



The Corporation of the City of Temiskaming Shores  
Regular Meeting of Council  
Tuesday, August 4, 2015  
6:00 P.M.  
City Hall Council Chambers – 325 Farr Drive

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Agenda

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

Draft Motion

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 Motion

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

- a) Regular Meeting of Council – July 7, 2015

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

8. **Question and Answer Period**

9. **Presentations / Delegations**

- a) Certificates of Appreciation – Armstrong Street Fire (August 4, 2015)

**Re:** Presentation from the Fire Chief

- b) Linda Roberts – Protect Lorrain Valley Coalition

**Re:** Wind Turbine Proposal – Lorrain Township

- c) Dan Burns – 1275 Lakeshore Road South

**Re:** Plastic Shelters

10. **Communications**

- a) Vince Hawkes, Commissioner – Ontario Provincial Police

**Re:** Superintendent M.M. (Marc) Bedard assuming role of Commander of the Municipal Policing Bureau

**Reference:** Received for Information

- b) Cindy Anne Maher, Clerk – New Tecumseth

**Re:** Request for Support – Electricity Rates

**Reference:** Received for Information

- c) Elizabeth Wagdin, Stakeholder Outreach Coordinator – Canadian Energy Pipeline Association (CEPA)

**Re:** Overview of various CEPA initiatives

**Reference:** Received for Information

- d) Shelly Reed, Chairprson – Tweed Disaster Relief Committee

**Re:** Request for financial support

**Reference:** Referred to Treasurer

- e) Garvin Cole – HR North – Skills International

**Re:** Partnership to Impact the Region's Economy

**Reference:** Referred to Treasurer

- f) Honourable Bill Mauro, Minister – Ministry of Natural Resources and Forestry

**Re:** Crown Land Acquisition Opportunities to Support Cottage Lot Development in the North

**Reference:** Referred to Director of Community Growth and Planning

- g) Student Society – Northern Ontario School of Medicine

**Re:** 2015-2016 Student Society Sponsorship Package

**Reference:** Referred to the Treasurer

- h) Jim Jessop, Chief of Emergency Management – Office of the Fire Marshal

**Re:** Fire Marshal's Directive: 2015-002 "Reporting of Fires and Explosions requiring Investigation

**Reference:** Referred to the Fire Chief

- i) Francois Poirier, President – Energy East

**Re:** Thank you for Council Support (Resolution 2014-531)

**Reference:** Received for Information

- j) Honorable Michael Gravelle, Minister of Northern Development and Mines

**Re:** Follow up OGRA/ROMA Delegation – Economic and Service Hub/Surplus ONTC lands

**Reference:** Referred to Senior Staff

- k) Randy Pettapiece, MPP – Perth-Wellington

**Re:** Request for Support – Fairness in Provincial Infrastructure Funds

**Reference:** Received for Information

- l) Friday Lake Wind Energy Centre – Lorrain Township

**Re:** Notice of Community Meeting – Tuesday, August 11, 2015 (5 – 8 pm) – Haileybury Legion – 373 Broadway Street

**Reference:** Received for Information

- m) Chelsea Plante, Minister's Office – Ministry of Agriculture, Food and Rural Affairs

**Re:** News Release – Applications open for Ontario Community Infrastructure Fund

**Reference:** Referred to Senior Management

Draft Motion

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

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

Draft Motion

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

- a) Minutes of the District of Timiskaming Social Services Administration Board meeting held on May 20, 2015;
- b) Minutes of the Police Services Board meeting held on July 20, 2015;
- c) Minutes of the Earlton-Timiskaming Regional Airport Municipal Services Board meeting held June 18, 2015 and June 2015 Airport Report;
- d) Minutes of the Temiskaming Shores Accessibility Advisory Committee meeting held on May 20, 2015;
- e) Minutes of the Temiskaming Shores Accessibility Advisory Committee meeting held on June 17, 2015;

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

Draft Motion

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

- a) Minutes of the    meeting held on    ;

**13. Reports by Members of Council**

**14. Notice of Motions**

**15. Closed Session**

Draft Motion

Be it resolved that Council agrees to convene in Closed Session at \_\_\_\_\_ pm to discuss the following matters:

- a) Under Section 239 (2) (c) of the Municipal Act, 2001 – Proposed Disposition of Land – Maple Street (North Cobalt) – Confidential Administrative Report No. CGP-035-2015

Draft Motion

Be it resolved that Council agrees to rise with report at \_\_\_\_\_ pm.

- a) **Under Section 239 (2) (c) of the Municipal Act, 2001 – Proposed Disposition of Land – Maple Street (North Cobalt) / Groom Drive Subdivision – Confidential Administrative Report No. CGP-035-2015**

**16. New Business**

- a) **2015 Operating Financial Report – January to June**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of the 2015 Operating Financial Report – January to June for information purposes.

- b) **July 2015 Capital Financial Report**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of the July 2015 Capital Financial Report for information purposes.

- c) **Declaration of Surplus Land – Groom Drive Subdivision**

Draft Motion

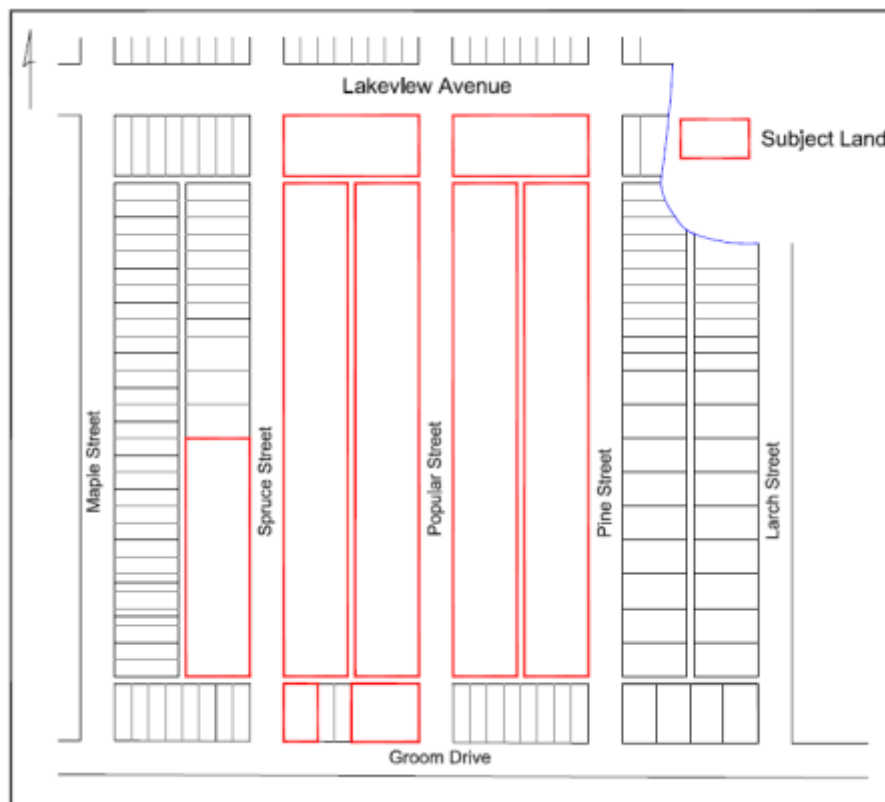
Whereas Section 1.9 of the City’s Disposal of Real Property Policy (By-law No. 2004-031) states that Council must declare property as surplus through resolution prior to disposal; and

Whereas Section 3.7 states that a minimum of five (5) days notice of a proposed sale shall be given to the public including a brief description, legislative requirements and the pertinent dates that Council will consider the matter; and

Whereas public notice was placed in the Temiskaming Speaker on June 24, 2015 of Council’s intent to sell municipal real property.

Now therefore be it resolved that Council of the City of Temiskaming Shores declares the following lands to be surplus to the municipality’s needs:

**Subject Lands – General Map**



**Subject Lands**

PIN No.	Roll No. 030-009-	Street	Legal Description / PIN No. (Plan M-52 N.B.)	Size
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61355-0229	323	Lakeview (south side)	Odd Lots 333 to 347	262' x 118'
61355-0240	327	Lakeview (south side)	Odd Lots 317 to 347	262' x 118'
61355-0230	323	Poplar (east side)	Even Lots 12 to 68	957' x 124'
61355-0235	323	Poplar (west side)	Odd Lots 11 to 67	957' x 124'
61355-0234	323	Spruce (east side)	Even Lots 12 to 68	957' x 124'
61355-0456	323.03	Pine (west side)	Lot 67	33' x 124'
61355-0457	323.02	Pine (west side)	Lot 65	33' x 124'
61355-0231	323	Pine (west side)	Odd Lots 11 to 63	891' x 124'
61355-0523	544	Spruce (west side)	Lots 35 and 37	66' x 124'
61355-0493	544	Spruce (west side)	Odd Lots 27 to 33	132' x 124'
61355-0275	544	Spruce (west side)	Lots 23 and 25	66' x 124'
61355-0084	544	Spruce (west side)	Lots 15 to 21	132' x 124'
61355-0094	544	Spruce (west side)	Lots 11 and 13	66' x 124'
61355-0238	323	Groom (north side)	Lots 346 and 348	66' x 113'
61355-0237	323	Groom (north side)	Even Lots 344 to 340	131' x 113'

**d) Declaration of Surplus Land – 69 Railway Street**

*Draft Motion*

Whereas Section 1.9 of the City's Disposal of Real Property Policy (By-law No. 2004-031) states Council must declare property as surplus through resolution prior to disposal; and

Whereas Section 3.7 states that a minimum of five (5) days notice of a proposed sale shall be given to the public including a brief description, legislative requirements and the pertinent dates that Council will consider the matter; and

Whereas public notice was placed in the Temiskaming Speaker on June 24, 2015 of Council's intent to sell municipal real property.

Now therefore be it resolved that Council of the City of Temiskaming Shores declares the following lands to be surplus to the municipality's needs:

**Subject Land:** laneway described as Part 1 on Plan 54R-5861 abutting Lots 68-73 on Plan M-71 N.B. – PIN 61354-0443



e) **Memo No. 030-2015-CGP – Sale of various municipally owned residential lots**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 030-2015-CGP;

That Council hereby directs staff to commence a public process to sever Lot 160 on Plan M-77 N.B. for the purpose of lot addition for abutting land owners at 154 Meridian and 160 Meridian with associated costs being assumed by the two abutting two landowners.

f) **Memo No. 030-2015-CGP – Sale of various municipally owned residential lots**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 030-2015-CGP;

That Council hereby directs staff to advertise the following residential lots for sale to the general public in the amount of \$17,825 plus HST per property:

Property	Description	Size
1	Lot 73 Plan M-30 N.B. – Albert Street	50' x 125'
2	Lot 74 Plan M-30 N.B. – Albert Street	50' x 125'
3	Lot 75 Plan M-30 N.B. – Albert Street	50' x 125'
4	Lot 186 & 187 Plan M-48 N.B. – Rorke Avenue	100' x 100'
6	Lot 121 & 123 Plan M-52 N.B. – 123 Carter Blvd.	100' x 100'

g) **Administrative Report No. CGP-033-2015 – Contract Award – P.A. Blackburn Limited - Certified Site Program – Dymond Industrial Park**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-033-2015; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with P.A. Blackburn Limited for the completion of the Certified Site Program requirements for the Dymond Industrial Park at an upset cost of \$ 52,900 plus applicable taxes for consideration at the August 4, 2015 Regular Council meeting

**h) Administrative Report No. CGP-034-2015 – Business Alliance Program**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-034-2015;

That Council supports in principle the Business Alliances program presented by RDÉE Ontario and AFMO;

That Council declines the invitation to send Council delegates as part of the Trade Mission to France; and

That Council directs the Economic Development Officer to ensure that local/regional businesses in the mining supply and service sector are aware of the opportunities offered by the RDÉE Ontario/AFMO Trade Mission.

**i) Administrative Report No. CGP-036-2015 – Disposal of Land – 69 Railway Street – Rutledge Laneway**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-036-2015;

That Council declares the laneway described as: PIN Part 61354-0443 Part of lane abutting Lots 68-73, Plan M-71 N.B. Part 1 on Plan 54R-5861; City of Temiskaming Shores, District of Timiskaming surplus to the City's needs;

That Council directs staff to prepare the necessary by-laws to Stop up and Close the laneway and transfer ownership to Susan Rutledge for consideration at the August 4, 2015 Regular Council meeting;

That Council agrees to retain George Kemp, Solicitor with Kemp Pirie and pay all legal and land titles costs for registration of the road closing by-law

and for the transfer of the land to the abutting property owner at 69 Railway Street.

**j) Administrative Report No. CGP-038-2015 – Zoning By-law Amendment ZBA-2015-05 (D) – Pro-Nor Developments (T. Shores) Ltd.**

*Draft Motion*

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-038-2015;

That Council agrees to amend the provisions of the Township of Dymond Zoning By-law 984 to permit zone change from General Industrial (M1) to Shopping Centre Commercial Exception 1 (C2-E1) with the addition of a motel as a permitted use; and

That Council directs staff to prepare the necessary by-law to amend the Township of Dymond Zoning By-law 984 for consideration at the September 1, 2015 Regular Council meeting.

**k) Memo No. 005-2015-CS – Various Agreements with Jarlette Ltd. – 100 Bruce Street**

*Draft Motion*

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 005-2015-CS;

That Council directs staff to prepare the necessary by-law for the purchase of Part 1 on Plan 54R-5747 from Jarlette Ltd. for the construction of a Cul-de-Sac on Bruce Street;

That Council directs staff to prepare the necessary by-law for the sale of Parts 3, 4, 5, 9 and 10 on Plan 54R-5747 to Jarlette Ltd. for future expansion; and

That Council directs staff to prepare the necessary by-law for an Easement Agreement with Jarlette Ltd. for the maintenance of a municipal watermain – 100 Bruce Street.

**l) Memo No. 006-2015-CS – Amendments to By-law No. 2012-101 – Traffic By-law**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 006-2015-CS; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2012-101 (Traffic by-law) to incorporate various stop signs and remove the crosswalk at the Haileybury Public School for consideration at the August 4, 2015 Regular Council meeting.

**m) Memo No. 007-2015-CS – ATV Amendments**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 007-2015-CS;

That Council directs staff to provide notice of a public meeting for the purpose of proposed amendments to By-law No. 2009-023 being a policy for the use of Off-Road Vehicles within the City of Temiskaming Shores to be held at the September 1, 2015 Regular Council meeting; and

That Council directs staff to obtain feedback from the Police Services Board on the proposed amendments.

**n) Supplemental Administrative Report No. CS-023-01-2015 – Delegation of Powers**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Supplemental Administrative Report No. CS-023-01-2015; and

That Council hereby approves the modifications to By-law No. 2015-141 and agrees to consider Third and Final Reading of By-law No. 2015-141, as modified, at the September 1, 2015 Regular Council meeting.

**o) Administrative Report No. PPP-009-2015 – False Alarm By-law Revisions**

Draft Motion

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-009-2015; and

That Council directs staff to prepare the necessary by-law to adopt a new False Alarm Reduction By-law and Repeal By-law No. 2007-169 for consideration at the September 1, 2015 Regular Council meeting.

**p) Memo No. 010-2015-PW – Assumption of Primary Services for the Lorne Avenue Subdivision**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 010-2015-PW; and

That Council directs staff to prepare the necessary by-law for the assumption of Primary Services for Lorne Avenue for consideration at the August 4, 2015 Regular Council meeting.

**q) Memo No. 011-2015-PW – Request for additional Waste Collection – Cobalt-Haileybury Curling Club**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 011-2015-PW; and

That Council hereby denies the request from the Cobalt-Haileybury Curling Club for additional waste collection services.

**r) Administrative Report No. PW-045-2015 – LED Street Light Installation**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-045-2015;

That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the award of the contract to Miller Maintenance for the installation of our LED street lights, as detailed in Request for Proposal PW-RFP-008-2015 for a total upset limit of \$146,115 plus applicable taxes; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the August 4, 2015 Regular Council meeting.

**s) Memo 003-2015-RS – Healthy Kids Community Challenge Transfer Payment Agreement**

Draft Motion

Be it resolved that the Council for the City of Temiskaming Shores acknowledges receipt of Memo 003-RS-2015; and

That Council direct staff to prepare the necessary by-law to enter into a Funding Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long Term Care - Healthy Kids Community Challenge Program to a maximum of \$375,000 for consideration at the August 4, 2015 Regular Council meeting.

**t) Administrative Report No. RS-005-2015 – Waterfront Playground Parks – Accessible Surfacing**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-005-2015;

That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the supply and installation of rubberized accessible playground surfacing at Algonquin Beach Park, Mini-Putt, Camsell Park and Harborfront Park to Ure-Tech Surfaces Incorporated for a total upset limit of \$209,129.91 plus applicable taxes; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the August 4, 2015 Regular Council meeting.

**u) Administrative Report No. RS-006-2015 – Ontario Municipal Cycling Infrastructure Program – Expression of Interest**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-006-2015; and

That Council directs staff to submit an Expression of Interest to the Ministry of Transportation Ontario Municipal Cycling Infrastructure Program in the amount of \$325,000 with the municipality designating \$214,750 in the 2016 and 2017 municipal Capital Budget towards the project and the South Temiskaming Active Travel Organization donating \$214,750 towards the project.

**17. By-laws**

Draft Motion

Be it resolved that:

By-law No. 2015-156 Being a by-law to enter into an Encroachment Agreement with Timothy Charles Richer and Wilhelmina Frances Richer owners of the Subject Property – 465 Lakeshore Road North – Part 5 on Plan 54R-1614 – Roll No. 54-18-010-008-079.00

By-law No. 2015-157 Being a by-law to enter into an Easement Agreement with Richard Graves – Municipal Storm System – 370 Agnes Avenue

By-law No. 2015-158 Being a by-law to enter into an Easement Agreement with Marjolaine and Raymond Lantaigne – Municipal Water and Sanitary – 469 Lakeshore Road North

By-law No. 2015-159 Being a by-law to enter into a Land Lease Agreement with Andrea Leis and Jason Leis for the use of municipal owned land for the storage of landscaping materials

- By-law No. 2015-160      Being a by-law to adopt a Procedural Policy for the Disposal of Real Property
- By-law No. 2015-161      Being a by-law to enter into an agreement with Markey Consulting to provide event management services for the Northern Ontario Showcase event Prospectors and Developers Association of Canada (PDAC) – 2016, 2017 and 2018 Conventions
- By-law No. 2015-162      Being a by-law to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing at Algonquin Beach Park, Mini-Putt, Camsell Park and Harbourfront Park
- By-law No. 2015-163      Being a by-law to amend By-law No. 2015-012 being a by-law to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program **East side** of Hawn Drive within the City of Temiskaming Shores
- By-law No. 2015-164      Being a by-law to amend By-law No. 2015-013 being a by-law to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program **West side** of Hawn Drive within the City of Temiskaming Shores
- By-law No. 2015-165      Being a by-law to authorize the Purchase of Land from Jarlette Ltd. for the construction of a Cul-de-Sac on Bruce Street south of Algonquin Avenue



- By-law No. 2015-166      Being a by-law to authorize the Sale of Land to Jarlette Ltd. being Parts 3, 4, 5, 9 and 10 on Plan 54R-5747 on Bruce Street
- By-law No. 2015-167      Being a by-law to enter into an Easement Agreement with Jarlette Ltd. – Municipal Watermain – 100 Bruce Street
- By-law No. 2015-168      Being a by-law to Stop up and Close a Highway being the laneway described as Part 1 on Plan 54R-5861 abutting Lots 68 to 73 on Plan M-71 N.B. – PIN 61354-0443
- By-law No. 2015-169      Being a by-law to authorize the Sale of Land to Susan Rutledge (laneway described as Part 1 on Plan 54R-5861 abutting Lots 68 to 73 on Plan M-71 N.B. – PIN 61354-0443)
- By-law No. 2015-170      Being a by-law to enter into a funding Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-term Care to support Healthy Kids Community Challenge – File No. HLTC5047FL-2014-23
- By-law No. 2015-171      Being a by-law for the Assumption of Municipal Services for the Lorne Avenue Development
- By-law No. 2015-172      Being a by-law to amend By-law No. 2012-101 (Traffic By-law), as amended to recognize stop signs on Radley’s Hill Road, Hawn Drive and Dump Road as well as removal of the Crosswalk at the Haileybury Public School

By-law No. 2015-173      Being a by-law to enter into an agreement with Miller Maintenance Limited for the installation of LED Street Light Fixtures and Fuse Kits at various locations within the City of Temiskaming Shores

By-law No. 2015-174      Being a by-law to enter into an agreement with P.A. Blackburn Limited for the preparation of a Certified Site Program Designation for the Dymond Industrial Park

be hereby introduced and given first and second reading.

*Draft Motion*

Be it resolved that:

- By-law No. 2015-156;
- By-law No. 2015-157;
- By-law No. 2015-158;
- By-law No. 2015-159;
- By-law No. 2015-161;
- By-law No. 2015-162;
- By-law No. 2015-163;
- By-law No. 2015-164;
- By-law No. 2015-165;
- By-law No. 2015-166;
- By-law No. 2015-167;
- By-law No. 2015-168;
- By-law No. 2015-169;
- By-law No. 2015-170;
- By-law No. 2015-171;
- By-law No. 2015-172;
- By-law No. 2015-173; and
- By-law No. 2015-174;

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

Draft Motion

Be it resolved that By-law No. 2015-175 being a by-law to authorize the Sale of Land to Eveline R. Gauvreau Ltd. being various lots within North Cobalt between Lakeview Avenue, Groom Drive, Maple Street and Mill Creek be given first and second reading.

Draft Motion

Be it resolved that By-law No. 2015-175 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

**18. Schedule of Meetings**

- a) Regular Meeting of Council – Tuesday, September 1, 2015 at 6:00 p.m.
- b) Regular Meeting of Council – Tuesday, September 15, 2015 at 6:00 p.m.

**19. Question and Answer Period**

**20. Closed Session**

Draft Motion

Be it resolved that Council agrees to reconvene in Closed Session at \_\_\_\_\_ pm to discuss the following matters:

- b)** Adoption of the July 7, 2015 – Closed Session Minutes;
- c)** Under Section 239 (2) (c) of the Municipal Act, 2001 – Proposed Acquisition of Land – Dawson Point Road – Confidential Administrative Report No. CGP-037-2015
- d)** Under Section 239 (2) (d) of the Municipal Act, 2001 – Labour Relations – HR Update

**21. Confirming By-law**

Draft Motion

Be it resolved that By-law No. 2015-176 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 **August 4, 2015** be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that By-law No. 2015-176 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

**22. Adjournment**

Draft Motion

Be it resolved that City Council adjourns at \_\_\_\_\_ pm.

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



**The Corporation of the City of Temiskaming Shores**  
**Regular Meeting of Council**  
**Tuesday, July 7, 2015**  
**6:00 P.M.**  
**City Hall Council Chambers – 325 Farr Drive**

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**Minutes**

**1. Call to Order**

The meeting was called to order by Deputy Mayor Mike McArthur at 6:00 p.m.

**2. Roll Call**

Present: Deputy Mayor Mike McArthur  
Councillors Jesse Foley, Doug Jelly, Patricia Hewitt and Danny Whalen

Also  
Present: Christopher W. Oslund, City Manager  
David B. Treen, Municipal Clerk  
Doug Walsh, Director of Public Works  
Tammie Caldwell, Director of Recreation  
Shelly Zubyck, Director of Corporate Services  
Karen Beauchamp, Director of Community Growth and Planning  
Tim Uttley, Fire Chief  
Jennifer Pye, Planner

Regrets: Mayor Carman Kidd and Councillor Jeff Laferriere

Media: Diane Johnston, Temiskaming Speaker  
Jim Patrick, CJTT

Members of the Public Present: 12

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

*Additions:*

**Under Item 9 – Presentations / Delegations**

- a) Introduction – OPP Staff Commander – Inspector Brent Cecchini

**4. Approval of Agenda**

*Resolution No. 2015-416*

Moved by: Councillor Foley

Seconded by: Councillor Jelly

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

**Carried**

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

None

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

*Resolution No. 2015-417*

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

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

- a) Regular Meeting of Council – June 16, 2015
- b) Special Meeting of Council – June 18, 2015

**Carried**

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

*7.1 Zoning By-law Amendment – Shepherdson Road*

**Application No.:** ZBA-2015-05(D)

**Owner:** Pro-Nor Developments Ltd.

**Subject Land:** Part of 177150 Shepherdson Road, Plan 54R-5840 Part 1, South of Bolger Avenue between Shepherdson Road and Highway 11

**Purpose of the Application:** Site specific amendment to re-zone the property from General Industrial (M1) to Shopping Centre Commercial with an exception (C2-E) to add a hotel as a permitted use in the C2 zone

- Proposed initial development is a medical clinic
- Applicant has requested C2 zoning to permit all uses included therein as well as a hotel to facilitate further development of the property

Deputy Mayor McArthur stated that the public meeting scheduled tonight is for one Zoning By-law Amendment and that the Planning Act requires that a public meeting be held before Council decides whether to pass a by-law adopting a proposed amendment.

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

Deputy Mayor McArthur declared the meeting to be open and to be a public meeting pursuant to Section 34 of the Planning Act and is for Application No. ZBA-2015-05(D) by Pro-Nor Developments (T. Shores) Ltd. and is to change the zoning of the property from General Industrial to Shopping Centre Commercial with an exception.

Deputy Mayor McArthur requested that Planner Jennifer Pye to present the application.

Jennifer Pye, utilizing a powerpoint, stated that this is a site specific amendment to rezone from General Industrial (M1) to Shopping Centre Commercial with an Exception (C2-E) to add a hotel as a permitted use in the C2 zone. The property is currently being developed for a medical centre. Jennifer indicated that the subject land is designated Mixed Use Area in the Official Plan with permitted uses including mix of industrial, commercial and institutional, associated accessory uses, public service facilities and residential uses compatible with a mixed use area.

Jennifer indicated that the next steps in the process is provide an Administrative Report and draft by-law for Council consideration at the August 4, 2015 Regular Council meeting; have Council consider adoption of the amendment at the

September 1, 2015 Regular Council meeting; provide notice of decision with the appeal period ending September 29, 2015.

Deputy Mayor McArthur thanked Jennifer for her presentation and inquired if there were any questions or comments from the applicant; with none he inquired if there were any questions or comments from members of the public; with none he inquired if there were any questions or comments from Council.

With no comments, Deputy Mayor McArthur declared this portion of the public meeting to be closed and advise that Council will consider the anticipated Administrative Report and give due consideration to all comments received.

## *7.2 Disposal of Real Property – Unopened laneway at 69 Railway Street*

**Subject Land:** Un-opened laneway adjacent to 69 Railway Street

**Purpose of the Application:** The purpose of the application is to stop up and close the subject laneway and sell it to the owner of 69 Railway Street to ensure the dwelling is legally located on the property.

Deputy Mayor McArthur stated that Council has received a request from the owner of 69 Station Street to transfer ownership of the laneway that runs through the property into their name and stated that notice to for Council consider a by-law to stop up and close the laneway and transfer the land, and for this public meeting, was given in the Temiskaming Speaker and Weekender on June 24, 2015 and June 30, 2015 respectively.

Deputy Mayor McArthur stated that this public meeting serves two purposes: to advise the public of council's intention to consider a by-law to sell municipal land and, second, to hear from any person who claims his/her land would be impacted by the disposal of the said lands, or any interested party or individual and declared the meeting to be open, and asked Karen Beauchamp, Director of Community Growth and Planning to describe the parcel of land.

Karen Beauchamp, utilizing a powerpoint, stated that the subject laneway runs through the property at 69 Railway Street which contains a private pole line servicing the house at 69 Railway which is partially built on the laneway.

Karen indicated that in 1958 the former Township of Bucke passed a resolution to stop up and close the laneway with the intention to sell it to the abutting property owner; however the process did not proceed past the resolution. The owner has requested that the process be finalized and the laneway transferred such that the dwelling is legally located on lands owned by them.

Karen indicated that Story Geomatics have been retained to prepare the necessary reference plan and from a next steps process Council needs to pass a



resolution declaring the property surplus; adopt a by-law to stop up and close the laneway and adopt a by-law to authorize the sale of the laneway to the owner of 69 Railway Street.

Deputy Mayor McArthur thanked Karen for her presentation and inquired if there were any questions or comments from the applicant; with none he inquired if there were any questions or comments from members of the public; with none he inquired if there were any questions or comments from Council.

With no comments, Deputy Mayor McArthur declared this portion of the public meeting to be closed and advise that Council will consider declaration of the lands as surplus to the city at an upcoming meeting as well as stopping up and closing the laneway and sale to the applicant.

### *7.3 Disposal of Real Property – Vacant Land adjacent to Lakeview Avenue*

**Subject Land:** Vacant municipally owned landed generally bounded by Lakeview Avenue to the North; Groom Drive to the South; Maple Street to the West and Pine Street to the East.

**Purpose of the Application:** The proponent is seeking to enter into a subdivision agreement with the City for development of the subject land into residential lots.

Deputy Mayor McArthur indicated that Council has received an Offer to Purchase from a proponent who wishes to purchase land in North Cobalt for the development of a residential subdivision and that notice of this public meeting for consideration of a by-law to sell the land was given in the Temiskaming Speaker and Weekender on June 24, 2015 and June 30, 2015 respectively.

Deputy Mayor McArthur stated that this public meeting serves two purposes: to advise the public of council's intention to consider a by-law to sell municipal land and, second, to hear from any person who claims his/her land would be impacted by the disposal of the said lands, or any interested party or individual.

Deputy Mayor McArthur declared the meeting to be open, and ask Karen Beauchamp, Director of Community Growth and Planning to describe the subject lands and development.

Karen Beauchamp, utilizing a powerpoint, stated that the subject property is bordered by Lakeview to the north, Groom to the south, Maple to west and un-opened Pine to the east with a potential of 60 + residential lots that would be approximately 66' x 124' each. The subject lands are designated as Residential Neighbourhood in the Official Plan and Residential in Zoning By-law No. 85-27.

The proposal is to create 66' wide lots to construct small homes for seniors and small families.

Karen summarized staff comments as follows:

*Treasurer – sale of land would provide taxable properties bases on assessment;*

*Recreation – area offers a park, playground, 3 on 3 basketball court and outdoor rink;*

*Economic Development – supports this development, opportunity to have new and affordable housing options; more residents will support the economy in this area;*

*Public Works – capacity in sanitary sewer system, limited capacity in water system with only one feed to North Cobalt, extension of servicing to development, roads and servicing at developer's expense.*

Karen outlined the next steps which included a declaration at the property is surplus to the city's needs; by-law to enter into an agreement to sell the lands and a by-law to enter into a Development Agreement with the proponent.

Deputy Mayor McArthur thanked Karen for her presentation and inquired if there were any questions or comments from the applicant; with none he inquired if there were any questions or comments from members of the public.

*Gilbert Sauve - 233 Groom Drive*

*Under impression that these lots were be development for the purpose of a trailer park or modular homes which would decrease the value of all properties and would have not economic value to the area. Would like to know what the proposed buildings would be.*

Director of Community Growth and Planning, Karen Beauchamp responded by indicating that the properties are designated as residential and there is no intention to rezone to a mobile home park. We do not distinguish between factory built homes or homes built on site as long as they meet the Ontario Building Code (OBC) and will be placed on foundation in accordance to the OBC. Homes that would be put here are home that would be permitted on any lots across the city.

*Gatien Drainville – 38 Maple Street*

*Mr. Drainville expressed the same concerns that it would be mobile homes and was against that, but if they are residential homes that is good and growth is always good. Totally against the mobile home if that is the intention.*

*Mike Brisson – 216 Groom Drive*

*I do not want a trailer park behind me, our property value will drop.*

With no more comments, Deputy Mayor McArthur inquired if there were any questions or comments from Council. With no comments, Deputy Mayor McArthur declared this portion of the public meeting to be closed and advise that Council will consider declaration of the lands as surplus to the city at an upcoming meeting as well as sale to the proponent.

## **8. Question and Answer Period**

### ***Dan Burns – 1277 Lakeshore Road South***

Dan outlined that he was in attendance to discuss Plastic Shelters and proceed to update the new Council on his opinion of the issue. Dan believes Council should take another look at this issue and should not be acting on plastic shelters until they hear from the Province which may not be for a few more years.

Deputy Mayor McArthur outlined that Council has asked that the Building Code be amended and until we get an answer from the Province we will be carryout what is in the Building Code through the building department.

## **9. Presentations / Delegations**

- a) Police Services Board Chairman – Doug Jelly

**Re:** Introduction – OPP Detachment Commander – Inspector Brent Cecchini

Chairman of the Police Services Board, Councillor Jelly provided a brief background to Inspector Brent Cecchini's career and introduced him as the recently appointed OPP Detachment Commander for our district.

Inspector Cecchini thanked Council for the welcome and outlined that he looks forward to his return to Temiskaming Shores and plans on working closing with the Police Service Board.

- b) Doug Shearer, Chair and Bruce Cutten, Trustee - District School Board Ontario North East

**Re:** DSBONE Five-Year Capital Plan

Doug and Bruce, utilizing powerpoint, made a presentation to Council in regards to the District School Board Ontario Northeast's 5 year capital plan. They provided some general background into declining enrolment, school closings, travel distances, multiple grade classrooms, male teachers, special education, small schools and declining enrolment funding.

It was indicated that DSB One believes it is essential that Councils and School Boards meet at least annually to review School Board capital plans. Mr. Shearer indicated that they have completed a review of their capital plans for the next several years and there will be an impact here with the Haileybury Public School, New Liskeard Public School and Temiskaming District Secondary School.

Since 2000 there has been a decline of almost 400,000 students across Ontario resulting in the closure of over 500 schools across all school boards. DSB One in 1998 had an enrolment of 13,000 students; today enrolment is approximately 7,000 students. School closures within DSB One include Larder Lake, Charlton/Savard, Cobalt, Swastika, Matachewan, Foleyet, Gogama and Whitney.

The Province is becoming increasingly concerned as 70% of schools are under utilized and the Ministry has been placing pressure to partner with other School Board and efforts to date have been unsuccessful. Doug and Bruce spoke to Ministry Memo B 18 which outlines that requests for new facilities would not be funding unless they establish utilization with another board and urges “Back Office” initiatives; shared services such as Information Technology, purchasing, finance and payroll.

In fall of 2013 the Ministry of Education initiated a process called “Efficiencies and Modernization” to which DSB One provided significant input with the main thrust for the retention of small schools in remote areas.

In regards to solutions, the Ministry is pushing the model of JK to 12 schools which this Board is looking at. The Province is reviewing a process called “Community Hubs” which has had a significant positive effect in New Brunswick and DSB One has commenced several initiatives in this area to try and co-occupy spaces, small schools and under-utilized spaces so that we can continue to keep them healthy and are looking to other potential partnerships with other Ministries and Municipalities. Doug concluded that they are looking at a Capital Plan seeking to create a new JK to 12 school at the existing TDSS site combining Haileybury Public, New Liskeard Public and TDSS.

Deputy Mayor McArthur thanked Doug and Bruce for their presentation and outlined that the City looks forward to open dialogue with the School Board.

## **10. Communications**

- a) Joel Locklin, Program Operations Manager (A) – Ministry of Agriculture, Food and Rural Affairs

**Re:** Application to the Canada-Ontario Small Communities Fund (SCF) - Gray Road Sanitary Lift Station Project not selected for nomination to the Federal Government

**Reference:** Received for information

- b) Sheila Randell, Secretary - Earlton-Timiskaming Regional Airport Joint Municipal Services Board

**Re:** Request for donation of two (2) Sanders surplus to the City's needs

**Reference:** Referred to the Treasurer

- c) Mario Fillion, Gérant des services financiers – Conseil Scholaire Catholique de District des Grandes Rivières

**Re:** Offer to acquire Sacré Coeur school – Lakeshore Road North

**Reference:** Referred to Senior Management

- d) Stephane Desdunes, Director of Development – EDC Energies

**Re:** Friday Lake Wind Energy Project (Township of Lorrain) – Community Benefit Agreement

**Reference:** Referred to Senior Management

- e) The Honourable Bob Chiarelli, Minister of Energy

**Re:** Local Energy Planning – Update on Ontario Government Initiatives

**Reference:** Referred to Senior Management

- f) Amie J. Dimatteo, Director General - FedNor

**Re:** Financial Support – 2016 PDAC Event

**Reference:** Draft By-law under Item No. 16

- g) Shawn Hearn, President – Cobalt-Haileybury Curling Club

**Re:** Refuse Concern during Rentals

**Reference:** Referred to the Public Works Committee

h) Michel Massie, Co-President – Haileybury Golf Club

**Re:** Letter of Support – Funding Application

**Reference:** Motion to be presented under New Business

Resolution No. 2015-418

Moved by: Councillor Foley

Seconded by: Councillor Jelly

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

**Carried**

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

Resolution No. 2015-419

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

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

- a) Minutes of the Temiskaming Shores Public Library Board meeting held on May 21, 2015;
- b) Minutes of the Temiskaming Shores Committee of Adjustment meeting held on April 29, 2015;
- c) Minutes of the Earlton-Temiskaming Regional Airport Joint Municipal Services Board meeting held on May 21, 2015 and the May 2015 Airport Report; and
- d) Minutes of the Temiskaming Shores Police Services Board meeting held on May 25, 2015.

**Carried**

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

Resolution No. 2015-420

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

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

- a) Minutes of the Protection to Persons and Property Committee meeting held on June 18, 2015;
- b) Minutes of the Corporate Services Committee meeting held on June 22, 2015;
- c) Minutes of the Public Works Committee meeting held on June 18, 2015;
- d) Minutes of the Building Maintenance Committee meeting held on June 18, 2015; and
- e) Minutes of the Recreation Services Committee meeting held on May 11, 2015.

**Carried**

**13. Reports by Members of Council**

Deputy Mayor McArthur outlined that he attended the 125<sup>th</sup> Anniversary for Boart Longyear BBQ on behalf of Mayor Kidd and sent greetings on behalf of Council and staff. Boart Longyear is an international company located here in Temiskaming Shores.

**14. Notice of Motions**

None

**15. New Business**

- a) **Memo No. 024-2015-CGP – Encroachment Agreement – 465 Lakeshore Road North**

Resolution No. 2015-421

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 024-2015-CGP;

That Council agrees to permit an Encroachment onto the Easement for municipal water and sanitary sewer services at 465 Lakeshore Road North; and

That Council directs staff to prepare the necessary by-law to enter into an Encroachment Agreement with the owners of 465 Lakeshore Road North for consideration at the August 4, 2015 Regular Council meeting.

**Carried**

**b) Memo No. 025-2015-CGP – Easement Agreement – 370 Agnes Avenue**

Resolution No. 2015-422

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 025-2015-CGP; and

That Council directs staff to prepare the necessary by-law to enter into an Easement Agreement with the owner of 370 Agnes Avenue for a municipal storm water collection system for consideration at the August 4, 2015 Regular Council meeting.

**Carried**

**c) Memo No. 026-2015-CGP – Easement Agreement – 469 Lakeshore Road North**

Resolution No. 2015-423

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 026-2015-CGP; and

That Council directs staff to prepare the necessary by-law to enter into and Easement Agreement with the owners of 469 Lakeshore Road North for municipal water and sanitary sewer systems for consideration at the August 4, 2015 Regular Council meeting.

**Carried**



**d) Memo No. 027-2015-CGP – Telecommunication Tower at the Haileybury Water Reservoir – 400 Niven Street South**

Resolution No. 2015-424

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 027-2015-CGP; and

That Council concurs with the proposed telecommunication tower at the Haileybury Reservoir located at 400 Niven Street South.

**Carried**

**e) Memo No. 028-2015-CGP – Deeming by-law – 110 Roseneath Avenue - Gagnon**

Resolution No. 2015-425

Moved by: Councillor Foley

Seconded by: Councillor Hewitt

Whereas the owner of 110 Roseneath Avenue would like to merge Lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

Whereas the owner has acknowledged that registration of the pending deeming by-law on title will be at his sole expense; and

Now therefore be it resolved that the Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem Lots 110 and 111 on Plan M-79 NB, Parcels 7549 SST and 19274 SST to no longer be Lots on a Plan of Subdivision for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**f) Memo No. 029-2015-CGP – Land Lease Agreement – 998063 Highway 11 - Leis**

Resolution No. 2015-426

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Whereas the owners of 998063 Highway 11 have requested the use of City-owned land abutting the Masterfeeds business for the outdoor storage of landscaping materials; and

Whereas staff recommends a land lease agreement for a term of 20 years with a 30 day termination clause and an annual rental rate of \$500/year plus HST.

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby agrees to enter into an agreement with Andrea Leis and Jason Leis and directs staff to prepare the necessary by-law for consideration at the August 4, 2015 Regular Council meeting.

**Carried**

**g) Administrative Report CGP-032-2015 – Disposition of Land Policy**

Resolution No. 2015-427

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CGP-032-2015; and

That Council directs staff to prepare the necessary by-law to adopt a new Disposition of Land Policy for consideration of First and Second Reading at the August 4, 2015 Regular Council meeting and Third and Final Reading at the September 1, 2015 Regular Council meeting.

**Carried**

**h) Memo No. 008-2015-PW – Crossing Guard location – Rorke Avenue and View Street**

Resolution No. 2015-428

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 008-2015-PW;

That Council approves the elimination of the Crossing Guard location at Haileybury Public School; and

That the Council agrees to continue staffing a Crossing Guard at the intersection of Rorke Avenue and View Street to service both Haileybury Public School and École Ste-Croix.

**Carried**

**i) Administrative Report No. PW-034-2015 – Contract Change Order – Waterfront Stabilization**

Resolution No. 2015-429

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-034-2015;

That Council approves the Contract Change Order with Exp Services for Engineering Services of the Shoreline Stabilization as part of the Waterfront Upgrades in the amount of \$27,460 plus applicable taxes.

**Carried**

**j) Administrative Report No. PW-040-2015 – Supply and Delivery of LED Street Lights**

Resolution No. 2015-430

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-040-2015;

That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the supply and delivery of LED Street Lights to LED Roadway Lighting in the amount of \$388,886.25 plus HST and shipping costs; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**k) Administrative Report No. PW-041-2015 – Contract Administration – Water Linking Project**

Resolution No. 2015-431

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Whereas Council entered into an agreement with Exp Services Inc. to proceed with the detailed engineering design for the linking of the New Liskeard and Dymond Water Distribution Systems as authorized by By-law No. 2014-080; and

Whereas the City received funding in the amount of \$1,520,000 from the Ontario Community Infrastructure Fund for the Temiskaming Shores Emergency Water Distribution System Integration (Phase 1); and

Whereas Council entered into an agreement with Pedersen Construction (2013) Inc. on June 16, 2015 to undertake the work to link the New Liskeard and Dymond Water Distribution Systems in the amount of \$1,988,860; and

Whereas Council deems it necessary to retain a consultant for Contract Administration and Project Management during construction of Phase One of the Temiskaming Shores Emergency Water Distribution System Integration;

Now therefore be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-041-2015;

That Council agrees to enter into an agreement with Exp Services Inc. for Contract Administration and Project Management through the construction of Phase One of the Emergency Water Distribution System Integration Project in the amount of \$100,000 plus applicable taxes; and

That Council directs staff to prepare the necessary by-law for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**I) Administrative Report No. PW-042-2015 – New Liskeard Branch Library Geotechnical RFP**

Resolution No. 2015-432

Moved by: Councillor Hewitt

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-042-2015;

That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the award of the contract for the geotechnical investigation at the New Liskeard Library to Cambium Inc., as detailed in Request for Proposal PW-RFP-005-2015, for a total upset limit of \$7,515 plus applicable taxes; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**m) Administrative Report No. PW-043-2015 – 2015 Roads Program**

Resolution No. 2015-433

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-043-2015 regarding the proposed 2015 Roads Program prepared in consultation with *Miller Paving Limited* for the hardtop resurfacing of various roadway sections in Temiskaming Shores; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**n) Administrative Report PPP-007-2015 – Volunteer Maintenance Coordinator Appointment (Dymond Station)**

Resolution No. 2015-434

Moved by: Councillor Foley

Seconded by: Councillor Whalen

Be it resolved that That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-007-2015; and

That Council hereby appoints Jason Eckensviller as a Volunteer Maintenance Coordinator for the Temiskaming Shores Fire Department (Dymond Station) in accordance with the *Volunteer Firefighter Hiring and Promotional Policy*.

**Carried**

**o) Administrative Report No. PPP-008-2015 – Haileybury Fire Station Condition Survey**

Resolution No. 2015-435

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-008-2015;

That Council approves the award for the Haileybury Fire Station Condition Survey for the Temiskaming Shores Fire Department to Mitchell Architects at an upset amount of \$16,300 plus applicable taxes; and

That Council directs staff to prepare the necessary by-law and agreement for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**p) Administrative Report CS-025-2015 – Municipal Insurance**

Resolution No. 2015-436

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that the Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-025-2015; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with BFL Canada Ltd., brokered by Tench-MacDiarmid Insurance Brokers Ltd., for Municipal Insurance and Risk Management Services in the amount of \$330,192.52 for consideration at the July 7, 2015 Regular Meeting.

**Carried**

**q) Administrative Report CS-026-2015 – Amendment to Disposal of Assets Policy**

Resolution No. 2015-437

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that the Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-026-2015; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2012-157 to reflect the changes to Section 3.3 General Provisions and 3.4 Donation or Sale of Assets for consideration at the July 7, 2015 Regular Council meeting.

**Carried**

**r) Administrative Report CS-027-2015 – Vesting of Properties for Tax Arrears**

Resolution No. 2015-438

Moved by: Councillor Foley

Seconded by: Councillor Whalen

Be it resolved that the Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-027-2015;

That Council directs staff to proceed with the Notice of Vesting for Roll 54-18-030-004-135.00 / 54-18-030-004-148.00; and

That Council directs staff to proceed with the Notice of Vesting for Roll 54-18-030-004-147.00.

**Carried**

**s) June 2015 Capital Financial Report**

Resolution No. 2015-439

Moved by: Councillor Foley

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of the June 2015 Capital Financial Report for information purposes.

**Carried**

**t) Administrative Report No. RS-004-5015 – Smoke Free Ontario – Municipal Parks**

Resolution No. 2015-440

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that the Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-004-2015 for information purposes.

**Carried**

**u) Application to the Ontario Trillium Foundation – Temiskaming Shores Public Library – Upgrades to the New Liskeard Branch**

Resolution No. 2015-441

Moved by: Councillor Hewitt

Seconded by: Councillor Whalen

Whereas Council for the City of Temiskaming Shores passed Resolution No. 2015-363 on June 2, 2015 directing staff to submit an application to the Canada 150 Community Infrastructure Program for Rehabilitation and Accessibility Upgrades to the New Liskeard Branch of the Temiskaming Shores Public Library; and

Whereas the Temiskaming Shores Public Library adopted Motion No. 2015-17 at its Board meeting held on June 18, 2015 to apply for funding to

the Ontario Trillium Foundation for this Accessibility Upgrade initiative in the amount of \$150,000;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby supports the efforts of the Temiskaming Shores Library Board and directs staff to submit an application to the Ontario Trillium Foundation on their behalf.

**Carried**

**v) Haileybury Golf Club – Application for funding to FedNor and NOHFC – Accessibility Upgrades**

Resolution No. 2015-442

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Whereas the Haileybury Golf Club is wanting to upgrade its facilities to offer an enhanced banquet, conference, workshop and family gathering facility; and

Whereas the Haileybury Golf Club will be applying to FedNor and Northern Ontario Heritage Fund Corporation (NOHFC) for funding assistance;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby agrees to provide its non-financial support to the Haileybury Golf Club in their application for funding to FedNor and NOHFC for facility upgrades.

**Carried**

**16. By-laws**

Resolution No. 2015-443

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

Be it resolved that:

By-law No. 2015-145 Being a by-law to amend By-law No. 2007-019 (Sign By-law)

By-law No. 2015-146 Being a by-law to enter into an agreement with LED Roadway Lighting Ltd. for the supply and delivery of LED Street Lighting Fixtures



- By-law No. 2015-147 Being a by-law to enter into an agreement with EXP Services Inc. for Contract Administration and Construction Supervision services pertaining to the linking of the New Liskeard and Dymond water systems
- By-law No. 2015-148 Being a by-law to enter into an agreement with Cambium Inc. for the completion of a Geotechnical Investigation at the Temiskaming Shores Public Library – New Liskeard Branch
- By-law No. 2015-149 Being a by-law to enter into an agreement with Miller Paving Limited for the 2015 Roadway Surfacing Program
- By-law No. 2015-150 Being a by-law to enter into an agreement with Her Majesty the Queen in Right of Canada as represented by the Ministry of Industry (FedNor) for the Northern Ontario Pavilion at the 2016 PDAC Event
- By-law No. 2015-151 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision – 110 Roseneath Avenue – Roll Nos. 54-18-010-008-200.00 and 54-18-010-008-201.00
- By-law No. 2015-152 Being a by-law to enter into a Municipal Insurance Agreement with BFL Canada Ltd. (July 1, 2015 to June 30, 2016)
- By-law No. 2015-153 Being a by-law to amend By-law No. 2012-157 (Disposal of Assets Policy)

By-law No. 2015-154      Being a by-law to enter into an Agreement with Mitchell Architects for the completion of a Condition Survey of the Haileybury Fire Station

be hereby introduced and given first and second reading.

**Carried**

Resolution No. 2015-444

Moved by:            Councillor Jelly

Seconded by:      Councillor Foley

Be it resolved that:

By-law No. 2015-145;

By-law No. 2015-146;

By-law No. 2015-147;

By-law No. 2015-148;

By-law No. 2015-149;

By-law No. 2015-150;

By-law No. 2015-151;

By-law No. 2015-152;

By-law No. 2015-153;

By-law No. 2015-154;

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

**Carried**

**17. Schedule of Meetings**

a)      Regular Meeting of Council – Tuesday, August 4, 2015 at 6:00 p.m.

b)      Regular Meeting of Council – Tuesday, September 1, 2015 at 6:00 p.m.

**18. Question and Answer Period**

C. Oslund – AMO Conference

**19. Closed Session**

Resolution No. 2015-445

Moved by: Councillor Foley  
Seconded by: Councillor Hewitt

Be it resolved that Council agrees to convene in Closed Session at 7:46 pm to discuss the following matters:

- a) Adoption of the June 16, 2015 – Closed Session Minutes
- b) Adoption of the June 18, 2015 – Closed Session Minutes
- c) Under Section 239 (2) (d) of the Municipal Act, 2001 – Labour Relations – Human Resources Update – June 2015

**Carried**

Resolution No. 2015-446

Moved by: Councillor Whalen  
Seconded by: Councillor Foley

Be it resolved that Council agrees to rise with report at 7:55 pm

**Carried**

**a) Adoption of the June 16, 2015 – Closed Session Minutes**

Resolution No. 2015-447

Moved by: Councillor Hewitt  
Seconded by: Councillor Jelly

Be it resolved that Council approves the June 16, 2015 Closed Session Minutes as printed.

**Carried**

**b) Adoption of the June 18, 2015 – Closed Session Minutes**

Resolution No. 2015-448

Moved by: Councillor Whalen  
Seconded by: Councillor Jelly

Be it resolved that Council approves the June 18, 2015 Closed Session Minutes as printed.

**Carried**

**c) Under Section 239 (2) (d) of the Municipal Act, 2001 – Labour Relations – Human Resources Update – June 2015**

Staff undated Council in closed.

**20. Confirming By-law**

*Resolution No. 2015-449*

Moved by: Councillor Jelly  
Seconded by: Councillor Foley

Be it resolved that By-law No. 2015-155 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Special Council meeting held on **June 18, 2015** and its Regular Council meeting held on **July 7, 2015** be hereby introduced and given first and second reading.

**Carried**

*Resolution No. 2015-450*

Moved by: Councillor Whalen  
Seconded by: Councillor Hewitt

Be it resolved that By-law No. 2015-155 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

**Carried**

**21. Adjournment**

*Resolution No. 2015-451*

Moved by: Councillor Whalen  
Seconded by: Councillor Foley

Be it resolved that City Council adjourns at 7:57 pm.

**Carried**

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Mayor – Carman Kidd

---

Clerk – David B. Treen



*J.V.N. (Vince) Hawkes*  
*Commissioner      Le Commissaire*

File #: 614-00

June 26, 2015

Mayors / Reeves  
Ontario Municipalities

Dear Mayor / Reeve

As Commissioner of the Ontario Provincial Police (OPP), I take this opportunity to inform you that, effective June 29, 2015, Superintendent M.M. (Marc) Bedard will assume the role of Commander of the Municipal Policing Bureau (MPB).

During his 25-year career with the OPP, Superintendent Bedard has developed excellent professional skills and advanced leadership and communication abilities. In his role as Director of Provincial Communications and Applications Support, Communications and Technology Services Bureau (CTSB), he championed a number of successful initiatives, including Civilian Data Entry implementation and the Citizen Self-Reporting Project, while continuing to look for efficiencies and service delivery enhancements for front-line officers and the citizens of Ontario. You may be assured that Superintendent Bedard will work diligently with municipal stakeholders to ensure transparent communication and efficient and sustainable police service delivery.


I would like to congratulate Superintendent R.A. (Rick) Philbin on his promotion to Chief Superintendent and appointment as Commander of the CTSB. Since the implementation of the MPB, Superintendent Philbin has been working closely with many of you to assist with the transitioning to the new billing model and ensuring that your perspectives and needs are brought forward to OPP Senior Management and Ministry of Community Safety and Correctional Services (MCSCS) representatives. He has demonstrated exceptional qualities as Commander of the MPB and his hard work, dedication and commitment to innovation and efficiency will continue to serve the OPP and the people of Ontario in his new role.

I also take this opportunity to thank you for your support and understanding with the implementation of the new billing model. Over the past year, the OPP and the MCSCS have been working closely with you to facilitate your transition and to ensure that the commitment to a transparent, fair and more simple billing model is met.

Mayor / Reeves  
Ontario Municipalities  
Page two

*Safe Communities ... A Secure Ontario* and the assurance that municipal stakeholders' needs are met are our primary goals as an organization that is committed to working continually to earn the confidence of the citizens of and visitors to Ontario.

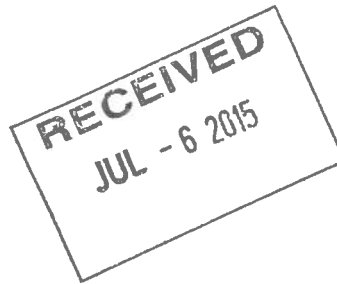
Yours truly,



J.V.N. (Vince) Hawkes, O.O.M.

/nv

**CLERKS/ADMINISTRATION DEPARTMENT**  
Administration Centre  
10 Wellington St. E.  
Alliston, Ontario



Web Address: [www.newtecumseth.ca](http://www.newtecumseth.ca)  
Email: [cmaher@newtecumseth.ca](mailto:cmaher@newtecumseth.ca)  
Phone: (705) 435-3900  
or (905) 729-0057  
Fax: (705) 435-2873

June 26, 2015

The Honourable Premier Wynne  
Legislative Building  
Queens Park  
Toronto, ON  
M7A 1A1

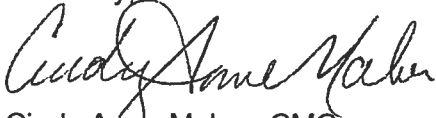
Dear Premier Wynne:

**RE: MOTION – ELECTRICITY RATES**

This is to advise that at the Council meeting held on Monday, June 22, 2015, that a motion to endorse the resolution of North Stormont was ratified (as attached), and staff were directed to forward a letter in support of Council's position to the Premier, the Ministers of Finance, Economic Development, Tourism, Energy, Agriculture and Rural Affairs, all Ontario Municipal and Regional Councils, and MPP Jim Wilson.

Thank you for your attention to this matter.

Sincerely,



Cindy Anne Maher, CMO  
Clerk/Director of Administration Services

Copy: Premier Kathleen Wynne  
Minister of Finance Charles Sousa  
Minister of Energy Bob Chiarelli  
Minister of Economic Development, Employment and Infrastructure Brad Duguid  
Minister of Tourism, Culture and Sport Michael Coteau  
Minister of Agriculture, Food and Rural Affairs Jeff Leal  
MPP Jim Wilson  
All Municipal Councils  
All Regional Councils

**Electricity Rates  
Adopted by Town of New Tecumseth Council  
June 22, 2015**

2015-175

Moved by Councillor Jebb  
Seconded by Councillor Whiteside

BE IT RESOLVED THAT the verbal report of Councillor Jebb be received;

AND FURTHER THAT the following resolution, as introduced by Councillor Jebb be adopted;

WHEREAS the cost of electricity for Ontario manufacturers averages 10 cents a kWh and is less than 7.5 cents in the USA and under 7 cents a kWh in New York, Illinois, Ohio, North Carolina, South Carolina and Indiana, and under 6 cents a kWh in Quebec, Manitoba and British Columbia;

AND WHEREAS the cost of electricity for farms averages 18 cents a kWh in Ontario and less than half that in Quebec, Manitoba, and Ohio and many competing US states;

AND WHEREAS the high cost of power contributes to low investment in Ontario manufacturing, increased unemployment, reduced home markets for Ontario farm products and difficulties for young people starting and sustaining their working lives;

THEREFORE BE IT RESOLVED THAT the Town of New Tecumseth endorse the resolution of North Stormont and ask the Government of Ontario to examine the proposal for Farm and Industrial Electricity Rates made by the Canadian Cement Association, Ontario Federation of Agriculture, Ontario Construction Secretariat, Canadian Foundry Association, Canadian Plastics Industry Association, Quinte West Manufacturers' Association and Northumberland Manufacturers' Association and enact that proposal, or a reasonable modification of it, with a view to returning competitive electricity rates to Ontario farms, industry and all hydro users, to renew a key part of the foundations for business and employment opportunity in Ontario;

AND FURTHER THAT this resolution be circulated to all municipal and regional councils in Ontario requesting that they endorse and support this resolution and communicate their support to the Premier, and her Ministers of Finance, Economic Development and Tourism, Energy, Agriculture and Rural Affairs and MPP Jim Wilson.

CARRIED





canadian | association  
energy | canadienne  
pipeline | de pipelines  
association | d'énergie

Suite 200 505 - 3rd St SW  
Calgary Alberta T2P 3E6  
PHONE 403 221 2772  
FAX 403 221 2760

**Mayor Carman Kidd**

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

June 2015

Re: The Canadian Energy Pipeline Association (CEPA)

Dear Mayor Kidd,

I am writing on behalf of the Canadian Energy Pipeline Association (CEPA). CEPA represents Canada's transmission pipeline companies who operate more than 130,000 kilometres of pipeline in Canada and the United States. These energy highways move approximately 1.2 billion barrels of liquid petroleum products and 5.1 trillion cubic feet of natural gas each year. The reliability rate of our industry is 99.9995 percent and 99.9984 percent for liquids and natural gas pipelines respectively.

Our members transport 97 per cent of Canada's daily onshore crude oil and natural gas from producing regions to markets throughout North America. CEPA's mission is to continually enhance the operating excellence, business environment and recognized responsibility of the Canadian energy transmission pipeline industry through leadership and credible engagement between member companies, governments, the public and stakeholders. **CEPA does not speak on behalf of any projects or advocate for proponents. We represent a technical and engaged industry voice committed to providing factual, straight forward and transparent information about the pipeline industry in Canada.**

Over the past two years, CEPA has focused on expanding its engagement to a more local level; including basing a dedicated outreach person in Ontario. Part of our outreach and engagement commitment is working with local stakeholders to ensure they have access to reliable and factual data about our industry, and to respond to issues and questions your constituents are posing around pipeline safety, performance, environmental and socio-economic impacts.

This letter and package are designed to highlight some of the work CEPA is doing and also identify potential support mechanisms for your local government and community to increase pipeline literacy. CEPA's team is open to working with you and your communities to design outreach presentations and discussions that meet the needs of your local community.

A couple of key CEPA initiatives I would like to highlight include:

- **CEPA Integrity First® Program:** This is a truly collaborative industry-wide program committed to continuous improvement. Now a condition of membership, Integrity First sees CEPA and its members work together to constructively challenge each other to do things better and safer, with the goal of strengthening the collective performance of the industry. The key pillars for the program are: safety, environment and socio-economic. A fact sheet on this program is included in this outreach package.

- **Pipeline Safety:** commitment to safety applies to the full lifecycle of pipelines (design, construction, operations, maintenance and retirement). Our member companies work diligently to ensure their pipeline systems are safe and reliable, and that they are operated in a sustainable manner. This focus led our members to collectively invest more than 1.4 billion dollars to ensure the safety of their pipelines in 2013. CEPA and its members also work with governments, regulators and other stakeholders to ensure that our industry remains the safest and most reliable means of transporting energy across long distances.
- **Watercourse Crossings:** when pipelines cross sensitive areas, such as rivers and streams, special care is taken throughout the pipeline lifecycle to protect the environment. This is why CEPA and its members have developed the Pipeline Associated Watercourse Crossings (PAWC) and the Pipeline Watercourse Management Recommended Practices (PWMRP). These documents support the pipeline industry's high standards regarding protection of the environment and the public, and involved broad consultation with over 100 biologists, engineers, government officials and other experts. The 5th edition of the PAWC is expected to be released by the fall of 2015.
- **Emergency Response Plans:** CEPA has formed an executive task force to develop a common approach to public disclosure of emergency response information relating to pipeline operation. The task force — created based on industry's acknowledgement of the public need for clarity and confidence in emergency response planning — is developing guiding principles around disclosing emergency response information. These new guidelines will help create a new template for emergency response plan disclosure.
- **Mutual Emergency Assistance Agreement:** This agreement formalizes an existing practice of companies lending critical resources to help each other in case of an emergency. While all pipeline operators must and do conduct their own emergency response drills, CEPA member companies have voluntarily chosen through this agreement, to formally work together and improve response capabilities by sharing resources and best practices during an emergency.
- **Code of Conduct for Land Agents:** CEPA members have approved a land agents code of conduct including an ethics course requirement for certification. This code of conduct will streamline and create consistency for what communities can expect from CEPA's members when they are on their land.
- **Outreach to the Full Value Chain:** Understanding the full value chain of impacts from pipeline construction to operation is very important. At CEPA we have worked with members to build a comprehensive list of local suppliers and businesses which serve the pipeline industry both directly and indirectly, including specific information on the local businesses in your region. This information is helpful to understand the full benefits and reach of the pipeline industry.

Enclosed is a package of information about CEPA, the work we do with members and some of the key initiatives we are currently working on. As follow up to this information package, I will be contacting you to discuss any questions you might have and to explore any further opportunities to work with you and your community. We would also like to offer you and your colleagues a Pipeline 101 information session that can explain the various initiatives our industry is pursuing to improve its performance.

Thank you for your time, we look forward to speaking with you soon and hopefully seeing you at the upcoming AMO conference later this summer.

Sincerely,

Elizabeth Wagdin  
 Stakeholder Outreach Coordinator  
[ewagdin@cepa.com](mailto:ewagdin@cepa.com)  
 Phone 416-597-3476



Municipality of Tweed

# Disaster Relief Committee

255 Metcalf St., Postal Bag 729  
Tweed, ON K0K 3J0  
(613) 478-2535

June 10, 2015

Dear Members of Council

In April 2014, serious flooding around Stoco Lake and adjoining waterways resulted in thousands of dollars' worth of damage to local homeowners and businesses. The destructive waters forced residents to temporary shelters and many were faced with major renovations once they were able to return.

At the request of the Municipality of Tweed, the Ministry of Municipal Affairs and Housing declared the region a "Disaster Area" for the purpose of the Ontario Disaster Relief Assistance Program. Under ODRAP, the province will top up funds raised to the amount that is needed to pay eligible claims at 90 per cent up to a maximum of 2:\$1 ratio.

A volunteer committee has been set up to spearhead the local fundraising effort. A tentative target of \$40,000 has been set to provide assistance to homeowners whose essential property has been damaged in the flood.

The Tweed area is predominately rural in nature and is not densely populated. For that reason, we know that the \$40,000 goal is a challenge but one we are confident in reaching. Our fundraising campaign recently began and results are encouraging. For your information, I am enclosing a copy of our brochure.

On behalf of the Tweed Disaster Relief Committee, I am asking municipal councils across the province to support our fundraising efforts by making a donation to this worthy cause. Contributions in any amount will be gratefully accepted.

Cheques should be made out to; Tweed Disaster Relief Committee and mailed to the Municipality of Tweed, 225 Metcalfe Street, Tweed On K0K 3J0.

If you require additional information, please contact Betty Gallagher, Municipality of Tweed, at (613) 478-2535.

With our sincere thanks,

Shelly Reed,

Chairperson, Tweed Disaster Relief Committee

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**FOR IMMEDIATE RELEASE: July 8, 2015**

*After 'Surprising' Talent Gap Web Conference Response...*

***HR North, Skills International Announce  
Partnership to Impact the Region's Economy***

North Bay, ON – HR North Project Manager Garvin Cole recently invited Northern Ontario employers to attend a one-hour web conference about addressing the region's growing talent gap and was surprised by the overwhelming response.

"We usually get maybe five or ten employers register to attend a typical web conference," he says. "But for this one we got 60...Sixty! And some were from Toronto! I have known for some time that Northern Ontario employers are having an increasingly difficult time finding professional talent to fill job openings, but I didn't realize the problem is as severe as the web conference proved."

HR North ([www.hrnorth.ca](http://www.hrnorth.ca)) and Skills International ([www.skillsinternational.com](http://www.skillsinternational.com)), Canadian-founded global talent and career management firms, jointly sponsored the web conference. In the wake of its success, the two organizations are forming an alliance to help employers quickly and easily hire foreign-qualified professionals under Canada's new Express Entry immigration law when no Canadians can be found to fill open positions.

Cole says there's far more at stake than just filling job openings. "Make no mistake...this new alliance could help save our region's economy," he says. "Unless we begin bringing in skilled professionals and their families from other countries under Express Entry, in 20 years we may see entire communities decline or disappear as businesses either close down or leave."

According to Cole, a unique "three-headed monster" is causing the growing talent gap problem in Northern Ontario. "One, over the next 15 years nearly 147,000 workers, or 47.7 per cent of the total workforce, will retire," he says. "Two, more of our homegrown college graduates are leaving the region for larger cities. Three, as a result, the remaining talent pool is becoming less and less qualified to fill open positions. It all adds up to a big red flag warning for our future economy."

Skills International was originally founded in 2006 to help connect immigrants who landed in Canada without jobs to Canadian employers. In 2013, CEO Rohail Khan started a for-profit unit to help professionals living in their home countries start new careers in Canada under Express Entry, which launched 1 January 2015.

Khan says Skills International is uniquely qualified to work with HR North to solve the Northern Ontario talent gap. "Skills International's career and talent management technology and processes have already helped connect more than 23,000 incoming immigrants to jobs across Canada," he says. "We now have hundreds of Fortune 500-calibre talent living in Asia and the Middle East who are pre-certified and ready to move here and begin working full-time for Canadian employers at zero cost to them."

Khan says in Express Entry the Canadian government created one of the world's most creative talent recruiting pipelines, but many Canadian employers aren't aware of it or do not know how to leverage it to bring in professional talent quickly and easily.

"Under this new partnership, HR North and Skills International will make it easy for employers to hire talent under Express Entry because we do virtually all of the work for them," Khan says. "All employers have to do is tell us what positions they have that are hard-to-fill and we will provide verified and certified resumes of ultra-qualified professionals that fit their needs."

"From that point on, the employer interviews the candidate, and after we help them fulfill the Labour Market Impact Assessment, they are free to make a job offer to the candidate," Khan says. "When the candidate accepts the job offer, they are virtually guaranteed permanent residency under Express Entry and are then free to relocate and settle in Canada."

Cole says that since the recent web conference, many area employers are now much more open to hiring foreign-qualified professionals. Employers who are interested in the new partnership should call HR North at 1-877-249-5318 or visit [www.hrnorth.ca](http://www.hrnorth.ca) and click on the "Contact" button on the home page. "We will immediately connect them with a Global Talent Advisor."

"This isn't just a Northern Ontario economic issue, it's a Canadian economic issue," Cole says. "A new report by the Canadian Chamber of Commerce says that, for the fourth year in a row, solving the talent gap problem remains a priority for business."

Cole says what many employers don't realize is that the talent gap problem is costing them a lot of money today. "A recent article in HR Professional Magazine says every day a vacant \$70,000 position goes unfilled, lost productivity costs employers up to \$954 per day," he said. "That's why every employer in the region should take advantage of this new partnership between HR North and Skills International."

HR North, a project of The North Bay & District Multicultural Centre, a non-profit organization, has established a Human Resources Support Centre for small and medium sized enterprises (SMEs) facing labour market challenges. The Support Centre's purpose is to increase the North's competitive advantage and help to attract investment, students, immigrants, skilled professionals and others to Northeastern Ontario businesses.

Skills International (SI) is a global talent and career management firm that seamlessly connects talent to opportunity worldwide. Registered in Singapore, SI has a presence in Canada, the United States, India and the United Arab Emirates.

For Further Information:

Skills International: Robert Maute, [Robert.maute@skillsinternational.com](mailto:Robert.maute@skillsinternational.com), (973) 985-6852

HR North: Garvin Cole, [garvincole@hrnorth.ca](mailto:garvincole@hrnorth.ca), 1-877-249-5318



Office of the Minister

Bureau du ministre

Room 6630, Whitney Block  
99 Wellesley Street West  
Toronto ON M7A 1W3  
Tel: 416-314-2301  
Fax: 416-314-2216

Édifice Whitney, bureau 6630  
99, rue Wellesley Ouest  
Toronto (Ontario) M7A 1W3  
Tél.: 416-314-2301  
Télééc.: 416-314-2216

MNR5805MC-2015-1388

July 14, 2015

Mayor Carman Kidd  
City of Temiskaming Shores  
PO Box 2050  
325 Farr Drive  
Haileybury ON P0J 1K0  
[ckidd@temiskamingshores.ca](mailto:ckidd@temiskamingshores.ca)

Dear Mayor Kidd:

**RE: Crown Land Acquisition Opportunities to Support Cottage Lot  
Development in the North**

I am pleased to inform you that the Ministry of Natural Resources and Forestry (MNR) will be providing northern municipalities with information on the potential opportunities to pursue economic development through cottage lot development. We remain committed to supporting Crown land disposition for this purpose.

As you may know, the ministry has a long history, dating back to the late 1800s, of providing specific opportunities for Crown land cottage lot development. Over time, as planning and environmental protection standards evolved, the MNR ceased to act as a developer of individual cottage lots and moved to bulk sale dispositions to municipalities and private developers within organized municipal boundaries.

Although the ministry no longer actively markets the rent or sale of Crown land for private recreational use, Crown land within municipal boundaries may be available for cottage lot development.

In considering Crown land applications, municipal proposals should include the rationale for the lands selected as well as identify any implications associated with approved Official Plans. As with all dispositions of Crown land, proposals must consider Crown land use planning direction, Crown land management policies, MNR's Class Environmental Assessment, and other regulatory approvals.

To help municipalities become familiar with the ministry's process and procedures regarding the acquisition of Crown land for cottage lot development, the ministry will be inviting you and your staff to an informational session regarding the Crown land disposition process. The session will cover critical environmental and social considerations, including the requirements for Aboriginal consultation, and factors that can help to achieve project success. We will offer two dates, one near the end of July and one in the beginning of August to enable your participation through an on-line meeting. If you'd like to express your interest now, please contact the ministry at [MNRFFORMUNICIPALITIES@ontario.ca](mailto:MNRFFORMUNICIPALITIES@ontario.ca).

We look forward to working with you in our continued efforts to support economic development in northern Ontario.

Sincerely,

***Original signed by Minister***

Bill Mauro  
Minister of Natural Resources and Forestry

c: The Honourable Michael Gravelle, Minister of Northern Development and Mines  
The Honourable Ted McMeekin, Minister of Municipal Affairs and Housing

RECEIVED

JUL 07 2015

# Northern Ontario School of Medicine (NOSM) 2015-2016 Student Society Sponsorship Package



Northern Ontario School of Medicine

# Student Society

## Table of Contents

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Getting to know NOSM Student Society.....	3
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# Introduction to the 2015-2016 NOSM Student Society and Sponsorship Committee

## Who We Are and What We Do

Established in 2005, the Student Society is composed of elected NOSM Students. As the Student Society, we are the representative body of all NOSM Undergraduate medical students, uniting the East and West campuses as well as the multiple distributed learning sites across Northern Ontario. In our short history we have generated a constitution and administrative structure, successfully advocated for improvements to the NOSM academic experience, promoted a collegial and social atmosphere for all students, joined and contributed to the Canadian Federation of Medical Students and the Ontario Medical Student Association, and organized many community and social events. We continue to grow and evolve in numerous ways at NOSM.

All registered undergraduate medical students at the Northern Ontario School of Medicine are active members of the NOSM Student Society. Additionally, there is a group of 18 Executive Members who are NOSM students that have been officially elected by their fellow students at NOSM to be the organizers and representatives of the NOSM Student Society both internally and externally.

## Our Goals for the Year Ahead

As students of the newest Canadian Medical School in over 30 years, we have many goals and aspirations as to various programs we would like to bring to our developing school. We are in a unique position to make our own traditions, start new programming and educational experiences for the NOSM students of the present and the future. One of the key ways we are and plan to continue to do this is through initiatives such as the annual Thunder Bay Holiday Concert, the CIBC Run for the Cure and the vast array of interest groups active at NOSM. We also plan to create more recognition of NOSM at the National and International Level by sending student representatives to conferences and networking experiences through such programs the Canadian Federation of Medical Students, Ontario Medical Students Association and our Global Health Interest Group. We have created a Sponsorship Committee through the NOSM Student Society in order to budget and work towards collecting funds in order to achieve these goals.

With your help, we can work towards making all of these goals a reality. If you decide to contribute to the NOSM Student Society, you will be supporting a group of future physicians in their endeavours throughout medical school, including but not limited to all of the activities and initiatives outlined in this package. We thank you in advance for taking the time to consider a sponsorship opportunity through the NOSM Student Society and for any contribution you are able to make.

Sincerely,

The NOSM Student Society Sponsorship Committee

Active Members of the NOSM Student Society

# Getting to know NOSM Student Society

The following provides a brief introduction of the NOSM Student Society initiatives, activities, and events.

## Interest Groups:

Addictions	Patient Safety and Medical Law
Altitude	Pharmacology
Emergency Medicine	Radiology
Exercise is Medicine	Space Medicine
Family Medicine	Sports Medicine
French Language Skills	Subject-Focused
Geriatric	Surgical
Global Health	Wilderness Medicine
Internal Medicine	Women and Children's Health
Medical Students for Choice	Women's Health E-Newsletter
Mental Health	Medical and Health Research
OSCE Skills	

## Sporting Events:

- Strasser Cup (hockey game between East and West students)
- Med vs. Law Games (sporting competition between the Law and Medical schools)
- Med Games (friendly competition and networking opportunity between medical schools across Canada)

## Community Events:

- West Campus Annual Holiday Concert - proceeds support local charity
- Movember Mustache Auction
- CIBC Run for the Cure

## Social Events:

- Participation in the Ontario Medical Students Association
- Christmas Formals

**And many, many more!**

# Getting to know NOSM Student Society Continued...



**East vs. West Campus Strasser Cup**



**November Mustaches**



**CIBC Run for the Cure**



**OMSW**

**Enzo Rossini Cup 2013**



## 2015-2016 Sponsorship Recognition

The following table demonstrates the different sponsorship levels as well as the recognition provided for each.

	Bronze Level (< \$200)	Silver Level (\$200-\$400)	Gold Level (\$500-\$1000)	Platinum Level (> \$1000)
Name on Event Sponsorship Banner	X	X	X	X
Name on Sponsorship Banner at the student space on both Sudbury and Thunder Bay campuses	X	X	X	X
Name included in the "Word from our Sponsors" email sent to all students in early Fall From the Student Society email		X	X	X
Customized message included in the "Word from our Sponsors" email			X	X
Name on general slide for Interest Group presentations			X	X
Logo on the NOSMSS Website under the Sponsorship section				X

# 2014-2015 NOSM Student Society Sponsors



*Englehart and District*  
Family Health Team

We CARE For People  
**WPSHC**



*Muskoka*

# 2015-2016 NOSM Student Society Sponsorship Contract

Organization Name: \_\_\_\_\_

Contact Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Please select one of the following sponsorship packages for your organization:**

- |                          |                |              |
|--------------------------|----------------|--------------|
| <input type="checkbox"/> | Platinum Level | > \$1000     |
| <input type="checkbox"/> | Gold Level     | \$500-\$1000 |
| <input type="checkbox"/> | Silver Level   | \$200-500    |
| <input type="checkbox"/> | Bronze Level   | < \$200      |

Total Sponsorship: \$ \_\_\_\_\_ (*Cheques Only Please*)

All cheques can be made payable to the NOSM Student Society, with "NOSMSS Sponsorship" in the comment box, and mailed with this page to:

NOSMSS VP of Finance – Student Society Mail Box  
Northern Ontario School of Medicine-East Campus  
Laurentian University  
935 Ramsey Lake Road  
Sudbury, ON  
P3E 2C6

Sponsor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

If you have any questions or concerns, please contact the NOSM Student Society Sponsorship Committee Chair Mara Hollingsworth.

Email: [mhollingsworth@nosm.ca](mailto:mhollingsworth@nosm.ca)

**Deadline** to submit your Sponsorship Contract is **Friday September 4<sup>th</sup>, 2015**.

*\*Any unused funds associated with the 2014-2015 NOSM Student Society will be passed forward to assist with the following academic year.*



## **Fire Marshal's Directive: 2015-002**

### **Topic: Reporting of Fires and Explosions requiring Investigation**

This directive is issued under the provisions of the Fire Protection and Prevention Act, 1997, (FPPA) S.O. 1997, chapter 4, clause 9.(1)(b). It is the responsibility of every Assistant to the Fire Marshal to follow the Fire Marshal's directive as set out in subsection 11.(1) of the FPPA.

### **Background:**

Under clause 9.(2)(a) of the FPPA, it is a duty of the Fire Marshal to investigate the cause, origin and circumstances of any fire or of any explosion or condition that, in the opinion of the Fire Marshal, might have caused a fire, explosion, loss of life or damage to property. In order to carry out this duty, specified fires must be reported to the Fire Marshal. Clauses 11.(2) and 11.(3) of the FPPA, establish fire reporting duties for Assistants to the Fire Marshal.

### **Directive:**

All Assistants to the Fire Marshal shall notify forthwith the Provincial Emergency Operations Centre (PEOC) Duty Officer, Office of the Fire Marshal and Emergency Management (OFMEM) at 1-800-461-2281 (toll free) of all incidents that meet the following criteria:

- Fires resulting in either a fatality or serious injury requiring person(s) to be admitted as in-patient(s) to a hospital (it is the responsibility of the fire department to confirm the status of injured persons transported by ambulance prior to release of the fire scene);
- Explosions (where the explosion is the primary event);
- All fires in vulnerable occupancies (i.e. retirement homes, care and treatment occupancies, and care occupancies as defined in the Fire Code);
- Fires suspected of being incendiary and for which expert investigative assistance is required with determining cause, origin or circumstance;
- Large loss fires, \$500,000 and over or where the loss is significant to the community;
- Fires of unusual origin or circumstances and for which expert investigative assistance is required with determining cause;
- Fires resulting in unusual fire/smoke spread;
- Fires involving circumstances that may result in widespread public concern (e.g. environmental hazard);
- Fires in multi-unit residential occupancies where fire spread is beyond unit of origin or where suspected Fire Code violations have impacted on the circumstances of the event; and



- Fires involving clandestine drug operations or marijuana grow operations.

The Fire Investigation Services section will engage in a 24/7 capacity to all reports of fatal fires, serious injury fires, explosions and fires in all vulnerable occupancies. All other reported fires under this directive will be deferred to regular business hours (7:30 a.m. – 4:00 p.m.) in order of priority and subject to availability of resources. An OFMEM manager is available after hours to deal with unusual circumstances that call for direct consultation with the OFMEM.

When an OFMEM response is deferred to the next normal work period, the PEOC Duty Officer will inform the caller that all steps shall be taken to secure the scene and that the OFMEM will be notified of the request at 7:30 a.m.

Part of the mandate of the OFMEM is to assist the local police in determining whether a fire was purposely set and in carrying out significant criminal investigations. Fire investigation protocols require that the security of the scene be maintained prior to the arrival of an OFMEM or police investigator.

When a fire investigation is assigned to an investigator, it is the responsibility of the fire department to provide all necessary documents, including, but not limited to, firefighter statements, dispatch chronology, incident commander report detailing suppression and overhaul activities, and fire prevention files as required by the investigator. Media releases should be kept to a minimum where an investigation will be conducted and all media issues deferred to the lead investigating agency.

## **Rationale:**

This directive provides direction to Assistants to the Fire Marshal on the reporting of fire incidents in support of the prescribed duties of the Fire Marshal under the FPPA.

Jim Jessop

Fire Marshal of Ontario and Chief of Emergency Management

July 21, 2015

1011

RECEIVED  
JUL 16 2015



July 13, 2015

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

450 – 1st Street S.W.  
Calgary, AB  
Canada T2P 5H1  
Tel.: 1.855.895.8750  
Fax: 1.855.895.8751  
Email: EnergyEast@TransCanada.com

Dear Mayor Kidd and council, *Thank you for your trust and support!*

On behalf of myself and the entire Energy East Project team, I would like to thank you for your council's resolution in support of the Energy East Pipeline.

Energy East represents a great opportunity for Canadians to decide who's oil we will use and how we will move it. I am pleased that your council has chosen Canadian oil by pipeline for its safety, environmental and economic merits. In doing so, you are helping to maximize the benefit of our natural resources and building upon our strong Canadian standard of living. Even more importantly, through the leadership of your council, you are convincing others to make the same choice – for the benefit of every Canadian.

Through your resolution of support, your council has signaled its trust in TransCanada to do the right thing and build a pipeline that will connect Canada by safely and reliably delivering the oil we need and use every day. This trust is not something that we take lightly, and I give you my commitment that we will continue to work with you to understand your community's needs as we move through the design and regulatory review stages of our project.

For the past 60 years, TransCanada has worked hard in the communities where we operate to be a valued corporate citizen and trusted neighbour. We value the relationships that we have built and that same approach will continue with Energy East. Energy East will be built to meet or exceed all safety codes and requirements, and we will work to minimize the impact to our natural environment during construction.

