipt Memo No. 008-2023-CS; and the 2022 Statement of Remuneration and Expenses as submitted by the Treasurer; and

That a copy of this statement be posted on the City's website and advertised in the City Bulletin.

b) **Memo No. 009-2023-CS - Frog's Breath Application Sponsorship - Tri Town Ski & Snowboard Village**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

That Council for the City of Temiskaming Shores approve the request from the Tri Town Ski & Snowboard Village and agrees to sponsor their application in the amount of \$150,000 to the Frog's Breath Foundation, to help fund the construction of a new building to house their rental fleet, ski school and ski patrol programs.

c) **Administrative Report - CS-011-2023 – Disposition of Land – Portion of Dymond Crecent**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

That Council hereby approves/denies the Application to purchase Municipal Land from Abdul Khaliq for a portion of Dymond Crescent as identified in Appendix 1, conditional on the approval of a Zoning By-Law Amendment application, approval of a Site Plan Agreement; and registration of any

easements required by the municipality and applicable external agencies; and further;

That if approved, Council include a clause in the agreement of purchase and sale stating that ownership will revert to the municipality in the event that an approved development does not proceed within a determined timeframe.

d) **Administrative Report PW-002-2023 – Tender Award – Supply and Delivery of Fuel**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-002-2023; and

That Council directs staff to prepare the necessary by-law to enter into a three year (3-year) agreement with Grant Fuels Incorporated for the Supply and Delivery of various fuels within the municipality at the applicable rates per fuel type for consideration at the March 21, 2023 Regular Council meeting.

e) **Memo No. 004-2023-RS – Haileybury Fire Hall – Change Order No.13**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 004-2023-RS – Change Work Order No. 13 for the Haileybury Fire Hall for information purposes.

f) **Administrative Report RS-005-2023 – Lease Agreement – Skillz**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-005-2023; and

That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Zubyck SkillZ Ltd. for the use of the Shelley Herbert-Shea Memorial Arena Dry Floor from April 8, 2023 to June 30, 2023, for consideration at the March 21, 2023 Regular Council meeting.

g) **Administrative Report RS-006-2023 – Active Travel Committee Terms of Reference**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

That Council hereby repeals By-Law 2016-105 – Terms of Reference for the Bicycle Friendly Community Committee; and further

That Council directs staff to prepare the necessary by-law to adopt the Active Transportation Committee Terms of Reference for consideration at the March 21, 2023 Regular Council meeting.

h) **Administrative Report RS-007-2023 – Arena Advertising Agreement – Brownlee Equipment**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

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

That Council directs staff to prepare the necessary by-law to enter into a 10-year agreement with Brownlee Equipment for a wall advertisement at the Don Shepherdson Memorial Arena, for a total contribution of \$7,200 plus applicable taxes, for consideration at the March 21, 2023 Regular Council meeting.

**16. By-Laws**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

By-law No. 2023-031            Being a by-law to enter into a three (3) year agreement with Grant Fuels Inc. for the supply of Petroleum Fuels for the City of Temiskaming Shores

By-law No. 2023-032            Being a by-law to into a lease agreement with Zubyck SkillZ Ltd. for use of the Shelley Herbert-Shea Memorial Arena Dry Floor Surface from April 8, 2023 to June 30, 2023

By-law No. 2023-033            Being a by-law law to adopt Terms of Reference for the Active Transportation Committee (Repeals 2016-105)

By-law No. 2023-034            Being a by-law to enter into a 10-year agreement with Brownlee Equipment for Wall Advertising at the Don Shepherdson Memorial Arena

be hereby introduced and given first and second reading.

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that:

By-law No. 2023-022            By-law No. 2023-033; and  
**(Procedural By-Law)**            By-law No. 2023-034  
By-law No. 2023-031  
By-law No. 2023-032

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) Special Meeting of Council – 2023 Budget – March 28, 2023 at 6:00 p.m.
- b) Committee of the Whole – April 4, 2023 at 3:00 p.m.
- c) Regular Meeting of Council – April 18, 2023 at 6:00 p.m.

**18. Question and Answer Period**

**19. Closed Session**

**20. Confirming By-law**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. **2023-035** 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 **March 21, 2023** be hereby introduced and given first and second reading.

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that By-law No. **2023-035** 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, March 7, 2023 – 6:00 p.m.**  
**City Hall – Council Chambers – 325 Farr Drive**

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**MINUTES**

**Land Acknowledgement**

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

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

**1. Call to Order**

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

**2. Roll Call**

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

Present: Amy Vickery, City Manager  
Kelly Conlin, Municipal Clerk  
Shelly Zubyck, Director of Corporate Services  
Matt Bahm, Director of Recreation  
Steve Burnett, Manager of Environmental Services  
Steve Langford, Fire Chief

Regrets: Councillor Melanie Ducharme

Media: 2

Members of the Public: 1

**3. Review of Revisions or Deletions to Agenda**

None

Mayor Laferriere shared condolences on the loss of Firefighter Wyatt Holtz. Council chambers observed a moment of silence in his honour.

**4. Approval of Agenda**

*Resolution 2023-059*

Moved by: Councillor Pelletier-Lavigne

Seconded by: Councillor Graydon

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

**Carried**

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

Councillor Pelletier-Lavigne has declared an in-direct Conflict of Interest on New Business Item 15 a); Request for Support; as she is employed by the Centre de Sante Communautaire du Temiskaming.

**6. Review and adoption of Council Minutes**

*Resolution 2023-060*

Moved by: Councillor Wilson

Seconded by: Councillor Foley

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

- a) Regular Meeting of Council – February 21, 2023

**Carried**

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

None

**8. Question and Answer Period**

None

**9. Presentations / Delegations**

- a) Municipal Asset Management Plan Overview – Jeremie Latour, CET,  
Engineering Technologist - City of Temiskaming Shores

Jeremie Latour provided Council with a summary of the status of the Asset Management Plan. Jeremie outlined the requirements of each Phase, and stated we are currently between Phase 1 and 2. Council's role within the plan is to provide strategic direction when it comes to establishing levels of service; and understanding there are limitations and constraints that exist. The completed plan is required by 2025.

**10. Communications**

- a) Mitch McCrank, Manager of Transportation Services, City of Temiskaming Shores

**Re:** Notice of Commencement – Transportation Study

**Reference:** Received for Information

- b) Dr. Glenn Corneil, Acting Medical Officer of Health, Timiskaming Health Unit

**Re:** Psychological Health and Safety in the Workplace

**Reference:** Received for Information

- c) The Honourable Caroline Mulroney, Minister of Transportation

**Re:** 2022-2023 Gas Tax Program Funding Allocation

**Reference:** Received for Information

- d) James Smith, Manager – Earlton-Timiskaming Regional Airport/Loomex Group

**Re:** January 2023 – Manager’s Report & January 2023 Financials

**Reference:** Received for Information

- e) Peter D. Henry, Director, Crown Forests and Lands Policy Branch, Ministry of Natural Resources

**Re:** Amendments to Ontario Regulation 161/17 – Public Lands Act

**Reference:** Received for Information

Resolution 2023-061

Moved by: Councillor Wilson

Seconded by: Councillor Foley

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

**Carried**

**11. Committees of Council – Community and Regional**

Resolution 2023-062

Moved by: Councillor Graydon

Seconded by: Councillor Pelletier-Lavigne

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

- a) Minutes of the Earlton-Timiskaming Regional Airport meeting held on January 16, 2023;
- b) Minutes of the Timiskaming Health Unit Board of Health meeting held on January 25, 2023;
- c) Minutes of the Temiskaming Shores Public Library Board meeting held on January 25, 2023; and
- d) Minutes of the Temiskaming Transit Committee meeting held on February 16, 2023

**Carried**

## **12. Committees of Council – Internal Departments**

### Resolution 2023-063

Moved by: Councillor Foley

Seconded by: Councillor Wilson

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

- a) Minutes of the Protection to Persons and Property meeting held on February 15, 2023; and
- b) Minutes of the Public Works Committee meeting held on February 15, 2023

**Carried**

## **13. Reports by Members of Council**

Councillor Mark Wilson provided Council with an overview of sessions that he attended that were hosted by the Timiskaming Health Unit including *Planet Youth* relating to preventing Substance abuse in youth. Councillor Wilson also attended a full day symposium on the importance of Public Health in Ontario.

Councillor Nadia Pelletier-Lavigne offered condolences to the family of Wyatt Holtz and informed Council of March being Francophonie month.

Mayor Jeff Laferriere highlighted his recent trip to the PDAC (Prospectors and Developers Association of Canada) Conference where there was a record-breaking number of participants in attendance. Mayor Laferriere thanked staff and our funding partners for their efforts in contributing to the success of the Northern Ontario Showcase booth.

## **14. Notice of Motions**

None

**15. New Business**

a) **Request for Support – Phlebotomy Services**

Resolution 2023-064

Moved by: Councillor Wilson

Seconded by: Councillor Foley

Whereas Council of the City of Temiskaming Shores hereby supports the Board of Directors of the Centre de sante Communautaire du Temiskaming regarding its concerns brought to the Minister of Health of Ontario regarding limited phlebotomy services in the North end of the District of Timiskaming; and

Further that this resolution be forwarded to the Honourable Sylvia Jones, Minister of Health of Ontario, MPP John Vanthof; the Executive Director and the Board of Directors of the Centre de sante Communautaire du Temiskaming.

**Carried**

b) **Administrative Report - CS-007-2023 – Procedural By-Law**

Resolution 2023-065

Moved by: Councillor Whalen

Seconded by: Councillor Graydon

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

That Council directs staff to prepare the necessary by-law to repeal and replace By-Law 2008-160, as amended being a Procedural By-law for the City of Temiskaming Shores for consideration of First and Second Reading at the March 7, 2023 Regular Council meeting.

**Carried**

c) **Administrative Report CS-008-2023 – Lease – Haileybury Family Health Team**

Resolution 2023-066

Moved by: Councillor Foley

Seconded by: Councillor Wilson

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

That Council directs staff to prepare the necessary by-law to enter into a one (1) year lease agreement with a 2% increase to the rental rates for use of office space by the Haileybury Family Health Team at the Haileybury Medical Centre for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

d) **Administrative Report CS-009-2023 – Part Lot Control Exemption: 2373775 Ontario Inc**

Resolution 2023-067

Moved by: Councillor Whalen

Seconded by: Councillor Graydon

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

That Council directs staff to prepare the necessary by-law to grant an exemption to the part-lot control provisions of the Planning Act on the lands described as: Part of PIN 61339-0756, Part of Block C Plan M79NB, Parts 1 and 2 Plan 54R-6262; Temiskaming Shores; District of Timiskaming; for consideration during the by-law portion of the March 7, 2023 Regular Council meeting.

**Carried**

e) **Administrative Report CS-010-2023 – Planning Fees Update**

Resolution 2023-068

Moved by: Councillor Graydon

Seconded by: Councillor Foley

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

That Council agrees to amend Schedule “E” to By-law 2012-039, being a by-law to adopt a schedule of department user fees and service charges and to repeal By-law 2012-056, being a by-law to prescribe a tariff of fees for the processing of planning applications made in respect to planning matters, and By-laws 2016-020 and 2019-112, both being by-laws to amend Schedule “E” to By-law 2012-056;

That Council directs staff to prepare the necessary by-law to amend By-law 2012-039 – Schedule “E” Planning, By-law and Building Services for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

f) **Memo No. 006-2023-CS – Gas Tax Allocation 2022/2023**

Resolution 2023-069

Moved by: Councillor Foley  
Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 006-2023-CS;

That Council directs staff to prepare the necessary by-law to enter into an agreement with His Majesty the King in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario for the dedicated Gas Tax Funds for the Public Transportation Program for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

g) **Memo No. 007-2023-CS – Safe Restart Agreement – Phase 4 Funding**

Resolution 2023-070

Moved by: Councillor Graydon  
Seconded by: Councillor Pelletier-Lavigne

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

That Council directs staff to prepare the necessary by-law to enter into an agreement with His Majesty the King in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario for the Safe Restart Agreement Phase 4 funding for Municipal Transit for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

h) **Administrative Report PW-001-2023 – Annual Water Reports**

Resolution 2023-071

Moved by: Councillor Whalen  
Seconded by: Councillor Graydon

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-001-2023, more specifically Appendices 01 and 02 being the 2022 Annual Reports for the water systems within the municipality in accordance with Schedule 22 of O. Reg. 170/03 being a regulation under the Safe Drinking Water Act; and

That Council hereby directs staff to notify the public of the availability of the 2022 Annual Reports in the Water System Binders located at the municipal office (325 Farr Dr.); and posted on the municipal website; and

Further that Council directs staff to forward a copy of Administrative Report PW-001-2023 to the Ministry of Environment, Conservation and Parks, Safe Drinking Water Branch - North Bay for their records.

**Carried**

**i) Memo No. 004-2023-PW – Extension of Agreement – Asphalt Patching**

Resolution 2023-072

Moved by: Councillor Foley  
Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 004-2023-PW; and

That Council directs staff to prepare the necessary by-law to amend By-Law 2022-053 to extend the agreement with Miller Paving for the provision of asphalt patching services for 2023 at a price of \$59.50/ 50 mm thickness and \$107.10/90mm thickness plus applicable taxes for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

**j) Memo No. 005-2023-PW – Extension of Agreement – Line Painting**

Resolution 2023-073

Moved by: Councillor Pelletier-Lavigne  
Seconded by: Councillor Graydon

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 005-2023-PW; and

That Council directs staff to prepare the necessary by-law to amend By-Law 2022-052 to extend the agreement with Miller Maintenance for the supply and application of Roadway Centre and/or Edge Line Painting services at various locations within the City of Temiskaming Shores for 2023 at a price of 0.413/linear metre plus applicable taxes for consideration at the March 7, 2023 Regular Council meeting.