We have been working with first responders in your community, and will continue to do so with a formal emergency response tour later this fall. And as we work through the detailed design of the pipeline, we will file additional information with the National Energy Board about siting our shut-off valves to ensure we are protecting our vital waterbodies and crossings.

We look forward to working with you on these critical items to continue to earn your support. As always, please do not hesitate to contact Jon Pitcher, our Community Relations lead in Ontario, at [jon\\_pitcher@transcanada.com](mailto:jon_pitcher@transcanada.com), or by phone at 416-869-2147 should any questions or concerns arise.

I truly appreciate the trust you have placed in us and thank you very much for your willingness to stand up and support us in building a pipeline that can offer energy independence to Canadians and benefits across the country. Please accept my gratitude for your proactive leadership. I look forward to working together in the months ahead.

Sincerely,

François Poirier  
President, Energy East

Aug 4/15

Ministry of Northern Development  
and Mines

Ministère du Développement du Nord  
et des Mines

Office of the Minister

Bureau du ministre

99 Wellesley Street West  
Whitney Block, Room 5630  
Toronto ON M7A 1W3  
Tel.: 416 327-0633  
Fax: 416 327-0665

99, rue Wellesley Ouest  
Édifice Whitney, bureau 5630  
Toronto ON M7A 1W3  
Tél. : 416 327-0633  
Télééc. : 416 327-0665

RECEIVED

JUL 23 2015



MNDM4676MC-2015-226

July 10, 2015

His Worship Carman Kidd  
Mayor  
City of Temiskaming Shores  
325 Farr Drive, PO Box 2050  
Haileybury ON P0J 1K0

Dear Mayor Kidd:

It was a pleasure meeting with you and delegates from the City of Temiskaming Shores at the OGRA/ROMA conference on February 24, 2015, in Toronto. As Minister of Northern Development and Mines, I appreciate you providing me with a community update.

I understand that your community has a great interest in being recognized as an economic and service hub for the District of Temiskaming. The Ministry of Municipal Affairs and Housing and Ministry of Northern Development and Mines are working together to determine a process for the potential identification and designation of economic and service hubs.

During our conversation, you expressed the City's interest in acquiring any surplus Ontario Northland Transportation Commission (ONTC) properties that may be considered for disposal. As part of transformation efforts, the ONTC is looking at all aspects of operations, including its real estate portfolio. I will ensure that the ONTC is aware of your community's interest as it continues to review properties.

I encourage you to continue to work with Ms Anne Marie LeRoy, Northern Development Advisor in New Liskeard. Ms LeRoy would be pleased to assist you with information on the programs of the Northern Ontario Heritage Fund Corporation and other Ontario government programs and initiatives. Ministry staff can also help you get in touch with other provincial ministries as may be required. Ms LeRoy can be reached at 705-647-7392 or by email at [anne-marie.leroy@ontario.ca](mailto:anne-marie.leroy@ontario.ca).

Once again, thank you for meeting with me at the OGRA/ROMA conference and please accept my best wishes.

Sincerely,

Michael Gravelle  
Minister of Northern Development and Mines

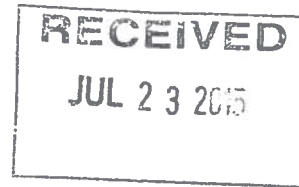
c: The Honourable Ted McMeekin, Minister of Municipal Affairs and Housing

Annex 4/15



**Randy Pettapiece, MPP**  
Perth-Wellington

Perth-Wellington Constituency Office  
Stratford, Ontario



10kj

July 21, 2015

David Treen  
Clerk  
City of Temiskaming Shores  
325 Farr Dr  
PO Box 2050  
Haileybury, ON P0J 1K0

Dear Mr. Treen:

**Re: Resolution for Fairness in Provincial Infrastructure Funds**

I am writing to inform you of my upcoming private member's resolution in the Ontario legislature and to formally request your support. It reads as follows:

*That, in the opinion of this House, the government should guarantee that government-held ridings and opposition-held ridings be given equal and transparent consideration on infrastructure funding, and that when funding decisions are made, should guarantee that all MPPs, whether in government or opposition, be given fair and equal advance notice of the official announcement.*

The basis for my resolution is simple: When municipalities apply for provincial infrastructure funding, you should expect that your application would be evaluated based on merit. You should expect that it would be evaluated promptly, based on well-defined and transparent criteria. Finally, you should expect that the decision to approve your application would never depend on your MPP's political stripe.

There is, after all, no such thing as Liberal, PC or NDP infrastructure money; there is only *public* money. That money comes from taxes that we all pay; everyone in the province should expect a similar quality of infrastructure and services, regardless of where they live.

Because municipalities rely on provincial partnerships to fund critical infrastructure projects, the consequences of provincial funding decisions can be far-reaching. The provincial government must respect this partnership and ensure that government and opposition-held ridings are given equal consideration when it comes to infrastructure investment decisions. Too often, however, there is at least a persistent perception that public infrastructure dollars have, in at least some cases, been directed according to politics and not according to need.

.../2

Aug 4/15



Having served as a municipal councillor, I know that the process to apply for infrastructure funding is a major—and sometimes frustrating—undertaking. It often entails significant red tape and investments of staff time and resources. Before making those investments, municipalities need some assurance that, based on clear criteria, your application has a reasonable chance of success. You also need to know that your MPP will advocate on your behalf and, most importantly, decision-makers will be receptive to that advocacy no matter if the MPP serves in government or opposition.

The final section of my resolution deals with infrastructure announcements themselves. These announcements must, I believe, be depoliticized in order to address the perception that opposition-held ridings are disadvantaged—or worse yet, being punished—for voting against the government.

**If your municipality supports the intent of my resolution, I would encourage you to consider passing a formal resolution to support it.** If your Council decides to proceed in this way, I would appreciate receiving a copy of your resolution as soon as possible. Debate on this resolution is scheduled for October 8, 2015.

I would appreciate your views on this matter, and your own experience in your municipality concerning access to provincial infrastructure funds. If you have any feedback on this issue, or if you require any additional information, please don't hesitate to contact me at 519-272-0660 or by email: [randy.pettapiececo@pc.ola.org](mailto:randy.pettapiececo@pc.ola.org).

Thank you very much for your consideration.

Sincerely,

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

Randy Pettapiece, MPP  
Perth-Wellington

100



# NOTICE OF PUBLIC COMMUNITY MEETING

## Under the Large Renewable Procurement

Friday Lake Energy Centre Limited Partnership is proposing to submit a proposal to the Independent Electricity System Operator (IESO) to design, build, and operate the Friday Lake Wind Energy Centre for the generation of electricity under the IESO's Large Renewable Procurement (LRP).

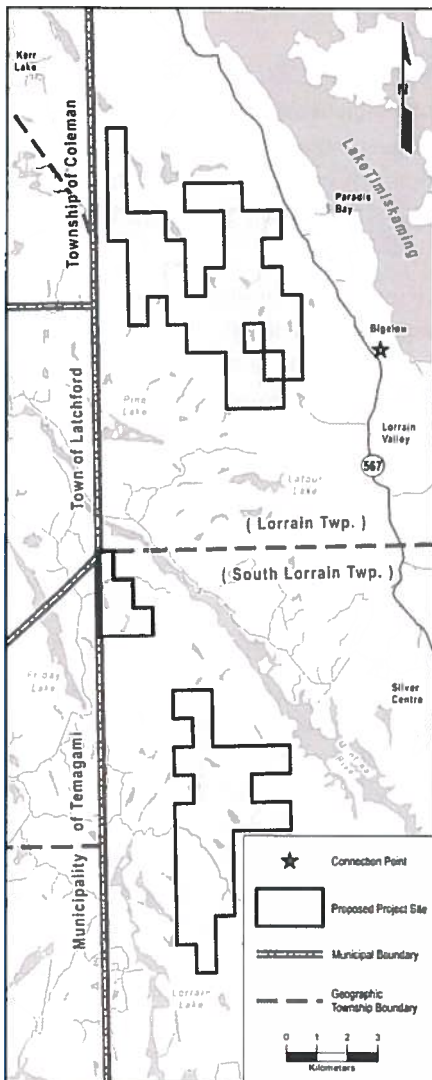
The LRP is a competitive process for procuring large renewable energy projects generally larger than 500 kilowatts. At the conclusion of the LRP, the IESO may award contracts for successful projects up to the specified procurement targets for each renewable fuel: 300 megawatts (MW) for wind, 140 MW for solar, 75 MW for waterpower, and 50 MW for bioenergy.

This notice is being distributed to notify members of the public of a public community meeting that has been scheduled to discuss the LRP proposal. Information regarding EDF EN Canada Development Inc., the Friday Lake Wind Energy Centre, and the meeting details are described below.

This public community meeting is being held as part of the early community engagement requirements of the LRP. The public community meeting will present details about the Friday Lake Wind Energy Centre and its proposed connection line. Representatives of EDF EN Canada Development Inc. will be available to

discuss the Project and the overall LRP process. Should the Friday Lake Wind Energy Centre be awarded a contract, the Project would need to obtain all required permits and approvals and conduct any further required community engagement activities.

Further details regarding the LRP process are available at [www.ieso.ca/lrp](http://www.ieso.ca/lrp)



### PUBLIC COMMUNITY MEETING INFORMATION

TUESDAY, AUGUST 11, 2015

5:00 - 8:00 pm

Haileybury Legion Hall  
Canadian Legion Branch 54  
373 Broadway Street  
Haileybury, ON P0J 1K0

**PROponent:**

Friday Lake Energy Centre Limited Partnership (LP)

**QUALIFIED APPLICANT FROM THE LRP RFQ STAGE:**

EDF EN Canada Development Inc.

**NAME OF THE PROPOSED PROJECT:**

Friday Lake Wind Energy Centre

**RENEWABLE SOURCE:**

On-Shore Wind

**PROPOSED CAPACITY (MW):**

120 MW

**PROPOSED CONNECTION POINT:**

Near Bigelow, on the existing 230 kV transmission line along Highway 567, in Lorrain Township

**PROPOSED LOCATION OF THE PROJECT AND CONNECTION LINE:**

On Crown Land, within Lorrain and South Lorrain Townships, west of Timiskaming Lake and Highway 567, on both sides of the Montreal River

**GRID CELL NUMBERS:**

- 471000793400, 471730793400, 470930793330, 471830793530, 471800793430, 471800793400, 471830793400, 471930793400, 472030793500, 471900793400, 472000793700, 472030793700, 470800793530, 470830793530, 470900793530, 470930793530, 471030793530, 471900793530, 471930793530, 470800793430, 470830793430, 471000793430, 471030793430, 471900793430, 472030793430, 470700793500, 470730793500, 471030793500, 470830793500, 470900793500, 470930793500, 470930793400, 471300793630, 471900793630, 472130793700, 471030793330, 471700793330, 471830793330, 471900793600, 472000793600, 471330793730, 471830793500, 471730793330, 471930793330, 472000793330, 471100793500, 471930793630, 471700793400, 472000793400, 471830793430, 471830793300, 470930793300, 471800793230, 471130793530, 471330793700, 472100793700, 471900793330, 471800793500, 471830793630, 471300793730, 470800793500, 470900793430, 472030793400, 470730793530, 471930793600, 471900793300, 471030793300, 471700793300, 471800793300, 472000793300, 471130793500, 471830793230, 471030793400, 471730793230, 471000793500, 472000793630, 470930793430, 471300793700, 471400793730



David Thornton  
EDF EN Canada Inc., Stakeholder Relations  
53 Jarvis Street, Suite 300  
Toronto, ON, M5C 2H2  
1-844-55-EDF-EN / 1-844-553-3336

FridayLakeWind@edf-en.ca  
[www.FridayLakeWind.ca](http://www.FridayLakeWind.ca)  
[www.edf-en.ca](http://www.edf-en.ca)

Aug 4/15

## I would like to personally invite you to attend the Public Community Meeting for the proposed Friday Lake Wind Energy Centre.

In advance of the meeting I wanted to share with you some key project details:

- EDF EN Canada Development Inc. plans to submit the proposed Friday Lake Wind Energy Centre into the competitive Large Renewable Procurement (LRP / RFP) process on September 1, 2015;
- The proposed Friday Lake Wind Energy Centre is in the early stages of planning, therefore all project design and layout information is preliminary;
- EDF EN Canada Development Inc. will host more public meetings as the project planning continues;
- There is no contract yet with the Ontario government.

EDF EN Canada Development Inc. operates differently than other renewable energy companies, because we not only develop and build renewable projects, but through our operations and maintenance affiliate - EDF Renewable Services, we intend to operate the facility throughout its operational life.

Our long-term approach means we judge success by our ability to maintain a long and positive partnership with our host community partners and neighbours while generating clean energy. Across Canada, we used this approach to successfully develop 15 wind and solar projects, investing in equity partnerships with municipalities and Aboriginal communities.

Our goal is to develop, build, and operate the Friday Lake Wind Energy Centre in order to meet this high standard of success. The development team looks forward to meeting with you and sharing more about the project and its benefits to the local community. If you cannot attend the meeting, or if you have a question at any time, please contact us at any time at: **844-55-EDF EN** or [FridayLakeWind@edf-en.ca](mailto:FridayLakeWind@edf-en.ca).

Sincerely,

Nathalie Jouanneau, Developer  
EDF EN Canada Development Inc.

## J'ai le plaisir de vous inviter à la rencontre communautaire du projet éolien de Friday Lake.

Préalablement à cette rencontre, je souhaite partager avec vous quelques informations-clés sur le projet :

- EDF EN Canada Development Inc. envisage de soumettre le projet éolien de Friday Lake à l'appel d'offres du programme d'approvisionnement en grands projets d'énergies renouvelable (LRP / RFQ) de l'IESO;
- Le projet éolien de Friday Lake est à un stage préliminaire de développement, ainsi l'ingénierie et la stratégie d'implantation du projet sont au stade exploratoire;
- EDF EN Canada Development Inc. organisera plusieurs rencontres communautaires à mesure de l'avancement du développement du projet;
- Le projet ne bénéficie pas encore d'un contrat avec le gouvernement ontarien.

EDF EN Canada Development Inc. a un modèle différent des autres compagnies : non seulement nous développons et construisons des projets d'énergie renouvelable, mais nous en assurons également l'exploitation, l'opération et la maintenance notamment via notre filiale – EDF Renewable Services, pour l'ensemble de la durée de vie de l'installation.

Notre approche à long terme, qui consiste à créer une relation durable avec les communautés accueillant nos projets, nous amène à juger leur succès différemment. Nous jugeons le succès de nos projets sur notre capacité à créer et maintenir ce type de relation avec les municipalités et communautés avoisinantes tout en produisant de l'électricité propre et d'origine renouvelable. Nous avons utilisé cette approche pour développer avec succès 15 projets solaires et éoliens à travers le Canada et avons investi 500 millions en partenariat avec des municipalités locales et des Premières Nations.

Notre objectif est de développer, construire et exploiter le projet éolien de Friday Lake en vue d'atteindre ce haut niveau d'exigence. L'équipe de développement est impatiente de vous rencontrer et de partager avec vous davantage d'informations au sujet du projet et de ses retombées pour la communauté locale. Si vous n'êtes pas en mesure d'assister à la rencontre communautaire ou si vous avez une question, à tout moment, contactez-nous à **844-55-EDFEN** ou [FridayLakeWind@edf-en.ca](mailto:FridayLakeWind@edf-en.ca).

Cordialement,

Nathalie Jouanneau, Développeur  
EDF EN Canada Development Inc.

**Applications Now Open for Ontario Community Infrastructure Fund***Province Continues to Invest in Small, Rural and Northern Municipal Infrastructure*

July 28, 2015 11:30 A.M.

Ontario is inviting small, rural and Northern municipalities to apply for infrastructure funding to build and repair critical infrastructure, like roads and bridges, under the Ontario Community Infrastructure Fund.

To be eligible for the Ontario Community Infrastructure Fund, municipalities must have a population of less than 100,000 as of the 2011 census or be located in northern or rural Ontario. Eligible municipalities will have access to \$100 million per year to revitalize core infrastructure and support asset management planning.

The province approved 78 projects under the first intake of the fund, and expressions of interest for the second intake will be accepted from July 28, 2015 to September 11, 2015.

This funding is part of the largest infrastructure investment in Ontario's history - more than \$130 billion over 10 years, which will support more than 110,000 jobs per year on average with projects such as roads, bridges, transit systems, schools and hospitals.

Investing in municipal infrastructure is part of the government's plan to build Ontario up. The four-part plan includes investing in people's talents and skills, making the largest investment in public infrastructure in Ontario's history, creating a dynamic, innovative environment where business thrives, and building a secure retirement savings plan.

**QUOTES**

" This second intake of the Ontario Community Infrastructure Fund will help municipalities across Ontario repair crucial infrastructure. The province's commitment to investing in small and rural infrastructure will help keep our communities strong while creating jobs."

- Jeff Leal

Minister of Agriculture, Food and Rural Affairs

" Our government is committed to working with communities across Ontario to provide stable, predictable infrastructure funding to build better roads, bridges and transportation. Investing in



infrastructure generates significant economic activity in local communities, creates jobs and helps maintain a strong regional business climate across the province."

- Brad Duguid

Minister of Economic Development, Employment and Infrastructure

" I'd like to thank the Honourable Jeff Leal, the Minister of Agriculture, Food and Rural Affairs, for coming here today to help us celebrate such an important event for our community. As a recipient of the first round of funding from the Ontario Community Infrastructure Fund, I can attest to the importance of this fund as a means to help our community grow and prosper."

- Frances Smith

Mayor of Central Frontenac

## QUICK FACTS

- In 2013, municipalities advised on the design of the Ontario Community Infrastructure Fund through province-wide consultations. Based on that feedback, the fund uses a formula to allocate \$50 million per year across 426 communities to support improvements and repairs to road, bridge, water and wastewater projects. Communities can also request additional funding for crucial infrastructure projects through the \$50 million application-based portion of the fund.
- A Conference Board of Canada report estimated that Ontario's public infrastructure investment would add more than \$1,000 to the average annual income of Ontarians in 2014 and lower the unemployment rate by about one percentage point.

## LEARN MORE

- [Ontario Community Infrastructure Fund](#)
- [ontario.ca/agriculture-news](http://ontario.ca/agriculture-news)

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**Chelsea Plante** Minister's Office  
416-326-6439  
**Susin Micallef** Communications Branch  
519-826-3145

[Available Online](#)  
[Disponible en Français](#)



*District of Timiskaming Social Services Administration Board*  
*Conseil d'administration des services sociaux du district de Timiskaming*

**Minutes of the Regular Meeting of the Board**

**held on Wednesday, May 20, 2015**

at the NEOFACS Boardroom – 40 Third Street, Englehart

**PRESENT:** Jim Whipple – Chair; Doug Jelly – Vice-Chair; Fred Deacon; Karen Gerrard; Patricia Hewitt; Clermont Lapointe; Norm Mino; Todd Morgan; Tina Sartoretto; Don Studholme, CAO

**STAFF:** Dani Grenier-Ducharme, Children's Services Manager  
Kelly Black, Social Housing Manager  
Janice Loranger, Director of Finance

**GUESTS:** Paul Mitchell, President of Mitchell Architects  
Paul Ethier, Director of Finance –North Eastern Ontario Family and Children's Services (NEOFACS)

**CALL TO ORDER:** The Regular Meeting of the Board was called to order at 5:30 p.m.

**1.0 DISCLOSURE OF PECUNIARY INTEREST**

None.

**2.0 PETITIONS AND DELEGATIONS**

**Delegation:**

**2.1 Best Start Network – Community Hub Proposal**

Paul Mitchell, President of Mitchell Architects and Paul Ethier, Director of Finance from NEOFACS presented this item to the Board for information on behalf of a Co-location Working Group formed by One Kids Place (OKP), Timiskaming Child Care (TCC), Cochrane Timiskaming Children's Treatment Center (CTCTC), Community Living Temiskaming South (CLTS) and North Eastern Ontario Family and Children's Services (NEOFACS).

The Co-location Working Group is proposing a capital project to create co-location of programs to accommodate the Best Start Network partners at the NEOFACS building in Kirkland Lake and recommends that the DTSSAB allocate the maximum possible funding for the project from Best Start Unconditional Reserve Funds, with a minimum of 75% of total cost.

D. Grenier-Ducharme, Children's Services informed the Board that the District of Timiskaming Best Start Network is supporting this capital project. More information regarding the proposal will be provided to the Board at a further date.

Chair J. Whipple thanked Mr. Mitchell and Mr. Ethier for their presentation.

**3.0 ADDITIONS TO AGENDA / ACCEPTANCE OF AGENDA**

Resolution # 2015-37 MOVED by Fred Deacon and SECONDED by Tina Sartoretto:

**THAT the agenda of the regular Board meeting held on May 20, 2015, Board be accepted as presented.**

**7.5 CAO Report**

D. Studholme, CAO, presented this item to the Board for information.

**7.6 Q1 Finance Report**

J. Loranger, Director of Finance, presented this item to the Board for information.

**8.0 IN CAMERA SESSION**

Resolution # 2015-43 MOVED by Fred Deacon and SECONDED by Doug Jelly:

**THAT the Board move into closed session to discuss one Human Resources matter.**

CARRIED

**9.0 RETURN TO REGULAR MEETING**

Resolution # 2015-46 MOVED by Fred Deacon and SECONDED by Norm Mino:

**THAT the Board resolve to rise from the in camera session and reconvene with the regular meeting of the Board without report at 7:40 p.m.**

**10.0 ADJOURNMENT / NEXT MEETING**

Resolution # 2015-47 MOVED by Norm Mino and SECONDED by Fred Deacon:

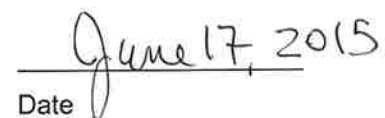
**RESOLVED THAT the Board meeting be hereby adjourned at 7:41 p.m.**

**AND that the next meeting be held on June 17, 2015, in Englehart, or at the call of the Chair.**

CARRIED

Minutes signed as approved by the Board:

  
Board Chair

  
Date

Recorder: Lise Gauvreau



## TEMISKAMING SHORES POLICE SERVICES BOARD

MONDAY, JULY 20, 2015 AT 10:00 A.M.

CITY HALL COUNCIL CHAMBERS – 325 FARR DRIVE

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### MINUTES

#### 1. CALL TO ORDER

The meeting was called to order by Board Chair Doug Jelly at 10:03 a.m.

#### 2. ROLL CALL

PRESENT: Board Chair Doug Jelly  
Board Members Ruth Shepherdson, Brian Thornton and Danny Whalen

ALSO

PRESENT: Christopher W. Oslund, Board Secretary  
Inspector Brent Cecchini, O.P.P. – Detachment Commander

REGRETS: Board Member Gail Moore

MEMBERS OF THE PUBLIC PRESENT: None

#### 3. ADDENDUM/ANNOUNCEMENTS

Deletions:

Under Item 5 a) Retirement Presentation to Inspector Dan Dawson deferred to September 5, 2015.

#### 4. APPROVAL OF AGENDA

Resolution No. 2015-013

Moved by: Danny Whalen

Seconded by: Brian Thornton

Be it resolved that the Temiskaming Shores Police Services Board approves the agenda as amended.

CARRIED

**5. PRESENTATIONS/DELEGATIONS**

None

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

None

**7. APPROVAL OF MINUTES**

Resolution No. 2015-014

Moved by: Ruth Shepherdson

Seconded by: Brian Thornton

Be it resolved that the Minutes of the Temiskaming Shores Police Services Board meeting held on May 25, 2015 be approved as printed.

CARRIED

**8. CORRESPONDENCE**

- a) G. Douglas Walsh, Director of Public Works – City of Temiskaming Shores

Re: Speed Limit Reduction – Lakeshore Road

Reference: Referred to New Business

- b) Oscar Mosquera, Manager of Program Development Section – Ministry of Community Safety and Correctional Services

Re: 2015/2016 and 2016/2017 RIDE Grant Allocation

Reference: By-law to be presented

- c) The Honourable Yasir Naqvi, Minister of Community Safety and Correctional Services

Re: Release of two booklets: “Crime Prevention in Ontario: A Framework for Action” and “Community Safety and Well-Being in Ontario: A Snapshot of Local Voices”

Reference: Received for information

Resolution No. 2015-015

Moved by: Brian Thornton  
Seconded by: Danny Whalen

Be it resolved that the Police Services Board agrees to deal with Communication items 8 a) to 8 c) according to the agenda references.

CARRIED

**9. OPP BUSINESS**

a) **OPP Report – May/June 2015**

Resolution No. 2015-016

Moved by: Ruth Shepherdson  
Seconded by: Danny Whalen

Be it resolved that the Temiskaming Shores Police Services Board acknowledges receipt of the May/June 2015 Ontario Provincial Police - Temiskaming Detachment Reports.

CARRIED

**10. NEW BUSINESS**

a) **OAPSB 2015 Governance & Labour Seminar – October 1-2, 2015**

Resolution No. 2015-017

Moved by: Ruth Shepherdson  
Seconded by: Danny Whalen

Be it resolved that the Temiskaming Shores Police Services Board approves the attendance of Board Chair Doug Jelly and Board Member Brian Thornton to the Ontario Association of Police Services Boards (OAPSB) Governance & Labour Seminar to be held in Toronto, Ontario on October 1-2, 2015; and

Further that the expenses for attending the said meeting be paid in accordance with the Board's Expense Policy.

CARRIED

b) **Speed Limit Reduction – Lakeshore Road**

The following concerns/comments were made by Board Members regarding the proposed speed limit reduction on Lakeshore Road:

- Decreasing the speed limit may increase aggressive driving
- More enforcement is required

- More public education is required
- Alternative traffic calming initiatives should be considered (i.e. “speed sign”)
- The number of entrances on Lakeshore Road supports a reduced speed limit

Inspector Cecchini will prepare a report on the number of charges laid as well as a speed analysis and collision analysis. He suggested that the City undertake a traffic count.

The report will be presented at the September 21, 2015 Police Services Board meeting.

c) **Board Procedural By-law (Draft)**

Resolution No. 2015-018

Moved by: Danny Whalen

Seconded by: Brian Thornton

Be it resolved that the Temiskaming Shores Police Services Board acknowledges receipt of the draft *Board Procedural By-law* and directs the Board Secretary to prepare the final version for consideration at the September 21, 2015 Regular Meeting.

CARRIED

d) **False Alarm By-law Revisions**

Resolution No. 2015-019

Moved by: Danny Whalen

Seconded by: Brian Thornton

Be it resolved that the Temiskaming Shores Police Services Board acknowledges receipt of the proposed revisions to the City’s False Alarm By-law; and

That the Board endorses and recommends that Council for the City of Temiskaming Shores amends its by-law to reflect the following:

- The elimination of a warning letter for First Offence False Alarm calls;
- The elimination of a graduated fine structure in favour of a flat fee of \$200 per False Alarm call; and
- The inclusion of cancelled False Alarm calls within the definition of a “response”.

CARRIED

e) **OAPSB Director’s Report**

Doug Jelly provided the Board with a verbal report on the Ontario Association of Police Services Boards. The next OAPSB meeting is scheduled for September 30, 2015.

f) **Traffic By-law (Provincial Offences)**

Inspector Cecchini expressed concern that the use of a municipal by-law as a Provincial Offences diversion tool could diminish the effectiveness of the “point system”.

The Board directed the Secretary to advise the POA Prosecutor that it will not be pursuing a Traffic Offences By-law.

11. **BY-LAWS**

Resolution No. 2015-020

Moved by: Ruth Shepherdson  
Seconded by: Brian Thornton

Be it resolved that the following by-laws being given first and second reading:

- a) By-law No. 2015-001 Being a by-law to enter into an agreement with the Ministry of Community Safety and Correctional Services (2015-2017 RIDE Grant)

CARRIED

Resolution No. 2015-021

Moved by: Danny Whalen  
Seconded by: Brian Thornton

Be it resolved that By-law 2015-001 be hereby given third and final reading be signed by the Board Chair and Board Secretary and the Corporate Seal affix thereto.

CARRIED

12. **CLOSED SESSION**

NONE



**13. SCHEDULE OF MEETINGS**

- a) Regular Police Services Board meeting – September 21, 2015 at 10:00 a.m.  
– Council Chambers, City Hall – 325 Farr Drive

**14. ADJOURNMENT**

Resolution No. 2015-022

Moved by: Brian Thornton  
Seconded by: Ruth Shepherdson

Be it resolved that the regular meeting of the Temiskaming Shores Police Services Board hereby adjourns at 11:28 a.m.

CARRIED

---

CHAIR

---

SECRETARY

**EARLTON-TIMISKAMING REGIONAL AIRPORT  
MUNICIPAL SERVICES BOARD (MSB)  
MINUTES**

Thursday, June 18th, 2015  
Maintenance Garage  
Earlton-Timiskaming Regional Airport  
Earlton, Ontario

**Attendance:** Pauline Archambault, Morgan Carson, Debbie Veerman, Marc Robillard,  
Doug Metson, Barbara Beachey, Bryan McNair, Charlie Codd, Danny Whalen,  
Dominique Nackers(Armstrong Twp.), Harold Cameron, Sheila Randell

**Guests:** Darlene Wroe (Speaker)

**Absent :** Robert Ethier, Ken Laffrenier, Ron Vottero, Representatives from Cobalt and James

**1. Welcome - Meeting called to order**

Moved by: Doug Metson

Seconded by: Bryan McNair

BE IT RESOLVED THAT "the meeting of June 18th, 2015, be called to order  
at 7:00 p.m, by Acting Chairman, Marc Robillard."

Carried

**2. Attendance was taken.**

**3. Approval of Agenda**

Moved by: Bryan McNair

Seconded by: Doug Metson

BE IT RESOLVED THAT "the Agenda be approved as presented."

Carried

**4. Minutes of last Meeting**

Moved by: Doug Metson

Seconded by: Bryan McNair

BE IT RESOLVED THAT "the Minutes of the meeting held May 21st, 2015, be adopted  
as presented."

Carried

**5. Errors or Omissions**

There were no errors or omissions.

6. **Business Arising from the Minutes**  
There was no Business arising from the minutes.

7. **Closed Session**  
There was no Closed Session.

8. **Committee Reports**

(i) Finance Committee  
Moved by: Bryan McNair  
Seconded by: Doug Metson

BE IT RESOLVED THAT "the report of the Finance Committee for the month of May 2015 be adopted as presented and be attached hereto forming part of these Minutes.

Carried

(ii) Property and Maintenance Committee Report  
Reported that the City of Temiskaming Shores has 2 sander trucks available for surplus, and the MSB should look into acquiring these trucks.

Moved by : Pauline Archambault  
Seconded by : Barbara Beachey

BE IT RESOLVED THAT "the report of the Property and Maintenance Committee be adopted as presented."

Carried

(iii) Human Resources Committee  
No Report

9. **Correspondence**

Moved by: Danny Whalen  
Seconded by: Pauline Archambault

BE IT RESOLVED THAT "the Correspondence for May 2015 be filed."

Carried

10. **Manager's Report**

Moved by: Pauline Archambault  
Seconded by: Barbara Beachey

BE IT RESOLVED THAT "the Manager's Report for the month of May 2015, be adopted as presented, and attached hereto forming part of these Minutes."

Carried

11. **Chairman's Remarks/Report**

No Report

**12. Any Other Business:**

Harold and Doug advised the Board that the City of Temiskaming Shores currently has 2 sander trucks available through surplus that the Airport could really use.

Moved By : Doug Metson

Seconded By : Debbie Veerman

BE IT RESOLVED THAT "the Municipal Services Board send a letter of intent to the City of Temiskaming Shores requesting the availability of 2 sander trucks"

Carried

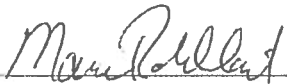
**13. Adjournment**


Moved by: Danny Whalen

Seconded by: Pauline Archambault

BE IT RESOLVED THAT "this meeting be adjourned - 7:25 p.m. The next meeting will be held July 16th, 2015 at 7:00 p.m. at Armstrong Council Chambers.

Carried

  
\_\_\_\_\_  
Chair

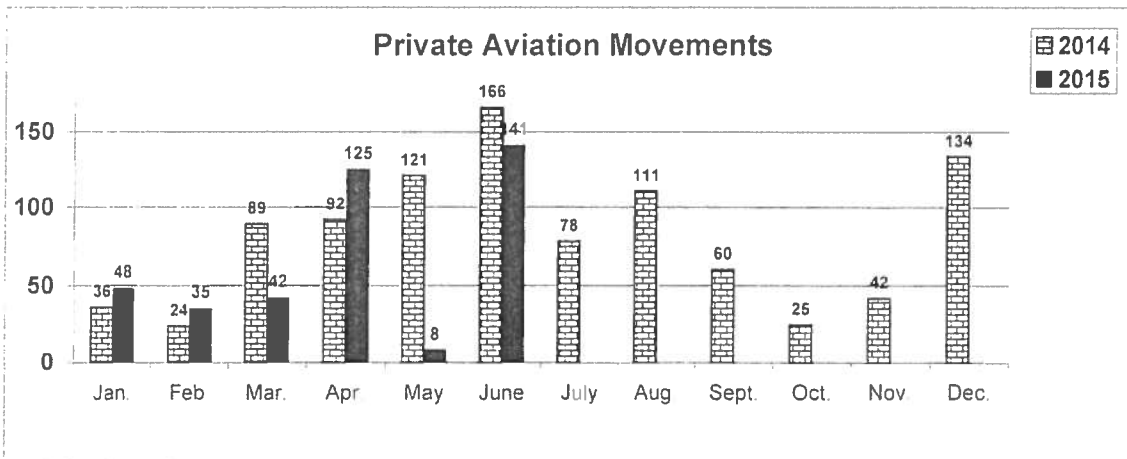
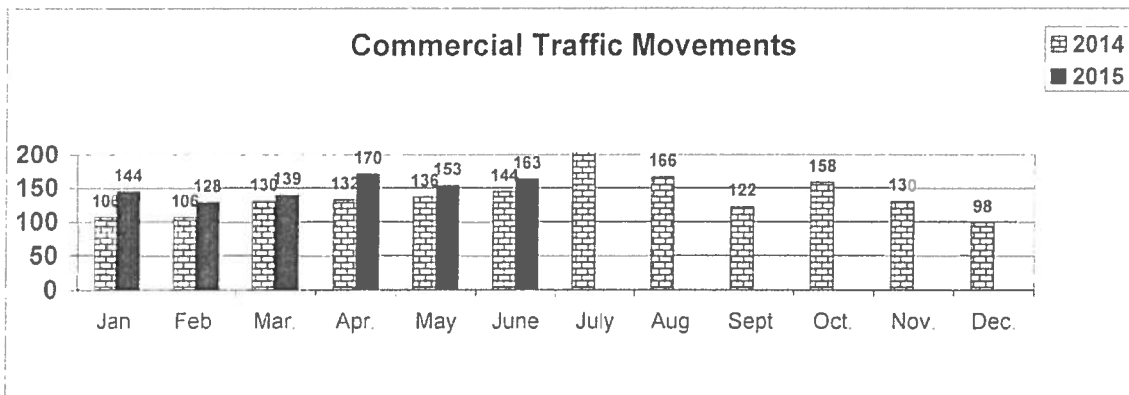
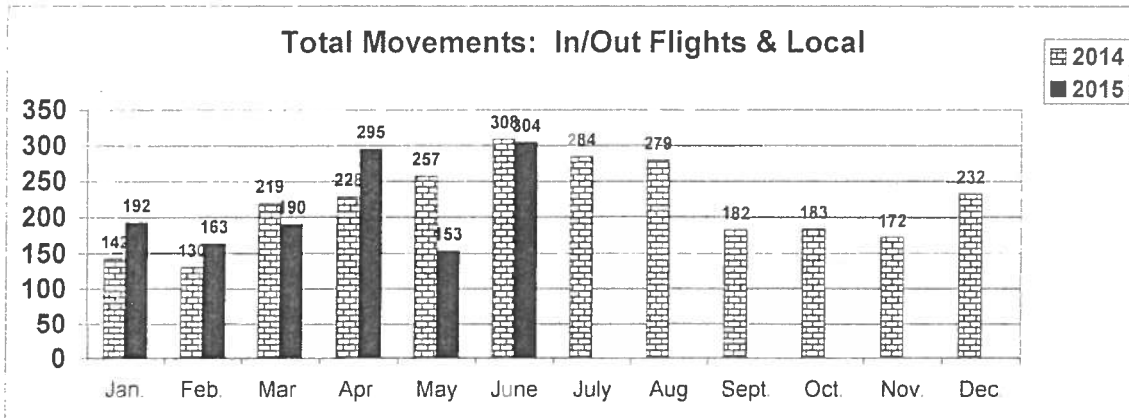
  
\_\_\_\_\_  
Secretary

# EARLTON-TIMISKAMING REGIONAL AIRPORT JUNE 2015

<u>REVENUE</u>	<u>ACTUAL</u>	<u>YTD</u>
Fuel	\$11,302	\$60,159
Operations	\$12,163	\$203,216
	<hr/>	
	\$23,465	\$263,375
 <u>EXPENSES</u>		
Fuel	\$7,478	\$41,783
Operations	\$14,675	\$114,849
Capital Expenses	\$2,033	\$2,033
	<hr/>	
	\$24,186	\$158,665
 <u>NET PROFIT/LOSS</u>		
Fuel	\$3,824	\$18,376
Operations	-\$2,512	\$88,367
Capital Expenses	-\$2,033	-\$2,033
	<hr/>	
	-\$721	\$104,710
 <u>FUEL INVENTORY - JET A1</u>	\$ 3,785	
<u>FUEL INVENTORY - AVGAS</u>	\$ 3,450	
<u>FUEL INVENTORY - DIESEL</u>	\$ 2,760	

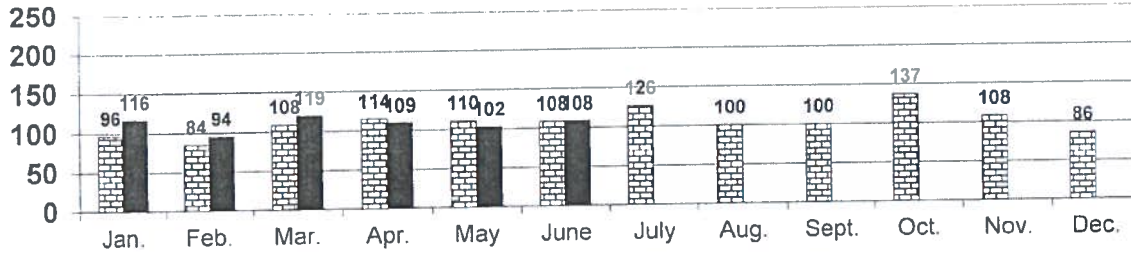
# ANNUAL AIRCRAFT MOVEMENTS

AS OF JUNE 30, 2015



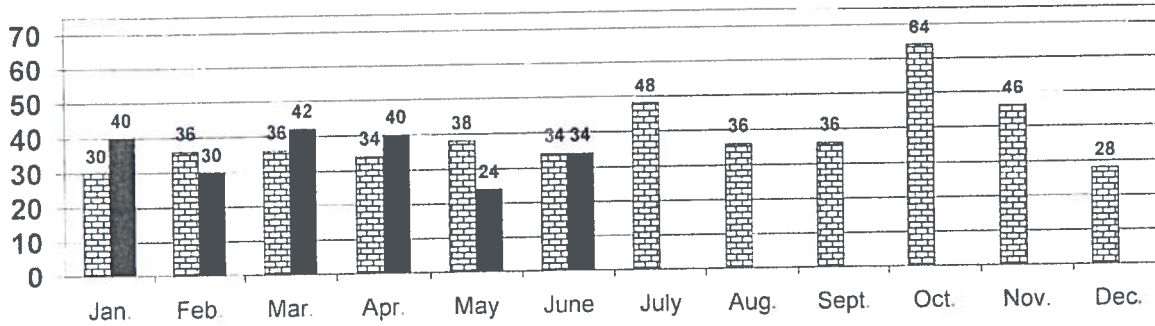
### Air Carriers Movements

2014  
2015



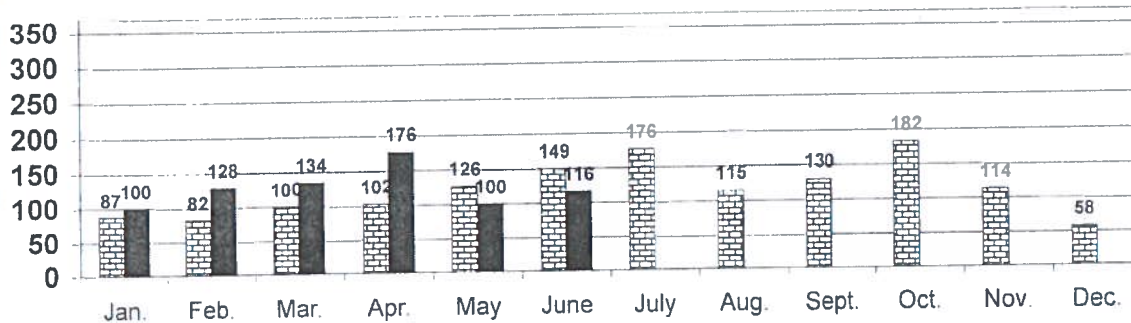
### Air Ambulance Movements

2014  
2015



### # Pgrs. via Air Charter

2014  
2015



## **MANAGER'S REPORT JUNE 2015**

### **QA Audit Follow Up:**

Robert Ethier and I went through all of the findings, evaluations, investigations, and Corrective Action Plans as required to satisfy the requirements of the SMS (Safety Management System) in the CARs (Canadian Aviation Regulations). Some have been completed, and others have timelines for compliance. In so doing, Robert is fulfilling his role as the AE (Accountable Executive) for the Airport SMS program, as required by an Act of the Federal Government.

### **Development of Strategic Business Plan:**

The steering committee for the Airport Strategic Business Plan met to compare evaluations at the Airport in June. Using a point scoring system that was outlined in the RFP (Request For Proposal), the contract was awarded to Explorer Solutions. They have done similar projects for other Airports in Northern Ontario, and Quebec. Our kick-off meeting is scheduled for the 22nd of July. We are hopeful that their fresh approach will reveal new ideas to attract revenue, and direct us in a positive direction for growth and sustainability.

### **Bikers Reunion:**

This was the first time that helicopter rides were offered at the Bikers Reunion. Helicopters Canada operated an R44 out of our Airport, and bought all of his gas from us...almost 1000 litres on the weekend! He hopes to make it an annual outing.

Harold Cameron  
Earlton-Timiskaming Regional Airport Manager



**Community Contribution Summary**  
**2015 Sharing Contribution**  
**Per Capita Contribution - \$7.95**

<u>Community</u>	<u>Population</u>	<u>Contribution</u>	<u>Paid</u>
Armstrong	1265	\$10,057	\$10,057.00
Casey	374	\$2,973	\$1,486.50
Chamberlain	346	\$2,751	\$1,375.50
Charlton and Dack	670	\$5,327	
Cobalt	1103	\$8,769	\$4,384.50
Coleman	531	\$4,221	\$4,221.00
Englehart	1546	\$12,291	\$12,291.00
Evanturel	464	\$3,689	\$1,844.50
Harley	526	\$4,182	\$4,182.00
Hilliard	227	\$1,805	\$1,805.00
Hudson	457	\$3,633	\$3,633.00
James	474	\$3,768	\$3,768.00
Temiskaming Shores	10125	\$80,494	\$40,247.00
Thornloe	110	\$875	\$875.00
<b>Total Contributions</b>	<b>18218</b>	<b>\$144,833</b>	<b>\$90,170.00</b>

**Donation**

Kerns	349	\$2,775	
<b>Total Contributions</b>		<b>\$147,608</b>	<b>\$90,170</b>

As of July 7, 2015



**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES  
ACCESSIBILITY ADVISORY COMMITTEE REGULAR MEETING**

Wednesday, May 20, 2015 – 10:30 AM

Centre de Santé

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Vision Statement: All people of the City of Temiskaming Shores shall live in dignity, with independence, inclusion and equal opportunity.

Mission Statement: To ensure through education, promotion, and advocacy, that all persons with disabilities can with dignity and independence have full, equal, inclusionary participation and opportunity within the boundaries of the City of Temiskaming Shores.

**MINUTES**

**1. CALL TO ORDER**

- Meeting called to order at 10:03 AM

**2. ROLL CALL**

MEMBERS:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Janice Labonte - Chair     | <input type="checkbox"/> George Depencier           | <input checked="" type="checkbox"/> Debbie Despres |
| <input checked="" type="checkbox"/> Carman Kidd (Mayor)        | <input checked="" type="checkbox"/> Josette Cote    | <input checked="" type="checkbox"/> Bob Hobbs      |
| <input checked="" type="checkbox"/> Mike McArthur (Councillor) | <input checked="" type="checkbox"/> Walter Humeniuk | <input checked="" type="checkbox"/> Nicki Galley   |

SUPPORT STAFF:

- Karen Beauchamp, Director of Community Growth and Planning
- Kelly Conlin, Executive Assistant
- Mitch Lafreniere, Manager of Physical Assets

**3. REVIEW OF REVISIONS OR DELETIONS TO AGENDA**

- None

**4. APPROVAL OF AGENDA**

Moved by: Josette Cote

Seconded by: Councillor Mike McArthur

Be it resolved that:

The agenda for the May 20, 2015 TSAAC meeting be approved as printed.

CARRIED

**5. DISCLOSURE OF CONFLICT OF INTEREST AND GENERAL NATURE**

- None

**6. BUSINESS ARISING FROM THE MINUTES**

- None

**7. Adoption of Previous Minutes**

Moved by: Bob Hobbs

Seconded by: Mayor Carman Kidd

Be it resolved that:

The Minutes for the April 15, 2015 TSAAC meeting be approved as printed.

CARRIED

**8. UNFINISHED BUSINESS**

**8.1 Transit Buses** – Mitch Lafreniere, Manager of Physical Assets presented the Memo No. 007-2015-CS and Resolution from May 5, 2015 Council meeting. Purchase two 35' low floor accessible transit buses from New Flyer (Girardin Blue Bird) at an upset limit of \$683,356 plus tax as well as specialized tooling for proper maintenance at an upset limit of \$ 22,437.29.

**8.2 Accessible Upgrades to Pool/Fitness Centre** – Mitch Lafreniere reviewed the Administrative Report No. PW-016-2015 and Resolution from May 5, 2015 Council

meeting – awarding contract to Norwin Contracting in the amount of \$104,800 plus HST.

**8.3 Stopgap.ca Community Ramp Project**

Dalas Forget, Medichair has agreed to champion the Stopgap.ca Community Ramp Project.

Moved by: Mayor Carman Kidd

Seconded by: Walter Humeniuk

Be it resolved that:

TSAAC appoints Nicki Galley to sit on the Stopgap.ca steering committee. (Janice Labonte appointed as the backup.)

CARRIED

**8.4 Housing for small families, seniors and persons living with disabilities Project – Request for Proposals opened May 14, 2015. Karen reported that 3 submissions were received and requested that TSAAC members assist with evaluating the submissions.**

Moved by: Walter Humeniuk

Seconded by: Bob Hobbs

Be it resolved that:

TSAAC appoints Janice Labonte and Josette Cote to sit on the proposal review committee.

CARRIED

**8.5 2015 Accessible Parking Space Program – Proposed amendments to the Traffic By-law to incorporate IASR Design of Public Spaces Standard. Karen reviewed the proposed changes to parking space locations and painting. The off-street spaces will be re-aligned to be in accordance with the IASR Regulations. The Traffic By-law will also be amended.**

Moved by: Debbie Despres

Seconded by: Josette Cote

Be it resolved that:

TSAAC supports the proposed amendments to the Traffic By-law to align the by-law with the IASR Standards for Design of Public Spaces and improve the number and location of accessible parking spaces in the City.

CARRIED

- 8.6 Franco-fun Activity Day** – April 30 at Riverside Place. Josette reported on the success of the event.

Moved by: Janice Labonte

Seconded by: Debbie Despres

Be it resolved that:

TSAAC directs staff to design and obtain quotes for a bilingual banner for TSAAC. The banner will be used for trade shows and events such as Northern College Accessibility Awareness Day and Franco fun Activity Day. TSAAC members will provide design ideas at the next regular meeting.

CARRIED

- 8.7 AODA – 10th Anniversary Celebration** – May 6, 2015 in Timmins– Karen, Josette, Debbie and Jennifer Pye attended. Josette and Debbie reported on the success of the event and complimented the City on their presentation about Temiskaming Transit Success Story.

- 8.8 TSAAC Terms of Reference** – Consolidated copy with April 2015 amendments provided to the committee.

- 8.9 AODA 10<sup>th</sup> Anniversary Toolkit** – TSAAC members to review the Toolkit and discuss ways to use the information at the May 20 2015 meeting. – Deferred until September

- 8.10 2014 AODA Self Certified Accessibility Report** – Received for Information.

## **9. NEW BUSINESS**

- 9.1 Ontario Provincial Police T- 9-1-1** - Beginning Wednesday, April 15, the OPP will be equipped to receive emergency calls for service via Text with 911 (T9-1-1) from people who are deaf, hard of hearing, or speech impaired (DHHSI) and for which the OPP is the Primary Public Safety Answering Point (P-PSAP). Received for Information.

- 9.2 Audible Pedestrian Signals** – (Josette)

Moved by: Josette Cote

Seconded by: Mike McArthur

Be it resolved that:

Be it resolved that TSAAC is concerned about the safety of residents who depend on the audible pedestrian signals and directs staff to forward the report from Cynthia Barty, CNIB to the Director of Public Works with a request that he review operation of the audible pedestrian signals. And further that TSAAC requests an update at the June 17, 2015 regular meeting regarding progress that is being made with respect to the correction of the operational issues that were identified.

CARRIED

**10. SCHEDULING OF MEETINGS – Third Wednesday of each month**

Moved by: Debbie Despres  
Seconded by: Janice Labonte

Be it resolved that:

The next regular TSAAC meeting is to be held on June 17 at 10:30 a.m. at the Timiskaming Health Unit.

CARRIED

**11. ITEMS FOR FUTURE MEETINGS**

- Audible Signals
- AODA Toolkit (September 2015)
- Logo/Prices for banners
- Housing update

**12. ADJOURNMENT**

Moved by: Josette Cote

Be it resolved that:

TSAAC adjourns at 12:00 P.M

CARRIED



**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES  
ACCESSIBILITY ADVISORY COMMITTEE REGULAR MEETING**

Wednesday, June 17, 2015 – 10:30 AM

Timiskaming Health Unit

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Vision Statement: All people of the City of Temiskaming Shores shall live in dignity, with independence, inclusion and equal opportunity.

Mission Statement: To ensure through education, promotion, and advocacy, that all persons with disabilities can with dignity and independence have full, equal, inclusionary participation and opportunity within the boundaries of the City of Temiskaming Shores.

**MINUTES**

**1. CALL TO ORDER**

- Meeting called to order at 10:40 AM

**2. ROLL CALL**

MEMBERS:

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Janice Labonte – Chair (late) | <input type="checkbox"/> George Depencier           | <input checked="" type="checkbox"/> Debbie Despres       |
| <input type="checkbox"/> Carman Kidd (Mayor)                      | <input type="checkbox"/> Josette Cote               | <input type="checkbox"/> Bob Hobbs                       |
| <input checked="" type="checkbox"/> Mike McArthur (Councillor)    | <input checked="" type="checkbox"/> Walter Humeniuk | <input checked="" type="checkbox"/> Nicki Galley (phone) |

SUPPORT STAFF:

- Karen Beauchamp, Director of Community Growth and Planning
- Kelly Conlin, Executive Assistant

GUESTS:

Rebecca Hunt, CAO Temiskaming Shores Public Library

### **3. REVIEW OF REVISIONS OR DELETIONS TO AGENDA**

- Under New Business – Item 10.4: Age Friendly Program – Update from Karen

### **4. APPROVAL OF AGENDA**

Moved by: Nicki Galley

Seconded by: Debbie Despres

Be it resolved that:

The agenda for the June 17, 2015 TSAAC meeting be approved as amended.

CARRIED

### **5. DISCLOSURE OF CONFLICT OF INTEREST AND GENERAL NATURE**

- None

### **6. DELEGATION**

Rebecca Hunt, CAO Temiskaming Shores Public Library provided the committee with information regarding the Canada 150 Funding application for Accessibility Upgrades and enhancements to New Liskeard Branch of Temiskaming Shores Public Library

Moved by: Councillor Mike McArthur

Seconded by: Debbie Despres

Whereas the Temiskaming Shores Accessibility Advisory Committee's Vision Statement is: *All people of the City of Temiskaming Shores shall live in dignity, with independence, inclusion and equal opportunity.*

And Whereas their Mission Statement is: *To ensure through education, promotion, and advocacy, that all persons with disabilities can with dignity and independence have full, equal, inclusionary participation and opportunity within the boundaries of the City of Temiskaming Shores.*

And Whereas the New Liskeard Branch of the Temiskaming Shores Public Library is a community facility that provides services to persons of every age, income level and ability. And whereas the existing building is not accessible for persons living with physical disabilities because of the number of stairs, narrow doorways, narrow corridors, small washrooms, and no ability to access all levels.



Be it resolved that:

The Temiskaming Shores Accessibility Advisory Committee supports the City's application to the Canada 100 Fund for accessibility upgrades and enhancements to the New Liskeard Branch of Temiskaming Shores Public Library in order to make the building accessible for everyone in the community.

CARRIED

## **7. BUSINESS ARISING FROM THE MINUTES**

- None

## **8. ADOPTION OF PREVIOUS MINUTES**

Moved by: Debbie Despres

Seconded by: Councillor Mike McArthur

Be it resolved that:

The Minutes for the May 20, 2015 TSAAC meeting be approved as printed.

CARRIED

## **9. UNFINISHED BUSINESS**

### **9.1 David C. Onley Award**

Karen Beauchamp made the committee aware that our nomination was unsuccessful. The committee is able to nominate again later in the year. The information will be brought back to the September or October meeting.

### **9.2 Audible Pedestrian Signals - Update**

Karen Beauchamp updated the committee in regards to the status of the audible pedestrian signals. The contractor that is responsible for the lights is aware of the concern and is researching options to address. Karen will invite the electrician to our September TSAAC meeting to discuss the operation of the audible signals with the committee.

### **9.3 Design and Costs for Banner**

Karen Beauchamp provided the committee with the preliminary pricing for the accessible/bilingual banner. Work is ongoing.

## **10. NEW BUSINESS**

**10.1 Accessibility Certification Program for Businesses (Received for Information)**

Karen Beauchamp provided information to the committee in regards to the certification program. She recommended that once the program is in place, TSAAC could perhaps promote it to area businesses to apply for certification should they meet certain criteria. More information will be presented at a future meeting.

**10.2 Automated Announcement System for Transit**

Karen Beauchamp made the committee aware of an upcoming meeting that she will be attending in regards to the Automated Announcement System. If there were any committee members interested in attending they will make Karen aware.

**10.3 Off Street Accessible Parking Spaces – City facilities - Update**

Karen Beauchamp provided the committee with an update on the off street accessible parking spaces. Unfortunately, there was not enough funding in the budget to proceed in 2015 with the changes requested, however, with proper estimating; the costs can be incorporated in 2016.

**10.4 Age Friendly Community Grant/Community Transportation Pilot Grant**

Karen Beauchamp announced that the City was successful in its funding application for the two programs. The City will start working on a job description and posting for a coordinator for these two programs. This position will be working within the Recreation Department.

**11. SCHEDULING OF MEETINGS – Third Wednesday of each month**

Moved by: Councillor Mike McArthur

Seconded by: Janice Labonte

Be it resolved that:

The next regular TSAAC meeting is to be held on September 16, 2015 at 10:30 a.m. at the Timiskaming Health Unit.

CARRIED

**12. ITEMS FOR FUTURE MEETINGS**

- David C. Onley Award Nomination
- Audible Pedestrian Signals
- Design for accessible/bilingual banner

**11. ADJOURNMENT**

Moved by: Debbie Despres

Seconded by: Walter Humeniuk

Be it resolved that:

TSAAC adjourns at 11:36 A.M.

CARRIED

# THE CITY OF TEMISKAMING SHORES JANUARY - JUNE 2015 YEAR-TO-DATE OPERATIONS FINANCIAL REPORT

## Distribution List

Mayor and Council	Doug Walsh, Director of Public Works
Chris Oslund, City Manager	Tammie Caldwell, Director of Leisure Services
Tim Uttley, Fire Chief	Shelly Zubyck, Director of Corporate Services
Dave Treen, Municipal Clerk	Karen Beauchamp, Director of Community Growth & Planning

Finance Department Contact:  
Laura-Lee MacLeod, Treasurer

30-Jul-15

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  - 1.2 Bank Balance
  - 1.3 Debt Outstanding
  - 1.4 Investments
  - 1.5 Federal Gas Tax Funds
  - 1.6 Summary - Operations Revenues & Expenditures
  
- 2.0 General Operations Summary
  - 2.1 Analysis
  - 2.2 General Operations By Cost Centre Revenues
  - 2.3 General Operations By Cost Centre Expenditures
  - 2.4 Environmental Operations Revenues & Expenses
  - 2.5 General & Environmental Operating Projects

## **1.0 EXECUTIVE SUMMARY**

### **1.1 Overview** Total City Net favourable position of \$152.7K.

The operations budget is favourable by \$152.7K. General operations has a net favourable position of \$158.5K. Environmental operations has a net unfavourable position of (\$5.8K).

### **1.2 Bank Balance** \$3,265.3K

The current bank balance as at June 30, 2015 is \$3,265.3K.

### **1.3 Debt Outstanding** \$2,873.8K

The City's outstanding debt is in the form of Ontario Strategic Infrastructure Financing Authority (OSIFA) debentures (\$422.2K), CMHC Municipal Infrastructure Lending Program (\$1,915.1K) and on OILC Infrastructure Ontario Lending Program (\$536.5K).

### **1.4 Investments**

The City of Temiskaming Shores has \$2,000.0K invested with BNS in a GIC program with both short and long term investment opportunities.

### **1.5 Federal Gas Tax Funds** \$788.2K

The balance as at June 30, 2015 was \$788.2K. The 2015 contribution of \$602.4 will be received in July and November.

**SUMMARY - OPERATIONS (General & Environmental)**  
**Revenues and Expenditures**  
**as at June 2015**

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
<b>GENERAL OPERATIONS</b>					
Revenues	21,676.7	16,066.7	16,134.3	(67.6)	-0.4%
Expenditures	20,633.0	9,078.8	9,304.9	226.1	2.4%
Transfer to Capital	<b>1,043.7</b>	<b>6,987.9</b>	<b>6,829.4</b>	<b>158.5</b>	<b>2.3%</b>

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
<b>ENVIROMENTAL OPERATIONS</b>					
Revenues	3,904.5	3,898.7	3,891.3	7.4	0.2%
Expenditures	3,205.3	1,395.4	1,382.2	(13.2)	-1.0%
Transfer to Capital	<b>699.2</b>	<b>2,503.3</b>	<b>2,509.1</b>	<b>(5.8)</b>	<b>-0.2%</b>

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
<b>TOTAL BUDGET OPERATIONS</b>					
Revenues	25,581.2	19,965.4	20,025.6	(60.2)	-0.3%
Expenditures	23,838.3	10,474.2	10,687.1	212.9	2.0%
Transfer to Capital	<b>1,742.9</b>	<b>9,491.2</b>	<b>9,338.5</b>	<b>152.7</b>	<b>1.6%</b>

NOTE: The January - June quarterly financial report is prepared comparing the YTD actuals to the final budget By-law 2015-073 passed on April 7, 2015.

## 2.0 General & Environmental Operations Revenues and Expenditures Summary

2.1 **Analysis** The General Operations YTD revenue variance as at June 2015 is (\$67.6K) or (0.4%). The primary drivers are:

- Corporate Services is (\$20.7K) unfavourable due to the insurance allocation to Environmental not processed until July
- Finance is (\$35.1K) unfavourable due to POA fine and bank interest less than anticipated

**Analysis** The Environmental Operations YTD revenue variance as at June 2015 is \$7.4K or 0.2%. There are no major drivers for this variance.

**Analysis** The General Operations YTD expenditures variance as at June 2015 is \$226.1K or 2.4%.

- City Manager is (\$69.0K) unfavourable due to union contract negotiation costs
- FEMS is \$48.9K favourable across various line items, no major driver for the variance

**Analysis** The Environmental Operations YTD expenditures variance as at June 2015 is (\$13.2K) or (1.0%). There are no major drivers for this variance.



## 2.2

## GENERAL OPERATIONS BY COST CENTRE

Revenues  
as at June 2015

	2015 Total Budget	2015 YTD			
		Actual	Budget	Variance B/(W)	% Change
<b>Revenues:</b>					
Governance: FEMS	69.3	55.6	54.2	1.4	2.6%
Policing	18.9	1.8	6.8	(5.0)	-73.5%
Corporate Services: Corporate Services	180.0	30.3	51.0	(20.7)	-40.6%
Municipal Clerk	42.7	28.1	29.3	(1.2)	-4.1%
Cemeteries	78.3	44.6	39.1	5.5	14.1%
Finance	5,569.1	1,980.6	2,015.7	(35.1)	-1.7%
General Taxation	12,649.6	12,571.9	12,577.1	(5.2)	0.0%
Comm Growth/Plng: P&DS	319.7	126.4	95.5	30.9	32.4%
Economic Development	489.0	215.8	207.4	8.4	4.1%
Public Works: Transportation	371.9	167.9	172.2	(4.3)	-2.5%
Solid Waste Management	470.7	260.9	281.0	(20.1)	-7.2%
Leisure Services: Parks	178.9	102.3	104.4	(2.1)	-2.0%
Programs	194.8	96.8	100.9	(4.1)	-4.1%
Facilities	509.7	270.3	287.7	(17.4)	-6.0%
Healthy Kids	161.7	3.5	3.5	0.0	0.0%
Property Mntce: Property Maintenance	64.3	10.5	2.8	7.7	275.0%
Buildings & Yards	171.5	79.5	75.6	3.9	5.2%
Fleet:	62.5	0.0	0.0	0.0	0.0%
Libraries:	74.1	19.9	30.1	(10.2)	-33.9%
<b>Total Revenues</b>	<b>21,676.7</b>	<b>16,066.7</b>	<b>16,134.3</b>	<b>(67.6)</b>	<b>-0.4%</b>

## 2.3

## GENERAL OPERATIONS BY COST CENTRE

Expenditures  
as at June 2015

	2015 Total Budget	2015 YTD			
		Actual	Budget	Variance B/(W)	% Change
<b>Expenditures</b>					
Council:	140.0	74.8	79.3	4.5	5.7%
Governance:					
City Manager's Office	314.0	251.0	182.0	(69.0)	-37.9%
FEMS	588.7	242.9	291.8	48.9	16.8%
Health & SS:					
Health	445.1	219.3	222.6	3.3	1.5%
Social Services	2,314.0	1,156.8	1,157.0	0.2	0.0%
Policing:					
Police Service Board	8.3	3.8	5.9	2.1	35.6%
OPP	2,308.1	1,191.8	1,187.0	(4.8)	-0.4%
Corporate Services:					
Corporate Services	1,545.3	817.7	797.6	(20.1)	-2.5%
Municipal Clerk's Office	252.6	114.3	123.8	9.5	7.7%
Cemeteries	94.1	22.3	29.7	7.4	24.9%
Finance	2,121.8	321.4	320.0	(1.4)	-0.4%
General Taxation	192.3	140.8	142.9	2.1	1.5%
Comm Growth/Plng:					
Economic Development	818.7	381.8	376.8	(5.0)	-1.3%
P&DS	788.7	328.4	356.3	27.9	7.8%
Public Works:					
Transportation	3,079.6	1,364.8	1,464.2	99.4	6.8%
Solid Waste Management	1,383.4	575.1	590.6	15.5	2.6%
Property Maintenance	653.2	288.4	313.4	25.0	8.0%
Buildings & Yards	243.3	123.8	131.7	7.9	6.0%
Fleet	574.3	307.0	294.7	(12.3)	-4.2%
Leisure Services:					
Parks	1,557.3	646.0	717.7	71.7	10.0%
Programs	49.5	14.4	22.9	8.5	37.1%
Facilities	559.2	287.5	282.5	(5.0)	-1.8%
Healthy Kids	161.7	3.5	3.5	0.0	0.0%
Libraries:					
Libraries	439.8	201.2	211.0	9.8	4.6%
<b>Total Expenditures</b>	<b>20,633.0</b>	<b>9,078.8</b>	<b>9,304.9</b>	<b>226.1</b>	<b>2.4%</b>

**ENVIRONMENTAL OPERATIONS**  
**Revenues and Expenditures**  
as at June 2015

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
<b>Revenues</b>					
User Fees	3,904.5	3,898.7	3,891.3	7.4	0.2%
Total Revenues	<b>3,904.5</b>	<b>3,898.7</b>	<b>3,891.3</b>	<b>7.4</b>	<b>0.2%</b>
<b>Expenditures</b>					
Financing	254.9	59.4	59.4	0.0	0.0%
Administration	719.7	286.2	299.1	12.9	4.3%
Sanitary Sewer Systems	667.2	270.2	264.0	(6.2)	-2.3%
Waterworks System	1,141.5	548.8	526.2	(22.6)	-4.3%
Buildings & Yards	422.0	230.8	233.5	2.7	1.2%
Total Expenditures	<b>3,205.3</b>	<b>1,395.4</b>	<b>1,382.2</b>	<b>(13.2)</b>	<b>-1.0%</b>
<b>Net Expenditures</b>	<b>699.2</b>	<b>2,503.3</b>	<b>2,509.1</b>	<b>(5.8)</b>	<b>-0.2%</b>

**GENERAL OPERATING PROJECTS**  
as at June 2015

		2015	2015 YTD		Budget Remaining
		Total Budget	Actual	Budget	
<b>Expenditures</b>					
Public Works:	Culverts	100.0	14.8	20.0	85.2
CG&P:	Official Plan	12.0	2.0	2.0	10.0
	Housing Needs Analysis	2.1	1.9	1.9	0.2
	Cultural Plan	100.5	44.2	44.2	56.3
	PDAC/Northern Ontario Exhibit	415.0	193.0	193.0	222.0
	Economic Strategic Plan	50.0	0.0	0.0	50.0
Corp Services:	Shredding Municipal Documents	0.0	3.7	0.0	(3.7)
	Computer Hardware/Software	35.0	28.8	28.8	6.2
Leisure Services:	NL Arena Tables	1.5	0.0	0.0	1.5
	Small Riding Tractor	1.5	0.0	0.0	1.5
	Hockey Nets	3.0	0.0	0.0	3.0
	Downtown Benches (2)	2.4	0.0	0.0	2.4
	Garbage Receptacle Replacement (20)	15.0	4.5	4.5	10.5
	Park Signage (7)	8.4	0.0	0.0	8.4
	Ignite Ontario Program	10.0	1.6	1.6	8.4
	Ball Field Lights (Relamp)	15.0	0.0	0.0	15.0
	Cubicles PFC	7.0	0.0	0.0	7.0
	Christmas Light Replacements (LED)	10.0	0.0	0.0	10.0
	TD Green Streets (tree replacement)	30.0	0.0	0.0	30.0
Property Mntce:	Various Building Projects	157.5	68.9	68.9	88.6
	Municipal Energy Plan	53.0	23.1	23.1	29.9
<b>Total Expenditures</b>		<b>1,028.9</b>	<b>371.7</b>	<b>368.0</b>	<b>557.2</b>

**ENVIRONMENTAL OPERATING PROJECTS**  
as at June 2015

		2015	2015 YTD		Budget Remaining
		Total Budget	Actual	Budget	
<b>Expenditures</b>					
Sewer System:	Equipment & Facilities	254.3	98.6	98.6	155.7
Water System:	Equipment & Facilities	254.3	82.5	82.5	171.8
<b>Total Expenditures</b>		<b>508.6</b>	<b>181.1</b>	<b>181.1</b>	<b>327.5</b>
<b>Total Variance Created by Operating Projects:</b>					
		<b>1,537.5</b>	<b>552.8</b>	<b>549.1</b>	<b>884.7</b>

# THE CITY OF TEMISKAMING SHORES JANUARY - JULY 2015 YEAR-TO-DATE CAPITAL FINANCIAL REPORT

## Distribution List

Mayor and Council	Doug Walsh, Director of Public Works
Chris Oslund, City Manager	Tammie Caldwell, Director of Leisure Services
Tim Uttley, Fire Chief	Shelly Zubyck, Director of Corporate Services
Dave Treen, Municipal Clerk	Karen Beauchamp, Director of Community Growth & Planning

Finance Department Contact:  
Laura-Lee MacLeod, Treasurer

30-Jul-15

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  - 2.1 Analysis - General Capital
  - 2.2 General Capital Revenues & Expenditures
  - 2.3 Dymond Industrial Park Project
  - 2.4 Waterfront Development Project
  - 2.5 Environmental Capital Revenues & Expenditures
  - 2.6 Integration of New Liskeard and Dymond Water Systems

**SUMMARY - CAPITAL**  
**Revenues and Expenditures**  
**as at July 2015**

	2015 Total Budget	Actual	2015 YTD		% Change
			Total Budget	Variance B/(W)	
<b>CAPITAL</b>					
<b>Revenues</b>					
Capital - General	6,454.7	431.3	6,454.7	(6,023.4)	-93.3%
Capital - Environmental	6,151.9	836.0	6,151.9	(5,315.9)	-86.4%
<b>Total Revenues</b>	<b>12,606.6</b>	<b>1,267.3</b>	<b>12,606.6</b>	<b>(11,339.3)</b>	<b>-89.9%</b>
<b>Expenditures</b>					
Capital - General	7,498.3	1,253.8	7,498.3	6,244.5	83.3%
Capital - Environmental	6,851.0	536.6	6,851.0	6,314.4	92.2%
<b>Total Expenditures</b>	<b>14,349.3</b>	<b>1,790.4</b>	<b>14,349.3</b>	<b>12,558.9</b>	<b>87.5%</b>
<b>Net Position Capital</b>	<b>(1,742.7)</b>	<b>(523.1)</b>	<b>(1,742.7)</b>	<b>(1,219.6)</b>	<b>70.0%</b>

NOTE: The January - July monthly capital financial report is prepared comparing the YTD actuals to the final budget By-law 2015-073 passed on April 7, 2015.

## **2.0 General Capital Summary**

### **2.1 Analysis**

The City of Temiskaming Shores 2015 Capital projects for both general and environmental is \$14,349.3K. The capital program is composed of \$7,498.3K of general capital and \$6,851.0K of environmental capital.

The 2015 Capital project budget consists of 38 projects, 31 in general and 7 in environmental.

#### ***General Capital Projects:***

A majority of projects are underway.

#### ***Environmental Capital Projects:***

Gray Road Lift Station - staff are investigating other funding opportunities for certain aspects of the project. We resubmit Lift Station component to Build Canada should Round 2 open in fall.



**GENERAL CAPITAL**  
**Revenues & Expenditures**  
as at July 2015

Department	Project	2015			Variance B/(W)	%	G Y R		
		Total Budget	Actual	Budget					
<b>REVENUES:</b>									
	Transfer from Reserves	405.3		405.3	(405.3)				
	Accessibility Funding	50.0	50.0	50.0	0.0				
	Borrowing	2,150.6		2,150.6	(2,150.6)				
	Canadian Solar Partnership	13.6		13.6	(13.6)				
	Lighting Incentive Program	94.0		94.0	(94.0)				
	Federal Gas Tax	1,071.6		1,071.6	(1,071.6)				
	Provincial Gas Tax	357.0		357.0	(357.0)				
	Dymond Industrial Park Funding	443.5	64.4	443.5	(379.1)				
	Uno Park Bridge Funding	75.7	75.7	75.7	0.0				
	STATO Partnership	160.0		160.0	(160.0)				
	Waterfront Development Funding	1,633.4	241.2	1,633.4	(1,392.2)				
<b>Total Revenues</b>		<b>6,454.7</b>	<b>431.3</b>	<b>6,454.7</b>	<b>(6,023.4)</b>				
<b>EXPENDITURES:</b>									
<b>Corporate Services:</b>	Capital Contingency Fund	100.0	0.0	100.0	100.0				
	Computer Hardware	50.7	62.6	50.7	-11.9	100%	X		
<b>Property Mtnce:</b>	NL Community Hall Heating Upgrades	20.0	0.0	20.0	20.0	50%	X		
	NL Community Hall Engineering	10.0	0.0	10.0	10.0	25%	X		
	Pool Dehumidification Upgrades	25.0	25.4	25.0	-0.4	100%	X		
	Hlby Station Review/Design	15.0	0.0	15.0	15.0	50%	X		
	Roofs (Dym Comm Hall/Hlby Lib)	133.0	66.8	133.0	66.2	90%	X		
	Haileybury Arena Roof Replacement	92.0	56.6	92.0	35.4	90%	X		
	Haileybury Arena Entrance Engineering	10.0	0.0	10.0	10.0	25%	X		
	PFC Accessible Entrance Upgrades	125.0	1.3	125.0	123.7	50%	X		
	PW#1 Bldg Energy Upgrades	60.0	0.0	60.0	60.0	25%	X		
	NL Library Stabilization	30.0	0.0	30.0	30.0	25%	X		
<b>FEMS:</b>	Live Fire Training Facility	2.4	0.0	2.4	2.4		X		
	Firefighting Equipment	30.5	8.8	30.5	21.7	50%	X		
<b>Public Works:</b>	Dymond Industrial Park	1,699.8	262.9	1,699.8	1,436.9	50%	X		
	2015 Road Program	1,071.6	0.0	1,071.6	1,071.6	25%	X		
	Uno Park Bridge	220.0	92.9	220.0	127.1	75%	X		
	Street Light Upgrades	810.0	0.0	810.0	810.0	50%	X		
	Municipal Data Works System	25.0	3.3	25.0	21.7	10%	X		
	182 Pine Street West Emergency Repair	0.0	63.8	0.0	-63.8	100%	X		
<b>Solid Waste:</b>	Landfill Site Expansion	200.0	103.5	200.0	96.5	50%	X		
<b>Transit:</b>	Bus Shelters	7.0	0.0	7.0	7.0				
	Transit Buses	478.7	0.0	478.7	478.7	75%	X		
<b>Fleet:</b>	Loader (annual capital lease payments)	36.4	24.2	36.4	12.2	100%	X		
	Pumper (annual capital lease payments)	52.8	19.8	52.8	33.0	100%	X		
	Sanders	24.0	0.0	24.0	24.0	75%	X		
	Pick Up Crew Cab	35.0	30.8	35.0	4.2	100%	X		
<b>Leisure Services:</b>	Pete's Dam Bridge	112.0	0.0	112.0	112.0	75%	X		
	PFC Weight Room Floor	24.0	0.0	24.0	24.0				
	STATO Project	160.0	0.0	160.0	160.0				
	Dymond Kinsmen Park	8.0	0.0	8.0	8.0	50%	X		
	Floor Machine	7.5	5.6	7.5	1.9	100%	X		
	Hlby Beach Mushroom	8.0	0.0	8.0	8.0	100%	X		
	Waterfront Development	1,814.9	425.5	1,814.9	1,389.4		X		
<b>Total Expenditures</b>		<b>7,498.3</b>	<b>1,253.8</b>	<b>7,498.3</b>	<b>6,244.5</b>				
<b>Net Position</b>		<b>(1,043.6)</b>	<b>(822.5)</b>	<b>(1,043.6)</b>	<b>(12,267.9)</b>				

2.3

**DYMOND INDUSTRIAL PARK  
as at July 2015**

**Prior Year (2005 - 2014)**

Year	Cost to Date	Funding	PPP	Federal Gas Tax	Land Sales	City Funded	Unfinanced
2014	6,200.1	3,584.8	139.9	1,231.0	572.4	389.6	<b>282.4</b>

Project	YTD		2015
	Actual	Budget	Variance B/(W)
Hwy 11/Radley Road Turning Lane	23.4	610.8	587.4
Rockley Road Design	0.0	34.9	34.9
Rockley Road Construction	0.0	731.0	731.0
Storm Water Management Pond	239.6	223.1	-16.5
Certified Site Program	0.0	100.0	100.0
	<b>263.0</b>	<b>1,699.8</b>	<b>1,436.8</b>

2.4

**WATERFRONT DEVELOPMENT PROJECT  
as at July 2015**

Project	Total Budget	2014 Actual	2015		Variance B/(W)	%	G	Y	R
			YTD Actual	Budget					
Waterfront Stabilization & Beautification	742.0	0.0	24.3	742.0	717.7	60%	X		
Boardwalk Demolition and Replacement	323.2	323.2	0.0	0.0	0.0	100%	X		
Boardwalk Lighting Upgrades	32.9	32.9	0.0	32.9	32.9	40%	X		
Accessible Landscaping	250.0	0.0	0.0	250.0	250.0	75%	X		
Farmer's Market	300.0	0.0	0.0	300.0	300.0				
Spurline Building Renovations	40.0	11.7	17.8	28.3	10.5	100%	X		
Bucke Park Water and Septic Upgrades	130.0	13.3	41.2	116.7	75.5	40%	X		
Professional Services (Engineering)	100.0	7.7	34.6	92.3	57.7	80%	X		
Marina Refurbishment and Electrical Upgrades	303.9	51.2	307.6	252.7	-54.9	100%	X		
<b>2,222.0</b>	<b>440.0</b>	<b>425.5</b>	<b>1,814.9</b>	<b>1,389.4</b>					

**Project Summary:**

- Waterfront Stabilization:
  - Pedersen Construction awarded contract for the Haileybury Service Marina, By-law 2015-071
  
- Boardwalk Demolition and Replacement:
  - entire boardwalk was replaced in 2014
  - bulbs for lighting upgrades have been ordered, awaiting delivery
  - installation will be completed by end of August 2015
  
- Accessible Landscaping:
  - prep work for the four (4) playgrounds is being undertaken in house
  - Ure-tech Ltd. will be the week of August 10th to pour the rubber surface
  
- Farmer's Market:
  - awaiting site selection
  
- Spurline Building Renovations:
  - renovations to the washrooms have been completed
  - upgrades to the kitchen have been completed and include new appliances and venting upgrades
  - project appears to have come in under budget, will await any final invoices to determine final costs, any excess will be reallocated to another project
  
- Bucke Park Water and Septic Upgrades:
  - well has been drilled but there are issues with the water samples
  - investigating resolutions to the problem
  - no update on the septic upgrades
  
- Professional Services (Engineering):
  - engineering services for the marina & electrical upgrades has been completed
  - engineering services for the waterfront stabilization is ongoing
  
- Marina Refurbishment and Electrical Upgrades:
  - project completed which included new docks, electrical upgrades and a swipe card system at both marinas
  - the project is currently overbudget by approximately \$54.9K.
  - in 2014, a portion of this budget was reallocated to fund the boardwalk replacement as estimates had come in higher than anticipated for this component. At that time it was felt that pulling the funds from the marina component would be a viable option however, now that all work is completed we will be required to reallocate from another project area in order to remain within the overall budget envelope

## 2.5

**ENVIRONMENTAL CAPITAL**  
**Revenues & Expenditures**  
**as at July 2015**  
**(\$K)**

	2015				%	G Y R		
	Total Budget	Actual	Budget	Variance B/(W)				
<b>REVENUES:</b>								
Public/Private Partnership	124.9	0.0	124.9	(124.9)				
Funding - Looping Project	1,199.5	836.0	1,199.5	(363.5)				
Funding - Gray Road Project	2,697.8	0.0	2,697.8	(2,697.8)				
Transfer from Reserves	2,129.7	0.0	2,129.7	(2,129.7)				
<b>Total Revenues</b>	<b>6,151.9</b>	<b>836.0</b>	<b>6,151.9</b>	<b>(5,315.9)</b>				
<b>EXPENDITURES:</b>								
Gray Road Lift Station	4,165.0	24.5	4,165.0	4,140.5	10.0%	x		
Beach Garden Trunk Sanitary	450.0	5.0	450.0	445.0			x	
NL Water Supply-Dymond Link	1,634.5	22.6	1,634.5	1,611.9	25.0%	x		
Communication Upgrades NL/Dym	325.0	160.4	325.0	164.6	75.0%	x		
Vehicle Replacements	100.0	31.8	100.0	68.2	75.0%	x		
Rebecca Street Emergency Repairs	0.0	76.0	0.0	(76.0)	100.0%	x		
NL Reservoir Pump Upgrades	9.0	5.1	9.0	3.9	100.0%	x		
McDonough Heights Emergency Repairs	0.0	69.4	0.0	(69.4)	100.0%	x		
Lakeshore Road Emergency Repair	0.0	0.0	0.0	0.0	90.0%	x		
Hlby WTP Roof Replacement	167.5	141.8	167.5	25.7	95.0%	x		
<b>Total Expenditures</b>	<b>6,851.0</b>	<b>536.6</b>	<b>6,851.0</b>	<b>6,314.4</b>				
<b>Net Position</b>	<b>(699.1)</b>	<b>299.4</b>	<b>(699.1)</b>	<b>(11,630.3)</b>				

2.6

**INTEGRATION OF NEW LISKEARD & DYMOND SYSTEMS  
as at July 2015**

Project	Total Budget	2014 Actual	YTD Actual	2015		Variance B/(W)	%	G	Y	R
				Budget	Budget					
Looping Project	2,171.3	62.8	22.6	1,634.5		1,611.9	25%	x		
	<b>2,171.3</b>	<b>62.8</b>	<b>22.6</b>	<b>1,634.5</b>		<b>1,611.9</b>				

The project has an overall budget of \$2,171,030 for the project which will span 2014 - 2016.

\$100,000 was budgeted in 2014 for engineering to which a total of \$62,831.36 was expended.

The City was successful in receiving funding under the Ontario Community Infrastructure Fund in the amount of \$1,520,000, 73.38% of the estimated project expenses of \$2,071,300.

# Memo

**To:** Mayor and Council  
**From:** Karen Beauchamp, Director Community Growth and Planning  
**Date:** August 4 2015  
**Subject:** Sale of Residential Lots in Haileybury and North Cobalt  
**Attachment:** None

Mayor and Council:

At the June 16, 2015 meeting, Council awarded two of the six projects for Housing for Small Families, Seniors and Persons Living with Disabilities Project.

In accordance with Council's direction, Staff sent a letter to ten neighbours on June 23, 2015 offering them the vacant lot abutting their property for the fair market value of \$17,825 plus HST. The deadline for providing a written Offer to Purchase to the City was July 15, 2015.

The owners of 154 Meridian and 166 Meridian are the abutting owners to the lot at 160 Meridian. They have inquired about severing 160 Meridian and each purchasing half for lot addition. In addition to sharing the purchase price, they would share in the cost of the application for a consent to sever (\$600), advertising fee (\$100), application for a deeming by-law (\$200), as well as a survey and legal fees to register the consent, deeming by-law and transfer. Staff recommends that Council direct staff to start the public process to divide the lot at 160 Meridian and sell it to abutting neighbours.

No other offers to purchase were received from neighbours. Staff recommends that Council offer the lots for sale to the public by advertising the sale in the Community Bulletin, on Facebook and the City's Website as well as posting a sign on the property.

The lots that are available for sale are as follows:

Lot Description	Size	Potential Development	Price
Lot 73 M30NB Albert Street	50' x 125'	Single detached or duplex	\$17,825 + HST
Lot 74 M30NB Albert Street	50' x 125'	Single detached or duplex	\$17,825 + HST
Lot 75 M30NB Albert Street	50' x 125'	Single detached or duplex	\$17,825 + HST
Lots 186 and 187 M48NB Corner of Rorke and Lawlor	100' x 100'	Single detached, duplex or fourplex	\$17,825 + HST
123 Carter Boulevard	66' x 124'	Single detached or duplex	\$17,825 + HST

Prepared by:

Reviewed and submitted for  
 Council's consideration by:

"Original signed by"

"Original signed by"

Karen Beauchamp, MCIP, RPP, CMO  
 Director of Community Growth  
 and Planning

Christopher W. Oslund  
 City Manager

**Subject:** Contract Award to P.A. Blackburn Limited  
 Certified Site Program- Dymond Industrial Park

**Report No.:** CGP-033-2015  
**Agenda Date:** August 4, 2015

**Attachments**

- Appendix 01:** Request for Quotation Results  
**Appendix 02:** Draft Agreement

**Recommendation**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-033-2015; and
2. That Council directs staff to prepare the necessary by-law to enter into an agreement with P.A. Blackburn Limited for the completion of the Certified Site Program requirements for the Dymond Industrial Park at an upset cost of \$ 52,900 plus applicable taxes for consideration at the August 4, 2015 Regular Council meeting.

**Background**

The City applied for funding assistance through the Ministry of Economic Development, Trade & Employment (MEDTE) in 2014. The application was successful, but the land parcels in the Dymond Industrial Park were separated by Dawn Drive, therefore two separate projects were required. The City entered into the two agreements with MEDTE in the spring of 2015.

The Certified Site Program will provide the land in the Dymond Industrial Park with some Provincial, National and International marketing coverage. To date, only six sites within the province of Ontario are listed on the Invest in Ontario website. Temiskaming Shores will hopefully be listed with these sites as a shovel ready site within the province for potential investors to consider.

**Analysis**

The Request for Quotation document was prepared and CGP-RFQ-001-2015 was distributed to previous and known potential bidders as well as on municipal procurement websites with a submission deadline of 2:00 p.m. on Thursday, July 2, 2015. Three (3) responses to the request were received by the closing date.

After reviewing the submissions staff felt that the scope of the project was not clearly defined in the Request for Quotes so the three companies that had submitted quotes were asked to provide additional details and an updated quotation based on the Site Certification Criteria. These quotations were received on Thursday, July 23, 2015 and were as follows:

Bidder	Amount (no HST)	Provisional Items	Total
P.A. Blackburn Limited	\$37,300.00	\$15,600.00	\$52,900.00
MHBC Planning	\$61,887.50	\$30,000.00	\$91,887.50
EXP Services Inc.	\$84,684.54	\$8,000.00	92,684.54

The proposals were analysed by economic development and planning staff and both agreed that the most suitable and cost effective was the proposal submitted by P.A. Blackburn Limited. P.A. Blackburn Limited recently completed the legal Reference Plan of the newly expanded Dymond Industrial Park and is knowledgeable about the area. The Project Manager has worked in Temiskaming Shores previously and is knowledgeable about the Dymond Industrial Park and the Temiskaming Shores area. Staff also reviewed and are satisfied with the qualifications of the sub-consultants, Woodland Heritage (Archaeological), FRi Ecological Services (Species at Risk and Environmental Site Assessments), Ramsay Law Office (Title search and legal opinions), and Lassonde School of Engineering (Mapping and imagery).

The Provisional Items included in P.A. Blackburn's Limited's quote include an allowance for a Phase 2 Environmental Site Assessment, Stage 2 Archaeological Assessment and Cultural Heritage Environment Report. The Provisional Items will only be required if the pre-requisite studies show that there is a need. Staff have requested that Council approve the contract with an upset limit which includes the Provisional Items.

Attached as Appendix 01 are the results of the opening of CGP-RFQ-001-2015 on July 23, 2015. The draft agreement with P.A. Blackburn Limited is attached as Appendix 02.

**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

Council approved \$100,000 in the 2015 Capital Budget for the Dymond Industrial Park Site Certification Process. Fifty percent of the costs are eligible under the MEDTE funding program. The recommended consultant is within the approved budget allocation.

**Alternatives**

No alternatives were considered.

**Submission**

Prepared by:	Reviewed and approved by:	Reviewed and submitted for Council's consideration by:
 "original signed by"	 "original signed by"	 "original signed by"
_____ James Franks Economic Development Officer	_____ Karen Beauchamp, MCIP, RPP, CMO Director of Community Growth and Planning	_____ Christopher W. Oslund City Manager



Document Title: **CGP-RFQ-001-2015**

Opening Date: **July 23, 2015**

Opening Time: **2:00 pm**

Description: **Certified Site Requirements – Dymond Industrial Park**

Inquiry Contact: **James Franks, Economic Development Officer**

Form of Proposal

This proposal has no formal proposal form to be completed; each bidder submits a price along with specific information based on their proposal. Proposals are evaluated based on a pre-determined set of evaluation criteria.

Bidder: **EXP SERVICES INC.**

Total Project Price:	84,684.54
HST:	
Total:	

Non Collusion  Conflict of Interest

Bidder:

Total Project Price:	
HST:	
Total:	

Non Collusion  Conflict of Interest

Bidder: **P.A. BLACKBURN LTD**

Total Project Price:	37,300.
HST:	
Total:	

Non Collusion  Conflict of Interest

Bidder:

Total Project Price:	
HST:	
Total:	

Non Collusion  Conflict of Interest

Bidder: **MHBC PLANNING**

Total Project Price:	61,887.50
HST:	
Total:	

Non Collusion  Conflict of Interest

Bidder:

Total Project Price:	
HST:	
Total:	

Non Collusion  Conflict of Interest

Comment: Submissions will be reviewed for errors, omissions and accuracy and other criteria by municipal staff prior to any awarding. Subsequently bidders will be informed of the results.

In Attendance:

**Print Name**  
Courtney Tresidder

**Representing**  
City of Temiskaming  
Shores

**Signature**  


Allison Marshall

EXP



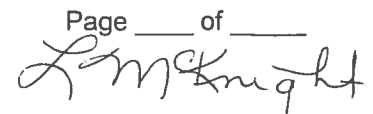
DAVID TREEN

CLERK



LINDA MCKNIGHT

CITY OF T. S.

Page \_\_\_ of \_\_\_  


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

**By-law No. 2015-000**

**Being a by-law to enter into an agreement with P.A.  
Blackburn Limited for the preparation of a Certified Site  
Program Designation for the Dymond Industrial Park**

**Whereas** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to 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. CGP-033-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with P.A. Blackburn Limited for the preparation of a Certified Site Program Designation for the Dymond Industrial Park for consideration at the August 4, 2015 Regular Council meeting;

**And whereas** the Council of The Corporation of the City of Temiskaming Shores deems it necessary to enter into an agreement with P.A. Blackburn Limited;

**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 Mayor and Clerk to enter into an agreement with P.A. Blackburn Limited for the preparation of a Certified Site Program Designation of the Dymond Industrial Park at an upset limit of \$52,900.00 plus applicable taxes, 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 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

---

Clerk - David B. Treen



Schedule "A" to

**By-law 2015-000**

Agreement between

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

and

**P.A. Blackburn Limited**

for the preparation of a Certified Site Program Designation  
for the Dymond Industrial Park

**This agreement** made in duplicate this 4<sup>th</sup> day of August, 2015.

Between:

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

(hereinafter called “the Owner”)

And:

**P. A. Blackburn Limited**

(hereinafter called “the Consultant”)

Witnesseth:

That the Owner and the Consultant shall undertake and agree as follows:

**Part 1 – General Provisions**

- 1.1 All communications in writing between the parties, shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**P.A. Blackburn Limited**  
704024 Rockley Road  
New Liskeard, Ontario  
P0J 1P0

The Owner:

**City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0  
Attention: Economic Development Officer

- 1.2 No Provisional Item work will be commenced without prior written authorization from the City.
- 1.3 The Provisional Items include a Phase 2 ESA in the amount of \$1,500/site; Stage 2 Archaeological Assessment in the amount of \$2,100/site and a Cultural Heritage Environmental Report in the amount of \$4,200/site. The Provisional Items will only be undertaken if warranted by the pre-requisite studies.
- 1.4 It is agreed by both parties that there are no anticipated changes in the scope of work. In the event that the Consultant encounters circumstances requiring a change in the scope of work, written authorization shall first be obtained from the City through the issuance of a Change Work Order prior to commencement.

**Part 2 – Covenants of the Owner**

- 2.1 The Owner will pay the Contractor in lawful money of Canada for the material and services aforesaid at an upset limit of Fifty-Two Thousand, Nine Hundred Dollars and Zero Cents (\$52,900.00) plus HST which is based on a contract price in the

amount of \$37,300 plus HST and Provisional Items in the amount of \$ 15,600 plus HST.

- 2.2 The Owner shall make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice

### **Part 3 – Covenants of the Consultant**

- 3.1 The Consultant will provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Certified Site Requirements  
Request for Quotation No. CGP-RFQ-001-2015**

- 3.2 The Consultant will do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Certification Instructions and Requirements and Appendix 02 – Form of Agreement, forming part of this agreement.
- 3.3 The Consultant shall complete, as certified by the Economic Development Officer, all the work by **December 10, 2015.**
- 3.4 The Consultant shall pay a penalty of \$200 per calendar day beyond December 10, 2015 for non-completion of the project. The City, at its sole discretion, may extend the date for completion based on rationale outside the control of the Consultant.

**Part 4 – Execution of Agreement**

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

Signed and Sealed in )  
the presence of )

**P. A. Blackburn Ltd.**

Consultant’s Seal )  
(if applicable) )

\_\_\_\_\_  
Owner – P.A. Blackburn

\_\_\_\_\_  
OLS – Greg Ford, P. Eng.

**Corporation of the City of  
Temiskaming Shores**

Municipal Seal )

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-000**

Certification Instructions and Requirements



## **Certification Instructions and Requirements**

### **Program Objective**

The Ontario Certified Site Program is a province-wide investment attraction program, the purpose of which is to promote an inventory of sites that meet a set of minimum requirements as outlined below. The program was designed by Deloitte Consulting, an internationally recognized leader in site selection. Information provided under the program is intended to include items most commonly required by those making site selection decisions for foreign direct investment and expansion projects.

A site with an Investment Ready: Certified Site designation is intended to be attractive to potential investors and purchasers because it reduces some of the unknowns associated with development by providing detailed information about the availability, utilities servicing, access and environmental concerns. Providing this information can lead to faster site selection decisions and investment transactions.

The benefits of this designation include the development of specialized marketing materials that are promoted to the site selection community, as well as a profile on the property on [www.investInOntario.com](http://www.investInOntario.com) and at key global investment attraction trade shows.

Through this program, the Province of Ontario collects site related information from the land owner/applicant and assembles it into a consistent and easy to use format. Please note that the Province of Ontario will not represent or warrant the accuracy or completeness of the Application to Certify and any other information submitted by the applicant, owner or by third parties which may be made available to any agents, prospective purchasers or other parties.

### **Purpose of Pre-screening**

The Pre-Screening application is the first step in the site certification process. Pre-screening Applications are used to determine eligibility for entry to the program. The purpose of the Pre-screening Application is to obtain general information about the site and determine whether mandatory eligibility and site requirements are met. Sites that meet the mandatory requirements identified in the pre-screening process will be eligible for acceptance into the certification program.

Pre-screening will occur through a series of rounds with specific application deadlines. The number of eligible sites accepted into the program will depend on the number of applications received and availability of funding for eligible reimbursements.

The fulfillment of minimum requirements does not guarantee acceptance into the program. Other information included in this application (e.g. site size, level of completed utilities servicing, proximity to transportation network, regional distribution, etc.) will be used to identify those sites that will be accepted into the program.

Eligible applicants will be required to enter into a funding agreement with the Province of Ontario to be eligible for reimbursement of certain expenses (to a maximum of \$25,000). Grant funding for reimbursements is through a discretionary fund and is subject to availability. An applicant will not be entitled to any grant funds if the site does not meet the requirements to achieve certification.

In a case where a site is accepted through the application process, but funding is not available or the applicant/ landowner is unable to enter into a funding agreement, the applicant/owner will be given the option to either proceed with the certification process without receiving reimbursement or to reapply in a subsequent Pre-screening Application round.

The Province of Ontario will endeavour to notify applicants of acceptance into the certification program within 45 days of the Pre-screening Application deadline.

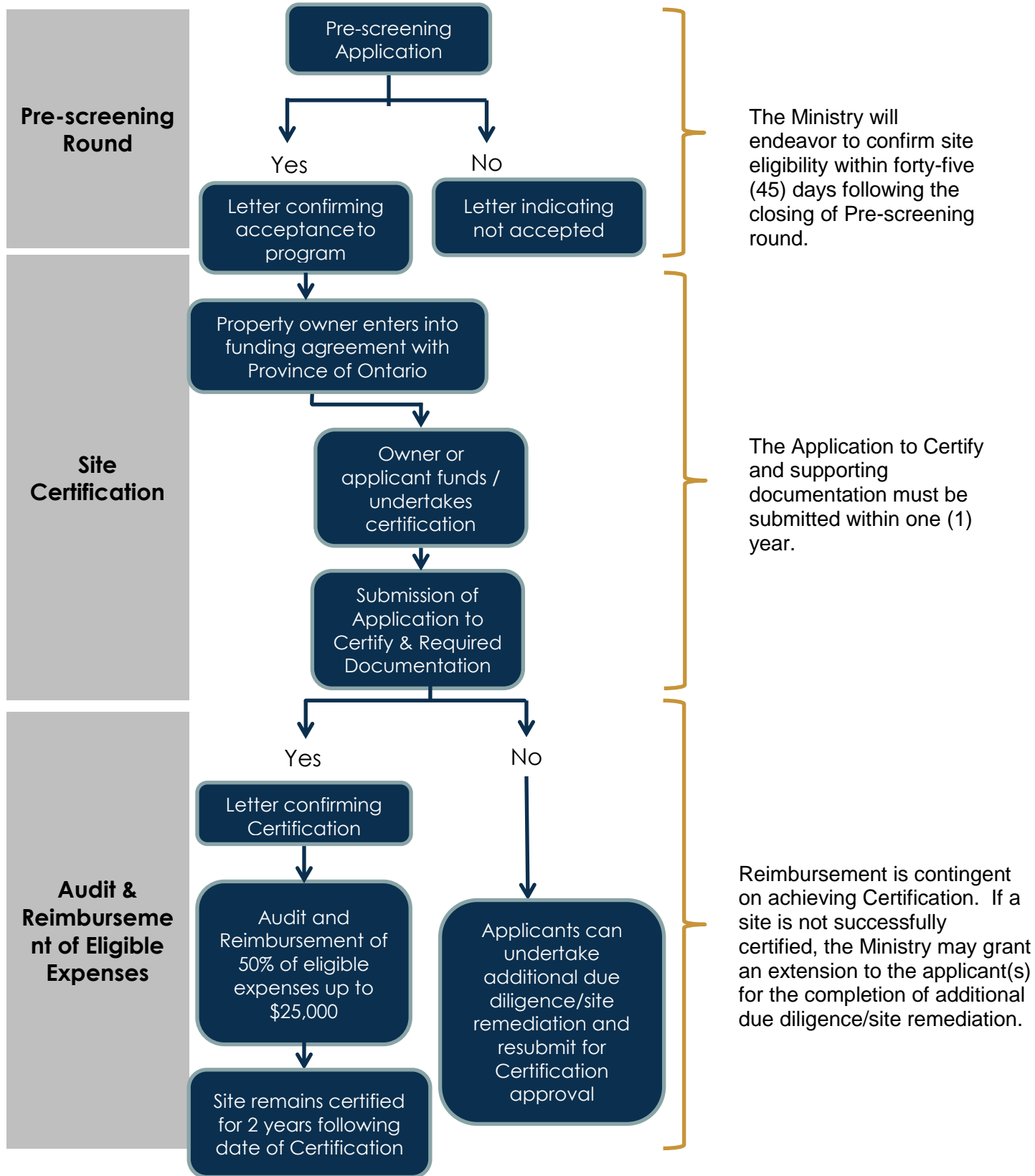
### **Minimum Eligibility Requirements**

The mandatory requirements that must be met for a site to be eligible for the certification program are identified below:

Site Ownership	The program is open to public and privately owned land. Property owner(s) must be willing to enter into a funding agreement with the Province to receive reimbursement through the grant program.
Applicant Eligibility	Applications must be submitted jointly by either municipalities or Economic Development Organizations (EDOs) and the owner(s) of the site. Applicants are limited to submitting two (2) sites for certification reimbursement per year.
Commitment to Make the Property Available for Sale/Lease	The property owner(s) must agree to make the property available for sale or lease for a period of two (2) years following the date of certification.
Minimum Property Size	The site must consist of at least four (4) hectares (ten (10) acres) of contiguous developable area. If the site is an assemblage of multiple properties, the properties must be contiguous and have the same registered owner on title.
Existing Public Road Access	The property must have existing road access from a public right-of-way or have plans to be able to extend road access within six (6) months of becoming certified.
Official Plan and Zoning	The property must be located within an urban or rural area designated for employment uses or industrial development in an in-effect municipal Official Plan and zoned to permit a range of industrial uses.
Servicing and Utilities	The property must either be serviced by existing water and wastewater systems, natural gas (for sites in municipalities with existing natural gas service), utilities and telecommunications or, alternatively, will be serviced within six (6) months of becoming certified.
Major Development Constraints	The property must be free of development constraints that could reasonably impact the developable area or range of industrial or other employment uses on the property. Potential constraints include restrictions on title, identified flood zones and the presence of significant natural environmental features or easements and existing Rights-of-Way .

### Certification Process

The certification process is summarized in the following diagram:



## Certification Requirements

The information below identifies and provides a brief description of information required to receive a Certified Site designation

Certain studies identified in the requirements may be accepted if they were already completed prior to the certification process provided that they were undertaken within a reasonable timeframe, the subject or study area of the report encompasses the property in its entirety and there have been no significant changes to the property since the time of the report.

The following studies, if already completed, may be accepted: Environmental Site Assessments, Archaeological Assessments, Species at Risk Assessments, Technical Heritage Reports and Environmental Assessments. Studies should be submitted with the Pre-screening Application form and applicants will be notified if they satisfy the necessary requirements. Note that Environmental Site Assessments should be no older than 6-9 months.

	Criteria	Description of Requirements	Documentation Required
A.1	Truthful Representation	<ul style="list-style-type: none"> <li>Signed letter from the applicant/property owner confirming that all materials are understood to be truthful and that there are no other known encumbrances affecting the property beyond those identified in the certification materials.</li> </ul>	<ul style="list-style-type: none"> <li><b>Signed form</b> letter from applicant and owner (if different from applicant).</li> </ul>
A.2	Property Identification	<ul style="list-style-type: none"> <li>Maps providing clear identification of property features, boundary and surrounding uses.</li> <li>Context map illustrating location relative to regional transportation network, including rail, airports and ports.</li> <li>Identification of closest sensitive land uses (residential or institutional) to the site as defined in Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses (Ontario Ministry of the Environment, 1995).</li> </ul>	<ul style="list-style-type: none"> <li><b>Digital context map</b> illustrating site location relative to regional transportation network.</li> <li><b>Digital topographic map</b> with environmental features for site and vicinity.</li> <li><b>Digital orthophotography</b> (20cm, orthorectified photography) for site and vicinity.</li> </ul>
A.3	Title	<ul style="list-style-type: none"> <li>Provide results of a title search showing a clear title of the property.</li> </ul>	<ul style="list-style-type: none"> <li><b>Title Search Opinion</b> prepared by a solicitor and/or <b>Title Insurance</b>.</li> </ul>
A.4	Property Characteristics and Surrounding Uses	<ul style="list-style-type: none"> <li>Provide Plan of Survey and accompanying report (if applicable) outlining: legal description, address and property dimensions; location of all existing improvements; type and location of land related encumbrances or interests on property title; and surrounding uses.</li> </ul>	<ul style="list-style-type: none"> <li><b>Surveyor’s Real Property Report</b> prepared by a licenced Ontario Land Surveyor.</li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.5	Developable Area	<ul style="list-style-type: none"> <li>• Estimate of the developable area of the site, including supporting base map illustrating the parcel boundaries and developable area of the property after deductions including any setback/buffer requirements, including: floodplains, watercourses, woodlots and environmental features, easements, rights-of-way, or other encumbrances.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Topographic map</b> showing environmental features and identifying the developable portion of the property.</li> </ul>
A.6	Planning	<ul style="list-style-type: none"> <li>• Provide details regarding the Official Plan designation/policies and zoning provisions, including range of permitted uses and setback requirements.</li> <li>• Identify zoning for adjacent properties.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Official Plan and Zoning By-law Excerpts</b>, including relevant Official Plan schedules and zoning maps illustrating zoning for the subject property and adjacent properties.</li> </ul>
A.7	Transportation	<ul style="list-style-type: none"> <li>• Confirm existing access or plans to extend existing roads to access the site.</li> <li>• Confirm proximity to a major highway interchange.</li> <li>• Identification of property relative to rail lines, airport and port facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Road classification or street maps</b> illustrating existing transportation network, and if applicable, right-of-way widths and nature/timing of any proposed transportation improvements.</li> <li>• <b>Regional map</b> identifying closest rail, intermodal facilities, port and/or airports (where applicable).</li> </ul>
A.8	Servicing	<ul style="list-style-type: none"> <li>• Confirmation from the municipality and utilities providers regarding the presence of existing services or, where the site is not serviced, the timing, funding responsibilities and cost of extending services to the site. Services include the following infrastructure and utilities:                         <ul style="list-style-type: none"> <li>○ Water</li> <li>○ Wastewater/sewer</li> <li>○ Electricity</li> <li>○ Natural gas</li> <li>○ Telecommunications</li> </ul> </li> <li>• Letters from the municipality and utilities providers that confirm the following:                         <ul style="list-style-type: none"> <li>○ Presence of existing services;</li> <li>○ Excess capacity of existing services;</li> <li>○ The timing and impact of any planned upgrades; and,</li> <li>○ Where the extension of services is required to service the site, written confirmation that the site can be serviced within 6 months of the date of certification, that the timing is known or under control of the applicant or land owner, as well as an estimate of any cost to the landowner.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Infrastructure/utilities map(s)</b> showing existing infrastructure for utilities and any proposed extensions</li> <li>• <b>Letters from Service Providers.</b></li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.9	Environmental Site Assessments	<ul style="list-style-type: none"> <li>Qualified person must make statements and provide certifications about the environmental condition of the property, including verifying that the soil, ground water and sediment as required</li> </ul>	<ul style="list-style-type: none"> <li><b>Recently completed or updated Phase 1 Environmental Site Assessment</b> and, if necessary, a <b>Phase 2 Environmental Site Assessment</b> conducted by a Qualified Person as defined in Part II of Ontario Regulation 153/04.</li> <li><b>Verification that the Record of Site Condition</b> has been filed to the Environmental Site Registry by the Ministry of the Environment, if applicable.</li> </ul>
A.10	Archaeological Assessment	<ul style="list-style-type: none"> <li>Completion of all necessary stages of archaeological assessment (1-4). Only where sites are recommended for further assessment will Stage 3 and possibly Stage 4 be required.</li> </ul>	<ul style="list-style-type: none"> <li><b>Stage 1-4 Archaeological Assessment reports</b> (as necessary). Assessments must be conducted by an archaeologist licensed in accordance with Part VI of the Ontario Heritage Act.</li> <li><b>A copy of the letter(s) from the Ministry of Tourism, Culture and Sport to the licensed archaeologist</b> confirming that all necessary archaeological assessment reports have been entered into the Register.</li> </ul>
A.11	Species at Risk	<ul style="list-style-type: none"> <li>If a federally or provincially protected species or habitat is suspected to be associated with a site, then the appropriate assessments (with consideration given to timing/seasonality) should be undertaken.</li> <li>If it is determined that a Species at Risk Assessment is not necessary, a written confirmation letter from a qualified environmental professional shall be required.</li> </ul>	<ul style="list-style-type: none"> <li><b>Species at Risk Assessment</b> prepared by a qualified environmental professional indicating if and which species at risk are present.</li> <li><b>Letter from the Ministry of Natural Resources</b> confirming that the assessment has been reviewed.</li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.12	Built Heritage and Cultural Heritage Landscapes	<ul style="list-style-type: none"> <li>• If the property is designated under the Ontario Heritage Act or listed on a municipal heritage register, completion of any required technical heritage studies as part of planning approvals.</li> <li>• If the property is owned or controlled by the Provincial government, assurance that the applicable provisions of the Standards and Guidelines for Conservation of Provincial Heritage Properties (2010) have been met.</li> <li>• If the property contains a former federal heritage building, a best effort demonstration to preserved the heritage character should have been made.</li> <li>• If it is determined that a Built Heritage and/or Cultural Heritage Landscape report is not necessary, a written confirmation letter from a municipal employee shall be required.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Technical heritage reports</b> (if requested by the municipality).</li> <li>• <b>Copy of any heritage permits</b> or documents from Council providing consent for alterations.</li> <li>• <b>Cultural Heritage Evaluation Report (CHER)</b>, or other technical heritage report, if one was completed as part of the EA process or a planning process authorized by legislation.</li> <li>• <b>Strategic Conservation Plan</b>, if the CHER identifies the property as a provincial heritage property legislation.</li> <li>• <b>Copy of the Letter from the Minister Tourism Culture and Sport</b> granting consent for disposition (transfer out of provincial control).</li> <li>• <b>Written confirmation from the Federal Heritage Review Office</b> that the requirements for disposal have been met.</li> </ul>
A.13	Environmental Assessment, if applicable	<ul style="list-style-type: none"> <li>• Confirmation of approvals under applicable environmental assessment processes required to facilitate the proposed undertaking, including sale/ lease of the property.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Statement of Completion, Ministry of Environment Minister's or Director's Decision Letter or a Notice of Approval.</b></li> </ul>
A.14	Documentation Review	<ul style="list-style-type: none"> <li>• Confirmation that:                             <ul style="list-style-type: none"> <li>○ All information and documentation required as part of this program are submitted; and</li> <li>○ Studies and documentation meet the requirements of the certification process and demonstrate they were prepared by the required professionals and their findings support the certification of the site based on the criteria outlined and the purpose and stated objective of the Investment Ready Certified Site Program.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Letter</b> from licenced Engineer, Surveyor or Registered Professional Planner and/or</li> <li>• <b>Letter</b> from a Real Estate Lawyer.</li> </ul>

### Purpose of the Application to Certify

The information collected in the application is a requirement for certification designation and will be used in developing marketing materials that will be distributed to site selection firms and/or investors seeking location opportunities in Ontario. It is desirable

that applicants provide clear and detailed information, as this document may be sent in response to investment enquires.

### **Application Submission**

Submit **one (1) hard copy and (1) electronic copy (USB or CD)** of the application and supporting documents to:

**Ministry of Economic Development, Trade and Employment**  
Advanced Manufacturing Branch  
Investment Ready: Certified Site Program  
56 Wellesley St. W., 7<sup>th</sup> Floor  
Toronto ON M7A 2E7

In addition, **email one (1) copy of the application** form to [investmentready@ontario.ca](mailto:investmentready@ontario.ca).

Upon review of the application and certification documentation, applicants will be notified of certification. A site will remain certified for two (2) years, provided the condition of the site does not change.

### **Eligible Costs and Reimbursement**

A maximum grant of 50% of eligible costs, up to \$25,000 per application, will be paid as a reimbursement of eligible costs provided the following conditions have been met:

- Applications have been accepted into the program through the Pre-screening Application process;
- Sites have met all certification requirements and have been successfully certified; and
- The Property Owner has entered into and agreed to the terms of a funding agreement with the Province of Ontario.

To receive reimbursement, invoices for each eligible cost are required and must be submitted along with a Summary of Eligible Costs Table (provided in the funding agreement). The grant will be paid in accordance with the terms and conditions of a funding agreement satisfactory to the Province of Ontario.

Eligible expenditures must be directly related to the project and be actual cash outlays to third parties that are documented through paid invoices and proofs of payment. Eligible costs include assessments and documentation prepared by qualified professionals for the following services:

- Title opinion.
- Surveyor’s Real Property Report.
- Environmental Site Assessments.
- Environmental Assessments.



- Archaeological Assessments.
- Species at Risk Assessment.
- Technical Heritage Reports.
- Documentation Review.
- Production of digital mapping and municipal documents (Official Plans, Zoning By-laws, etc.).
- Management of the application process by a third party project manager (a maximum of 10% of eligible costs up to \$5,000).

Ineligible costs include:

- Infrastructure or capital costs related to bringing the site up to eligibility.
- Costs incurred prior to the Effective Date as outlined in the funding agreement with the Province of Ontario.
- Costs incurred by an Ontario Ministry, Agency or Crown Corporation.
- Travel costs incurred by the applicants\property owner as a result of the preparation of the application.
- Ongoing operational expenses including labour costs, e.g. salaries, wages, including those of staff working on the certification application.
- Costs not incurred in Ontario, except when the only supplier(s) of services are outside of Ontario.
- Entertainment expenses, meals or alcoholic beverages.
- In kind contributions.
- Costs, including taxes, for which the applicant(s) has received, will receive or is eligible to receive a rebate, credit or refund.



Appendix 02 to  
Schedule "A" to

**By-law No. 2015-000**

Form of Agreement

**Subject:** Business Alliances Program

**Report No.:** CGP-034-2015  
**Agenda Date:** August 4, 2015

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### **Attachments**

None

### **Recommendation**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-034-2015; and
2. That Council supports in principle the Business Alliances program presented by RDÉE Ontario and AFMO and directs the Economic Development Officer to ensure that local businesses are aware of the opportunities.

### **Background**

Launched in 2001, RDÉE Ontario, through its programs, products and services and activities, contributes to the creation of sustainable jobs as well as to diversify and strengthen the economy of all francophone communities in Ontario. Its dynamic team, distributed across all regions of Ontario, continuously develops projects which aim to ensure full vitality and constant support to these communities. RDÉE Ontario is a member of RDÉE Canada's national network.

The City of Temiskaming Shores has partnered with RDÉE Ontario on various projects in the past including Naturallia, PDAC and others. As a community with a significant Francophone population, we are well suited to work with RDÉE Ontario to support business growth. The programs are geared to support Francophone businesses, however any business may participate.

### **Analysis**

Naturallia is one of the programs that have been developed through the Business Alliances program. The next program that has been developed is a series of trade missions between Francophone business owners in Ontario and those in other French speaking countries. The intent of these trade missions is to advise those countries that there are other opportunities for them in Canada other than Quebec.

Due to the expected signing of the Canada – European Union Trade Agreement (CETA) in 2016, RDÉE Ontario proposed in 2014 that it would be beneficial for Ontario suppliers to begin to look at partnership and growth opportunities in France and other French speaking European Union countries prior to the implementation of CETA. In May of 2014, several communities and a few business partners joined forces to visit the Rhones – Alpes district of France. This mission focused mainly on garbage incineration

and was targeted to communities who were pursuing this technology so we did not participate, but one of our local businesses, Nor Arc did join the group.

RDÉE Ontario is now proposing a second mission to France in the spring of 2016. This mission is to be focused on the mining and mining supply sector. At the same time, they are proposing that communities join their businesses to support the business people and to make connections with community partners in those communities so that future business alliances can be fostered.

The 2016 trade mission is targeted to the Alsace Lorraine region of France as that area in the Northeast portion of France has similar attributes to Northern Ontario. It is an area of mining and agriculture and made up of mostly small and rural communities.

RDÉE Ontario has proposed that each community should not only encourage businesses to participate in the mission, but also should consider the participation of economic development staff as well as the Mayor to support the businesses and make connections with the French communities so that future business alliances can be created or strengthened.

Many of the larger communities in Ontario participate regularly in international trade missions. Timmins EDC visited Sweden last year and is planning a mission to Germany this year. Sault Ste. Marie does bi-annual visits to Italy where their businesses have created strong business and investment partnerships. As a small community, it would be difficult for us to coordinate such a program, not just from the financing side of the equation, but also from the staff resource time required to set up the project. By partnering with RDÉE Ontario, they are looking after all of the coordination of the mission and finding suitable partners for not only the participating businesses, but also the partner communities and their respective counterparts in France.

Economic development staff have approached four businesses to date within the community to see if they would participate in a trade mission to France. Two of those have expressed interest in learning more about the program. The two others did not feel that this was the correct timing for their businesses.

Due to the mixed nature of the response, staff feel that at this point, it may not be valuable for municipal staff and the Mayor to participate in the program, but it is still valuable for the City to be involved in the program so that our businesses still have the opportunity to participate. If the City supports the program in principle, we may still join the delegation at a later date if Council feels that it is beneficial.

### **Financial / Staffing Implications**

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

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

This project has received funding from Fed Nor to assist RDÉE to coordinate the trade mission. The City could include funds within the 2016 municipal budget to support the

City's EDO and Mayor's participation. This amount is anticipated to be \$5,000 per person maximum. There would likely be additional costs however since there is a return mission planned in the fall of 2016 where businesses and municipal contacts from France would visit North Bay for a gathering of participating partners.

If the City wishes to participate in the 2016 trade mission, Council would need to consider a commitment of approximately \$20,000 within the 2016 economic development budget. It is difficult for staff to make a definite recommendation at this point as we do not yet have all of the details of the mission from RDÉE Ontario and until the business partners have this information they are reluctant to confirm their participation in the mission. Staff will continue to ensure that local businesses are aware of the opportunities.

### **Alternatives**

Council may wish to consider that if a specific number of area business partners wish to join the mission, then the City would join them on the trade mission.

### **Submission**

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

\_\_\_\_\_  
James Franks  
Economic Development  
Officer

\_\_\_\_\_  
Karen Beauchamp, MCIP, RPP, CMO  
Director of Community Growth  
and Planning

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

**Subject:** Disposal of Land – 69 Railway Street  
– Rutledge Laneway

**Report No.:** CGP-036-2015  
**Agenda Date:** August 4, 2015

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## **Attachments**

**Appendix 01:** Reference Plan 54R- 5861

## **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CGP-036-2015;
2. That Council declares the laneway described as: PIN Part 61354-0443 Part of lane abutting Lots 68-73, Plan M-71 N.B. Part 1 on Plan 54R-5861; City of Temiskaming Shores, District of Timiskaming surplus to the City's needs;
3. That Council directs staff to prepare the necessary by-laws to Stop up and Close the laneway and transfer ownership to Susan Rutledge for consideration at the August 4, 2015 Regular Council meeting;
4. That Council agrees to retain George Kemp, Solicitor with Kemp Pirie and pay all legal and land titles costs for registration of the road closing by-law and for the transfer of the land to the abutting property owner at 69 Railway Street.

## **Background**

The property at 69 Railway Street was recently sold to a new owner. At the time of the sale, the real estate lawyer conducted a title search and determined that the house is constructed on an unopened laneway that runs through the property. In 1958 Bucke Township Council passed a resolution to stop up and close the laneway and sell it to the abutting property owner. According to Land Titles and City records a road closing by-law was not registered and the transfer was not finalized.

The owner's solicitor has requested that the City complete the land transfer so that the house at 69 Railway Street is legally located on the property.

Notice of Council's intention to stop up and close the laneway, declare the property surplus and transfer it, and notice of a public meeting was given in the Temiskaming Speaker on June 24, 2015 and the Weekender on June 25, 2015 and was also posted on the City's website. The public meeting was held on July 7, 2015 at the regular Council meeting. No members who attended the meeting objected to the sale and no written comments were received.

## **Analysis**

The City retained Story Geomatics to survey the laneway in order that a road closing by-law could be registered on title. Story Geomatics prepared Reference Plan No. 54R-5861 which is attached as Appendix 01.

The hydro pole line that services the property at 69 Railway Street is located in the unopened laneway. No other properties will be affected by the closing and selling of the laneway.

Staff recommends that Council pass a resolution to declare the laneway surplus, a by-law to stop up and close the laneway, and a by-law to transfer the laneway to Susan Rutledge, owner of 69 Railway Street. Staff also recommends that the purchase price be a nominal fee in the amount of \$2 and that George Kemp, Solicitor be retained to register the by-law and complete the transfer. This will complete the work that was initiated by Bucke Township Council in 1958.

### **Alternatives**

No alternatives were considered.

### **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 Treasurer advises that the property is currently exempt from taxation because it is City owned and vacant. Once transferred the property will be assessable.

The City's cost for the survey was quoted at \$6,000-\$7,000 plus HST, and legal and land titles costs are anticipated to be \$1,500 - \$2,000.

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

### **Submission**

Prepared by:

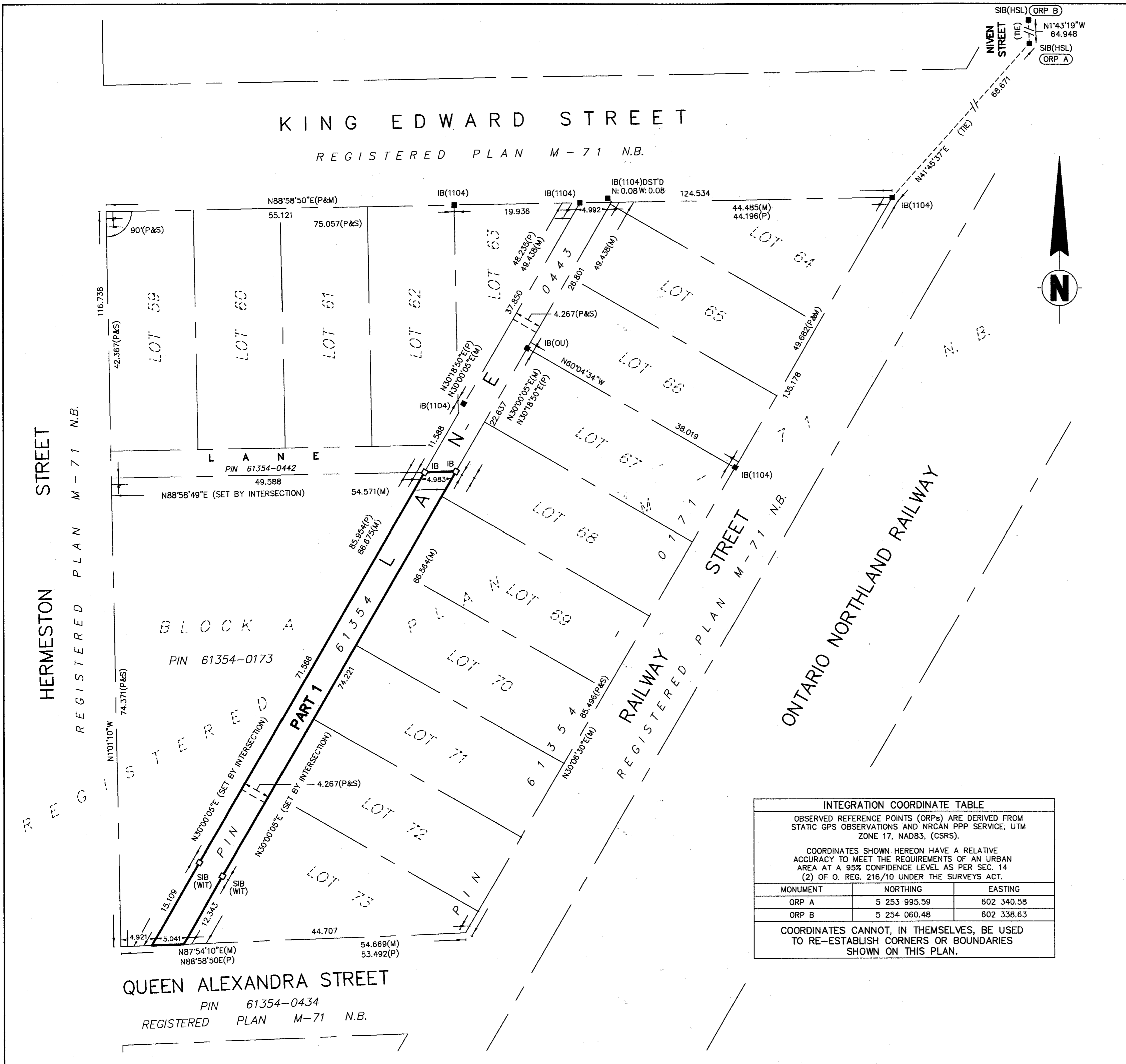
Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

\_\_\_\_\_  
Karen Beauchamp, MCIP, RPP, CMO  
Director of Community Growth  
and Planning

\_\_\_\_\_  
Christopher W. Oslund  
City Manager



**PLAN 54R-5861**

RECEIVED AND DEPOSITED  
 DATE 2015 07 16  
 REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TIMISKAMING.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
 DATE JULY 16, 2015  
 RYAN W. SEGUIN  
 ONTARIO LAND SURVEYOR

**SCHEDULE**

PART	LOT	CON./PLAN	PIN
1	PART OF LANE ABUTTING LOTS 68 TO 73	REGISTERED PLAN M-71 N.B.	PART 61354-0443

MUNICIPALITY OF TEMISKAMING SHORES  
 PLAN OF SURVEY OF  
 PART OF  
**LANE ABUTTING LOTS 68 TO 73**  
 REGISTERED PLAN M-71 N.B.  
 MUNICIPALITY OF TEMISKAMING SHORES  
 DISTRICT OF TIMISKAMING

**LEGEND:**

□	DENOTES	MONUMENTS PLANTED
■	DENOTES	MONUMENTS FOUND
IB	DENOTES	IRON BAR
SIB	DENOTES	STANDARD IRON BAR
M	DENOTES	MEASURED
S	DENOTES	SET
WIT	DENOTES	WITNESS
P	DENOTES	REGISTERED PLAN M-71 N.B.
OU	DENOTES	ORIGIN UNKNOWN
(1104)	DENOTES	P.A. BLACKBURN, O.L.S.
HSL	DENOTES	H. SUTCLIFFE LIMITED
ORP	DENOTES	OBSERVED REFERENCE POINT
N.B.	DENOTES	NORTH BAY
DST'D	DENOTES	DISTURBED
#	DENOTES	NOT TO SCALE

**NOTE:**  
 BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM STATIC GPS OBSERVATIONS ON MONUMENTS ORP A AND ORP B HAVING A BEARING OF N1°43'19"W, UTM ZONE 17 (81°W LONGITUDE), NAD 83(CSRS)(1997.0). FOR BEARING COMPARISONS, A ROTATION OF 1"10" (COUNTER CLOCKWISE) HAS BEEN APPLIED TO PLAN P TO CONVERT TO GRID BEARINGS.  
 DISTANCES SHOWN HEREON ARE ADJUSTED GROUND DISTANCES AND CAN BE USED TO COMPUTE UTM GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.99969561.

**SURVEYOR'S CERTIFICATE:**  
 I CERTIFY THAT:  
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.  
 2. THE SURVEY WAS COMPLETED ON THE 15th DAY OF JULY, 2015.  
 DATE JULY 16, 2015  
 RYAN W. SEGUIN  
 ONTARIO LAND SURVEYOR

**INTEGRATION COORDINATE TABLE**

OBSERVED REFERENCE POINTS (ORPs) ARE DERIVED FROM STATIC GPS OBSERVATIONS AND NRCAN PPP SERVICE, UTM ZONE 17, NAD83, (CSRS).  
 COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14 (2) OF O. REG. 216/10 UNDER THE SURVEYS ACT.

MONUMENT	NORTHING	EASTING
ORP A	5 253 995.59	602 340.58
ORP B	5 254 060.48	602 338.63

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

**STORY GEOMATICS INC.**  
 332 MAIN STREET  
 P.O. BOX 716  
 HAILEYBURY, ON P0J 1K0  
 TEL: 705-672-3324 FAX: 705-672-3325  
 WWW.STORYENVIRONMENTAL.COM

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048  
 SCALE 1 : 400

PLAN: N.R.M.	FIELD: R.W./N.M./T.D.	NOTES: L.N.
CHECK: R.W.S.	PLAN: 006-29-GEO	JOB No.: 006-29-GEO



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**Subject:** Zoning By-law Amendment ZBA-2015-05(D)  
– Pro-Nor Developments (T. Shores) Ltd.

**Report No.:** CGP-038-2015  
**Agenda Date:** August 4, 2015

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### **Attachments**

**Appendix 01:** Planning Report

**Appendix 02:** Application and Public Notice

**Appendix 03:** Draft By-law to amend Township of Dymond Zoning By-law 984

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-038-2015;
2. That Council agrees to amend the provisions of the Township of Dymond Zoning By-law 984 to permit zone change from General Industrial (M1) to Shopping Centre Commercial Exception 1 (C2-E1) with the addition of a motel as a permitted use; and
3. That Council directs staff to prepare the necessary by-law to amend the Township of Dymond Zoning By-law 984 for consideration at the September 1, 2015 Regular Council meeting.

### **Background**

The applicant purchased the subject property from the City June 30, 2015 and is in the process of negotiating with the Great Northern Family Health team for the construction of a medical clinic and. The applicant indicated that they would like the ability to further develop the property, requesting uses similar to those in the Shopping Centre Commercial (C2) zone with the addition of a motel as a permitted use.

### **Analysis**

The public meeting was held on July 7, 2015. No members of the public submitted written comments or made oral submissions at the public meeting.

The Planning Report attached as Appendix 01 provides information regarding the application within the planning policy framework. It is my opinion that the proposed Zoning By-law Amendment: is consistent with the Provincial Policy Statement (2014); does not conflict with the Northern Ontario Growth Plan; complies with the City of Temiskaming Shores Official Plan; and represents good planning. It is recommended that Council adopt the proposed Zoning By-law Amendment.

### **Financial / Staffing Implications**

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

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

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

**Alternatives**

No alternatives were considered.

**Submission**

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

\_\_\_\_\_  
Jennifer Pye  
Planner

\_\_\_\_\_  
Karen Beauchamp, MCIP, RPP, CMO  
Director of Community Growth  
and Planning

\_\_\_\_\_  
Christopher W. Oslund  
City Manager



## **Planning Report**

**Zoning By-law Amendment Application: ZBA-2015-05(D)**

**Applicant: Pro-Nor Developments (T. Shores) Ltd.**

**Property: Part of 177150 Shepherdson Road**

**Roll No.: Part of 54-18-020-001-026.00**

**July 24, 2015**

### **Subject Land**

Part of 177150 Shepherdson Road; Dymond Concession 1, North Part of Lot 6; Plan 54R-5840 Part 1; Township of Dymond.

### **Background and Purpose of the Application**

The applicant, Pro-Nor Developments (T. Shores) Ltd, purchased the subject property from the City of Temiskaming Shores with the sale having closed on June 30, 2015. The applicant intended to purchase the property for the purpose of constructing a building to house the Great Northern Family Health Team (GNFHT) and other compatible uses. The potential uses would be similar to those permitted in the Shopping Centre Commercial (C2) Zone, with the addition of a motel to the list of permitted uses.

The property is currently zoned General Industrial (M1) in the Township of Dymond Zoning By-law 984. Pro-Nor is requesting to rezone the property to Shopping Centre Commercial Exception 1 (C2-E1) with permitted uses being all of the following:

Beverage Room	Financial Office	Professional Office
Business Office	Fuel Pump Island	Recreational Establishments
Clinic	Merchandise Service Shop	Recreational Facility
Convenience Store	Motel	Restaurant
Dining Room	Open Storage Area	Retail Store
Dry Cleaning or Laundry Outlet	Personal Service Shop	

### **Statutory Public Notice**

The application was submitted on June 8, 2015. Notice of the complete application and public hearing was advertised in the Temiskaming Speaker on June 17, 2015 and was sent to all public agencies in accordance with the statutory notice requirements of the Planning Act.

The public hearing was held on July 7, 2015. No members of the public made oral submissions at the hearing and no formal written comments have been received at the date of this report.

### **Site Analysis**

The property is located in Dymond Township, south of the Salle du Royaume de Timmins de Jehovah on Bolger Avenue, between Shepherdson Road and Highway 11. The property originally formed part of the City's snow dump area to the north of Bolger Avenue and in order to create this portion as a separate property, a survey was required. The survey indicates that the property has an area of 2.2076 hectares (5.455 acres).

### **Servicing**

The property is not currently serviced however municipal water and sanitary sewer services are available along Shepherdson Road. As the property was sold at the same price as the serviced lots in the Dymond Industrial Park, one of the conditions of the sale of the property was for the City to extend the services from the mains to the property line, up to a cost of \$20,000. If a building for the GNFHT is not constructed on the property then the developer will be responsible to reimburse the City's costs to extend the services to the property. A municipal services permit will be required for connection to the City's services.

### **Access**

The Ministry of Transportation has indicated that access will not be permitted from Highway 11. Access to the property will be via Shepherdson Road and an entrance permit(s) will be required.

## **Existing Land Use**

The property is currently vacant from buildings and structures and is completely treed.

## **Adjacent Land Uses**

North: Institutional

South: Industrial

East: Shepherdson Road, Institutional, and Residential

West: Highway 11 North and Industrial

## **Planning Analysis**

### **Provincial Policy Statement (2014)**

The property is located within the Settlement Area of the City of Temiskaming Shores. The following policies apply to the application:

#### *1.0 Building Strong Healthy Communities*

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

##### *1.1.1 Healthy, livable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and*
- h) promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.*

##### *1.1.3 Settlement Areas*

*The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.*

- 1.1.3.1 *Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*
- 1.1.3.2 *Land use patterns within settlement areas shall be based on:*
- a) *densities and a mix of land uses which:*
1. *efficiently use land and resources;*
  2. *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  3. *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
  4. *support active transportation;*
  5. *are transit-supportive, where transit is planned, exists or may be developed; and*
  6. *are freight-supportive; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*
- 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*
- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*
- 1.1.3.6 *New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

## 1.6 *Infrastructure and Public Service Facilities*

### 1.6.6 *Sewage, Water and Stormwater*

- 1.6.6.1 *Planning for sewage and water services shall:*
- a) *direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
1. *municipal sewage services and municipal water services; and*
  2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;*
- b) *ensure that these systems are provided in a manner that:*

1. *can be sustained by the water resources upon which such services rely;*
  2. *is feasible, financially viable and complies with all regulatory requirements; and*
  3. *protects human health and the natural environment;*
- c) *promote water conservation and water use efficiency;*
  - d) *integrate servicing and land use considerations at all stages of the planning process; and*
  - e) *be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5*
- 1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.*

In my opinion, the Zoning By-law Amendment application is consistent with the 2014 Provincial Policy Statement for the following reasons:

- The property is located within the settlement area of the City of Temiskaming Shores;
- The proposed development on the property represents a range and mix of uses;
- The property is in proximity to an existing and developing residential neighbourhood and is readily accessible from these areas;
- Development of the property would be considered infilling;
- The property fronts on a municipally-owned and year-round maintained road. No extension or upgrading of the road will be required;
- The property is located within a serviced area and municipal water and sewer services are available along Shepherdson Road.

### **Growth Plan for Northern Ontario**

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

A review of the Growth Plan for Northern Ontario confirms that none of the policies of the Growth Plan directly relate to the application and the proposal does not conflict with any of the Growth Plan policies.

### **Official Plan**

The property is located within the settlement area and is designated Mixed Use Area in the City of Temiskaming Shores Official Plan.

#### **4.7 Mixed-Use Areas**

- 4.7.1 *Mixed-Use Areas as designated on the Land Use Schedules will be designed and developed to ensure that the integration of land uses are compatible or where adverse effects can be satisfactorily mitigated.*
- 4.7.2 *Mixed-Use Areas may include a mix of industrial, commercial and institutional uses, associated accessory uses and public service facilities and residential uses compatible with a Mixed-Use Area.*
- 4.7.3 *All uses will be appropriately zoned. All land uses in a Mixed-Use Area will be subject to site plan control (see Section 15.15).*
- 4.7.4 *A market study will be required for commercial development proposals in excess of 1,800m<sup>2</sup>*

*[19,376 ft.<sup>2</sup>] to assess the impacts on the City's town centres to ensure the continued sustainability of these core commercial areas.*

*4.7.5 Development will be subject to the urban design principles of this Plan (see Section 4.9) and residential uses shall be integrated to avoid or mitigate adverse effects from non-residential land uses through such techniques as:*

- a. appropriate separation distances;*
- b. buffering and screening using landscaping, fencing intervening buildings, parking areas and amenity areas;*
- c. noise attenuation;*
- d. dust and air quality controls;*
- e. designing mixed-use areas to be transit, pedestrian and cycling friendly;*
- f. designing Mixed-Use Areas to retain and enhance features of the natural environment wherever feasible.*

In my opinion, the Zoning By-law amendment application meets the intent of the Official Plan policies in the following ways:

- The proposed permitted uses are consistent with the policies of the Mixed Use Area designation;
- Specific uses are not yet known but compliance with the Official Plan will be required for each use established;
- The property is located on the Temiskaming Transit route and transit stops are located directly adjacent to and across Shepherdson Road from the property;
- Site Plan Control will be used to ensure appropriate development of the property.

#### **Township of Dymond Zoning By-law 984**

The property is currently zoned General Industrial (M1) in the Township of Dymond Zoning By-law 984. The purpose of the amendment is to change the zoning to Shopping Centre Commercial Exception 1 (C2-E1) to allow all of the permitted uses in the C2 zone as well as a motel. If the amendment is approved the permitted uses on the property will be as follows:

Beverage Room	Financial Office	Professional Office
Business Office	Fuel Pump Island	Recreational Establishments
Clinic	Merchandise Service Shop	Recreational Facility
Convenience Store	Motel	Restaurant
Dining Room	Open Storage Area	Retail Store
Dry Cleaning or Laundry Outlet	Personal Service Shop	

The proponent does not yet have specific development plans for the property but has indicated that development will meet the requirements of the Zoning By-law provisions with regard to setbacks, lot coverage, parking, etc.

The Zoning By-law Amendment application requests a "hotel" as an additional permitted use in the requested Shopping Centre Commercial zone. The Zoning By-law permits a motel in the Highway/Service Commercial (C1) zone. A definition of motel is not provided and "hotel" is not referenced anywhere in the Zoning By-law. Therefore it is inferred that the terms "hotel" and "motel" can be used interchangeably. Additionally, a review of the dictionary definition of "hotel" and "motel" list each as a synonym of the other. These terms have previously been used interchangeably to permit other developments within the municipality. As "motel" is the term



currently used in the Zoning By-law, the exception zone should reference “motel” although the application requests a “hotel” as a permitted use.

Residential, institutional (church, school), and industrial uses (contractor’s yard, trucking yard, industrial park across the highway), as well as Highway 11 make up the immediate surrounding neighbourhood. These properties are designated Mixed Use Area, Employment Area, and Neighbourhood Residential in the City of Temiskaming Shores Official Plan and are zoned Institutional (I), General Industrial (M1) and Manufacturing Industrial (M2) in the Township of Dymond Zoning By-law 984, and Prestige Industrial (M1), Institutional (S1), and Low Density Residential (R2) in the Town of New Liskeard Zoning By-law 2233.

The subject property abuts Highway 11 to the west and Shepherdson Road to the east. The Zoning By-law states that when a property has street access on two or more street lines but is not a corner lot or a waterfront lot the property is considered a through lot. In these circumstances, the definitions section must be consulted in order to determine which are the appropriate lot lines. The following definitions are provided:

*Front Lot Line: means [...] in the case of through lot, the lot line used for the principal entrance to the lot shall be deemed to be the front lot line [...]*

*Flank Lot Line: means any lot line other than a front lot line which is also a street line.*

Based on the above definitions, and the preconsultation comments from MTO restricting access to the property to Shepherdson Road only, the lot line along Shepherdson Road is considered the front lot line and the lot line along Highway 11 is considered the flank lot line.

The property is currently zoned for industrial uses. The change in zoning to permit uses that are commercial in nature will be more compatible with the adjacent residential neighbourhood. The C2 zoning provisions also provide for the installation and maintenance of a planting strip along the front (Shepherdson Road) and flank (Highway 11) lot lines which will serve to further buffer the residential neighbourhood from the intensified use of the property. The Zoning By-law provides the following definition of “planting strip:”

*Means an area which shall be used for no purpose other than planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required herein. The remainder of such planting strip shall be used for no purpose other than planting trees, shrubs, flowers, grass or similar vegetation.*

Section 3(18) of the Zoning By-law provides the general provisions relating to all planting strips and states that planting strips must be at least 3 metres wide and can be interrupted for a driveway or walkway to extend to the street. The specifics and maintenance of the required planting strip will be implemented through the Site Plan Agreement.

### **Comments Received from the Agency Circulation and Public Notification Process**

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

#### **Director of Public Works**

- ✓ *The subject land is serviced with municipal water and sanitary services along the front of the property;*
- ✓ *The subject land is urban property and is fronted by Shepherdson Road which is an asphalt surfaced roadway, is maintained on a year round basis. There are no sidewalks or curb and gutter present in front of the property in question;*
- ✓ *Vehicular access to the property in question would be via a constructed entrance(s) from Shepherdson Road to the east of the property. An Entrance permit will be required for the new construction;*

- ✓ *There are no short or long term plans to upgrade municipal servicing (water and sewer) or significantly upgrade the roadway in this area;*
- ✓ *The property owner may wish to confirm that the existing services (sewer and water) have sufficient capacity for any significant proposed use or development of the property;*
- ✓ *The Public Works department has no objections to this application.*

**Chief Building Official** – *No concerns.*

**Fire Chief** – *I have no objections to the application.*

**Director of Recreation** – *No comments received.*

**Director of Corporate Services** – *No comments received.*

**City Manager** – *I have no concerns with the application.*

**Clerk** – *The Clerk's Office has no objections to the application.*

**Economic Development and Funding Application Coordinator** – *This is an excellent opportunity to see some growth in an area of the community that is well suited for this kind of development.*

**Tax Collector / Treasurer** – *I have no concerns with the application. New construction under the exception will result in increased assessment and taxation revenues.*

**Ministry of Transportation:**

- ✓ *No objections;*
- ✓ *MTO Building/Land Use and Sign permits required for new buildings, parking lot, etc. within 45m of MTO right-of-way or within 395m radius of the intersection of Highway 11 and Radley Hill Road;*
- ✓ *New buildings setback a minimum of 14m from the limits of the MTO right-of-way;*
- ✓ *MTO may request drainage study and/or illumination study for review and approval;*
- ✓ *Direct access to Highway 11 will not be allowed.*

**Public Comments:** *No comments received as of July 24, 2015.*

**Recommendation**

Based on the information presented above, in my opinion, the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement (2014); does not conflict with the Northern Ontario Growth Plan; complies with the City of Temiskaming Shores Official Plan; and represent good planning.

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

Respectfully submitted,

Reviewed and submitted for Council's  
consideration,

---

Jennifer Pye  
Planner

---

Karen Beauchamp, MCIP, RPP, CMO  
Director of Community Growth and Planning

Ministry of Transportation

Provincial Highways Management  
Northeastern Region  
Corridor Management Section  
447 McKeown Avenue  
North Bay, ON P1B 9S9  
Tel: (705) 497-5456  
Fax: (705) 497-6926

Ministère des Transports

Gestion des routes provinciales  
Région du Nord-Est  
Section de gestion des  
couloirs routiers  
447, avenue McKeown  
North Bay, ON P1B 9S9  
Tél : (705) 497-5456  
Télééc : (705) 497-6926



July 23, 2015

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

Att.: Jennifer Pye, Planner

**Re: Application for Zoning By-law Amendment – Pro-Nor Developments (T. Shores) Limited – File ZBA-2015-05(D) – 177150 Shepherdson Road – Dymond Township Highway 11 – MTO New Liskeard Area**

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This is in response to your June 17, 2015 circulation concerning the above noted.

I have reviewed the submitted documentation and am pleased to advise that the Ministry has no objections to the proposed amendment.

Since the property in question has frontage along Highway 11, I would respectfully request that the applicant(s) is/are made aware that Ministry of Transportation of Ontario (MTO) Building /Land use and Sign permits will be required for any new buildings, parking lot, septic systems wells, etc. located within 45 metres of the limits of the MTO right-of-way (ROW) or within a 395 metre radius of the intersection of Highway 11 and Radley Hill Road. New buildings must be setback a minimum of 14 metres from the limits of the MTO ROW.

Prior to making any permits available, the MTO reserves the right to requests that a drainage study and/or an illumination study be prepared and submitted to the MTO for review and approval.

All access to the property will be restricted to Shepherdson Road. Direct access to Highway 11 will not be allowed.

Further information with respect to MTO permit and setback requirements can be obtained by contacting Ms. Natalie Dugas at our New Liskeard Area office at (705)647-6761 ext 118 (Toll free: 1-800-720-1120 ext 118).

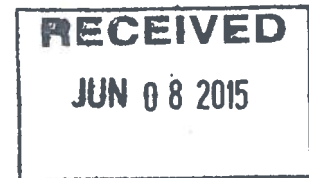
Should you wish to discuss the contents of this letter, please contact me. Thank you for the opportunity to provide our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul F. Marleau".

Paul F. Marleau  
Corridor Management Planner

cc Natalie Dugas, MTO, New Liskeard Area Office



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

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

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

**PLEASE READ BEFORE COMPLETING THIS APPLICATION**

This application reflects the mandatory information that is prescribed in the Schedules to Ontario Regulation 545/06 made under the Planning Act, RSO, 1990, as amended. In addition to completing this form, the Applicant will be required to submit the appropriate fee, a detailed site plan and any additional information or studies that may be necessary to assess the proposal.

Failure to submit the required information will delay the consideration of this Application. An application which is not considered complete under the Planning Act is not subject to the timelines of the Act. **Applicants are encouraged to consult with the Municipality prior to completing the application.**

**Please Print and Complete or (✓) Appropriate Box(es)**

OFFICE USE ONLY	
File No.:	ZBA-2015-05(D)
Date Received:	June 8, 2015
Roll No.:	5418-020-001-026.00

**1. Owner Information**

Name of Owner: PRONOR DEVELOPMENTS (T SHORES) LIMITED

Mailing Address: 324-222 McIntyre Street West, North Bay, ON. P1B 2Y8

Email Address: Christian@mgnb.ca

Phone: 1-705-497-4111

If there is more than one registered owner, please provide information below:

Name of Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**2. Agent Information (if applicable):**

Name of Agent: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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

Owner     Agent

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

N/A

**4. Location of the Subject Land**

Dymond     New Liskeard     Haileybury

Municipal Address

177150 Shepherdson Road, CITY OF TEMISKAMING SHORES

Legal Description

Plan 54R-5840 HORTH HALF LOT 6, CONCESSION 1, GEOGRAPHIC TOWNSHIP OF DYMOND, CITY OF TEMISKAMING SHORES, DISTRICT OF TIMISKAMING

Date the subject land was acquired but the current owner: purchase closing date scheduled for June 30<sup>th</sup>, 2015

**5. Property Information**

Lot Area: 2.2076 HA

Road Frontage: Shepherson Road

Water Frontage: \_\_\_\_\_

Lot Depth: average 135 meters \_\_\_\_\_

Lot Width: 161.364 meters \_\_\_\_\_

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

- Residential
- Commercial
- Industrial
- Institutional
- Agricultural
- Vacant
- Mixed Use (specify): \_\_\_\_\_
- Other (specify): \_\_\_\_\_

Length of time the existing uses of the subject land have continued: \_\_\_\_\_

Existing uses of abutting properties:

North: Salle des Témoins de Jéhovah East: Shepherson Road  
South: Paul's Building Contractor Ltd West: Highway 11

**6. Property Access**

a. Type of access to the property

- Provincial Highway
- Municipal Road, maintained all year
- Municipal Road, maintained seasonally
- Private Road
- Right-of-Way
- Water Access
- Other (specify): \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

**7. Property Servicing**

a. What type of water supply is existing / proposed for the subject land?

- Publicly owned and operated piped water supply (City water)
- Privately owned and operated piped water system (communal)
- Drilled well
- Lake or other water body
- Water service not proposed
- Other (specify): \_\_\_\_\_

b. What type of sewage disposal is existing / proposed for the subject land?

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

If privately owned and operated individual or communal septic systems are proposed, and where development will produce more than 4,500 litres of effluent per day, applicants are required to submit a servicing options report and a hydrogeological report prepared by a qualified professional:

- Title and date of servicing options report: \_\_\_\_\_
- Title and date of hydrogeological report: \_\_\_\_\_

c. How is storm drainage provided?

- Storm sewer
- Ditches
- Swales
- Other (specify): \_\_\_\_\_

**8. Planning Information**

Current Official Plan Designation(s): Mix Use

Explain how the application conforms to the Official Plan: The Mixed Use designation permits a mix of industrial, commercial and institutional uses and public service facilities. The use of the subject property for all of the uses permitted in the C2 Zone plus a motel would be permitted in the Mixed Use designation.

Current Zoning: General Industrial (M1)

Requested Zoning (if applicable): C2 Zone Including Motel

Reason why rezoning is being requested (if applicable): Rezone to permit medical offices and other commercial and institutional uses that are not permitted in the M1 Zone.

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

Yes  No

If yes, provide a statement of these requirements:

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Does this application propose to change the boundary of a settlement area?

Yes  No

If the requested amendment alters all or any part of the boundary of an area of settlement or establishes a new area of settlement, provide details of the current Official Plan policies or Official Plan Amendment dealing with the alteration or establishment of an area of settlement.

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Will this application remove land from a designated employment area?

Yes  No

If the requested amendment removes the subject land from an area of employment, provide details of the current Official Plan policies or Official Plan Amendment dealing with the removal of land from an area of employment.

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**9. Proposed Use of Property**

Proposed use(s) of the subject land (Check all that apply):

Residential  Commercial  Industrial

Institutional  Agricultural  Vacant

Mixed Use (Please state): \_\_\_\_\_



List all existing and proposed buildings and structures to be constructed on the property by completing the following table (If more than 5 buildings or structures please use separate page to provide description):

	<b>Building or Structure # 1</b>	<b>Building or Structure # 2</b>	<b>Building or Structure # 3</b>	<b>Building or Structure # 4</b>	<b>Building or Structure # 5</b>
Type or use of building or structure	Medical offices				
Height (m)					
Setback from front lot line (m)					
Setback from rear lot line (m)					
Setback from side lot line one side (m)					
Setback from side lot line - other side (m)					
Setback from shoreline (m)					
Dimensions (m) or floor area (m <sup>2</sup> )					
Year constructed					

**Building will be design to meet all provisions of the zoning by-law**

Are any of the following uses or features on the subject land or within 500 m of the subject land, unless otherwise specified? Please check all that apply.

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

### 10. Previous Applications

Has the subject land ever been the subject of an application under the Act for approval of a plan of subdivision or for a consent?

Yes  No  Unknown

If yes:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

Has the subject land ever been the subject of an application for approval of a previous Official Plan or Zoning amendment?

Yes  No  Unknown

If yes:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**11. Concurrent Applications**

Is the subject land currently the subject of any other planning applications (Plan of Subdivision, Consent, Minor Variance, Zoning By-law Amendment, Site Plan Control) at this time?

Yes       No

If yes:

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

File No.: \_\_\_\_\_ Status: \_\_\_\_\_

**12. Provincial Policies**

Is the request consistent with policy statements issued under subsection 3(1) of the Planning Act?

Yes       No

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

Yes       No

If yes, does the request conform to, or not conflict with, the applicable provincial plan or plans?

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**13. Additional Studies or Information**

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

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

1. Storm water management plan will be completed prior to building permit application.
2. Site plan control agreement to be negotiated prior to building permit issue.
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

#### 14. Sketch

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

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

**15. Declaration and Authorizations**

**Agent Authorization**

I/We, authorize CHRISTIAN FORTIN to make this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

2015-06-05  
Date

  
Signature of Owner


**Authorization for Site Visits**

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

  
Applicant Initial(s)

**Consent for the Use and Disclosure of Personal Information**

For the purposes of the **Freedom of Information and Protection of Privacy Act**, I/We authorize and consent to the use by, or the disclosure to any person or public body of any personal information that is collected under the authority of the **Planning Act** for the purpose of processing this application.

  
Applicant Initial(s)

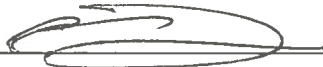
**Declaration of Applicant**

TO BE COMPLETED IN THE PRESENCE OF A COMISSIONER FOR TAKING AFFIDAVITS

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

**Sworn (or declared) before me**

at the City of Temiskaming  
in the District of Timiskaming  
this 8<sup>th</sup> day of June, 20 15



Signature of Applicant



A Commissioner for Taking Affidavits

**Karen Ann Beauchamp, a  
Commissioner, etc., Province  
of Ontario, for the Corporation  
of the City of Temiskaming Shores.  
Expires March 21, 2016.**

PLAN 54R-5840

RECEIVED AND DEPOSITED

2015.04.21

Clayton

REPRESENTATIVE FOR LAND REGISTRATION  
THE LAND TITLE DIVISION OF ONTARIO

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

APRIL 23, 2015  
DATE

RYAN W. SECOR  
ONTARIO LAND SURVEYOR

SCHEDULE

PART	LOT	CONC.	PIN	AREA
1	PT OF NORTH HALF LOT 6	1	PT OF 61335-0038	2,2076 HA

GEOGRAPHIC TOWNSHIP OF DYMOND

PLAN OF SURVEY OF  
PART OF  
NORTH HALF LOT 6  
CONCESSION 1  
GEOGRAPHIC TOWNSHIP OF DYMOND  
CITY OF TEMISKAMING SHORES  
DISTRICT OF TIMISKAMING

- LEGEND:
- DENOTES MONUMENTS PLANTED
  - DENOTES MONUMENTS FOUND
  - DENOTES METEOROLOGICAL CONTROL MONUMENT
  - DENOTES IRON BAR
  - DENOTES SHORT STANDARD IRON BAR
  - DENOTES METEOROLOGICAL CONTROL MONUMENT
  - DENOTES SET
  - DENOTES UNLOCATED
  - DENOTES WALK
  - DENOTES H. SUTCLIFFE LIMITED
  - DENOTES SUTCLIFFE COMPANY
  - DENOTES PLAN 54R-2384
  - DENOTES PLAN 54R-2384
  - DENOTES SUTCLIFFE CONTROL POINT
  - DENOTES SUTCLIFFE CONTROL POINT
  - DENOTES END OF CURVE
  - DENOTES NO EVIDENCE FOUND
  - DENOTES TRANSPORTATION ONTARIO
  - DENOTES LINE BETWEEN

SURVEYOR'S CERTIFICATE:

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE 8th DAY OF APRIL, 2015.

APRIL 23, 2015  
DATE

RYAN W. SECOR  
ONTARIO LAND SURVEYOR



STORY GEOMATICS INC.  
232 MAIN STREET  
HALFWAY ON P41 1H0  
TEL: 709-872-3324 FAX: 709-871-3325  
WWW.STORYGEOMATICS.COM

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



CHECK: R.W.S. FIELD: R.W.S. PLAN: 008-028-000-R JOB No.: 008-028-000

INTERGRATION COORDINATE TABLE

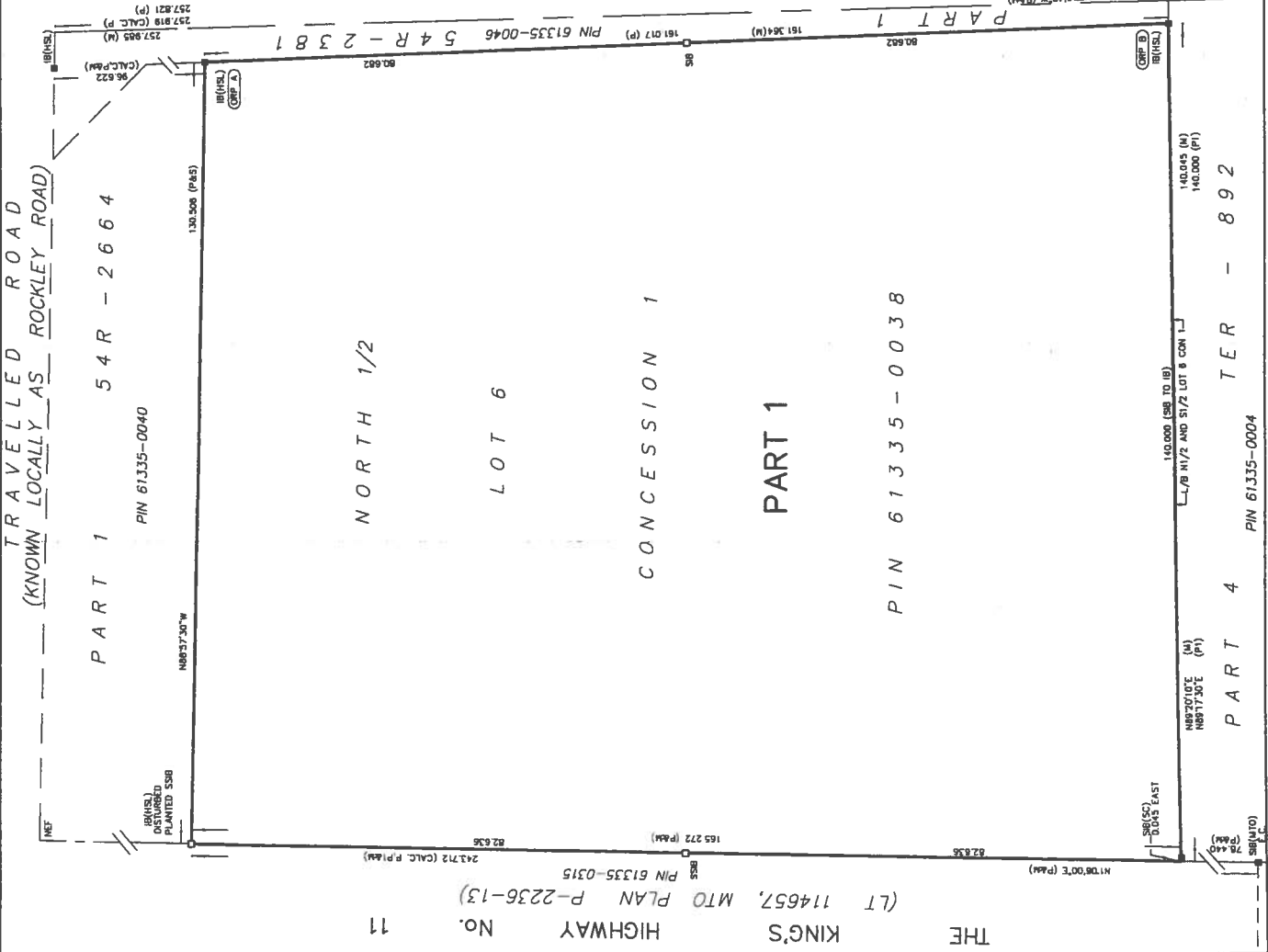
OBSERVED REFERENCE POINTS (ORP's) ARE DERIVED FROM THE SURVEY OF THE TOWNSHIP OF DYMOND AND SCP 2, 1, 01M REDUNDANT (SOME 17 HAZARDS (URBAN)) AND SCP 2, 1, 01M COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF AN URBAN AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14 (2) OF O. REG. 216/70 UNDER THE SURVEYS ACT.

MONUMENT	NORTHING	EASTING
SCP HCM 0018740135	5281309.836	5980367.333
SCP HCM 01018601001	5287341.129	5987123.444
ORP A	5 261 947.71	598 211.77
ORP B	5 261 886.52	598 218.15

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



TRAVELLED ROAD (KNOWN LOCALLY AS SHEPHERDSON ROAD)

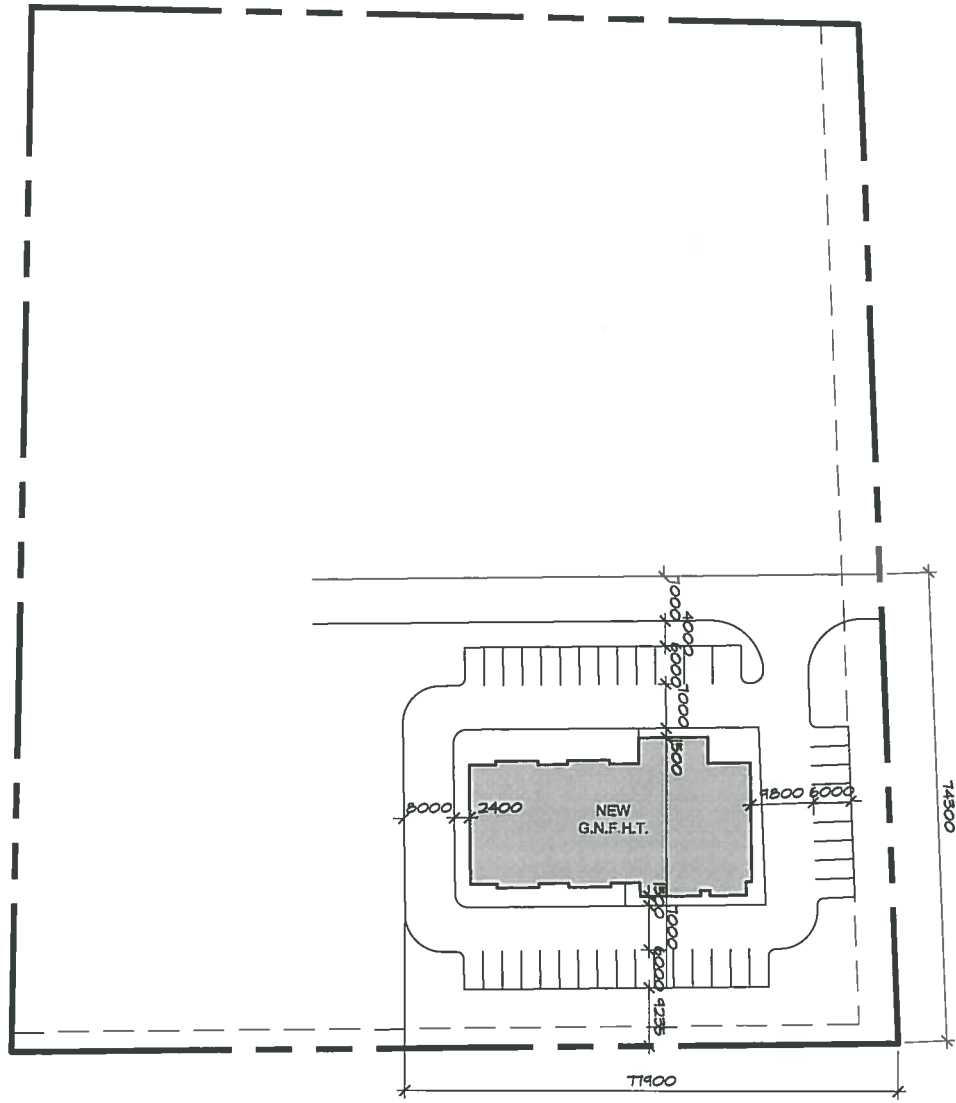


NOTE:  
BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM SPECIFIED CONTROL POINTS HCM 0018740135 AND HCM 01018601001 HAVING A BEARING OF N154°03'32\"/>

THE KING'S HIGHWAY No. 11 (LT 114657, MTO PLAN P-2236-13)

Highway 11

Shepherdson Road







**Application for Zoning By-law Amendment**

**Notice of Complete Application  
And Notice of Statutory Public Hearing**

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

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

**File #:** ZBA-2015-05(D)  
**Owner:** Pro-Nor Developments (T. Shores) Limited  
**Property:** 177150 Shepherdson Road

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

**Date:** Tuesday, July 7<sup>th</sup>, 2015  
**Time:** 6:00 p.m.  
**Place:** Council Chambers at City Hall, 325 Farr Drive, Haileybury

**The purpose of the application is to rezone the property from General Industrial (M1) to Shopping Centre Commercial Exception (C2-E) to allow all of the permitted uses in the C2 Zone as well as a hotel on the property.**

The property is designated Mixed Use Area in the City of Temiskaming Shores Official Plan and is Zoned General Industrial (M1) in the Township of Dymond Zoning By-law 984.



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

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Temiskaming Shores before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of City of Temiskaming Shores to the Ontario Municipal Board.

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

**Additional information** pertaining to the application is available for review between 8:30 a.m. and 4:30 p.m. at City Hall, or by contacting the undersigned.

**Dated** this 17<sup>th</sup> day of June, 2015.

Jennifer Pye  
Planner  
City of Temiskaming Shores  
325 Farr Drive  
PO Box 2050  
Haileybury, ON P0J 1K0  
Tel: 705-672-3363 ext. 4105  
Fax: 705-672-2911  
jpye@temiskamingshores.ca

The Corporation of the City of Temiskaming Shores

By-law No. 2015-000

Being a by-law to enact a Zoning by-law Amendment to  
rezone property from General Industrial (M1) to Shopping  
Centre Commercial Exception 1 (C2-E1) in the Township of  
Dymond Zoning By-law 984, Part of 177150 Shepherdson Rd  
(Plan 54R-5480 Part 1) Part of Roll No. 54-18-020-001-026

**Whereas** pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 C.P. 13, as amended, the Council of a Municipality may enact by-laws to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited;

**And whereas** By-law No. 984 regulates the use of land and the use and erection of buildings and structures within the Township of Dymond, now the City of Temiskaming Shores;

**And whereas** Council considered Administrative Report No. CGP-038-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to amend the Township of Dymond Zoning By-law No. 984 to change the zoning on the property from General Industrial (M1) to Shopping Centre Commercial Exception 1 (C2-E1);

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

1. **Schedule Changes**

- a) Schedule "A" of By-law No. 984, as amended, is hereby further amended by rezoning Part of Lot 6, Concession 1, depicted as Part 1 on Plan 54R-5480, known locally as Part of 177150 Shepherdson Road, as shown on Schedule "1" to this By-law, from the General Industrial (M1) Zone to the Shopping Centre Commercial Exception 1 (C2-E1) Zone.