**Carried**

k) **Administrative Report RS-004-2023 – North on Tap 2023**

Resolution 2023-074

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-004-2023; and

That Council approves the request from North On Tap for the use of municipal land on Saturday July 8th, 2023, as well as, the provision of various in-kind services including set-up and take down of the event, supply of various equipment and provision of free boat docking the day of the event.

**Carried**

**16. By-Laws**

Resolution 2023-075

Moved by: Councillor Whalen

Seconded by: Councillor Pelletier-Lavigne

Be it resolved that:

- |                     |  |
|---------------------|--|
| By-law No. 2023-022 | Being a by-law to adopt a Procedural By-law and hereby repeal By-Law 2008-160, as amended and all associated amendments <b>(First and Second Reading)</b>  |
| By-law No. 2023-023 | Being a by-law to authorize the entering into a Lease Agreement with the Haileybury Family Health Team for the rental of space at the Haileybury Medical Centre  |
| By-law No. 2023-024 | Being a by-law to remove part lot control from Part of Block C, Plan M79NB, Temiskaming Shores   |
| By-law No. 2023-025 | Being a by-law to amend By-law No. 2012-039, as amended, to adopt Schedules of Departmental User Fees and Services for the City of Temiskaming Shores: Schedule “E” Planning, By-law and Building Services, and to repeal By-laws 2012-056, 2016-020, and 2019-112 |
| By-law No. 2023-026 | Being a by-law to authorize the execution of a funding agreement between His Majesty the King in Right of  |

Ontario, represented by the Minister of Transportation for the Province of Ontario related to funding provided by the Province under the Dedicated Gas Tax Funds for Public Transportation Program - 2023

By-law No. 2023-027 Being a by-law to Authorize the Execution of the Transfer Payment Agreement between His Majesty the King in Right of Ontario, represented by the Minister of Transportation for the Safe Restart Agreement (SRA): Phase 4 Municipal Transit Funding

By-law No. 2023-028 Being a by-law to amend By-Law 2022-053 to enter into an agreement with Miller Paving Limited for the supply of labour, equipment and material for Asphalt Patching Services

By-law No. 2023-029 Being a by-law to amend By-law 2022-052 to enter into an agreement with Miller Maintenance, A Division of Miller Paving Limited for the provision of Roadway Centre and Edge Line Painting Services

be hereby introduced and given first and second reading.

**Carried**

Resolution 2023-076

Moved by: Councillor Wilson

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2023-023

By-law No. 2023-024

By-law No. 2023-025

By-law No. 2023-026

By-law No. 2023-027

By-law No. 2023-028; and

By-law No. 2023-029

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 of Council – March 21, 2023 at 6:00 p.m.
- b) Committee of the Whole – April 4, 2023 at 3:00 p.m.

**18. Question and Answer Period**

None

**19. Closed Session**

None

**20. Confirming By-law**

*Resolution 2023-077*

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that By-law No. **2023-030** 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 **March 7, 2023** be hereby introduced and given first and second reading.

**Carried**

*Resolution 2023-078*

Moved by: Councillor Graydon

Seconded by: Councillor Pelletier-Lavigne

Be it resolved that By-law No. **2023-030** be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

**Carried**

**21. Adjournment**

*Resolution 2023-079*

Moved by: Councillor Foley

Seconded by: Councillor Wilson

Be it resolved that Council hereby adjourns its meeting at 7:04 p.m.

**Carried**

# Official Plan Amendment & Zoning By-law Amendment Applications

APPLICATION NO.: OPA-2023-01 & ZBA-2023-01

APPLICANT: CORPORATION OF THE CITY OF TEMISKAMING SHORES

SUBJECT LAND: COMPREHENSIVE AMENDMENT

# Background and Purpose

Comprehensive amendments to address legislative changes introduced by Bill 109, the More Homes for Everyone Act 2022, and Bill 23, the More Homes Built Faster Act 2022, specifically:

- Ability to deem applications for site plan control complete/incomplete;
- Removal of ability to apply site plan control to residential development of 10 or fewer units;
- Requirement to allow up to 3 residential units on all “parcels of urban residential land”
  - Located within the designated settlement area(s), fully serviced with municipal water and sanitary sewer services, residential use is permitted as a principal use

# Proposed Official Plan Amendments

## 2. Interpretation

- Change to the wording of the complete application notification requirement to reflect “Planning Act requirements” rather than a specific timeline

## 3. Housing and Growth Management

### 6. Affordable Housing

- Change to the wording to replace “second dwelling unit” wording with “additional dwelling units” in keeping with Provincial legislation

### 7. Residential Intensification specific types of units with “additional dwelling units” in keeping with Provincial legislation

## 4. Community Development

### 10. Rural Area

- Change to the wording of the policy to remove reference to site plan control for specific uses and all uses on a waterbody.

## 15. Planning Tool Kit

### 2. Planning Applications

- Remove current section and replace with updated, comprehensive wording reflective of current practice and legislative amendments
- List of additional information/studies that may be required to support Planning applications
- Enabling policies for implementation of a preconsultation by-law/policy



# List of Additional Studies/Information

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- a. Source Water Protection Study;
- b. Geotechnical Study;
- c. Drainage/Stormwater Management Report;
- d. Stormwater Grading and Drainage Plan;
- e. Archaeological Assessment;
- f. Heritage Impact Assessment;
- g. Noise Study;
- h. Vibration Study;
- i. Blast Impact Study;
- j. Traffic Impact Study;
- k. Air Quality Assessment;
- l. Land Use Compatibility Study;
- m. Environmental Impact Study;
- n. Functional Servicing Report;
- o. Septage Haulage Report;
- p. Well record and drinking water test results;
- q. Confirmation of availability of potable water well;
- r. Municipal Servicing Capacity Report;
- s. Market Impact Study;
- t. Minimum Distance Separation Calculation;
- u. Mine Hazard Study;
- v. Lakeshore Capacity Assessment;
- w. Planning Justification Report;
- x. Concept Plans;
- y. Landscape Plan;
- z. Environmental Site Assessment including Record of Site Condition;
- aa. Erosion and Sediment Control Plan;
- bb. Slope Stability Study;
- cc. D4 Assessment Study;
- dd. Sun/Shade Study;
- ee. Wind Study;
- ff. Public Consultation Strategy;
- gg. Site Plan;
- hh. Site Grading Plan;
- ii. Site Servicing Plan;
- jj. Building Elevations;
- kk. Zoning Compliance Review;
- ll. Architectural Elevation Plan;
- mm. Off-Site Servicing Plan;
- nn. Details/Cross Sections Plan;
- oo. Comments from Federal and/or Provincial bodies such as the Ministry of Transportation, Ministry of Natural Resources and Forestry, Ministry of the Environment, Conservation and Parks, Ministry of Agriculture, Food and Rural Affairs, Ministry of Mines, Department of Fisheries and Oceans, Transport Canada, and Ministry of Culture, Sport and Tourism;
- pp. Confirmed zoning compliance from the City;
- qq. Confirmed conformity with the Ontario Building Code and Ontario Fire Code;
- rr. Completed Site Plan Guidelines for Accessibility Considerations Checklist;
- ss. Review by and recommendation for approval from the Temiskaming Shores Accessibility Advisory Committee

# Proposed Zoning By-law Amendments

## 3. Definitions

46. Dwelling Unit, Second – Change to Dwelling Unit, Additional: A dwelling unit permitted under Section 4.16.2

## 4. General Provisions

### 16. Number of Dwelling Units Per Lot

1. Not more than one dwelling unit may be built on any lot except where specifically permitted in a particular zone. (no changes to current wording)
2. Proposed policy on next slide

Tables 6.2, 6.3, 7.2, 7.3, 9.2, and 9.3 – change in wording from “second dwelling unit” to “additional dwelling unit”

## 6. Residential Zones

### 4. Lot Requirements

#### 1. Additional Residential Zone Requirements

(\*11) Where an additional dwelling unit is proposed in the second storey of a detached accessory building only, the maximum height of the detached accessory building shall be 8 metres.

## 7. Commercial Zones

### 3. Permitted Uses

#### 1. Notes to Permitted Uses

(\*3) Located on a lot with a legally existing single detached dwelling, semi-detached dwelling, or rowhouse dwelling only.

## 7. Commercial Zones

### 4. Lot Requirements

#### 1. Additional Commercial Zone Requirements

(\*4) Addition of the word “unit” after the word “dwelling” everywhere it appears in the clause

Table 10.3 – Zone Requirements for Other Zones – remove the phrase “excluding second dwelling unit” after “maximum number of dwelling units”

# Proposed Zoning By-law Amendments

4.16.2 *Additional dwelling unit:* Where *additional dwelling units* are permitted as an *accessory use* the following provisions shall apply:

- a) One *additional dwelling unit* may be created where permitted on a *lot* in the R1, RU, and A1 zones, or on a *lot* within the settlement area, as depicted on the Schedules, on which residential use is permitted as a *principal use*, and the lot is serviced by *private sewer and water services*;
- b) Up to two *additional dwelling units* may be created on *lots* within the settlement area, as depicted on the Schedules, on which residential use is permitted as a *principal use*, provided the *lot* is on *full municipal services*;
- c) Where one *additional dwelling unit* is permitted, the *additional dwelling unit* can be located within a permitted *single detached dwelling* or in a detached *accessory building*;
- d) Where up to two *additional dwelling units* are permitted, the *additional dwelling units* can be located within a permitted *single detached dwelling*, *semi-detached dwelling*, or *street townhouse dwelling*, or in a detached *accessory building*, provided that:
  - i. a total of one *additional dwelling unit* can be located in an *accessory building* detached from the permitted *single detached dwelling*, *semi-detached dwelling*, or *street townhouse dwelling*;
  - ii. no more than three *dwelling units* in total are located on the *lot*.
- e) The maximum floor area of each *additional dwelling unit(s)* shall not exceed the *gross floor area* of the main *dwelling unit*;
- f) Where an *additional dwelling unit* is located in a detached *accessory building* on a *lot* in the R1, RU, or A1 zone the *additional dwelling unit* shall be located within the existing developed area of the property in proximity to the principal *dwelling*;
- g) The *additional dwelling unit(s)* and main *dwelling unit* shall meet all other applicable provisions of this By-law and any other servicing, fire, health, safety, or occupancy regulations or by-laws;
- h) A minimum of one *parking space* is provided for each *additional dwelling unit* and does not result in a separate driveway being required, except in the case of a *lot* in the settlement area with access to two *public roads*, in accordance with the City's Access Control policy;
- i) Where an *additional dwelling unit* is located in a detached *accessory building*, the *additional dwelling unit* cannot be severed;
- j) An *additional dwelling unit* is not permitted on a lot with *partial municipal sewer and water services*;
- k) Where a *dwelling unit* is already located on a *lot* within an assessment area subject to an H1, H2, or H3 provision, an *additional dwelling unit* is permitted in accordance with the provisions of this Section.



# Additional Information & Considerations

## Current Zoning Provisions – Second Dwelling Units

- A high portion of residential properties in the settlement areas are currently zoned to allow up to 4 residential units (R3 Zone), including all of Haileybury
- Residential properties in the settlement areas zoned R2 currently allow up to 2 residential units (semi-detached, duplex, second dwelling unit)
- Second dwelling units are currently permitted outside of the Settlement Areas on properties zoned R1, RU, and A1

## Site Plan Control

- Amendment to Site Plan Control By-law also required – to be presented with administrative report package
- Staff investigating methods of addressing waterfront development and development covered by existing subdivision grading plans

# Application Administration & Processing

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## Public Notice and Comments

- Notice of Public Hearing:
  - Advertised in Temiskaming Speaker and Weekender beginning on March 1 (20 days before public meeting) – fulfills statutory requirement
  - Circulated to internal department heads – no concerns or objections received
  - Circulated to statutory commenting agencies under the Planning Act
    - Ontario Northland Railway provided comments – would like to be added to list of external agencies from which comments are required prior to deeming an application complete
  - No other comments or concerns have been received from statutory commenting agencies or members of the public

## Next Steps

- Administrative report package
  - Will be submitted for Council's consideration at the April 18 Regular Council meeting
  - Council will decide to approve (pass by-law) or refuse (resolution of refusal of the amendment including reasons is required for refusal) request
- Notice of Decision
  - Sent to anyone requesting the notice within 15 days of the decision being made
  - Decision can be appealed to the Ontario Land Tribunal within 20 days of the date of the Notice of Decision
    - If no appeals filed, decision is in full force and effect as of the date of the decision



March 3, 2023

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

Attn: City Council

Northdale Manor has an interest in the sale of a portion of Dymond Crescent which is directly behind our property. As this is City owned property we have used Dymond Crescent as an emergency exit for second floor Residents with wheel chairs as we can wheel people right out the west wing and down Dymond Crescent and around to Lakeshore Road.

Northdale Manor would like to be notified of any future public meetings or such regarding the proposed sale of a portion of Dymond Cres.

Please note that our address is;  
Northdale Manor  
142-130 lakeshore Road  
New Liskeard, ON P0J 1P0

Thank you for the opportunity to ask questions at the City Council meeting of February 21, 2023. As we still have many questions we are requesting to be informed of all stages of this process.