2. **Text Changes**

- a) Section 9 is hereby amended by adding the following new subsection:

USES PERMITTED IN THE C2-E1 ZONE:

No person shall within any C2-E1 zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the uses permitted in Section 9(1)(a) and (b) of Zoning By-law 984 with the addition of "a motel" under Section 9(1)(b)

3. That all other provisions of By-law No. 984 shall continue to apply.
4. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.

5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law 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 4<sup>th</sup> day of August, 2015.

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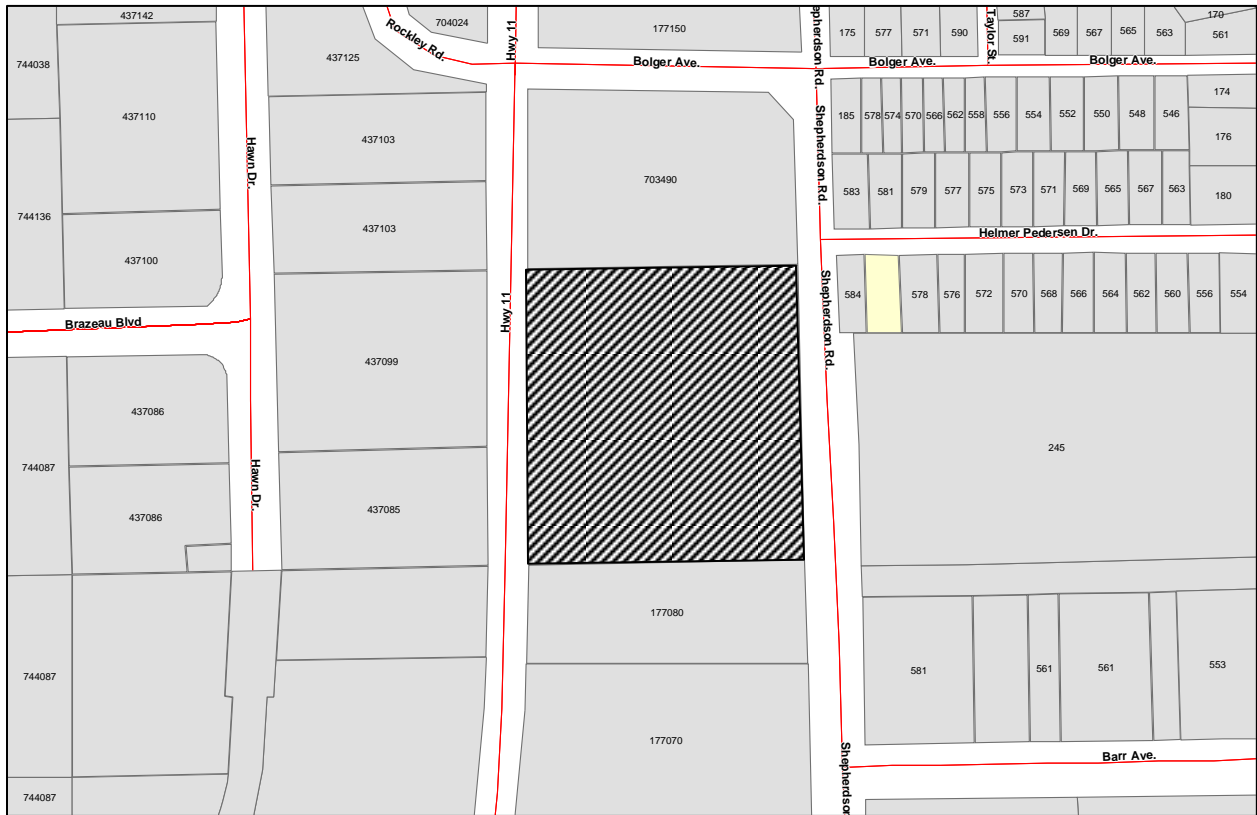
Mayor – Carman Kidd

---

Clerk – David B. Treen

Schedule "1"

City of Temiskaming Shores



Rezoned from General Industrial (M1) to Shopping Centre  
Commercial Exception 1 (C2-E1)

# Memo

**To:** Mayor and Council  
**From:** David B. Treen, Municipal Clerk  
**Date:** August 4, 2015  
**Subject:** Various Agreements with Jarlette Ltd.  
**Attachments:** No. 1 – Plan 54R-5747

---

Mayor and Council:

Council considered Confidential Administrative Report CGP-013-2014 in Closed Session at the May 20, 2014 Regular Council meeting in regards to the Sale of Land on Bruce Street to K-1 Legion (Legion Veterans Home) and Jarlette Ltd. (Temiskaming Lodge). The report also recommended the stopping up and closing of portions of Bruce Street and Gordon Drive (Second Avenue). Council carried Resolution No. 2014-05-20-001 in closed session adopting the recommendation contained in Confidential Administrative Report CGP-013-2014. **Attachment No. 1 – Plan 54R-5747** illustrates those portions of Gordon Drive (highlighted in blue) and Bruce Street (highlighted in yellow) proposed to be sold to both K-1 Legion and Jarlette respectively.

Both Jarlette Ltd. and K-1 Legion opted to obtain these lands for future expansion of their facilities. The closure of that portion of Bruce Street would have created a concern with respect to maintenance, thus as part of the negotiations it was agreed that the city would acquire a small portion land (highlighted in orange) from both Jarlette and K-1 for the construction of a Cul-de-Sac. There is also an existing watermain and fire hydrant within that portion of Bruce Street that was stopped up and closed resulting in the requirement for an Easement Agreement with Jarlette Ltd.

Since May of 2014 Kemp Pirie has been working on the legal documents to finalize these various purchase, sale and easement agreements. The city recently received final documents related to transactions with Jarlette Ltd. The city is still awaiting final documents related to transactions with K-1 Legion.

It is recommended that Council direct staff to prepare the necessary by-laws for the purchase of land, sale of land and an easement agreement with Jarlette Ltd. at the August 4, 2015 Regular Council meeting.

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council's consideration by:

“Original signed by”

“Original signed by”

“Original signed by”

\_\_\_\_\_  
David B. Treen, CET  
Municipal Clerk

\_\_\_\_\_  
Shelly Zubyck, CHRP  
Director of Corporate Services

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

PLAN 54R-5747

March 28, 2014  
C. Dickinson  
REGISTERED PROFESSIONAL LAND SURVEYOR

RECORDING INFORMATION FOR THE LAND TITLE ACT  
THIS DOCUMENT IS TO BE REPORTED UNDER  
SECTION 1(1) OF THE REGISTRY ACT  
DATE: FEBRUARY 13, 2014

SCHEDULE		AREA (sq. ft.)	
PART	LOCATION	PLAN	AREA (sq. ft.)
1	PART OF LOT 106	54R-2267	8,829.0
2	PART OF LOT 105	54R-2269	8,829.0
3	PART OF LOT 104	54R-2289	8,829.0
4	SPACE UNDER LOT 103	54R-2289	8,829.0
5	SPACE UNDER LOT 102	54R-2289	8,829.0
6	SPACE UNDER LOT 101	54R-2289	8,829.0
7	SPACE UNDER LOT 100	54R-2289	8,829.0
8	SPACE UNDER LOT 99	54R-2289	8,829.0
9	SPACE UNDER LOT 98	54R-2289	8,829.0
10	SPACE UNDER LOT 97	54R-2289	8,829.0

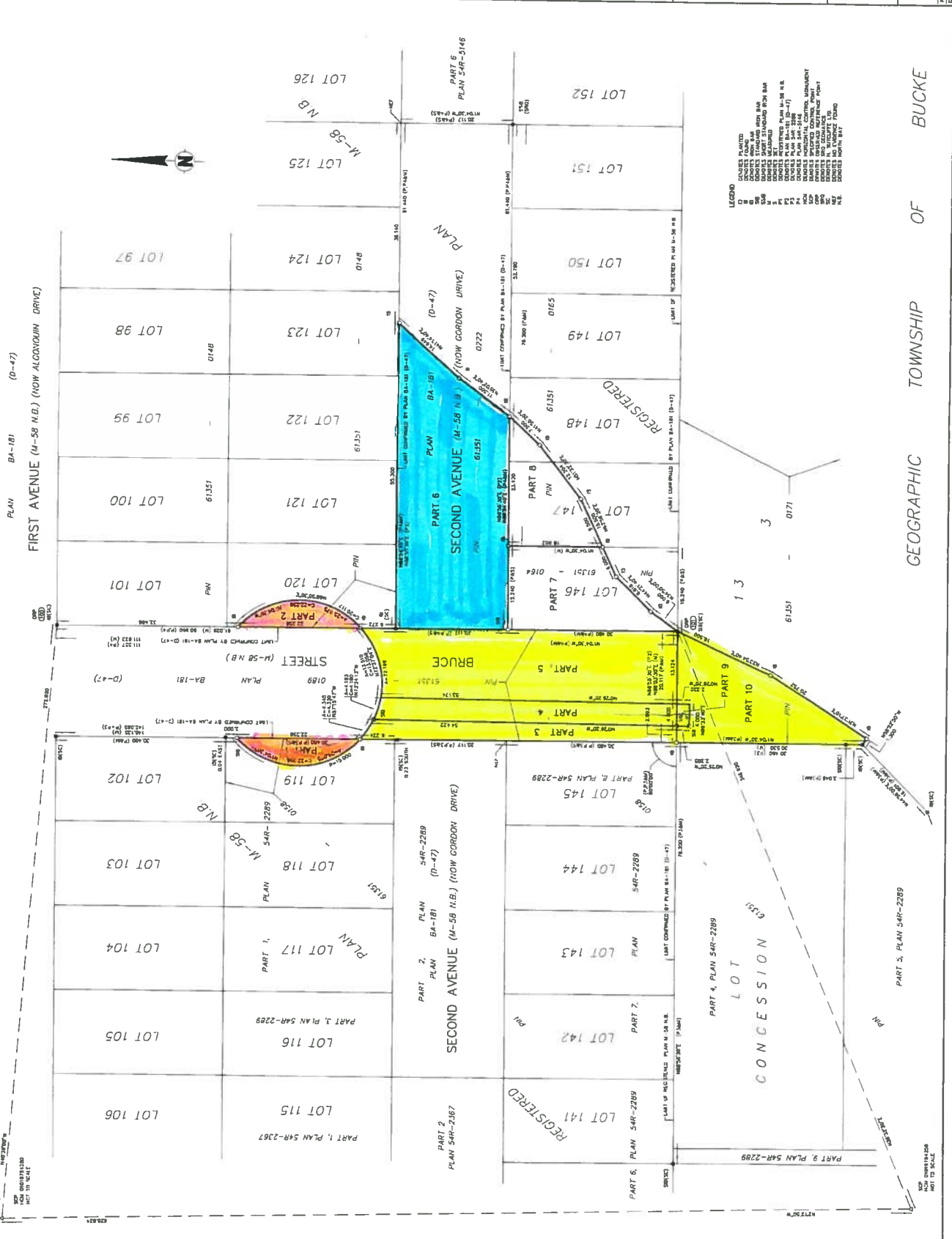
NOTE:  
BEARING DOWN ARROW AND LINE ARE DERIVED FROM THE PLAN  
RECORDING INFORMATION FOR THE LAND TITLE ACT  
THIS DOCUMENT IS TO BE REPORTED UNDER  
SECTION 1(1) OF THE REGISTRY ACT  
DATE: FEBRUARY 13, 2014

SECOND CONTROL POINT (LSP), UTM		EASTING		NORTHING	
POINT NO.	COORDINATES	POINT NO.	COORDINATES	POINT NO.	COORDINATES
1	500000.000	1	500000.000	1	500000.000
2	500000.000	2	500000.000	2	500000.000
3	500000.000	3	500000.000	3	500000.000
4	500000.000	4	500000.000	4	500000.000
5	500000.000	5	500000.000	5	500000.000
6	500000.000	6	500000.000	6	500000.000
7	500000.000	7	500000.000	7	500000.000
8	500000.000	8	500000.000	8	500000.000
9	500000.000	9	500000.000	9	500000.000
10	500000.000	10	500000.000	10	500000.000

LEGEND  
 1. REGISTERED PLAN  
 2. UNREGISTERED PLAN  
 3. CONVEYANCE  
 4. EASEMENT  
 5. ENCUMBRANCE  
 6. INTEREST  
 7. RIGHT OF WAY  
 8. RIGHT OF ACCESS  
 9. RIGHT OF UTILITIES  
 10. RIGHT OF EGRESS  
 11. RIGHT OF ENTRY  
 12. RIGHT OF EXIT  
 13. RIGHT OF WAY  
 14. RIGHT OF ACCESS  
 15. RIGHT OF UTILITIES  
 16. RIGHT OF EGRESS  
 17. RIGHT OF ENTRY  
 18. RIGHT OF EXIT

PLAN OF SURVEY OF  
 LOTS 119, 120, 148, 147 AND 148  
 AND PART OF  
 SECOND AVENUE (NOW GORDON DRIVE)  
 BRUCE STREET  
 REGISTERED PLAN M-58 N.B.  
 AND PART OF  
 CONCESSION 3  
 IN THE CITY OF TEMSKINGWICK  
 DISTRICT OF TEMSKINGWICK

exp.  
 1110000000  
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RECORDING INFORMATION FOR THE LAND TITLE ACT  
 THIS DOCUMENT IS TO BE REPORTED UNDER  
 SECTION 1(1) OF THE REGISTRY ACT  
 DATE: FEBRUARY 13, 2014

PLAN 54R-5747  
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# Memo

**To:** Mayor and Council  
**From:** David B. Treen, Municipal Clerk  
**Date:** August 4, 2015  
**Subject:** Amendments to By-law No. 2012-101 – Traffic By-law

---

Mayor and Council:

The Director of Public Works, subsequent to the removal of the crossing guard position at the Haileybury Public School and recent work at the Highway 11 and Radley's Hill Road intersection, requested that Traffic By-law No. 2012-101 be amended to reflect the crosswalk removal and installation of stop signs at the intersections of Highway 11 and Radley's Hill Road and Hawn Drive and Radley's Hill Road.

As part of the amendment process the by-law was reviewed to ensure stop signs at all intersections along the Highway 11 corridor were contained in the by-law. The two stop signs on Dump Road, one at Highway 11 and the other at Firstbrook Line Road were absent from the by-law. Therefore in addition to the amendments noted above, it is recommended that these two stop signs be part of the amending by-law.

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

\_\_\_\_\_  
David B. Treen, CET  
Municipal Clerk

\_\_\_\_\_  
Shelly Zubyck, CHRP  
Director of Corporate Services

\_\_\_\_\_  
Christopher W. Oslund  
City Manager



## Memo

**To:** Mayor and Council  
**From:** David B. Treen, Municipal Clerk  
**Date:** August 4, 2015  
**Subject:** Amendments to By-law No. 2009-023- ATV Policy  
**Attachments:** 01 – By-law No. 2009-023 – ATV Policy  
02 – Draft amending by-law  
03 – Appendix “1” modifications

---

Mayor and Council:

On June 8, 2015 the Provincial Government issued a *News Release* entitled *Ontario Increases On-Road Access for Off-Road and All-Terrain Vehicles* which enhances on-road access for more types of off-road vehicles (ORV) and all-terrain vehicles (ATV) while increasing safety requirements for riders.

**Attachment No. 01 - By-law No. 2009-023** being a by-law to Regulate and Control the Operation of Off-Road Vehicles within the City of Temiskaming Shores was reviewed against current legislation as well as the enhancements brought forward by MPP John Vanthof that have been incorporated into Ontario Regulation 316/03 *Operation of Off Road Vehicles on Highway* under the Highway Traffic Act.

**Attachment No. 02 – Draft amending by-law** was developed to incorporate the recently announced enhancements. If adopted, By-law No. 2009-023 will be amended to include the additional types of off-road vehicles (ORV’s). Appendix “1” of Schedule “A” to By-law No. 2009-023 is a list of prohibited highways which any type of ORV is not permitted to operate upon, however they are permitted to cross these highways at right angle.

**Attachment No. 03 – Appendix “1” modifications** illustrates the recommended changes to the prohibited highways as reviewed with the Director of Public Works.

It is recommended that Council direct staff to provide notice of the proposed amending by-law and schedule a public meeting at the September 1, 2015 Regular Council meeting prior to consideration. It is further recommended that Appendix “1” be circulated to the Police Services Board for comment.

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council’s consideration by:

“Original signed by”

“Original signed by”

“Original signed by”

\_\_\_\_\_  
David B. Treen, CET  
Municipal Clerk

\_\_\_\_\_  
Shelly Zubyck, CHRP  
Director of Corporate Services

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

**BY-LAW NO. 2009-023**

**BEING A BY-LAW TO REGULATE AND CONTROL THE OPERATION OF OFF-ROAD VEHICLES WITHIN THE CITY OF TEMISKAMING SHORES**

**WHEREAS** the Council of the Corporation of the City of Temiskaming Shores deems it necessary and expedient to pass a By-law to regulate off road vehicles within the City of Temiskaming Shores;

**AND 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** Section 27 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws with respect to highways over which it has jurisdiction;

**AND WHEREAS** Section 425(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

**AND WHEREAS** Section 429(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the Act;

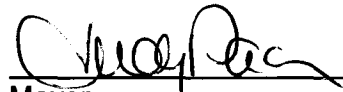
**AND WHEREAS** Section 191.8(3)(a) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, provides that a municipality may pass by-laws, permitting the operation of off-road vehicles on any highway within municipality or on any part or parts of such highways;

**AND WHEREAS** Section 191.8(3)(b) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, provides that a municipality may pass by-laws, prescribing a lower rate of speed for off-road vehicles than that prescribed for off-road vehicles by regulation on any highway within municipality or on any part or parts of such highways;

**NOW THEREFORE** the Council of the Corporation of the City of Temiskaming Shores hereby enacts as follows:

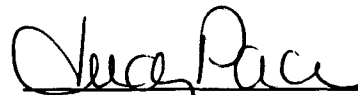
1. That Council adopts a by-law to regulate and control the operation of off-road vehicles within the City identified as Schedule "A", attached hereto and forming part of this by-law;
2. That By-law No. 2005-030 being a by-law to regulate, govern and control off-road vehicles within the City of Temiskaming Shores is 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.
4. That this by-law shall come into force and take effect on the date of its final passing.


Read a FIRST and SECOND time this 24<sup>th</sup> day of March, 2009.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

Read a THIRD time and FINALLY passed this 21st day of April, 2009.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

**SCHEDULE "A" TO BY-LAW NO. 2009-023**

**BEING A BY-LAW TO REGULATE AND CONTROL THE OPERATION OF OFF-ROAD  
VEHICLES WITHIN THE CITY OF TEMISKAMING SHORES**

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**PART 1  
GENERAL PROVISIONS**

**SECTION**

**1.1 Short Title**

This By-Law shall be cited as the "ATV By-law".

**1.2 Scope**

The provisions of this By-law shall apply to all property within the geographic limits of the *City*, except where other wise provided.

**1.3 Enforcement**

This By-law shall be enforced by a *By-law Enforcement Officer* or a *Police Officer*.

**1.4 Conflicts with other by-law**

Where a provision of this By-law conflicts with a provision of another by-law in force in the *City*, the provisions that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental well being of the municipality, shall prevails to the extent of the conflict.

**PART 2  
DEFINITIONS**

Definitions of words, phrases and terms used in this By-law that are not included in the list of definitions in this section shall have the meanings which are commonly assigned to them in the context in which they are used in this By-law.

The words, phrases and terms defined in this section have the following meaning for the purposes of this By-law.

**SECTION**

**2.1 "All-Terrain Vehicle"** means an *off-road vehicle* that,

- (a) has four wheels, the tires of all of which are in contact with the ground.
- (b) has steering handlebars,
- (c) has a seat that is designed to be straddled by the driver, and
- (d) is designed to carry a driver only and no passengers.

**2.2 "By-law Enforcement Officer"** means the *person* or *persons* duly appointed by *Council* as Municipal Law Enforcement Officers for the purpose of enforcing regulatory by-laws of the *City*.

**2.3 "City"** means the Corporation of the City of Temiskaming Shores.

- 2.4 **“City Property”** means any land situated within the *City* which is owned by the *City* or controlled by the *City* by lease or otherwise, but does not include a *highway*.
- 2.5 **“Council”** means the Municipal *Council* of the *City* of Temiskaming Shores.
- 2.6 **“Highway”** means a common and public highway, street, roadway, crescent, avenue, parkway, driveway, square, place, bridge, viaduct, trestle or other such place designed and intended for, or used by the general public for the passage or parking of vehicles and includes the area of land between the lateral property lines thereof.
- 2.7 **“Highway Traffic Act”** means Highway Traffic Act, R.S.O. 1990, c. H8, as amended.
- 2.8 **“ Low Pressure Bearing Tire”** means a wide, balloon-type tire with a rounded cross-section and no distinct shoulder area and that is designed to operate with inflation pressure of no greater than 70 kpa (10 psi).
- 2.9 **“Off-Road Vehicle”** means a vehicle propelled or driven otherwise than by muscular power or wind and designed to travel,  
 (a) on not more than three wheels, or  
 (b) on more than three wheels and being of a *prescribed* class of vehicle.
- 2.10 **“Off-Road Vehicle Act”** means the Off-Road Vehicle Act, R.S.O. 1990, c. 0.4, as amended.
- 2.11 **“Person”** means an individual, firm or corporation.
- 2.12 **“Police Officer”** means a member of the Ontario Provincial Police service.
- 2.13 **“Prescribed”** means prescribed by the *Off-Road Vehicle Act* – R.R.O. 1990, Reg. 863.
- 2.14 **“Prohibited Highway”** means those *highways* identified in Appendix “1” attached to and forming part of this Bylaw.
- 2.15 **“Provincial Offences Act”** means the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 2.16 **“Residence”** means a *persons* dwelling unit and shall include a temporary unit such as a hotel or motel.
- 2.17 **“School Site”** means land or premises or an interest in land or premises required by a board for a school, school playground, school garden, school parking areas or for any other school purpose, but does not include post secondary institution.
- 2.18 **“Trail”** means the whole of any trail established and maintained by a recreational organization for the use of *all-terrain vehicles*.

**PART 3  
REGULATIONS**

**SECTION**

**3.1 Prohibited Highways**

- 3.1.1 No *person* shall operate an *off-road vehicle* upon a *highway*.
- 3.1.2 Notwithstanding Section 3.1.1 a *person* shall be allowed to cross a *highway* while operating an *off-road vehicle*, provided such crossing is done at an angle of approximately 90 degrees to the direction of the *highway*.
- 3.1.3 Notwithstanding Section 3.1.1 a *person* shall be allowed to operate an *all-terrain vehicle* with *low pressure bearing tires* upon a *highway*.
- 3.1.4 No *person* shall operate an *all-terrain vehicle* with *low pressure bearing tires* upon a *prohibited highway*.

**3.2 City Property**

- 3.2.1 No *person* shall operate an *off-road vehicle* upon *City property*.
- 3.2.2 Notwithstanding Section 3.2.1 a *person* may operate an *all-terrain vehicle* upon a *trail* established on *City property*.

**3.3 School Site**

- 3.3.1 No *person* shall operate an *all terrain vehicle* upon any portion of a *highway* located within 100 meters of any *school site* between the hours of 8:00 a.m. to 9:30 a.m. and 3:00 p.m. to 4:30 p.m., Monday to Friday from September 1 to June 30 of the following year.
- 3.3.2 Notwithstanding Section 3.3.1 where a *persons residence* is located within 100 meters of a *school site*, such *person* may operate an *all-terrain vehicle* to gain direct access to or from their *residence*.

**PART 4  
PENALTIES**

**SECTION**

**4.1 General Penalties**

Any *person* who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provisions of this By-law or any permit or order issued pursuant thereto, commits an offence and except where specifically provided in Appendix "2", shall be liable to a fine of not less than \$100.00, but not exceeding \$5,000.00.

Where an offense is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.



**PART 5**  
**VALIDITY**

**SECTION**

**5.1      Validity of By-law**

If any section, clause, or provision of this By-law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**  
**Appendix "1" OF Schedule "A"**  
**TO ATV BY-LAW NO. 2009- 023**

**PROHIBITED HIGHWAYS**

<b>HIGHWAY</b>	<b>FROM</b>	<b>TO</b>
<b>Armstrong Street North</b>	Highway 65 East	Whitewood Avenue
<b>Armstrong Street South</b>	Whitewood Avenue	Cedar Street
<b>Drive-In-Theatre-Road</b>	Crystal Crescent	Highway 11
<b>Ferguson Avenue</b>	Blackwall Street	Browning Street
<b>Golf Course Road</b>	Highway 11	Highway 65 West
<b>Hessle Street</b>	Armstrong Street North	ESCSM
<b>High Street</b>	Shepherdson Road	Whitewood Avenue
<b>King Street</b>	Carter Boulevard	South Limit (Coleman Twp.)
<b>Lakeview Avenue</b>	King Street	Mill Creek
<b>Lakeshore Road North</b>	Radley Hill Road	Paget Street
<b>Lakeshore Road South</b>	Browning Street	Radley Hill Road
<b>Main Street</b>	Farr Drive	Browning Street
<b>Paget Street</b>	Lakeshore Road North	Dymond Street
<b>Rorke Avenue</b>	Main Street	Carter Boulevard
<b>Shepherdson Road</b>	Radley Hill Road	High Street
<b>West Road</b>	Browning Street	Highway 11
<b>Whitewood Avenue</b>	May Street	Highway 11

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**  
**Appendix "2" OF Schedule "A"**  
**TO ATV BY-LAW NO. 2009- 023**

**PART 1 PROVINCIAL OFFENCES ACT**  
**SET FINES**

Item	COLUMN 1 Short form wording	COLUMN 2 Offence creating provision or Defining offence	COLUMN 3 Set fine
1	Drive <i>off-road vehicle</i> on <i>highway</i> .	Sch. A, section 3.1.1	\$85.00
2	Drive <i>all-terrain vehicle</i> on <i>prohibited highway</i> .	Sch. A, section 3.1.4	\$85.00
3	Drive <i>off-road Vehicle</i> on <i>City property</i> .	Sch. A, section 3.2.1	\$85.00
4	Drive <i>all-terrain vehicle</i> within 100m of <i>school site</i> .	Sch. A, section 3.3.1	\$85.00

**Note: The general penalty provision for the offences listed above is Schedule A section 4.1 of By-law No. 2009- 023, a certified copy of which has been filed.**

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

**By-law No. 2015-000**

**Being a by-law to amend By-law No. 2009-023, as amended  
being a by-law to Regulate and Control the Operation of Off-  
Road vehicles within the City of Temiskaming Shores**

**And 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** Section 27 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws with respect to highways over which it has jurisdiction;

**And whereas** Section 425(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

**And whereas** Section 429(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may establish a system of fines for offences under a by-law of the municipality passed under the Act;

**And whereas** Section 191.8(3)(a) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, provides that a municipality may pass by-laws, permitting the operation of off-road vehicles on any highway within municipality or on any part or parts of such highways;

**And whereas** Section 191.8(3)(b) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended, provides that a municipality may pass by-laws, prescribing a lower rate of speed for off-road vehicles than that prescribed for off-road vehicles by regulation on any highway within municipality or on any part or parts of such highways;

**And whereas** Council considered Memo 007-2015-CS at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to amend By-law No. 2009-023 to ensure recent Provincial rules established through Ontario Regulation 135/15 are consistent with By-law NO. 2009-023;

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

1. That Council hereby amends Schedule “A” to By-law No. 2009-023 by deleting the definition 2.1 All-Terrain Vehicle and replacing it with the following:

**2.1 All-Terrain Vehicle** means an *off-road vehicle* that,

- (a) has four wheels, the tires of which are all in contact with the ground,
- (b) has steering handlebars,
- (c) has a seat that is designed to be straddled by the driver, and
- (d) is designated to carry,
  - i. a driver only and no passengers, or
  - ii. a driver and only one passenger, if the vehicle,
    - A. has one passenger seat that is designed to be straddled by the passenger while sitting facing forward behind the driver, and
    - B. is equipped with foot rests for the passenger that are separate from the foot rests for the driver.

2. That Council hereby amends Schedule “A” to By-law No. 2009-023 by adding the following definition:

**2.8 Multi-Purpose off-highway utility vehicle** means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and
- (d) has a minimum cargo capacity of 159 kilograms.

3. That Council hereby amends Schedule “A” to By-law No. 2009-023 by deleting the definition 2.9 Off-Road Vehicle and replacing it with the following:

**2.9 Off-Road Vehicle** has the same meaning as in the *Off-Road Vehicle Act*, as amended.

4. That Council hereby amends Schedule “A” to By-law No. 2009-023 by adding the following definition:

**2.15 Recreational off-highway vehicle** means an off-road vehicle that,

- (a) has four or more wheels, the tires of which are all in contact with the ground,
- (b) has steering wheel for steering control,
- (c) has seats that are not designed to be straddled, and

(d) has an engine displacement equal to or less than 1,000 cubic centimetres.

5. That Council hereby amends Schedule “A” to By-law No. 2009-023 by deleting 3.1 Prohibited Highways in its entirety and replacing it with the following:

**3.1 Prohibited Highways**

3.1.1 No *person* shall operate a *multi-purpose off-highway utility vehicle, off-road vehicle, recreational off-highway vehicle* upon a *highway*.

3.1.2 Notwithstanding Section 3.1.1 a *person* shall be allowed to cross a *highway* while operating a *multi-purpose off-highway utility vehicle, off-road vehicle, recreational off-highway vehicle*, provided such crossing is done at an angle of approximately 90 degrees to the direction of the *highway*.

3.1.3 Notwithstanding Section 3.1.1 a *person* shall be allowed to operate a *multi-purpose off-highway utility vehicle, off-road vehicle, recreational off-highway vehicle* upon a *highway*

6. That Appendix “1” of Schedule “A” to ATV By-law No. 2009-023 be hereby deleted and replaced with Schedule “A” attached hereto and forming part of this by-law.
7. That this by-law shall come into force and take effect on the date of its final passing.
8. 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 15<sup>th</sup> day of September, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

Appendix "1" of Schedule "A" to  
**By-law No. 2009-023**  
**Prohibited Highways**

<b>Highway</b>	<b>From</b>	<b>To</b>
<b>Armstrong Street North</b>	Highway 65 East	Whitewood Avenue
<b>Armstrong Street South</b>	Whitewood Avenue	Cedar Street
<b>Ferguson Avenue</b>	Blackwall Street	Browning Street
<b>Lakeshore Road North</b>	Radley Hill Road	Paget Street
<b>Lakeshore Road South</b>	Browning Street	Radley Hill Road
<b>Main Street</b>	Farr Drive	ONR underpass
<b>Paget Street</b>	Lakeshore Road North	Dymond Street
<b>Rorke Avenue</b>	Main Street	Carter Boulevard
<b>Whitewood Avenue</b>	May Street	Highway 65

**The Corporation of the City of Temiskaming Shores  
Appendix "1" of Schedule "A"  
to ATV By-law No. 2009-023**

**Prohibited Highways**

	Highway	From	To
	<b>Armstrong Street North</b>	Highway 65 East	Whitewood Avenue
	<b>Armstrong Street South</b>	Whitewood Avenue	Cedar Street
Remove	<del><b>Drive-In-Theatre Road</b></del>	<del>Crystal Crescent</del>	<del>Highway 11</del>
	<b>Ferguson Avenue</b>	Blackwall Street	Browning Street
Remove	<del><b>Golf Course Road</b></del>	<del>Highway 11</del>	<del>Highway 65 West</del>
Remove	<del><b>Hessle Street</b></del>	<del>Armstrong Street North</del>	<del>ESCSM</del>
Remove	<del><b>High Street</b></del>	<del>Shepherdson Road</del>	<del>Whitewood Avenue</del>
Remove	<del><b>King Street</b></del>	<del>Carter Boulevard</del>	<del>South Limit (Coleman Twp.)</del>
Remove	<del><b>Lakeview Avenue</b></del>	<del>King Street</del>	<del>Mill Creek</del>
	<b>Lakeshore Road North</b>	Radley Hill Road	Paget Street
	<b>Lakeshore Road South</b>	Browning Street	Radley Hill Road
Modify	<b>Main Street</b>	Farr Drive	<del>Browning Street</del> <b>ONR underpass</b>
	<b>Paget Street</b>	Lakeshore Road North	Dymond Street
	<b>Rorke Avenue</b>	Main Street	Carter Boulevard
Remove	<del><b>Shepherdson Road</b></del>	<del>Radley Hill Road</del>	<del>High Street</del>
Remove	<del><b>West Road</b></del>	<del>Browning Street</del>	<del>Highway 11</del>
Modify	<b>Whitewood Avenue</b>	May Street	Highway 11 <b>65</b>



**Subject:** Delegation of Powers

**Report No.:** CS-023-01-2015

**Agenda Date:** August 4, 2015

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### **Attachments**

**Appendix 01:** By-law # 09-011 – Kirkland Lake

**Appendix 02:** By-law No. 2007-6574 – Timmins

**Appendix 03:** By-law No. 2007-299 – Sudbury

**Appendix 04:** By-law No. 2015-141 (modified)

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-023-01-2015; and
2. That Council hereby approves the modifications to By-law No. 2015-141 and will considered Third and Final reading of By-law No. 2015-141, as modified, at the September 1, 2015 Regular Council meeting.

### **Background**

Article 6 under Section 270 (1) of the *Municipal Act, 2001* reads that a municipality shall adopt and maintain policies with respect to the delegation of its powers and duties.

Administrative Report CS-023-2015 was considered at the June 16, 2015 Regular Council meeting in regards to the adoption of a Policy for the Delegation of Powers and Duties. The draft policy outlined the powers and duties to which Council was recommended to delegate summarized as follows:

**City Manager:** Duties and responsibilities delegated to City Manager geared towards day to day operations of the municipality.

**Improve Loans:** authorize Treasurer and Clerk to sign Community Improvement Loans.

**Facility Rentals:** Delegation to the Director of Recreation the powers to enter into agreements for the rental of facilities.

**MFFIPA:** Delegation to the Clerk to act as head of the institution for the purpose of the Act.

**Property:** Delegation to negotiate and acquire property on behalf of municipality, execute real estate transactions and leases.

**Service Agts:** Delegation to managing Director to enter into agreements associated with providing services in accordance to Purchasing By-law.

**SPCA:** Delegation to City Manager to execute Site Plan Control Agreements.

- Subdivision Agt:** Delegation to City staff to negotiate Subdivision Agreements.
- Taxi Licensing:** Delegation of powers to license and regulate taxicabs.
- Road Closure:** Delegation of the power to close roads to Public Works for special events (i.e. BBQ's) and infrastructure construction and/or repair.

At the June 16, 2015 meeting Council provided provisional adoption (1<sup>st</sup> and 2<sup>nd</sup> Reading) to By-law No. 2015-141 as it was felt that the delegation of powers were too extensive and staff was requested to reconsider some of the delegations.

### **Analysis**

Senior staff informally met and discussed many of the powers and duties contained in the provisional by-law. It was mutually agreed that many of the items are already delegated under other by-laws, resolutions and/or policies. For example Taxi Licensing is regulated under By-law No. 2010-102 being a by-law for the licensing, regulating and governing of owners and drivers of taxicabs within the City of Temiskaming Shores. This by-law outlines the duties and responsibilities of staff in regards to Taxi Licensing as established by Council.

By-laws for the delegation of powers from other municipalities were also obtained and reviewed.

#### **Appendix 01 – By-law # 09-011 - Kirkland Lake**

This by-law limits powers that have been delegated to the CAO only.

#### **Appendix 02 – By-law No. 2007-6574 - Timmins**

This by-law outlines general provisions for the delegation of powers. For example it states that all delegations of Council powers, duties for functions shall be effected by by-law and unless expressly delegated by by-law powers remain with Council.

#### **Appendix 03 – By-law No. 2007-299 - Sudbury**

Under Schedule B – Delegation of Powers, provisions are similar to Timmins in that all delegations of Council powers, duties for functions shall be effected by by-law and unless expressly delegated by by-law powers remain with Council.

**Appendix 04 – By-law No. 2015-141** is the modified Delegation of Powers and Duties Policy for the City of Temiskaming Shores and is limited to powers to the City Manager geared towards day to day operations; Director of Recreation or his/her delegate for facility rentals; Clerk to act as head for the purpose of compliance with the *Municipal Freedom of Information and Protection of Privacy Act*; Director of Public Works for Temporary Road Closures related to special events and infrastructure construction and/or repair.

The Clerk's office will be developing a spreadsheet (tracking system) to identify powers and duties delegated to staff (i.e. Taxi Licensing, Purchasing Policy, etc.).

It is recommended that Council considered third and final reading of Appendix 04 – By-law No. 2015-141 at the September 1, 2015 Regular Council meeting.

**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

There is no financial implication with the adoption of a delegating by-law.

**Alternatives**

No alternatives were considered in the preparation of this report.

**Submission**

Prepared by:

Reviewed and approved by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

\_\_\_\_\_  
David B. Treen, CET  
Municipal Clerk

\_\_\_\_\_  
Shelly Zubyck, CHRP  
Director of Corporate Services

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BYLAW # 09-011

Being a Bylaw to Delegate  
Administrative Powers to the Chief Administrative Officer

WHEREAS Section 270 (1)(6) of the Municipal Act, 2001, as amended provides that every municipality shall adopt and maintain policies with respect to the delegation of powers and duties;

AND WHEREAS Council of the Town of Kirkland Lake passed a resolution on December 18, 2007 adopting the Delegation of Powers and Duties Policy;

AND WHEREAS Section 23 of the Municipal Act, 2001, as amended permits Council to delegate its administrative powers;

AND WHEREAS Council of Town of Kirkland Lake has appointed a Chief Administrative Officer whose duties are to exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and to the perform such other duties that are assigned.


NOW THEREFORE THE COUNCIL OF THE TOWN OF KIRKLAND LAKE HEREBY ENACTS AS FOLLOWS:

That the administrative powers delegated to the Chief Administrative Officer include the power to :

1. Direct collective bargaining with all Town employees within collective bargaining units, to recommend to Council agreements concerning wages, salaries and working conditions, and, upon approval by Council, to administer such agreements and in general to be responsible for wage and salary administration subject to normal grievance procedures;
2. Have full control and direction of all Town employees, except with respect to the statutory duties of such officials as are appointed pursuant to statute, and also subject to the personnel policies approved by Council;
3. To place and/or move employees within the pay grid based on the position, work performed, evaluation and performance criteria or to make such other adjustments to the pay grid as may be required from time to time.
4. And that in exercising the delegated power, the Chief Administrative Officer shall ensure adherence to the Policy Requirements set out in the Delegation of Powers and Duties.

And that this bylaw comes into effect on the day of its passing.

Read a first, second, and third time, enacted and passed this 3<sup>rd</sup> day of February 2009.

  
\_\_\_\_\_  
William Enouy, Mayor

  
\_\_\_\_\_  
Jo Ann Ducharme, Clerk

**CITY OF TIMMINS**

**BY-LAW NO 2007-6574**

BEING A BY-LAW to authorize the Corporation of the City of Timmins to establish a policy respecting delegation of legislative and administrative authority policy for the City of Timmins WHEREAS the Municipal Act, S O 2001, C 25, Section 270 requires municipalities to have a delegation of legislative and administrative authority policy in place

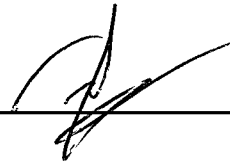
NOW THEREFORE BE IT RESOLVED THAT Council does hereby enact the following as a By-law

1 THAT the Corporation of the City of Timmins does hereby adopt a delegation of legislative and administrative authority policy attached hereto and marked as Schedule "A" to this By-law

2 THAT this By-law to take effect upon date of passage


READ a first, second and third time and finally passed this 17<sup>th</sup> day of December, 2007

\_\_\_\_\_  
MAYOR



**Tom Laughren  
Mayor  
City of Timmins**

\_\_\_\_\_  
CLERK



**The Corporation of  
City of Timmins**



**Policy & Procedure**

**Corporate**

**Council Delegation**

**Policy No**

**PURPOSE**

The Municipal Act 2001 amended by Bill 130, as set out under section 270(1) requires that all municipalities shall adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy applies to all committees of Council, departments and staff.

**DEFINITIONS**

- 1) **Legislative Powers** – Includes all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority.
- 2) **Administrative Powers** – Includes all matters required for the management of the corporation, which do not involve discretionary decision-making.

**POLICY STATEMENT**

The Council of the City of Timmins as a duly elected municipal government is directly accountable to its constituents for its legislative decision-making, policies, and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees (Committee of Adjustment, Museum etc.) and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the Municipal Act and will respect the applicable restrictions outlined in the Act.

**The Corporation of  
City of Timmins**



**Policy & Procedure**

**Corporate**

**Council Delegation**

**Policy No.**

**CORPORATE VALUES**

Council 's mission statement

**“The City of Timmins, a Regional Centre, is committed to maintain and expand the quality of life and services within economic realities ”**

**POLICY REQUIREMENTS:**

The Council of the Corporation of the City of Timmins when delegating its authority under the Municipal Act or any other Act will do so only under the following conditions

- All delegations of Council powers, duties or functions shall be effected by by-law
- Unless a power, duty, or function of Council has been expressly delegated by by-law, all of the powers, duties and functions of Council remain with Council
- A delegation of a power, duty or function under any by-law to any member of staff includes a delegation to a person who is appointed by the CAO or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence
- Subject to section 3, a person to whom a power, duty or function has been delegated by by-law has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted
- Council may revoke any delegation during its term of office without notice unless otherwise expressed by legislation
- Council may delegate legislative matters where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act
- Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act

**The Corporation of  
City of Timmins**



**Policy & Procedure**

**Corporate**

**Council Delegation**

**Policy No:**

In exercising any delegated power, the delegate shall ensure the following

- Any expenditure related to the matter shall have been provided for in the current year's budget or authorized by the City's purchasing by-law
- The scope of the delegated authority shall not be exceeded by the delegate
- Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy
- All policies regarding insurance and risk management shall be complied with
- Delegates shall ensure the consistent and equitable application of Council policies and guidelines
- Any undertaking or contract with a third party shall be subject to the approval of Council through by-law and where necessary shall be reviewed by the City's contracted solicitor

## **SUMMARY INFORMATION**

### **Responsibilities**

City Council and City staff are responsible for adhering to the parameters of this policy and for ensuring appropriate application of delegated authority

### **Monitoring/Contraventions**

The City Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the City Clerk shall notify

- The Chief Administrative Officer who shall initiate an investigation and if the complaint/concern is founded shall advise Council with a recommended course of action



**The Corporation of  
City of Timmins**



**Policy & Procedure**

**Corporate**

**Council Delegation**

**Policy No.**

**Legislative & Administrative Authorities**

Section 270 of the Municipal Act, 2001 as amended by Bill 130 requires that the City adopt and maintain a policy with respect to the delegation of powers and duties. This policy meets the requirement of this legislation to delegate powers and duties.

**Enquiries**

City Clerk  
CAO  
City of Timmins

**Policy Name**

**Issue Date**

**Next Review Date**

**Approved by**

**Approval Date**

\_\_\_\_\_

\_\_\_\_\_

**The Corporation of  
City of Timmins**



**Policy & Procedure**

**Corporate**

**Council Delegation**

**Policy No.**

**BY-LAW 2007-299**

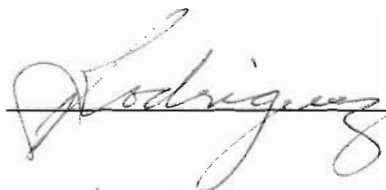
**A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT  
A POLICY REGARDING ACCOUNTABILITY AND TRANSPARENCY  
AND A POLICY REGARDING DELEGATION OF POWERS AND DUTIES**

**WHEREAS** the Council of the City of Greater Sudbury deems it advisable to adopt a Policy regarding Accountability and Transparency and a Policy regarding Delegation of Powers and Duties for the City of Greater Sudbury as required pursuant to the *Municipal Act, 2001*, S. O. 2001, c. 25;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY  
HEREBY ENACTS AS FOLLOWS:**

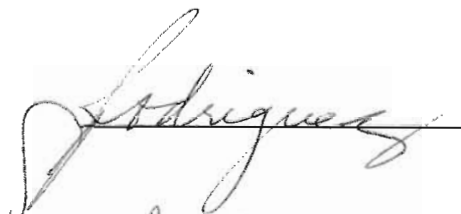
1. The Policy Regarding Accountability and Transparency attached hereto as Schedule "A" is hereby adopted.
2. The Policy Regarding Delegation of Powers and Duties attached hereto as Schedule "B" is hereby adopted.
3. This By-law shall come into force and take effect immediately upon final passing of same.

**READ A FIRST AND SECOND TIME IN OPEN COUNCIL** this 12th day of December, 2007.

  
\_\_\_\_\_  
A. Haché  
\_\_\_\_\_  
Clerk

Mayor

**READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN  
COUNCIL** this 12th day of December, 2007.

  
\_\_\_\_\_  
A. Haché  
\_\_\_\_\_  
Clerk

Mayor

## TO BY-LAW 2007-299

## CITY OF GREATER SUDBURY

## Accountability and Transparency Policy

I. Purpose/Application

The *Municipal Act*, 2001 (the *Act*) requires that all Municipalities adopt and maintain a policy with respect to the manner in which the Municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the Municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the Municipality's activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the *Act* to comply with Section 270.

II. Definition(s): Accountability; Transparency

- i) Accountability - The principle that the Municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- ii) Transparency - The principle that the Municipality actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the Municipality's decision making process is open and clear to the public.

III. Policy Statement

The City of Greater Sudbury conducts business within the municipality in a way that is open, transparent and accountable to the public. The City is committed to creating policies, guidelines and positions for delegation in a transparent manner for all staff of the Corporation.

Mapping the Vision has been adopted by the City of Greater Sudbury as a policy statement of its Vision, Mission, Values, Broad Goals and Strategies. In part, that document provides:

Mission:

We provide excellent access to quality municipal services and leadership in the social, environmental and economic development of the City of Greater Sudbury.

Values:

We are committed to:

-providing high quality service with a citizen focus;

-managing the resources in our trust efficiently, responsibly and effectively;

**SCHEDULE "A"**  
**TO BY-LAW 2007-299**

**Page 2 of 4**

- encouraging innovation and accepting risks;
- developing organization excellence;
- maintaining honest and open communication;
- creating a climate of trust and a collegial working environment;
- acting today in the interests of tomorrow.

**IV. Policy Requirements**

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the Municipality.

**i. Financial Matters**

The City will be open, accountable and transparent to its stakeholders in its financial dealings as required under the *Act*. Some examples of how the City provides such accountability and transparency are as follows:

1. External audit;
2. Reporting statements;
3. Long term financial planning;
4. Annual Financial Statements;
5. Budget to actual variance analysis;
6. Budget process;
7. Auditor General;
8. Asset management;
9. Purchasing/procurement including tendering for goods and services;
10. Sale of land and other assets;
11. Adoption of policies / procedures / processes, such as Financial Information Returns

**ii. Internal Governance**

The Municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

1. Employee Handbook;
2. Salary Administration Plan;
3. Supervisor's Guidebook;
4. Performance management and evaluation;
5. Hiring policy;
6. Recruitment Guidebook;
7. Orientation/continuing education;
8. Health and Safety:
  - Joint Health and Safety Committee
  - Health and Safety Handbook
  - Annual Health and Safety Due Diligence Training
  - Harassment Policy which includes anti-bullying and anti-harassment training;
9. Work/life balance;
  - Employee Wellness Committee
10. Compensation/benefit;
11. Continuous Improvement Plan;
12. Employee Recognition Trial Program;
13. Responsibility for ensuring that administrative practices and procedures recognize Council's commitment to accountability and transparency.

**iii. Public Participation and Information Sharing**

The City ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The City's meetings will be open to the public when and required under the *Act*, and members of the public will have an opportunity to make delegations or comments in writing

**SCHEDULE "A"**  
**TO BY-LAW 2007-299**

**Page 4 of 4**

on specific items at these meetings. In addition, the City has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means including print media, websites, etc. Some specific examples include:

1. Procedure By-law;
2. Code of Conduct for Councillors  
Procedure By-law, Schedule "D"
3. Strategic Priorities embedded in the Business Plans;
4. Delegation By-law;
5. Records Retention By-law, including archival facilities;
6. Planning processes;
7. Public notice By-law or policy;
8. 3 -1 -1;
9. Customer Relationship Management System;
10. Provincial/Municipal Benchmarking;

-Ontario Municipal Benchmarking Initiative

-Municipal Performance Measurement Program

## TO BY-LAW 2007-299

## CITY OF GREATER SUDBURY

## Policy Regarding Delegation of Powers and Duties

**1. Purpose/Application**

The *Municipal Act, 2001* (the *Act*) requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority. The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the *Act* in order to comply with its other applicable sections, including section 270. This policy applies to all committees of Council, departments and staff.

**II. Definition(s):**

- i) Legislative Powers - Includes all matters where Council acts in a legislative or quasi judicial function including enacting by-laws, setting policies, and exercising decision making authority.
- ii) Administrative Powers - Includes all matters required for the management of the corporation which do not involve discretionary decision making.

**III. Policy Statement**

The Council of the City, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies, and administrative functions. Council's decision are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to committees and staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of legislative and administrative functions. Council authority will be delegated within the context set out in the *Act* and will respect the applicable restrictions outlined in the *Act*.

**IV. Policy Requirements**

1. All delegations of Council powers, duties or functions shall be exercised by By-law.
2. Unless a power, duty, or function of Council has been expressly delegated by By-law, all of the powers, duties and functions of Council remain with Council.
3. A delegation of a power, duty or function under any By-law to any member of staff includes a delegation to a person who is appointed by the Chief Administrative Officer or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence.
4. Subject to Section 3, a person to whom a power, duty or function has been delegated by By-law has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted.



TO BY-LAW 2007-299

5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the *Act*.
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the *Delegation* and in this *Policy*, and must take into account the limitations set out in the *Act*.
7. Council has authorized the delegation of specific administrative matters to those individuals listed in the *Delegation By-law* subject to the terms set out therein.

In exercising any delegated power, the delegate shall ensure the following:

- Any expenditure related to the matter shall have been provided for in the current year's budget (or authorized by the *Purchasing By-law*);
- The scope of the delegated authority shall not be exceeded by the delegate;
- Where required by the specific delegated authority, reports shall be submitted to Council advising of the exercise of a delegated power and confirming compliance with the delegated authority and this policy;
- all practices regarding insurance and risk management shall be complied with;
- delegates shall ensure the consistent and equitable application of Council policies and guidelines;
- any undertaking or contract with a third party will be reviewed by Legal Services as appropriate.

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

### **By-law No. 2015-141**

#### **Being a by-law to adopt the Delegation of Powers and Duties Policy for the City of Temiskaming Shores**

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

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

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

**Whereas** under Section 270 (1)(6) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that every municipality shall adopt and maintain policies with respect to the delegation of powers and duties;

**And whereas** Council considered Administrative Report CS-023-2015 at the June 16, 2015 Regular Council meeting and provided provisional adoption (1<sup>st</sup> and 2<sup>nd</sup> reading) of a draft by-law for the adoption of a Delegation of Powers and Duties Policy for the City of Temiskaming Shores;

**And whereas** Council considered Supplemental Administrative Report CS-023-01-2015 at the August 4, 2015 Regular Council meeting and approved the modified Delegation of Powers and Duties Policy and directed staff to prepare the necessary by-law for consideration of third reading at the September 1, 2015 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 for the City of Temiskaming Shores hereby adopts a Policy for the Delegation of Powers and Duties, a copy of which is attached hereto as Schedule "A" 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 and second time this 16<sup>th</sup> day of June, 2015.**

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Mayor – Carman Kidd

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Clerk – David B. Treen

**Read a third time and finally passed this 1<sup>st</sup> day of September, 2015.**

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Mayor – Carman Kidd

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Clerk – David B. Treen



Schedule "A" to

**By-law No. 2015-141**

**Delegation of Powers and Duties Policy**

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## Delegation of Powers and Duties Policy

### Purpose

Section 270 of the *Municipal Act, 2001* as amended (the "Act") requires that all municipalities adopt and maintain a policy with respect to the delegation of Council's legislative and administrative authority.

The purpose of this policy is to set out the scope of the powers and duties which Council may delegate its legislative and administrative authority and to establish principles governing such delegation. This policy has been developed in accordance with the Act in order to comply with its other applicable sections, including section 270. This Policy applies to all committees of Council, departments and staff.

### Definitions

- i. **Legislative Powers** includes all matters where Council acts in a legislative or quasi-judicial function including enacting by-laws, setting policies, and exercising decision making authority;
- ii. **Administrative Powers** includes all matters required for the management of the corporation which do not involve discretionary decision making.

### Policy Statement

The Council of The Corporation of the City of Temiskaming Shores, as a duly elected municipal government is directly accountable to its constituents for its legislative decision making, policies and administrative functions. Council's decisions are generally expressed by by-law or resolution of Council carried by a majority vote. The efficient management of the municipal corporation and the need to respond to issues in a timely fashion require Council to entrust certain powers and duties to designated staff while concurrently maintaining accountability, which can be effectively accomplished through the delegation of certain legislative and administrative functions. Council authority will be delegated within the context set out in the Act and will respect the applicable restrictions outlined in the Act.

### Policy Requirements

1. All delegations of Council powers, duties or functions shall be effected by by-law;
2. Unless a power, duty or function of Council has been expressly delegated by by-law, all of the powers, duties and functions of Council remain with Council;
3. A delegation of a power, duty or function under any by-law to any member of staff includes a delegation to a person who is appointed by the City Manager or selected from time to time by the delegate to act in the capacity of the delegate in the delegate's absence;

4. Subject to section 3, a person whom a power, duty or function has been delegated by by-law has no authority to further delegate to another person any power, duty or function that has been delegated, unless such sub-delegation is expressly permitted;
5. Legislative matters may be delegated by Council where they are minor in nature or where Council has explicitly provided for the terms and conditions under which the powers shall be exercised, and must take into account the limitations set out in the Act;
6. Administrative matters may generally be delegated to staff subject to the conditions set out in the delegation and in this policy, and must take into account the limitations set out in the Act;
7. Council has authorized the delegation of specific administrative matters to those individuals listed in Appendix 01 subject to the terms set out therein.

### **General Delegation Limits and Rules**

In exercising any delegated power, the delegate shall ensure the following:

- Any expenditure related to the matter shall have been provided for in the current year's budget (or as authorized by the City's Purchasing By-law);
- The scope of the delegated authority shall not be exceeded by the delegate;
- Where required by the specific delegated authority, reports shall be submitted to Council advising of exercise of a delegated power and confirming compliance with the delegated authority and this policy;
- All policies regarding insurance and risk management shall be complied with;
- Delegates shall ensure the consistent and equitable application of Council policies and guidelines;
- Any undertaking or contract with a third party shall be subject to the approval of the City Manager.

## Appendix 01

### Delegation of Powers and Duties

#### 1. City Manager

The following duties and responsibilities are delegated to the City Manager.

- 1.1 to direct and coordinate the business of the City in all its branches and departments in accordance with the policies and plans established and approved by Council;
- 1.2 to direct and coordinate the preparation of plans and programs to be submitted to the Council and to the appropriate Committees of Council for the development, construction, maintenance, improvement and rehabilitation of the City property and facilities and for the development and improvement of City services;
- 1.3 to direct and coordinate the compilation, consideration and presentation to Council, and the appropriate Committees, recommendations arising from departmental operations, which require Council's approval and to propose by-laws or resolutions arising from such recommendations;
- 1.4 to direct the preparation and compilation of and to present to Council, the annual estimates of revenues and expenditures and the annual review of the periodic capital forecasts;
- 1.5 to exercise general financial control over all departments in terms of the approved appropriation;
- 1.6 to direct the placing and maintaining of adequate insurance on all City property,;
- 1.7 to administer such agreements and in general to be responsible for wage and salary administration subject to normal grievance procedures, and to recommend to Council and its appropriate Committee, a system of grievance procedures for such employees as are not covered by existing agreements, or included in collective bargaining units;
- 1.8 to have full control and direction of all City employees, except with respect to the statutory duties of such officials as are appointed pursuant to statute, and also subject to the personnel policies approved by Council;
  - i. to have authority to recommend to Council the appointment, employment, suspension or dismissal of Managing Directors or the Treasurer;
  - ii. to have authority to appoint, employ, suspend or dismiss for cause employees below the rank of Managing Directors or the Treasurer and not covered by collective bargaining agreements, subject to their right to appeal to Council in respect of any suspension or dismissal;

- iii. to have authority to appoint and employ other employees of the City in accordance with procedures contained in collective bargaining agreements, and to suspend or dismiss such employees for cause, subject to the normal grievance procedures contained in the relevant collective bargaining agreements;
- 1.9 to present to the Council reports and information regarding progress and accomplishments of programs and projects, the status of revenues and expenditures, and the general administration of the City;
- 1.10 to have cognizance of all correspondence and communications to the Corporation and to receive all communications from the several local boards and commissions and to direct the submission of the same to the Council, together with his/her recommendations thereon;
- 1.11 to meet with Senior Management regularly to discuss matters of policy which have been agreed upon by the Council and to coordinate all departmental activities; and
- 1.12 to perform such other duties and exercise such other powers as the Council may from time to time lawfully assign to him/her.

## **2. Facility Rentals**

That the Director of Recreation or his/her delegate be authorized to enter into agreements associated with the rental of facilities. These activities would include such things as ice and field rental, park rentals and arena rentals for conventions, concerts and special events.

## **3. Municipal Freedom of Information and Protection of Privacy Act**

The Clerk shall be delegated to act as head of the institution for the purpose of the *Municipal Freedom of Information and Protection of Privacy Act*.

## **4. Temporary Road Closures**

The Director of Public Works and/or the Roads Superintendent be delegated the authority to approve temporary road closures for the purpose of special events and infrastructure construction and/or repair.



**Subject:** Proposed Amendments to False  
Alarm Reduction By-law

**Report:** PPP-009-2015  
**Agenda Date:** August 4, 2015

**Attachments**

**Appendix 01:** Draft New False Alarm By-law

**Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-009-2015; and
2. That Council directs staff to prepare the necessary by-law to adopt a new False Alarm Reduction By-law and Repeal By-law No. 2007-169 for consideration at the September 1, 2015 Regular Council meeting.

**Background**

On December 18, 2007 Council passed By-law No. 2007-169, being a By-law to establish a system for the Reduction of False Alarms within the City of Temiskaming Shores. Staff has recently reviewed the By-law and statistical information in consultation with various stakeholders and is recommending a number of amendments to the by-law for Council's consideration to address the concerns raised.

**Analysis**

False alarms continue to consume police and firefighting resources, municipal funds, and could cause delay of emergency responses to genuine emergency situations and pose a threat to public safety.

Owners and operators of alarm systems are responsible to ensure that at all times their alarm systems are kept in good working order, and that any users of the their premises are kept fully apprised of the operation of the alarm systems located within their facilities.

The follow table highlights the number of false alarms recorded over a 3 year period:

<b>Agency</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
OPP	260	284	269
Fire	50	23	20
<b>Total Alarms</b>	<b>310</b>	<b>307</b>	<b>289</b>

Although there has been a slight decrease in the overall number of false alarms, the amendments being proposed to Council will assist in targeting those owners and operators that continue to fail to meet their obligations, while ensuring responsibility and accountability to the taxpayer.

The amendments to the by-law are as follows:

- The elimination of a warning letter for First Offence False Alarm calls;
- The elimination of a graduated fine structure in favour of a flat fee of \$200 per False Alarm call; and
- The inclusion of cancelled False Alarm calls within the definition of a “response”.

The Police Services Board reviewed and endorsed the amendments to the False Alarm Reduction By-law at their July 20, 2015 Regular meeting.

In order to provide adequate notice to those who use alarm detection systems, staff is proposing that the new by-law comes into force and effect October 1, 2015. A copy of the new False Alarm Reduction By-law will be sent to those who have received previous warnings/invoices for false alarm calls.

### **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

Financial implications associated with the proposed changes would include the administration and enforcement of the by-law, and would generate revenues that are budgeted annually to offset and recover costs associated with these types of responses by each of the respective emergency response agencies. Under the new OPP Billing Model, the City is paying approximately **\$24,080** (280 calls X \$86 per call) in 2015 for false alarm calls.

Staffing implications associated with the proposed False Alarm By-law amendments are limited to staff time and resources to monitor responses to false alarms, and to collect fees imposed under this By-law.

### **Submission**

Prepared by:

Reviewed and submitted for  
Council's consideration by:

“Original signed by”

“Original signed by”

\_\_\_\_\_  
Timothy H. Uttley  
Fire Chief/CEMC

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2015-000**  
**being a by-law to establish a system for the**  
**Reduction of False Alarms**

**Whereas** pursuant to the Police Services Act, R.S.O. 1990, c. P. 15, police services are provided within the City of Temiskaming Shores by the Ontario Provincial Police, subject to payment by the City of Temiskaming Shores for the said service;

**And whereas** fire-fighting services are provided within the City of Temiskaming Shores at its own expense by the Temiskaming Shores Fire Department;

**And whereas** the City of Temiskaming Shores has determined that users of Security Alarm Systems and Fire Alarm Systems have been permitting a significant number of False Alarms to occur annually;

**And whereas** these False Alarms result in unnecessary emergency response, which consume valuable police, fire fighting and municipal resources;

**And whereas** False Alarms may cause a delay of emergency responses to genuine emergency situations and pose a threat to public safety;

**And 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;

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

## Definitions

1. In this By-law:

- a. **Alarm Incident** shall mean any activation of an alarm system by any cause.
- b. **Alarm System** shall mean any mechanical or electrical device or system of such devices installed in respect of subject premises, which device or system, when activated, emits within the subject premises or transmits to a monitoring company or any other person, a sound, signal or message in order to warn of:
  - i. any unauthorized entry into or upon or damage to or criminal activity at the subject premises ("security alarm system") or,
  - ii. fire or smoke at the subject premises ("fire alarm system") but does not include any such device or system installed in or on any premises occupied by the City or to a fire alarm system that is intended to alert only the occupants of a single family dwelling unit including a standard battery operated or hardwired smoke alarm.
- c. **By-law Enforcement Officer** shall mean the By-Law Enforcement Officer for the City as appointed by Council from time to time.
- d. **Council** shall mean the Council for the City of Temiskaming Shores.
- e. **False Alarm** shall mean the activation of an alarm system including a security alarm or fire alarm system as a result of which services, including Police or Fire services, are provided on behalf of the City and the providers of the service do not find any unauthorized entry or commission of an unlawful act or evidence of fire, fire damage, smoke in relation to the building, structure, residence or facility, or where there has been no emergency situation. False alarm incidents include but are not limited to:
  - i. the testing of an alarm system which results in any involvement of a *Response Authority*;
  - ii. an alarm actually or apparently activated by mechanical failure, malfunction or faulty equipment;
  - iii. an alarm activated by user error;
  - iv. an alarm reporting an attempted or completed criminal offence, fire or an emergency situation occurring on or in relation to the address in which the alarm system is installed where no evidence exists or where no such event took place.

- f. **Monitoring Company** shall mean any person engaged in the business of monitoring alarm systems installed in respect of subject premises.
- g. **O.P.P.** shall mean Ontario Provincial Police.
- h. **Person** shall mean an individual, sole proprietorship, partnership unincorporated association, unincorporated syndicate, unincorporated organization, trust, body corporate and a natural person in his or her capacity as a trustee, executor, administrator or other legal representative.
- i. **Response Authority** shall mean the O.P.P. or the Temiskaming Shores Fire Department depending on whether an alarm incident relates to security or fire respectively.
- j. **Response** shall mean any involvement by a *Response Authority*, pursuant to the direct or indirect reporting by any means of an alarm incident by a monitoring company or by any other person to the City or response authority, including notification that an *alarm incident* has been cancelled.
- k. **Responsible Party** shall mean any or all of the owner or owners of and the person or persons occupying the subject premises.
- l. **Subject Premises** shall mean any property in respect of which an alarm system is installed.
- m. **City** shall mean the Corporation of the City of Temiskaming Shores.
- n. **Valid Alarm** shall mean an alarm incident caused by actual or attempted unauthorized entry into or upon or damage to or criminal activity at the subject premises or by fire or smoke at the subject premises.

### **False Alarm Reduction**

- 2. A responsible party shall ensure at all times that its alarm system is kept in good working order and condition and that any users of the subject premises are kept fully apprised of the operation of the alarm system.
- 3. If a response is made to a false alarm, the City may take the following action after any involvement or response to a false alarm, a fee or charge for the services provided by the City and/or response authority shall be imposed upon the responsible party in the amount of two hundred dollars (\$200.00) for each response.
- 4. Any collection costs for fees or charges imposed pursuant to this by-law, which remain due and unpaid, may be added to the outstanding amount payable by the responsible party.

5. Any fees or charges imposed pursuant to this by-law and remaining unpaid within thirty (30) days of the levy may be added to the tax roll for any real property and may be collected in like manner as municipal taxes.

**General**

7. If any provision of this by-law, or the application thereof, is held to be invalid or unenforceable the remainder of this by-law shall not be affected by such invalidity or unenforceability and each provision of this by-law shall be separately valid and enforceable to the fullest extent permitted by law.
8. This by-law shall not be construed at any time so as to hold the City or its Officers liable for failing to ensure that persons comply with the provisions contained in the said by-law.

**Repeal of Former By-law**

9. This by-law shall repeal By-law No. 2007-169 and any amendments thereto.
10. This by-law shall come into force and take effect on October 1, 2015.

**Short Title**

11. This by-law may be cited as the "False Alarm Reduction By-Law".

**Read a first, second and third time and finally passed** this 1<sup>st</sup> day of September, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

# Memo

**To:** Mayor and Council  
**From:** Douglas Walsh, Director of Public Works  
**Date:** August 4, 2015  
**Subject:** Assumption of Primary Services for the Lorne Avenue Subdivision  
**Attachments:** **Attachment 01** – General Conformance Letter – Exp Services Inc.  
**Attachment 02** – Certificate of Municipal Services

---

Mayor and Council:

The developer of the Lorne Street Subdivision has indicated that they have completed the site servicing of the subdivision and lots are now available for sale and construction. In order to issue a building permit the municipal service laterals installed to each lot must be assumed by by-law. The road section must also be assumed for public use, this was completed through By-law No. 2015-135.

Attachment 01 being a letter from the owner's engineer of June 11, 2015, confirms that the services were installed according to the approved engineered drawings and have been tested in accordance with the provisions of the Subdivision Agreement (By-law No. 2012-103). The Director of Public Works has issued the required Certificate of Municipal Services certifying the installation of the services (Attachment 02).

It is recommended that Council directs staff to prepare the necessary by-law for the assumption of primary services for Lorne Avenue for consideration at the August 4, 2015 Regular Council meeting.

Prepared by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

---

G. Douglas Walsh, CET  
Director of Public Works

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Christopher W. Oslund  
City Manager



June 11<sup>th</sup>, 2015

Mr. Doug Walsh, Director of Public Works,  
The Corporation of the City of Temiskaming Shores,  
325 Farr Drive,  
Haileybury, Ontario.  
P0J 1K0

Dear Sir:

**Re: Project No. NWL-01101054  
Lorne Avenue Water, Storm and Sanitary Installations**

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Exp Services Inc. (**exp**) was retained by Pedersen Construction (2013) Inc. (Pedersen) to inspect the Lorne Avenue Water Storm Sewer and Sanitary Sewer installations that took place during the 2013/2014 construction season. Full time inspection was provided and the installations were noted to be constructed in general conformance with the specifications and drawings provided, including the relevant OPSS specifications.

In addition, **exp** reviewed the camera inspection of the Sanitary and Storm Sewer Pipe Inspection conducted by Ray & Son's Private Eye dated June 2014. The results of this inspection were provided by Pedersen on June 16<sup>th</sup>, 2014 in DVD format. The DVD's were accompanied by two hard copies of the ten page report and below is a summary of **exp's** review of the DVD in conjunction with the report:

- Page 1, June 9<sup>th</sup>, 2014, #1 Scene #1, MH No. SAA to SAB, 200mm PVC, Sanitary Sewer;
- Examination of the pipe, joints and 8 service connections are in good condition, no issues.
- Page 3, June 9<sup>th</sup>, 2014, #1 Scene #2, MH No. SAB to SAC, 200mm PVC, Sanitary Sewer;
- Examination of the pipe, joints and 8 service connections are in good condition, blocked just before SAC by debris, as noted in report. Scene 4, rerun of MH No. SAB to SAC, after flushing, pipe clean, no issues.
- Page 4, June 9<sup>th</sup>, 2014, #1 Scene #3, CBMH 1 to CB 4, 300mm, Plastic (Big O), good, no issues.
- Page 5, June 9<sup>th</sup>, 2014, #1 Scene #5, CBMH 1 to CB 2, 300mm, Plastic (Big O), pipe and connections are good, with exception of a section 5m to 9m from CBMH1 where the pipe is slightly out of round with the most significant at 8m, close to a pipe joint. This may indicate less than adequate compaction of backfill material to the spring line



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of the pipe. It is not expected that this will affect the life of the pipe. Noted that at 33.5m the camera unit had trouble crossing a pipe joint. All good after that.

- Page 7, June 9<sup>th</sup>, 2014, #1 Scene #6, CBMH 4 to CBMH 2, 450mm, Plastic (Big O), pipe and connections are good, but the camera unit had trouble possibly due to silt accumulation, 23.5m to the end of the pipe at 27.5m. Quite a bit of sediment has washed into the pipe.
- Page 8, June 9<sup>th</sup>, 2014, #1 Scene #7, CBMH 1 to CB 4, 450mm, Plastic (Big O), good, no issues.
- Page 9, June 9<sup>th</sup>, 2014, #1 Scene #8, CBMH 2 to CB 5, 525mm, Plastic (Big O), good, no issues.
- Page 10, June 9<sup>th</sup>, 2014, #1 Scene #9, CBMH 5 to Existing, 525mm, Plastic (Big O), good, no issues.

We trust this letter is satisfactory. Should you require any further clarification, please feel free to contact our office.

Sincerely,



Nolan Dombroski, P.Eng.  
Manager, Infrastructure.

cc: Karl Pedersen  
Steve Burnette

## Certificate of Municipal Services

PUBLIC WORKS DEPARTMENT  
P.O. Box 2050  
HAILEYBURY, ONTARIO  
P0J 1K0

MAH File No.:	<b>N/A</b>	Developer:	<b>1345039 Ontario Ltd.</b>
Agreement:	<b>By-law 2012-103</b>	Subdivision:	<b>Lorne Avenue</b>

Issued through: **Temiskaming Shores – Public Works Department**

*This certificate confirms that the City is in receipt of the “**Final Inspection / Primary Services Completion Certificate**” dated June 11, 2015 from Exp Services in regards to the above noted subdivision. The Certificate confirms that services have been installed in accordance to the Subdivision Agreement (By-law No. 2012-103) to the satisfaction of the Director of Public Works and includes:*

1. **Water Distribution**, including installation to lot line from newly installed distribution infrastructure, flushing, disinfection, pressure testing of mains and service laterals and associated apparatus (i.e. corporation stop and curb stop c/w box etc.);
2. **Sanitary Sewer Collection**, including installation to lot line from newly installed collection infrastructure and inspection of mains and service laterals and associated apparatus (i.e. service connections and terminations etc.);
3. **Storm Water Management System**, including installation of newly installed infrastructure (as per the Lorne Avenue Piping Layout Drawings, dated December 2011), the inspection of mains and service laterals and associated apparatus; as well as the localized and lot drainage (as per the Lorne Avenue Grading Plan, dated November 2013).
4. **Soft Services**, including hydro, telephone and natural gas to the satisfaction of the associated agency;
5. **Street Lighting**, including luminaires to be installed on the existing wooden poles.

**Conditions and/or Comments associated with Certificate:**

1. Subdivision Grading and Drainage – clearing, rough Lot Grading have been completed and final grading is deferred until building construction; final lot grading will be completed as part of the building permit process.
2. The final paved road surface and the final adjustment of the sanitary and storm manholes and water valve boxes will be completed within three (3) years or 50% completion of building construction whichever occurs earlier.

Issued by:

“original signed by”

\_\_\_\_\_  
G. Douglas Walsh, CET  
Director of Public Works

\_\_\_\_\_  
Date

**NOTE:** The effective date of this certificate has been established as **June 11<sup>th</sup>, 2015** being the date at which the “*Final Inspection - Primary Services Completion Certificate*” was received from the Developer’s Engineer.

# Memo

**To:** Mayor and Council  
**From:** Steve Burnett, Technical and Environmental Compliance Coordinator  
**Date:** August 4, 2015  
**Subject:** Request for additional Waste Collection – Cobalt-Haileybury Curling Club  
**Attachments:** **No. 01 – Letter – Cobalt-Haileybury Curling Club**

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Mayor and Council:

At the recent Public Works Committee Meeting held on July 29, 2015, a letter addressed to Mayor and Council from the Cobalt-Haileybury Curling Club was presented to the Committee. This letter was a request to re-consider the issuance of one (1) additional 65 gallon garbage container. During distribution of the containers, the Cobalt-Haileybury Curling Club was issued one (1) 65 gallon garbage container and one (1) 95 gallon recycling container.

The current Solid Waste Management By-law No. 2015-128 addresses limitations relating to Industrial, Commercial and Institutional (ICI) facilities under section 4.4 which states:

#### *4.4 ICI Establishments*

*The City may provide each ICI establishment with one (1) garbage container and up to three (3) recycling containers, each designed for automated collection.*

As the Cobalt-Haileybury Curling Club falls under the definition for ICI, the committee provided the following recommendation:

#### Recommendation PW-2015-042

*Moved by: Carman Kidd*

*The Public Works Committee hereby recommends that Council deny the request from the Cobalt Haileybury Curling Club, as per the letter dated April 8, 2015, in accordance with the City's Solid Waste Management By-Law No. 2015-128.*

**Attachment No. 01** is the letter sent to Mayor and Council from the Cobalt-Haileybury Curling Club.

Prepared by:	Reviewed and approved by:	Reviewed and submitted for Council's consideration by:
"Original signed by"	"Original signed by"	"Original signed by"
<hr/> Steve Burnett Technical and Environmental Compliance Coordinator	<hr/> G. Douglas Walsh Director of Public Works	<hr/> Christopher W. Oslund City Manager



The City of Temiskaming Shores  
PO Box 2050  
Haileybury, ON P0J 1K0

April 8, 2015

Dear Mayor and Council;

Disposing of waste in an environmentally-friendly manner is crucial and we applaud the City for the implementation of its current waste removal program.

The curling club does promote recycling and we provide bins within our facility to do this. However, during rentals, we are not there to police the recycling and thus, we have more garbage than recycling. During our normal day to day operations, our current bins are sufficient, but when we have rentals, the amount of garbage is beyond our control.

Prior to the current garbage collection system our club was allowed 10 bags per pickup by Phippen Waste Management. With the implementation of the current waste removal the club was given one garbage bin and one recycling bin, the same as any household. This is not acceptable.

We have inquired into the possibility of renting a larger bin through Phippen Waste Management, but it simply is not feasible for our club. Phippen's require regular pickups, but because our rentals are sporadic, we would not have enough waste to make it feasible to rent a bin and pay for pickups when for the most part, our bins would be empty.

We have requested a second garbage bin from the City, but we were advised we could only get additional recycling bins. This will not solve our issue with the extra garbage accumulated during rentals. It does not seem fair or reasonable that we went from 10 bags per pickup down to only 1 garbage bin.

In a response letter from the City, we were advised that we would have to arrange for private waste collection or dispose of excess waste at the Haileybury Landfill site, during normal hours of operation, and at the applicable tipping fee. Again, this is not acceptable. We are an organization run by volunteers and do not have the manpower or funding to make this happen. We are asking the City to reconsider our options.

We understand that you are promoting recycling, and we are too. The fact of the matter is, we will sporadically have more garbage than can be put into one bin. When the City implemented the current standards, they didn't take clubs like ours into consideration. Again, going from a 10 bag pickup down to one bin is not sufficient. Basically we have been charged an extra fee for the new recycling program, but we are, in fact, getting less service.

Thank you for your re-consideration in this matter. We are looking forward to working with the City to provide us with a mutually beneficial solution.

*Shawn Hearn*

Shawn Hearn  
President, Cobalt-Haileybury Curling Club

**Subject:** LED Street Light Installation

**Report No.:**

PW-045-2015

**Agenda Date:**

August 4, 2015

### **Attachments**

**Appendix 01:** RFP Results

**Appendix 02:** Draft Agreement

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-045-2015;
2. That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the award of the contract to Miller Maintenance for the installation of our LED street lights, as detailed in Request for Proposal PW-RFP-008-2015 for a total upset limit of \$146,115 plus applicable taxes; and
3. That Council directs Staff to prepare the necessary by-law and agreement for consideration at the August 4, 2015 Regular Council meeting.

### **Background**

Over the last few years, staff has been investigating ways of reducing our energy costs including the retrofit of our street lights to LED. Council considered and approved the replacement of street lights as part of the 2015 budget process.

At the Regular Council meeting on July 7, 2015, Council approved Report PW-040-2015 and awarded the purchase of the new LED street lights to LED Roadway Lighting. As part of this same project, PW-RFP-008-2015, for the installation of the heads was distributed to known suppliers, posted to our website and advertised in the City's Bulletin.

### **Analysis**

Two (2) submissions were received in response to PW-RFP-008-2015. The proposals were reviewed and evaluated in accordance to the requirements of the RFP and the deliverables to be provided by the successful service provider. **Appendix 01 – RFP Results** summarizes the results of the responses received and are as follows:

<b>Contractor</b>	<b>Sub-total</b>	<b>HST</b>	<b>Grand Total</b>
Miller Maintenance	\$88,815.00	\$11,545.95	\$100,360.95
Dundas Power Line	\$167,125.00	\$21,726.25	\$188,851.25

It should be noted that there will also be an additional cost of \$57,300.00 (plus HST) for the installation of fusing for each street light. This additional work, and cost associated with it, is required in order for the product to be warranted by the supplier.

**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

A breakdown of the known project costs are as follows:

Luminaires	\$377,520	(inclusive of non-refundable HST)
Installation	\$148,687	(inclusive of non-refundable HST)
<b>Total</b>	<b>\$526,207</b>	

Miller’s have also included unit costs for other works (including the replacement of some arms and poles as outlined in the RFP) that may be required to complete the project. Costs associated with additional work will not be determined until the installation has been initiated and will require approval by Change Order to the original Agreement.

Council has approved \$810,000 in the 2015 Capital Budget for this project.

The City is also eligible to receive a rebate from the Save on Energy Program. The amount of the rebate will not be known until after the completion of the project. Staff estimates that a savings of approximately \$70,000 in annual energy and maintenance costs will be realized as a result of the retrofit.

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

**Alternatives**

No alternatives were considered.

**Submission**

Prepared by:	Reviewed and approved by:	Reviewed and submitted for Council’s consideration by:
“Original signed by”	“Original signed by”	“Original signed by”
_____ Mitch Lafreniere Manager of Physical Assets	_____ G. Douglas Walsh, CET Director of Public Works	_____ Christopher W. Oslund City Manager

Document Title: **PW-RFP-008-2015**

Opening Date: **July 23, 2015**

Opening Time: **2:00 pm**

Description: **LED Street Lighting Installation**

Inquiry Contact: **Mitch Lafreniere, Manager of Physical Assets**

Form of Proposal

**Note:** The formal quotations request per unit prices for provisional items (i.e. arm replacement). This pricing will be part of the evaluation of the bids submitted.

Bidder: *MILLER PAVING LTD.*

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	<i>88,815.</i>
Cobalt – 175 LED Lights:	<i>16,275</i>
Latchford – 88 LED Lights:	<i>8,184.</i>
Sub-Total:	

Bidder:

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	
Cobalt – 175 LED Lights:	
Latchford – 88 LED Lights:	
Sub-Total:	

Bidder: *DUNDAS POWER LINE*

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	<i>167,125.</i>
Cobalt – 175 LED Lights:	<i>30,625.</i>
Latchford – 88 LED Lights:	<i>15,400.</i>
Sub-Total:	

Bidder:

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	
Cobalt – 175 LED Lights:	
Latchford – 88 LED Lights:	
Sub-Total:	

Bidder:

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	
Cobalt – 175 LED Lights:	
Latchford – 88 LED Lights:	
Sub-Total:	

Bidder:

Municipality	Sub-Total (excl. HST)
Tem Shores – 955 LED Lights:	
Cobalt – 175 LED Lights:	
Latchford – 88 LED Lights:	
Sub-Total:	

**Comment :** Submissions will be reviewed for errors, omissions and accuracy by municipal staff prior to any awarding. Subsequently bidders will be informed of the results.

In Attendance:

**Print Name**

**Representing**

**Signature**

*COURTNEY TRESSLER  
MITCH LAFRENIERE  
LOGAN BELANGER  
DAVE TREEN  
LINDA MCKNIGHT*

*CITY OF T.S.  
"  
"  
"  
"*

*[Signatures]*  
Page \_\_\_ of \_\_\_  
*L.McKnight*



The Corporation of the City of Temiskaming Shores

By-law No. 2015-000

**Being a by-law to enter into an agreement with Miller Maintenance Limited for the Installation of LED Fixtures and Fuse Kits at various locations within 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 responds to municipal issues;

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

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

**And whereas** Council considered Administrative Report No. PW-045-2015 at the August 4<sup>th</sup>, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Miller Maintenance Limited for the Installation of LED Street Light Fixtures and Fuse Kits at various locations within the City for consideration at the August 4<sup>th</sup>, 2015 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 Mayor and Clerk to enter into an agreement with Miller Maintenance Limited for the Installation of LED Street Light Fixtures and Fuse Kits at various locations within the City in the amount of \$146,115.00 plus applicable taxes, a copy of which is attached hereto as Schedule "A" and forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen



Schedule "A" to

**By-law 2015-000**

Agreement between

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

and

**Miller Maintenance Limited**

for the Installation of LED Street Light Fixtures and Fuse Kits

**This agreement** made in duplicate this 4<sup>th</sup> day of August 2015.

Between:

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

(hereinafter called "the Owner")

and

**Miller Maintenance Limited**

(hereinafter called "the Contractor")

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

**Article I:**

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
LED Street Lighting Installation  
Request for Proposal No. PW-RFP-008-2015**

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement, attached hereto as Appendix 01 and forming part of this agreement; and  
c) Complete, as certified by the Engineer, all the work by **December 31<sup>st</sup>, 2015.**

**Article II:**

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **One Hundred and Forty-Six Thousand One Hundred and Fifteen Dollars and Zero Cents (\$146,115.00) plus applicable taxes** subject to additions and deductions as provided in the Contract Documents.  
b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article III:**

All communications in writing between the parties, or between them and the Engineer shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**Miller Maintenance Limited**  
704024 Rockley Road  
New Liskeard, Ontario  
P0J 1P0

The Owner:

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

The Director:

**The Director of Public Works**  
**City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

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

Signed and Sealed in )  
the presence of )

Contractor's Seal )  
(if applicable) )

Municipal Seal )

**Miller Maintenance Limited**

\_\_\_\_\_  
Signing Authority  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-000**

Form of Agreement



**City of Temiskaming Shores**  
**PW-RFP-008-2015**  
LED Street Lighting Installation

PW-RFP-008-2015

Contractor's submission of bid to: The Corporation of the City of Temiskaming Shores

Stipulated Bid Price

We/I, Miller Maintenance Limited  
(Registered Company Name/Individuals Name)

Of, 704024 Rockley Road, Box 248, New Liskeard, ON P0J 1P0  
(Registered Address and Postal Code)

Business:

Phone Number ( 705 ) - 647-4331

Fax Number ( 705 ) - 647-3611

We/I hereby offer to enter into an agreement for the installation of LED fixtures with all components and light arms, as well as for the supply and installation of new wiring, fuse kits (including fuses) and poles on an as need basis.

The Financial Proposal shall include:

An all-inclusive price (excluding taxes which are to be itemized separately) for all services and tasks outlined in the Scope of Work, Section 7.0. Any separate billings are to be approved by the City in advance. Pricing to supply new wire, fuse kits (including fuses), and streetlight poles, as well as the associated labour costs for installation on a per unit basis.

**City of Temiskaming Shores:**

Description	Quantity	Bid Price per Unit	Subtotal	HST	Total
Fixture Installation (all-inclusive price for services & tasks outlined in Section 7.0)	955	\$93.00	\$88,815.00	\$11,545.95	\$100,360.95
Fuse Holder and Fuse Supply and Installation (per unit basis)	1	\$60.00	\$60.00	\$7.80	\$68.70
Rewire: Supply (on a per metre basis) and installation (labour)	1	\$12.00	\$12.00	\$1.56	\$13.56
Arm Replacement Installation (labour costs on a per unit basis)	1	\$125.00	\$125.00	\$16.25	\$141.25
Pole Supply and Installation (per unit basis)	1	\$1,850.00	\$1,850.00	\$240.50	\$2,090.50
<b>TOTAL</b>	-	-	\$90,862.00	\$11,812.06	\$102,674.96

# Memo

**To:** Mayor and Council  
**From:** Tammie Caldwell, Director of Recreation Services  
**Date:** August 4, 2015  
**Subject:** Healthy Kids Community Challenge Transfer Payment Agreement  
**Attachments:**

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Mayor and Council:

In September of 2014 the municipality was notified that its application for funding to the Ministry of Health and Long Term Care under the Healthy Kids Community Challenge Program had been approved and that the Transfer Payment Agreement would be forwarded to the municipality.

Following the announcement, a provincial election took place which caused a setback to the administration of the agreement. Municipal staff contacted the program representatives on a regular basis for updates and in January opted not to replace the program coordinator (maternity leave) until the transfer payment agreement was received and signed.

The municipality was notified on July 14, 2015 that the Transfer Payment Agreement had been approved and thanked the municipality for its patience and maintaining interest in the Healthy Kids Community Challenge in our community.

The Transfer Payment Agreement allocates up to \$125,000 each year for three years. In year one funds are allocated to Project Manager salary and benefits, the development of a community needs assessment, the preparation of a theme-based action plan and budget and baseline data collection. Year two and three will include salaries and benefits, fee for services, transportation and communication, services, supplies, and project materials.

Staff is recommending that:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Memo 003-2015-RS and
2. That Council direct staff to prepare the necessary by-law to enter into a Funding Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long Term Care - Healthy Kids Community Challenge Program to a maximum of \$375,000.

Prepared by:

Reviewed and submitted for  
Council's consideration by:

“Original signed by”

“Original signed by”

---

Tammie Caldwell  
Director of Leisure Services

---

Christopher W. Oslund  
City Manager



**Subject:** Waterfront Playground Parks -  
 Accessible Surfacing

**Report No.:** RS-005-2015  
**Agenda Date:** August 4, 2015

**Attachments**

**Appendix 01:** RS-RFQ-001-2014 Submission Results

**Appendix 02:** Draft Agreement

**Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-005-2015;
2. That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the supply and installation of rubberized accessible playground surfacing at Algonquin Beach Park, Mini-Putt, Camsell Park and Harborfront Park to Ure-Tech Surfaces Incorporated for a total upset limit of \$209,129.91 plus applicable taxes; and
3. That Council directs staff to prepare the necessary by-law and agreement for consideration at the August 4, 2015 Regular Council meeting.

**Background**

The City of Temiskaming Shores received funding from the Northern Ontario Heritage Fund Corporation and Industry Canada - FedNor for the Waterfront Development Project. The project included the rubberized accessible surfacing of the playground at Algonquin Beach Park, estimated at \$250,000 with the municipality's share at 10%.

**Analysis**

Request for Quotation, RS-RFQ-001-2014 was issued in July of 2014 with a closing date of August 14<sup>th</sup>, 2014 for the supply and installation of rubberized accessible surfacing for an area of 6,000 square feet. Three companies provided quotations (Attached as Appendix No.01 to the report).

<b>Company</b>	<b>6,000 ft<sup>2</sup></b>	<b>Misc. (Freight/Acc./Security)</b>	<b>Total (HST excl.)</b>
Ure-Tech Surfaces Inc.	\$ 73,620	\$ 7,900	\$ 81,520
Carpall Surfaces	\$ 89,340	Included	\$ 89,340
Fortco Ltd	\$ 119,700	\$ 1,050	\$ 120,750

The lowest price was from Ure-Tech; since the RFQ was opened in August it was felt prudent to delay installation until 2015. Ure-Tech agreed to carry the per square foot rate (\$12.27) for 2015.

The amount budgeted for the project was \$250,000 and it was determined to expand the project to include all playgrounds in the waterfront being Mini-Putt Park, Camsell Park and Harborfront Park in addition to the Algonquin Beach Park (3,890 ft<sup>2</sup>) increasing the square footage by 12,053 ft<sup>2</sup> for a total area of 15,943 ft<sup>2</sup>. The representative from Ure-Tech visited each site on July 15<sup>th</sup> to ensure the measurements were accurate. Thus the revised Ure-Tech price based on \$12.27/ft<sup>2</sup> is as follows:

Company	10,283 ft <sup>2</sup>	Misc. (Freight/Acc./Security)	Total (HST excl.)
Ure-Tech Surfaces Inc.	\$ 195,620.61	\$ 13,509.30	\$ 209,129.91

Therefore the total cost for the project is quoted at \$209,129.91 plus applicable taxes which includes freight and travel expenses for Ure-tech Surfaces Limited.

The project will also include approximately \$3,000 in Granular A and the rental of equipment for site preparation in the amount of \$7,500.

The quotation is well below the budgeted amount.

To ensure efficiencies, all of the playgrounds will be completed at one time which will require ground preparation to be carried out by municipal staff, the pouring of the rubberized surface, and a certain amount of time for the surfaces to cure.

The work is scheduled to take place in the month of August before the nights become cooler.

**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

Site Preparation \$10,500

Supply/Install Surface \$209,129.91

Total \$219,629.91 (plus applicable taxes)

**Submission**

Prepared by:

Reviewed and submitted for  
 Council’s consideration by:

“Original signed by”

“Original signed by”

\_\_\_\_\_  
 Tammie Caldwell  
 Director of Recreation Services

\_\_\_\_\_  
 Christopher W. Oslund  
 City Manager

Document Title: **RS-RFQ-001-2014**

Opening Date: **August 14, 2014**

Opening Time: **2:00 pm**

Description: **Algonquin Beach Park, Playground Rubber Safety Surfaces**

Inquiry Contact: **Paul Allair, Superintendent of Parks/Facilities**

Form of Proposal

Bidder: URE-TECH SURFACES INC. Bidder:

Park Rubber Safety Surfacing:	81,520. <sup>00</sup>	Park Rubber Safety Surfacing:	
HST:	10,597. <sup>60</sup>	HST :	
Total Quotation Price :	92,117. <sup>60</sup>	Total Quotation Price :	
Hourly Rate for Additional Work:	150. <sup>00</sup> /hr.	Hourly Rate for Additional Work:	

Non Collusion Affidavit **82,984.75**  Non Collusion Affidavit

Bidder: CARPALL SURFACES Bidder:

Park Rubber Safety Surfacing:	89,340. <sup>00</sup>	Park Rubber Safety Surfacing:	
HST:	4,467. <sup>00</sup>	HST :	
Total Quotation Price :	93,807. <sup>00</sup>	Total Quotation Price :	
Hourly Rate for Additional Work:	55. <sup>00</sup> /hr.	Hourly Rate for Additional Work:	

Non Collusion Affidavit  Non Collusion Affidavit

Bidder: FORTECO LTD. Bidder:

Park Rubber Safety Surfacing:	120,750. <sup>00</sup>	Park Rubber Safety Surfacing:	
HST:	15,697. <sup>50</sup>	HST :	
Total Quotation Price :	136,447. <sup>50</sup>	Total Quotation Price :	
Hourly Rate for Additional Work:	21. <sup>00</sup> /hr.	Hourly Rate for Additional Work:	

Non Collusion Affidavit  Non Collusion Affidavit

Comment : Submissions will be evaluated based on various criteria, reviewed for errors, omissions and accuracy by municipal staff prior to any awarding. Subsequently bidders will be informed of the results.

In Attendance:

Print Name	Representing	Signature
<u>LINDA MCKNIGHT</u>	<u>C of TS</u>	<u>[Signature]</u>
<u>PAUL ALLAIR</u>	<u>C of TS</u>	<u>[Signature]</u>
<u>TAMMIE CALDWELL</u>	<u>Rec Dept</u>	<u>[Signature]</u>
<u>DAVE IRSON</u>	<u>CLERK</u>	<u>[Signature]</u>

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

**By-law No. 2015-000**

**Being a by-law to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing at Algonquin Beach Park, Mini-Putt, Camsell Park and Harborfront Park**

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

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

**And whereas** under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a 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-005-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing as detailed in RS-RFQ-001-2014 for consideration at the August 4, 2015 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 hereby authorizes the Mayor and Clerk to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing at the Algonquin Beach Park, Mini-Putt Park, Camsell Park and Harborfront Park for an upset limit of \$209,129.91 plus applicable taxes, 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk - David B. Treen



Schedule "A" to

**By-law 2015-000**

Agreement between

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

and

**Ure-Tech Surfaces Incorporated**

for the supply and installation of rubberized accessible  
playground surfacing at various waterfront parks

**This agreement** made in duplicate this 4<sup>th</sup> day of August, 2015.

Between:

**The Corporation of the City of Temiskaming Shores**  
(hereinafter called “the Owner”)

and

**Ure-Tech Surfaces Incorporated**  
(hereinafter called “the Contractor”)

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

**Article I:**

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Algonquin Beach Park , Playground Rubber Safety Surfaces  
Request for Proposal No. RS-RFQ-001-2014**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement, forming part of this agreement;
- c) Complete, as certified by the Engineer, all the work by **November 30, 2015.**

**Article II:**

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid Two-Hundred and Nine Thousand, One Hundred and Twenty-nine Dollars and Ninety-one Cents (\$209,129.91) plus applicable taxes subject to additions and deductions as provided in the Contract Documents.
- b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article IV:**

All communications in writing between the parties, or between them and the Director shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**Ure-Tech Surfaces Incorporated**  
2289 Maple Grove Road  
Bowmanville, Ontario  
L1C 3K7

The Owner:

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

The Director:

**Director of Recreation Services - City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

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

Signed and Sealed in )  
the presence of )

Contractor’s Seal )

**Ure-Tech Surfaces Incorporated**

\_\_\_\_\_  
Rick Wernik

\_\_\_\_\_  
Witness

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

**Corporation of the City of  
Temiskaming Shores**

Municipal Seal )

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen





Appendix 01 to  
Schedule "A" to

**By-law No. 2015-000**

Form of Agreement



**Ure-Tech Surfaces Inc.**  
**2289 Maple Grove Road**  
**Bowmanville, Ontario L1C 3K7**  
**Tel 905-623-0600**  
**Fax 905-248-3180**

July 31, 2014

To; The Corporation  
Of the City of Temiskaming Shores

Re; Request for Quotation (RS-RFQ-001-2014)

We are pleased to submit our Quotation for (RS-RFQ-001-2014) Algonquin Beach Park  
Please find attached the Form of Quotation listing the cost of the rubber which includes Geo-Textile  
your choice of rubber colour Terra cotta red, Blue, (others colours are available).

The price also includes the freight/ Travel expense and out of town for our crew to complete your  
project

Also included our Specification for PlaySoft colour coated SBR rubber, Installation drawings, and  
Certificate of insurance

If you require any further information on our rubber pour in place products or wish to have samples  
provided please contact me at any time.

Rick Wernik

REQUEST FOR QUOTATION  
 RS-RFQ- 001-2014  
 Supply and Installation  
 Playground Rubber Safety Surfacing  
 Algonquin Beach Park

FORM OF QUOTATION

We, the undersigned, have carefully examined the attached documents and conditions of the quotation. We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment<sup>1</sup>, labour, apparatus and documentation, including final report as are required to satisfy this quotation.

<sup>1</sup> City to supply bucket truck for inspection of Haileybury Marina Jib Crane;

To: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

This Quotation is submitted by:

Firm Name:	ORE-Tech Surfaces		
Mailing Address:	2289 Maple Grove Road Bowmanville Ont		
Telephone No.:	905 623 0600	Fax No.	905 248 3180

SCHEDULE OF ITEMS AND PRICES

ITEM		Unit Price	Total
1	Playground Rubber Safety Surfacing	4,800/sq ft.	58,896.00
	Freight	3,552.00	
	out of town expence.	2,719.99	
	FOR CREW		Sub-Total: 65,167.99
			HST: 8,471.83
			Total Quotation Price: 73,639.82

Hourly Rate for additional work (if required) : \$ 150<sup>00</sup>/hr (applicable with approval of City)

The following documents have been attached:

- Insurance Coverage in the form of a Certificate of Insurance

**REQUEST FOR QUOTATION**  
**RS-RFQ- 001-2014**  
**Supply and Installation**  
**Playground Rubber Safety Surfacing**  
**Algonquin Beach Park**

**FORM OF QUOTATION**

We, the undersigned, have carefully examined the attached documents and conditions of the quotation. We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment<sup>1</sup>, labour, apparatus and documentation, including final report as are required to satisfy this quotation.

<sup>1</sup> City to supply bucket truck for inspection of Haileybury Marina Jib Crane;

To: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

This Quotation is submitted by:

Firm Name:	URE-Tech Surfaces		
Mailing Address:	2289 Maple Grove Road		
	Bowmanville, Ont L1C 3K7		
Telephone No.:		Fax No.	905 248 3180

**SCHEDULE OF ITEMS AND PRICES**

ITEM	Unit Price	Total
1 Playground Rubber Safety Surfacing	548 <sup>5</sup> sq ft.	67,276.41
ADDITIONAL 5,483 Sq ft.		
Freight	4,112.00	
out of town expense / crew	3,125.31	
	<b>Sub-Total:</b>	<b>74,513.72</b>
	<b>HST:</b>	<b>9186.78</b>
	<b>Total Quotation Price:</b>	<b>84,200.50</b>

*Partnership*

Hourly Rate for additional work (if required) : \$150<sup>00</sup> /hr (applicable with approval of City)

The following documents have been attached:

- Insurance Coverage in the form of a Certificate of Insurance

to be submitted

REQUEST FOR QUOTATION  
RS-RFQ- 001-2014  
Supply and Install  
Playground Rubber Safety Surfacing  
Algonquin Beach Park

NON COLLUSION AFFIDAVIT

I/We URE-Tech Surfaces INC the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid. Such bid is genuine and is not a collusive or sham bid.

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

The price or prices quoted in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant. The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Dated this 11 day of August, 2014.

Authorized Signatures:

URE-Tech Surfaces INC  
Name of Firm

[Signature]  
Signature

President  
Position

ROGER BROWN [Signature]  
Witness Name Witness Signature

AND, if more than one:

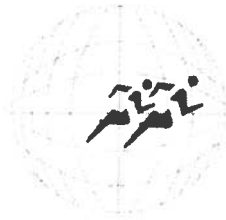
\_\_\_\_\_  
Signature

Company Seal  
(if applicable)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Witness Name Witness Signature

to be submitted



**Ure-Tech Surfaces Inc.**  
2289 Maple Grove Road  
Bowmanville, ON L1C 3K7  
Phone: 905-623-0600  
Fax 905-248-3180

## **PlaySoft-Superior Colour Coated Granular Surfacing Specifications**

### **PART 1 General**

This specification covers the performance requirements, submittals, materials, base preparation, layering, installation and guarantee of PlaySoft Superior Colour Coated Granular poured-in-place safety surfacing.

### **Performance Requirements**

- 1.1 Ure-Tech safety surfaces installed within equipment use zones shall exceed the performance requirements for impact attenuation and Head Injury Criteria as per CSA Z614 Standards confirming a maximum deceleration of no more than 200 GMax and a HIC value of no more than 1000 as per ASTM F-1292 and CSA Z614 method of testing.
- 1.2 The impact attenuation performance shall be documented by a certificate of compliance and shall be performed using Triax 2000 non-destructive testing apparatus within 30 days of installation. Triax 2000 non-destructive surface testing by others.
- 1.3 Installed surfaces shall achieve a HIC value of less than 700 and Gmax values of less than 125.

### **Submittals**

- 1.4 The following shall be submitted:
  - 1.4.1 Manufacturers description of product, installation methods, base preparation and maintenance instructions.
  - 1.4.2 Detailed shop drawings of safety surfacing edging details, material thickness and base construction.
  - 1.4.3 Color chart of available colors.
  - 1.4.4 MSDS sheets for materials used to construct the same.
  - 1.4.5 Test results confirming product has been tested and in compliance with ASTM F-1292 and CAN/CSA Z-614-07.
  - 1.4.6 Statement from the Manufacturer that the system to be installed shall only be performed by authorized and trained personnel.
  - 1.4.7 Statement from Manufacturer that the binders used in the system have been specifically designed for playground surfacing.
  - 1.4.8 A Certificate of Insurance for general and liability of no less than \$5,000,000.00
  - 1.4.9 Sample of the surface system minimum size being 3" x 3".

### **PART 2 Materials**

2.1 Base Construction: ensure that any and all contaminated material and wood fiber systems are removed and properly disposed of. Construct new base or recycle existing materials as per Ure-Tech Surfaces specifications to provide a stable firm base on which to install safety surface system.

2.2 PlaySoft Superior Colour Coated Granular rubber shall meet the following gradations granulated rubber: 1 - 3.5 mm. Or 1-4 mm depending on desired surface texture.

2.3 PlaySoft Superior Colour Coated Granular rubber shall meet ASTM D 412 for tensile strength using the dog bone testing method. .

2.4 Polyurethane binders shall be specially formulated for playground surfacing, shall contain no TDI, filler minerals such as plasticizers, catalysts, extenders or heavy metals. Weight of polyurethane shall be no less than 8.5 lbs./gal (1.02 Kg/l).

2.4.1 **Primer:** Single component moisture cured Stobielast UTS- 136.01 polyurethane primer.

2.4.2 **Binder:** An elastic polyurethane pre-polymer with minimal odour, excellent weathering and binding characteristics. The use of Stobielast UTS- 136.01 Urethane is specific to and required for this project. Supplier must receive written authorization prior to installing the product which verifies use supply of urethane specified for this project. No as equal urethane substitutions are permitted. Stobielast UTS- 136.01 is supplied by Ure-Tech Surfaces Inc. 1-866-211-0191.

2.5 Typically, MDI binders are aromatic however a higher U.V. resistant aliphatic binder is available at additional cost.

## **PART 3 Playground Surfacing**

### **Base Preparation**

3.1 In order to ensure the consistent performance of the safety surfacing, bases must be constructed to ensure a firm, stable and draining foundation for the surface. Any and all contaminated materials or materials that are subject to decomposition or expansion shall be removed and disposed of.

3.2 Ensure drainage of the base material is existing or install drainage system under the safety surfacing system.

3.3 Construct bases as per Ure-Tech Surfaces specifications for various site conditions as listed below. Ure-Tech Surfaces cannot guarantee a safety surface over bases that do not meet the base requirements.

3.3.1 Asphalt, concrete or compacted stone bases. Stone bases shall be minimum 3" depth wet compacted to a 95% proctor density.

### **Surface Installation**

3.4 After the stone base has been constructed to Ure-Tech Surfaces specifications, graded and compacted to proper slope and elevations, install R-100 geotextile filter fabric over base, overlapping all joints by 6". Provide protection to curbs, sidewalks and play equipment to eliminate polyurethane residue on the same.

3.5 Polyurethane and strand SBR rubber for base mat shall be thoroughly mixed on site to ensure 100% coverage of all particles and poured in place to required thickness to meet critical height criteria of play equipment. Allow 24 hrs. to cure.

3.6 Prior to installing wearing course, the edging shall be primed with diluted polyurethane binder.

3.7 Surface layer of PlaySoft Superior Colour Coated Granular rubber shall be thoroughly mixed on site to ensure 100% coverage of all particles and poured in place by means of rakes and screed bars and compacted to required density by use of hand trowels and rollers.

3.8 PlaySoft Superior Colour Coated Granular rubber shall have a tensile strength report completed using the Dog Bone test method ASTM D412.

### **Cleanup**

3.9 Remove any spills or residue that may make contact with structure or surrounding curbs or sidewalks. On completion of work and the 24 hr. cure time, remove all protection provided for the same.

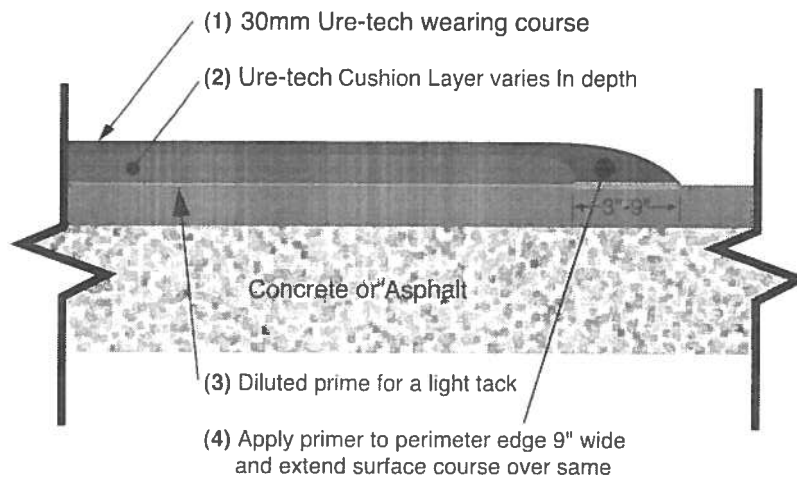
### **PART 4 Installer Services**

4.1 100% pigmented EPDM surfaces are available to meet budgets. Clear and Aliphatic binders are available for resurfacing existing areas providing additional protection from ultraviolet light and revitalization of existing sites. These binders can be installed by owners or Ure-Tech trained personnel.

### **URE-TECH SURFACES Installation Drawings (Typical)**



## Edge on Concrete or Asphalt



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Apply a light diluted primer to concrete or asphalt
- 4) Apply binder 3"-9" wide around entire perimeter and extend compacted surface to 3"-9" width

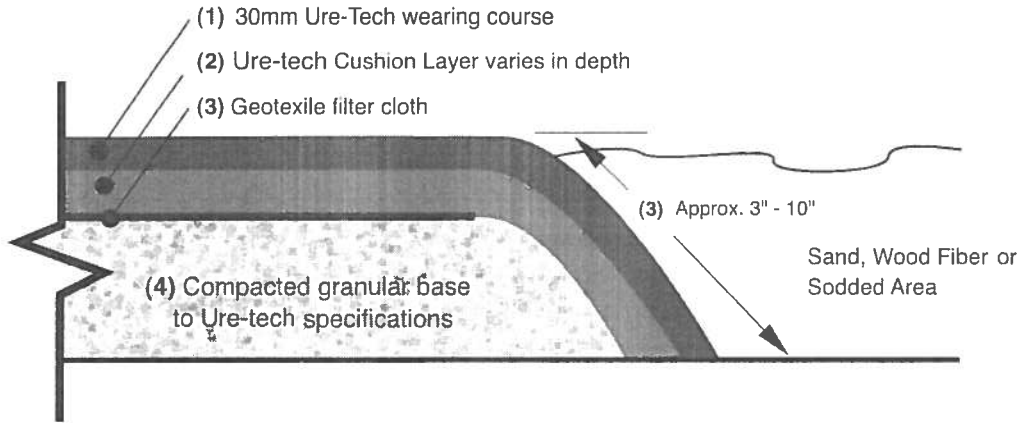


**URE-TECH SURFACES**

tel: 905-623-0600 • fax: 905-248-3180

www.ure-techsurfaces.com • info@ure-techsurfaces.com

## Edge Detail For Loose Materials



Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Cushion layer and surface course shall extend a minimum of 3" - 10" into loose edge materials
- 4) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications

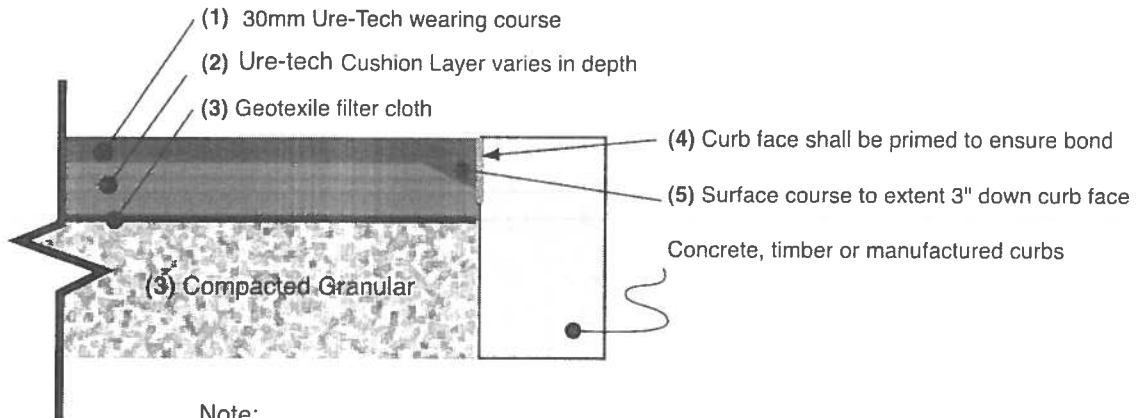


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## Edge Detail At Curbs



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications

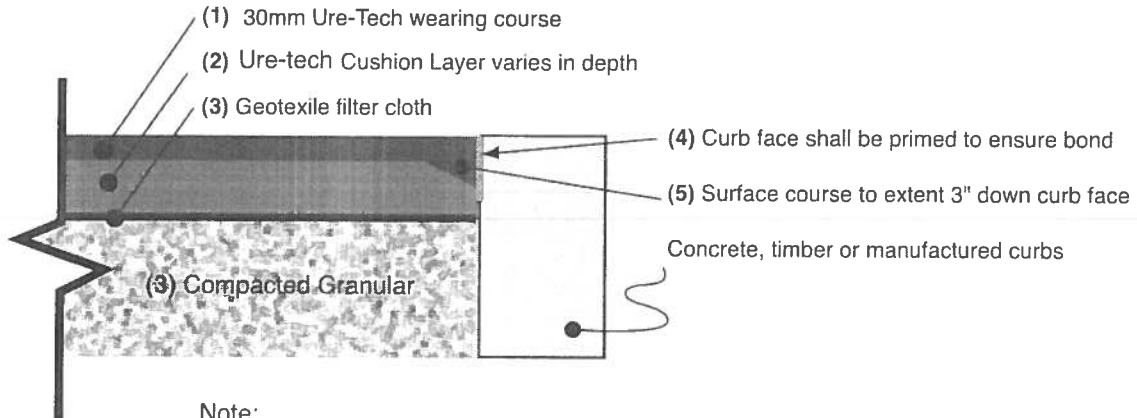


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## Edge Detail At Curbs



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications



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# CERTIFICATE OF LIABILITY INSURANCE

This certificate is issued as a matter of information only and confers no rights upon the certificate holder and imposes no liability on the insurer. This certificate does not amend, extend or alter the coverage afforded by the policies below.

<b>1. CERTIFICATE HOLDER - NAME AND MAILING ADDRESS</b> The Corporation Of the City of Temiskaming Shores 325 Farr Drive P.O. Box 2050  Haileybury, ON P0J 1K0	<b>2. INSURED'S FULL NAME AND MAILING ADDRESS</b> Ure-Tech Surface Inc 218 Dundas Street East  Whitby, ON L1N 2H8
---	---

**3. DESCRIPTION OF OPERATIONS/LOCATIONS/AUTOMOBILES/SPECIAL ITEMS TO WHICH THIS CERTIFICATE APPLIES** (but only with respect to the operations of the Named Insured)  
**Sale and Installation of Non Slip Athletic Surfaces**

**4. COVERAGES**  
This is to certify that the policies of insurance listed below have been issued to the insured named above for the policies period indicated notwithstanding any requirement, terms or conditions of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.  
**LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS**

TYPE OF INSURANCE	INSURANCE COMPANY AND POLICY NUMBER	EFFECTIVE DATE YYYY/MM/DD	EXPIRY DATE YYYY/MM/DD	LIMITS OF LIABILITY (Canadian dollars unless indicated otherwise)		
				COVERAGE	DED.	AMOUNT OF INSURANCE
<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> Claims Made OR <input checked="" type="checkbox"/> Occurrence <input checked="" type="checkbox"/> Products and/or completed operations <input type="checkbox"/> Employer's Liability <input type="checkbox"/> Cross Liability  <input checked="" type="checkbox"/> Tenants Legal Liability <input type="checkbox"/> Pollution Liability Extension  <input type="checkbox"/> Non-Owned Automobiles <input type="checkbox"/> Hired Automobiles	Economical Insurance  40060264	2014/ 4 / 15	2015/ 4 / 15	Commercial General Liability Bodily Injury and Property Damage Liability - - General Aggregate		5,000,000
				- Each Occurrence		5,000,000
				Products and Completed Operations Aggregate		5,000,000
				<input checked="" type="checkbox"/> Personal Injury Liability		5,000,000
				<input type="checkbox"/> Personal and Advertising Injury Liability		
				Medical Payments		25,000
				Tenants Legal Liability		300,000
				Pollution Liability Extension		
				Non-Owned Automobile		
				Hired Automobiles		
<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Described Automobiles <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Leased Automobiles ** <input type="checkbox"/> <input type="checkbox"/> ** All Automobiles leased in excess of 30 days where the insured is required to provide insurance				Bodily Injury and Property Damage Combined		
				Bodily Injury (Per Person)		
				Bodily Injury (Per Accident)		
				Property Damage		
				Each Occurrence		
<b>EXCESS LIABILITY</b> <input type="checkbox"/> Umbrella Form <input type="checkbox"/>				Aggregate		
<b>OTHER LIABILITY (SPECIFY)</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>						

**5. CANCELLATION**  
Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 0 days written notice to the certificate holder named above, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

<b>6. BROKERAGE/AGENCY FULL NAME AND MAILING ADDRESS</b> Ensurco Insurance Group Inc 121 Robinson Street Markham, ON L3P 1P2  BROKER CLIENT ID: URET01	<b>7. ADDITIONAL INSURED NAME AND MAILING ADDRESS</b> (but only with respect to the operations of the Named Insured)
---	---

<b>8. CERTIFICATE AUTHORIZATION</b>		Contact Number(s)	
Issuer	Ensurco Insurance Group Inc	Type	No
Authorized Representative	Kimberley Jack	Type	No
Signature of Authorized Representative	2014   7   31	Certificate Date	2014   7   31
		Email Address	kimberley@ensurcoinc.com

**Subject:** OMCIP – Expression of Interest

**Report No.:** RS-006-2015

**Agenda Date:** August 4, 2015

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**Attachments**

**Appendix 01:** Conceptual Multi-Use and Bicycle Lane Route – Photo's

**Appendix 02:** Cost Estimate

**Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-006-2015; and
2. That Council directs staff to submit an Expression of Interest to the Ministry of Transportation Ontario Municipal Cycling Infrastructure Program in the amount of \$325,000 with the municipality designating \$214,750 in the 2016 and 2017 municipal Capital Budget towards the project and the South Temiskaming Active Travel Organization donating \$214,750 towards the project.

**Background**

At the December 20, 2005 Council in Committee meeting, Council accepted the draft report "From A Dream to a Vision" submitted by the South Temiskaming Active Travel Organization and authorized staff to circulate the document to the Department of Public Works and department of Planning and Protective Services for comment. (Recommendation No. 2005-236)

To date, sections have been completed at Rotary Farr Park, Albert Street, and from City Hall north in Haileybury to 77 Wellington Street in New Liskeard.

On Friday July 3rd, the Ministry of Transportation (MTO) announced the Ontario Municipal Cycling Infrastructure Program (OMCIP). The Province is investing \$10 million over two years to help municipalities build new or improve existing cycling infrastructure. The investment is being made through the OMCIP – a cost shared, application-based funding program.

The Program Overview states that building cycling infrastructure is important to achieving the Cycling Strategy's vision for cycling to be recognized, respected and valued as a core mode of transportation which provides individuals and communities with health, economic, environmental, and social and other benefits. Infrastructure investments help promote cycling safety, which makes cycling more comfortable and appealing for day-to-day travel, recreation and tourism.

On June 10<sup>th</sup>, 2015 the Timiskaming Health Unit, the City and the Bicycle Friendly Community Committee hosted a Bicycle Friendly Communities Workshop to help

identify a path forward to become more bicycle friendly. More than 40 community members, two staff and town Councillors heard new ideas and contributed their local expertise about how Temiskaming shores can become a better place for cycling. The result was a five year vision for cycling in Temiskaming and a two year work plan for making progress toward that vision.

One of the five essential elements of being a bicycle-friendly community is engineering and the report recommends that the municipality work towards creating a connected, integrated network of low-stress cycling infrastructure that provides people of all ages and abilities with cycling routes travelling both east to west and north to south to connect the communities. This network can include new protected bike lanes similar to the STATO trail, bike lanes on streets within towns, signed bike routes on low traffic streets and trails that are well-lit, and well-signed. With a few key investments along priority routes, Temiskaming Shores can have a well-connected network that leads to most destinations within the city.

### Analysis

The Temiskaming Shores Waterfront Expansion Ad Hoc Committee met on July 15<sup>th</sup> and determined that the STATO project meets the criteria for the funding and that a request to Council be made to submit an Expression of Interest for the program.

The following segments of the active travel system would be included in the project:

Note that in some instances partnerships are required for land use and with approval to move forward the municipality will contact the owner's to begin discussion.

### **OMCIP STATO Trail Proposal**

Segment	Category
Georgina Avenue - Morissette Drive to Albert Street	On-Road, Signed, Paved Shoulder
Albert Street - Georgina Avenue to Bruce Street	In-boulevard, Multi-Use
Farr Drive - Albert Street to City Hall	On-Road, Signed, Paved Shoulder
Lakeshore Road - Cottage Road to Josefowich Property	On-Road, Signed, Paved Shoulder
Lakeshore Road - Josefowich Property to Radley Hill Rd	In-boulevard, Multi-Use
Murray Street - Armstrong Street to May Street	On-Road, Signed, Paved Shoulder
May Street - Murray Street to Hesse Avenue	On-Road, Signed, Paved Shoulder
Hesse Street - McKelvie Avenue to Armstrong Street	On-Road, Signed, Paved Shoulder
ARIO Property - Hesse Avenue to Armstrong Street	In-boulevard, Multi-Use
Armstrong Street - ARIO Property to Hwy 65E	Off-Road, Multi-Use

Hwy 65E - Temiskaming Square	In-boulevard, Multi-Use
Temiskaming Square - Hwy 65E to North Parking Lot	In-boulevard, Multi-Use
Temiskaming Square & TSC Property to Wilson Drive	Off-Road, Multi-Use
Wilson Drive - TSC to Grant Drive	On-Road, Signed, Paved Shoulder
Grant Drive - Wilson Drive to Drive In Theatre Road	On-Road, Signed, Paved Shoulder
Drive-In Theatre Road - Grant Drive to Laurette Street	On-Road, Signed, Paved Shoulder
Laurette Street - Drive-In Theatre Rd to Crystal Cres.	On-Road, Signed, Paved Shoulder
Dymond Park - Crystal Cres to Rink	On-Road, Signed, Paved Shoulder

Attached as Appendix No. 1 to the report are photographs of the route.

The proposed route and funding opportunity was presented at the Public Works Committee meeting of July 29<sup>th</sup>, 2015 and the following recommendation was made:

Recommendation PW-2015-041

Moved by: Mayor Carman Kidd

Be it recommended that:

The Public Works Committee hereby endorses the future cycling route as presented; and further recommends that Council approves the submission of an Expression of Interest to Ontario Municipal Cycling Infrastructure Program based on estimates presented by the Director of Recreation and Director of Public Works at the Public Works Committee meeting on July 29, 2015

The proposed route and funding opportunity including the municipal contribution was presented at the Corporate Service Meeting of July 29<sup>th</sup>, 2015 and the following recommendation was made:

Recommendation CS-2015-037

Moved by: Councillor Danny Whalen

Be it recommended that:

The Corporate Services Committee hereby supports the submission of an Expression of Interest for the Ontario Municipal Cycling Infrastructure Program based on the information as presented by the Director of Recreation and Director of Public Works at the Corporate Services Committee meeting on July 29, 2015.

**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 upset limit of funding available is \$325,000 to be matched with municipal funds and partner funds.

Estimated Cost: \$954,000 plus applicable taxes

Estimated Funding Sources:

OMCIP Funding	\$325,000
Municipal Contribution (Cash)	\$214,750
Municipal Contribution (In-kind)	\$199,500
STATO Contribution	\$214,750
Total	\$954,000

The municipal and STATO contribution would be considered in the 2016 and 2017 Capital Budget process.

See Appendix No. 2 outlining the estimated costs for each section of the project.

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

**Alternatives**

Council may choose not to submit an Expression of Interest however this is not recommended as the province has advised that this will be a one-time funding opportunity with the municipality responsible for 25% of the funding.

**Submission**

Prepared by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

\_\_\_\_\_  
Tammie Caldwell  
Director of Recreation Services

\_\_\_\_\_  
Christopher W. Oslund  
City Manager

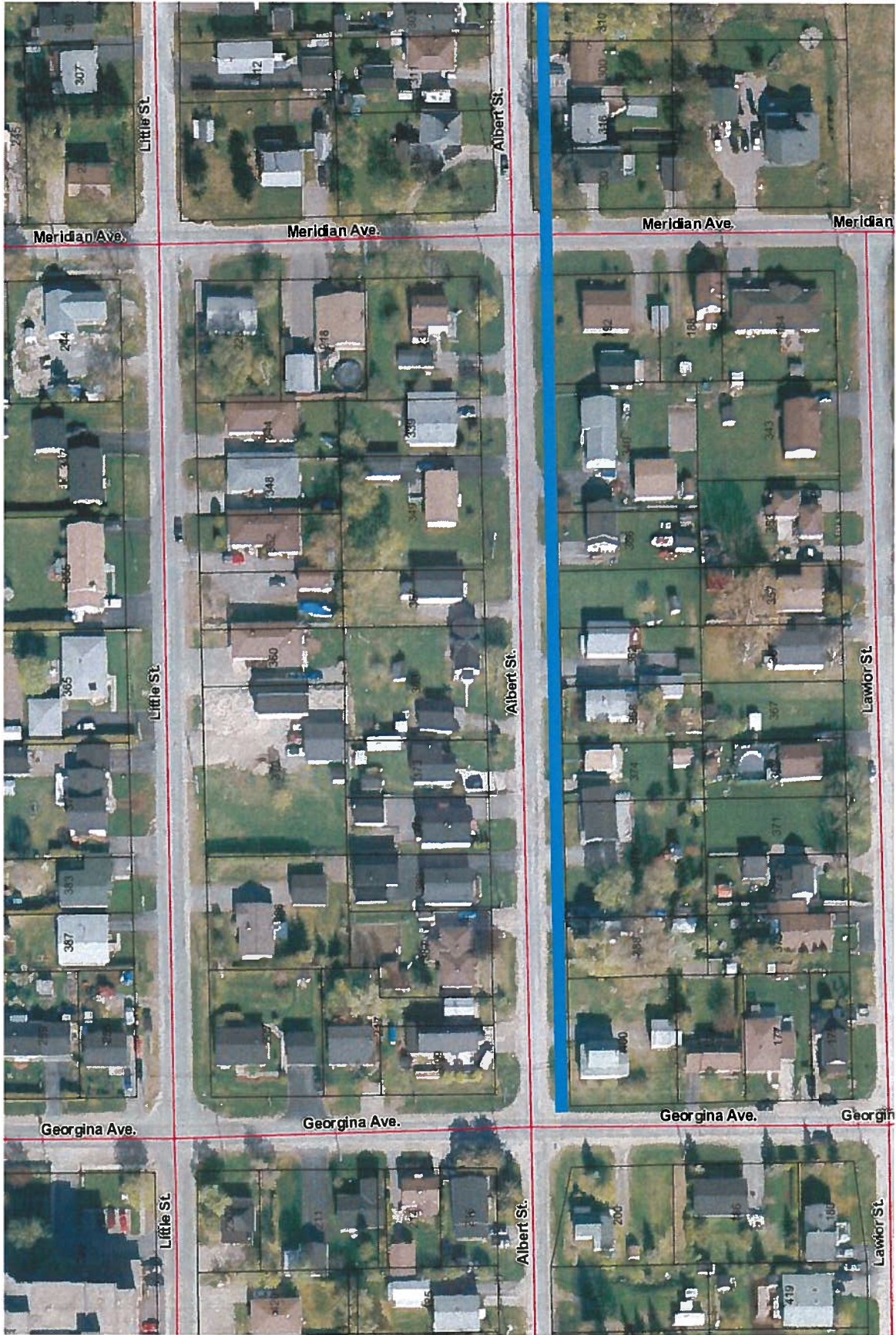




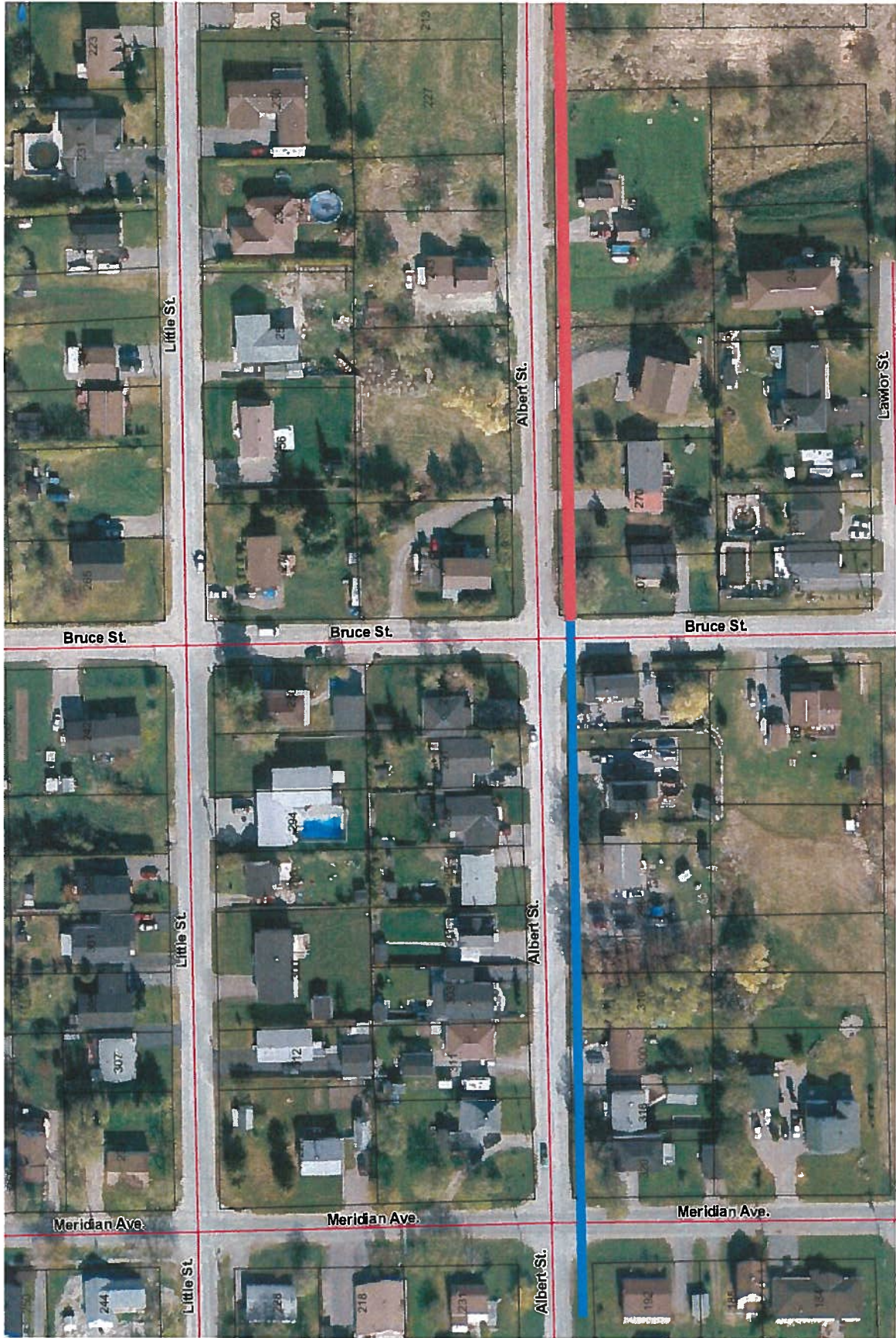
Georgina Ave. – Joyal Drive to Algonquin Drive (2.4 metre width painted lane)



Georgia Ave. – Algonquin Drive to Albert Street (2.4 metre width painted lane)



Albert Street – Georgina Ave to Meridian Ave. (2.8 metre constructed off street lane)



Albert Street – Meridian Ave. to Bruce Street (2.8 metre constructed off street lane)



Albert Street – Bruce Street to Farr Drive (previously constructed off street lane)



Farr Drive – Albert Street to Elliot Street (2.5 metre constructed off street lane)





Farr Drive – Elliot Street to City Hall (2.5 metre constructed off street lane)



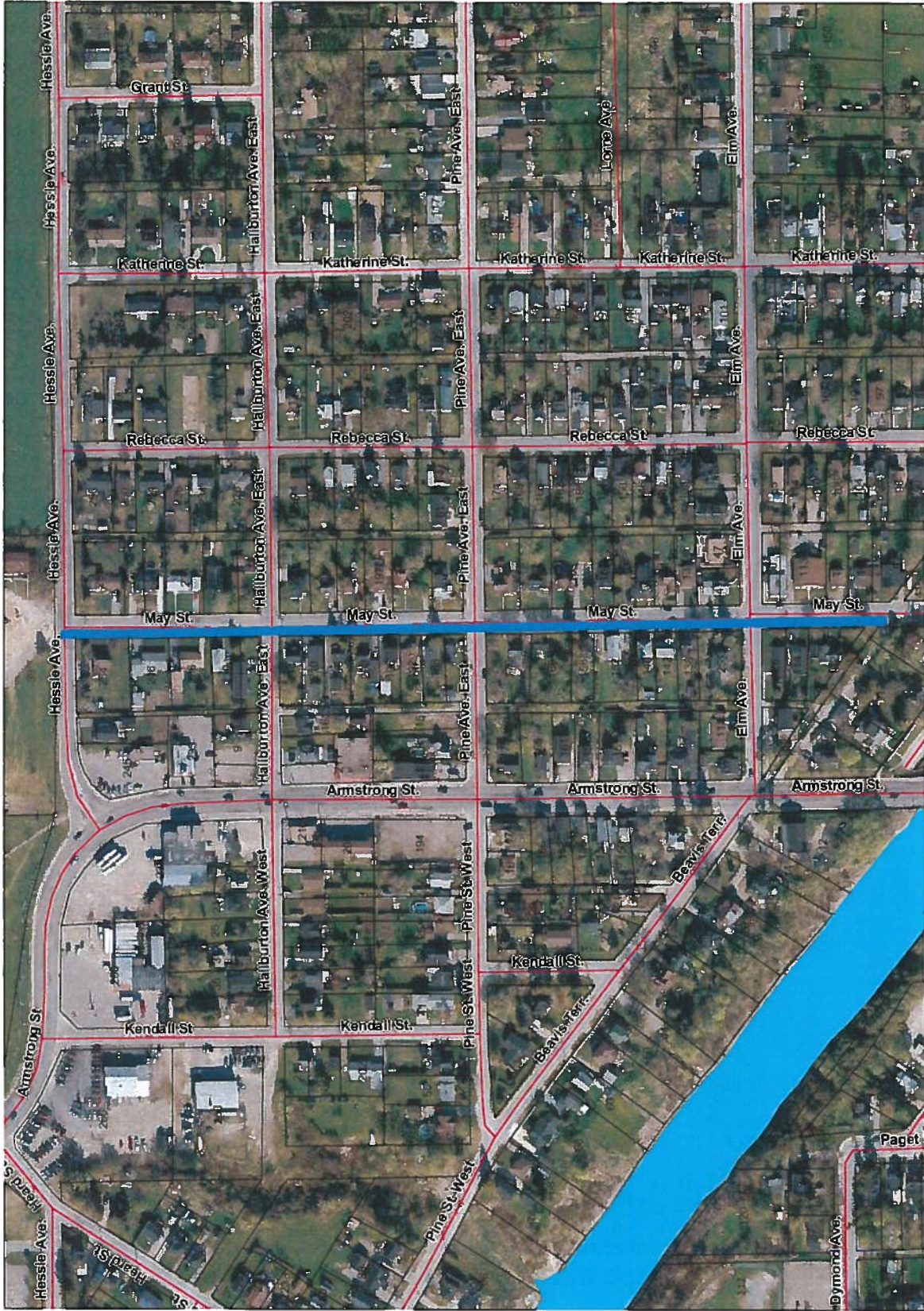
Lakeshore Road – Cottage Road to Josefowich Property – (re-alignment 2.5 metre paved trail) 450m



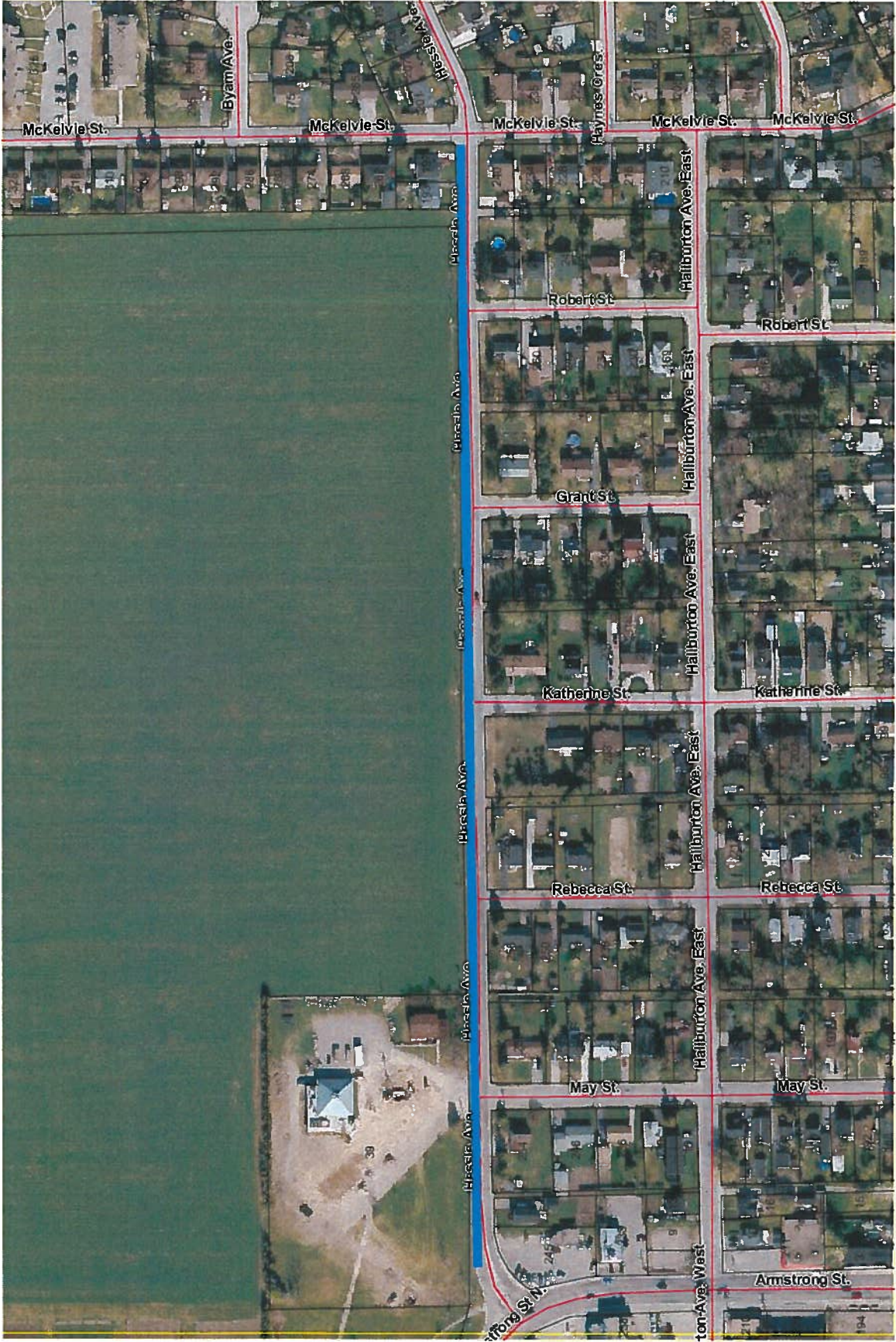
Lakeshore Road – Josefowich Property to Radley Hill Road (re-alignment of 2.5 metre trail) 400m



Murray Street – Armstrong Street to May Street (2.5 metre width painted lane)



May Street – Murray Street to Hessle Ave - (2.5 metre width painted lane)



Hessel Ave. – McKelvie Ave to Armstrong Street (2.5 metre width painted lane)



ARIO Property – Hesse Ave to Armstrong Street (2.5 metres width constructed / paved lane) 260m



Armstrong Street – ARIO property to Highway 65E - (2.5 metres width constructed / paved lane) 660 m





Highway 65E – Temiskaming Square - (2.5 metre width painted lane)



Temiskaming Square & TSC property to Wilson Drive - (2.8 metre constructed off street lane)



Wilson Ave / Grant Drive - (2.5 metre constructed off street lane)



Grant Drive to Drive-In Theatre Road - (2.5 metre constructed off street lane) & Drive-In Theatre Road – Grant Drive to Laurette Street - (2.8 metre constructed off street lane)



Laurette Street – Drive-In Theatre Road to Crystal Cres. - (2.5 metre width painted lane)



Dymond Park – Crystal Cres to Rink - (2.8 metre constructed off street lane



## OMCIP STATO Trail Proposal

Segment	Category	Length(m)	Estimated Cost	Comments
Georgina Avenue - Morissette Drive to Albert Street	On-Road, Signed, Paved Shoulder	610	11,500	
Albert Street - Georgina Avenue to Bruce Street	In-boulevard, Multi-Use	400	95,500	
Farr Drive - Albert Street to City Hall	On-Road, Signed, Paved Shoulder	475	85,000	
Lakeshore Road - Cottage Road to Josefowich Property	On-Road, Signed, Paved Shoulder	450	89,500	Inkind
Lakeshore Road - Josefowich Property to Radley Hill Rd	In-boulevard, Multi-Use	400	110,000	Inkind
Murray Street - Armstrong Street to May Street	On-Road, Signed, Paved Shoulder	115	3,000	
May Street - Murray Street to Hessle Avenue	On-Road, Signed, Paved Shoulder	500	9,500	
Hessle Avenue - McKelvie Avenue to Armstrong Street	On-Road, Signed, Paved Shoulder	635	10,500	
ARIO Property - Hessle Avenue to Armstrong Street	In-boulevard, Multi-Use	260	47,500	
Armstrong Street - ARIO Property to Hwy 65E	In-boulevard, Multi-Use	660	120,000	
Hwy 65E - Temiskaming Square	In-boulevard, Multi-Use	225	8,500	
Temiskaming Square - Hwy 65E to North Parking Lot	In-boulevard, Multi-Use	365	5,500	
Temiskaming Square & TSC Property to Wilson Drive	Off-Road, Multi-Use	180	43,000	
Wilson Drive - TSC to Grant Drive	On-Road, Signed, Paved Shoulder	100	16,500	
Grant Drive - Wilson Drive to Drive In Theatre Road	On-Road, Signed, Paved Shoulder	1200	215,000	
Drive-In Theatre Road - Grant Drive to Laurette Street	On-Road, Signed, Paved Shoulder	60	14,500	
Laurette Street - Drive-In Theatre Rd to Crystal Cres.	On-Road, Signed, Paved Shoulder	610	9,500	
Dymond Park - Crystal Cres to Rink	On-Road, Signed, Paved Shoulder	250	59,500	
		<b>Sub-Total:</b>	7,495	954,000
		<b>Minus In-kind (Lakeshore Road above):</b>		199,500
		<b>Total:</b>		754,500

### Funding Distribution

OMCIP :	325,000
Municipal Contribution:	214,750
STATO Contribution:	214,750
<b>Total:</b>	<b>754,500</b>



**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2015-156**  
**Being a by-law to enter into an Encroachment**  
**Agreement with Timothy Charles Richer and**  
**Wilhelmina Frances Richer owners of the Subject**  
**Property - 465 Lakeshore Road North – Part 5 on Plan**  
**54R-1614 – Roll No. 54-18-010-008-079.00**

**Whereas** under Section 8 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 9. (1) (a) and (b) of the Municipal Act 2001, S.O., 2001, c. 25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**And whereas** Timothy and Wilhelmina Richer have constructed a deck that encroaches onto the City's Easement for water and sanitary sewer services;

**And whereas** Council considered Memo No. 024-2015-CGP at the July 7, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an encroachment agreement with Timothy and Wilhelmin Richer for consideration at the August 4, 2015 Regular Council meeting;

**And whereas** the Council deems it desirable to enter into an Encroachment Agreement with Timothy and Wilhelmina Richer;

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

1. That the Council of the Corporation of the City of Temiskaming Shores authorizes the entering into of an Encroachment Agreement between Timothy and Wilhelmina Richer "Owner" and The Corporation of the City of Temiskaming Shores as the "City" in the form annexed hereto as Schedule "A" and forming part of this by-law;
2. The Council agrees to permit an encroachment onto the Easement for municipal water and sanitary sewer services registered as Instrument No. LT267120 for Part 5 Plan 54R-1614 which is shown on the Surveyor's Real Property Report on Schedule "B" attached to and forming part of this by-law;
3. That the Mayor and Clerk are hereby authorized and directed to execute the Encroachment Agreement and any and all other documentation necessary to complete the agreement and the registering of the agreement on title;

4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

**This Encroachment Agreement** entered into on the 4<sup>th</sup> day of August, 2015.

Between:

**Timothy Charles Richer and Wilhelmina Frances Richer**  
(the “Owner”)

And:

**The Corporation of the City of Temiskaming Shores**  
(the “City”)

Recitals:

- a) The Owner is the registered and beneficial owner of 465 Lakeshore Road North; Parcel 4254SST Part of Lot 4, Plan M-79NB Designated as Part 5 on 54R-1614; Temiskaming Shores; District of Timiskaming. Roll No.: 5418-010-008-079.00 (the “Property.”)
- b) The Owner has constructed a deck on the Property, which encroaches upon the City’s Easement for water and sanitary sewer services (the “Encroachment”).
- c) The City is prepared to permit the Encroachment to continue to encroach upon the City-owned land. The Encroachment is shown on the Surveyor’s Real Property Report on Schedule “B”, hereto attached.

### **Terms and Conditions**

1. In the event the City delivers written notice to the Owner that the City requires to access the easement which is affected by the Encroachment, the Owner shall, at its sole cost and expense either reconfigure, or relocate the Encroachment in a manner acceptable to the City, acting reasonably, or in the alternative, remove the Encroachment.
2. The Owner shall be responsible for the maintenance and repair of the Encroachment and all related expenses.
3. The Owner shall indemnify and save harmless the City from all loss, costs and damages which the City may incur, arising from the existence of the Encroachment or the use, maintenance or repair thereof.
4. The Owner covenants and agrees that this Encroachment Agreement is restricted to the existing Encroachment and the use, maintenance and repair thereof, not any expansions or further improvements thereto.





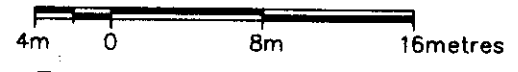
Schedule “B” to

**By-law No. 2015-156**

Surveyor’s Real Property Report

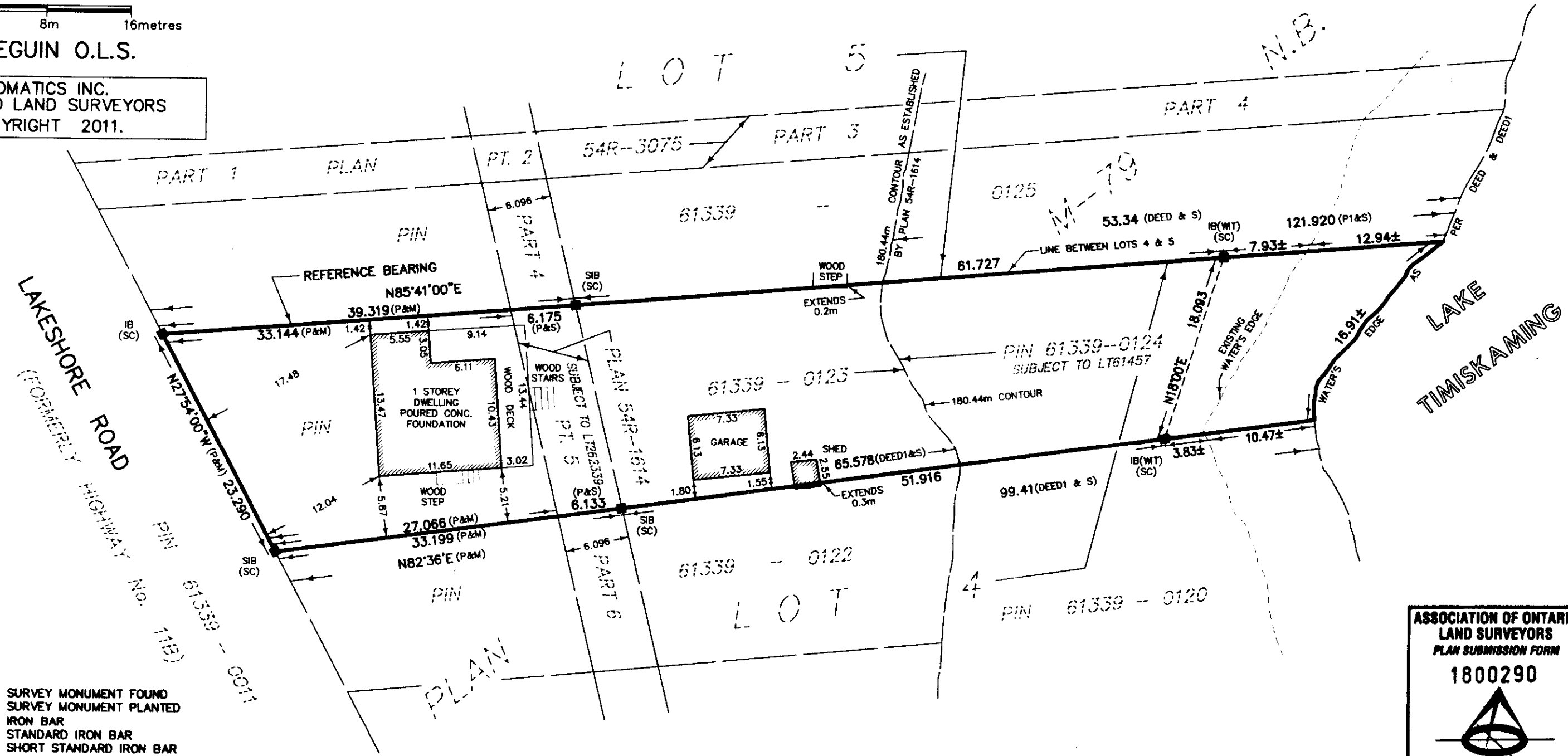
**SURVEYOR'S REAL PROPERTY REPORT**  
**PART 1:**  
 PLAN OF SURVEY OF PART OF  
**LOT 4 (EAST SIDE OF LAKESHORE ROAD)**  
**REGISTERED PLAN M-79 NB**  
**CITY OF TEMISKAMING SHORES**  
 DISTRICT OF TIMISKAMING

SCALE - 1 : 400 Metres



R.W. SEGUIN O.L.S.

EXP GEOMATICS INC.  
 ONTARIO LAND SURVEYORS  
 © COPYRIGHT 2011.



- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
  - DENOTES SURVEY MONUMENT PLANTED
  - IB DENOTES IRON BAR
  - SIB DENOTES STANDARD IRON BAR
  - SSIB DENOTES SHORT STANDARD IRON BAR
  - M DENOTES MEASURED
  - P DENOTES PLAN 54R-1614
  - P1 DENOTES REGISTERED PLAN M-79 NB
  - SC DENOTES H. SUTCLIFFE LTD
  - DEED DENOTES DOCUMENT NND 2447
  - DEED1 DENOTES DOCUMENT LT 105127

**NOTE**  
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE LINE BETWEEN LOTS 4 & 5 AS SHOWN ON PLAN 54R-1614 HAVING A BEARING OF N85°41'E.

**NOTE**  
 ALL BUILDING TIES ARE PERPENDICULAR TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

**NOTE**  
 BUILDING TIES SHOWN HEREON ARE TAKEN TO THE VINYL SIDING UNLESS OTHERWISE NOTED.

**NOTE**  
 THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER **NO ADDITIONAL PRINTS** OF THIS ORIGINAL REPORT WILL BE ISSUED, SUBSEQUENT TO THE DATE OF CERTIFICATION.

**SURVEYOR'S REAL PROPERTY REPORT - PART 2**

**REGISTERED EASEMENTS AND/OR RIGHTS OF WAY**  
 SUBJECT TO LT262339 & LT61457.

**ENCROACHMENTS**  
 WOOD STEP EXTENDS BY 0.2m & SHED EXTENDS BY 0.3m.

THIS REPORT WAS PREPARED FOR TIMOTHY & WILHELMINA RICHER AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 2nd DAY OF SEPTEMBER, 2011.

*R.W. Seguin*  
 R.W. SEGUIN  
 ONTARIO LAND SURVEYOR

NEW LISKEARD ONT.  
 SEPTEMBER 22, 2011.

exp Geomatics Inc.  
 t: +1.705.647.4311 | f: +1.705.647.3111  
 9 Wellington Street, Box 1208  
 New Liskeard, ON P0J 1P0  
 Canada  
 www.exp.com

**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
 PLAN SUBMISSION FORM  
 1800290

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR in accordance with Regulation 1026, Section 29(3).

DR	SEG	CLIENT	BELANGER CONSTRUCTION
CK'D	RWS	NOTES	Bk 2198/Pg 65
		JOB No	SN11026

**Corporation of the City of Temiskaming Shores**  
**By-law No. 2015-157**  
**Being a by-law to enter into an Easement Agreement with**  
**Richard Graves – Municipal Storm System – 370 Agnes**  
**Avenue**

**Whereas** under Section 8 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 9 (1) (a) and (b) of the Municipal Act, 2001, SO., 2001, c25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**And whereas** Council considered Memo No. 025-2015-CGP at the July 7, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an Easement Agreement with the owner of 370 Agnes Avenue for a municipal storm water collection system for consideration at the August 4, 2015 Regular Council meeting.

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

1. That the Mayor and Clerk are hereby authorized to enter into an Easement Agreement with Richard Graves, 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

## Schedule Text 61

### Transfer of Easement in Gross

**This Agreement** made this 4<sup>th</sup> day of August, 2015.

Between:

**Richard Graves**  
(Transferor)

And:

**The Corporation of the City of Temiskaming Shores**  
(Transferee)

### Subject Property

*PIN 61338-0391 Pcl 11948 Sec SST; Firstly: Pt Lt 7 Con 1 Dymond as in LT107968; Temiskaming Shores; District of Timiskaming; and*

*PIN 61338-0392 Pcl 4778 Sec SST; Pt Lt 7 Con 1 Dymond as in LT56413 except Pt 1 to 3 TER 461; Temiskaming Shores; District of Timiskaming*

As generally shown on Schedule "B" Plan 54R-5823 attached hereto and forming part of this by-law.

### Covenants

In consideration of the sum of Two Dollars (\$2.00) paid by the Transferee to the Transferor, the Transferor grants and transfers to the Transferee, its successors and assigns a free and unencumbered easement in perpetuity, upon, over, in, under and across the Transferor's Lands to construct, operate, maintain, and repair a storm water collection system for its use as required in the municipal business carried on by the Transferee; together with the right of access to the Transferee, its contractors, servants, agents and employees, vehicles, equipment and supplies over the Transferor's Lands, for the purpose of exercising the rights hereby granted.

The Transferor shall have the right to fully use and enjoy the Transferor's Lands except as may be necessary for any of the purposes hereby granted to the Transferee provided that without the prior written consent of the Transferee, the Transferor shall not excavate, drill or erect over, in, under and across the Transferor's Lands any structures, pit, well, foundation or pavement.

The Transferee agrees that no work shall at any time be done in such a manner as to obstruct or delay or in any way interfere with the operations of the Transferor.

**Provided however** the Transferee, shall consent to the Transferor erecting fences, drains and constructing pathways and walks across, on and in the lands herein described or any portion or portions thereof **provided** that before commencing any such work the Transferor:



- (a) shall give to the Transferee not less than 48 hours’ notice in writing, setting forth the work desired to be done, in order that the Transferee may have a representative present to inspect the site, the work to be done and the performance of such work, and;
- (b) shall follow the instructions of the aforesaid representative as to the performance of such work in order that no damage will be occasioned to the municipal infrastructure of the Transferee;

In making any of its installations, the Transferee shall observe and carry them out according to recognized good engineering practice and in accordance with all applicable governmental laws, regulations or requirements concerning the same.

The Transferee shall comply with all statutes, regulations, by-laws, codes and requirements of all governments and governmental authorities and all boards and commissions applicable thereto with respect to its use and occupation of the Transferor’s Lands.

The Transferee shall make full and complete compensation for any damage caused to the Transferor's physical property or that of any other user of the Transferor's property by the Transferee's act or omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for damage attributable to the equipment owned or operated by the Transferee, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferee shall make full and complete compensation for any bodily injury or death to any person caused by the Transferee's act or omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for bodily injury or death attributable to the equipment owned or operated by the Transferee, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferee shall waive against the Transferor, its officers, employees, agents or contractors any claims or any kind whether directly or indirectly arising out of or connected with the existence of this Transfer of Easement and for any injury to or death of any person or for any loss of or damage to any property or equipment belonging to the Transferee or its employees, servants, agents, invitees, licensees, contractors or visitors and for any loss or damage of the Transferee with respect to its installation and use of the property, unless caused by the negligent act or omission of the Transferor, its officers, employees, agents, contractors or those for whom it is at law responsible.

The Transferee agrees to indemnify the Transferor and save it harmless from and against any and all actions, suits, claims, damage, costs, liability and expenses in any manner based upon, connected with or arising out of any breach, violation or non-performance by the Transferee of any of the terms and conditions of this Transfer of Easement, including the effects of any applicable environmental legislation, unless caused by the negligent act or omission of the Transferor, its officers, employees, agents, contractors or those for whom it is at law responsible.

The Transferee shall, at its own expense, obtain and maintain in full force and effect the following insurance policies:

- i) Commercial General Liability insurance to a policy limit of at least five million dollars (\$5,000,000) in primary and umbrella/excess liability policy including but not limited bodily injury, property damage, personal injury, product liability, tenants legal liability, contractual liability, owners and contractors protective, contingent employer's liability, non-owned automobile liability, cross liability and severability of interest clause.
- ii) All risks property insurance for not less than full replacement cost value of the equipment and personal property. The policy shall contain a waiver of subrogation in favour of the Transferor.
- iii) Automobile Liability insurance with respect to owned or leased vehicles, having a policy limit of at least two million dollars (\$2,000,000) inclusive per occurrence.

The Lands to be benefited by this easement is the head office of the Transferee.

Municipal address: P.O. Box 2050; 325 Farr Drive, Haileybury, Ontario; P0J 1K0.

The Transferee agrees that this easement agreement shall be registered on title for the Subject Property at the Transferor's expense.

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

Signed and Sealed in )  
the presence of )

**Richard Graves**

\_\_\_\_\_  
Owner – Richard Graves

\_\_\_\_\_  
Witness

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

Title: \_\_\_\_\_

Municipal Seal )

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Schedule "B" to

**By-law No. 2015-157**

Plan 54R-5823

PLAN 54R-5823

RECEIVED AND DEPOSITED  
2015.01.08

"C. Carey"  
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TIMISKAMING

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.  
2014-12-04

M. J. Simpson  
M. J. SIMPSON

SCHEDULE				
PART	LOT	CONCESSION	PIN	NAME OF LAST TRANSFEREE
1	PART OF LOT 7	1	PART OF PIN 61338-0391	GRAVES, RICHARD ISAAC
2			PART OF PIN 61338-0392	

TOWNSHIP OF DYMOND

**PLAN OF SURVEY OF**  
PART OF LOT 7,  
CONCESSION 1  
(TOWNSHIP OF DYMOND)  
**CITY OF TEMISKAMING SHORES**  
DISTRICT OF TIMISKAMING  
exp GEOMATICS INC.  
SCALE 1:250



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

**BEARING NOTE**  
BEARINGS ARE UTM GRID, DERIVED FROM GPS OBSERVATIONS AND REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17, (81° WEST LONGITUDE), NAD 83 (ORIGINAL).  
FOR BEARING COMPARISONS, A ROTATION OF 0°58' COUNTER CLOCKWISE WAS APPLIED TO THE BEARINGS SHOWN ON PLANS TER-461 AND 54R-1338.

**DISTANCE NOTE**  
DISTANCES SHOWN HEREON ARE ADJUSTED HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999691.

**LEGEND**

- DENOTES - SURVEY MONUMENT FOUND
- DENOTES - SURVEY MONUMENT PLANTED
- M - MEASURED
- S - SET
- PIN - PROPERTY IDENTIFICATION NUMBER
- P - PLAN 54R-1338
- P1 - PLAN TER-461
- REG - REGISTERED
- NEF - NO EVIDENCE FOUND

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 2nd DAY OF JUNE, 2014.

NORTH BAY, ONTARIO  
2014-12-04

M. J. Simpson  
M. J. SIMPSON  
ONTARIO LAND SURVEYOR

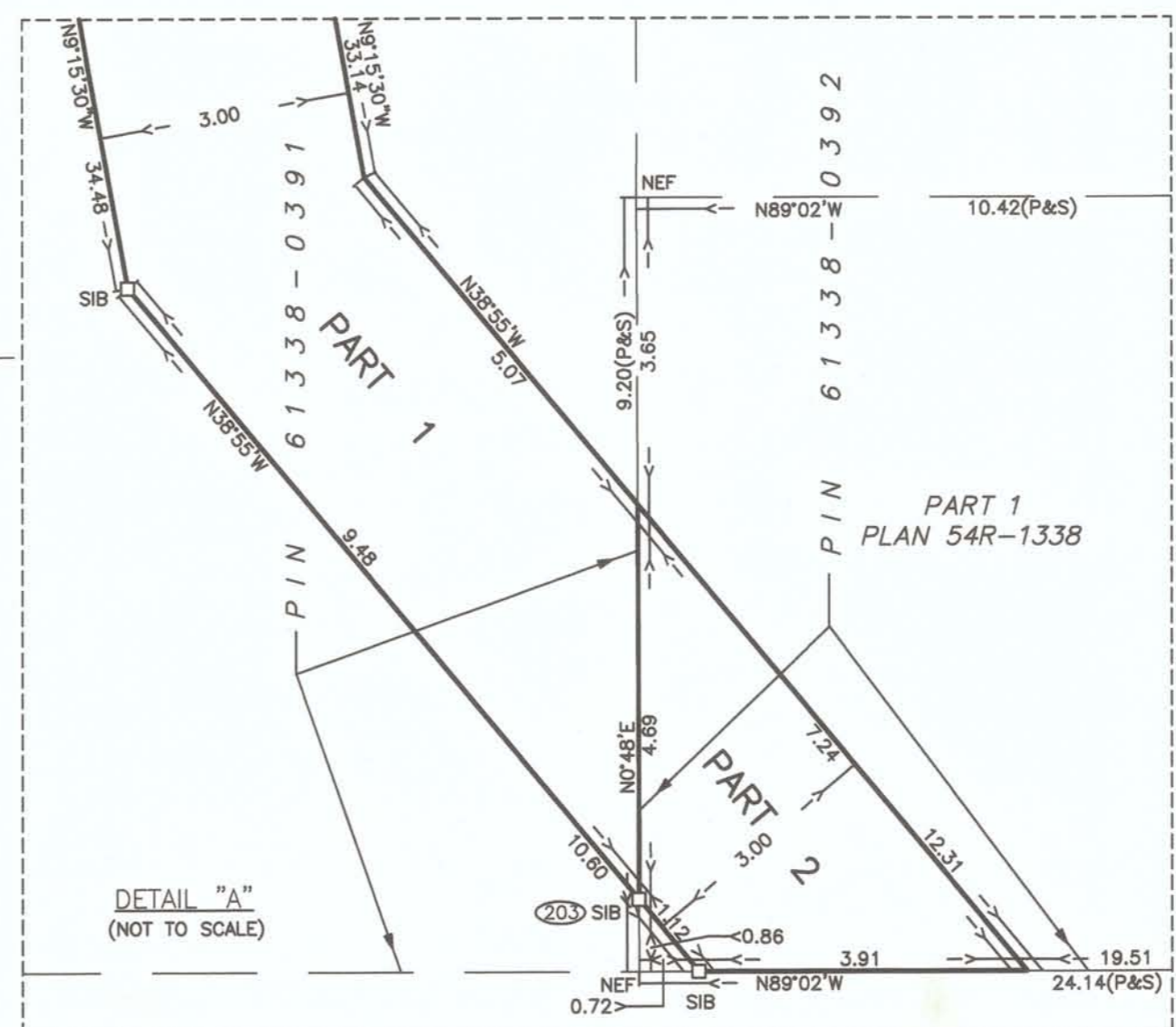
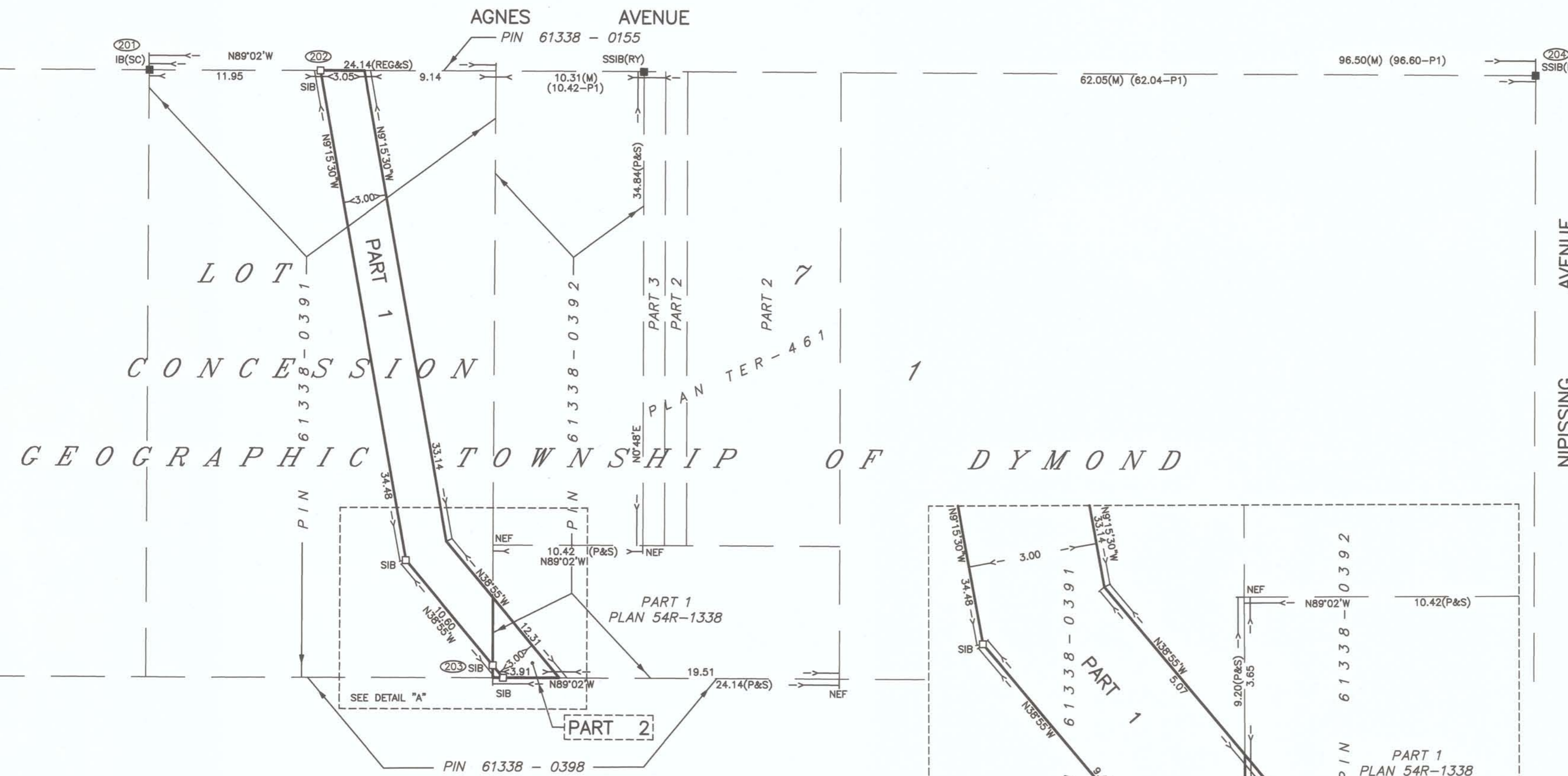
INTEGRATION DATA  
COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING CONTROL STATIONS (SCP's) AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83 (ORIGINAL). COORDINATE VALUES ARE TO URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF O.REG 216/10.