Please let me know if you require any additional information. You can contact me at 705-647-6541 ext 6. Or at [thopkins@northdalemanor.ca](mailto:thopkins@northdalemanor.ca)

Sincerely,

Trisha Hopkins, Administrator  
Northdale Manor

**Board of Directors**

**Chair:**

Doug Walsh

**Vice Chair:**

Tom Cambridge

**Treasurer:**

Patricia Willard-Ingles

**Secretary:**

Natalie Rivest

Maire Alexander

Nancy Pedersen

Jamic Hawken

Erin Montgomery

Karen Woods

Rick Lavictoire

142-130 Lakeshore Rd.  
New Liskeard, ON  
P0J 1P0  
Tel: 705-647-6541  
Fax: 705-647-5284  
[info@northdalemanor.ca](mailto:info@northdalemanor.ca)

**Ministry of the Environment,  
Conservation and Parks**

Environmental Assessment  
Modernization Branch

135 St. Clair Avenue West  
4th Floor  
Toronto ON M4V 1P5

**Ministère de l'Environnement, de  
la Protection de la nature et des Parcs**

Direction de la modernisation des processus  
d'évaluation environnementale

135, avenue St. Clair Ouest  
4<sup>e</sup> étage  
Toronto ON M4V 1P5



March 3, 2023

Good morning/afternoon,

Ontario is taking action to streamline and modernize its almost 50-year-old environmental assessment process that is too slow, unnecessarily burdensome and costly, to build Ontario while continuing to protect the environment. As part of this plan, we are making practical changes that would ensure strong environmental oversight while reducing delays to get shovels in the ground on projects that matter most to Ontario communities.

Today, on behalf of the Ministry of the Environment, Conservation and Parks, I am writing to let you know that the Municipal Class Environmental Assessment (EA) has been amended as part of the ministry's work on EA modernization.

Over the last three years, our modernization efforts have focused on ensuring strong environmental oversight while reducing delays on infrastructure projects that matter most to Ontario communities. This process includes considering input from stakeholders and Indigenous communities and streamlining requirements for low-risk municipal infrastructure projects, while maintaining strong environmental oversight and protection.

In 2019, the Ministry of the Environment, Conservation and Parks invited the proponents of class environmental assessments to review their assessment process and to propose changes to reduce duplication and better align assessment requirements with risk. We started consulting with municipalities, government agencies and Indigenous communities on the proposed amendments to the Municipal Class EA in 2020. I want to thank all who have offered feedback on the proposed amendments, through submitting comments, participating in webinars and correspondence. We have considered all comments received during the consultation, in addition to conducting our own analysis before the minister decided on the proposed amendments to the Municipal Class EA.

After careful consideration, the decision was made to approve many of the proposed amendments to the Municipal Class EA, including amendments proposed by the ministry. Various changes were made to the Municipal Class EA to update project schedules to better align the level of assessment with the environmental impact of the project. By looking at smarter, more modern ways of doing business, we're making sure important public services and infrastructure projects can get off the ground faster without unnecessary costs and delays.

Based on input received from Indigenous communities and Ministry of Citizenship and Multiculturalism (formerly the Ministry of Tourism, Culture and Sport) regarding the need to ensure the protection of archaeological resources and burial sites, an archaeological screening process will be required for various project types that are now eligible for exemption. The exemption will be conditional on the completion and outcome of the screening. The archaeological screening process consists of three questions with links to various tools and criteria developed under the *Ontario Heritage Act*. Proponents must carry out the specified research and consultation to accurately respond to each question, including consultation with Indigenous Communities, municipal governments, and Ministry of Citizenship and Multiculturalism, and may require the assistance of a licensed archaeologist. A project that the screening process applies to would not be exempt unless the archaeological screening process is completed as required, project documentation maintained and all mitigation measures that are identified through the screening process are implemented.

Please see Appendix 1 of the Municipal Class EA for more information on the new archaeological screening process.

Detailed information on the approved amendments to the Municipal Class EA, including the Minister of the Environment, Conservation and Parks' reasons for making the amendments, can be found at: <https://ero.ontario.ca/notice/019-5069>. The changes are effective as of the date of posting on the Environmental Registry of Ontario, March 3, 2023.

Proponents authorized to proceed with projects through the Municipal Class EA are required to proceed in accordance with the transition provisions set out in the amended Municipal Class EA, as it came into effect on March 3, 2023. Municipalities should review the amended Municipal Class EA to determine the impact on their project.

If you have any questions, please contact Stephen Deneault, Project Officer, by e-mail at: [Stephen.Deneault@ontario.ca](mailto:Stephen.Deneault@ontario.ca) and the Environmental Assessment Modernization Team at: [EAModernization.MECP@ontario.ca](mailto:EAModernization.MECP@ontario.ca).

Sincerely,



Annamaria Cross  
Director, Environmental Assessment Modernization Branch  
Ministry of the Environment, Conservation and Parks

# Memo

**To:** Mayor and Council  
**From:** Stephanie Leveille, Treasurer  
**Date:** March 21, 2023  
**Subject:** Treasurer’s Statement of Remuneration  
**Attachments:** Treasurer’s Statement of Remuneration - 2022

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Section 284 (1) of the *Municipal Act, S.O. 2001*, requires that in each year, on or before March 31<sup>st</sup>, the Treasurer provide Council with the Statement of Remuneration and Expenses paid in the previous year to:

- (a) “each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of Council;
- (b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and
- (c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body.”

Furthermore, subsection 284 (2) of the Act requires that the By-law under which the remuneration or expenses were authorized to be paid be identified. The Remuneration and Expenses of Council are authorized under By-law No. 2018-140 *Municipal Business Travel and Expense Policy for the City of Temiskaming Shores* as well as the annual budget process.

It is recommended that the memo and report titled Treasurer’s Statement of Remuneration – 2022 be received.

Prepared by:	Reviewed by:	Reviewed and submitted for Council’s consideration by:
<u>“Original signed by”</u>	<u>“Original signed by”</u>	<u>“Original signed by”</u>
Stephanie Leveille Treasurer	Shelly Zubyck Director of Corporate Services	Amy Vickery City Manager

## TREASURER'S STATEMENT OF REMUNERATION - 2022

### CITY OF TEMISKAMING SHORES

NAME	POSITION	REMUNERATION	OVERHEAD	CONFERENCE/ TRAVEL	TOTAL
Kidd, Carman	Mayor	\$ 29,484.68	\$ 2,324.07	\$ 1,588.72	\$ 33,397.47
Laferriere, Jeff	Councillor / Mayor	\$ 16,757.66	\$ 1,192.94	\$ 459.70	\$ 18,410.30
Ducharme, Melanie	Councillor	\$ 1,292.28	\$ 76.04	\$ -	\$ 1,368.32
Foley, Jesse	Councillor	\$ 13,999.96	\$ 979.76	\$ -	\$ 14,979.72
Graydon, Ian	Councillor	\$ 1,292.28	\$ 76.04	\$ -	\$ 1,368.32
Hewitt, Patricia	Councillor	\$ 12,707.64	\$ 895.70	\$ -	\$ 13,603.34
Jelly, Doug	Councillor	\$ 12,707.64	\$ 355.03	\$ -	\$ 13,062.67
McArthur, Mike	Councillor	\$ 14,307.64	\$ 386.23	\$ 1,631.85	\$ 16,325.72
Pelletier-Lavigne, Nadia	Councillor	\$ 1,507.66	\$ 92.52	\$ -	\$ 1,600.18
Whalen, Danny	Councillor	\$ 14,399.96	\$ 1,080.22	\$ 1,265.54	\$ 16,745.72
Wilson, Mark	Councillor	\$ 1,830.76	\$ 118.05	\$ -	\$ 1,948.81
		<b>\$ 120,288.16</b>	<b>\$ 7,576.58</b>	<b>\$ 4,945.81</b>	<b>\$ 132,810.55</b>

### TIMISKAMING HEALTH UNIT

NAME	POSITION	REMUNERATION	TRAVEL	TOTAL
Kidd, Carman	Mayor	\$ 3,260.00	\$ -	\$ 3,260.00
Foley, Jesse	Councillor	\$ 640.00	\$ -	\$ 640.00
McArthur, Mike	Councillor	\$ 1,480.00	\$ -	\$ 1,480.00
		<b>\$ 5,380.00</b>	<b>\$ -</b>	<b>\$ 5,380.00</b>

### DISTRICT TIMISKAMING SOCIAL SERVICES ADMINISTRATION BOARD

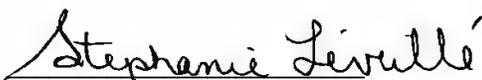
NAME	POSITION	REMUNERATION	TRAVEL	TOTAL
Foley, Jesse	Councillor	\$ 4,275.00	\$ -	\$ 4,275.00
Jelly, Doug	Councillor	\$ 3,000.00	\$ -	\$ 3,000.00
		<b>\$ 7,275.00</b>	<b>\$ -</b>	<b>\$ 7,275.00</b>

### POLICE SERVICES BOARD

NAME	POSITION	REMUNERATION	OVERHEAD	CONFERENCE/ TRAVEL	TOTAL
Jelly, Doug	Councillor		\$ -	\$ -	\$ -
Whalen, Danny	Councillor		\$ -	\$ -	\$ -
Chartrand, Monique	Appointee	\$ 600.00	\$ 51.50	\$ -	\$ 651.50
Davis, Jeffrey	Appointee	\$ 650.00	\$ 75.03	\$ -	\$ 725.03
Twarowski, Tyler	Appointee	\$ 1,050.00	\$ 125.92	\$ -	\$ 1,175.92
		<b>\$ 2,300.00</b>	<b>\$ 252.45</b>	<b>\$ -</b>	<b>\$ 2,552.45</b>

### OTHER BOARDS

NAME	Board	REMUNERATION	EXPENSES	TOTAL
Whalen, Danny	FONOM	\$ 12,325.00	\$ 7,708.20	\$ 20,033.20
Whalen, Danny	AMO	\$ -	\$ -	\$ -

  
Stephanie Leveille  
Treasurer

March 13, 2023

# Memo

**To:** Mayor and Council  
**From:** James Franks  
**Date:** March 21, 2023  
**Subject:** Frog's Breath Application Sponsorship - Tri Town Ski & Snowboard Village  
**Attachments:** Letter from Tri Town Ski & Snowboard Village

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Mayor and Council:

The City has received a request from the Tri Town Ski & Snowboard Village (TTSSV) to sponsor a request for funding support to the Frog's Breath Foundation, to help fund the construction of a new building to house their rental fleet, ski school and ski patrol programs. If successful, the TTSSV would receive \$150,000 to put towards this project. The Frog's Breath Foundation and other community funding organizations often require that applicants who are not a registered charity partner with a community agency who can accept charitable donations and provide tax receipts.

The City has sponsored applications for the Tri Town Ski & Snowboard Village in the past and the organization has fulfilled all its reporting requirements under the City's Charitable Sponsorship Policy, By-law 2018-039.

It is recommended that the City agree to sponsor this application to the Frog's Breath Foundation in support of the Tri Town Ski & Snowboard Village.

Prepared by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

James Franks  
Economic Development  
Officer

Amy Vickery Menard  
City Manager

**TRI TOWN SKI & SNOWBOARD VILLAGE**

Box 1598

New Liskeard, ON P0J 1P0

[www.tritownskivillage.ca](http://www.tritownskivillage.ca)

[info@tritownskivillage.ca](mailto:info@tritownskivillage.ca)



Monday March 13<sup>th</sup>, 2023

Mayor and Council  
City of Temiskaming Shores  
325 Farr Drive  
Haileybury, Ontario  
POJ IKO

**RE: FROG'S BREATH FUNDING**

Dear Mayor and Council,

The Tri Town Ski and Snowboard Village is applying to the Frog's Breath Foundation for \$150,000 to support the construction of our new service building which will house our expanded rental department, snow school and ski patrol.

Although we are incorporated as a not-for-profit organization, the Tri Town Ski and Snowboard Village is not a registered charitable organization. As such, the Frog's Breath Foundation requests that we obtain a 'sponsorship' from an organisation or municipality in order to receive any funds.

Therefore, on behalf of the Ski Village, it is respectfully requested that the City of Temiskaming Shores act as sponsor in regard to our application to the Frog's Breath Foundation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lorna Desmarais'.

Lorna Desmarais

Tri Town Ski and Snowboard Village Vice President

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**Subject:** Sale of Municipal Property –  
Portion of Dymond Crescent

**Report No.:** CS-011-2023

**Agenda Date:** March 21, 2023

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### **Attachments**

**Appendix 01:** Map of Area

**Appendix 02:** Enbridge Gas Information

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-011-2023; and
2. That Council hereby approves/denies the Application to purchase Municipal Land from Abdul Khaliq for a portion of Dymond Crescent as identified in Appendix 1, conditional on the approval of a Zoning By-Law Amendment application, approval of a Site Plan Agreement; and registration of any easements required by the municipality and applicable external agencies; and further;
3. That Council include in the agreement of purchase and sale; a clause stating that ownership will revert to the municipality in the event that an approved development does not proceed within a determined timeframe.

### **Background**

The City received an application from Abdul Khaliq via Knifon Developments to purchase a portion of the roadway known as Dymond Crescent. The Applicant currently owns two parcels of land on either side of the roadway, one on Davidson Street and one on the portion of Dymond Crescent; identified on Appendix 1. The portion of Dymond Crescent being requested to purchase aligns with the property owned along that section of roadway.