SPECIFIED CONTROL POINTS (SPCs)			
POINT	NORTHING	EASTING	DESCRIPTION
135	5,261,369.858	598,036.733	HCM00819740135
352	5,264,121.535	601,371.375	HCM00819970352

OBSERVED REFERENCE POINTS  
OBSERVED REFERENCE POINTS (ORPs) ARE DERIVED USING SIMULTANEOUS STATIC GPS OBSERVATIONS AND REAL TIME KINEMATIC (RTK) BASE AND ROVER TRANSLATED COORDINATES.

POINT	NORTHING	EASTING	DESCRIPTION
201	5,262,095.40	598,895.62	IB(SC)
202	5,262,095.20	598,904.57	SIB
203	5,262,052.92	598,917.77	SIB

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



exp Geomatics Inc.  
9 WELLINGTON STREET  
New Liskeard, Ontario, POJ 1P0  
1-800-461-4584

PARTY CHIEF: B. PHILLIPS  
CHECKED BY: M. SIMPSON  
FILE: NWL-00216340 | DRAWN BY: TARAL

**Corporation of the City of Temiskaming Shores**

**By-law No. 2015-158**

**Being a by-law to enter into an Easement Agreement with  
Marjolaine and Raymond Lantaigne – Water and Sanitary –  
469 Lakeshore Road North**

**Whereas** under Section 8 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 9 (1) (a) and (b) of the Municipal Act, 2001, SO., 2001, c25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**And whereas** Council considered Memo No. 026-2015-CGP at the July 7, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an Easement Agreement with the owner of 469 Lakeshore Road North for municipal water and sanitary systems for consideration at the August 4, 2015 Regular Council meeting.

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

1. That the Mayor and Clerk are hereby authorized to enter into an Easement Agreement with Marjolaine and Raymond Lantaigne, 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

## Schedule Text 61

### Transfer of Easement in Gross

**This Agreement** made this 4<sup>th</sup> day of August, 2015.

Between:

**Marjolaine Andree Lantaigne and Raymond Fernand Lantaigne**  
(Transferor)

And:

**The Corporation of the City of Temiskaming Shores**  
(Transferee)

**Subject Property: 469 Lakeshore Road North; Roll No. 54 18 010 008 080.00**

*PIN 61399-0122 Part 6 on Plan 54R-1614 Parcel 14784 Sec SST Pt Lt4 E/S Lakeshore Rd. PL M79NB Dymond as in LT105127 firstly; Temiskaming Shores; District of Timiskaming; and*

*PIN 61339-0121 Part 7 on Plan 54R-1614 Parcel 17355 Sec SST Pt Lt4 E/S Lakeshore Rd. PL M79NB Dymond as in LT114760 secondly; Temiskaming Shores; District of Timiskaming*

Plan 54R-1614 is attached hereto as Schedule "B" and forms part of this by-law.

### Covenants

In consideration of the sum of Two Dollars (\$2.00) paid by the Transferee to the Transferor, the Transferor grants and transfers to the Transferee, its successors and assigns a free and unencumbered easement in perpetuity, upon, over, in, under and across the Transferor's Lands to construct, operate, maintain, and repair municipal water and sanitary sewer systems for its use as required in the municipal business carried on by the Transferee; together with the right of access to the Transferee, its contractors, servants, agents and employees, vehicles, equipment and supplies over the Transferor's Lands, for the purpose of exercising the rights hereby granted.

The Transferor shall have the right to fully use and enjoy the Transferor's Lands except as may be necessary for any of the purposes hereby granted to the Transferee provided that without the prior written consent of the Transferee, the Transferor shall not excavate, drill or erect over, in, under and across the Transferor's Lands any structures, pit, well, foundation or pavement.

The Transferee agrees that no work shall at any time be done in such a manner as to obstruct or delay or in any way interfere with the operations of the Transferor.

**Provided however** the Transferee, shall consent to the Transferor erecting fences, drains and constructing pathways and walks across, on and in the lands herein

described or any portion or portions thereof **provided** that before commencing any such work the Transferor:

- (a) shall give to the Transferee not less than 48 hours' notice in writing, setting forth the work desired to be done, in order that the Transferee may have a representative present to inspect the site, the work to be done and the performance of such work, and;
- (b) shall follow the instructions of the aforesaid representative as to the performance of such work in order that no damage will be occasioned to the municipal infrastructure of the Transferee;

In making any of its installations, the Transferee shall observe and carry them out according to recognized good engineering practice and in accordance with all applicable governmental laws, regulations or requirements concerning the same.

The Transferee shall comply with all statutes, regulations, by-laws, codes and requirements of all governments and governmental authorities and all boards and commissions applicable thereto with respect to its use and occupation of the Transferor's Lands.

The Transferee shall make full and complete compensation for any damage caused to the Transferor's physical property or that of any other user of the Transferor's property by the Transferee's act or omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for damage attributable to the equipment owned or operated by the Transferee, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferee shall make full and complete compensation for any bodily injury or death to any person caused by the Transferee's act or omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for bodily injury or death attributable to the equipment owned or operated by the Transferee, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferee shall waive against the Transferor, its officers, employees, agents or contractors any claims or any kind whether directly or indirectly arising out of or connected with the existence of this Transfer of Easement and for any injury to or death of any person or for any loss of or damage to any property or equipment belonging to the Transferee or its employees, servants, agents, invitees, licensees, contractors or visitors and for any loss or damage of the Transferee with respect to its installation and use of the property, unless caused by the negligent act or omission of the Transferor, its officers, employees, agents, contractors or those for whom it is at law responsible.

The Transferee agrees to indemnify the Transferor and save it harmless from and against any and all actions, suits, claims, damage, costs, liability and expenses in any manner based upon, connected with or arising out of any breach, violation or non-performance by the Transferee of any of the terms and conditions of this Transfer of Easement, including the effects of any applicable environmental legislation, unless

caused by the negligent act or omission of the Transferor, its officers, employees, agents, contractors or those for whom it is at law responsible.

The Transferee shall, at its own expense, obtain and maintain in full force and effect the following insurance policies:

- i) Commercial General Liability insurance to a policy limit of at least five million dollars (\$5,000,000) in primary and umbrella/excess liability policy including but not limited bodily injury, property damage, personal injury, product liability, tenants legal liability, contractual liability, owners and contractors protective, contingent employer’s liability, non-owned automobile liability, cross liability and severability of interest clause.
- ii) All risks property insurance for not less than full replacement cost value of the equipment and personal property. The policy shall contain a waiver of subrogation in favour of the Transferor.
- iii) Automobile Liability insurance with respect to owned or leased vehicles, having a policy limit of at least two million dollars (\$2,000,000) inclusive per occurrence.

The Lands to be benefited by this easement is the head office of the Transferee.

Municipal address: P.O. Box 2050; 325 Farr Drive, Haileybury, Ontario; P0J 1K0.

The Transferee agrees that this easement agreement shall be registered on title for the Subject Property at the Transferor’s expense.

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

Signed and Sealed in  
the presence of )

**Marjolaine Lantaigne & Raymond Lantaigne**

\_\_\_\_\_  
Owner – Marjolaine Lantaigne

\_\_\_\_\_  
Owner – Raymond Lantaigne

Municipal Seal )

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen





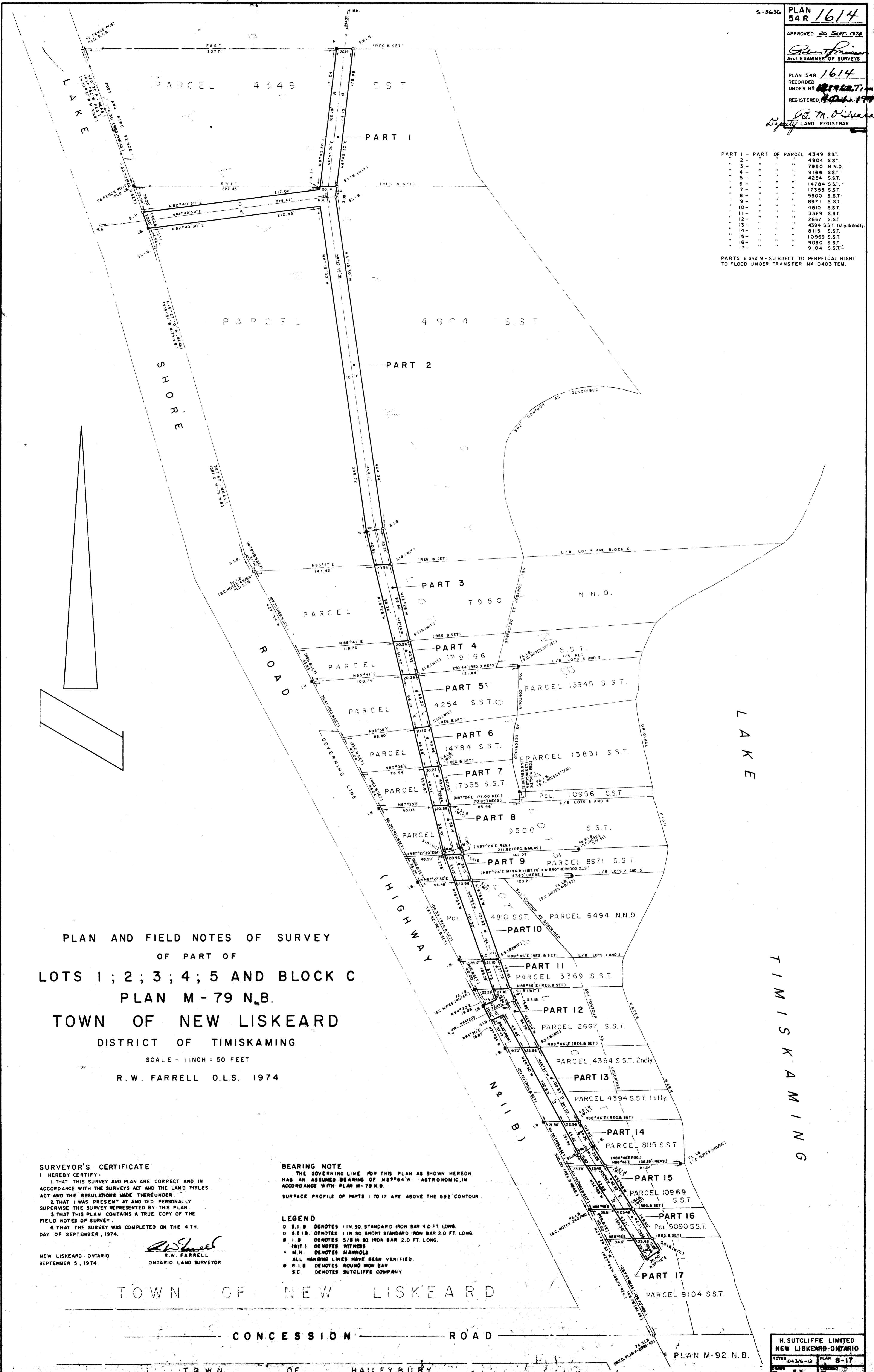
Schedule "B" to

**By-law No. 2015-158**

Reference Plan 54R-1614

PART 1 - PART OF PARCEL 4349 S.S.T.
2 - 4904 S.S.T.
3 - 7950 N.N.D.
4 - 9166 S.S.T.
5 - 4254 S.S.T.
6 - 14784 S.S.T.
7 - 17355 S.S.T.
8 - 9500 S.S.T.
9 - 8971 S.S.T.
10 - 4810 S.S.T.
11 - 3369 S.S.T.
12 - 2667 S.S.T.
13 - 4394 S.S.T. 1stly & 2ndly.
14 - 8115 S.S.T.
15 - 10969 S.S.T.
16 - 9090 S.S.T.
17 - 9104 S.S.T.

PARTS 8 and 9 - SUBJECT TO PERPETUAL RIGHT TO FLOOD UNDER TRANSFER NO 10403 TEM.



PLAN AND FIELD NOTES OF SURVEY  
OF PART OF  
LOTS 1; 2; 3; 4; 5 AND BLOCK C  
PLAN M-79 N.B.  
TOWN OF NEW LISKEARD  
DISTRICT OF TIMISKAMING  
SCALE - 1 INCH = 50 FEET  
R.W. FARRELL O.L.S. 1974

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY:  
1. THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.  
2. THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.  
3. THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY.  
4. THAT THE SURVEY WAS COMPLETED ON THE 4TH DAY OF SEPTEMBER, 1974.

*R.W. Farrell*  
R.W. FARRELL  
ONTARIO LAND SURVEYOR

NEW LISKEARD, ONTARIO  
SEPTEMBER 5, 1974.

**BEARING NOTE**  
THE GOVERNING LINE FOR THIS PLAN AS SHOWN HEREDON HAS AN ASSUMED BEARING OF N27°54'W ASTRONOMIC IN ACCORDANCE WITH PLAN M-79 N.B.  
SURFACE PROFILE OF PARTS 1 TO 17 ARE ABOVE THE 592' CONTOUR

**LEGEND**  
 ○ S.I.B. DENOTES 1 IN SQ. STANDARD IRON BAR 4.0 FT. LONG.  
 □ S.S.I.B. DENOTES 1 IN SQ. SHORT STANDARD IRON BAR 2.0 FT. LONG.  
 ⊕ DENOTES 5/8 IN SQ. IRON BAR 2.0 FT. LONG.  
 (WIT.) DENOTES WITNESS  
 \* M.M. DENOTES MARKHOLE  
 ALL HANGING LINES HAVE BEEN VERIFIED.  
 ● R.I.B. DENOTES ROUND IRON BAR  
 S.C. DENOTES SUTCLIFFE COMPANY

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

**By-law No. 2015-159**

**Being a by-law to enter into a Land Lease Agreement with  
Andrea Leis and Jason Lies for the use of municipally owned  
land for the storage of landscaping materials**

**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 for the City of Temiskaming Shores considered Memo 029-2015-CGP at the July 7, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a land lease agreement with Andrea Leis and Jason Leis for the use of municipally owned land for the storage of landscaping materials for consideration at the August 4, 2015 Regular Council meeting.

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

1. That the Mayor and Clerk be authorized to enter into an Agreement with Andrea Leis and Jason Leis for the use of municipally owned lands for the storage of landscaping materials, 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen



Schedule "A" to

**By-law No. 2015-159**

Agreement between

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

and

**Andrea Leis and Jason Leis**

for the use of municipally owned land for the storage of  
landscaping materials

**This agreement**, made this 4<sup>th</sup> day of August, 2015.

Between:

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

And:

**Andrea Nicole Leis and Jason Richard Leis**  
(Hereinafter referred to as “the Benefactor”)

**Whereas** the City is the owner of real property legally described as:

**Part of Dymond Plan M-275T Block A Parcel 19130 SST  
Roll No. 5418-020-002-143.06**

formerly in the Township of Dymond, now in the City of Temiskaming Shores, as shown in red hatch marks on Appendix 01; (hereinafter referred as “the Lands”);

**And whereas** the Benefactor wishes to use the Lands to store landscape materials in association with their business located at 998063 Highway 11;

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

1. The Benefactor shall have the right to use the Lands for outdoor storage of landscape materials associated with the business for the term of this Agreement which commences August 1 2015 and ends July 31 2035 unless the Agreement is terminated early by either party.
2. The Benefactor shall have no right to use the Lands for any other purpose than to store landscape materials associated with the business, and shall commit no act on the Lands which would constitute a nuisance to any other person.
3. The Benefactor shall not be entitled to construct structures or buildings on the Lands without the prior written consent of the City.
4. The Benefactor shall ensure that no landscape materials are stored in such a manner and location as to compromise the banks of the ravine and shall ensure that no products or debris enter the ravine.
5. At the termination of this Agreement, the Benefactor shall leave the Lands in no worse condition than existed at the date of signature of this Agreement.
6. The Benefactor shall pay to the City for the rights granted herein the sum of \$500 plus HST per annum, payable on the 1<sup>st</sup> day of August in each year.
7. Either party may terminate this agreement on not less than thirty (30) days written notice to the other. Unless the Lands are required by the City for an immediate purpose, it shall not terminate the Agreement in any year until the Benefactor has had a reasonable opportunity to remove his bulk landscape materials.

8. The Benefactor shall indemnify and save harmless the City from and against any and all liabilities, claims, damages, actions and causes of action arising from his use of the Lands.
9. The Benefactor shall on or before the 1<sup>st</sup> day of August in each year, provide proof of liability insurance with the City named as an additional insured in the amount of \$2 million for the lands and all activities carried out thereon during use by the Benefactor.
10. The Benefactor shall not be entitled to assign the benefit of this agreement without the consent in writing of the City, which consent may be unreasonably withheld.
11. City of Temiskaming Shores address for service of notices: 325 Farr Drive, P.O. Box 2050 Haileybury, ON P0J 1K0.
12. Andrea Nicole Leis and Jason Richard Leis address for service of notices: A100 Portage Bay Road, R.R. #1, Cobalt, ON P0J1C0.

**In witness whereof** the Party of the First Part has hereunto affixed its corporate seal attested by the hands of its duly authorized officers, and the Party of the Second Part has hereunto set its hand and seal by execution under seal by each and every individual comprising the Party of the Second Part.

Signed and Sealed in  
the presence of )

**Andrea Leis – Jason Leis**

\_\_\_\_\_  
Owner – Andrea Nicole Leis

\_\_\_\_\_  
Owner - Jason Richard Leis

**Corporation of the City of  
Temiskaming Shores**

Municipal Seal )

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2015-160**  
**Being a by-law to adopt a Procedural Policy for the**  
**Disposal of Real Property**

**Whereas**, Section 268 of the Municipal Act, S.O. 2001, C.25, as amended, requires that every council with authority to sell or otherwise dispose of real property shall by by-law establish procedures governing the sale of real property, including a lease of 21 years or longer;

**And whereas**, the by-law must include a provision that council shall officially declare, by resolution, the real property to be surplus;

**And whereas**, the by-law must include a provision that council shall obtain at least one appraisal of the fair market value of the real property;

**And whereas**, the by-law must include a provision that council shall give notice to the public of the proposed sale;

**And whereas**, the by-law could include a provision authorizing different procedures for different classes of real property;

**And whereas**, the Minister, by regulations, has prescribed classes of real property and certain bodies for which an appraisal is not required;

**And whereas**, Council considered Administrative Report No. CGP-032-2015 at the July 7, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to adopt a new Disposition of Land Policy for consideration of first and second reading at the August 4, 2015 Regular Council meeting and third and final reading at the September 1, 2015 Regular Council meeting.

**Now therefore** the Council of The Corporation of the City of Temiskaming Shores in accordance with the provisions of Section 268 of the Municipal Act 2001, S.O. c. 25 enacts as follows:

1. That Council for the City of Temiskaming Shores adopts a Disposition of Land Policy identified as Schedule "A", attached hereto and forming part of the by-law.
2. That this by-law shall become effective on the date of passing thereof.
3. That By-law No. 2004-031 is hereby repealed.
4. 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 and second time** this 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

**Read a third and final time and passed** this 1<sup>st</sup> day of September, 2015.

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Mayor – Carman Kidd

---

Clerk – David B. Treen



Schedule "A" to

**By-law No. 2015-160**

**Disposition of Land Policy**

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## **Section 1: Title, Scope, Conflicts, Validity**

### **1.1 Short Title**

This by-law may be cited as the "Land Disposal By-law".

### **1.2 Scope of By-law**

The provisions of this By-law shall apply to all property within the geographic limits of the *City*, except where otherwise provided.

### **1.3 Conflicts**

Where provisions of the By-law conflict with a provision of another by-law in force in the *City*, the provisions that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental well-being of the municipality, shall prevail to the extent of the conflict.

### **1.4 Validity**

It is declared that notwithstanding that any section or sections of this by-law, or parts thereof, may be found by any court of law to be bad or illegal or beyond the power of the *Council* to enact, such section or sections or parts thereof shall be deemed to be severable and that all sections or parts of this by-law are separate and independent from the other and enacted as such.

## **Section 2: Definitions**

**Abutting** shall mean *land* adjoining another parcel having one or more lot lines in common.

**Appraisal** shall mean the property valuation as determined by a current member of the *Appraisal Institute of Canada* with a Canadian Residential Appraiser (CRA) or Accredited Appraiser Canadian Institute (AACI) designation.

**Assessed Value** shall mean the property valuation as determined by the Municipal Property Assessment Corporation (MPAC) and as listed on the current property tax roll.

**City** shall mean The Corporation of the City of Temiskaming Shores.

**Council** shall mean the *Council* for The Corporation of the City of Temiskaming Shores.

**Dispose** shall mean the sale of *land* or the lease of *land* for a period of 30 years or longer.

**Land** shall mean property, lands, and premises or any proprietary interest in land which is owned by the *City* including all easements, *streets* and leasehold interests of the *City*, including but not limited to vacant lots, parks, parking lots, water lots, open space, buildings, and lands laid out as *streets*.

**Proponent** shall mean an individual, organization, or agency that shows an interest in purchasing *land*.

**Public Notice** shall mean providing notice to the public that *Council* is considering disposing of *land*.

**Street** shall include but not be limited to opened or unopened highways, streets, lanes, roads, road allowances, and rights of way.

### **Section 3: Disposal Methods**

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

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

### **Section 4: Determining Fair Market Value**

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

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

5. Negotiation
6. Public Tender, Request for Proposals, or Auction

### **Section 5: Exemptions to Fair Market Value**

The following land may be sold without determining fair market value:

1. *Land* 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act
2. Closed *street* if sold to an owner of land *abutting* the closed *street*
3. *Land* that does not have direct access to a *street* if sold to the owner of land *abutting* that land
4. Easements granted to public utilities or telephone companies
5. *Land* that is sold to a local board or local agency
6. *Land* that is sold to the Crown in the right of Ontario and their agencies or another municipality
7. Cemetery plots

### **Section 6: Public Notice**

*Public Notice* shall be given at least one week prior to a public meeting and shall be given in one or more of the following ways:

1. Advertising in a local newspaper at least two weeks prior to the public meeting
2. Posting a notice on the *City's* website, Facebook page, twitter or other social media
3. Mailing or e-mailing notices to *abutting* property owners
4. Posting a sign on the property
5. In the case of the *disposal* of parkland, all property owners within 120 metres of the park must be advised by mail of the *City's* intent to *dispose* of the *Land*

The *Public Notice* shall contain the following information:

1. Legal description
2. Municipal address or location of the *Land*
3. Key Map
4. Date, time and location of the public meeting

5. The name and contact information for the staff member that can provide additional information about the property or the *disposal*

The *Public Notice* may also contain other information including but not limited to:

1. *Proponent's* name
2. Existing and proposed use
3. Proposed planning applications
4. Description of the *land* including but not limited to size, zoning, description of buildings, improvements or fixtures
5. The manner by which the *disposal* is proposed to be carried out

### **Section 7: Public Meeting**

A public meeting shall be held for the purpose of providing the public with information about the proposed *disposal* of *land* and to give the public an opportunity to speak in favour of or against the proposed *disposal*.

### **Section 8: Proponent to Pay for all Costs**

It is *Council's* intent that the *proponent* shall pay directly or reimburse the *City* for costs associated with the *disposal* of *land*. Costs may include but are not limited to the following:

1. Fair market value
2. Appraisal costs
3. Survey costs
4. Legal costs such as a title search; costs to register or de-register easements, notices and agreements; land transfer costs; name changes; registration of deemed by-laws and *street* closure by-laws; taxes; disbursements. Legal costs include the *Proponent's* legal costs and the *City's*.
5. Advertising Costs
6. Land Titles Costs
7. Real Estate Commissions
8. Costs incurred by the *City* to make the *land* marketable such as planning application fees, records of site condition, and studies prepared by qualified consultants
9. Staff time

### **Section 9: Exceptions**

Where appropriate, *Council* may choose to *dispose* of *land* at less than fair market value and may choose to waive the requirement to be reimbursed for the items listed above if it is in the best interest of the *City* including but not limited to *land* for charitable or altruistic reasons such as affordable housing, intensification, re-development, economic development, and job creation.

In order to encourage re-development of existing *land* and buildings, *Council* may enter into an agreement with a *proponent* in order to waive fees associated with development if it is in the best interest of the *City*. Fees associated with development may include but are not limited to in-kind costs such as fees for landfill tipping, building permits, entrance permits, and planning applications.

*Council* may exchange *land* and buildings with a *proponent* if it is in the best interest of the *City*. Some reasons that *land* or buildings may be exchanged are to obtain a parcel of *land* that is more usable, or to implement a policy document such as a Community Plan or Master Plan.

### **Section 10: Proceeds from the Disposal of Land**

*Council* shall direct proceeds from the *disposal* of *land* to the following two reserves:

1. Proceeds from the *disposal* of parkland shall be directed to the Cash-in-lieu of Parkland Reserve Fund to be used for park and other public recreation purposes.
2. Proceeds from the *disposal* of other *land* shall be directed to the Community Development Reserve.

### **Section 11: Exemption for Disposal of Industrial and Commercial Land**

For *land* that is zoned Industrial or commercial, the *City* is not required to give *public notice* or hold a public meeting prior to passing a By-law to *dispose* of the *land*.



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

**By-law No. 2015-161**

**Being a by-law to enter into an agreement with *Markey Consulting* to provide event management services for the Northern Ontario Showcase event at the Prospectors and Developers Association of Canada (PDAC) – 2016, 2017 and 2018 Conventions**

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

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

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

**And whereas** the Council of The Corporation of the City of Temiskaming Shores acknowledged receipt of Administrative Report No. CGP-024-2015 at the May 5, 2015 Regular Council meeting and approved entering into an agreement with Markey Consulting to coordinate the Northern Ontario Mining Showcase events in 2016, 2017 and 2018 pending funding approval from FedNor;

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

1. That Council authorizes the entering into an agreement with Markey Consulting for event management services for the 2016, 2017 and 2018 Prospectors and Developers Association of Canada (PDAC) Conventions pending annual funding approval from FedNor at an upset limit of \$42,000 per project year plus HST, a copy of which is attached hereto as Schedule "A" and forming part of this by-law; and
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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen



Schedule "A" to  
**By-law No. 2015-161**  
Agreement between  
**The Corporation of the City of Temiskaming Shores**  
and  
**Markey Consulting**  
For event management services  
2016, 2017 and 2018 PDAC Conventions



503 Champagne Road  
Sturgeon Falls, ON P2B 2L9  
t. 705-499-6267  
markeyconsulting.com

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## **Northern Ontario Mining Supply Showcase 2016 – 2017 - 2018**

**April 28, 2015**

Markey Consulting is pleased to provide a quote to the City of Temiskaming Shores, Lead applicant, for the coordination and management of the 2016, 2017 & 2018 Northern Ontario Mining Showcase (NOMS). The work plan will be completed within the guidelines and budget established by the NOMS Committee.

### **PROPOSED SERVICES**

Services include the following tasks associated to pre-event and on-site logistics management:

#### **Venue**

- Venue applications and contract negotiation
- Catering
- Venue design, set-up (lay –out; exhibitor pods, graphics, structures, etc.)
- Coordination of venue staging

#### **Event Promotion & Registrations**

- Invitation list (target invite list including companies, partners, politicians, media etc.)
- Coordination of invitations & registration forms (design for both paper + web; committee approvals / communication; printing; delivery; circulation)
- Coordination of advertising (negotiation of ad rates; placement; design)
- Editorials and articles
- Direct calls
- Social media (LinkedIn)
- Manage RSVPs and registrations
- Develop collateral materials for distribution before and at show
- Coordination of exhibitors program development

#### **Capacity Building**

- Secure boardroom to hold sessions
- Coordinate agenda & session development
- Promote sessions to partners
- Manage registrations
- Develop and tabulate satisfaction surveys

**On-site Logistics**

- Itinerary (ribbon cutting; media meet and greet; workshops; etc.)
- Troubleshooting (point person for on-site venue management to oversee details.)
- Coordination of door / greeters / guest check in
- Pop-up banners & collateral materials
- Promotion on show floor
- Cleaning, wi-fi, badges

**Communications:**

- Calling & planning committee meetings
- Media relations (media releases; promotion of companies for editorials; invites to events etc.)
- Reports and itineraries (companies; partners; committee; etc.)
- Information requests (partners; exhibitors etc.)
- Survey development, distribution and tabulation
- Post event reports, follow-ups and KPI tracking including 3 month & 6 month follow-ups
- Prepare an inventory / lead list of clients who visited the Showcase

**Other:**

- Complete applications for NOHFC and Fed Nor funding on behalf of the City
- Coordinate room block
- Work with event committee to secure SME Exhibitors sufficient to cover the projected revenues in the Budget Projections
- Manage project budget to ensure compliance and work with City to prepare reports for funding agencies.

**PROPOSED FEES: \$42,000 per project year (contingent on funding)**

Fees include all services listed above as well as project management and telephone calls with client, supplier liaison time. All applicable taxes, design, printing, venue, and/or other associated costs are extra. Additional disbursements such as event registration fees, travel and accommodations to event, travel to committee meetings are extra and must be reasonable expenses as approved by the NOMS Committee budget.

**Payment Terms:**

Year 1                    50% of year 1 fees to be invoiced and paid upon contract signing  
                                 25% of year 1 fees to be invoiced and paid in January 2016  
                                 25% balance of year 1 fees to be invoiced and paid in April 2016



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

**By-law No. 2015-162**

**Being a by-law to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing at Algonquin Beach Park, Mini-Putt, Camsell Park and Harborfront Park**

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

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

**And whereas** under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a 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-005-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing as detailed in RS-RFQ-001-2014 for consideration at the August 4, 2015 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 hereby authorizes the Mayor and Clerk to enter into an agreement with Ure-Tech Surfaces Incorporated for the supply and installation of rubberized accessible playground surfacing at the Algonquin Beach Park, Mini-Putt Park, Camsell Park and Harborfront Park for an upset limit of \$139,681.71 plus applicable taxes, 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk - David B. Treen





Schedule "A" to

**By-law 2015-162**

Agreement between

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

and

**Ure-Tech Surfaces Incorporated**

for the supply and installation of rubberized accessible  
playground surfacing at various waterfront parks

**This agreement** made in duplicate this 4<sup>th</sup> day of August, 2015.

Between:

**The Corporation of the City of Temiskaming Shores**  
(hereinafter called “the Owner”)

and

**Ure-Tech Surfaces Incorporated**  
(hereinafter called “the Contractor”)

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

**Article I:**

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Algonquin Beach Park , Playground Rubber Safety Surfaces  
Request for Proposal No. RS-RFQ-001-2014**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement, forming part of this agreement;
- c) Complete, as certified by the Engineer, all the work by **November 30, 2015.**

**Article II:**

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **One-Hundred and Thirty-Nine Thousand, Six Hundred and Eighty One Dollars and Seventy-one Cents (\$139,681.71) plus applicable taxes** subject to additions and deductions as provided in the Contract Documents.
- b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article IV:**

All communications in writing between the parties, or between them and the Director shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**Ure-Tech Surfaces Incorporated**  
2289 Maple Grove Road  
Bowmanville, Ontario  
L1C 3K7

The Owner:

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

The Director:

**Director of Recreation Services - City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

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

Signed and Sealed in )  
the presence of )

Contractor’s Seal )

**Ure-Tech Surfaces Incorporated**

\_\_\_\_\_  
Rick Wernik

\_\_\_\_\_  
Witness

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

**Corporation of the City of  
Temiskaming Shores**

Municipal Seal )

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-162**

Form of Agreement



**Ure-Tech Surfaces Inc.**  
**2289 Maple Grove Road**  
**Bowmanville, Ontario L1C 3K7**  
**Tel 905-623-0600**  
**Fax 905-248-3180**

July 31, 2014

To; The Corporation  
Of the City of Temiskaming Shores

Re; Request for Quotation (RS-RFQ-001-2014)

We are pleased to submit our Quotation for (RS-RFQ-001-2014) Algonquin Beach Park  
Please find attached the Form of Quotation listing the cost of the rubber which includes Geo-Textile  
your choice of rubber colour Terra cotta red, Blue, (others colours are available).

The price also includes the freight/ Travel expense and out of town for our crew to complete your  
project

Also included our Specification for PlaySoft colour coated SBR rubber, Installation drawings, and  
Certificate of insurance

If you require any further information on our rubber pour in place products or wish to have samples  
provided please contact me at any time.

Rick Wernik

REQUEST FOR QUOTATION  
 RS-RFQ- 001-2014  
 Supply and Installation  
 Playground Rubber Safety Surfacing  
 Algonquin Beach Park

FORM OF QUOTATION

We, the undersigned, have carefully examined the attached documents and conditions of the quotation. We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment<sup>1</sup>, labour, apparatus and documentation, including final report as are required to satisfy this quotation.

<sup>1</sup> City to supply bucket truck for inspection of Haileybury Marina Jib Crane;

To: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

This Quotation is submitted by:

Firm Name:	URE-Tech Surfaces		
Mailing Address:	2289 Maple Grove Road Bowmanville Ont		
Telephone No.:	905 623 0600	Fax No.	905 248 3180

SCHEDULE OF ITEMS AND PRICES

ITEM		Unit Price	Total
1	Playground Rubber Safety Surfacing	4,800 sq ft.	58,896.00
	Freight	3,552.00	
	out of town expence.	2,719.99	
	FOR CREW		Sub-Total: 65,167.99
			HST: 8,471.83
			Total Quotation Price: 73,639.82

Hourly Rate for additional work (if required) : \$ 150<sup>00</sup> /hr (applicable with approval of City)

The following documents have been attached:

- Insurance Coverage in the form of a Certificate of Insurance

**REQUEST FOR QUOTATION  
 RS-RFQ- 001-2014  
 Supply and Installation  
 Playground Rubber Safety Surfacing  
 Algonquin Beach Park**

**FORM OF QUOTATION**

We, the undersigned, have carefully examined the attached documents and conditions of the quotation. We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment<sup>1</sup>, labour, apparatus and documentation, including final report as are required to satisfy this quotation.

<sup>1</sup> City to supply bucket truck for inspection of Haileybury Marina Jib Crane;

To: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

This Quotation is submitted by:

Firm Name:	URE-Tech Surfaces		
Mailing Address:	2289 Maple Grove Road Bowmanville, Ont L1C 3K7		
Telephone No.:		Fax No.	905 248 3180

**SCHEDULE OF ITEMS AND PRICES**

ITEM	Unit Price	Total
1 Playground Rubber Safety Surfacing	548 <sup>5</sup> sq. ft.	67,276.41
ADDITIONAL 5,483 Sq. ft.		
Freight	4,112.00	
out of town expense / crew	3,125.31	
	<b>Sub-Total:</b>	74,513.72
	<b>HST:</b>	9186.78
	<b>Total Quotation Price:</b>	84,200.50

*Partnership*

Hourly Rate for additional work (if required) : \$150<sup>00</sup> /hr (applicable with approval of City)

The following documents have been attached:

- Insurance Coverage in the form of a Certificate of Insurance

to be submitted

REQUEST FOR QUOTATION  
RS-RFQ- 001-2014  
Supply and Install  
Playground Rubber Safety Surfacing  
Algonquin Beach Park

NON COLLUSION AFFIDAVIT

I/We URE-Tech Surfaces INC the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid. Such bid is genuine and is not a collusive or sham bid.

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

The price or prices quoted in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant. The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Dated this 11 day of August, 2014.

URE-Tech Surfaces INC  
Name of Firm

Authorized Signatures:

[Signature]  
Signature

President  
Position

ROGER BROWN [Signature]  
Witness Name Witness Signature

AND, if more than one:

\_\_\_\_\_  
Signature

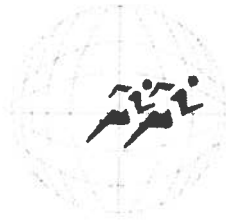
Company Seal  
(if applicable)

\_\_\_\_\_  
Position

\_\_\_\_\_  
Witness Name Witness Signature

to be submitted





**Ure-Tech Surfaces Inc.**  
2289 Maple Grove Road  
Bowmanville, ON L1C 3K7  
Phone: 905-623-0600  
Fax 905-248-3180

## **PlaySoft-Superior Colour Coated Granular Surfacing Specifications**

### **PART 1 General**

This specification covers the performance requirements, submittals, materials, base preparation, layering, installation and guarantee of PlaySoft Superior Colour Coated Granular poured-in-place safety surfacing.

### **Performance Requirements**

- 1.1 Ure-Tech safety surfaces installed within equipment use zones shall exceed the performance requirements for impact attenuation and Head Injury Criteria as per CSA Z614 Standards confirming a maximum deceleration of no more than 200 GMax and a HIC value of no more than 1000 as per ASTM F-1292 and CSA Z614 method of testing.
- 1.2 The impact attenuation performance shall be documented by a certificate of compliance and shall be performed using Triax 2000 non-destructive testing apparatus within 30 days of installation. Triax 2000 non-destructive surface testing by others.
- 1.3 Installed surfaces shall achieve a HIC value of less than 700 and Gmax values of less than 125.

### **Submittals**

- 1.4 The following shall be submitted:
  - 1.4.1 Manufacturers description of product, installation methods, base preparation and maintenance instructions.
  - 1.4.2 Detailed shop drawings of safety surfacing edging details, material thickness and base construction.
  - 1.4.3 Color chart of available colors.
  - 1.4.4 MSDS sheets for materials used to construct the same.
  - 1.4.5 Test results confirming product has been tested and in compliance with ASTM F-1292 and CAN/CSA Z-614-07.
  - 1.4.6 Statement from the Manufacturer that the system to be installed shall only be performed by authorized and trained personnel.
  - 1.4.7 Statement from Manufacturer that the binders used in the system have been specifically designed for playground surfacing.
  - 1.4.8 A Certificate of Insurance for general and liability of no less than \$5,000,000.00
  - 1.4.9 Sample of the surface system minimum size being 3" x 3".

### **PART 2 Materials**

2.1 Base Construction: ensure that any and all contaminated material and wood fiber systems are removed and properly disposed of. Construct new base or recycle existing materials as per Ure-Tech Surfaces specifications to provide a stable firm base on which to install safety surface system.

2.2 PlaySoft Superior Colour Coated Granular rubber shall meet the following gradations granulated rubber: 1 - 3.5 mm. Or 1-4 mm depending on desired surface texture.

2.3 PlaySoft Superior Colour Coated Granular rubber shall meet ASTM D 412 for tensile strength using the dog bone testing method. .

2.4 Polyurethane binders shall be specially formulated for playground surfacing, shall contain no TDI, filler minerals such as plasticizers, catalysts, extenders or heavy metals. Weight of polyurethane shall be no less than 8.5 lbs./gal (1.02 Kg/l).

2.4.1 **Primer:** Single component moisture cured Stobielast UTS- 136.01 polyurethane primer.

2.4.2 **Binder:** An elastic polyurethane pre-polymer with minimal odour, excellent weathering and binding characteristics. The use of Stobielast UTS- 136.01 Urethane is specific to and required for this project. Supplier must receive written authorization prior to installing the product which verifies use supply of urethane specified for this project. No as equal urethane substitutions are permitted. Stobielast UTS- 136.01 is supplied by Ure-Tech Surfaces Inc. 1-866-211-0191.

2.5 Typically, MDI binders are aromatic however a higher U.V. resistant aliphatic binder is available at additional cost.

## **PART 3 Playground Surfacing**

### **Base Preparation**

3.1 In order to ensure the consistent performance of the safety surfacing, bases must be constructed to ensure a firm, stable and draining foundation for the surface. Any and all contaminated materials or materials that are subject to decomposition or expansion shall be removed and disposed of.

3.2 Ensure drainage of the base material is existing or install drainage system under the safety surfacing system.

3.3 Construct bases as per Ure-Tech Surfaces specifications for various site conditions as listed below. Ure-Tech Surfaces cannot guarantee a safety surface over bases that do not meet the base requirements.

3.3.1 Asphalt, concrete or compacted stone bases. Stone bases shall be minimum 3" depth wet compacted to a 95% proctor density.

### **Surface Installation**

3.4 After the stone base has been constructed to Ure-Tech Surfaces specifications, graded and compacted to proper slope and elevations, install R-100 geotextile filter fabric over base, overlapping all joints by 6". Provide protection to curbs, sidewalks and play equipment to eliminate polyurethane residue on the same.

3.5 Polyurethane and strand SBR rubber for base mat shall be thoroughly mixed on site to ensure 100% coverage of all particles and poured in place to required thickness to meet critical height criteria of play equipment. Allow 24 hrs. to cure.

3.6 Prior to installing wearing course, the edging shall be primed with diluted polyurethane binder.

3.7 Surface layer of PlaySoft Superior Colour Coated Granular rubber shall be thoroughly mixed on site to ensure 100% coverage of all particles and poured in place by means of rakes and screed bars and compacted to required density by use of hand trowels and rollers.

3.8 PlaySoft Superior Colour Coated Granular rubber shall have a tensile strength report completed using the Dog Bone test method ASTM D412.

### **Cleanup**

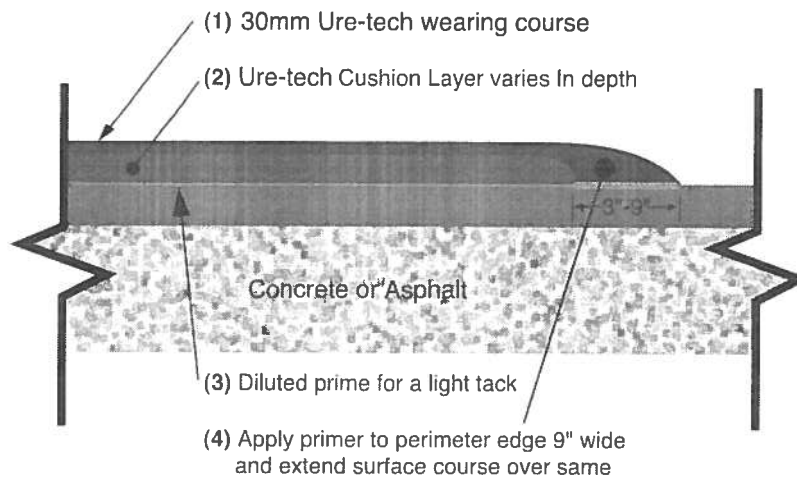
3.9 Remove any spills or residue that may make contact with structure or surrounding curbs or sidewalks. On completion of work and the 24 hr. cure time, remove all protection provided for the same.

### **PART 4 Installer Services**

4.1 100% pigmented EPDM surfaces are available to meet budgets. Clear and Aliphatic binders are available for resurfacing existing areas providing additional protection from ultraviolet light and revitalization of existing sites. These binders can be installed by owners or Ure-Tech trained personnel.

### **URE-TECH SURFACES Installation Drawings (Typical)**

## Edge on Concrete or Asphalt



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Apply a light diluted primer to concrete or asphalt
- 4) Apply binder 3"-9" wide around entire perimeter and extend compacted surface to 3"-9" width

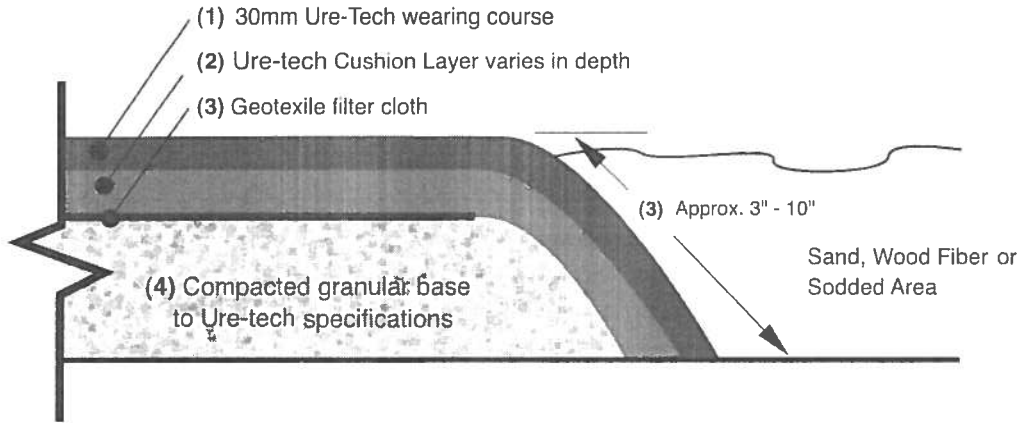


**URE-TECH SURFACES**

tel: 905-623-0600 • fax: 905-248-3180

www.ure-techsurfaces.com • info@ure-techsurfaces.com

## Edge Detail For Loose Materials



Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Cushion layer and surface course shall extend a minimum of 3" - 10" into loose edge materials
- 4) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications

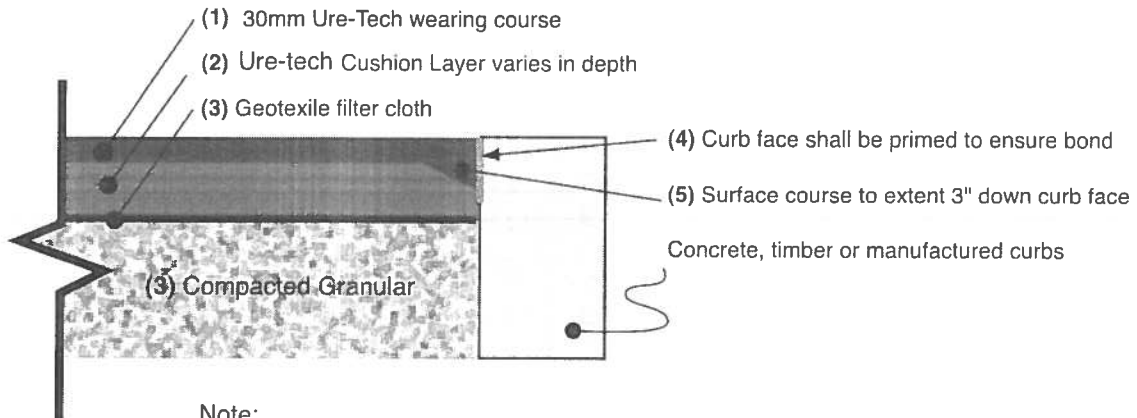


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## Edge Detail At Curbs



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications

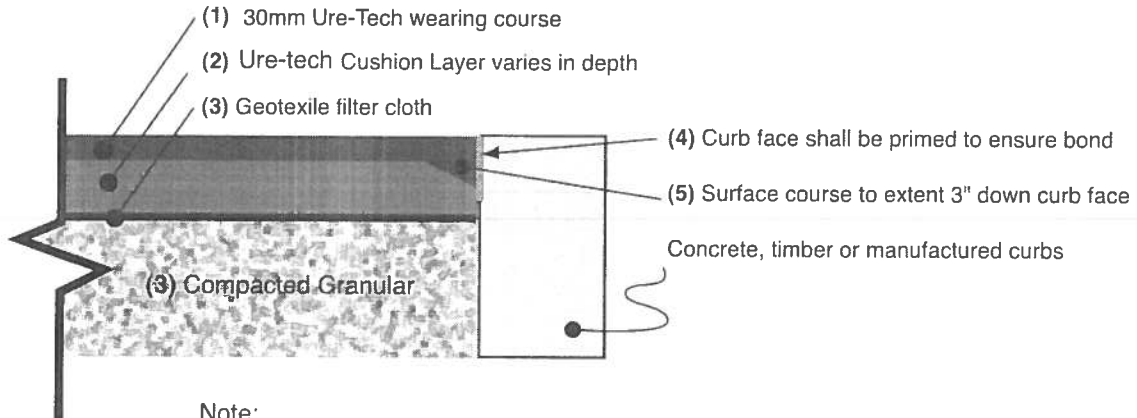


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## Edge Detail At Curbs



### Note:

- 1) Surface course shall measure minimum 30mm
- 2) Cushion layer varies in thickness and is dependent of Critical Height of Structure
- 3) Base for Ure-tech Surfacing shall be installed as per Ure-tech specifications



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# CERTIFICATE OF LIABILITY INSURANCE

This certificate is issued as a matter of information only and confers no rights upon the certificate holder and imposes no liability on the insurer. This certificate does not amend, extend or alter the coverage afforded by the policies below.

<b>1. CERTIFICATE HOLDER - NAME AND MAILING ADDRESS</b>	<b>2. INSURED'S FULL NAME AND MAILING ADDRESS</b>
The Corporation Of the City of Temiskaming Shores 325 Farr Drive P.O. Box 2050  Haileybury, ON P0J 1K0	Ure-Tech Surface Inc 218 Dundas Street East  Whitby, ON L1N 2H8

**3. DESCRIPTION OF OPERATIONS/LOCATIONS/AUTOMOBILES/SPECIAL ITEMS TO WHICH THIS CERTIFICATE APPLIES** (but only with respect to the operations of the Named Insured)

Sale and Installation of Non Slip Athletic Surfaces

#### 4. COVERAGES

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policies period indicated notwithstanding any requirement, terms or conditions of any contract or other document with respect to which this certificate may be issued or may pertain. The insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. **LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS**

TYPE OF INSURANCE	INSURANCE COMPANY AND POLICY NUMBER	EFFECTIVE DATE YYYY/MM/DD	EXPIRY DATE YYYY/MM/DD	LIMITS OF LIABILITY (Canadian dollars unless indicated otherwise)		
				COVERAGE	DED.	AMOUNT OF INSURANCE
<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> Claims Made OR <input checked="" type="checkbox"/> Occurrence <input checked="" type="checkbox"/> Products and/or completed operations <input type="checkbox"/> Employer's Liability <input type="checkbox"/> Cross Liability  <input checked="" type="checkbox"/> Tenants Legal Liability <input type="checkbox"/> Pollution Liability Extension  <input type="checkbox"/> Non-Owned Automobiles <input type="checkbox"/> Hired Automobiles	Economical Insurance  40060264	2014/ 4 / 15	2015/ 4 / 15	Commercial General Liability Bodily Injury and Property Damage Liability - - General Aggregate		5,000,000
				- Each Occurrence		5,000,000
				Products and Completed Operations Aggregate		5,000,000
				<input checked="" type="checkbox"/> Personal Injury Liability		5,000,000
				<input type="checkbox"/> Personal and Advertising Injury Liability		
				Medical Payments		25,000
				Tenants Legal Liability		300,000
				Pollution Liability Extension		
				Non-Owned Automobile		
				<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> Described Automobiles <input type="checkbox"/> All Owned Automobiles <input type="checkbox"/> Leased Automobiles ** <input type="checkbox"/> <input type="checkbox"/> ** All Automobiles leased in excess of 30 days where the insured is required to provide insurance		
				Bodily Injury (Per Person)		
				Bodily Injury (Per Accident)		
				Property Damage		
<b>EXCESS LIABILITY</b> <input type="checkbox"/> Umbrella Form <input type="checkbox"/>				Each Occurrence		
				Aggregate		
<b>OTHER LIABILITY (SPECIFY)</b> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>						

#### 5. CANCELLATION

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 0 days written notice to the certificate holder named above, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

<b>6. BROKERAGE/AGENCY FULL NAME AND MAILING ADDRESS</b>	<b>7. ADDITIONAL INSURED NAME AND MAILING ADDRESS</b> (but only with respect to the operations of the Named Insured)
Ensuro Insurance Group Inc 121 Robinson Street Markham, ON L3P 1P2  BROKER CLIENT ID: URET01	

#### 8. CERTIFICATE AUTHORIZATION

Issuer	Ensuro Insurance Group Inc	Contact Number(s)	
Authorized Representative	Kimberley Jack	Type	No
Signature of Authorized Representative		Type	No
	2014   7   31	Certificate Date	2014   7   31
		Email Address	kimberley@ensuroinc.com



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

**By-law No. 2015-163**

**Being a by-law to amend By-law No. 2015-012 being a by-law to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program East side of Hawn Drive within 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** Council considered Administrative Report CGP-038-2014 at the December 16, 2014 Regular Council meeting and adopted By-law No. 2015-012 being a by-law to authorize an agreement with the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program East side of Hawn Drive;

**And whereas** certification of the site has not been completed on or before the 180<sup>th</sup> day following the Effective Date (Dec 16/14) and the Ministry issued an amendment to the agreement to extend the deadline for completion to December 20, 2015;

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

1. That Schedule A to By-law No. 2015-012 be hereby amended by Amending Agreement No. 1, a copy of which is hereto attached 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

This Amending Agreement No.1 effective as of the 20<sup>th</sup> day of June, 2015.

**B E T W E E N :**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO  
as represented by the Minister of Economic Development,  
Employment and Infrastructure**

(the "Province")

- and -

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

(the "Recipient")

**BACKGROUND**

1. The Province and the Recipient entered into an agreement effective as of the 20<sup>th</sup> day of June, 2014 (the "**Agreement**").
2. The Parties wish to amend the Agreement in the manner set out in this Amending Agreement No. 1.

**IN CONSIDERATION** of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Capitalized terms used but not defined in this amending agreement No.1 (the "**Amending Agreement No.1**") have the meanings ascribed to them in the Agreement.
2. Section 1.2 of the Agreement is amended by deleting the definition of "**Application to Certify Deadline Date**" and replacing it with the following:  
  
"**Application to Certify Deadline Date**" means December 20, 2015.
3. Schedule "A" of the Agreement is amended by deleting the first table under the heading "Timelines" which contains a list of milestones and expected dates of completion and replacing it with the table contained in Appendix "I" hereto.
4. This Amending Agreement No.1 shall be effective as of the first date written above.
5. Except for the amendments provided for in this Amending Agreement No.1, all provisions in the Agreement shall remain in full force and effect.

*[Remainder of page intentionally left blank. Signature page follows.]*

The Parties have executed this Amending Agreement No.1 on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**  
**as represented by the Minister of Economic Development,**  
**Employment and Infrastructure**



Name: Trevor Dauphinee  
Title: Director, Advanced  
Manufacturing Branch

July 2, 2015  
Date

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**



Name: Carman Kidd  
Title: Mayor

June 20, 2015

Date



Name: David B. Treen  
Title: Municipal Clerk

June 20, 2015

Date

I/We have authority to bind the Recipient.

### Appendix "I"

Attached to and forming part of the Amending Agreement No.1 entered into between the Province and the Recipient dated the 20<sup>th</sup> day of June, 2015.

Requirement	Complete (Y/N)	Expected Date of Completion
A.1: Truthful Representation	N	Nov 30, 2015
A.2. Property Identification	N	July 15, 2015
A.3. Title	N	July 15, 2015
A.4. Property Characteristics / Surrounding Uses	N	Aug 1, 2015
A.5. Developable Area	N	July 15, 2015
A.6. Planning	N	Aug 1, 2015
A.7. Transportation	N	Aug 1, 2015
A.8. Servicing	N	Sept 30, 2015
A.9. Environmental Site Assessments	N	Sept 30, 2015
A.10. Archaeological Assessment	N	Oct 31, 2015
A.11. Species at Risk Assessment	N	Oct 31, 2015
A.12. Built Culture Heritage Landscapes	N	Sept 30, 2015
A.13. Environmental Assessment	N	Oct 31, 2015
A.14. Documentation Review	N	Nov 30, 2015
<b>Submit Application and Documentation</b>	N	Dec 15, 2015

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

**By-law No. 2015-164**

**Being a by-law to amend By-law No. 2015-013 being a by-law to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program West side of Hawn Drive within 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** Council considered Administrative Report CGP-038-2014 at the December 16, 2014 Regular Council meeting and adopted By-law No. 2015-013 being a by-law to authorize an agreement with the Minister of Economic Development, Trade and Employment for the completion of the Certified Site Program East side of Hawn Drive;

**And whereas** certification of the site has not been completed on or before the 180<sup>th</sup> day following the Effective Date (Dec 16/14) and the Ministry issued an amendment to the agreement to extend the deadline for completion to December 20, 2015;

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

1. That Schedule A to By-law No. 2015-013 be hereby amended by Amending Agreement No. 1, a copy of which is hereto attached 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

This Amending Agreement No.1 effective as of the 20<sup>th</sup> day of June, 2015.

**B E T W E E N :**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO  
as represented by the Minister of Economic Development,  
Employment and Infrastructure**

(the "Province")

- and -

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

(the "Recipient")

**BACKGROUND**

1. The Province and the Recipient entered into an agreement effective as of the 20<sup>th</sup> day of June, 2014 (the "**Agreement**").
2. The Parties wish to amend the Agreement in the manner set out in this Amending Agreement No. 1.

**IN CONSIDERATION** of the mutual covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Capitalized terms used but not defined in this amending agreement No.1 (the "**Amending Agreement No.1**") have the meanings ascribed to them in the Agreement.
2. Section 1.2 of the Agreement is amended by deleting the definition of "**Application to Certify Deadline Date**" and replacing it with the following:  
  
"**Application to Certify Deadline Date**" means December 20, 2015.
3. Schedule "A" of the Agreement is amended by deleting the first table under the heading "Timelines" which contains a list of milestones and expected dates of completion and replacing it with the table contained in Appendix "I" hereto.
4. This Amending Agreement No.1 shall be effective as of the first date written above.
5. Except for the amendments provided for in this Amending Agreement No.1, all provisions in the Agreement shall remain in full force and effect.

*[Remainder of page intentionally left blank. Signature page follows.]*



The Parties have executed this Amending Agreement No.1 on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**  
**as represented by the Minister of Economic Development,**  
**Employment and Infrastructure**



Name: Trevor Dauphinee  
Title: Director, Advanced  
Manufacturing Branch

July 2, 2015  
Date

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**



Name: Carman Kidd  
Title: Mayor

June 20, 2015

Date



Name: David B. Treen  
Title: Municipal Clerk

June 20, 2015

Date

I/We have authority to bind the Recipient.

### Appendix "I"

Attached to and forming part of the Amending Agreement No.1 entered into between the Province and the Recipient dated the 20<sup>th</sup> day of June, 2015.

Requirement	Complete (Y/N)	Expected Date of Completion
A.1: Truthful Representation	N	Nov 30, 2015
A.2. Property Identification	N	July 15, 2015
A.3. Title	N	July 15, 2015
A.4. Property Characteristics / Surrounding Uses	N	Aug 1, 2015
A.5. Developable Area	N	July 15, 2015
A.6. Planning	N	Aug 1, 2015
A.7. Transportation	N	Aug 1, 2015
A.8. Servicing	N	Sept 30, 2015
A.9. Environmental Site Assessments	N	Sept 30, 2015
A.10. Archaeological Assessment	N	Oct 31, 2015
A.11. Species at Risk Assessment	N	Oct 31, 2015
A.12. Built Culture Heritage Landscapes	N	Sept 30, 2015
A.13. Environmental Assessment	N	Oct 31, 2015
A.14. Documentation Review	N	Nov 30, 2015
<b>Submit Application and Documentation</b>	N	Dec 15, 2015

**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2015-165**  
**Being a by-law to authorize the Purchase of Land from**  
**Jarlette Ltd. for the construction of a Cul-de-Sac on Bruce**  
**Street south of Algonquin Avenue**

**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 for the City of Temiskaming Shores adopted By-law No. 2014-094 being a by-law to Stop up and Close a portion of Bruce Street and Gordon Drive and sell those portions to Jarlette Ltd. and K-1 Legion respectively;

**And whereas** Council considered Memo No. 005-2015-CS at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to authorize the entering into a Purchase Agreement with Jarlette Ltd. for the acquisition of Part 1 on Plan 54R-5747 for the construction of maintenance of a municipal watermain across 100 Bruce Street;

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

1. That Council authorizes the Mayor and Clerk to enter into a Land Purchase agreement with Jarlette Ltd. as Transferor and the City of Temiskaming Shores as the Tansferee, in the form annexed hereto as Schedule "A" and forming part of this by-law;
2. That Council agrees to purchase the land legally described as Part 1 on Plan 54R-5747 from Jarlette Ltd. for such considerations outlined in the said agreement;
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 after 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk- David B. Treen

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 1 of 2

**Properties**

PIN 61351 - 0158 LT Interest/Estate Fee Simple  Split  
 Description PT LT 119 PL M58NB BUCKE PT 1 54R5747; TEMISKAMING SHORES ; DISTRICT OF  
 TIMISKAMING  
 Address HAILEYBURY

**Consideration**

Consideration \$ 0.00

**Transferor(s)**

The transferor(s) hereby transfers the land to the transferee(s).

Name JARLETTE LTD.  
 Address for Service C/O David Jarlette  
 5 Beck Blvd.  
 Penetanguishene, ON  
 L9M 1C1

I, David Jarlette (President), have the authority to bind the corporation.

This document is not authorized under Power of Attorney by this party.

**Transferee(s)**

Capacity

Share

Name THE CORPORATION OF THE CITY OF TEMISKAMING  
 SHORES  
 Address for Service Attention: David Treen, Clerk  
 P.O. Box 2050  
 325 Farr Drive  
 Haileybury, Ontario  
 P0J 1K0

**Statements**

The land is being acquired or disposed of by the Crown in Right of Ontario or the Crown in Right of Canada, including any Crown corporation, or any agency, board or commission of the Crown; or a municipal corporation.

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

**Signed By**

John Edmund Walker 190 Cundles Road East, Suite 107 acting for Signed 2015 06 09  
 Barrie L4M 4S5 Transferor(s)  
 Tel 705-737-1811  
 Fax 705-737-5390

I have the authority to sign and register the document on behalf of the Transferor(s).

The applicant(s) hereby applies to the Land Registrar.

**Signed By**

George William Kemp	22 Armstrong St., P.O. Box 1540 New Liskeard P0J 1P0	acting for Transferee(s)	Signed	2015 06 11
Tel	705-647-7353			
Fax	705-647-6473			

I have the authority to sign and register the document on behalf of the Transferee(s).

**Submitted By**

KEMP PIRIE	22 Armstrong St., P.O. Box 1540 New Liskeard P0J 1P0	2015 06 11
Tel	705-647-7353	
Fax	705-647-6473	

**Fees/Taxes/Payment**

Statutory Registration Fee	\$60.00
Provincial Land Transfer Tax	\$0.00
Total Paid	\$60.00

**File Number**

Transferee Client File Number : 22941 PC

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**LAND TRANSFER TAX STATEMENTS**

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In the matter of the conveyance of: 61351 - 0158 PT LT 119 PL M58NB BUCKE PT 1 54R5747; TEMISKAMING SHORES ;  
DISTRICT OF TIMISKAMING

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BY: JARLETTE LTD.

TO: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

%(all PINs)

---

1. DAVID TREEN (CLERK) AND CARMAN KIDD (MAYOR)

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- (c) A transferee named in the above-described conveyance;
- (d) The authorized agent or solicitor acting in this transaction for THE CORPORATION OF THE CITY OF TEMISKAMING SHORES described in paragraph(s) (C) above.
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for \_\_\_\_\_ described in paragraph(s) ( ) above.
- (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.
- 

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	0.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	0.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	0.00

---

4.

Explanation for nominal considerations:

g) Transfer to a municipality pursuant to subdivision or development agreement, condominium approval or other municipal purposes: municipal road purposes

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5. The land is not subject to an encumbrance

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**PROPERTY Information Record**

A. Nature of Instrument: Transfer

LRO 54 Registration No. DT50442 Date: 2015/06/11

B. Property(s):

PIN 61351 - 0158 Address HAILEYBURY Assessment 5411000 - 00611300  
Roll No

C. Address for Service:

Attention: David Treen, Clerk  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

D. (i) Last Conveyance(s): PIN 61351 - 0158 Registration No. LT213667

(ii) Legal Description for Property Conveyed : Same as in last conveyance? Yes  No  Not known

E. Tax Statements Prepared By:

George William Kemp  
22 Armstrong St., P.O.  
Box 1540  
New Liskeard P0J 1P0

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

**By-law No. 2015-166**

**Being a by-law to authorize the Sale of Land to Jarlette Ltd.  
being Parts 3, 4, 5, 9 and 10 on Plan 54R-5747 on Bruce Street**

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

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

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

**And whereas** By-law No. 2004-031 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land;

**And whereas** Council for the City of Temiskaming Shores adopted By-law No. 2014-094 being a by-law to Stop up and Close a portion of Bruce Street and Gordon Drive for the purpose of selling those portions to Jarlette Ltd. and K-1 Legion respectively;

**And whereas** Council considered Memo 005-2015-CS at the August 4, 2015 Regular Council meeting and directed to staff to prepare the necessary by-law to enter into a Land Sale Agreement with Jarlette Ltd. for consideration at the August 4, 2015 Regular Council meeting;

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

1. That Council hereby confirms the procedures set forth in By-law No. 2004-031 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law;
2. That Council authorizes the Mayor and Clerk to enter into a Land Sale Agreement between Jarlette Ltd. as Purchaser (Transferee) and The Corporation of the City of Temiskaming Shores as Vendor (Transferor), in the form annexed hereto as Schedule "A" and forming part of this by-law;
3. That Council agrees to sell land described as Parts 3, 4, 5, 9 and 10 on Plan 54R-5747 formerly part of Bruce Street now Stopped Up and Closed by By-law No. 2014-094 to Jarlette Ltd. for such considerations outlined in the said agreement;
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule



as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

This document has not been submitted and may be incomplete.

**Properties**

*PIN* 61351 - 0189 LT *Interest/Estate* Fee Simple  Split  
*Description* PT BRUCE ST PL M58NB BUCKE PTS 3, 4, & 5 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
 DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
 SERVICENT LAND: PT BRUCE ST PL M58NB BUCKE PT 4 54R5747; TEMISKAMING SHORES; DISTRICT OF TIMISKAMING  
*Address* HAILEYBURY

*PIN* 61351 - 0171 LT *Interest/Estate* Fee Simple  Split  
*Description* PT LT 13 CON 3 BUCKE PTS 9 & 10 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
 DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
 SERVICENT LAND: PT LT 13 CON 3 BUCKE PT 9 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
*Address* HAILEYBURY

**Consideration**

*Consideration* \$ 500.00

**Transferor(s)**

The transferor(s) hereby transfers the land to the transferee(s).

*Name* THE CORPORATION OF THE CITY OF TEMISKAMING SHORES  
 Acting as a company  
*Address for Service* Attention: David Treen, Clerk  
 P.O. Box 2050  
 325 Farr Drive  
 Haileybury, Ontario  
 P0J 1K0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation David Treen (Clerk) and Carman Kidd (Mayor).

<i>Transferee(s)</i>	<i>Capacity</i>	<i>Share</i>
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<i>Name</i> JARLETTE LTD. Acting as a company		
<i>Address for Service</i> C/O David Jarlette 5 Beck Blvd. Penetanguishene, ON L9M 1C1		

**Statements**

Schedule: See Schedules

The land is being acquired or disposed of by the Crown in Right of Ontario or the Crown in Right of Canada, including any Crown corporation, or any agency, board or commission of the Crown; or a municipal corporation.

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEREE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

**Calculated Taxes**

Provincial Land Transfer Tax \$2.50

**File Number**

Transferor Client File Number : 22941 PC

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 61351 - 0189 PT BRUCE ST PL M58NB BUCKE PTS 3, 4, & 5 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
 DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
 SERVIENT LAND: PT BRUCE ST PL M58NB BUCKE PT 4 54R5747; TEMISKAMING SHORES; DISTRICT OF TIMISKAMING

61351 - 0171 PT LT 13 CON 3 BUCKE PTS 9 & 10 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
 DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
 SERVIENT LAND: PT LT 13 CON 3 BUCKE PTS 9 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

BY: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES  
 TO: JARLETTE LTD. % (all PINs)

1. I am
- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
  - (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
  - (c) A transferee named in the above-described conveyance;
  - (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_ described in paragraph(s) ( ) above.
  - (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for JARLETTE LTD. described in paragraph(s) ( ) above.
  - (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	500.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	500.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	500.00

**PROPERTY Information Record**

A. Nature of Instrument: Transfer  
 LRO 54 Registration No. Date:

B. Property(s):  
 PIN 61351 - 0189 Address HAILEYBURY Assessment -  
 Roll No  
 PIN 61351 - 0171 Address HAILEYBURY Assessment -  
 Roll No

C. Address for Service: C/O David Jarlette  
 5 Beck Blvd.  
 Penetanguishene, ON  
 L9M 1C1

D. (i) Last Conveyance(s): PIN 61351 - 0189 Registration No.  
 PIN 61351 - 0171 Registration No.

(ii) Legal Description for Property Conveyed : Same as in last conveyance? Yes  No  Not known

**Corporation of the City of Temiskaming Shores**

**By-law No. 2015-167**

**Being a by-law to enter into an Easement Agreement with  
Jarlette Ltd. – Municipal Watermain – 100 Bruce Street**

**Whereas** under Section 8 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 9 (1) (a) and (b) of the Municipal Act, 2001, SO., 2001, c.25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

**And whereas** Council for the City of Temiskaming Shores adopted By-law No. 2014-094 being a by-law to Stop up and Close a portion of Bruce Street and Gordon Drive and sell those portions to Jarlette Ltd. and K-1 Legion respectively;

**And whereas** on that portion of Bruce Street there is an existing municipal watermain complete with a fire hydrant to which the municipality provides maintenance;

**And whereas** Council considered Memo No. 005-2015-CS at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an Easement Agreement with the Jarlette Ltd. of 100 Bruce Street for a municipal watermain for consideration at the August 4, 2015 Regular Council meeting.

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

1. That the Mayor and Clerk are hereby authorized to enter into an Easement Agreement with Jarlette Ltd., 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 4<sup>th</sup> day of August, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

**Properties**

**PIN** 61351 - 0189 LT **Interest/Estate** Fee Simple  **Split**

**Description** PT BRUCE ST PL M58NB BUCKE PTS 3, 4, & 5 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
SERVIENT LAND: PT BRUCE ST PL M58NB BUCKE PT 4 54R5747; TEMISKAMING SHORES; DISTRICT OF TIMISKAMING

**Address** HAILEYBURY

**PIN** 61351 - 0171 LT **Interest/Estate** Fee Simple  **Split**

**Description** PT LT 13 CON 3 BUCKE PTS 9 & 10 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
SERVIENT LAND: PT LT 13 CON 3 BUCKE PT 9 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

**Address** HAILEYBURY

**Consideration**

**Consideration** \$ 500.00

**Transferor(s)**

The transferor(s) hereby transfers the land to the transferee(s).

**Name** THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

**Address for Service** Attention: David Treen, Clerk  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

This document is not authorized under Power of Attorney by this party.

This document is being authorized by a municipal corporation David Treen (Clerk) and Carman Kidd (Mayor).

**Transferee(s)****Capacity****Share**

**Name** JARLETTE LTD.

**Address for Service** C/O David Jarlette  
5 Beck Blvd.  
Penetanguishene, ON  
L9M 1C1

**Statements**

Schedule: See Schedules

The land is being acquired or disposed of by the Crown in Right of Ontario or the Crown in Right of Canada, including any Crown corporation, or any agency, board or commission of the Crown; or a municipal corporation.

STATEMENT OF THE TRANSFEROR (S): The transferor(s) verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene the Planning Act.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEROR (S): I have explained the effect of the Planning Act to the transferor(s) and I have made inquiries of the transferor(s) to determine that this transfer does not contravene that Act and based on the information supplied by the transferor(s), to the best of my knowledge and belief, this transfer does not contravene that Act. I am an Ontario solicitor in good standing.

STATEMENT OF THE SOLICITOR FOR THE TRANSFEE (S): I have investigated the title to this land and to abutting land where relevant and I am satisfied that the title records reveal no contravention as set out in the Planning Act, and to the best of my knowledge and belief this transfer does not contravene the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

**Signed By**

George William Kemp 22 Armstrong St., P.O. Box 1540 acting for Signed 2015 06 11  
 New Liskeard  
 P0J 1P0 Transferor(s)

Tel 705-647-7353  
 Fax 705-647-6473

I have the authority to sign and register the document on behalf of the Transferor(s).

John Edmund Walker 190 Cundles Road East, Suite 107 acting for Signed 2015 06 09  
 Barrie  
 L4M 4S5 Transferee(s)

Tel 705-737-1811  
 Fax 705-737-5390

I have the authority to sign and register the document on behalf of the Transferee(s).

**Submitted By**

HGR GRAHAM PARTNERS LLP 190 Cundles Road East, Suite 107 2015 06 11  
 Barrie  
 L4M 4S5

Tel 705-737-1811  
 Fax 705-737-5390

**Fees/Taxes/Payment**

Statutory Registration Fee \$60.00  
 Provincial Land Transfer Tax \$2.50  
 Total Paid \$62.50

**File Number**

Transferor Client File Number : 22941 PC  
 Transferee Client File Number : W10.002.079SFS MIDLAND 705.526.2231

**LAND TRANSFER TAX STATEMENTS**

In the matter of the conveyance of: 61351 - 0189 PT BRUCE ST PL M58NB BUCKE PTS 3, 4, & 5 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
SERVIENT LAND: PT BRUCE ST PL M58NB BUCKE PT 4 54R5747; TEMISKAMING SHORES; DISTRICT OF TIMISKAMING

61351 - 0171 PT LT 13 CON 3 BUCKE PTS 9 & 10 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING  
DOMINANT LAND: THE HEAD OFFICE OF THE TRANSFEROR. THIS EASEMENT IS AN EASEMENT IN GROSS.  
SERVIENT LAND: PT LT 13 CON 3 BUCKE PT 9 54R5747; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

BY: THE CORPORATION OF THE CITY OF TEMISKAMING SHORES

TO: JARLETTE LTD.

%(all PINs)

1. DAVID JARLETTE

I am

- (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- (c) A transferee named in the above-described conveyance;
- (d) The authorized agent or solicitor acting in this transaction for \_\_\_\_ described in paragraph(s) ( ) above.
- (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for JARLETTE LTD. described in paragraph(s) (c) above.
- (f) A transferee described in paragraph ( ) and am making these statements on my own behalf and on behalf of \_\_\_\_ who is my spouse described in paragraph ( ) and as such, I have personal knowledge of the facts herein deposed to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	500.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	500.00
(h) VALUE OF ALL CHATTELS - items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	500.00

PROPERTY Information Record

A. Nature of Instrument: Transfer  
LRO 54 Registration No. DT50446 Date: 2015/06/11

B. Property(s): PIN 61351 - 0189 Address HAILEYBURY Assessment Roll No -  
PIN 61351 - 0171 Address HAILEYBURY Assessment Roll No -

C. Address for Service: C/O David Jarlette  
5 Beck Blvd.  
Penetanguishene, ON  
L9M 1C1

D. (i) Last Conveyance(s): PIN 61351 - 0189 Registration No. null  
PIN 61351 - 0171 Registration No. null  
(ii) Legal Description for Property Conveyed : Same as in last conveyance? Yes  No  Not known

E. Tax Statements Prepared By: John Edmund Walker  
190 Cundles Road East,  
Suite 107  
Barrie L4M 4S5



## Schedule Text 61

### Reservation of Easement in Gross

**Subject Property:** Parts 4 & 9 Plan 54R-5747

The purpose of this easement is to permit the City to maintain the underground water mains and fire hydrants that are located on the Property being transferred.

The Transferor hereby reserves for itself, its successors and assigns a free and unencumbered easement in perpetuity, upon, over, in, under and across the Transferee's lands being Parts 4 and 9 on Plan 54R-5747 (the "Transferee's Lands") to construct, operate, maintain, and repair water mains and fire hydrants for its use as required in the municipal business carried on by the Transferor; together with the right of access to the Transferor, its contractors, servants, agents and employees, vehicles, equipment and supplies over the Transferee's Lands, for the purpose of exercising the rights hereby granted.

The Transferee shall have the right to fully use and enjoy the Transferee's Lands except as may be necessary for any of the purposes hereby reserved to the Transferor provided that without the prior written consent of the Transferor, the Transferee shall not excavate, drill or erect over, in, under and across the Transferee's Lands any structures, pit, well, foundation or pavement.

The Transferor agrees that no work shall at any time be done in such a manner as to obstruct or delay or in any way interfere with the operations of the Transferee.

**Provided however** the Transferor, shall consent to the Transferee erecting fences, drains and constructing pathways and walks across, on and in the Transferee's Lands herein described or any portion or portions thereof **provided** that before commencing any such work the Transferee:

- (a) shall give to the Transferor not less than 48 hours notice in writing, setting forth the work desired to be done, in order that the Transferor may have a representative present to inspect the site, the work to be done and the performance of such work, and;
- (b) shall follow the instructions of the aforesaid representative as to the performance of such work in order that no damage will be occasioned to the municipal infrastructure of the Transferor.

In making any of its installations, the Transferor shall observe and carry them out according to recognized good engineering practice and in accordance with all applicable governmental laws, regulations or requirements concerning the same.

The Transferor shall comply with all statutes, regulations, by-laws, codes and requirements of all governments and governmental authorities and all boards and commissions applicable thereto with respect to its use and occupation of the Transferee's Lands.

The Transferor shall make full and complete compensation for any damages caused to the Transferee's physical property or that of any other user of the Transferee's property by the Transferor's act or

omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for damage attributable to the equipment owned or operated by the Transferor, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferor shall make full and complete compensation for any bodily injury or death to any person caused by the Transferor's act or omission or that of any of its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible or for bodily injury or death attributable to the equipment owned or operated by the Transferor, its officers, employees, servants, agents, contractors or invitees or those for whom it is at law responsible.

The Transferor shall waive against the Transferee, its officers, employees, agents or contractors any claims of any kind whether directly or indirectly arising out of or connected with the existence of this Reservation of Easement and for any injury to or death of any person or for any loss of or damage to any property or equipment belonging to the Transferor or its employees, servants, agents, invitees, licensees, contractors or visitors and for any loss or damage of the Transferor with respect to its installation and use of the property, unless caused by the negligent act or omission of the Transferee, its officers, employees, agents, contractors or those for whom it is at law responsible.

The Transferor agrees to indemnify the Transferee and save it harmless from and against any and all actions, suits, claims, damage, costs, liability and expenses in any manner based upon, connected with or arising out of any breach, violation or non-performance by the Transferor of any of the terms and conditions of this Reservation of Easement, including the effects of any applicable environmental legislation, unless caused by the negligent act or omission of the Transferee, its officers, employees, agents, contractors, or those for whom it is at law responsible.

The Transferor shall, at its own expense, obtain and maintain in full force and effect the following insurance policies:

- i) Commercial General Liability insurance to a policy limit of at least five million dollars (\$5,000,000) in primary and umbrella/excess liability policy including but not limited to bodily injury, property damage, personal injury, product liability, tenants legal liability, contractual liability, owners and contractors protective, contingent employer's liability, non-owned automotive liability, cross liability and severability of interest clause.
- ii) All Risks Property insurance for not less than full replacement cost value of the equipment and personal property. The policy shall contain a waiver of subrogation in favour of the Transferee.
- iii) Automobile Liability insurance with respect to owned or leased vehicles, having a policy limit of at least two million dollars (\$2,000,000) inclusive per occurrence.

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

**By-law No. 2015-168**

**Being a by-law to Stop up and Close a Highway being  
the laneway described as Part 1 on Plan 54R-5861  
abutting Lots 68 to 73 on Plan M-71 N.B.  
PIN 61354-0443**

**Whereas** the provisions of Section 34 (1) of the Municipal Act 2001, S.O., c. 25 sets out procedures for the closing of Highways.

**And whereas** Council held a public meeting on July 7, 2015 for the purposes of providing a forum in which those whose private rights are adversely affected may assert their objections;

**And whereas** Council considered Administrative Report No. CGP-036-2015 at the August 4, 2015 Regular Council meeting directing staff to prepare the necessary by-law to stop up and close the unopened laneway (PIN 61354-0443), being Part 1 on Plan 54R-5861 for consideration at the August 4, , 2015 Regular Council meeting;

**And whereas** Council for the City of Temiskaming Shores deems it expedient to stop up and close certain portions of municipal road allowances described as follows:

<b>Street</b>	<b>Description</b>	<b>Part(s)</b>	<b>Plan(s)</b>
Lane	Abutting Lots 68 to 73	1	54R-5861

**And whereas** the provisions of Section 34 (1) and Section 251 of the Municipal Act 2001, S.O., c. 25 have been complied with; and

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

1. That PIN 61354-0443 – Lane abutting Lots 77 to 83 on Plan M-73 N.B.; being Part 1 on Plan 54R5861 is hereby stopped up and closed.
2. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law for the aforesaid municipal road allowances.
3. That a copy of this by-law be registered at the Land Registry Office.
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

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

**By-law No. 2015-169**

**Being a by-law to authorize the Sale of Land to  
Susan Rutledge being the laneway described as Part 1 on  
Plan 54R-5861 abutting Lots 68 to 73 on Plan M-71NB  
PIN 61354-0443**

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

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

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

**And whereas** By-law No. 2004-031 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land;

**And whereas** Council considered Administrative Report CGP-036-2015 at August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an Land Sale Agreement with Susan Rutledge for consideration at the August 4, 2015 Regular Council meeting;

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

1. That Council hereby confirms the procedures set forth in By-law No. 2004-031 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law;
2. That Council authorizes the entering into a Land Sale Agreement between Susan Rutledge as Purchaser and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law;
3. That Council agrees to sell the laneway described as Part 1 on Plan 54R-5861 abutting Lots 68 to 73 on Plan M-71 NB; PIN 61354-0443 in the amount of \$2 and other such considerations outlined in the said agreement;
4. That the Mayor and Clerk be hereby authorized and directed to execute the Agreement of Purchase and Sale annexed hereto as Schedule "A" to this by-law and any and all other documentation necessary to complete the sale of land transaction.

5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law 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 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

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

**By-law No. 2015-170**

**Being a by-law to enter into a Funding Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care to support Healthy Kids Community Challenge – File No. HLTC5047FL-2014-23**

**And 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 Memo No. 003-2015-RS at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with the Ministry of Health and Long-Term Care to support the Healthy Kids Community Challenge;

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

1. That the Mayor and Clerk be authorized to enter into a funding agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care in the amount of \$125,000 per annum for 2015-16, 2016-17 and 2017-18, a copy of which is attached hereto as Schedule "A" and forming part of this by-law; and
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen



Schedule A to

**By-law No. 2015-170**

Being a funding Agreement between

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

and

**Minister of Health and Long-Term Care**

Healthy Kids Community Challenge

File No. HLTC5047FL-2014-23



**THE AGREEMENT** effective as of the 1st day of April, 2015

**B E T W E E N :**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO**  
as represented by the Minister of Health and Long-Term Care

(the "Province")

- and -

**City of Temiskaming Shores**

(the "Recipient")

**BACKGROUND:**

The Recipient has applied to the Province for funds to assist the Recipient to carry out the Project and the Province wishes to provide such funds.

**CONSIDERATION:**

In consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

**ARTICLE 1**  
**INTERPRETATION AND DEFINITIONS**

1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the background and the headings do not form part of the Agreement; they are for reference only and shall not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency shall be to Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

1.2 **Definitions.** In the Agreement, the following terms shall have the following meanings:

**"Agreement"** means this agreement entered into between the Province and the Recipient and includes all of the schedules listed in section 31.1 and any

amending agreement entered into pursuant to section 34.2.

"**BPSAA**" means the *Broader Public Sector Accountability Act, 2010* (Ontario).

"**Budget**" means the budget attached to the Agreement as Schedule "B".

"**Business Day**" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"**Effective Date**" means the date set out at the top of the Agreement.

"**Event of Default**" has the meaning ascribed to it in section 14.1.

"**Funding Year**" means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

"**Funds**" means the money the Province provides to the Recipient pursuant to the Agreement.

"**Indemnified Parties**" means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees and employees.

"**Maximum Funds**" means \$375,000.

"**Notice**" means any communication given or required to be given pursuant to the Agreement.

"**Notice Period**" means the period of time within which the Recipient is required to remedy an Event of Default, and includes any such period or periods of time by which the Province considers it reasonable to extend that time.

"**Parties**" means the Province and the Recipient.

"**Party**" means either the Province or the Recipient.

"**Project**" means the undertaking described in Schedule "A".

"**Reports**" means the reports described in Schedule "D".

"**Timelines**" means the Project schedule set out in Schedule "A".

**ARTICLE 2**  
**REPRESENTATIONS, WARRANTIES AND COVENANTS**

- 2.1 **General.** The Recipient represents, warrants and covenants that:
- (a) it is, and shall continue to be for the term of the Agreement, a validly existing legal entity with full power to fulfill its obligations under the Agreement;
  - (b) it has, and shall continue to have for the term of the Agreement, the experience and expertise necessary to carry out the Project;
  - (c) it is in compliance with all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules and by-laws related to any aspect of the Project, the Funds or both;
  - (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and shall continue to be true and complete for the term of the Agreement.
- 2.2 **Execution of Agreement.** The Recipient represents and warrants that:
- (a) it has the full power and authority to enter into the Agreement; and
  - (b) it has taken all necessary actions to authorize the execution of the Agreement.
- 2.3 **Governance.** The Recipient represents, warrants and covenants that it has, and shall maintain, in writing for the period during which the Agreement is in effect:
- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient's organization;
  - (b) procedures to ensure the ongoing effective functioning of the Recipient;
  - (c) decision-making mechanisms for the Recipient;
  - (d) procedures to enable the Recipient to manage the Funds prudently and effectively;
  - (e) procedures to enable the Recipient to complete the Project successfully;
  - (f) procedures to enable the Recipient, in a timely manner, to identify risks to the completion of the Project, and strategies to address the identified risks;

- (g) procedures to enable the preparation and delivery of all Reports required pursuant to Article 7; and
- (h) procedures to enable the Recipient to deal with such other matters as the Recipient considers necessary to ensure that the Recipient carries out its obligations under the Agreement.

2.4 **Supporting Documentation.** Upon request, the Recipient shall provide the Province with proof of the matters referred to in this Article 2.

### **ARTICLE 3 TERM OF THE AGREEMENT**

3.1 **Term.** The term of the Agreement shall commence on the Effective Date and shall expire on March 31, 2018 unless terminated earlier pursuant to Article 12, Article 13 or Article 14.

### **ARTICLE 4 FUNDS AND CARRYING OUT THE PROJECT**

4.1 **Funds Provided.** The Province shall:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule "C"; and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
  - (i) resides at a Canadian financial institution; and
  - (ii) is in the name of the Recipient.

4.2 **Revised Schedules.** The Province may, at any time, upon consultation with the Recipient, provide any or all of the following:

- (a) a new Schedule "A" (Project Description and Timelines);
- (b) a new Schedule "B" (Budget);
- (c) a new Schedule "C" (Payment); and
- (d) a new Schedule "D" (Reports).

- 4.3 **Deemed to be Replaced.** If the Province provides a new schedule in accordance with section 4.2, the new schedule shall be deemed to be either Schedule “A” (Project Description and Timelines), Schedule “B” (Budget), Schedule “C” (Payment) and Schedule “D” (Reports), as the case may be, (collectively referred to as “**New Schedules**”), for the period of time to which it relates.
- 4.4 **Limitation on Payment of Funds.** Despite section 4.1:
- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the insurance certificate or other proof as the Province may request pursuant to section 11.2;
  - (b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
  - (c) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information provided by the Recipient pursuant to section 7.1; and
  - (d) if, pursuant to the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
    - (i) reduce the amount of the Funds and, in consultation with the Recipient, change the Project; or
    - (ii) terminate the Agreement pursuant to section 13.1.
- 4.5 **Use of Funds and Project.** The Recipient shall:
- (a) carry out the Project in accordance with the terms and conditions of the Agreement;
  - (b) use the Funds only for the purpose of carrying out the Project; and
  - (c) spend the Funds only in accordance with the Budget.
- 4.6 **No Changes.** The Recipient shall not make any changes to the Project, the Timelines, or the Budget without the prior written consent of the Province.
- 4.7 **Interest Bearing Account.** If the Province provides Funds to the Recipient prior to the Recipient’s immediate need for the Funds, the Recipient shall place the Funds in a separate interest bearing account in the name of the Recipient at a Canadian financial institution.
- 4.8 **Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
  - (b) demand from the Recipient the repayment of an amount equal to the interest.
- 4.9 **Maximum Funds.** The Recipient acknowledges that the Funds available to it pursuant to the Agreement shall not exceed the Maximum Funds.
- 4.10 **Rebates, Credits and Refunds.** The Recipient acknowledges that the amount of Funds available to it pursuant to the Agreement is based on the actual costs to the Recipient, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit or refund.

## **ARTICLE 5 ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS**

- 5.1 **Acquisition.** Subject to section 28.1, if the Recipient acquires goods, services, or both with the Funds, it shall do so through a process that promotes the best value for money.
- 5.2 **Disposal.** The Recipient shall not, without the Province's prior written consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded \$1,000 at the time of purchase.

## **ARTICLE 6 CONFLICT OF INTEREST**

- 6.1 **No Conflict of Interest.** The Recipient shall carry out the Project and use the Funds without an actual, potential or perceived conflict of interest.
- 6.2 **Conflict of Interest Includes.** For the purposes of this Article, a conflict of interest includes any circumstances where:
- (a) the Recipient; or
  - (b) any person who has the capacity to influence the Recipient's decisions,
- has outside commitments, relationships or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased and impartial judgment relating to the Project, the use of the Funds, or both.
- 6.3 **Disclosure to Province.** The Recipient shall:
- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential or perceived conflict of

interest; and

- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

## **ARTICLE 7 REPORTING, ACCOUNTING AND REVIEW**

### **7.1 Preparation and Submission.** The Recipient shall:

- (a) submit to the Province at the address provided in section 18.1, all Reports in accordance with the timelines and content requirements set out in Schedule “D”, or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address provided in section 18.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that all Reports and other reports are completed to the satisfaction of the Province; and
- (d) ensure that all Reports and other reports are signed on behalf of the Recipient by an authorized signing officer.

### **7.2 Record Maintenance.** The Recipient shall keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

### **7.3 Inspection.** The Province, its authorized representatives or an independent auditor identified by the Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, its authorized representatives or an independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section 7.2;
- (b) remove any copies made pursuant to section 7.3(a) from the Recipient's premises; and
- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

- 7.4 **Disclosure.** To assist in respect of the rights set out in section 7.3, the Recipient shall disclose any information requested by the Province, its authorized representatives or an independent auditor identified by the Province, and shall do so in the form requested by the Province, its authorized representatives or an independent auditor identified by the Province, as the case may be.
- 7.5 **No Control of Records.** No provision of the Agreement shall be construed so as to give the Province any control whatsoever over the Recipient's records.
- 7.6 **Auditor General.** For greater certainty, the Province's rights under this Article are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

## **ARTICLE 8 COMMUNICATIONS REQUIREMENTS**

- 8.1 **Acknowledge Support.** Unless otherwise directed by the Province, the Recipient shall acknowledge the support of the Province in a form and manner as directed by the Province.
- 8.2 **Publication.** The Recipient shall indicate, in any of its publications, of any kind, including written, oral, or visual, relating to the Project, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

## **ARTICLE 9 FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY**

- 9.1 **FIPPA.** The Recipient acknowledges that the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

## **ARTICLE 10 INDEMNITY**

- 10.1 **Indemnification.** The Recipient hereby agrees to indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Province.



## **ARTICLE 11 INSURANCE**

- 11.1 **Recipient's Insurance.** The Recipient represents and warrants that it has, and shall maintain for the term of the Agreement, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than two million dollars (\$2,000,000) per occurrence. The policy shall include the following:
- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
  - (b) a cross-liability clause;
  - (c) contractual liability coverage; and
  - (d) a 30 day written notice of cancellation, termination or material change.
- 11.2 **Proof of Insurance.** The Recipient shall provide the Province with certificates of insurance, or other proof as may be requested by the Province, that confirms the insurance coverage as provided for in section 11.1. Upon the request of the Province, the Recipient shall make available to the Province a copy of each insurance policy.

## **ARTICLE 12 TERMINATION ON NOTICE**

- 12.1 **Termination on Notice.** The Province may terminate the Agreement at any time upon giving at least 30 days Notice to the Recipient.
- 12.2 **Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section 12.1, the Province may take one or more of the following actions:
- (a) cancel all further instalments of Funds;
  - (b) demand the repayment of any Funds remaining in the possession or under the control of the Recipient; and
  - (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:

- (i) permit the Recipient to offset the costs determined pursuant to section 12.2(c), against the amount owing pursuant to section 12.2(b); and
- (ii) subject to section 4.9, provide Funds to the Recipient to cover the costs determined pursuant to section 12.2(c).

### **ARTICLE 13 TERMINATION WHERE NO APPROPRIATION**

- 13.1 **Termination Where No Appropriation.** If, as provided for in section 4.4(d), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the Agreement, the Province may terminate the Agreement immediately by giving Notice to the Recipient.
- 13.2 **Consequences of Termination Where No Appropriation.** If the Province terminates the Agreement pursuant to section 13.1, the Province may take one or more of the following actions:
- (a) cancel all further instalments of Funds;
  - (b) demand the repayment of any Funds remaining in the possession or under the control of the Recipient; and
  - (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section 13.2(b).
- 13.3 **No Additional Funds.** For purposes of clarity, if the costs determined pursuant to section 13.2(c) exceed the Funds remaining in the possession or under the control of the Recipient, the Province shall not provide additional Funds to the Recipient.

### **ARTICLE 14 EVENT OF DEFAULT, CORRECTIVE ACTION AND TERMINATION FOR DEFAULT**

- 14.1 **Events of Default.** Each of the following events shall constitute an Event of Default:
- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
    - (i) carry out the Project;

- (ii) use or spend Funds; or
- (iii) provide, in accordance with section 7.1, Reports or such other reports as may have been requested pursuant to section 7.1(b);
- (b) the Recipient's operations, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver;
- (d) the Recipient ceases to operate.

14.2 **Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel all further instalments of Funds;
- (f) demand the repayment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand the repayment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand the repayment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, upon giving Notice to the Recipient.

14.3 **Opportunity to Remedy.** If, in accordance with section 14.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province shall provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and

(b) the Notice Period.

14.4 **Recipient not Remediating.** If the Province has provided the Recipient with an opportunity to remedy the Event of Default pursuant to section 14.2(b), and:

(a) the Recipient does not remedy the Event of Default within the Notice Period;

(b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or

(c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections 14.2(a), (c), (d), (e), (f), (g), (h) and (i).

14.5 **When Termination Effective.** Termination under this Article shall take effect as set out in the Notice.

#### **ARTICLE 15 FUNDS AT THE END OF A FUNDING YEAR**

15.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article 14, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

(a) demand the return of the unspent Funds; and

(b) adjust the amount of any further instalments of Funds accordingly.

#### **ARTICLE 16 FUNDS UPON EXPIRY**

16.1 **Funds Upon Expiry.** The Recipient shall, upon expiry of the Agreement, return to the Province any Funds remaining in its possession or under its control.

#### **ARTICLE 17 REPAYMENT**

17.1 **Repayment of Overpayment.** If at any time during the term of the Agreement the Province provides Funds in excess of the funds to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

17.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands the payment of any Funds or an amount equal to any Funds from the Recipient; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not their return or repayment has been demanded by the Province,

such Funds or other amount shall be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient shall pay or return the amount to the Province immediately, unless the Province directs otherwise.

17.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

17.4 **Payment of Money to Province.** The Recipient shall pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province at the address provided in section 18.1.

**ARTICLE 18  
NOTICE**

18.1 **Notice in Writing and Addressed.** Notice shall be in writing and shall be delivered by email, postage-prepaid mail, personal delivery or fax, and shall be addressed to the Province and the Recipient respectively as set out below, or as either Party later designates to the other by Notice:

**To the Province:**

Ministry of Health and Long-Term  
Care  
Health Promotion Division  
Strategic Initiatives Branch  
777 Bay Street, Suite 1903  
Toronto, ON M7A 1S5

**Attention:** Jackie Wood  
A/Director  
Fax: 416-212-2200  
Email: jackie.wood@ontario.ca

**To the Recipient:**

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

**Attention:** Christopher W. Oslund  
City Manager/Deputy Clerk  
Fax: 705-672-2911  
Email: coslund@temiskamingshores.ca

- 18.2 **Notice Given.** Notice shall be deemed to have been received:
- (a) in the case of postage-prepaid mail, seven days after a Party mails the Notice; or
  - (b) in the case of email, personal delivery or fax, at the time the other Party receives the Notice.
- 18.3 **Postal Disruption.** Despite section 18.2(a), in the event of a postal disruption:
- (a) Notice by postage-prepaid mail shall not be deemed to be received; and
  - (b) the Party giving Notice shall provide Notice by email, personal delivery or by fax.
- 18.4 **Despite Section 18.2.** Despite section 18.2, if either Party receives a Notice on a non-Business Day, or after 5 p.m. on a Business Day, the Notice shall be deemed to have been received on the next Business Day.

**ARTICLE 19  
CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT**

- 19.1 **Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient shall comply with such terms and conditions.

**ARTICLE 20  
SEVERABILITY OF PROVISIONS**

- 20.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement shall not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision shall be deemed to be severed.

**ARTICLE 21  
WAIVER**

- 21.1 **Waivers in Writing.** If a Party fails to comply with any term of the Agreement, that Party may only rely on a waiver of the other Party if the other Party has provided a written waiver in accordance with the Notice provisions in Article 18. Any waiver must refer to a specific failure to comply and shall not have the effect of waiving any subsequent failures to comply.

**ARTICLE 22  
INDEPENDENT PARTIES**

- 22.1 **Parties Independent.** The Recipient acknowledges that it is not an agent, joint venturer, partner or employee of the Province, and the Recipient shall not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

**ARTICLE 23  
ASSIGNMENT OF AGREEMENT OR FUNDS**

- 23.1 **No Assignment.** The Recipient shall not, without the prior written consent of the Province, assign any of its rights, or obligations under the Agreement.
- 23.2 **Agreement Binding.** All rights and obligations contained in the Agreement shall extend to and be binding on the Parties' respective heirs, executors, administrators, successors and permitted assigns.

**ARTICLE 24  
GOVERNING LAW**

- 24.1 **Governing Law.** The Agreement and the rights, obligations and relations of the Parties shall be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement shall be conducted in the courts of Ontario, which shall have exclusive jurisdiction over such proceedings.

**ARTICLE 25  
FURTHER ASSURANCES**

- 25.1 **Agreement into Effect.** The Recipient shall provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and shall otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

**ARTICLE 26  
JOINT AND SEVERAL LIABILITY**

- 26.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities shall be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

**ARTICLE 27  
RIGHTS AND REMEDIES CUMULATIVE**

- 27.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

**ARTICLE 28  
BPSAA**

- 28.1 **BPSAA.** For the purposes of clarity, if the Recipient is subject to the BPSAA and there is a conflict between any of the requirements of the Agreement and the requirements of the BPSAA, the BPSAA shall prevail.

**ARTICLE 29  
ACKNOWLEDGEMENT OF OTHER LEGISLATION**

- 29.1 **Recipient Acknowledges.** The Recipient acknowledges that by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the BPSAA, the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario).

**ARTICLE 30  
FAILURE TO COMPLY WITH OTHER AGREEMENTS**

- 30.1 **Other Agreements.** If the Recipient:
- (a) has failed to comply (a “**Failure**”) with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or a Crown agency;
  - (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
  - (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
  - (d) such Failure is continuing,
- the Province may suspend the payment of Funds for such period as the Province determines appropriate.



## **ARTICLE 31 SCHEDULES**

31.1 **Schedules.** The Agreement includes the following schedules:

- (a) Schedule “A” - Project Description and Timelines;
- (b) Schedule “B” - Budget;
- (c) Schedule “C” - Payment; and
- (d) Schedule “D” - Reports.

## **ARTICLE 32 SURVIVAL**

32.1 **Survival.** The following Articles and sections, and all applicable cross-referenced sections and schedules, shall continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1 and any other applicable definitions, section 4.4(d), 4.8, section 5.2, section 7.1 (to the extent that the Recipient has not provided the Reports to the satisfaction of the Province), sections 7.2, 7.3, 7.4, 7.5, 7.6, Article 8, Article 10, section 12.2, sections 13.2 and 13.3, sections 14.1, 14.2(d), (e), (f), (g) and (h), Article 16, Article 17, Article 18, Article 20, section 23.2, Article 24, Article 26, Article 27, Article 29, Article 30, Article 31, Article 32, and Article 34.

## **ARTICLE 33 COUNTERPARTS**

33.1 **Counterparts.** The Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

## **ARTICLE 34 ENTIRE AGREEMENT**

34.1 **Entire Agreement.** The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

34.2 **Modification of Agreement.** The Agreement may only be amended by a written agreement duly executed by the Parties.

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO  
as represented by the Minister of Health and Long-Term Care**

\_\_\_\_\_  
Martha Greenberg  
Interim Assistant Deputy Minister  
Health Promotion Division

\_\_\_\_\_  
Date

**City of Temiskaming Shores**

\_\_\_\_\_  
Name: Carman Kidd  
Title: Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name: David B. Treen  
Title: Clerk

\_\_\_\_\_  
Date

I/We have authority to bind the Recipient.

## **SCHEDULE “A” PROJECT DESCRIPTION AND TIMELINES**

### **Background**

Ontario’s Healthy Kids Community Challenge (The Challenge) is a community-led program where partners from different sectors work together to implement activities to reduce and prevent childhood overweight and obesity. The Challenge is based on the EPODE (Ensemble Prévenons l’Obésité des Enfants – Together Let’s Prevent Childhood Obesity) methodology, which is recognized by the World Health Organization as a best practice in childhood overweight and obesity prevention.

The Recipient, City of Temiskaming Shores, will be asked to implement local activities based on one specific theme related to healthy eating or physical activity every 9 months. The selection of these themes will be based on the latest and best available evidence regarding the risk and protective factors that are known to lead to, or prevent, childhood overweight and obesity.

As a selected community to participate in and support The Challenge, also referred to as the Project, the Recipient will adhere to the following guiding principles:

- Focus on healthy kids, not just healthy weights. Strategies targeting protective factors for healthy weights – including improving nutrition and increasing physical activity – will benefit all children, regardless of weight status.
- Focus on positive health messages and not on programs or messages that could increase bias or stigma around weight.
- Recognize that healthy kids live in healthy families, schools and communities.
- Support health equity through interventions at the population-level and by targeting at-risk populations.

In addition to the Maximum Funds, the Province may also assist the Recipient through the provision of various supports for the Project. These supports include, but are not limited to, communication tools, training and assistance with evaluation. The purpose of these supports is to assist the Recipient and its local partners to plan and deliver community activities as part of The Challenge. The additional supports are within the discretion of the Province and separate from the Funds, which will remain unaffected if the Recipient receives additional supports from the Province related to The Challenge.

### **Project Goal and Objectives**

The Recipient will develop and implement programs, policies and supports through community-led planning and action to contribute to the achievement of the following goal and objectives of The Challenge:

Goal:

- To reduce the prevalence of and prevent childhood overweight and obesity in The Challenge communities.

#### Objectives:

- To improve the conditions within communities participating in The Challenge by creating supportive environments to enable healthy behaviours in children, and related support behaviours in their parents.
- To contribute to the evidence on the effectiveness of centrally-coordinated, community-based interventions to improve healthy weights and weight related behaviours.
- To increase community capacity to plan, implement and evaluate sustainable health interventions at the community level.
- To improve community collaboration and coordination on promoting healthy childhood weights, through the development and mobilization of multi-sectoral community partnerships.
- To increase the proportion of children reporting recommended levels of specific health behaviours targeted by The Challenge.
- To increase the proportion of parents in The Challenge communities who engage in parental support behaviours and reduce the proportion who perceives barriers to supporting child health behaviours.
- To increase awareness of and participation in The Challenge.

#### Scope of Project

The Recipient and its local community partners will develop and leverage new and existing programs and policies that will encourage positive behavior change in the areas that are known to be key protective factors for childhood overweight and obesity (healthy eating, physical activity). These policies and programs will also work to remove the barriers to healthy behavior change and create healthy communities and environments (e.g., schools, workplaces, homes and other community settings).

All community-based programs, policies and supports planned and implemented by the Recipient and its local partners will support progress against the government's commitment to reduce rates of childhood obesity and overweight. The Recipient will participate in ongoing data collection for the purposes of Project evaluation and accountability reporting. Examples of potential performance indicators include:

- Health outcomes (clinical metrics such as Body Mass Index);
- Process indicators (reach, partnerships and awareness); and
- Behavioural indicators (physical activity levels and diet and nutrition).

In Year 1 (2015/16), the Recipient and its local community partners will undertake the following activities:

- Recruit, train and hire a Local Project Manager to lead, coordinate and monitor the planning and implementation of all community activities (e.g., local programs and/or policies) that will support the themes of The Challenge.
- Engage, orient and support a local community leader (e.g., Mayor, Councillor) as the Community Champion who will promote local partnerships and raise public awareness of the community initiatives and activities associated with The Challenge.
- Conduct a comprehensive Community Needs Assessment to identify the unique needs, gaps, opportunities, resources and assets of a community, and to support the planning and delivery of The Challenge as related to the aforementioned

outcomes.

- Develop the first Theme-Based Action Plan and Project Budget that outlines the programs, policies and supports the community will implement in support of the first theme.
- Implement the first Theme-Based Action Plan, in collaboration with community partners, through the delivery of community-based programs, policies and supports to support the first theme.
- Establish and maintain multi-sectoral partnerships and identify existing community resources to leverage that will support The Challenge and contribute to its successful delivery. Part of this process will involve the establishment of a Local Steering Committee to coordinate the planning, delegation and implementation of various activities by each local partner.
- Attend training sessions provided by the Province on various topics intended to educate and support the Recipient and its partners to deliver The Challenge. Sample topics may include best practices for community mobilization and networking, Project budgeting and reporting, marketing and communications, partnership development, evaluation, and other subjects designed to build the Recipient's capacity.
- Participate in a baseline data collection process to assist with the identification of health outcome, behavioural, and process indicators for healthy, active living as part of a larger evaluation of The Challenge.

In Years 2-3 (2016/17 – 2017/18), the Recipient and its community partners will develop subsequent Theme-Based Action Plans based on the new themes announced every 9 months by the Province. The Recipient and its community partners will implement these Action Plans to support the new themes and to address the gaps and/or opportunities identified through the Community Needs Assessment. In addition to the implementation of Action Plan activities, the Recipient will:

- Continue to lead, coordinate and monitor the planning and implementation of all community-based activities that support The Challenge, including the ongoing engagement of a community champion and a wide range of local partners operating in multiple sectors.
- Ensure the ongoing mobilization and engagement of key community partners, and the delegation of Project activities, through the Local Steering Committee.
- Track, monitor and update the gaps, opportunities, and assets previously identified through the Community Needs Assessment process to ensure they remain current and appropriate to support each new theme of The Challenge.
- Maintain active involvement and participation in training sessions delivered by the Province that are designed to build community capacity to support The Challenge.
- Participate in ongoing evaluation activities to assist the Province in collecting key outcome indicators that will measure the success and impact of The Challenge.

### **Timelines**

The Recipient will undertake a Community Needs Assessment in Year 1 and prepare and implement Theme-Based Action Plans (including the cost of activities) every 9 months thereafter for each new theme.

The Province will select and announce the first theme in the Spring of 2015. Pending the Recipient's delivery of a Community Needs Assessment and Theme-Based Action Plan, Schedules will be revised and updated accordingly to reflect the specific programs, policies and supports that will be implemented in support of the first theme. Funding for the implementation of Theme-Based Action Plans is contingent on the successful execution of the previous Theme-Based Action Plans or other required Project activities.

Funding Year:	Timelines:	Activities:
Year 1 (2015-2016)	April 1, 2015 – March 31, 2016	<ul style="list-style-type: none"> <li>• Hire/train Local Project Manager(s).</li> <li>• Establish and build multi-sectoral partnerships.</li> <li>• Undertake a Community Needs Assessment and collect baseline data.</li> <li>• Prepare for implementation by developing the first Theme-Based Action Plan.</li> <li>• Begin implementation of the first Theme-Based Action Plan.</li> <li>• Attend training sessions.</li> </ul>
Year 2 (2016-2017)	April 1, 2016- March 31, 2017	<ul style="list-style-type: none"> <li>• Revisit and update the original Community Needs Assessment to ensure the currency and relevancy of community gaps, opportunities, assets, etc. to support the ongoing implementation of The Challenge and its marketing themes.</li> </ul>
Year 3 (2017-2018)	April 1, 2017- March 31, 2018	<ul style="list-style-type: none"> <li>• Approximately every 9 months, the Recipient will submit and implement Theme-Based Action Plans and Budgets outlining specific, local activities (e.g., evidence-based programs, policies and supports) that will support The Challenge and one of its themes related to healthy eating and physical activity.</li> <li>• Ongoing collection of qualitative and quantitative data to inform Project evaluation through the tracking and measurement of health outcome, behavioural, and process indicators.</li> <li>• Continue to attend training sessions.</li> </ul>

### Communications and Marketing

1. The Recipient shall:
  - (a) act as media focus for the Project;
  - (b) respond to public inquiries, complaints and concerns with respect to the Project;
  - (c) report any potential or foreseeable issues to the Province through the Strategic Initiatives Branch ("SIB") and the Communications and Marketing Division ("CMD") of the Ministry of Health and Long-Term Care;

- (d) notify SIB and CMD 5 Business Days prior to issuing any news release and other planned communications relating to news releases and provide materials 2 Business Days prior to release;
  - (e) despite the time frames set out above for news releases and other planned communications relating to news releases, all public announcements and media communications related to urgent and/or emerging Project issues shall require the Recipient to provide SIB and CMD with notice of such announcement or communication as soon as possible prior to release;
  - (f) advise SIB and CMD prior to embarking on major provider outreach activities and the release of any publications related to the Project;
  - (g) develop advertising creative locally with artwork files (e.g., healthy kids assets, word mark, community identifier) and a Visual Identity Guidebook supplied by the Province:
    - (i) This advertising creative should not include the Ontario Logo or other Ontario identifier associated with the Visual Identity Directive, September 2006; and
    - (ii) The Province does not have to review and/or approve any advertising creative developed by the Recipient.
  - (h) Ensure that Marketing Communications (e.g., printed or printer-ready items provided by the Province such as posters, brochures, fact sheets) are not to be used in paid media. Paid media is:
    - (i) any item that the Recipient pays to have published in a newspaper or magazine, displayed on a billboard, or broadcast on radio or television;
    - (ii) any printed matter (e.g., householder) that the Recipient wants to pay to have distributed unaddressed to Ontario households by any method of bulk delivery; and
    - (iii) still considered to have a value and therefore considered “paid media” if the media is given, donated, and/or traded.
2. Despite the Notice provision in Article 18 of the Agreement, the Recipient shall provide any Notice required to be given under the Communications and Marketing part of this Schedule to the following:
- (a) **Ministry of Health and Long-Term Care  
Communications and Marketing Division  
Strategic Planning and Integrated Marketing Branch  
9th Floor, Hepburn Block, Toronto, ON M7A 1R3  
Email: [judy.langille@ontario.ca](mailto:judy.langille@ontario.ca)**
  - (b) **Ministry of Health and Long-Term Care  
Health Promotion Division  
Strategic Initiatives Branch  
777 Bay Street, 19th Floor, Toronto, ON M7A 1S5  
Email: [healthykidscommunitychallenge@ontario.ca](mailto:healthykidscommunitychallenge@ontario.ca)**

**SCHEDULE "B"  
BUDGET**

**Healthy Kids Community Challenge – City of Temiskaming Shores**

<b>FUNDING YEAR 1: APRIL 1, 2015 - MARCH 31, 2016</b>	
	<b>DIRECT SERVICES / PROJECT ADMIN. COSTS</b>
Salaries and wages including benefits (Local Project Manager)	<b>\$50,000 (Based on 100% FTE)</b>
Planning Services: <ul style="list-style-type: none"> <li>• Community Needs Assessment</li> <li>• Theme-Based Action Plan and Budget</li> <li>• Baseline data collection</li> <li>• Other</li> </ul>	<b>\$75,000</b>
<b>TOTAL *</b>	<b>Up to \$125,000</b>

<b>FUNDING YEARS 2-3 (APRIL 1, 2016 - MARCH 31, 2018)</b>	
	<b>DIRECT SERVICES / PROJECT ADMIN. COSTS</b>
Salaries and wages Contract employees Employee benefits Fee for services Transportation & communication Services Supplies Project materials Acquisition Other	<b>Up to \$125,000 for the 2016-17 funding year</b>  <b>Up to \$125,000 for the 2017-18 funding year</b>
<b>TOTAL *</b>	<b>Up to \$250,000</b>

\* "Maximum Funds" means \$375,000 over the Term of the Agreement.



**SCHEDULE "C"  
PAYMENT**

**Healthy Kids Community Challenge – City of Temiskaming Shores**

**FUNDING YEAR 1: APRIL 1, 2015 – MARCH 31, 2016**

PAYMENT DATE	TOTAL FUNDING
Pay up to \$5,208 semi-monthly on the 15th and 30th of each month, starting from April 15, 2015 to March 31, 2016.	<b>\$125,000</b>

**FUNDING YEAR 2: APRIL 1, 2016 – MARCH 31, 2017**

PAYMENT DATE	TOTAL FUNDING
Pay up to \$5,208 semi-monthly on the 15th and 30th of each month, starting from April 15, 2016 to March 31, 2017.	<b>\$125,000</b>

**FUNDING YEAR 3: APRIL 1, 2017 – MARCH 31, 2018**

PAYMENT DATE	TOTAL FUNDING
Pay up to \$5,208 semi-monthly on the 15th and 30th of each month, starting from April 15, 2017 to March 31, 2018.	<b>\$125,000</b>

Note: Final payment amount for each Funding Year to be rounded up or down, as required, to the total approved funding amount per Funding Year.

The Province may make adjustments to these instalments for reasons including, but not limited to, prior year Budget settlement based on this Agreement.

**SCHEDULE "D"  
REPORTS**

**Healthy Kids Community Challenge – City of Temiskaming Shores**

NAME OF REPORT		DUE DATE
<b>Funding Year 1: April 1, 2015 to March 31, 2016</b>		
1	Q1 Financial Report	July 31, 2015
2	1st Project Activity Report	October 31, 2015
3	Q2 Financial Report	October 31, 2015
4	Q3 Financial Report	January 31, 2016
5	2nd Project Activity Report	April 30, 2016
6	Q4 Financial Report	April 30, 2016
7	Funding Year/Annual Reconciliation Report	June 30, 2016
8	Recipient's Audited Financial Report	June 30, 2016
9	Reports specified from time to time	On a date or dates specified by the Province
<b>Funding Year 2: April 1, 2016 to March 31, 2017</b>		
10	Q1 Financial Report	July 31, 2016
11	3rd Project Activity Report	October 31, 2016
12	Q2 Financial Report	October 31, 2016
13	Q3 Financial Report	January 31, 2017
14	4th Project Activity Report	April 30, 2017
15	Q4 Financial Report	April 30, 2017
16	Funding Year/Annual Reconciliation Report	June 30, 2017
17	Recipient's Audited Financial Report	June 30, 2017
18	Reports specified from time to time	On a date or dates specified by the Province
<b>Funding Year 3: April 1, 2017 to March 31, 2018</b>		
19	Q1 Financial Report	July 31, 2017
20	5th Project Activity Report	October 31, 2017
21	Q2 Financial Report	October 31, 2017
22	Q3 Financial Report	January 31, 2018
23	6th (Final) Project Activity Report	April 30, 2018
24	Q4 (Final) Financial Report	April 30, 2018
25	Funding Year/Annual Reconciliation Report	June 30, 2018
26	Recipient's Audited Financial Report	June 30, 2018

**Certificate of Insurance:** The Certificate of Insurance shall be provided to the Province at the same time the executed Agreement is provided to the Province by the Recipient.

### ***Report Details***

**1. Q1 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2015. Reporting templates will be provided by the Province.

**2. 1st Project Activity Report**

This report contains Project activity progress at the end of September 30, 2015. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

**3. Q2 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2015. Reporting templates will be provided by the Province.

**4. Q3 Financial Report**

This financial report contains actual expenditures at the end of December 31, 2015, and a forecast of Project expenditures for the period from January 1, 2016 to March 31, 2016. Reporting templates will be provided by the Province. The purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2016 to March 31, 2016, and identify any funds which will be un-spent by the end of the Funding Year.

**5. 2nd Project Activity Report**

This report contains Project activity progress at the end of March 31, 2016. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met. This report should include progress against performance indicators as agreed to with the Province. The Province will provide a template for use in reporting on performance indicators.

- 6. Q4 Financial Report**

The financial report will specify actual expenditures/revenues against the approved budget and any resulting variances for each cost category at the end of March 31, 2016. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).
- 7. Funding Year/Annual Reconciliation Report**

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2015 to March 31, 2016 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).
- 8. Recipient's Audited Financial Report**

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.
- 9. Reports specified by from time to time**

As specified by the Province.
- 10. Q1 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2016. Reporting templates will be provided by the Province.
- 11. 3rd Project Activity Report**

This report contains Project activity progress at the end of September 30, 2016. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.
- 12. Q2 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2016. Reporting templates will be provided by the Province.
- 13. Q3 Financial Report**

This financial report contains actual expenditures at the end of December 31, 2016, and a forecast of Project expenditures for the period from January 1, 2017 to March 31, 2017. Reporting templates will be provided by the Province. The

purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2017 to March 31, 2017, and identify any funds which will be un-spent by the end of the Funding Year.

**14. 4th Project Activity Report**

This report contains Project activity progress at the end of March 31, 2017. For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met. This report should include progress against performance indicators as agreed to with the Province. The Province will provide a template for use in reporting on performance indicators.

**15. Q4 Financial Report**

The financial report will specify actual expenditures/revenues against the approved budget and any resulting variances for each cost category at the end of March 31, 2017. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

**16. Funding Year/Annual Reconciliation Report**

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2016 to March 31, 2017 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

**17. Recipient's Audited Financial Report**

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

**18. Reports specified from time to time**

As specified by the Province.

**19. Q1 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of June 30, 2017. Reporting templates will be provided by the Province.

**20. 5th Project Activity Report**

This report contains Project activity progress at the end of September 30, 2017. For this report, document achievements in relation to the agreed objectives and/or

major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered; and, if appropriate, planned remedial actions to ensure activities are met.

**21. Q2 Financial Report**

The financial report will specify actual expenditures/revenues against approved budget and any resulting variances for each cost category at the end of September 30, 2017. Reporting templates will be provided by the Province.

**22. Q3 Financial Report**

This financial report contains actual expenditures at the end of December 31, 2017, and a forecast of Project expenditures for the period from January 1, 2018 to March 31, 2018. Reporting templates will be provided by the Province. The purpose of this report is to report progress, flag large expenditures that are planned for the period from January 1, 2018 to March 31, 2018, and identify any funds which will be un-spent by the end of the Funding Year.

**23. 6th (Final) Project Activity Report**

This report contains Project activity progress at the end of the Funding Year (March 31, 2018). For this report, document achievements in relation to the agreed objectives and/or major activities, including key Project and evaluation results (outputs and/or outcomes); resources produced (if any); variances in achievement of planned outputs/outcomes (e.g., delays in meeting planned activities) and barriers encountered. This report should include progress against performance indicators as agreed to by the Province. The Province will provide a template for use in reporting on performance indicators. Where appropriate, offer recommendations for future planning.

**24. Q4 (Final) Financial Report**

This report contains actual expenditures at the end of the Funding Year (March 31, 2018). The financial report will specify actual revenues and expenditures against the approved budget and any resulting variances for the funding period. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

**25. Funding Year/Annual Reconciliation Report**

The Funding Year/Annual Reconciliation report contains the approved budget and actual expenditures for the Funding Year from April 1, 2017 to March 31, 2018 after the organization's financial audit is completed. Reporting templates will be provided by the Province and the report will be signed by authorized signing officers of the organization (e.g., Chief Executive Officer/Medical Officer of Health and/or Chief Financial Officer/Finance Director).

**26. Recipient's Audited Financial Report**

This report is the annual audited organizational financial report, including financial statements prepared by external auditors. The Province does not require a

separate schedule to be prepared for each Project funded as long as Province revenue and expenditures are identifiable within the report and the Funding Year/Annual Reconciliation reports (which are Project-specific) are duly signed by authorized signing officers.

**27. Reports specified from time to time**

As specified by the Province.

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

**By-law No. 2015-171**

**Being a by-law for the Assumption of Municipal Services for  
the Lorne Avenue Development**

**Whereas** under Section 86 (1) (a) of the Municipal Act, S.O. 2001, c.25, a municipality shall supply a building with a water or sewage public utility if the building lies along a supply line of the municipality for public utility;

**And whereas** in accordance to Section 10.8 of the *Lorne Avenue Development* agreement entered into under By-law No. 2012-103, the Director of Public Works has issued a *Certificate of Final Acceptance for Municipal Services*;

**And whereas** under Section 10.8 of the said agreement the municipal services are to be assumed by the City through an *Assumption By-law for Municipal Services*;

**And whereas** Council considered Memo 010-2015-PW at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to assume the Primary Services for the Lorne Avenue Development;

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

1. That all primary services installed in accordance to the Lorne Avenue Development Agreement (By-law No. 2012-103) are hereby vested wholly and assumed by the City of Temiskaming Shores.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** on this 4<sup>th</sup> of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen



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

**By-law No. 2015-172**

**Being a by-law to amend By-law No. 2012-101 (Traffic By-law),  
as amended to recognize stop signs on Dump Road, Hawn  
Drive and Radley's Hill Road as well as removal of the  
Crosswalk at the Haileybury Public School**

**Whereas** Section 10(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to pass by-laws respecting the health, safety and well-being of persons;

**And whereas** Section 102.1(1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

**And whereas** the Council of the Corporation of the City of Temiskaming Shores has adopted By-law No. 2012-101 on November 6, 2012 regulating traffic and parking of vehicles in the City of Temiskaming Shores;

**And whereas** Council considered Memo 006-2015-CS at the August 4, 2015 Regular meeting of Council and directed staff to prepare the necessary by-law to amend By-law No. 2012-101 (Traffic By-law) to recognize stop signs on Dump Road, Hawn Drive and Radley's Hill Road as well as removal of the Crosswalk at the Haileybury Public School;

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

1. That Council hereby amends By-law No. 2012-101, more specifically Appendix 11 – Providing for the installation of Stop Signs at Intersections by adding the following:

<u>Intersection</u>		<u>Facing Traffic</u>
Dump Road	& Highway 11	East bound on Dump Road
Dump Road	& Firstbrook Line Rd	West bound on Dump Road
Hawn Drive	& Radley's Hill Road	South bound on Hawn Drive
Radley's Hill Road	& Highway 11	East bound on Radley's Hill Road

2. That Council hereby amends By-law No. 2012-101, more specifically Appendix 26 – Designated School/Pedestrian Crosswalks by removing the following:

	<u>Street</u>	<u>At</u>
6	Rorke Avenue	Haileybury Public School

3. That this by-law shall come into force and take effect on the date of its final passing.
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

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

**By-law No. 2015-173**

**Being a by-law to enter into an agreement with Miller Maintenance Limited for the Installation of LED Street Light Fixtures and Fuse Kits at various locations within 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-045-2015 at the August 4<sup>th</sup>, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Miller Maintenance Limited for the Installation of LED Street Light Fixtures and Fuse Kits at various locations within the City for consideration at the August 4<sup>th</sup>, 2015 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 Mayor and Clerk to enter into an agreement with Miller Maintenance Limited for the Installation of LED Street Light Fixtures and Fuse Kits at various locations within the City in the amount of \$146,115.00 plus applicable taxes, a copy of which is attached hereto as Schedule "A" and forming part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen



Schedule "A" to

**By-law 2015-173**

Agreement between

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

and

**Miller Maintenance Limited**

for the Installation of LED Street Light Fixtures and Fuse Kits

**This agreement** made in duplicate this 4<sup>th</sup> day of August 2015.

Between:

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

and

**Miller Maintenance Limited**  
(hereinafter called "the Contractor")

Witnesseth:

That the Owner and the Contractor shall undertake and agree as follows:

**Article I:**

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
LED Street Lighting Installation  
Request for Proposal No. PW-RFP-008-2015**

- b) Do and fulfill everything indicated by this Agreement and in the Form of Agreement, attached hereto as Appendix 01 and forming part of this agreement; and  
c) Complete, as certified by the Engineer, all the work by **December 31<sup>st</sup>, 2015.**

**Article II:**

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid **One Hundred and Forty-Six Thousand One Hundred and Fifteen Dollars and Zero Cents (\$146,115.00) plus applicable taxes** subject to additions and deductions as provided in the Contract Documents.  
b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article III:**

All communications in writing between the parties, or between them and the Engineer shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**Miller Maintenance Limited**  
704024 Rockley Road  
New Liskeard, Ontario  
P0J 1P0

The Owner:

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

The Director:

**The Director of Public Works**  
**City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

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

Signed and Sealed in )  
the presence of )

Contractor's Seal )  
(if applicable) )

Municipal Seal )

**Miller Maintenance Limited**

\_\_\_\_\_  
Signing Authority  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Corporation of the City of  
Temiskaming Shores**

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-173**

Form of Agreement





**City of Temiskaming Shores**  
**PW-RFP-008-2015**  
LED Street Lighting Installation

PW-RFP-008-2015

Contractor's submission of bid to: The Corporation of the City of Temiskaming Shores

Stipulated Bid Price

We/I, Miller Maintenance Limited  
(Registered Company Name/Individuals Name)

Of, 704024 Rockley Road, Box 248, New Liskeard, ON P0J 1P0  
(Registered Address and Postal Code)

Business:

Phone Number ( 705 ) - 647-4331

Fax Number ( 705 ) - 647-3611

We/I hereby offer to enter into an agreement for the installation of LED fixtures with all components and light arms, as well as for the supply and installation of new wiring, fuse kits (including fuses) and poles on an as need basis.

The Financial Proposal shall include:

An all-inclusive price (excluding taxes which are to be itemized separately) for all services and tasks outlined in the Scope of Work, Section 7.0. Any separate billings are to be approved by the City in advance. Pricing to supply new wire, fuse kits (including fuses), and streetlight poles, as well as the associated labour costs for installation on a per unit basis.

**City of Temiskaming Shores:**

Description	Quantity	Bid Price per Unit	Subtotal	HST	Total
Fixture Installation (all-inclusive price for services & tasks outlined in Section 7.0)	955	\$93.00	\$88,815.00	\$11,545.95	\$100,360.95
Fuse Holder and Fuse Supply and Installation (per unit basis)	1	\$60.00	\$60.00	\$7.80	\$68.70
Rewire: Supply (on a per metre basis) and installation (labour)	1	\$12.00	\$12.00	\$1.56	\$13.56
Arm Replacement Installation (labour costs on a per unit basis)	1	\$125.00	\$125.00	\$16.25	\$141.25
Pole Supply and Installation (per unit basis)	1	\$1,850.00	\$1,850.00	\$240.50	\$2,090.50
<b>TOTAL</b>	-	-	\$90,862.00	\$11,812.06	\$102,674.96

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

**By-law No. 2015-174**

**Being a by-law to enter into an agreement with P.A.  
Blackburn Limited for the preparation of a Certified Site  
Program Designation for the Dymond Industrial Park**

**Whereas** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to 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. CGP-033-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with P.A. Blackburn Limited for the preparation of a Certified Site Program Designation for the Dymond Industrial Park for consideration at the August 4, 2015 Regular Council meeting;

**And whereas** the Council of The Corporation of the City of Temiskaming Shores deems it necessary to enter into an agreement with P.A. Blackburn Limited;

**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 Mayor and Clerk to enter into an agreement with P.A. Blackburn Limited for the preparation of a Certified Site Program Designation of the Dymond Industrial Park at an upset limit of \$52,900.00 plus applicable taxes, 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 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk - David B. Treen



Schedule "A" to

**By-law 2015-174**

Agreement between

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

and

**P.A. Blackburn Limited**

for the preparation of a Certified Site Program Designation  
for the Dymond Industrial Park

**This agreement** made in duplicate this 4<sup>th</sup> day of August, 2015.

Between:

**The Corporation of the City of Temiskaming Shores**  
(hereinafter called “the Owner”)

And:

**P. A. Blackburn Limited**  
(hereinafter called “the Consultant”)

Witnesseth:

That the Owner and the Consultant shall undertake and agree as follows:

**Part 1 – General Provisions**

- 1.1 All communications in writing between the parties, shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor:

**P.A. Blackburn Limited**  
704024 Rockley Road  
New Liskeard, Ontario  
P0J 1P0

The Owner:

**City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0  
Attention: Economic Development Officer

- 1.2 No Provisional Item work will be commenced without prior written authorization from the City.
- 1.3 The Provisional Items include a Phase 2 ESA in the amount of \$1,500/site; Stage 2 Archaeological Assessment in the amount of \$2,100/site and a Cultural Heritage Environmental Report in the amount of \$4,200/site. The Provisional Items will only be undertaken if warranted by the pre-requisite studies.
- 1.4 It is agreed by both parties that there are no anticipated changes in the scope of work. In the event that the Consultant encounters circumstances requiring a change in the scope of work, written authorization shall first be obtained from the City through the issuance of a Change Work Order prior to commencement.

**Part 2 – Covenants of the Owner**

- 2.1 The Owner will pay the Contractor in lawful money of Canada for the material and services aforesaid at an upset limit of Fifty-Two Thousand, Nine Hundred Dollars and Zero Cents (\$52,900.00) plus HST which is based on a contract price in the

amount of \$37,300 plus HST and Provisional Items in the amount of \$ 15,600 plus HST.

- 2.2 The Owner shall make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice

### **Part 3 – Covenants of the Consultant**

- 3.1 The Consultant will provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Certified Site Requirements  
Request for Quotation No. CGP-RFQ-001-2015**

- 3.2 The Consultant will do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Certification Instructions and Requirements and Appendix 02 – Form of Agreement, forming part of this agreement.
- 3.3 The Consultant shall complete, as certified by the Economic Development Officer, all the work by **December 10, 2015.**
- 3.4 The Consultant shall pay a penalty of \$200 per calendar day beyond December 10, 2015 for non-completion of the project. The City, at its sole discretion, may extend the date for completion based on rationale outside the control of the Consultant.

**Part 4 – Execution of Agreement**

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

Signed and Sealed in )  
the presence of )

**P. A. Blackburn Ltd.**

Consultant’s Seal )  
(if applicable) )

\_\_\_\_\_  
Owner – P.A. Blackburn

\_\_\_\_\_  
OLS – Greg Ford, P. Eng.

**Corporation of the City of  
Temiskaming Shores**

Municipal Seal )

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-174**

Certification Instructions and Requirements



## **Certification Instructions and Requirements**

### **Program Objective**

The Ontario Certified Site Program is a province-wide investment attraction program, the purpose of which is to promote an inventory of sites that meet a set of minimum requirements as outlined below. The program was designed by Deloitte Consulting, an internationally recognized leader in site selection. Information provided under the program is intended to include items most commonly required by those making site selection decisions for foreign direct investment and expansion projects.

A site with an Investment Ready: Certified Site designation is intended to be attractive to potential investors and purchasers because it reduces some of the unknowns associated with development by providing detailed information about the availability, utilities servicing, access and environmental concerns. Providing this information can lead to faster site selection decisions and investment transactions.

The benefits of this designation include the development of specialized marketing materials that are promoted to the site selection community, as well as a profile on the property on [www.investInOntario.com](http://www.investInOntario.com) and at key global investment attraction trade shows.

Through this program, the Province of Ontario collects site related information from the land owner/applicant and assembles it into a consistent and easy to use format. Please note that the Province of Ontario will not represent or warrant the accuracy or completeness of the Application to Certify and any other information submitted by the applicant, owner or by third parties which may be made available to any agents, prospective purchasers or other parties.

### **Purpose of Pre-screening**

The Pre-Screening application is the first step in the site certification process. Pre-screening Applications are used to determine eligibility for entry to the program. The purpose of the Pre-screening Application is to obtain general information about the site and determine whether mandatory eligibility and site requirements are met. Sites that meet the mandatory requirements identified in the pre-screening process will be eligible for acceptance into the certification program.

Pre-screening will occur through a series of rounds with specific application deadlines. The number of eligible sites accepted into the program will depend on the number of applications received and availability of funding for eligible reimbursements.

The fulfillment of minimum requirements does not guarantee acceptance into the program. Other information included in this application (e.g. site size, level of completed utilities servicing, proximity to transportation network, regional distribution, etc.) will be used to identify those sites that will be accepted into the program.

Eligible applicants will be required to enter into a funding agreement with the Province of Ontario to be eligible for reimbursement of certain expenses (to a maximum of \$25,000). Grant funding for reimbursements is through a discretionary fund and is subject to availability. An applicant will not be entitled to any grant funds if the site does not meet the requirements to achieve certification.

In a case where a site is accepted through the application process, but funding is not available or the applicant/ landowner is unable to enter into a funding agreement, the applicant/owner will be given the option to either proceed with the certification process without receiving reimbursement or to reapply in a subsequent Pre-screening Application round.

The Province of Ontario will endeavour to notify applicants of acceptance into the certification program within 45 days of the Pre-screening Application deadline.

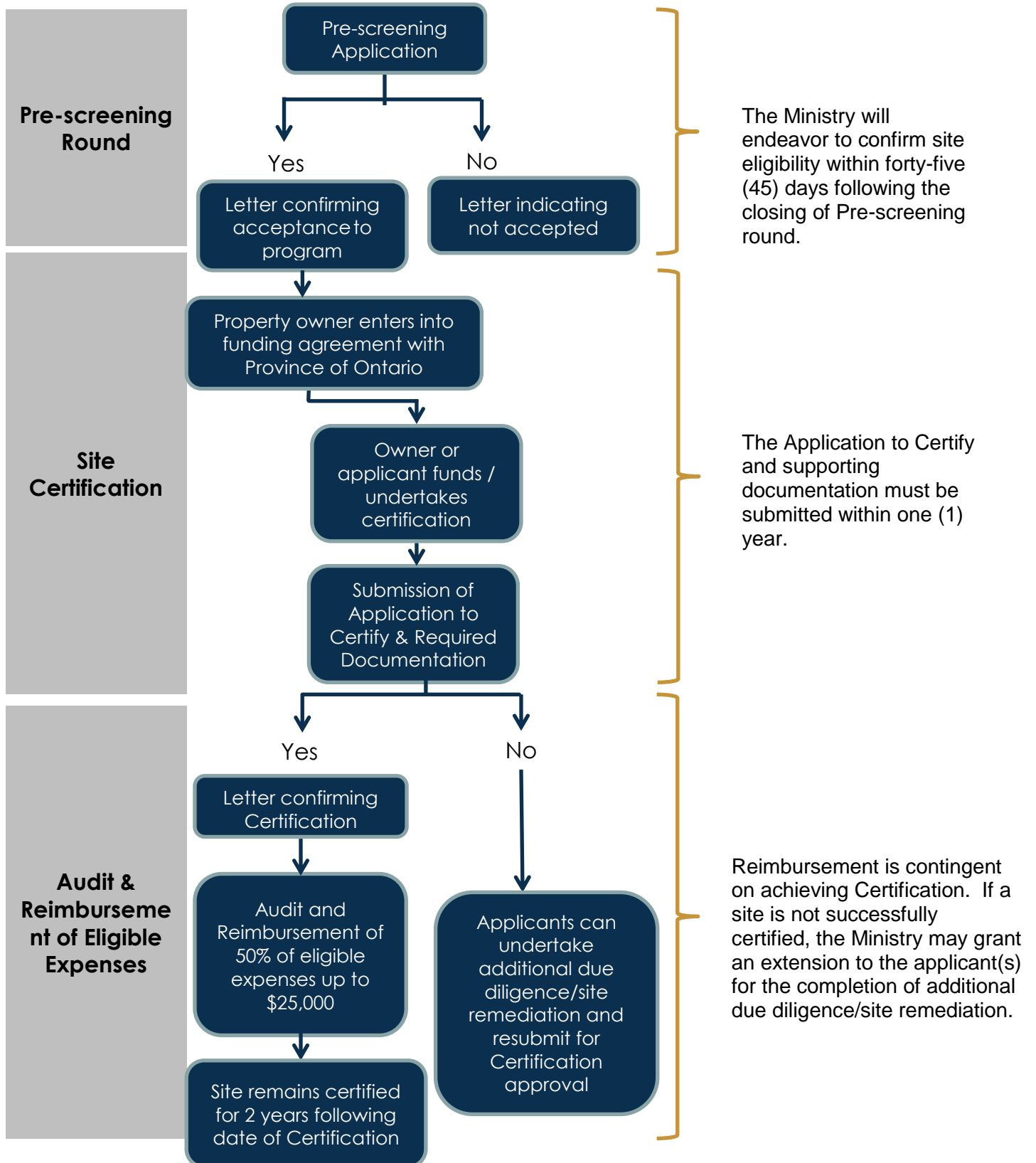
### **Minimum Eligibility Requirements**

The mandatory requirements that must be met for a site to be eligible for the certification program are identified below:

Site Ownership	The program is open to public and privately owned land. Property owner(s) must be willing to enter into a funding agreement with the Province to receive reimbursement through the grant program.
Applicant Eligibility	Applications must be submitted jointly by either municipalities or Economic Development Organizations (EDOs) and the owner(s) of the site. Applicants are limited to submitting two (2) sites for certification reimbursement per year.
Commitment to Make the Property Available for Sale/Lease	The property owner(s) must agree to make the property available for sale or lease for a period of two (2) years following the date of certification.
Minimum Property Size	The site must consist of at least four (4) hectares (ten (10) acres) of contiguous developable area. If the site is an assemblage of multiple properties, the properties must be contiguous and have the same registered owner on title.
Existing Public Road Access	The property must have existing road access from a public right-of-way or have plans to be able to extend road access within six (6) months of becoming certified.
Official Plan and Zoning	The property must be located within an urban or rural area designated for employment uses or industrial development in an in-effect municipal Official Plan and zoned to permit a range of industrial uses.
Servicing and Utilities	The property must either be serviced by existing water and wastewater systems, natural gas (for sites in municipalities with existing natural gas service), utilities and telecommunications or, alternatively, will be serviced within six (6) months of becoming certified.
Major Development Constraints	The property must be free of development constraints that could reasonably impact the developable area or range of industrial or other employment uses on the property. Potential constraints include restrictions on title, identified flood zones and the presence of significant natural environmental features or easements and existing Rights-of-Way .

### Certification Process

The certification process is summarized in the following diagram:



## Certification Requirements

The information below identifies and provides a brief description of information required to receive a Certified Site designation

Certain studies identified in the requirements may be accepted if they were already completed prior to the certification process provided that they were undertaken within a reasonable timeframe, the subject or study area of the report encompasses the property in its entirety and there have been no significant changes to the property since the time of the report.

The following studies, if already completed, may be accepted: Environmental Site Assessments, Archaeological Assessments, Species at Risk Assessments, Technical Heritage Reports and Environmental Assessments. Studies should be submitted with the Pre-screening Application form and applicants will be notified if they satisfy the necessary requirements. Note that Environmental Site Assessments should be no older than 6-9 months.

	Criteria	Description of Requirements	Documentation Required
A.1	Truthful Representation	<ul style="list-style-type: none"> <li>Signed letter from the applicant/property owner confirming that all materials are understood to be truthful and that there are no other known encumbrances affecting the property beyond those identified in the certification materials.</li> </ul>	<ul style="list-style-type: none"> <li><b>Signed form</b> letter from applicant and owner (if different from applicant).</li> </ul>
A.2	Property Identification	<ul style="list-style-type: none"> <li>Maps providing clear identification of property features, boundary and surrounding uses.</li> <li>Context map illustrating location relative to regional transportation network, including rail, airports and ports.</li> <li>Identification of closest sensitive land uses (residential or institutional) to the site as defined in Guideline D-6 Compatibility Between Industrial Facilities and Sensitive Land Uses (Ontario Ministry of the Environment, 1995).</li> </ul>	<ul style="list-style-type: none"> <li><b>Digital context map</b> illustrating site location relative to regional transportation network.</li> <li><b>Digital topographic map</b> with environmental features for site and vicinity.</li> <li><b>Digital orthophotography</b> (20cm, orthorectified photography) for site and vicinity.</li> </ul>
A.3	Title	<ul style="list-style-type: none"> <li>Provide results of a title search showing a clear title of the property.</li> </ul>	<ul style="list-style-type: none"> <li><b>Title Search Opinion</b> prepared by a solicitor and/or <b>Title Insurance</b>.</li> </ul>
A.4	Property Characteristics and Surrounding Uses	<ul style="list-style-type: none"> <li>Provide Plan of Survey and accompanying report (if applicable) outlining: legal description, address and property dimensions; location of all existing improvements; type and location of land related encumbrances or interests on property title; and surrounding uses.</li> </ul>	<ul style="list-style-type: none"> <li><b>Surveyor's Real Property Report</b> prepared by a licenced Ontario Land Surveyor.</li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.5	Developable Area	<ul style="list-style-type: none"> <li>• Estimate of the developable area of the site, including supporting base map illustrating the parcel boundaries and developable area of the property after deductions including any setback/buffer requirements, including: floodplains, watercourses, woodlots and environmental features, easements, rights-of-way, or other encumbrances.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Topographic map</b> showing environmental features and identifying the developable portion of the property.</li> </ul>
A.6	Planning	<ul style="list-style-type: none"> <li>• Provide details regarding the Official Plan designation/policies and zoning provisions, including range of permitted uses and setback requirements.</li> <li>• Identify zoning for adjacent properties.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Official Plan and Zoning By-law Excerpts</b>, including relevant Official Plan schedules and zoning maps illustrating zoning for the subject property and adjacent properties.</li> </ul>
A.7	Transportation	<ul style="list-style-type: none"> <li>• Confirm existing access or plans to extend existing roads to access the site.</li> <li>• Confirm proximity to a major highway interchange.</li> <li>• Identification of property relative to rail lines, airport and port facilities.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Road classification or street maps</b> illustrating existing transportation network, and if applicable, right-of-way widths and nature/timing of any proposed transportation improvements.</li> <li>• <b>Regional map</b> identifying closest rail, intermodal facilities, port and/or airports (where applicable).</li> </ul>
A.8	Servicing	<ul style="list-style-type: none"> <li>• Confirmation from the municipality and utilities providers regarding the presence of existing services or, where the site is not serviced, the timing, funding responsibilities and cost of extending services to the site. Services include the following infrastructure and utilities:                         <ul style="list-style-type: none"> <li>○ Water</li> <li>○ Wastewater/sewer</li> <li>○ Electricity</li> <li>○ Natural gas</li> <li>○ Telecommunications</li> </ul> </li> <li>• Letters from the municipality and utilities providers that confirm the following:                         <ul style="list-style-type: none"> <li>○ Presence of existing services;</li> <li>○ Excess capacity of existing services;</li> <li>○ The timing and impact of any planned upgrades; and,</li> <li>○ Where the extension of services is required to service the site, written confirmation that the site can be serviced within 6 months of the date of certification, that the timing is known or under control of the applicant or land owner, as well as an estimate of any cost to the landowner.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Infrastructure/utilities map(s)</b> showing existing infrastructure for utilities and any proposed extensions</li> <li>• <b>Letters from Service Providers.</b></li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.9	Environmental Site Assessments	<ul style="list-style-type: none"> <li>Qualified person must make statements and provide certifications about the environmental condition of the property, including verifying that the soil, ground water and sediment as required</li> </ul>	<ul style="list-style-type: none"> <li><b>Recently completed or updated Phase 1 Environmental Site Assessment</b> and, if necessary, a <b>Phase 2 Environmental Site Assessment</b> conducted by a Qualified Person as defined in Part II of Ontario Regulation 153/04.</li> <li><b>Verification that the Record of Site Condition</b> has been filed to the Environmental Site Registry by the Ministry of the Environment, if applicable.</li> </ul>
A.10	Archaeological Assessment	<ul style="list-style-type: none"> <li>Completion of all necessary stages of archaeological assessment (1-4). Only where sites are recommended for further assessment will Stage 3 and possibly Stage 4 be required.</li> </ul>	<ul style="list-style-type: none"> <li><b>Stage 1-4 Archaeological Assessment reports</b> (as necessary). Assessments must be conducted by an archaeologist licensed in accordance with Part VI of the Ontario Heritage Act.</li> <li><b>A copy of the letter(s) from the Ministry of Tourism, Culture and Sport to the licensed archaeologist</b> confirming that all necessary archaeological assessment reports have been entered into the Register.</li> </ul>
A.11	Species at Risk	<ul style="list-style-type: none"> <li>If a federally or provincially protected species or habitat is suspected to be associated with a site, then the appropriate assessments (with consideration given to timing/seasonality) should be undertaken.</li> <li>If it is determined that a Species at Risk Assessment is not necessary, a written confirmation letter from a qualified environmental professional shall be required.</li> </ul>	<ul style="list-style-type: none"> <li><b>Species at Risk Assessment</b> prepared by a qualified environmental professional indicating if and which species at risk are present.</li> <li><b>Letter from the Ministry of Natural Resources</b> confirming that the assessment has been reviewed.</li> </ul>

	Criteria	Description of Requirements	Documentation Required
A.12	Built Heritage and Cultural Heritage Landscapes	<ul style="list-style-type: none"> <li>• If the property is designated under the Ontario Heritage Act or listed on a municipal heritage register, completion of any required technical heritage studies as part of planning approvals.</li> <li>• If the property is owned or controlled by the Provincial government, assurance that the applicable provisions of the Standards and Guidelines for Conservation of Provincial Heritage Properties (2010) have been met.</li> <li>• If the property contains a former federal heritage building, a best effort demonstration to preserved the heritage character should have been made.</li> <li>• If it is determined that a Built Heritage and/or Cultural Heritage Landscape report is not necessary, a written confirmation letter from a municipal employee shall be required.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Technical heritage reports</b> (if requested by the municipality).</li> <li>• <b>Copy of any heritage permits</b> or documents from Council providing consent for alterations.</li> <li>• <b>Cultural Heritage Evaluation Report (CHER)</b>, or other technical heritage report, if one was completed as part of the EA process or a planning process authorized by legislation.</li> <li>• <b>Strategic Conservation Plan</b>, if the CHER identifies the property as a provincial heritage property legislation.</li> <li>• <b>Copy of the Letter from the Minister Tourism Culture and Sport</b> granting consent for disposition (transfer out of provincial control).</li> <li>• <b>Written confirmation from the Federal Heritage Review Office</b> that the requirements for disposal have been met.</li> </ul>
A.13	Environmental Assessment, if applicable	<ul style="list-style-type: none"> <li>• Confirmation of approvals under applicable environmental assessment processes required to facilitate the proposed undertaking, including sale/ lease of the property.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Statement of Completion, Ministry of Environment Minister's or Director's Decision Letter or a Notice of Approval.</b></li> </ul>
A.14	Documentation Review	<ul style="list-style-type: none"> <li>• Confirmation that:                             <ul style="list-style-type: none"> <li>○ All information and documentation required as part of this program are submitted; and</li> <li>○ Studies and documentation meet the requirements of the certification process and demonstrate they were prepared by the required professionals and their findings support the certification of the site based on the criteria outlined and the purpose and stated objective of the Investment Ready Certified Site Program.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>Letter</b> from licenced Engineer, Surveyor or Registered Professional Planner and/or</li> <li>• <b>Letter</b> from a Real Estate Lawyer.</li> </ul>

### Purpose of the Application to Certify

The information collected in the application is a requirement for certification designation and will be used in developing marketing materials that will be distributed to site selection firms and/or investors seeking location opportunities in Ontario. It is desirable

that applicants provide clear and detailed information, as this document may be sent in response to investment enquires.

### **Application Submission**

Submit **one (1) hard copy and (1) electronic copy (USB or CD)** of the application and supporting documents to:

**Ministry of Economic Development, Trade and Employment**  
Advanced Manufacturing Branch  
Investment Ready: Certified Site Program  
56 Wellesley St. W., 7<sup>th</sup> Floor  
Toronto ON M7A 2E7

In addition, **email one (1) copy of the application** form to [investmentready@ontario.ca](mailto:investmentready@ontario.ca).

Upon review of the application and certification documentation, applicants will be notified of certification. A site will remain certified for two (2) years, provided the condition of the site does not change.

### **Eligible Costs and Reimbursement**

A maximum grant of 50% of eligible costs, up to \$25,000 per application, will be paid as a reimbursement of eligible costs provided the following conditions have been met:

- Applications have been accepted into the program through the Pre-screening Application process;
- Sites have met all certification requirements and have been successfully certified; and
- The Property Owner has entered into and agreed to the terms of a funding agreement with the Province of Ontario.

To receive reimbursement, invoices for each eligible cost are required and must be submitted along with a Summary of Eligible Costs Table (provided in the funding agreement). The grant will be paid in accordance with the terms and conditions of a funding agreement satisfactory to the Province of Ontario.

Eligible expenditures must be directly related to the project and be actual cash outlays to third parties that are documented through paid invoices and proofs of payment. Eligible costs include assessments and documentation prepared by qualified professionals for the following services:

- Title opinion.
- Surveyor’s Real Property Report.
- Environmental Site Assessments.
- Environmental Assessments.



- Archaeological Assessments.
- Species at Risk Assessment.
- Technical Heritage Reports.
- Documentation Review.
- Production of digital mapping and municipal documents (Official Plans, Zoning By-laws, etc.).
- Management of the application process by a third party project manager (a maximum of 10% of eligible costs up to \$5,000).

Ineligible costs include:

- Infrastructure or capital costs related to bringing the site up to eligibility.
- Costs incurred prior to the Effective Date as outlined in the funding agreement with the Province of Ontario.
- Costs incurred by an Ontario Ministry, Agency or Crown Corporation.
- Travel costs incurred by the applicants\property owner as a result of the preparation of the application.
- Ongoing operational expenses including labour costs, e.g. salaries, wages, including those of staff working on the certification application.
- Costs not incurred in Ontario, except when the only supplier(s) of services are outside of Ontario.
- Entertainment expenses, meals or alcoholic beverages.
- In kind contributions.
- Costs, including taxes, for which the applicant(s) has received, will receive or is eligible to receive a rebate, credit or refund.



Appendix 02 to  
Schedule "A" to

**By-law No. 2015-174**

Form of Agreement

**P. A. BLACKBURN LIMITED and Partners:**

**Woodland Heritage Services  
FRi Ecological Services  
Ramsay Law Office  
Lassonde School of Engineering**

**Preparation of an  
Investment Ready: Certified Site Program  
Designation  
at Hawn Drive East  
& West Parcels**

**City of Temiskaming Shores**

**Re: Request for Proposal (revised)  
CFP-RFQ-001-2015**

Prepared for:

The City of Temiskaming Shores  
325 Farr Drive, PO Box 2050  
Haileybury, ON P0J 1K0

**Attn:** Dave Treen, Municipal Clerk

.....  
*This proposal was prepared by P.A. Blackburn Limited for the exclusive use of The City of Temiskaming Shores and may not be reproduced in whole or in part, or used or relied upon in whole or in part by any party other than The City of Temiskaming Shores for any purpose whatsoever without the express permission of both P.A. Blackburn Limited and The City of Temiskaming Shores in writing.*

**P. A. BLACKBURN LIMITED**  
140 Lake Street  
North Bay, On P1B 4M8  
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Email: [blackburn-survey@bellnet.ca](mailto:blackburn-survey@bellnet.ca)

**Our file Ref No. : P1525**

**Date:** July 23, 2015



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## 1. Our Understanding of the Request

The City of Temiskaming Shores (*hereafter City*) wishes to better promote the sale of lots within their Industrial Park hereafter referred to as Hawn Drive East and West parcels, and in turn are desirous of obtaining an Investment Ready: Certified Site Program designation to better market the lots. The City is now in the process of retaining a team of professionals to assist them in said designation. PA Blackburn Limited, a dual licensed survey and engineering firm, which prepared the Reference Plan for said Industrial Park, wishes to be selected as providing the lead role in this designation process.

In the evolution of completing the various studies and assessments it is anticipated that the Project Manager will meet with the City representative(s) on three (3) different occasions shown in Appendix 2:

- Kick-Off meeting;
- Review of draft SRPR; Phase 1 ESA findings; Stage 1 Archaeological assessment findings to date; preliminary SAR findings, and
- Review draft final documentation.

## 2. Scope of Work & Solutions (revised)

The scope of work, from the original Request for Quotation that we understand will continue to provided by the City includes the following:

### *Task 1- Truthful Representation:*

Highlights include:

- Provision of a signed letter from the City confirming that all materials within the Report are understood to be truthful and that there are no known encumbrances affecting the property beyond those identified in the certification materials.
- This letter, according to the RFQ must be signed by the applicant.

Based on the revised scope of work outlined in the Request for Quotation relating to the Industrial Park above, the scope of work that we understand must now be provided by this Firm and our subcontractors includes the following:

### *Task 2- Property Identification:*

Highlights include:

- Provision of maps providing clear identification of property features including, but not limited to a Digital Context Map, Digital topographic Map; topographic map illustrating environmental features, and Digital orthophotography;
- it is anticipated that an aerial photo and associated field work will be procured later this year when the leaves have fallen allowing for optimal ground penetration, and illustrating most current status of industrial park.

**Task 3- Quality of Title:**

Highlights include:

- Provision of an opinion relating to quality of Title;
- This task will be provided by a local solicitor (Peter Ramsay) known to the City.

**Task 5- Developable Area:**

Highlights include:

- Provision of a topographic map, which will be provided as per Task 2.

**Task 6- Planning:**

Highlights include:

- Official Plan and Zoning By-Law excerpts relevant to subject properties;
- It is anticipated that Community Growth & Planning (of the City) would be able to provide the applicable documents for our review and implementation into final Report.

**Task 7- Transportation:**

Highlights include:

- Provision of road classification or street maps illustrating existing transportation network, and Regional Map identifying closest rail and intermodal facilities.
- It is anticipated that Public Works (of the City) would be able to provide the applicable information that we can illustrate on final plans.

**Task 8- Servicing:**

Highlights include:

- Provision of infrastructure/utilities maps showing existing infrastructure in vicinity of properties and a letter confirming capacity and existence of said utilities.
- It is anticipated that Public Works (of the City) would be able to provide the applicable plans, and existing catchment area calculations that were submitted to the MOE for our review and implementation into final Report.

The scope of work, from the original Request for Quotation that we understand will continue to <sup>BE</sup> provided by this Firm and our subcontractors includes the following:

**Task 4 – Property Characteristics and Surrounding Uses**

Highlights include:

- Preparation of a Surveyor's Real Property Report (SRPR) for Hawn Drive West and Hawn Drive East, except for those portions already sold (in accordance with instructions received June 25, 2015 from James Franks);

**Task 9 – Environmental Site Assessments (ESA)**

Highlights include:

- Provision of a Phase 1 ESA report for Hawn Drive West and Hawn Drive East parcels in accordance with the Z768-01 guidelines;
- The potential to move to a Phase 2 evaluation should existing conditions dictate, and is shown as provisional in cost estimate;
- The potential to provide a Record of Site Condition if applicable.

*[the initial component of the ESA process is related to a records review, and is now complete. From the initial review of available environmental databases we understand that as of July 15, 2015 there are no known records, e.g. fuel storage tanks, waste disposal sites, landfill locations occurring at either Hawn Drive East or West]*

**Task 10 – Archaeological Assessment**

Highlights include:

- Preparation of a Stage 1 Archaeological Assessment for both Hawn Drive West and Hawn Drive East parcels in accordance with Ministry (MTCS) guidelines;
- The potential to move to a Stage 2 evaluation (or Stage 3 and 4) should existing conditions dictate, and is shown as provisional in cost estimate.

**Task 11 – Species-at-Risk Assessment (SAR)**

Highlights include:

- Provision of a SAR assessment indicating which species are present and at risk;
- Submission of said SAR assessment to Ministry of Natural Resources (MNRF) for their review and comment.

*[From an initial review by our subcontractor we already know the following]:*

Common Name	Scientific Name	Status
Little Brown Myotis	<i>Myotis lucifugus</i>	Endangered
Northern Myotis	<i>Myotis septentrionalis</i>	Endangered
Lake Sturgeon	<i>Acipenser fulvescens</i>	Threatened
Barn Swallow	<i>Hirundo rustica</i>	Threatened
Bobolink	<i>Dolichonyx oryzivorus</i>	Threatened
Monarch	<i>Danaus plexippus</i>	Special Concern
Snapping Turtle	<i>Chelydra serpentina</i>	Special Concern



**Task 12 – Built Heritage and Cultural Heritage landscapes**

Highlights include:

- The preparation of a CHER (Cultural Heritage Environmental Report) can be provided if requested by the Municipality, and is listed in our budget as a provisional item.

**Task 13 – Environmental Assessment**

Highlights include:

- Confirmation from the Ministry (MOE) that the scope of this project, i.e. procuring a Certified Site Program Designation, does not require an Environmental Assessment under the Environmental Assessment Act.

**Task 14 – Documentation Review**

Highlights include:

- Provision of a letter confirming that all information and required documentation has been submitted;
- Demonstration that that all requisite studies and documentation meet the requirements of the certification process, and
- Submission of ‘Application to Certify’ to the Ministry of Economic Development, Employment & Infrastructure.

### 3. Schedule (revised)

We understand from the revised RFQ that the contract award is scheduled for August 5, 2015 with an intended target completion scheduled for December 15, 2015.

Cognisant of the Project Schedule our specific tasks and timelines are summarised as follows, and highlighted on the attached schedule in Appendix 2:

- Task 1; provision of a signed form letter (to be provided by City) by Dec 11.
- Tasks 2, 5; provision of digital mapping by Dec 1
- Task 3; Quality of Title opinion by Dec 1
- Task 4; provision of two SRPRs by Aug 17.
- Task 6; O.P. and ZBL excerpts by Aug 10
- Task 7; provision of Road Classification maps by Dec 1
- Task 8; Infrastructure/utilities maps by Dec 1
- Task 9; provision of two Phase 1 ESAs by Aug 17.
- Task 10; provision of a Stage 1 archaeological assessment by Dec 1.
- Task 11; provision of a SAR assessment by Sep 28.
- Task 14; summary and Documentation Review by Dec 14.
- Project management, meetings, throughout.

As Task 1 is to be provided by the City of Temiskaming Shores we have estimated receipt of this information in our schedule in addition to the time required by our staff to incorporate it into our work format.

As per the Schedule attached in Appendix 2, we have established the first week in December as our target date for submission. The only significant variable in our schedule is the date when the leaves have substantially fallen allowing the aerial photograph activity to begin.

#### 4. Consortium Members (Responsibilities, Staffing, Experience)

The team is comprised of three (5) distinct firms all under the coordination of PA Blackburn Limited (PAB) with the following areas of experience and expertise:

##### 4.1 PA Blackburn Limited;

Responsible for the administration and management of the Site Certification process to ensure:

- (1) the timelines of the process are adequately scheduled and achieved;
- (2) that a singular person is responsible for liaising with all parties, and keeping all parties current with status, including planned meetings with the City;
- (3) the process meets the guidelines of a Site Certification Process as outlined by the Ministry of Economic Development, Employment & Infrastructure (MEDEI)
- (4) overall management of the Team.

The project Manager will be Greg Ford, who has been involved with engineering administration since 1986, and involved with Environmental Assessments since 2009, and Class EA administration since it evolved in 2000.

With respect to the provision of a Surveyors Real Property Report (SRPR) the firm of PA Blackburn Limited has had more than 4 decades of experience providing this type of plan, and in fact prepared the underlying Reference Plan for the Industrial Subdivision for the City of Temiskaming Shores in November 2013.

With respect to the Environmental Site Assessments examples of some local projects have included:

- Wabi Iron & Steel, New Liskeard (both Phase 1 and 2);
- Lecours Motor Sales, Hearst (both Phase 1 and 2);
- Thib's Valu Mart, Englehart (both Phase 1 and 2).

The initial component of a Phase 1 ESA is related to a records review both of the site and of the adjoining sites. As shown in Figure 1 below our preliminary investigation will research the applicable area and up to 300 m distant against the following databases searching for potential contributors to onsite contamination:

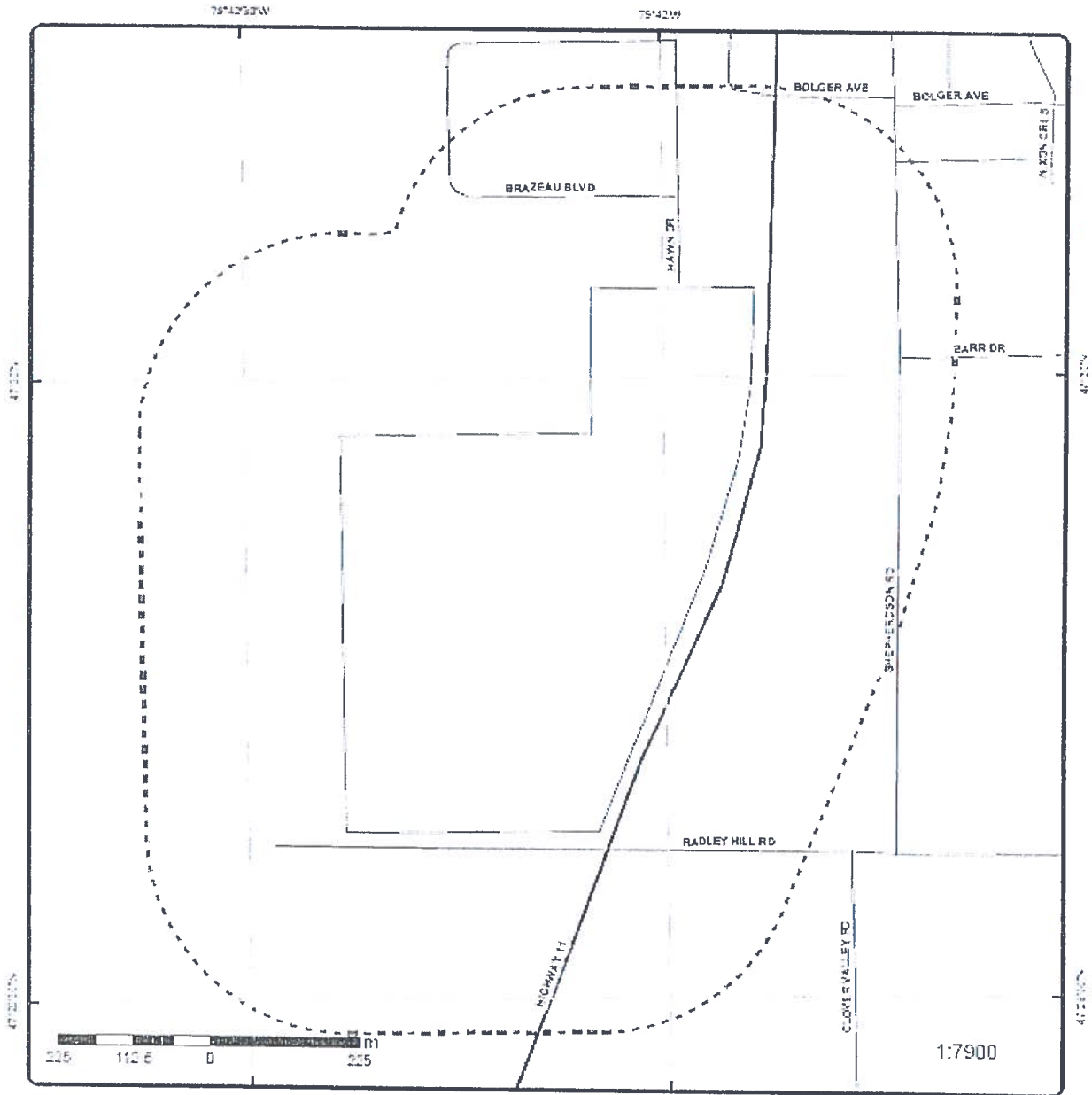
Federal; Contaminated Site Inventory; Contaminated Sites on Federal Land; Environmental Effects Monitoring; Environmental; Issues Inventory System; Federal Convictions; Fisheries & Oceans Fuel Tanks; Indian & Northern Affairs Fuel Tanks; National Defence & Canadian Forces Fuel Tanks; National Defence & Canadian Forces Spills; National Defence &

- Canadian Forces Waste Disposal Sites; National PCB Inventory; National Pollutant Release Inventory; Parks Canada Fuel Storage Tanks; Transport Canada Fuel Storage Tanks;
- Private; Anderson's Storage Tanks; Anderson's Waste Disposal Sites; Canadian Mine Locations; Canadian Pulp & Paper; Chemical Register; ERIS Historical Searches; Oil & Gas Wells; Retail Fuel Storage Tanks; Scott's Manufacturing Directory;
- Provincial; Abandoned Aggregate Inventory; Abandoned Mine Information System; Aggregate Inventory; Borehole; Certificates of Approval, Certificates of Property Use; Commercial Fuel Oil Tanks; Compliance and Convictions; Drill Hole Database; Environmental Activity and Sector Registry; Environmental Compliance Approval; Environmental Registry; Fuel Storage Tank; Fuel Storage Tank – Historic; Inventory of Coal Gasification Plants and Coal tar Sites; Inventory of PCB Storage Sites; Landfill Inventory Management Ontario; List of TSSA Expired Facilities; Mineral Occurrences; Non-Compliance Reports; Ontario Oil & Gas Wells; Ontario Spills; Orders; Permit to Take Water; Pesticide Register; Private and Retail Fuel Storage Tanks; Record of Site Condition; Waste Disposal Sites – MOE 1991 Historical Approval Inventory; Waste Disposal Sites – MOE CA Inventory; Wastewater Discharger Registration Database; Water Well Information System

The second component of the Phase 1 ESA is to fulfill a site visit to look for actual and potential site contamination that may not have been picked up on the foregoing databases. Corroboration of observed site disturbances through interviews of longstanding neighbours to the site, or tenants of the original business park can also provide useful information that may not be readily available on the foregoing databases. Upon completion of the database search, onsite reconnaissance and interviews, evaluation of the information presented in a Report can be accomplished.