A public meeting was held at the February 21, 2023 Regular Council meeting where Council had the opportunity to hear comments relating to the potential disposition from staff and the public. John Knifon of JK Development also provided a brief overview of the proposed housing development for the area.

The Northdale Manor stated that they would be interested in a portion of the lane as well for Emergency Exit purposes. The Northdale Manor also requested information relating

to the proximity of the development to the property line and further what the Developer is planning to do to address the steep grade of land where the development is being proposed.

Barry Waitt, representing residents of the surrounding neighbourhood, requested that more information be made available to the residents in the area relating to the development prior to Council making a final decision on the sale of land, and further inquired whether neighbouring properties would be provided an opportunity to purchase a section of Dymond Crescent to create a buffer.

The presentation also included other written comments that had been received from neighbouring property owners who were not in favour of the land sale or potential development for a variety of reasons relating to privacy, value of their homes and quality of life.

Following the meeting, staff received the following comments from Enbridge Gas:

*Enbridge Gas Inc has completed review and we will require an easement prior to the sale of this closure and sale. Also please note that the purchaser must be made aware that we do have a pipeline in this section and must adhere to the easement with regards to structures, etc. (Identified in Appendix 2)*

### **Analysis**

Until such time that more information is made available regarding the proposed development; staff are suggesting that Council address the application to purchase municipal land as it was submitted and identified in Appendix 01. If through the Zoning By-law amendment and Site Plan processes it is determined that the entirety of the roadway is required, staff will present Council with further options at that time.

A survey will be required, at the expense of the purchaser, to provide proper delineation of the section of roadway being requested and the portion that would be retained by the Municipality.

An agreement of Purchase and Sale would be presented by By-Law once all the conditions have been satisfied and the development is approved to proceed.

### **Consultation / Communication**

- Public Notice as per By-Law 2015-160
- Public Meeting – February 21, 2023

**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

After comparing recent sales, it is recommended that if Council agrees to the conditional sale of this piece of roadway, that it be a direct sale to the Applicant for \$1,000.00, plus all costs related to the respective sale such as applicable taxes, survey costs, registration fees, all legal costs (City and Purchaser), and any fees associated with Stop up and Close (if necessary).

**Alternatives**

Council may decide to defer their decision on this Application.

**Submission**

Prepared by:	Reviewed by:	Reviewed and submitted for Council's consideration
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<i>"Original signed by"</i>	<i>"Original signed by"</i>	<i>"Original signed by"</i>
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Kelly Conlin Municipal Clerk	Shelly Zubyck, Director of Corporate Service	Amy Vickery, CMO City Manager
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**Subject:** Tender Award – Supply and  
Delivery of Fuels

**Report No.:** PW-002-2023

**Agenda Date:** March 21, 2023

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### **Attachments**

**Appendix 01:** Tender Results

**Appendix 02:** Draft Agreement (Please refer to By-Law 2023-031)

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-002-2023; and
2. That Council directs staff to prepare the necessary by-law to enter into a three year (3-year) agreement with Grant Fuels Incorporated for the Supply and Delivery of various fuels within the municipality at the applicable rates per fuel type for consideration at the March 21, 2023 Regular Council meeting.

### **Background**

The City of Temiskaming Shores procures the services of a qualified contractor for the supply and delivery of fuel services at various locations within the City of Temiskaming Shores which includes our environmental buildings, public works facilities, Marinas and Transit facility.

The work generally consists of the driver of the fuel truck attending various sites owned by the City and checking tanks and topping up as required. Delivery on an emergency basis is also expected. In the event of a power outage, our critical infrastructure buildings have generator back up, however, if the outage lasts for a significant length of time, there have been situations where fuels have been required after hours or on weekends.

The Tender documents were prepared and Tender PW-RFP-001-2023 was distributed to previous and known potential bidders and advertised on the City's web site, with closing date at 2:00 p.m. on February 23<sup>rd</sup>, 2023.

### **Analysis**

Two (2) submissions were received by the closing date, the results of which are summarized in the following table.

Fuel Type	Canada Clean Fuels	Grant Fuel
Dyed Diesel	\$1.514	\$1.4140
Clear Diesel	\$1.616	\$1.5160
Furnace Fuel	\$1.644	\$1.4760
Unleaded Regular Gas	\$1.413	\$1.3227
Premium Gas	\$1.599	\$1.5100

Prices per litre shown include rack price, all applicable taxes, overhead and profit.

The tender was analysed and was in keeping with the City's Purchasing Policy (By-Law 2017-015).

It is recommended to proceed with the low bidder, Grant Fuels. They are the City's current provider and have continued to meet and exceed expectations.

**Relevant Policy / Legislation / City By-Law**

- 2023 Public Works Capital Budget
- By-Law No. 2017-015, Procurement Policy

**Consultation / Communication**

- Consultation with City Manager throughout the project

**Financial / Staffing Implications**

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

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

**Climate Considerations**

Climate Lens has been complete. Based on the results there are no expectations for increased GHG emissions, increased temperature, or increased precipitation based on this contract. The method of fuelling is in line with current operations and no planned changes exist at this time. The use of electric vehicles may be further down the road

and the infrastructure is not quite there yet to look at the removal of fuel burning automotives.

### **Alternatives**

No alternatives were considered.

### **Submission**

Prepared by:

Reviewed and submitted for Council's  
consideration by:

*"Original signed by"*

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*"Original signed by"*

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Mitch McCrank, CET  
Manager of Transportation Services

Amy Vickery, CMO  
City Manager

Document Title: **PW-RFP-001-2023 Supply and Delivery of Fuels**

Closing Date: **Thursday, 23 February 2023**

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

Department: **Public Works**

Opening Time: **2:45 p.m.**

Attendees via teleconference: **705-672-2733 Ext. 4000**

**City of Temiskaming Shores:**

Kelly Conlin Clerk	Airianna Leveille Deputy Clerk	Mitch McCrank Manager of Transportation	
<i>Kelly Conlin</i>	—	—	

**Others (teleconference):**

<i>Tom O'Neil</i> <small>Canada Clean Fuels</small>		
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Submission Pricing

**Total Price Per Litre paid by the City as of the RFP Closing Date. Includes rack price, all applicable taxes, overhead and profit.**

Bidder: *Grant Fuels*

Dyed Diesel :	<i>1,4140</i>
Clear Diesel	<i>1,5160</i>
Furnace Fuel	<i>1,4760</i>
Regular Unleaded	<i>1,3227</i>
Premium	<i>1,5100</i>

Bidder: *Canada Clean Fuels*

Dyed Diesel	<i>1,514</i>
Clear Diesel	<i>1,616</i>
Furnace Fuel	<i>1,644</i>
Regular Unleaded	<i>1,413</i>
Premium	<i>1,599</i>

Bidder:

Dyed Diesel :	
Clear Diesel	
Furnace Fuel	
Regular Unleaded	
Premium	

Bidder:

Dyed Diesel	
Clear Diesel	
Furnace Fuel	
Regular Unleaded	
Premium	

**Note:** All offered prices are offers only and subject to scrutiny. Submissions will be reviewed for errors, omissions and accuracy by municipal staff prior to any awarding. All proponents whether successful or not will be notified of results, in writing at a later date.

# Memo

**To:** Mayor and Council  
**From:** Mathew Bahm, Director of Recreation  
**Date:** March 21, 2023  
**Subject:** Haileybury Fire Hall Project Update  
**Attachments:** Contract Change Order No. 13

---

Mayor and Council:

City staff continue to move the new Haileybury Fire Hall project towards completion in conjunction with our contractor CGV Builders. Construction is 99% completed and staff are just awaiting signoffs from building officials and engineers before receiving partial occupancy. There are a handful of items which will remain outstanding until the weather improves or the equipment is received but won't affect use of the building while the city begins moving equipment and furniture into the building.

Since the last update provided to council at the February 7, 2023, Regular Council Meeting, City staff have approved one (1) change order totalling \$12,705 plus non-recoverable HST.

CCO#13 was for \$12,705 and will see additional snow and ice guards installed on the west side of the building. This will provide additional protection from falling snow and ice and decrease the amount of staff time required to clear snow from that side of the building.

This contract change order was less than 5% of the total contract cost and within the approval authority of staff.

Prepared by:

Reviewed and submitted for Council's consideration by:

*"Original signed by"*

---

*"Original signed by"*

---

Mathew Bahm  
Director of Recreation

Amy Vickery  
City Manager



# CGV GROUP

BUILDERS • DEVELOPERS • CONSULTANTS

CGV Builders Inc.  
56 Connaught Avenue  
Cochrane, ON P0L 1C0  
T 705.272.5404  
F 705.272.3453  
E admin@cgvgroup.ca

## CONTEMPLATED CHANGE ORDER - CCO#13

**Date:** February 22, 2023      **Project Name:** Haileybury Fire Hall  
 25 Rorke Avenue, Haileybury, Ontario

**To:** The City of Temiskaming Shores      **CGV Project No.:** 202111

**Subject:** CCO#13 - Ice & Snow Guards  
**Item:** Division 05

**Attn:** Matt Bahm

Please find costs to supply & install additional Ice & Snow Guard System as shown in the attached sketch for the new Fire Hall located at 25 Rorke Avenue, Haileybury, Ontario.

Own Force	Ice & Snow Guards - Material	\$	7,200.00	
	Ice & Snow Guards - Installation (20 hours)	\$	3,800.00	\$95.00/hr each x 2 Carpenters
	General Expenses 10%	\$	1,100.00	
	Overhead & Profit 5%	\$	605.00	
	<b>Total CO</b>	<b>\$</b>	<b>12,705.00</b>	

**NOTE: Signature from owner representative is required prior to proceeding with change order.**

We reserve the right to assess the impact of the change at a later date and submit any costs related there to.

We reserve the right to correct errors or omissions

It is anticipated that all work required by this change will be done on a straight-line basis. Overtime work, if required will be billed as an additional item.

Please review and respond at your earliest

Yours truly,

CGV Builders Inc.

**JOE VEZEAU, PQS**

Project Manager/Estimator

**ACCEPTANCE OF CONTEMPLATED CHANGE ORDER - The above prices**

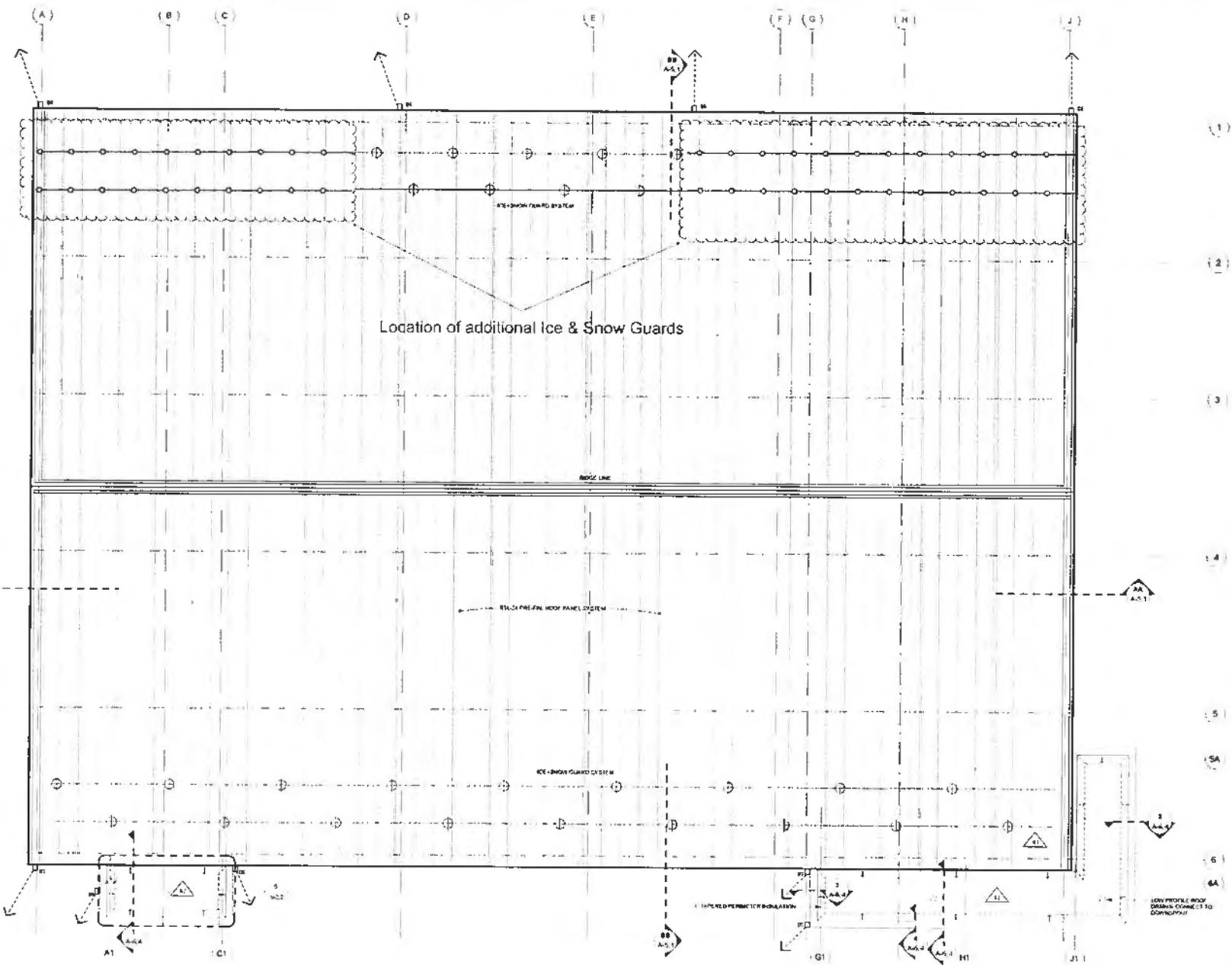
Signature:

Print Full Name and Title:

**MATT BAHM CTS**

Date of Acceptance:

**Feb 23, 2023**



ROOF PLAN  
DATE: 10/18/18

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IF DRAWING IS NOT TO BE SCALED



CGV BUILDERS  
25 Rerke Avenue  
Haileybury, Ontario  
K0A 1R0  
Tel: 519-231-1111  
Fax: 519-231-1112  
www.cgvbld.com



PROJECT: HAILEYBURY FIRE HALL  
DATE: 10/18/18  
DRAWN BY: [Signature]

LOCATION: 25 Rerke Avenue  
Haileybury, Ontario  
SHEET: ROOF PLAN  
SCALE: 1/8" = 1'-0"

DATE: 10/18/18  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: 1/8" = 1'-0"

PROJECT: HAILEYBURY FIRE HALL  
SHEET: A-2.3  
DATE: 10/18/18

MB

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**Subject:** Zubyck SkillZ Lease Agreement

**Report No.:** RS-005-2023

**Agenda Date:** March 21, 2023

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## **Attachments**

**Appendix 01:** Draft Lease Agreement (Please refer to By-Law 2023-032)

## **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-005-2023; and
2. That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Zubyck SkillZ Ltd. for the use of the Shelley Herbert-Shea Memorial Arena Dry Floor from April 8, 2023 to June 30, 2023, for consideration at the March 21, 2023 Regular Council meeting.

## **Background**

Council for the City of Temiskaming Shores received administrative report RS-004-2022 at the March 1, 2022 Regular Council meeting. That report outlined a proposed agreement between Zubyck SkillZ Ltd and the City for use of the Shelley Herbert Shea Memorial Arena dry floor. Council subsequently passed the following resolution:

*Resolution No. 2022-082*

*Moved by: Councillor Laferriere*

*Seconded by: Councillor Foley*

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

*That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Zubyck SkillZ Ltd. for the use of the Shelley Herbert-Shea Memorial Arena Dry Floor from May 1, 2022 to July 17, 2022, for consideration at the March 1, 2022 Regular Council meeting.*

***Carried***

Zubyck SkillZ Ltd utilized the Shelley Herbert-Shea Memorial Arena Floor from May 1, 2022 until June 17, 2022 as outlined within the agreement. Staff noted that there were no issues reported with their usage of the facility, and they successfully hosted numerous sport programs for local youth.

Zubyck Skillz, connected with City staff in February 2023 to discuss their interest in a renewed usage agreement for the Shelley Herbert-Shea Memorial Arena for 2023.

### **Analysis**

Analysis from previous years shows that, prior to use by Zubyck SkillZ, the Shelley Herbert-Shea Memorial Arena had been underutilized in the summer months.

Staff reviewed the proposed agreement with SkillZ and are confident that the agreement will bring a net positive value to the City. The facility will be used to provide various youth sports training opportunities which will bring increased traffic to this area of the community during the summer months. This will be another opportunity for local youths to participate in sport and recreation activities within the city.

Within the lease agreement is the option for a one (1) year extension of the lease with a 2% annual increase in payment to the City.

### **Relevant Policy / Legislation / City By-Law**

- Proposed 2023 Recreation Services Budget
- Recreation Master Plan (2020)

### **Consultation / Communication**

### **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 total amount of revenue to be received in 2023 from this lease is expected to be \$2,550.

Staff will be required to provide additional cleaning of the facility, which will be included within regular daily tasks. The additional hours necessary to clean the facility have been estimated to be 6 hours per week.

Our current revenue target for the facility is \$5,000 which includes the estimated amount from this lease.

## **Alternatives**

1. The City could release a Request-for-Proposals for use of the facility.
2. The City could decline Zubyck SkillZ Ltd. use of the facility.

## **Submission**

Prepared by:

Reviewed and submitted for Council's  
consideration by:

*"Original signed by"*

---

*"Original signed by"*

---

Mathew Bahm  
Director of Recreation

Amy Vickery, CMO  
City Manager

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**Subject:** Active Travel Committee Terms of Reference

**Report No.:** RS-006-2023

**Agenda Date:** March 21, 2023

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## **Attachments**

**Appendix 01:** Proposed Terms of Reference (Refer to By-law No. 2023-033)

## **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-006-2023;
2. That Council hereby repeals By-law 2016-105 – Terms of Reference for the Bicycle Friendly Community Committee; and further
3. That Council directs staff to prepare the necessary by-law to adopt the Active Transportation Committee Terms of Reference, for consideration at the March 21, 2023 regular Council meeting.

## **Background**

The City of Temiskaming Shores adopted the terms of reference for the Bicycle Friendly Community Committee at its regular meeting on June 7, 2016. The committee's purpose was to:

1. Advise Council on matters of a Bicycle Friendly Community including engineering, education, encouragement, enforcement, evaluation and planning, and assist Council in carrying out its bicycle friendly community program.
2. Act as a liaison between Council and the community with respect to all aspects of a bicycle friendly community within the municipality, including input in Recreation planning.
3. Provide the community with a resource and instrument for the development and implementation of a Bicycle Friendly Community
4. Promote awareness, education and participation in cycling.

Since 2016 the committee has been meeting on its regular schedule to move these objectives forward. Some of the committee's accomplishments include:

1. Award recipient of Share the Road's Bicycle Friendly Community bronze designation (2016 and 2020)
2. Creation of a comprehensive community cycling routes guide
3. The implementation of a comprehensive active travel data collection program
4. Collaboration in the City's 2020 Recreation Master Plan
5. Partnership collaboration in the City's 2021 Active Transportation Plan
6. Creation of a free community bicycle exchange

Within the Active Transportation Plan, it was recommended that the scope of the Bicycle Friendly Committee be expanded to include all forms of active travel.

One of the recommendations contained in this plan is to expand the mandate of the BFC Committee to encompass all areas of Active Transportation.

*Active Transportation Plan, Page 89*

To coincide with the new term of council, a new terms of reference was drafted for an Active Travel Committee which would be tasked with the same purpose as the Bicycle Friendly Committee while also being given a mandate to advocate for all modes of active transportation.

## **Analysis**

The proposed terms of reference are similar to those passed in By-Law 2016-105 regarding scope of the committee and its mandate. They have been updated to ensure the committee will consider all aspects of active travel within their discussions and advocacy.

The City placed an open call to the public for applications to sit on the Active Travel Committee in November 2022. A total of seven (7) members of the public were appointed to the committee by Council for its 2022-2026 term at the December 20, 2023 Regular Council meeting.

## **Relevant Policy / Legislation / City By-Law**

- City of Temiskaming Shores Recreation Master Plan (2020)
- City of Temiskaming Shores Active Transportation Plan (2021)
- By-Law no. 2016-105 TOR Bicycle Friendly Community Committee
- By-Law no. 2022-185 Appoint community representatives to various Committees and Boards for the 2023-2026 Term of Council

**Consultation / Communication**

- Consultation with City Manager

**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

Staff will provide the necessary support and collaboration to the Active Travel Committee as part of regular administrative duties.

**Alternatives**

No alternatives are being proposed by staff at this time.

**Submission**

Prepared by:

Reviewed and submitted for  
Council's consideration by:

*"Original signed by"*

*"Original signed by"*

Mathew Bahm  
Director of Recreation

Amy Vickery  
City Manager

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**Subject:** Brownlee Equipment Advertising Agreement

**Report No.:** RS-007-2023

**Agenda Date:** March 21, 2023

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### **Attachments**

**Appendix 01:** Proposed Advertisement Placement

**Appendix 02:** Draft Agreement (Please refer to By-Law 2023-034)

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-007-2023; and
2. That Council directs staff to prepare the necessary by-law to enter into a 10-year agreement with Brownlee Equipment for a wall advertisement at the Don Shepherdson Memorial Arena, for a total contribution of \$7,200 plus applicable taxes, for consideration at the March 21, 2023 Regular Council meeting.

### **Background**

The scoreboard at the Don Shepherdson Memorial Arena is in the arena bowl on the east wall of the facility. The scoreboard is placed in a position such that it is not visible or only partially visible to people who sit at that end of the facility. The scoreboard was purchased in 2005 but still meets the needs of facility users. Staff have identified the scoreboard controller as a piece of equipment that should be proactively replaced as it is an essential component of the facility and showing signs of advanced wear and tear.

At the Don Shepherdson Memorial Arena, the City of Temiskaming Shores sells board advertisements to local businesses and organizations. At the beginning of 2023 staff began proactively selling these spaces and have increased the number of advertisements from 29 to 40. At the Shelley Herbert-Shea Memorial Arena the number of advertisements has increased from 7 to 12.

Brownlee Equipment contacted the City of Temiskaming Shores in February 2023 requesting to place a board ad in both the Don Shepherdson Memorial Arena and the Shelley Herbert-Shea Memorial Arena. With the increase in the number of board ads at the DSMA, there are only two spaces available, neither of which are in a desirable location. As such, staff proposed that Brownlee Equipment purchase an ad that would be placed on the wall of the west end of the facility, at an increased rate. The City would

then purchase an auxiliary scoreboard which would be placed on the same wall next to their advertisement.

### **Analysis**

This new auxiliary scoreboard would be used in conjunction with our current scoreboard and serve two purposes. It would provide an enhanced experience for patrons of the Don Shepherdson Memorial Arena and further cement its position as a destination arena for large scale events such as NOHA and OHF Championships. Secondly it would also serve as a backup scoreboard which could be used individually if our current scoreboard were to suffer a problem which left it inoperable for any period of time.

The proposed advertisement fee for Brownlee Equipment would not only cover the purchase cost of the new scoreboard but also provide an ongoing fee for their advertisement over the course of the term of the agreement.

The proposed advertisement spot is on the west wall, above the hall windows. The flags currently in this space would be moved higher with the scoreboard and advertisement installed below them. This space is currently underutilized and can instead be used to help enhance the facility.

As part of the agreement, the City of Temiskaming Shores will complete the installation of the advertisement and scoreboard. This would take place this summer during regularly planned maintenance. Brownlee Equipment would be responsible for the cost of the advertisement and any costs for future changes to their advertisement.

### **Relevant Policy / Legislation / City By-Law**

- Proposed 2023 Recreation Services Budget
- Recreation Master Plan – By-law 2020-088

### **Consultation / Communication**

- Consultation with the Superintendent of Parks and Facilities

### **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 part of the purchase of the new scoreboard a new wireless controller must be purchased to replace the current wired controller. This new controller would control both scoreboards at the same time and was set to be purchased this year regardless as part of the proposed 2023 Recreation Operating budget. The costs associated with the City's portion of this purchase are within the estimated amount.

### **Alternatives**

Council could direct staff to renegotiate this proposed agreement with different terms.

Council could direct staff to decline this agreement.

### **Submission**

Prepared by:

Reviewed and submitted for Council's  
consideration by:

*Original signed by*

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*Original signed by*

---

Mathew Bahm  
Director of Recreation

Amy Vickery  
City Manager

**Appendix 01**

Proposed placement of auxiliary scoreboard and advertisement.



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

**By-law No. 2023-031**

**Being a by-law to enter into a three (3) year agreement with  
Grant Fuels Inc. for the supply of Petroleum Fuels for the City  
of Temiskaming Shores**

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

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

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

**Whereas** Council considered Administrative Report No. PW-002-2023 at the March 21, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a three (3) year agreement with Grant Fuels Inc. for the supply of Petroleum Fuels for consideration at the March 21, 2023 Regular Council meeting;

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

1. That the Mayor and Clerk be authorized to execute an agreement with Grant Fuels Inc. for the supply of Petroleum Fuels, a copy of which is attached hereto as Schedule "A" and forms part of this by-law.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make 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 21<sup>st</sup> day of March, 2023

---

Mayor

---

Clerk



Schedule "A" to

**By-law No. 2023-031**

Agreement between

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

and

**Grant Fuels Inc.**

for the supply of Petroleum Fuels

**This agreement**, made this 21<sup>st</sup> day of May, 2023.

Between:

**The Corporation of the City of Temiskaming Shores**  
(Hereinafter referred to as the "the City")

And:

**Grant Fuels Inc.**  
251 Gray Road, New Liskeard, ON P0J 1P0  
(Hereinafter referred to as "the Supplier")

**Whereas** the City released Tender No. PW-RFP-001-2023 for the supply of various Petroleum Fuels for the use by the City of Temiskaming Shores; and

**Whereas** the Supplier was the successful proponent of PW-RFP-001-2023;

**Now therefore**, in consideration of the mutual covenants and promises herein contained, the Parties agree as follows:

**1. Term**

The Supplier shall supply Petroleum Products to the City for a term commencing on the **1<sup>st</sup> day of April, 2023** and ending on the **31<sup>st</sup> day of March, 2026**.

**2. Petroleum Rates**

The Supplier shall supply Petroleum Products at the following rates/litre:

<b>Dyed Diesel</b>	<b>Clear Diesel</b>	<b>Furnace Fuel</b>	<b>Unleaded Fuel</b>	<b>Premium</b>	<b>Delivery Time</b>
\$1.4140	\$1.5160	\$1.4760	\$1.3227	\$1.5100	4 hours

Unit prices shall include all labour, materials, delivery, overhead, taxes, profit and all relative charges of the Supplier and represent the actual cost to the City.

The Product pricing may only fluctuate with the increase and/or decrease of the "rack price" or government tax rates as provided in writing from the Supplier on a monthly basis with the following "rack price" as the benchmark for pricing fluctuation:

**3. Deliveries**

Time shall be the essence of the contract. Goods must be delivered within the time promised, failing which the City reserves the right to cancel the order or unshipped portion thereof without penalty or prejudice.

The Supplier shall develop a routine delivery schedule to ensure fuel is readily available at all times. The fuel delivered and dispensed to City tanks shall be metered and the

meters shall be certified correct within normal tolerances approved by the Ministry of Consumer and Commercial Relations.

The Supplier hereby understands that not every location is manned and original signature for receipt may not be available at time of delivery. When such circumstance arises, the Provider shall ensure that delivery slips are forwarded to the City's accounting office by mail, (P.O. Box 2050, Haileybury, ON P0J 1K0) fax (705-672-2911) or email [finance@temiskamingshores.ca](mailto:finance@temiskamingshores.ca) at first opportunity in order to be reconciled with invoices without delay.

The fuel delivered and dispensed to City tanks shall be metered and the meters shall be certified correct within normal tolerances approved by the Ministry of Consumer and Commercial Relations.

#### **4. Emergency Delivery Response**

The City shall require fuel delivery to the Emergency Operations Centres (EOC's) and also to the sanitary pumping stations when requested. In the event of a community emergency, i.e., fire, widespread power failure, severe weather, severe flooding, etc., the Providers first priority shall be to mobilize fuel deliveries to the EOC's and pumping stations on short notice, and to connect with the City Representative in order to strategize/ minimize the impact of the emergency to the public. The critical emergency sites shall be required to be continuously operational.

#### **5. Contract Extension**

The term of this contract may be extended for an additional two year period with all terms and conditions remaining the same provided that both the City and the Supplier agree to such extension in writing.

#### **6. Safety**

While delivering on City property, The Provider's attention is drawn to the provisions of the Occupational Health & Safety Act 2010. The Supplier shall be considered the "Constructor" under the terms and conditions of this agreement. Certificates of good standing from the Workplace Safety & Insurance Board will be required before commencement of work and before final payment is made.

If at any time during the duration of the contract either the equipment or personnel are operating in an unsafe manner, the City's Director or his designate shall have the right to suspend the operation and have the equipment and the operator removed from the delivery site.

The Supplier shall report promptly to the City's Transportation Supervisor, giving full details in writing of all accidents in connection with the performance of the work, which results in property damage, death or injury.

## **7. Insurance**

While delivering on City property, the Supplier shall carry motor vehicle liability insurance having limits of not less than \$5,000,000 inclusive per occurrence for bodily injury, death and damage to property. The Provider shall provide proof of general liability insurance having limits of not less than \$5,000,000 inclusive per occurrence for bodily injury, death and damage to property and including the City as an additional insured and containing a cross liability clause.

## **8. Quantities/ Locations**

The Municipality makes no guarantee as to exact locations nor litres and therefore reserves the right to revise locations and actual litres as the situation warrants and payment will be made for actual litres delivered.

## **9. Specifications**

All goods supplied to the City must be appropriately identified as approved by the Canadian Standards Association (CSA) and/or the Underwriters Laboratories (UL), standards for safety.

## **10. Special Provisions**

The fuel products shall meet and/or exceed these and /or the latest revisions to Canadian regulations.

- **Regular Unleaded Gasoline** - CAN/CGSB-3.5-99;
- **Regular Ethanol Gas** - Canadian Environmental Protection Act Standard ECP-16-90, Section 8 (1) (b);
- **Low Sulphur Clear Diesel** - CAN/CGSB 3.6-2000, Sulphur max 0.05 wt %;
- **Regular Coloured Diesel** - CAN2-3.2-M89 Type 2, known as No. 2 Diesel Fuel.

All fuels shall meet all Federal and Provincial Regulations including sulphur reductions, sulphur in gasoline not to exceed 150 P.P.M. as at December 31, 2004 and further reduced to 30 P.P.M. thereafter, AND sulphur in diesel not to exceed 500 P.P.M. and further reduced to 15 P.P.M. by June 2006. The City reserves the right to have materials tested on an intermittent and/or ongoing basis to ensure adherence to specifications.

**Remainder of this 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 )

**Grant Fuels Inc.**

\_\_\_\_\_  
President – Gord Grant

Municipal Seal )

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Jeff Laferriere

\_\_\_\_\_  
Clerk – Kelly Conlin



Appendix 01 to  
Schedule "A" to

**By-law No. 2023-031**

Form of Agreement

**City of Temiskaming Shores  
PW-RFP-001-2023  
Supply and Delivery of Fuels**

**Form of Proposal**

Proponent's submission of bid to:

The Corporation of the City of Temiskaming Shores

We/I, GRANT FUELS INC. / GORD GRANT  
(Registered Company Name/Individuals Name)

Of, 251 Gray Road, New Liskeard, ON P0J1P0  
(Registered Address and Postal Code)

Phone Number: 705-647-6566 Email: 

All prices are F.O.B. each City location as described within. Product pricing may only fluctuate with increases and/or decreases when rack price "Toronto" as listed in the oil buyer's guide and/or government taxes change. The City of Temiskaming Shores shall be supplied with written proof of rack price changes or government tax changes when a change in pricing occurs (*Monthly adjustments as minimum requirement*). Written notification must be provided in the form of an e-mail to [mmccrank@temiskamingshores.ca](mailto:mmccrank@temiskamingshores.ca).

**The rack prices as of the RFP Closing Date are declared as follows: Please provide and enclose proof thereof.**

Dyed Diesel	Clear Diesel	Furnace Fuel	Reg. Unleaded Gas	Premium High Octane Unleaded Gas
1.0760	1.0760	1.0710	0.8600	1.0250

SUNCOR RACK CHANGES

Effective Date: February 23, 2023

Effective Time: 00:00:00

	RUL	MUL	SUL	RUL E-10%	MUL E-5%	FFO	ULSD	ULSD#1	Stove
<b>Halifax, NS</b>		<b>97.55</b>	<b>99.30</b>	<b>93.30</b>		<b>106.00</b>	<b>124.80</b>		<b>128.80</b>
Changes		-3.50	-3.50	-3.50		-2.60	-2.60		-2.60
<b>Charlottetown, PEI</b>		<b>99.35</b>	<b>101.10</b>	<b>95.10</b>		<b>107.50</b>	<b>126.30</b>		
Changes		-3.50	-3.50	-3.50		-2.60	-2.60		
<b>St. John, NB</b>	<b>93.10</b>	<b>97.35</b>	<b>103.50</b>	<b>93.10</b>		<b>105.70</b>	<b>124.50</b>		<b>128.50</b>
Changes	-3.50	-3.50	-3.50	-3.50		-2.60	-2.60		-2.60
<b>Quebec City, QC</b>		<b>101.65</b>	<b>108.40</b>	<b>94.40</b>		<b>128.60</b>	<b>129.10</b>	<b>139.10</b>	<b>139.10</b>
Changes		-3.40	-3.40	-3.40		-2.60	-2.60	-32.60	-32.60
<b>Rimouski, QC</b>	<b>95.60</b>	<b>102.85</b>	<b>109.60</b>			<b>129.80</b>	<b>130.30</b>	<b>140.80</b>	<b>140.80</b>
Changes	-3.40	-3.40	-3.40			-2.60	-2.60	-32.60	-32.60
<b>Montreal, QC</b>	<b>94.40</b>	<b>101.65</b>	<b>108.40</b>	<b>94.40</b>	<b>101.65</b>	<b>128.60</b>	<b>129.10</b>	<b>139.10</b>	<b>139.10</b>
Changes	-3.40	-3.40	-3.40	-3.40	-3.40	-2.60	-2.60	-32.60	-32.60
<b>Sarnia, ON</b>		<b>91.25</b>	<b>101.50</b>	<b>85.00</b>		<b>105.10</b>	<b>105.60</b>	<b>115.60</b>	<b>115.60</b>
Changes		-3.40	-3.40	-3.40		-2.60	-2.60	-22.60	-22.60
<b>London, ON</b>	<b>85.00</b>		<b>101.50</b>	<b>85.00</b>	<b>91.25</b>	<b>105.10</b>	<b>105.60</b>	<b>115.60</b>	<b>115.60</b>
Changes	-3.40		-3.40	-3.40	-3.40	-2.60	-2.60	-22.60	-22.60
<b>Toronto, ON</b>	<b>86.00</b>		<b>102.50</b>	<b>86.00</b>	<b>92.25</b>	<b>107.10</b>	<b>107.60</b>	<b>117.60</b>	<b>117.60</b>
Changes	-3.40		-3.40	-3.40	-3.40	-2.60	-2.60	-22.60	-22.60
<b>Hamilton, ON</b>	<b>86.00</b>		<b>102.50</b>	<b>86.00</b>	<b>92.25</b>	<b>107.10</b>	<b>107.60</b>	<b>117.60</b>	<b>117.60</b>
Changes	-3.40		-3.40	-3.40	-3.40	-2.60	-2.60	-22.60	-22.60
<b>Nanticoke, ON</b>		<b>92.25</b>	<b>104.00</b>	<b>86.00</b>		<b>107.10</b>	<b>107.60</b>	<b>117.60</b>	<b>117.60</b>
Changes		-3.40	-3.40	-3.40		-2.60	-2.60	-22.60	-22.60
<b>Ottawa, ON</b>	<b>88.50</b>	<b>94.75</b>	<b>105.50</b>	<b>88.50</b>		<b>112.60</b>	<b>113.10</b>	<b>122.90</b>	<b>122.90</b>
Changes	-3.40	-3.40	-3.40	-3.40		2.60	-2.60	-22.60	-22.60
<b>Kingston, ON</b>	<b>88.30</b>	<b>94.55</b>	<b>105.30</b>	<b>88.30</b>		<b>112.40</b>	<b>112.90</b>	<b>122.70</b>	<b>122.70</b>

**Applicable Taxes as of the RFP Closing Date:**

	Dyed Diesel	Clear Diesel	Furnace Fuel	Reg. Unleaded Gas	Premium High Octane Unleaded Gas
Excise Tax	0.0400	0.0400	—	0.1000	0.1000
Road Tax	—	0.0900	—	0.0900	0.0900
H.S.T.	13%	13%	13%	13%	13%
Carbon	0.1341	0.1341	0.1341	0.1105	0.1105

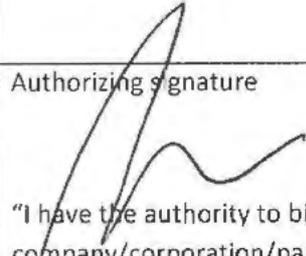
We Grant Fuels Inc. the undersigned do hereby agree to supply and deliver Gasoline, Dyed Diesel, Clear Diesel and Furnace oil to the City at the quoted prices stated hereunder.

**Unit prices quoted** must be shown in the Form of Proposal and shall include all labour, materials, installation, overhead, profit and all relative charges of the Provider and represent the actual cost to the City. The unit prices shall be used for computing additions to and deductions from the RFP closing date pricing.

	Dyed Diesel	Clear Diesel	Furnace Fuel	Reg. Unleaded Gas	Premium High Octane Unleaded Gas
Total Price per litre paid by the City as of the RFP Closing Date.	1.4140	1.5160	1.4760	1.3227	1.5100
Includes rack price, all applicable taxes, overhead and profit.	/litre	/litre	/litre	/litre	/litre

Time shall be the essence of the contract. Goods must be delivered within the time promised, failing which the Buyer reserves the right to cancel the order or unshipped portion thereof without penalty or prejudice.

The specifications have been read over and agreed to this 23<sup>rd</sup> day of February 2023

Company Name <b>GRANT FUELS INC.</b>	Contact name (please print) <b>BORD GRANT</b>
Mailing Address <b>PO BOX 2439 NEW LISKEARD, ON</b>	Title <b>PRESIDENT</b>
Postal Code <b>P0J 1P0</b>	Authorizing signature  "I have the authority to bind the company/corporation/partnership."
Telephone <b>705-647-6566</b>	Fax <b>705-647-3031</b>
Cell Phone 	Email 

**Acknowledgement of Addenda**

I/We have received and allowed for ADDENDA NUMBER N/A in preparing my/our Tender.

Form 1 to be submitted.

**City of Temiskaming Shores  
PW-RFP-001-2023  
Supply and Delivery of Fuels**

**Non-Collusion Affidavit**

I/We GRANT FUELS INC the undersigned am fully informed respecting the preparation and contents of the attached Proposal and of all pertinent circumstances respecting such bid.

Such bid is genuine and is not a collusive or sham bid.

Neither the bidder nor any of its officers, partners, owners, agents, representatives, employees or parties of interest, including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other Bidder, firm or person to submit a collective or sham bid in connection with the work for which the attached bid has been submitted nor has it in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit or cost element of the bid price or the price of any bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Temiskaming Shores or any person interested in the proposed bid.

The price or prices proposed in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Dated at: New Liskeard this 23<sup>rd</sup> day of February 2023 <sup>2</sup>

Bidder's Authorized Official: Gord Grant

Title: President

Signature: \_\_\_\_\_

Date: February 23<sup>rd</sup>, 2023

Form 2 to be submitted.

**City of Temiskaming Shores  
PW-RFP-001-2023  
Supply and Delivery of Fuels**

**Conflict of Interest Declaration**

Please check appropriate response:

I/We hereby confirm that there is not nor was there any actual perceived conflict of interest in our Proposal submission or performing/providing the Goods/Services required by the Agreement.

The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's Proposal submission or the contractual obligations under the Agreement.

List Situations:


In making this Proposal submission, our Company has / has no *(strike out inapplicable portion)* knowledge of or the ability to avail ourselves of confidential information of the City (other than confidential information which may have been disclosed by the City in the normal course of the RFP process) and the confidential information was relevant to the Work/Services, their pricing or quotation evaluation process.

Dated at: New Liskeard this 23<sup>rd</sup> day of February 2023 *W*

Signature:

Bidder's Authorized Official:

Title:

Company Name:

*[Handwritten Signature]*

Gord Grant

President

Grant Fuels Inc.

Form 3 to be submitted.

**City of Temiskaming Shores  
PW-RFP-001-2023  
Supply and Delivery of Fuels**

**Accessibility for Ontarians with Disabilities Act, 2005 Compliance  
Agreement**

I/We, by our signature below, certify that we are in full compliance with Section 6 of Ontario Regulation 429/07, Accessibility Standards for Customer Service made under the *Accessibility for Ontarians with Disabilities Act, 2005*. If requested, we are able to provide written proof that all employees have been trained as required under the act.

This regulation establishes accessibility standards for customer service as it applies to every designated public sector organization and to every person or organization that provides goods or services to members of the public or other third parties and that have at least one employee in Ontario.

Name: Gord Grant Company Name: Grant Fuels Inc

Phone Number: 705-647-6566 Email: 

I, Gord Grant, declare that I, or my company, are in full compliance with Section 6 of Ontario Regulation 429/07, Accessibility Standards for Customer Service under the Accessibility for Ontarians with Disabilities Act, 2005.

OR

I, \_\_\_\_\_, declare that I, or my company, are NOT in full compliance with Section 6 of Ontario Regulation 429/07, Accessibility Standards for Customer Service under the Accessibility for Ontarians with Disabilities Act, 2005, yet fully agree to meet the required compliance training standards on or before the delivery of the required goods and/or services. In an effort to assist non-compliant vendors, please visit: <https://www.ontario.ca/page/how-train-your-staff-accessibility>.

Form 4 to be submitted.

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

**By-law No. 2023-032**

**Being a by-law to enter into a lease agreement with Zubyck SkillZ  
Ltd. for use of the Shelley Herbert-Shea Memorial Arena Dry Floor  
Surface from April 8, 2023 to June 30, 2023**

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

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

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

**Whereas** Council considered Administrative Report No. RS-004-2023 at the March 21, 2023 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a lease agreement with Zubyck SkillZ Ltd. for use of the Shelley Herbert-Shea Memorial Arena Dry Floor space from April 8 – June 30, 2023, for consideration at the March 21, 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 a lease agreement with Zubyck SkillZ Ltd. for use of the Shelley Herbert-Shea Memorial Arena Dry Floor surface from April 8 – June 30, 2023, a copy of which is attached hereto as Schedule "A" and forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 21<sup>st</sup> day of March, 2023.

---

Mayor

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Clerk



Schedule "A" to

## **By-law No. 2023-032**

Agreement between

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

and

**Zubyck SkillZ Ltd.**

for the Lease of the Shelley Herbert-Shea Memorial Arena  
Floor Surface for the operation of a Multi Sports Youth  
Program

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

- and -

**Zubyck SkillZ Ltd.**

---

**LEASE**

---

Mathew Bahm  
Director of Recreation  
The Corporation of the City of Temiskaming Shores  
P.O. Box 2050  
Haileybury, Ontario  
P0J 1K0

THIS LEASE Agreement made this 21<sup>st</sup> day of March, 2023.

Between:

**The Corporation of the City of Temiskaming Shores**  
(herein referred to as “the Landlord”)

And:

**Zubyck SkillZ Ltd.**  
(herein referred to as “the Tenant”)

**Witnesses that in consideration** of the rents reserved and the covenants and provisos herein contained on the part of the Tenant, the Landlord hereby leases to the Tenant those certain Lands situated in the City of Temiskaming Shores, in the District of Timiskaming, being the Shelley Herbert-Shea Memorial Arena Hall, hereinafter referred to as the “Lands”. To hold the Lands for a term **commencing on the 8<sup>th</sup> day of April 2023 and ending on the 30<sup>th</sup> day of June 2023.** The rent in respect of the Lands shall be the sum of **\$2,550 + HST**, payable on the April 8<sup>th</sup>, 2023. Rental payments shall be made to The Corporation of the City of Temiskaming Shores, or as otherwise directed by the Landlord.

It is acknowledged by both parties that the Lands are limited to the following areas: main arena floor surface, arena viewing stands, change rooms, washrooms, and lobby having an entrance off of Ferguson Ave. (hereinafter referred to as “the Premises”)

### **Section One - Tenant’s Covenants:**

The Tenant covenants with the Landlord as follows;

- (a) **To pay rent** - to pay rent in the amount of \$2,550.00 plus HST; payable April 8, 2023.
- (b) **Term** - The term of the agreement shall be from April 8th, 2023, to June 30th, 2023.
- (c) **Compliance with by-laws** - to comply with and conform to the requirements of every applicable statute, law, by-law, regulation, requirement and order from time to time in force during the term of this agreement, and any extension thereof, affecting the condition, maintenance, use or occupation of the Lands or the Premises; and in so doing the Tenant shall make the necessary alterations, repair, or addition to or deletion from any part of the Premises or any equipment or other facility used in connection with or appurtenant to the Lands provided that the use of any part of the Lands as a non-conforming use under the applicable zoning by-law is not a violation of the provisions of this paragraph.
- (d) **Maintenance and Repairs** - to repair, reasonable wear and tear and damage by fire, lightning and good 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.

- (e) **Waste** - not to suffer any waste or injury to the Premises, or any part thereof, and not to use or occupy the Premises, or any part thereof, or permit them to be used or occupied for an unlawful purpose.
- (f) **Insurance** - not to use the Premises or permit items to be used for any purpose which may render the insurance on the Premises void and if the rate of insurance is increased as a result of anything done upon the Lands by the Tenant, the Tenant will pay to the Landlord as additional rent the amount by which the insurance premiums are so increased. In addition, and in any event, the Tenant, shall during the term of the lease and any renewals, at its sole costs and expense, keep in full force and effect, in the names of the Landlord and the Tenant, public liability insurance applying to all operations of the Tenant, which include bodily injury liability and property damage liability. Such policy or policies shall be for not less than \$5,000,000.00 per occurrence. The Tenant shall produce to the Landlord a Certificate of Insurance confirming the above coverage prior to taking control of the Premises.
- (g) **Alterations, new structures** - except as herein provided, not to make or permit to be made any structural alteration, addition, change or improvement to the Premises without obtaining the prior written approval of the Landlord, which approval shall not be unreasonably withheld provided the Tenant has fully complied with the terms, covenants and conditions of the lease.
- (h) **Replacement of damaged Premises** - in the event that the complete destruction of or damage to the Premises, or partial damage to the Premises, results in the Tenant’s inability to reasonably carry on his business therein the Tenant is permitted to terminate this lease by providing notice to the Landlord within fifteen (15) days of the happening of the damage or destruction. If the Tenant chooses not to terminate the lease within fifteen (15) days from the damage or destruction, the Landlord shall begin the repair or replacement thereof and with due diligence, repair or reconstruct the Premises or replace the Premises with another Premises of the same type and character and of equal value. After completing the repair, reconstruction or replacement, the balance of any insurance proceeds or other proceeds available by reason thereof belong absolutely to the Landlord.
- (i) **View state of repair** - to permit the Landlord at all reasonable times to enter and view the state of repair of the Premises.
- (j) **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;

- (k) **Nuisance** - not to do or permit a nuisance.
- (l) **Assignment** - not to sublet the Lands or any part thereof.
- (m) **Use of Premises** - not to permit the Premises to be used for any purpose other than to carry on the business of a Multi Sports Youth Program and not to carry on or permit to be carried on therein any other trade or business without the consent in writing of the Landlord.
- (n) **Name of Premises** - not to name the Premises or permit it to be named without the consent of the Landlord; such approval shall not be unreasonable withheld.
- (o) **Signs** - not to use the outer walls or windows of the Premises for any notice or name plate except as approved by the Landlord; such approval shall not be unreasonable withheld.

## Section Two - Landlord's Covenants

The Landlord covenants with the Tenant as follows:

- a) **Quiet enjoyment** - for the quiet enjoyment.
- b) **Taxes** - to pay all property taxes and rates that may be levied against the Premises.
- c) **Electricity and Water** - to pay for the electricity supplied to the premises and any water/sewer charges levied against the Premises.
- d) **Heat** - to heat the Premises.
- e) **Insurance** - The Landlord shall maintain adequate fire and other perils insurance coverage on the Premises.
- f) **Structural soundness** - to keep the Premises and common areas structurally sound and to look after any structural defects which may arise.
- g) **Snow Removal** - The Landlord will be responsible for clearing snow in the walkways in front of the Premises as per the City's regular winter maintenance schedule.
- h) **Maintenance** - to be responsible for regular maintenance of the facility as decided by the landlord.
- i) **Cleaning** - to provide regular cleaning of the premises including the provision of paper products for the washrooms. A cleaning schedule shall be mutually agreed upon by the Landlord and the Tenant for up to six (6) total hours per week. Additional cleaning shall be the Tenant's responsibility.

- j) **Equipment** - to provide the following pieces of equipment for use by the Tenant:
  - (i) Two (2) sets of cross ice hockey boards for use as floor dividers
  - (ii) Six (6) regulation sized hockey nets
  - (iii) Four (4) miniature sized hockey nets
- k) **Keys** - to provide one (1) key to access the leased space.

### Section Three - Provisos

- (a) **Renovating of fixtures** - At the expiry or earlier termination of the lease or any extension thereof, the Tenant may remove its fixtures and the fixtures of its subtenants and licensees and any persons claiming through them as long as the Tenant either compensates the Landlord for or repairs the damage resulting from the installation or removal of the fixtures.
- (b) **Non-waiver** - Any condoning, excusing or overlooking by the Landlord of any default, breach or non-observance by the Tenant of any covenant, proviso or condition herein contained does not constitute a waiver of the Landlord’s rights hereunder in respect of any continuing or subsequent default, breach or non-observance and does not defeat or affect in any way the rights of the Landlord hereunder in respect of any continuing or subsequent default, breach or non-observance. All rights and remedies herein contained on the part of the Landlord are deemed to be cumulative and not alternative.
- (c) **Default provisions** - Whenever;
  - (iv) The Tenant defaults in the payment of any installment of rent, or of any other sum payable hereunder, and the default continues for thirty (30) days; or
  - (v) The Tenant fails to perform or observe any of the covenants, agreements or provisions, conditions or provisos contained in this lease on the part of the Tenant (other than the payment of rent or other sums of money) and the failure continues for, or is not remedied within thirty (30) days next after the giving of written notice by the Landlord to the Tenant, or if the term hereby granted is taken in execution or attachment, it is lawful for the Landlord to enter upon the Premises or any part thereof in the name of the whole and this shall be at the option of the Landlord and with or without entry may terminate the lease and all the rights of the Tenant with respect to the Lands shall be absolutely forfeited. If the condition complained of reasonably requires more time to cure than the thirty-day period aforesaid, the Tenant is deemed to have complied with the remedying thereof if the Tenant has commenced remedying or curing the condition within the thirty-day period and diligently thereafter completes the same. Upon termination of the lease, the Landlord shall not disturb the possession of any subtenant of the Premises pursuant to a sublease, or an agreement to sublease, as long as the subtenant is not in default in the

performance of his obligation under the sublease or agreement to sublease.

- (d) **Bankruptcy of tenant** - The bankruptcy, insolvency or reorganization of the Tenant under any laws then applicable, or the appointment of a trustee for the benefit of creditors or a receiver, shall not be deemed a breach of this lease as long as the provisions of this lease are otherwise complied with.
- (e) **Force Majeure** - Neither the Tenant or Landlord shall be held responsible for delays in the performance of its obligations hereunder when caused by a declared state of emergency, public health emergency, pandemic or epidemic (including, but not limited to, the COVID-19 pandemic); government mandated closures; the closure of government buildings, airports, harbors, railroads, or pipelines, or other infrastructure due to a public health emergency, pandemic or epidemic; industry wide strikes, lockouts or labor disputes; acts of God; inability to obtain labor or materials or reasonable substitutes therefor that could not reasonably have been anticipated; governmental restrictions, regulations or controls; delay in issuance of permits beyond time periods typical for the jurisdiction in which the Building is located; enemy or hostile governmental action; civil commotion; fire or other casualty; and other causes beyond the reasonable control of such party (each, a “Force Majeure Event”), provided that a Force Majeure Event and the ongoing effects thereof shall not excuse any failure of Tenant to timely comply with any monetary obligations hereunder.
- (f) **Rent Abatement** - If a Force Majeure Event occurs during the Term of this Lease which reasonably precludes Tenant from constructing, renovating, opening or operating the permitted use at the Premises and the Tenant ceases such operation in the Premises, then Rent shall abate for the period commencing on the later of (a) the date on which such Force Majeure Event occurs or (b) the date on which Tenant ceases operation of the permitted use at the Premises, and ending on the earlier of (c) the date on which such Force Majeure Event concludes or (d) Tenant resumes operating the Permitted Use at the Premises.
- (g) **Right of Renewal** – The Tenant shall have the right, if not otherwise in default, of renewing the lease for a one (1) year term (2024). The use of the Premises shall be agreed upon by the Tenant and the Landlord. The rent amount to be increased by 2%. All other terms and conditions to remain the same. The Tenant shall be required to give written notice of their intention to renew the lease on or before the 31<sup>st</sup> day of December prior to the commencement of the renewal term;
- (h) **Right of termination by the Landlord** - The Landlord shall have the right to terminate this lease forthwith by leaving upon the premises, or sent by ordinary mail to his usual place of business, thirty (30) days’ notice in writing of its intention, and thereupon any payments owing to the Tenant 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.

- (i) **Right of termination by the Tenant** - the Tenant, in addition to all other rights, shall have the right to terminate this lease by providing thirty (30) days’ notice in writing of its intention, and thereupon rent and any other payments for which the City 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 City, and the City may re-enter and take possession of the Premises;
- (j) **Notices** - All notices given pursuant to this lease are sufficiently given if mailed, prepaid and registered, in the case of the Landlord, addressed as follows:

**City of Temiskaming Shores**  
P.O. Box 2050  
Haileybury, Ontario  
P0J 1K0

and in the case of the Tenant addressed to the Tenant at:

**Zubyck SkillZ Ltd.**  
c/o P.O. Box 1217  
New Liskeard, Ontario  
P0J 1P0

unless either party gives notice to the other of a change of address by registered mail. The date of receipt of any notice is deemed to be seven days after mailing.

- (k) **Amendment** - This lease may not be modified or amended except by an instrument in writing signed by the parties hereto or by their successors or assigns.
- (l) **Binding Effect** - The terms and provisions of this lease extend to, are binding upon and ensure to the benefit of the parties, their successors and assigns and shall be interpreted according to the laws of the Province of Ontario.
- (m) **Captions** - The captions appearing at the headings of the paragraphs 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 of meaning of this lease or any of its provisions.

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK**

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in )  
the presence of )

**Zubyck SkillZ Ltd.**

\_\_\_\_\_  
John Zubyck

\_\_\_\_\_  
Witness

Print Name: \_\_\_\_\_

Municipal Seal )

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Jeff Laferriere

\_\_\_\_\_  
Clerk – Kelly Conlin

**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2023-033**  
**Being a by-law to adopt Terms of Reference for the Active  
Transportation Committee (Repeals 2016-105)**

**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 RS-006-2023 at the March 21, 2023 Regular Council meeting, and directed staff to repeal By-Law No. 2016-105 for the Temiskaming Shores Bicycle Friendly Committee and to prepare the necessary by-law to adopt a new Terms of Reference for the Temiskaming Shores Active Transportation Committee for consideration at the March 21, 2023 Regular Council meeting.

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

1. That Council adopts Terms of Reference for the Temiskaming Shores Active Transportation Committee identified as Schedule "A", attached hereto and forming part of this by-law.
2. That By-law No. 2016-105 be hereby repealed.
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.

**Read a first, second and third time and finally passed** this 21<sup>st</sup> day of March, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



Schedule "A" to

**By-law No. 2023-033**

**Terms of Reference**

**Temiskaming Shores  
Active Transportation Committee**



## City of Temiskaming Shores Active Travel Committee Terms of Reference

### 1. Background

A municipal Council may by by-law and in accordance with the Procedural By-law of Council, establish an Active Travel Committee.

In December 2021, the city adopted the Active Transportation Plan, building on previous municipal planning documents and in response to the increase in support for active transportation and recreation in the city.

In establishing an Active Travel Committee, Council recognizes the importance of cycling, walking and wheeling and as an indicator of a healthy, vibrant and active community and is based on the essential elements set out in the Active Travel Plan.

### 2. Vision & Mission Statement

#### 2.1. Vision<sup>1</sup>

Active Transportation in Temiskaming Shores will be safe and accessible and contribute to a healthy, sustainable, and supportive community where people of all ages and abilities can participate.

#### 2.2. Mission

The City of Temiskaming Shores Active Travel Committee will aspire to create a great place for human powered travel. Temiskaming Shores' culture of outdoor activity and recreation will be extended to include walking, cycling and wheeling through the community, with community members feeling increasingly comfortable exploring Temiskaming Shores' natural assets and urban environments by human powered travel.

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<sup>1</sup> City of Temiskaming Shores Active Transportation Plan, Page 6

### **3. Definitions**

- “City” The Corporation of the City of Temiskaming Shores
- “Committee” The Active Travel Committee
- “Council” The Council of the City of Temiskaming Shores
- “Municipality” The land within the geographic limits of the City of Temiskaming Shores
- “Pecuniary interest” A direct or indirect interest within the meaning of the municipal Conflict of Interest Act, R.S.O, 1990, chapter M.50, as amended, and any subsequent legislation thereto.
- “Timely manner” within fifteen (15) business days, excluding holidays

### **4. Accountability**

- 4.1. The Temiskaming Shores Active Travel Committee is deemed a Committee of Council and except where prescribed herein functions in accordance with the provisions set out in the City of Temiskaming Shores Procedural By-law No. 2023-022.

### **5. Membership**

- 5.1. Two members of Council will be appointed by Council to the Active Travel Committee in accordance to the City of Temiskaming Shores’ Procedural By-law No. 2023-022. The Mayor may sit as an ex officio member.
- 5.2. As a Committee of Council, the Active Travel Committee is subject to the Procedural By-law, unless otherwise specified in this Terms of Reference.
- 5.3. The Committee will be appointed by Council and shall consist of a minimum of three (3) voting members of the public and may include up to seven (7) voting members of the public.
- 5.4. Quorum of the Active Travel Committee will be 50% + 1 of the members appointed to the Committee.
- 5.5. Members of the Active Travel Committee shall serve at the pleasure of Council without remuneration.

- 5.6. When appointing members Council shall take into consideration an applicant’s special expertise, experience, and commitment to promoting and facilitating active transportation.
- 5.7. A Committee member shall hold office for a term concurrently with the term of the appointing Council, or until successors are appointed, and may be appointed for one or more further terms.
- 5.8. The City shall advertise for Committee Members at the beginning of each new Term of Council and on an as needed basis throughout the term.

## **6. Meetings**

- 6.1. The Active Travel Committee will meet a minimum of three times per year.
- 6.2. Unless otherwise determined, all meetings will be open to the public.
- 6.3. A Chair will be elected by the members at the first annual meeting of the committee.
- 6.4. The City will assign a staff person who shall act as Secretary to the Committee and be responsible for the preparation and distribution of agenda and minutes, retention of files and records and as a resource for information gathering for the Committee. The agendas will be prepared by staff along in consultation with the Chair, with input from other members.
- 6.5. Any person(s) wishing to appear before the committee as a delegate must submit a request to the committee secretary advising of the topic or item to which they wish to speak.
- 6.6. Every member present (including the Chairperson) when a question is put, shall vote thereon unless they are disqualified to vote on the question. (i.e. declared pecuniary interest). Recommendations are “carried” if supported by majority. Only resolutions as they appear in the adopted minutes may be considered as officially representing the position of the committee.

## **7. Conduct of Members**

- 7.1. No member, individually or as a group, shall provide comment, opinion or make representation of any kind to any person or group with respect to any matter or thing relating to the function of the Active Travel Committee or Council unless authorized to do so by a resolution of the Active Travel Committee or Council.
- 7.2. Should a member knowingly violate City policies or conducts themselves in a manner deleterious to the achievement of the mandate and vision of the Active Travel Committee in respect to their membership on the Active Travel

Committee, which results in, or has the potential to result in liability/exposure to the City, Council may repeal the appointment.

- 7.3. No member shall make any commitments, financial or otherwise, in respect of the City or the Active Travel Committee or in any manner enter into any form of agreement or receive other inducements or benefits either individually or as a group with respect of their membership on the Active Travel Committee.
- 7.4. Where applicable, members shall declare a conflict of pecuniary interest and shall at all times conform with the requirements of the City of Temiskaming Shores Procedural By-law No. 2023-022.
- 7.5. Should a member fail to participate in three (3) consecutive regular meetings, or more than 50% of all regular meetings of the Committee in any calendar year exclusive of a granted leave of absence, Council may repeal the appointment.
- 7.6. Should a member request a leave of absence from the Committee, such request shall not exceed six (6) months in length and shall be made to Council through the committee.

## **8. Reporting and Monitoring**

- 8.1. The Active Travel Committee will provide Council with minutes of meetings and report on specific matters as necessary. Once approved, these minutes will be posted on the City’s website.

## **9. Objectives**

- 9.1. The Objectives of the Temiskaming Shores Active Travel Committee are to:
- 9.2. Advise Council on matters of Active Travel within the community including engineering, education, encouragement, enforcement, evaluation, and planning, and assist Council in implementing the Active Transportation Plan.
- 9.3. Act as a liaison between Council and the community with respect to all aspects of Active Travel within the municipality, including input in recreation and transportation planning.
- 9.4. Provide the community with a resource and instrument for the development and implementation of an Active Travel Community.
- 9.5. Promote awareness, education, and participation in Active Travel.

## **10. Roles and Responsibilities**

- 10.1. The Committee will act in an advisory capacity to Council in matters pertaining to Active Travel and will cooperate with other governmental agencies and civic groups in the advancement of sound cycling and walking infrastructure and programs.
- 10.2. Make recommendations to Council regarding:
  - 10.2.1. Active travel infrastructure that may exist or may be needed.
  - 10.2.2. Active travel programming that may exist or may be needed.
  - 10.2.3. The coordination of active travel infrastructure and programs with the programs of other agencies and voluntary organizations so as to ensure the most effective use is being made of community resources.
  - 10.2.4. Other active travel issues as referred to by staff
- 10.3. Community Involvement and Liaison with Community
  - 10.3.1. Develop and maintain a liaison with community groups and individuals within the municipality, District, Province, and at the Federal level, that share the objectives of the Committee in order to foster their joint objectives.
- 10.4. Information and Education
  - 10.4.1. Educate the community to encourage an active and healthy community
  - 10.4.2. Educate the community as to the role and function of the Active Travel Committee.
  - 10.4.3. Develop partnerships with the community and private sector for activities and projects that raise awareness, educate and inform the public of the benefits of Active Travel in terms of personal health and wellness, strengthening communities through social interaction, volunteerism, civic pride and aesthetics, safe communities, and community leadership.

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

### **By-law No. 2023-034**

#### **Being a by-law to enter into a 10-year agreement with Brownlee Equipment for Wall Advertising at the Don Shepherdson Memorial Arena**

**Whereas** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to 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. RS-007-2023 at the March 21, 2023 Regular Council meeting, and directed staff to prepare the necessary by-law to enter into a 10-year agreement with Brownlee Equipment for the purpose of wall advertising at the Don Shepherdson Memorial Arena; and

**Whereas** advertising revenue from this agreement will offset the cost of a new auxiliary scoreboard at the Don Shepherdson Memorial Arena; in addition to providing an enhanced experience for patrons and serve as a backup scoreboard which could be used individually if our current scoreboard was left inoperable for any period of time.

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

1. That the Mayor and Clerk be authorized to execute the Wall Advertising Agreement between Brownlee Equipment and the City of Temiskaming Shores, a copy of which is attached hereto as Schedule "A" and forms part of this by-law.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 21<sup>st</sup> day of March, 2023.

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Mayor

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Clerk



Schedule "A" to

**By-law No. 2023-034**

Agreement between

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

and

**Brownlee Equipment**

THIS Agreement made this 21<sup>st</sup> day of March, 2023

Between:

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

(herein referred to as "the City")

And:

**Brownlee Equipment.**

(herein referred to as "the Advertiser")

**Whereas** the City wishes to purchase a scoreboard for use at the Don Shepherdson Memorial Arena; and

**Whereas** the Advertiser is interested in becoming a partner with the City for the purchase of the scoreboard;

THEREFORE the parties to this agreement agree to the following covenants.

**1. ADVERTISER'S COVENANTS**

- a. Make payments of two thousand dollars (\$2,000) on July 1, 2023 and July 1, 2024.
- b. Make payments of four hundred dollars (\$400) on the first day of July commencing July 1, 2025 and ending December 31, 2032 representing an overall commitment of seven-thousand, two hundred dollars (\$7,200).
- c. Supply an advertisement sized 120" by 60" suitable to be installed in the Don Shepherdson Memorial Arena at no expense to the City.

**2. CITY'S COVENANTS**

- a. Install the Advertiser's supplied advertisement above the windows on the west wall of the arena bowl within the Don Shepherdson Memorial Arena.
- b. Purchase and install a scoreboard to be placed next to the Advertiser's advertisement on the west wall of the arena bowl within the Don Shepherdson Memorial Arena.
- c. Ensure the advertisement and the scoreboard are installed by August 1, 2023, or within 7 days of receipt of both items, whichever is later.
- d. Review and provide final approval of the Advertiser's proposed advertisement.



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

**By-law No. 2023-035**

**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 March 21, 2023**

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

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

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

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

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

1. That the actions of the Council at its Regular meeting held on **March 21, 2023** with respect to each recommendation, by-law and resolution and other action passed and taken or direction given by Council at its said meeting, is, except where the prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. That the Mayor, or in his absence the presiding officer of Council, and the proper officials of the municipality are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor, or in his absence the presiding officer, and the Clerk are hereby directed to execute all documents required by statute to be executed by them, as may be necessary in that behalf and to affix the corporate seal of the municipality to all such documents.

**Read a first, second and third time and finally passed** this 21<sup>st</sup> day of March, 2023

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Mayor

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Clerk