If there is a potential contamination issue, a Phase 2 investigation may be initiated to confirm the presence of the substances of concern. This investigation is not included in our fee schedule as (1) it is unlikely based on or local knowledge, and (2) the variables are so broad that a viable estimate could not be undertaken with any certainty in advance.

Verification Please refer to Appendix 4 for additional information regarding Greg Ford, P. Eng. (civil), OLS of PA Blackburn Limited with 28 years of engineering, and survey experience.



Map  
Address: Hawn Drive And Radley Hill Road, Temiskaming Shores, ON, P0J 1P0  
Figure 1 - area of investigation (ESA)

4.2 **Fri Ecological Services;**

Fri has been included in the project team to be primarily involved in the preparation of a Species-at-Risk assessment that will include background reviews of the North Bay SAR site as well as the Natural Heritage Information Centre Database as a starting point.

The North Bay District Office of MNR will also be contacted upon award to ascertain if there are additional species at risk, not previously listed under Item 2 (Task 11), prior to venturing to the site. From satellite imagery there are a number of species that could be ruled out based on the habitat present. Barn swallows usually nest on man-made

structures and forage over open fields and waterbodies. Neither is present. Bobolinks typically require open grasslands for nesting and foraging. This habitat type does not seem to be present. With no water features Lake Sturgeon and snapping turtles will most likely not be an issue. The two bat species have some potential, and any site where there is milkweed, there may be Monarch butterflies.

Since the award of this RFQ is apparently a bit late for many SAR surveys, our subcontractor is advising us that they will supplement their investigations with remote recorders to maximize their survey efforts. Use of 'Song Meters' to capture any onsite bird species, and ultrasonic Bat recorders can help determine what species are currently using the site.

FRi Ecological Services (FRi) was incorporated in June 1996 with a principal work force dedicated to implementing current scientific and legislative expertise. In general terms, FRi is involved with assignments that include the assessment of impacts on the natural environment, designing mitigation and avoidance measures; and securing approvals and authorizations to address client needs. Many of these projects have involved species at risk and their habitats since the Endangered Species Act (2007) came into force. The Firm is experienced assessing the presence of species and habitat and addressing potential impacts to habitat. FRi has negotiated a range of mitigation plans for both Avoidance Strategies and Overall Benefit Permits, as well as for activities subject to Exemption and/or Registry.

Collectively the four principal staff have over 90 years of experience in natural resource management having all worked for the Ministry of Natural Resources (now MNRF) in the past. FRi has demonstrated an ability to meet or exceed the required timeframes for its clients during 18 years in business and over hundreds of projects.

During the last five years, FRi has successfully completed well over 100 projects for both private and public clients involving species at risk assessments. Many of these projects include multi-species assessments over large areas with tight timelines. Fri has repeatedly demonstrated their expertise and ability to meet and exceed the expectations of their clients with respect to species at risk assessments and reporting.

Sample Project Experience in the past 5 years:

- Horn Lake, Sprucedale, 157 acres (64 ha), 12 species at risk
- Port Severn Heights, Port Severn, 200 acres (81 ha), 13 species at risk
- Huntsville Highlands, Huntsville, 385 acres (156 ha), 19 species at risk
- East Ferris, Municipality of East Ferris, 173 acres (70 ha), 18 species at risk
- Thompson Avenue, City of North Bay, 25 acres (10 ha), 12 species at risk

Please refer to Appendix 4 for additional information regarding Fri Ecological Services.

#### ***4.3 Woodland Heritage Services;***

Woodland Heritage Services, and more specifically Dr. John Pollock has been included in the project team to be primarily involved in the preparation of a Stage 1 Archaeological Assessment meeting the legal requirements of the Ontario Heritage Act, the Environmental

Assessment Act as well as the Standards and Guidelines for conducting Archaeological Assessments as set out by the Ministry of Tourism, Culture & Sport (MTCS).

In brief, Stage 1 is a comprehensive review of the geographic and historical features of a property and its surroundings. It provides an evaluation of archaeological potential on and around the property with greater detail and accuracy than a determination of archaeological potential done by a non-archaeologist.

Woodland Heritage Services Limited (WHS) and its principal partners, John Pollock, Ph.D. and Luke Dalla Bona M.A. together with their associates Ryan Primrose and Mike O'Connor who are also licensed archaeologists have solely and jointly completed hundreds of Stage 1, 2, 3, and 4 archaeological assessments in Ontario.

Please refer to Appendix 4 for additional information regarding Woodland Heritage Services Limited.

#### **4.4 Lassonde School of Engineering at York University;**

To facilitate the most current aerial photography possible, it is planned that the Lassonde School of Engineering at York University in Toronto will provide students experienced in the use of UAVs (unmanned aerial vehicles) to fly the sites later this year.

We suggest later this year due to the quantity of deciduous trees onsite, and their ability to prevent ground penetration by the airborne camera.

## **5. Budget**

As requested our lump sum budget, in a format suggested by the City in their email of July 7, 2015, is attached within Appendix 1. (not incl HST)

— — — — —

## **6. Potential Risks**

### **6.1 Vegetation;**

One of the items required within the Site Program Designation is the provision of a digital orthophotograph and by extension a digital topographic map. The comment 'by extension' indicates that the orthophotograph is one of the inputs in generating the topographic map. It is our proposal to solicit a current aerial photograph which clearly illustrates the terrain at Hawn Drive West and East and not to be using an outdated photo which will need to be manipulated.

The 'risk', or appropriately the issue relates to the time of year in which this proposal has been presented. More specifically, we are faced with full leaf cover in which the leaves obscure either partially or fully the terrain below. From a site reconnaissance on July 10, 2015 it is estimated that as much as 30% of the site is now covered with full leaf cover,

reducing the effectiveness of any attempted aerial photography thereby mitigating the effectiveness of the generated orthophotograph and topographic maps.

To offset this real issue, we would suggest that the aerial photography be postponed until this autumn when the leaves have fallen.

## 7. Insurance

As specified within the RFP, it can be reported that insurance in the form of professional liability is in place as required, i.e. \$2,000,000. For the record, we also carry comprehensive general liability insurance, and automotive liability insurance.

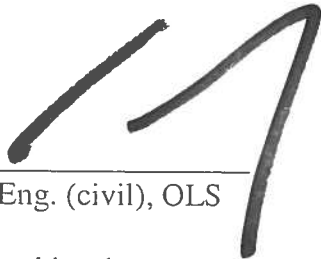
Furthermore, evidence of compliance with the Workplace Safety & Insurance Act can be provided upon request.

Thank you in advance for taking time to review and consider our Proposal.

Respectfully submitted July 23<sup>rd</sup>, 2015

**P. A. BLACKBURN LIMITED**

Ontario Land Surveyors



Greg Ford, P. Eng. (civil), OLS



P.A. Blackburn, OLS

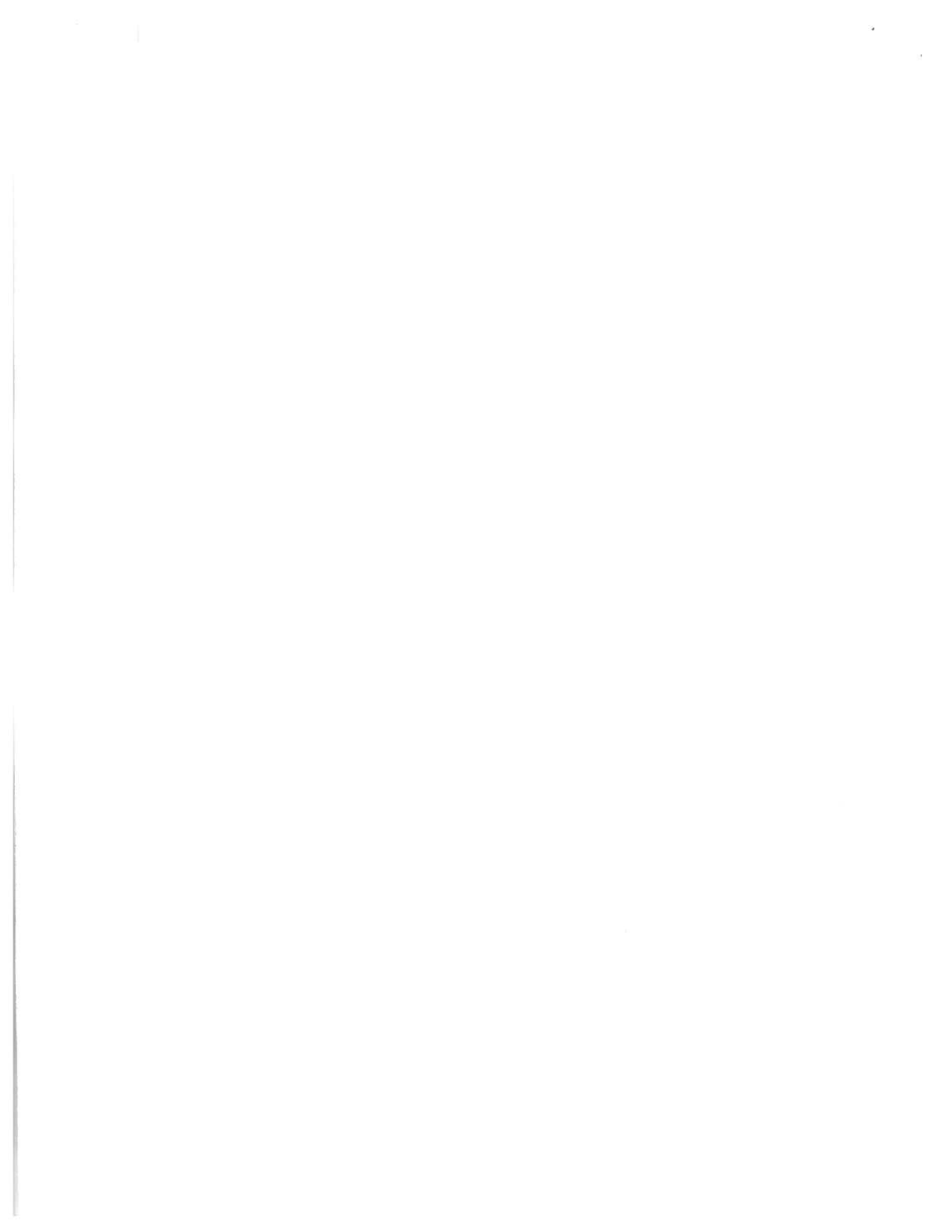
*This proposal has been prepared for the City of Temiskaming Shores by P.A. Blackburn Limited, and is to be considered confidential not intended for publication.*

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Investment Ready: Certified Site Program Designation

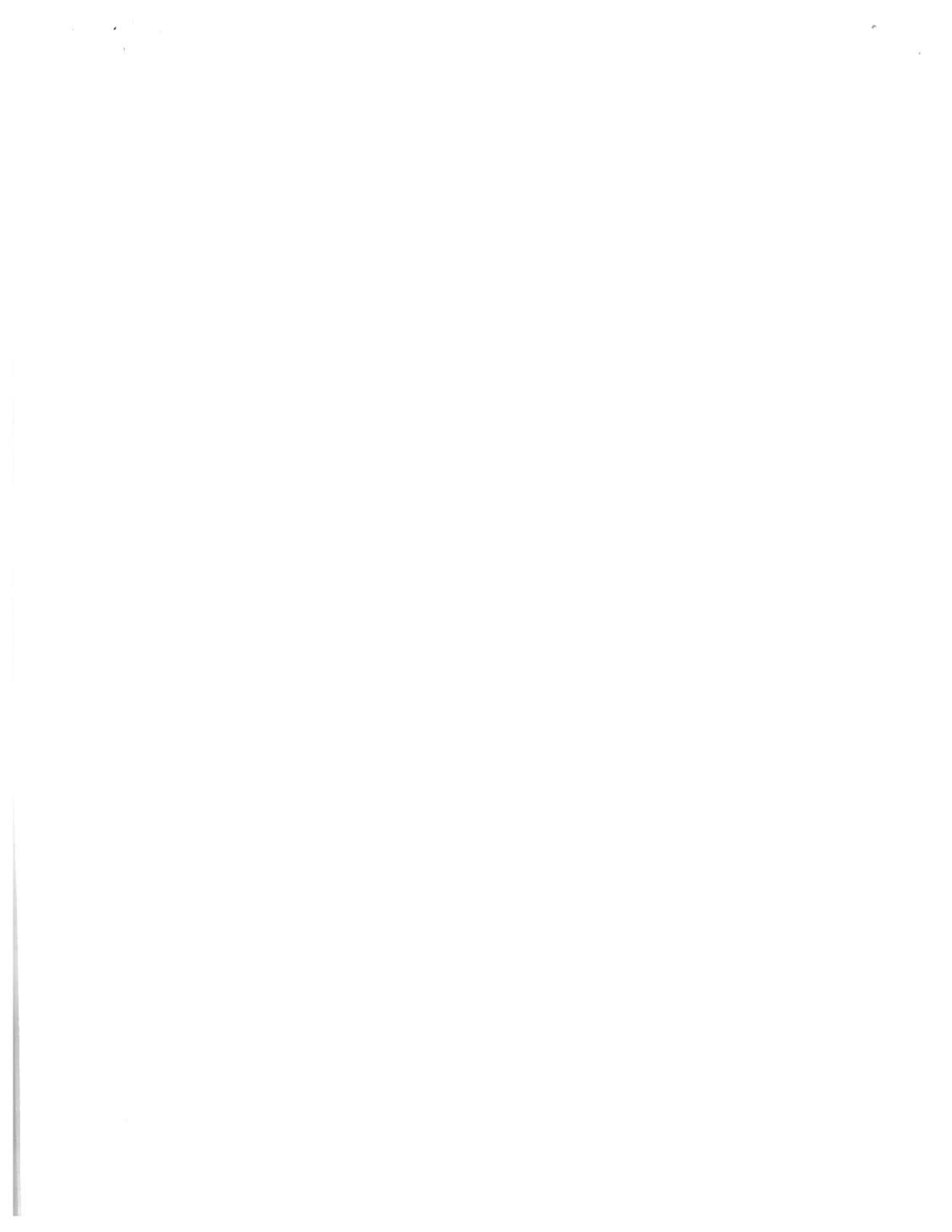
Item	Deliverable Required	Hawn Drive East site	Hawn Drive West site	Total Costs	Note
A.1	* signed form letter from applicant and Owner	0	0	0	by City
A.2	* Digital Context map	1,500	1,500	3,000	
	* Digital topo/DTM map	1,300	1,300	2,600	
	* Digital orthophoto	1,500	1,500	3,000	
A.3	* Title Search Opinion	300	300	600	
A.4	* SRPR	2,000	2,000	4,000	
A.5	* Topographic map	260	260	520	
A.6	* O.P and ZBL excerpts	150	150	300	
A.7	* Road classification or street maps * Regional map	260	260	520	
A.8	* Infrastructure/ utilities maps * Letters from Service Providers	260 50	260 50	520 100	
A.9	* Phase 1 ESA	1,585	1,585	3,170	
	* Phase 2 ESA	0	0	0	see below
	* RSC verification	100	100	200	



## Investment Ready: Certified Site Program Designation

Item	Deliverable Required	Hawn Drive East site	Hawn Drive West site	Total Costs	Note
A.10	* Stage 1 Arch. Assess.	3,150	3,150	6,300	
	* Stage 2 Arch. Assess.	0	0	0	see below
	* MTCS verification letter	0	0	0	incl.
A.11	* SAR assessment	2,755	2,755	5,510	
	* MNRF confirmation letter	0	0	0	incl.
A.12	* Technical heritage reports (iff requested)	0	0	0	incl.
	* Copy of any heritage permits	0	0	0	incl.
	* CHER	0	0	0	see below
	* Strategic Conservation Report	0	0	0	incl.
	* MTCS letter	0	0	0	incl.
	* Confirming letter from MTCS	0	0	0	incl.
	* Fed. Heritage Review Office confirmation	0	0	0	incl.
A.13	* MOE decision letter re: EA	200	200	400	
A.14	* Confirmation Letter from P.Eng, or OLS	1,600	1,600	3,200	
A.15	* Project Management, meetings	1,680	1,680	3,360	
		<u>\$18,650</u>	<u>\$18,650</u>	<u>\$37,300.00</u>	
Provisional Items					
A.9	Phase 2 ESA	1,500	1,500	3,000	
A.10	Stage 2 Arch. Assess.	2,100	2,100	4,200	
A.12	CHER	4,200	4,200	8,400	





List References

State Other Projects that have been completed by the Bidder within the last five (5) years that are of a scope and nature similar to the project described in this Request for Tender. The Awarded Bidder may be required to produce schedule of written references upon request.

Description of Work	Contact Name and Number	
PREPARATION OF SRPR	KAREN BEAUCHAMP, MCIP, RPP, CMO 705-672-3363 x 4128	
PROVISION OF SAR	EAST FERRIS, MUNICIPALITY OF EAST FERRIS	
	THOMPSON AVE, CITY OF NORTH BAY	
	HUNTSVILLE HIGHLANDS, HUNTSVILLE	
PROVISION OF ARCHAEOLOGICAL ASSESSMENT	} TO BE PROVIDED UPON AWARD, IF REQUESTED	
PROVISION OF ENVIRONMENTAL SITE ASSESSMENT	WABI IRON & STEEL CORP % PETER BIRNIE 705-647-4383	
	THIS VALU MART % TROY THIS 705-544-2201	
	LECOURS MOTOR SALES % JAW LECOURS 888-362-4011	

CGP-RFQ-001-2015

Add additional sheets if required

City of Temiskaming Shores

CGP-RFQ-001-2015

Certified Site Requirements

**Non Collusion Affidavit**

I/ ~~we~~ PA BLACKBURN, OLS the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid.

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

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

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

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

Signed



Company Name

PA BLACKBURN LIMITED

Title

PRESIDENT

This is page 2 of 5 to be submitted

City of Temiskaming Shores

CGP-RFQ-001-2015

Certified Site Requirements

Conflict of Interest Declaration

Please check appropriate response:

- I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

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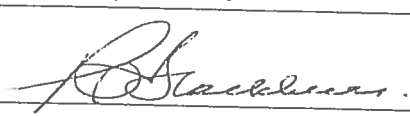
In making this quotation submission, our Company has / has no *(strike out inapplicable portion)* knowledge of or the ability to avail ourselves of confidential information of the City (other than confidential information which may have been disclosed by the City in the normal course of the quotation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

Dated at NORTH BAY this 22 day of JULY, 2015.

FIRM NAME: PA BLACKBURN LIMITED

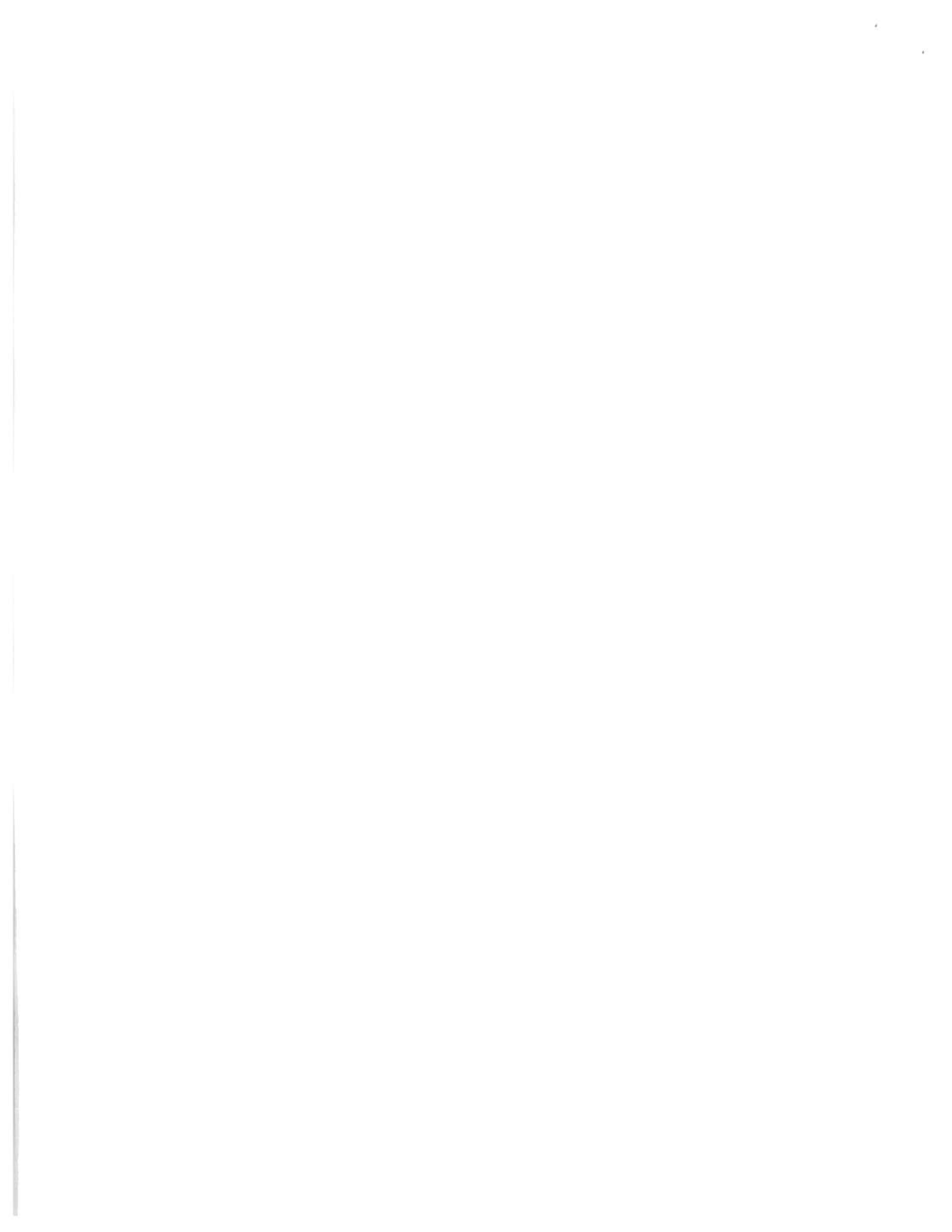
BIDDER'S AUTHORIZED OFFICIAL: PA BLACKBURN, OLS

TITLE: PRESIDENT

SIGNATURE: 

This is page 3 of 5 to be submitted





City of Temiskaming Shores

CGP-RFQ-001-2015

Certified Site Requirements

SCHEDULE "A" - LIST OF PROPOSED SUB-CONTRACTORS


A list of Sub-Contractors that the Contractor proposes to employ in completing the required work outlined in this Tender must be included in the Tender documents submitted.

Name	Address	WSIB Certificate Number (copy attached)
FR; ECOLOGICAL SERVICES	1875A SEYMOUR STREET NORTH BAY, ON P1A 0C7	} TO BE PROVIDED UPON AWARDS
WOODLANDS HERITAGE SERVICES LIMITED	17 WELLINGTON STREET PO BOX 2529 NEW LISKEARD, ON P0J 1P0	

I / We verify that the information provided above is accurate and that the individuals are qualified, experienced consultants capable of completing the work outlined in this Tender document.

Signed by Company Official

PA BLACKBURN, OLS



Printed

Signed

This is page 4 of 5 to be submitted

Schedule B

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 PA BLACKBURN LIMITED Company Name

Phone Number 705-476-2600 Address 140 LAKE STREET, NORTH BAY

I, [Signature], 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.

I, PA BLACKBURN, OLS, 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, a link to a free e-learning course module called Serve-Ability, Transforming Ontario's Customer Service is available at [www.gov.on.ca/mcss/serveability/splash.html](http://www.gov.on.ca/mcss/serveability/splash.html).

Date: JULY 22, 2015

This is page 5 of 5 to be submitted

## Greg Ford, P. Eng. (civil), BDS, OLS

### Professional Engineer and Surveyor

+1.705.622.1595 | [gregfordpeng@gmail.com](mailto:gregfordpeng@gmail.com)

#### Professional Registrations

- Professional Surveyor (AOLS)
- Professional Engineer (PEO)
- Building Design Specialist (BDS) designation, April 2006
- Building Code Identification Number (BCIN) accreditation, September 2006
- Designated as 'QP', Qualified Person under Environmental Protection Act

#### Education & Training

- Geomatics Engineering, York University, 2011/2012
- Geolab Training (2012)
- Baccalaureate of Civil Engineering, Royal Military College of Canada, 1983
- Building Materials Evaluation Committee (BMEC) member, 1998 - 2005

#### Languages Spoken

- English

#### Overview

Greg has been cross-trained as both a practicing civil engineer (P. Eng.) and as a licensed surveyor.

#### Hobbies

- Competitive squash

#### Project Experience (geomatics)

- Legal (Cadastral) Surveys
- Engineering Surveys
- Adjustment of over-determined systems (GeoLab)

#### Area(s) of Expertise (engineering)

- Project Management
- Onsite wastewater design
- Development site servicing
- Experience in preparing & receiving more than 50 Certificate of Approvals/Environmental Compliance Approvals relating to:
  - Onsite wastewater design (collection/treatment/disposal)
  - Watermains
  - Sanitary sewers
  - Storm sewers
  - Sanitary lift stations
  - Demonstration projects
  - Storm water management.
- Conducting Environmental Site Assessments (Phase 1, 2)

#### Publications and Papers (engineering)

- Ford, G., "Long term solution using wetlands to treat restaurant wastewater with direct discharge to creek" - pending
- *Robertson, W.D.*; Ford, G., Lombardo, P.S., "Use of Porous Media Filters for Nitrogen removal in Septic systems". November 10, 2002
- *Beedle, J.*, Ford, G., Blows, D.W., Robertson, W.D., "Development of a Septage Treatment and Disposal facility"
- *Levenick, J.*, Aravena, R., Warner, B.G., Rudolph, D., Ford, G., Robertson, W.D., "Year One Performance Results From a Newly Constructed Reed Bed Treatment Wetland in Southern Ontario". Annual Conference of the Canadian Society for Civil Engineering, Regina, Saskatchewan June 1999

#### Employment History

P.A. Blackburn Limited, Junior Surveyor and Engineer  
Employment : March 2014 – Present

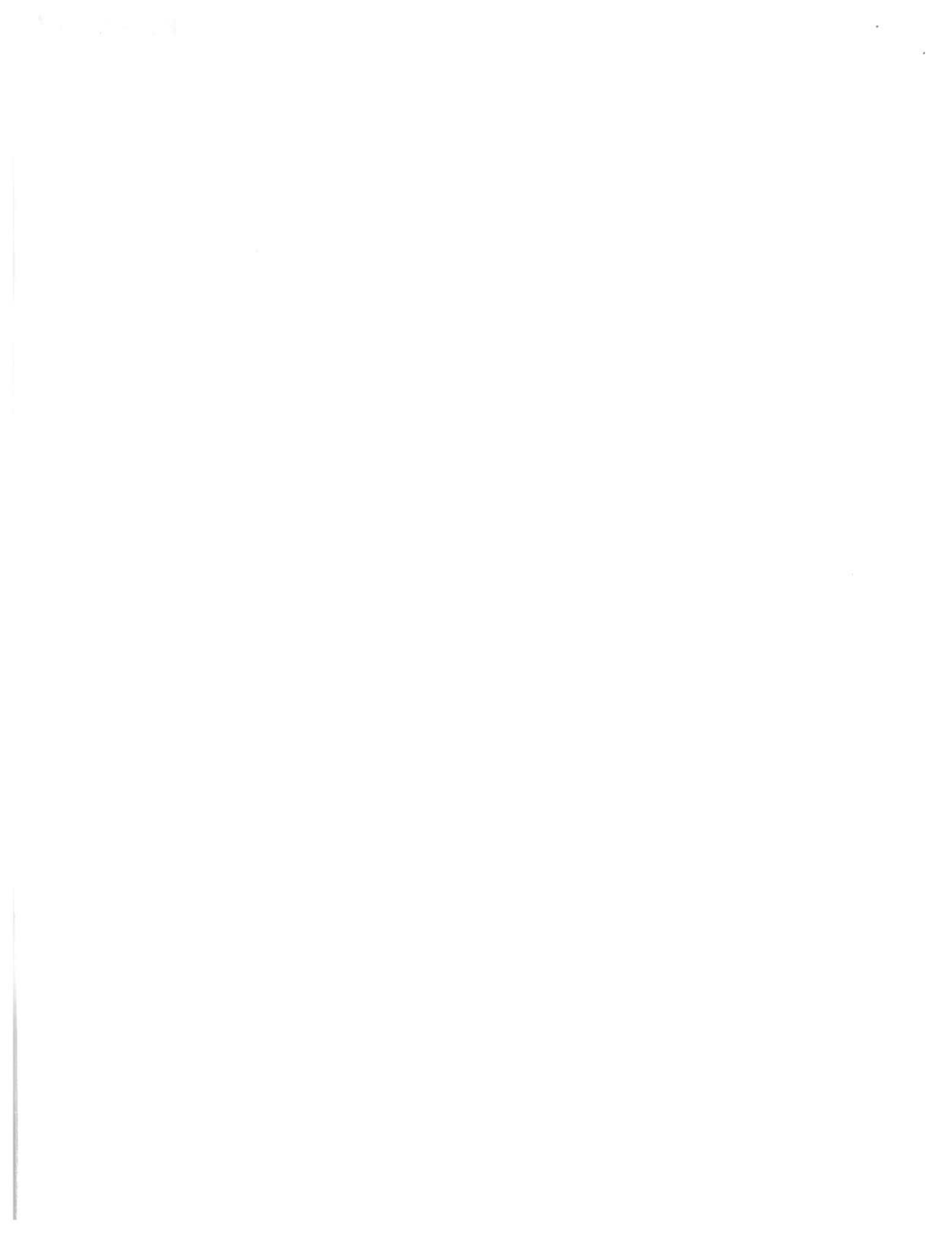
Exp Services Inc., Project Manager in Engineering/Environmental  
Employment : 2004 – 2014

Septech Environmental Corporation, Owner/Design Engineer  
Employment : 1994 – 2004

Bre-Ex Limited, Project Manager/Administrator  
Employment : 1992 – 1994

McIntyre-Ford Limited, Owner/Design Engineer  
Employment: 1987 - 1993

National Defence, Engineering Representative  
Employment : 1984 – 1987



## **P. A. BLACKBURN LIMITED**

*Ontario Land Surveyors*

### **COMPANY PROFILE**

P.A. Blackburn Limited is successor to the legal survey and engineering Firm founded in North Bay in 1880 by John H. Shaw, OLS, P.Eng, focussed on providing services during initial stages of development throughout Northeastern Ontario. Successors to John H. Shaw have included McAuslan and Anderson, OLS, P.Eng, E.L. Moore, OLS, P.Eng, and for a more brief period, D.J. Macdonell, OLS, prior to P.A. Blackburn Limited acquiring ownership of the Firm in 1973 and continuing to provide services to clientele primarily located throughout the Districts of Parry Sound, Nipissing, Sudbury, Timiskaming and Cochrane. Significant major projects have also been undertaken in the Counties of Haliburton and Renfrew and in the Districts of Algoma and Thunder Bay.

In addition to daily involvement with clientele in the private sector, services have also been provided to Provincial Ministries including Ministry of Natural Resources and the Ministry of Transportation, Ontario and the Federal Department of Indian Affairs. Major projects have also been successfully completed for utility companies, major and junior mining companies and Trans-Canada Pipelines, including easement rights-of-way surveys and plans for the first hundred kilometres of the North Bay to Ottawa route and the easement right-of-way surveys and plans for the entire route leading from Sault Ste Marie to Elliot Lake.

Staff compliment includes two Ontario Land Surveyors, one Engineer (Civil) and required field and office support staff.

## Woodland Heritage Services Limited - 2015

Founded by two archaeologists in 1999, Woodland Heritage Services (WHS) provides reliable professional archaeological and cultural heritage resource management services. Our collective 60+ years of experience and our leading edge technological expertise, positions Woodland Heritage Services as the premier archaeological consulting firm based in northern Ontario. We are specialists in providing archaeological and heritage management services for mining, highways, First Nations, the forest industry and large scale industrial land users. Our skills are equally well placed on large scale projects as they are on smaller developments which require archaeological and heritage resource assessments.

Our first priority is to work with our clients to ensure that archaeological and heritage resources are protected and to meet (or exceed) all legal requirements.

Woodland Heritage Services Limited (WHS) and its principal partners, John Pollock, Ph.D. and Luke Dalla Bona M.A. together with our associates Ryan Primrose and Mike O'Connor who are also licenced archaeologists, have solely and jointly completed hundreds of Stage I, II, III and Stage IV archaeological assessments in Ontario. In the last fifteen years, WHS has undertaken more than 1,000 separate Stage I through Stage IV assessments in Ontario. Our clients include the mining industry, forest industry, highway projects, First Nations, MNR, MTO, engineering /planning companies and private individuals, all requiring some form of archaeological assessment. For each one of these projects, we have completed the appropriate reports required by the Ontario Ministry of Tourism, Culture and Sport (MTCS). For more complete Woodland Heritage Services Limited information, please refer to our internet site: [www.woodlandheritage.com](http://www.woodlandheritage.com).

### Key strengths:

- \* recognized international expertise in archaeological assessments;
- \* leading edge technological approaches specifically in Computer modelling of archaeological and heritage site potential; and use of UAV (drones).
- \* intimate knowledge of the place of archaeology and cultural heritage in the Planning process in Ontario and Canadian and provincial Cultural heritage legislation and policy and its effect on archaeological/cultural heritage regulatory requirements,
- \* experienced in assisting FN's with TK, TEK or TLU reports for the protection of Native values.
- \* we can ensure compliance with the Ministry of Tourism, Culture and Sport (MTCS), Standards and guidelines 2011 as well as the Ontario Ministry of Natural Resource's cultural heritage resource guidelines, the Ontario Aggregate Resources Act and the Ontario Heritage Act/Planning Act.

**Woodland Heritage Services Limited Staff**

WHS staff has more than 60 years of professional experience locating and protecting or excavating archaeological sites in northern Ontario. We are known for providing technical advice regarding archaeological and heritage resources in Ontario and other regions of Canada. WHS staff has an excellent working relationship with First Nations and have performed TEK related work for First Nations communities and First Nations organizations.

Offices:

Dr. John Pollock  
17 Wellington Street North, Box 2529  
New Liskeard, Ontario P0J 1P0  
Phone: 705.647.8833; Fax: 705.647.7026  
Email: john@woodlandheritage.com  
Web: [www.woodlandheritage.com](http://www.woodlandheritage.com)

and

Luke Dalla Bona  
Phone: 705.256.5418,  
Email: luke@woodlandheritage.com  
Web: [www.woodlandheritage.com](http://www.woodlandheritage.com)

**Dr. John Pollock, Ph.D. - New Liskeard, Ontario - Resume Abstract**

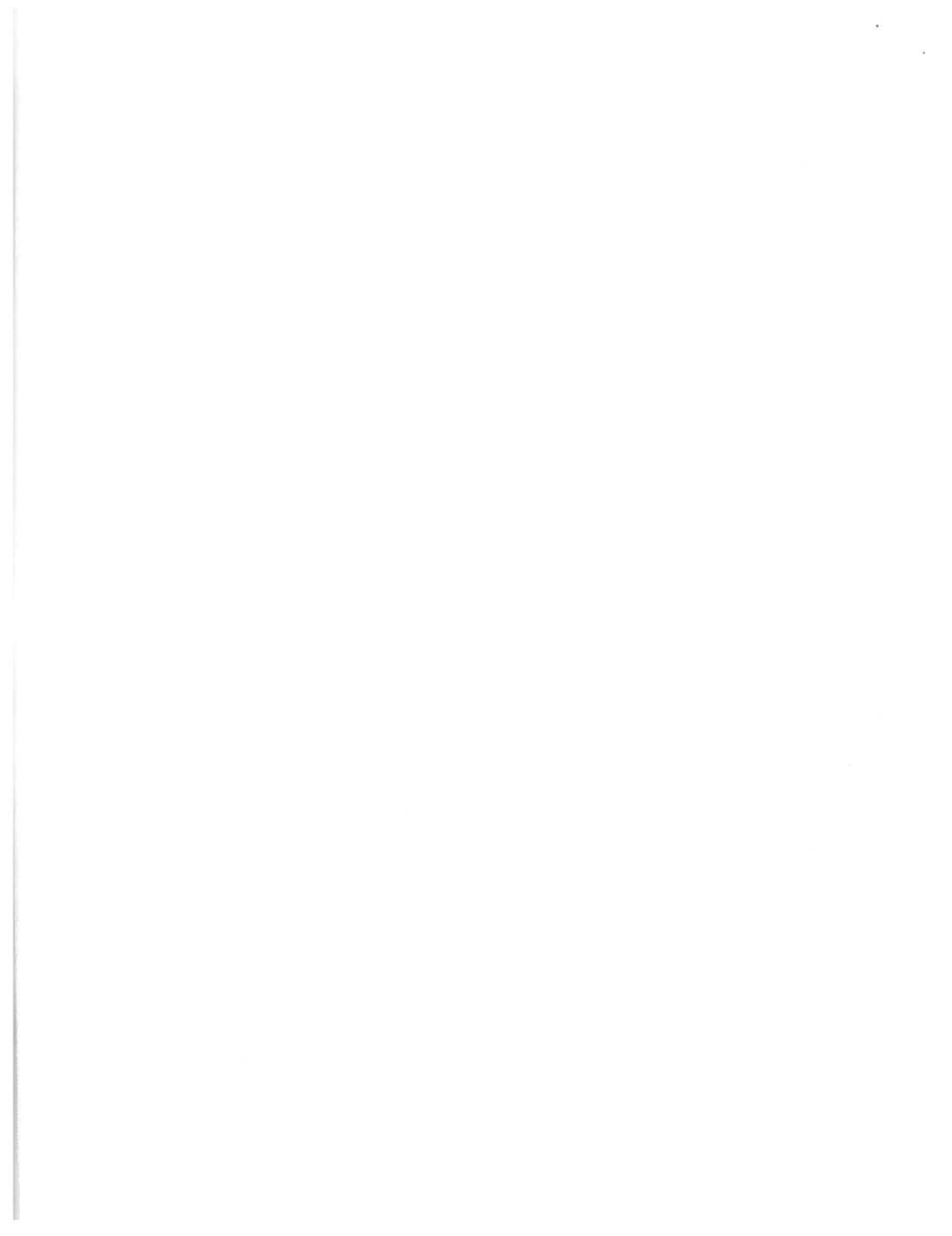
Dr. John Pollock, Archaeological Consultant, is a licensed consulting archaeologist, he holds a current 2015 licence from the Ministry of Tourism, Culture & Sport with more than thirty-five years of field experience and is a well-known specialist in archaeology and cultural heritage research planning and development.

**Luke Dalla Bona, M. A. - Resume Abstract**

Luke Dalla Bona completed his M.A. in anthropology at the University of Manitoba in 1993. From there, Mr. Dalla Bona went on to co-found the Centre for Archaeological Resource Prediction at Lakehead University and was Project Leader developing an archaeological predictive modelling methodology based upon his postgraduate research. The development of a prototype methodology was successful and this model was slated for use by the Ontario Ministry of Natural Resources (OMNR) in forest management planning.

\*\*\*\*\*





## ***Dr. John Pollock - CV and Project Experience***

17 Wellington Street, Box 2529  
New Liskeard, Ontario P0J 1P0  
Phone: 705.647.8833; Fax: 705.647.7026  
Email: [john@woodlandheritage.com](mailto:john@woodlandheritage.com)

### **EDUCATION**

Doctor of Philosophy in Anthropology, University of Alberta, 1984.  
Master of Arts, Anthropology, McMaster University, 1975.  
Bachelor of Arts (Hons.), University of Toronto, 1972.

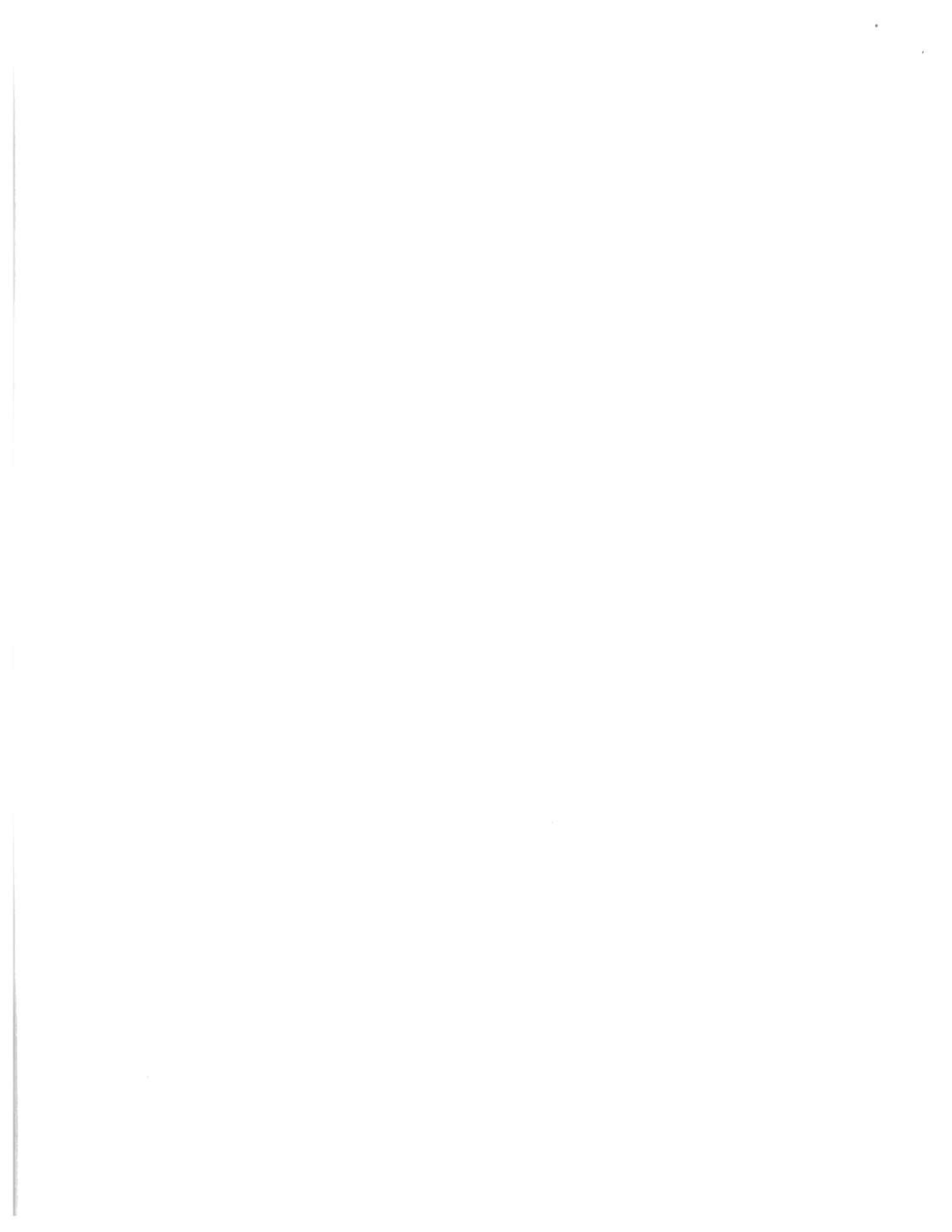
### **EXPERIENCE**

- 2002- Adjunct Professor of Anthropology, Laurentian University
- 1999- Principal, Woodland Heritage Services Ltd.
- 1979- Principal, Settlement Surveys Ltd.  
1979-76 Northern Alberta Archaeologist, Archaeological Survey of Alberta,  
Historical Resources Division, Alberta Culture, Province of Alberta.
- 1976-72 Historical Resources Research and Planning Supervisor, Northern Region,  
Ministry of Natural Resources and Ministry of Citizenship and Culture,  
Province of Ontario.

### **CONSULTING EXPERIENCE - ARCHAEOLOGICAL AND CULTURAL HERITAGE**

John William Pollock spent three years each with the Governments of Ontario and Alberta in the Archaeological - Cultural Heritage Resources field. This involved researching archaeological and historic sites, cultural tourism attractions, park planning and review of development proposals. Dr. Pollock was Alberta's Culture's representative on the Development & Reclamation Review Committee which examined all major oil and gas projects undertaken within the Province of Alberta.

John Pollock has been an independent consultant for more than thirty-five years. Previously, he worked for Regional Parks, Northern Region with the Ontario Ministry of Natural Resources and has had many years of research experience in Northern Ontario. His M.A. thesis concerned the Culture History of Kirkland Lake District and was published by the National Museum of Civilization, Ottawa. His Ph.D. dissertation involved the Lake Abitibi area. He has as part of his heritage research conducted cultural heritage/archaeological studies throughout Ontario and Alberta many of which were regional in scope.



Dr. Pollock has undertaken numerous major studies for mining companies including DeBeers, IAMGOLD, New Gold Inc., Osisko Mining Corporation, The Ministry of Natural Resources and the Ministry of Transportation as well as studies for Ontario Power Generation, SENES Consultants, Xeneca and AMEC Earth & Environmental.

He has also worked for many other clients in the forestry, mining and land development sectors as well as private hydro development and for many First Nations.

As outlined above, Dr. Pollock has acquired a broad range of experience in regards to the following areas: Stage 1-4 archaeological assessments, heritage planning and development, regional tourism studies involving historic attractions, GIS data bases, archaeological potential assessments and preparing Stage 1 background information packages.

Dr. Pollock has also worked for many municipal governments and can assist with the heritage planning and development component of municipal plans. As well, he has extensive experience in working with Native Peoples and First Nations Consulting.

Besides his archaeological experience, Dr. Pollock is very familiar with the basic resource industries and communities of Northern Ontario.

To: P A Blackburn Limited  
 Attention: Greg Ford  
 From: Rod Bilz  
 Date: June 25, 2015  
 Project: City of Temiskaming Shores  
 Request for Quote  
 CGP-RFQ-001-2015  
 Certified Site Requirements – Hawn Drive East & West Parcels

The Ministry of Economic Development, Employment & Infrastructure's Certified Site Program provides "investment ready" properties in the province by reducing some of the uncertainties associated with development approvals and permits. There are 14 requirements listed in the RFQ to attain the standards of the Investment Ready Certified Site Program. It is our understanding that the City will provide the information necessary to meet the first 8 requirements. Our proposal is specifically to address requirement A.11 Species at Risk.

#### BACKGROUND INFORMATION

There are two tools to check background information on species at risk that were used to scope this project. The first is the North Bay SAR Tool that lists potential and confirmed species at risk for Dymond Township. The second tool is the Natural Heritage Information Centre Database for the individual one kilometer squares that overlap the study area. The confirmed and potential species at risk are displayed in Table 1.

Table 1. Summary of Potential Species At Risk

Common Name	Scientific Name	Conservation Status
Little Brown Myotis	<i>Myotis lucifugus</i>	Endangered
Northern Myotis	<i>Myotis septentrionalis</i>	Endangered
Lake Sturgeon	<i>Acipenser fulvescens</i>	Threatened
Barn Swallow	<i>Hirundo rustica</i>	Threatened
Bobolink	<i>Dolichonyx oryzivorus</i>	Threatened
Monarch	<i>Danaus plexippus</i>	Special Concern
Snapping Turtle	<i>Chelydra serpentina</i>	Special Concern

#### APPROACH

The North Bay District Office of the Ontario Ministry of Natural Resources and Forestry will be contacted upon award to determine if there are any other species at risk (SAR) with potential for the site or more current information. Typically the first step is to determine the Ecological Land Classification communities for the site. This information will better determine what SAR could potentially be present. Based on recent imagery, it appears to be a young forested site. There are a



ECOLOGICAL SERVICES

1875A Seymour Street, North Bay ON CAN P1A 0C7  
 Phone: 705-476-0085 Fax: 705-476-5631 Email: fri@fricorp.com

number of species that could be ruled out based on the habitat present. Barn Swallows usually nest on man-made structures and forage over open fields and waterbodies. Neither is present. Bobolinks typically require open grasslands for nesting and foraging. This habitat type is not present. Obviously there are no water features, so Lake Sturgeon and Snapping Turtle are not an issue. The two bat species have some potential for the site and any area that has had some disturbance may harbor milkweed, a critical plant for the Monarch.

Since the award of this assignment is a bit late for many of the SAR surveys, we would supplement our investigations with remote recorders to maximize our survey efforts. We would employ Wildlife Acoustics SM2 Song Meters to capture any bird species utilizing the site. We would also utilize Wildlife Acoustics EM3 Ultrasonic Bat recorders to determine what species if any are using the site and then identify any critical habitats that may be present.

## EXPERIENCE AND KNOWLEDGE

FRi Ecological Services (FRi) was incorporated in June 1996. Our principal work force is dedicated to implementing current scientific and legislative expertise. In general terms, FRi is involved with assignments that include the assessment of impacts on the natural environment, designing mitigation and avoidance measures; and securing approvals and authorizations to address client needs. Many of these projects have involved species at risk and their habitats since the Endangered Species Act (2007) came into force. We are experienced assessing the presence of species and habitat and addressing potential impacts to habitat. FRi has been negotiated a range of mitigation plans for both Avoidance Strategies and Overall Benefit Permits, as well as for activities subject to Exemption and/or Registry.

Collectively our four principal staff have over 90 years of experience in natural resource management. We have all worked for the Ministry of Natural Resources (now MNRF) in the past. FRi has demonstrated an ability to meet or exceed the required timeframes for its clients during 18 years in business and over hundreds of projects.

During the last five years, we have successfully completed well over 100 projects for both private and public clients involving species at risk assessments. Many of these projects include multi-species assessments over large areas with tight timelines. We have repeatedly demonstrated our expertise and ability to meet and exceed the expectations of our clients with respect to species at risk assessments and reporting.

Sample Project Experience in the past 5 years:

1. Environmental Impact Studies for Subdivision Developments:
  - Horn Lake, Sprucedale, 157 acres (64 ha), 12 species at risk
  - Port Severn Heights, Port Severn, 200 acres (81 ha), 13 species at risk
  - Huntsville Highlands, Huntsville, 385 acres (156 ha), 19 species at risk
  - East Ferris, Municipality of East Ferris, 173 acres (70 ha), 18 species at risk
  - Thompson Avenue, City of North Bay, 25 acres (10 ha), 12 species at risk



1875A Seymour Street, North Bay ON CAN P1A 0C7  
Phone: 705-476-0085 Fax: 705-476-5631 Email: fri@fricorp.com

2. Ministry of Transportation Projects:

- Highway 69/400 improvements between Parry Sound and Sudbury; multi-year assessments, 7+ species at risk to consider (depending on section of highway)

3. Natural Environment Reports in support of Aggregate Permit and License Applications:

For each site, species at risk habitat was assessed and if present on or within 120 metres of the site, species-specific surveys were conducted. Species and habitat encountered included Eastern Whip-poor-will, SAR Bats, Bobolink, Eastern Meadowlark, Massasauga, Eastern hog-nosed snake, Blanding's turtles, snapping turtles, Canada Warbler, Monarch and Olive-sided Flycatcher to name a few.

## TEAM

### Rebecca Geauvreau – Species at Risk Biologist

Rebecca is FRi's Species at Risk Specialist; and will be the Project Manager for this project. She is a biologist with more than 13 years of experience in natural resource management and natural heritage assessments while working with FRi Ecological Services and the Ontario Ministry of Natural Resources (now MNRF). Rebecca has extensive experience developing and negotiating ESA authorizations including C-permits, Agreements (Avoidance, Development & Aggregate) as well as associated mitigation and overall benefit plans for a range of species including reptiles, birds, mammals and plants. Rebecca is responsible for scoping, field delivery and reporting for environmental impact studies for municipal and private development applications. She leads natural heritage investigations related to the Endangered Species Act, 2007, the Provincial Policy Statement, 2014 (PPS) and Planning Act, (1990) applications including species at risk habitat (Endangered & Threatened SAR) and significant wildlife habitat (Special Concern SAR). These studies include original field investigations and reporting related SAR and SAR habitat including suggested avoidance, mitigation and compensation for the same. As the former Species at Risk Biologist for the North Bay District MNR (now MNRF), Rebecca was responsible for site investigations and decisions related to the review of work permits, development proposals, aggregate applications, forest management annual work schedules and other proposed activities that had the potential to impact species at risk and their habitats for both private and Crown land in the North Bay District. She recommended mitigation and monitoring for these projects. Rebecca is experienced developing protocols and guidance documents to support the protection and recovery of species at risk. She was a member of the recovery team which drafted the American Eel Recovery Strategy which was finalized in 2013. It stands as one of the most comprehensive and inclusive recovery strategies to date. She also contributed to the Standard's, Guidelines and Best Management Practices for Blanding's turtle in the Forest Management Guide for Conserving Biodiversity at the Stand and Site Scales. Rebecca has participated in the development of a number of guidance documents related to the implementation of the Endangered Species Act (2007) during her time with the MNR(now MNRF). Rebecca has successfully completed many GIS training courses delivered by ESRI including ArcGIS II Essential Workflows, Editing Data with ArcGIS, Building Geodatabases, ArcGIS Online Publisher Workflows and Introduction to Python. She is experienced creating and managing geospatial information for species at risk projects and producing map products for the same. Rebecca has a Biology degree from the University of Toronto (1999) and a Fish and



ECOLOGICAL SERVICES

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Wildlife Technician diploma from Sault College (2001). Rebecca has taken the NHIC Data Sensitivity Training and is aware of the standards around the use and distribution of sensitive data.

### **Rod Bilz – Environmental Specialist**

Mr. Bilz is a principal of FRi Ecological Services with an extensive background in natural resource management and natural heritage assessment studies. His career has included posts in both the public and private sector over the past 31 years. His areas of specialization include species at risk, fish habitat assessment, wetland evaluation and natural heritage studies.

His specific qualifications related to species at risk include:

- Received training through MNR related to the identification and handling of species at risk
- Completed Data Sensitivity Training through MNR regarding the distribution and use of sensitive data related to species at risk
- Completed the “Significant Habitat and Significant Wildlife Habitat Mapping Guidelines Workshop for the Massasauga” provided by MNR
- Successful field audit of SAR habitat by MNR in the Parry Sound District
- Successfully obtained permits under Section 17 of the Endangered Species Act to conduct studies on the Highway 69 corridor
- Received Level 2 training through MNR on the identification and mitigation measures for Species at Risk habitat
- Developed and delivered a training program on the Endangered Species Act for staff and consultants for MTO highway projects on the Highway 69 corridor
- Designated as a Level 4 consultant with regards to species at risk by the Parry Sound District Office of MNR. Contribute on average 10-15 species at risk observation records annually to the Natural Heritage Information Centre and MNR
- Received MNR field training for Whip-poor-will surveys in the summer of 2010
- Received training session on Chimney Swift survey methodology in the fall of 2010 (MNR and Bird Studies Canada)
- Provide documentation and monitoring of SARA species on Highway 69 projects to comply with CEAA requirements

Rod has a Fish and Wildlife Technician Diploma from Sir Sanford Fleming College (1982).



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

**By-law No. 2015-175**

**Being a by-law to authorize the Sale of Land to  
Eveline R. Gauvreau Ltd. being various lots within North  
Cobalt between Lakeview Avenue, Groom Drive, Maple Street  
and Mill Creek**

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

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

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

**And whereas** By-law No. 2004-031 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land;

**And whereas** Council considered Confidential Administrative Report No. CGP-035-2015 at the August 4, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an Land Sale Agreement with Eveline R. Gauvreau Ltd. for consideration at the August 4, 2015 Regular Council meeting;

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

1. That Council hereby confirms the procedures set forth in By-law No. 2004-031 have been followed by the municipality in order to allow for the sale of lands herein after referred to in this By-law;
2. That Council authorizes the entering into a Land Sale Agreement between Eveline R. Gauvreau Ltd. as Purchaser and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law;
3. That Council agrees to sell the following lands in the amount of \$60,000.00 and other such considerations outlined in the said agreement:

<b>PIN No.</b>	<b>Roll No. 030-009-</b>	<b>Street</b>	<b>Legal Description / PIN No. (Plan M-52 N.B.)</b>	<b>Approx. Size</b>
61355-0229	323	Lakeview (south side)	Odd Lots 333 to 347	262' x 118'
61355-0240	327	Lakeview (south side)	Odd Lots 317 to 347	262' x 118'

61355-0230	323	Poplar (east side)	Even Lots 12 to 68	957' x 124'
61355-0235	323	Poplar (west side)	Odd Lots 11 to 67	957' x 124'
61355-0234	323	Spruce (east side)	Even Lots 12 to 68	957' x 124'
61355-0456	323.03	Pine (west side)	Lot 67	33' x 124'
61355-0457	323.02	Pine (west side)	Lot 65	33' x 124'
61355-0231	323	Pine (west side)	Odd Lots 11 to 63	891' x 124'
61355-0523	544	Spruce (west side)	Lots 35 and 37	66' x 124'
61355-0493	544	Spruce (west side)	Odd Lots 27 to 33	132' x 124'
61355-0275	544	Spruce (west side)	Lots 23 and 25	66' x 124'
61355-0084	544	Spruce (west side)	Lots 15 to 21	132' x 124'
61355-0094	544	Spruce (west side)	Lots 11 and 13	66' x 124'
61355-0238	323	Groom (north side)	Lots 346 and 348	66' x 113'
61355-0237	323	Groom (north side)	Even Lots 344 to 340	131' x 113'

4. That the Mayor and Clerk be hereby authorized and directed to execute the Agreement of Purchase and Sale annexed hereto as Schedule "A" to this by-law and any and all other documentation necessary to complete the sale of land transaction.
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law 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 4<sup>th</sup> day of August, 2015.

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen

## OFFER TO PURCHASE

**Eveline R. Gauvreau Ltd.**  
of Temiskaming Shores  
(as "Purchaser"), having inspected the property, hereby agree to and with  
City of Temiskaming Shores  
(as "Vendor") to purchase the premises  
set out on the Schedule Attached

( the "Real Property") at the price of

**SIXTY THOUSAND DOLLARS (\$60,000)**  
payable **TEN THOUSAND DOLLARS (\$10,000)**

to the Vendor as a deposit to be held in trust pending completion or other termination of this Agreement and to be credited on account of the purchase price on closing and agree to pay the balance of purchase price by certified cheque subject to adjustments on the closing date hereinafter set forth.

### Conditions:

This Offer is conditional upon each of the following, failing any of which this Offer shall be null and void and the deposit returned without interest. The benefitting party may at its option waive any of these conditions;

1. Purchaser providing a development plan prior to closing and agreeing to enter into a development agreement both of which are satisfactory to the Vendor;
2. Purchaser being satisfied that the present zoning of the real property will permit the addition to lots being comprised of 2 adjoining lots on the current plan of subdivision of single and double modular homes.

In order to comply with the Planning Act subdivision control provisions applicable to the real property the Purchaser may request and the Vendor shall comply with the transfer of alternating pairs of lots to the Purchaser and to Eveline R Gauvreau personally. The extra costs of the transfers to comply with the foregoing shall be borne by the Purchaser.

### RELEASE OF INFORMATION:

Vendor authorizes the release of any information relating to the Real Property to the Purchaser and the Purchaser's solicitor by any governmental body or authority and appoints the Purchaser and the Purchaser's solicitor as its agent for the purpose. Without limiting the generality of the foregoing the Vendor consents to the disclosure to the Purchaser and the Purchaser's solicitor of any information relating to the Real Property or the use thereof pursuant to the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C.F. 31 and the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, C. M. 56.

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**DEFICIENCY NOTICES AND WORK ORDERS:**

The vendor represents that as at the date of acceptance hereof the Vendor has not received from any municipal or other governmental authority any deficiency notice or work order affecting the Real Property pursuant to which any deficiencies are required to be remedied or any demolition, repairs or replacements are required to be carried out. If the Vendor receives any such deficiency notice or work order after the date of acceptance hereof, the Vendor shall forthwith produce same to the Purchaser for inspection. If by the date of closing the Vendor has not either (a) complied with such deficiency notice or work order, or (b) settled with the Purchaser any question of an abatement of the purchase price arising out of such deficiency notice or work order, the Purchaser may at his option either (a) accept the Real Property subject to such deficiency notice or work order or (b) terminate this Agreement. In the event of termination as aforesaid, all moneys paid hereunder shall be returned to the Purchaser without interest or deductions.

**ACCEPTANCE:**

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 15th day** after the date of signing the offer, after which time, if not accepted, this Offer may at the option of the Purchaser be null and void and the deposit returned to the Purchaser without interest or deduction.

**TITLE:**

Title to the Real Property shall be good and free from all encumbrances, except as set out in this Agreement, and except local rates, and except as to any registered restrictions or covenants that run with the land, and subdivision agreements with the municipality, provided the same have been complied with, and except for minor easements for hydro, gas, telephone or like services. Purchaser shall accept the Real Property subject to municipal and other governmental requirements, including building and zoning by-laws, regulations and orders, provided same have been complied with.

**REQUISITIONS:**

Purchaser shall be allowed until closing to investigate the title at his own expense and to satisfy himself that there is no breach of municipal or other governmental requirements affecting the Real Property, and that its present use may be lawfully continued. If within that time any valid objection to title or to any breach of municipal or other governmental requirements, or to the fact that the present use may not be lawfully continued, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement shall notwithstanding any intermediate acts or negotiations, be null and void and the deposit money returned to the Purchaser, without interest or deduction, and the Vendor shall not be liable for any costs or damages whatever. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the Real Property.

**CLOSING ARRANGEMENTS:**

Where the transaction will be closed by electronic registration the Vendor and Purchaser acknowledge and agree that the exchange of closing funds, non-registrable documents and other items (the "Requisite Deliveries") and the release thereof to the Vendor and Purchaser will:

(a) not occur at the same time as the registration of the transfer/deed (and any other documents

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intended to be registered in connection with the completion of this transaction) and (b) be subject to conditions whereby the lawyer receiving any of the Requisite Deliveries will be required to hold the same in trust and not release same except in accordance with the terms of a document registration agreement between the lawyers.

The Vendor and Purchaser irrevocably instruct their respective lawyers to be bound by the document registration agreement which is recommended from time to time by the Law Society of Upper Canada. Exchange of the Requisite Deliveries shall occur at such place as is agreed between the lawyers, and in the absence of such agreement, in the applicable Land Registry Office.

**SURVEYS AND DOCUMENTS:**

The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except such as are in the possession or control of the Vendor. The Vendor agrees that he will deliver any existing survey to the Purchaser so soon as possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a Chartered Bank, Trust Company, Credit Union or Insurance Company which is not to be assumed by the Purchaser on completion, is not available in registrable form on completion, the Purchaser agrees to accept the Vendor's solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge out of the balance due on completion.

**CLOSING:**

This Agreement shall be completed on or before 7th day of August, 2015 on which date vacant possession of the Real Property shall be given to the Purchaser unless otherwise provided for herein.

**INSPECTION OF PROPERTY:**

The Purchaser acknowledges having inspected the Real Property prior to submitting this Offer and understands that upon the Vendor accepting this offer there shall be a binding Agreement of Purchase and Sale between the Purchaser and the Vendor. The Purchaser shall be entitled to inspect the Real Property immediately prior to the date for completion.

**ADJUSTMENTS:**

Unearned fire insurance premiums, fuel, taxes, rentals and all local improvements and water rates and other charges for municipal improvements to be apportioned and allowed to the date of completion of sale (the day itself to be apportioned to the Purchaser). Provided Purchaser may elect not to accept assignment of fire insurance in which case no adjustment for insurance premiums.

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#### **COSTS:**

The deed or transfer, save for Land Transfer Tax Affidavit, to be prepared at the expense of the Vendor in a form acceptable to the Purchaser .

#### **PLANNING ACT COMPLIANCE:**

This Agreement shall be effective only if the provisions of Section 50 of the Planning Act, R.S.O. 1990, C.P. 13 as amended, are complied with, and the Vendor agrees, at his expense, to comply with such provisions and to proceed diligently with the application for such compliance, if necessary.

The Transfer/Deed of Land to be given to the Purchaser shall contain a statement of the Vendor and the Vendor's solicitor pursuant to section 50(22) of the Planning Act, R.S.O. 1990, C.P. 13 as amended.

#### **RESIDENCY OF VENDOR:**

Vendor further agrees to produce evidence that he is not now and that on closing he will not be a non-resident of Canada within the meaning of s.116 of the Income Tax Act of Canada, or in the alternative, evidence that the provisions of s.116 regarding disposition of property by a non-resident person have been complied with at or before closing, failing which the Purchaser will be credited towards the purchase price with the amount, if any, which shall be necessary for the Purchaser to pay to the Minister of Revenue in order to satisfy the Purchaser's liability in respect of tax payable by the Vendor under S. 116 of the Income Tax Act of Canada by reason of the sale.

#### **FACSIMILE OR EMAIL AND ELECTRONIC SIGNATURE:**

Either party may execute this document by signing a facsimile thereof or by signing a copy of it then scanning and delivering it by email ("email"). The parties agree that execution by any party of a facsimile or email shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile or email of the signature of any party as evidence of the fact that the agreement has been executed by that party. In all respects a facsimile or email signature may be accepted as having the same effect as an original signature.

A signature placed electronically on an electronic copy of this document and any closing document may be accepted as having the same effect as an original signature so long as the signature is integrated into the document.

#### **COUNTERPART:**

This agreement may but need not be executed in counterpart.

#### **TIME OF ESSENCE:**

This Offer, when accepted, shall constitute a binding contract of purchase and sale, and time in all respects shall be of the essence in this Agreement.

#### **HST:**

If this transaction is subject to Harmonized sales Tax (H.S.T.) pursuant to the Excise Tax Act (Canada) as amended (the "Act") then such H.S.T. shall be in addition to and not included in the purchase price, and:

EG

- (a) H.S.T. shall be collected and remitted by the Vendor in accordance with applicable legislation; or,
- (b) if applicable, the parties shall jointly execute an election pursuant to S. 167(3) of the Act, such election to be filed by the Purchaser as required under the Act; or,
- (c) if the Purchaser is registered under the Act the Purchaser shall provide the Vendor and his solicitor with proof of his H.S.T. registration number in a form reasonably satisfactory to the Vendor and his solicitor.

If this transaction is not subject to H.S.T. pursuant to the Act, the Vendor agrees to provide on or before closing to the Purchaser or Purchaser's solicitor a certificate in the form prescribed by the Act, if so prescribed, or otherwise in a form reasonably satisfactory to the Purchaser and his solicitor certifying that the transaction is not subject to H.S.T.

**REPRESENTATIONS AND WARRANTIES:**

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or the Real Property or supported hereby other than as expressed herein in writing.

**TENDER:**

Any tender of documents or money hereunder may be made upon the Vendor or Purchaser or upon the solicitor acting for the party on whom tender is desired, and it shall be sufficient that a cheque certified by a chartered bank or a trust company or the trust cheque of the law firm acting for the party desiring such tender be tendered instead of cash.

**COSTS OF REGISTRATION:**

Each party to pay the costs of registration and taxes on his own documents.

**GENDER:**

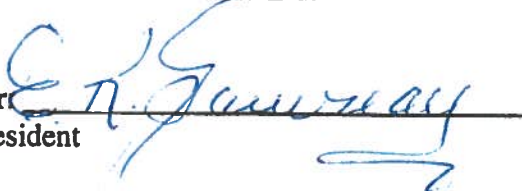
This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

SIGNED, SEALED AND DELIVERED this <sup>5<sup>th</sup></sup> 5<sup>th</sup> day of June, 2015

:

Eveline R. Gauvreau Ltd.

Per  
President



A handwritten signature in blue ink, appearing to read 'E. R. Gauvreau', is written over a horizontal line. The signature is fluid and cursive.

The Vendor hereby accepts the above offer.

Dated this        day of June, 2015

City of Temiskaming Shores

per: \_\_\_\_\_  
          Mayor

per: \_\_\_\_\_  
          Clerk

\_\_\_\_\_  
Purchaser's Address: 743130 Dawson Point  
Road, New Liskeard

\_\_\_\_\_  
Vendor's Address: 325 Farr Drive,  
Haileybury

Phone No. 705 647 6261

Phone No. 6472 3363

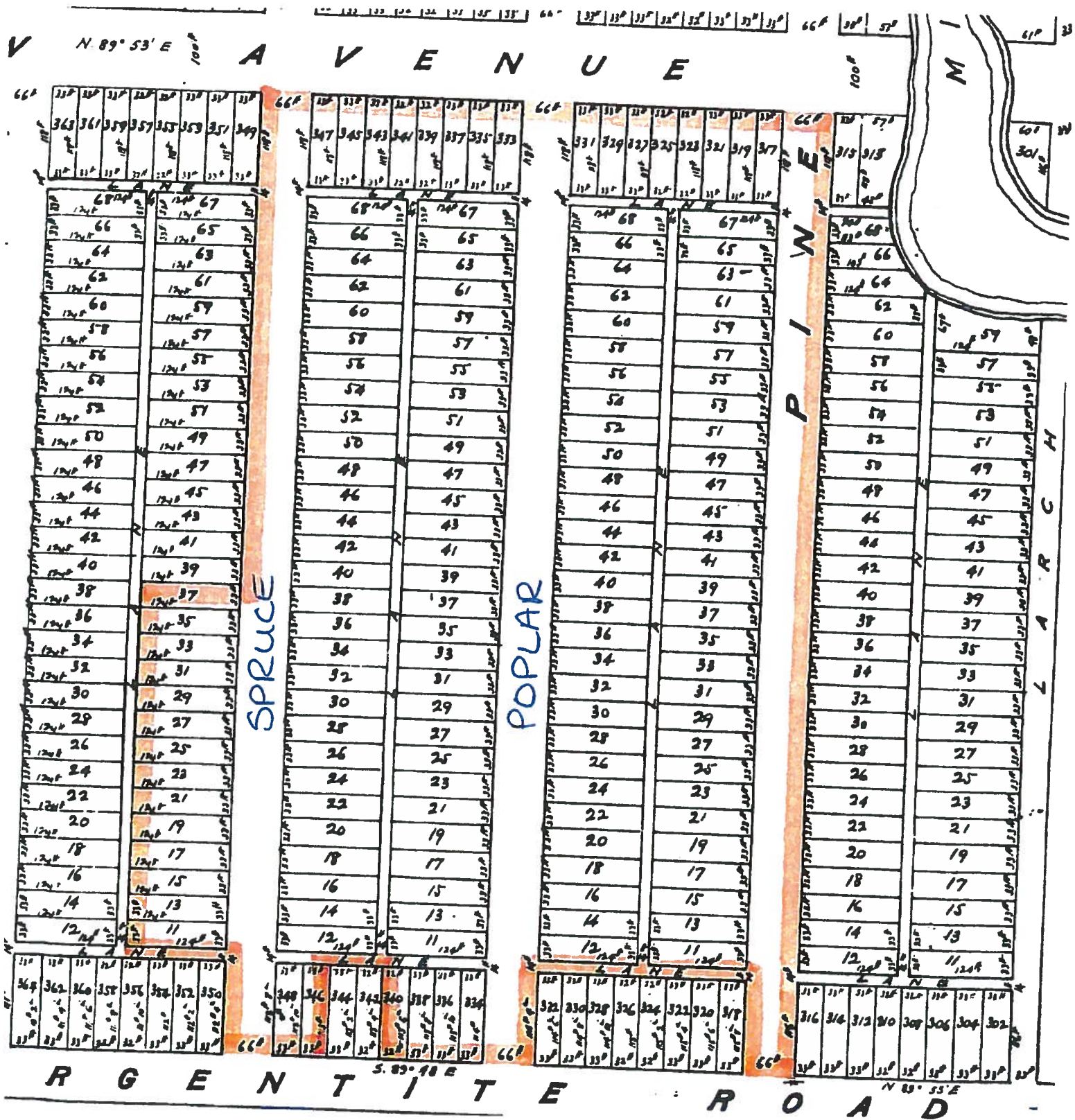
Purchaser's Solicitor:

Vendor's Solicitor:

Peter R. Ramsay,  
Ramsay Law Office Professional  
Corporation,  
Box 160, 18 Armstrong Street,  
New Liskeard ON P0J 1P0  
705-647-4010  
Fax 705-647-4341



# Schedule



# Schedule

61355-0229

PCL 13885 SEC SST; LT 333 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 335 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 337 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 339 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 341 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 343 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 345 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 347 S/S LAKE VIEW AV PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0240

PCL 13885 SEC SST; LT 317 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 319 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 321 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 323 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 325 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 327 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 329 S/S LAKE VIEW AV PL M52NB BUCKE SRO; LT 331 S/S LAKE VIEW AV PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0230

PCL 13885 SEC SST; LT 12 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 14 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 16 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 18 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 20 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 22 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 24 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 26 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 28 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 30 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 32 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 34 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 36 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 38 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 40 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 42 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 44 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 46 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 48 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 50 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 52 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 54 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 56 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 58 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 60 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 62 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 64 E/S SPRUCE ST PL M52NB BUCKE SRO; LT 66 E/S POPLAR ST PL M52NB BUCKE SRO; LT 68 E/S SPRUCE ST PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0235

PCL 13885 SEC SST; LT 11 W/S POPLAR ST, 13 W/S POPLAR ST, 15 W/S POPLAR ST, 17 W/S POPLAR ST, 19 W/S POPLAR ST, 21 W/S POPLAR ST, 23 W/S POPLAR ST, 25 W/S POPLAR ST, 27 W/S POPLAR ST, 29 W/S POPLAR ST, 31 W/S POPLAR ST, 33 W/S POPLAR ST, 35 W/S POPLAR ST, 37 W/S POPLAR ST, 39 W/S POPLAR ST, 41 W/S POPLAR ST, 43 W/S POPLAR ST, 45 W/S POPLAR ST, 47 W/S POPLAR ST, 49 W/S POPLAR ST, 51 W/S POPLAR ST, 53 W/S POPLAR ST, 55 W/S POPLAR ST, 57 W/S POPLAR ST, 59 W/S POPLAR ST, 61 W/S POPLAR ST, 63 W/S POPLAR ST, 65 W/S

POPLAR ST, 67 W/S POPLAR ST PL M52NB BUCKE; TEMISKAMING SHORES ;  
DISTRICT OF TIMISKAMING

61355-0234

PCL 13885 SEC SST; LT 12 E/S POPLAR ST PL M52NB BUCKE SRO; LT 14 E/S POPLAR ST PL M52NB BUCKE SRO; LT 16 E/S POPLAR ST PL M52NB BUCKE SRO; LT 18 E/S POPLAR ST PL M52NB BUCKE SRO; LT 20 E/S POPLAR ST PL M52NB BUCKE SRO; LT 22 E/S POPLAR ST PL M52NB BUCKE SRO; LT 24 E/S POPLAR ST PL M52NB BUCKE SRO; LT 26 E/S POPLAR ST PL M52NB BUCKE SRO; LT 28 E/S POPLAR ST PL M52NB BUCKE SRO; LT 30 E/S POPLAR ST PL M52NB BUCKE SRO; LT 32 E/S POPLAR ST PL M52NB BUCKE SRO; LT 34 E/S POPLAR ST PL M52NB BUCKE SRO; LT 36 E/S POPLAR ST PL M52NB BUCKE SRO; LT 38 E/S POPLAR ST PL M52NB BUCKE SRO; LT 40 E/S POPLAR ST PL M52NB BUCKE SRO; LT 42 E/S POPLAR ST PL M52NB BUCKE SRO; LT 44 E/S POPLAR ST PL M52NB BUCKE SRO; LT 46 E/S POPLAR ST PL M52NB BUCKE SRO; LT 48 E/S POPLAR ST PL M52NB BUCKE SRO; LT 50 E/S POPLAR ST PL M52NB BUCKE SRO; LT 52 E/S POPLAR ST PL M52NB BUCKE SRO; LT 54 E/S POPLAR ST PL M52NB BUCKE SRO; LT 56 E/S POPLAR ST PL M52NB BUCKE SRO; LT 58 E/S POPLAR ST PL M52NB BUCKE SRO; LT 60 E/S POPLAR ST PL M52NB BUCKE SRO; LT 62 E/S POPLAR ST PL M52NB BUCKE SRO; LT 64 E/S POPLAR ST PL M52NB BUCKE SRO; LT 66 E/S POPLAR ST PL M52NB BUCKE SRO; LT 68 E/S POPLAR ST PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0456

PCL 1197 SEC TIM; LT 67 W/S PINE ST PL M52NB BUCKE; TEMISKAMING SHORES;  
DISTRICT OF TIMISKAMING

61355-0457

PCL 1198 SEC TIM; LT 65 W/S PINE ST PL M52NB BUCKE; TEMISKAMING SHORES;  
DISTRICT OF TIMISKAMING

61355-0231

PCL 13885 SEC SST; LT 11 W/S PINE ST PL M52NB BUCKE SRO; LT 13 W/S PINE ST PL M52NB BUCKE SRO; LT 15 W/S PINE ST PL M52NB BUCKE SRO; LT 17 W/S PINE ST PL M52NB BUCKE SRO; LT 19 W/S PINE ST PL M52NB BUCKE SRO; LT 21 W/S PINE ST PL M52NB BUCKE SRO; LT 23 W/S PINE ST PL M52NB BUCKE SRO; LT 25 W/S PINE ST PL M52NB BUCKE SRO; LT 27 W/S PINE ST PL M52NB BUCKE SRO; LT 29 W/S PINE ST PL M52NB BUCKE SRO; LT 31 W/S PINE ST PL M52NB BUCKE SRO; LT 33 W/S PINE ST PL M52NB BUCKE SRO; LT 35 W/S PINE ST PL M52NB BUCKE SRO; LT 37 W/S PINE ST PL M52NB BUCKE SRO; LT 39 W/S PINE ST PL M52NB BUCKE SRO; LT 41 W/S PINE ST PL M52NB BUCKE SRO; LT 43 W/S PINE ST PL M52NB BUCKE SRO; LT 45 W/S PINE ST PL M52NB BUCKE SRO; LT 47 W/S PINE ST PL M52NB BUCKE SRO; LT 49 W/S PINE ST PL M52NB BUCKE SRO; LT 51 W/S PINE ST PL M52NB BUCKE SRO; LT 53 W/S PINE ST PL M52NB BUCKE SRO; LT 55 W/S PINE ST PL M52NB BUCKE SRO; LT 57 W/S PINE ST PL M52NB BUCKE SRO; LT 59 W/S PINE ST PL M52NB BUCKE SRO; LT 61 W/S PINE ST PL M52NB BUCKE SRO; LT 63

W/S PINE ST PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF  
TIMISKAMING

61355-0523

PCL 1349 SEC SST; LT 35 W/S SPRUCE ST PL M52NB BUCKE SRO; LT 37 W/S SPRUCE  
ST PL M52NB BUCKE SRO EXCEPTING AND RESERVING UNTO THE GRANTORS  
THEIR SUCCESSORS AND ASSIGNS ALL MINES, VEINS, SEAMS AND BEDS OF COAL,  
IRON, COBALT, SILVER AND OTHER MINERALS WHATSOEVER ALREADY FOUND  
OR WHICH MAY HEREAFTER BE FOUND ON OR UNDER THE ABOVE LANDS;  
TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0493

PCL 16185 SEC SST; LT 27 W/S SPRUCE ST, 29 W/S SPRUCE ST, 31 W/S SPRUCE ST, 33  
W/S SPRUCE ST PL M52NB BUCKE; TEMISKAMING SHORES ; DISTRICT OF  
TIMISKAMING

61355-0275

PCL 16171 SEC SST; LT 23 W/S SPRUCE ST PL M52NB BUCKE SRO; LT 25 W/S SPRUCE  
ST PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0084

PCL 7697 SEC SST; LT 15 W/S SPRUCE ST, 17 W/S SPRUCE ST, 19 W/S SPRUCE ST, 21  
W/S SPRUCE ST PL M52NB BUCKE; TEMISKAMING SHORES ; DISTRICT OF  
TIMISKAMING

61355-0094

PCL 8583 SEC SST; LT 11 W/S SPRUCE ST, 13 W/S SPRUCE ST PL M52NB BUCKE;  
TEMISKAMING SHORES ; DISTRICT OF TIMISKAMING

61355-0238

PCL 13885 SEC SST; LT 346 N/S ARGENTITE RD PL M52NB BUCKE SRO; LT 348 N/S  
ARGENTITE RD PL M52NB BUCKE SRO; TEMISKAMING SHORES ; DISTRICT OF  
TIMISKAMING

61355-0237

PCL 13885 SEC SST; LT 334 N/S ARGENTITE RD PL M52NB BUCKE SRO; LT 336 N/S  
ARGENTITE RD PL M52NB BUCKE SRO; LT 338 N/S ARGENTITE RD PL M52NB  
BUCKE SRO; LT 340 N/S ARGENTITE RD PL M52NB BUCKE SRO; TEMISKAMING  
SHORES ; DISTRICT OF TIMISKAMING

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

**By-law No. 2015-176**

**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 August 4, 2015**

**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 **August 4, 2015** 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 4<sup>th</sup> day of August, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen