



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, November 3, 2015
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive

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 – October 20, 2015

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

8. **Question and Answer Period**

9. **Presentations / Delegations**

a) Bruce Tomlin, Resident

Re: Unfair Taxation – Administrative Fees associated with Property Standards Notices

b) Mike De Silva, Ratepayers Association

Re: Financial concerns

10. **Communications**

a) Mary Boyd - Resident

Re: Disrepair of Sidewalk on Church Street

Reference: Referred to the Director of Public Works

b) Olivera Radinovic, Environmental Planner – Hydro One

Re: Planned Wood Pole Replacement in Temiskaming Shores

Reference: Received for information

c) Rate-Payers Association of Temiskaming Shores

Re: Request for Information – October 6, 2015 Council meeting

Reference: Referred to New Business

d) Maureen Steward, Director / Curator – Temiskaming Art Gallery

Re: Exhibition Sponsorship Opportunity

Reference: Referred to 2016 Budget Process

e) Designability – March of Dimes of Canada

Re: Invitation – Designability Program – November 26th, 2015 at Dymond Community Hall – 3:00 – 4:30 pm

Reference: Motion to be presented under New Business

f) Judy Dotten

Re: Notice of Application submission to Health Canada for Medical Marihuana operation facility

Reference: Referred to the Director of Community Growth and Planning

Draft Motion

Be it resolved that City Council agrees to deal with Communication Items 10. a) to 10. f) 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 Temiskaming Shores Public Library Board meeting held on June 18, 2015;

b) Minutes of the Temiskaming Shores Public Library Board Information meeting held on September 17, 2015;

c) Minutes of the Temiskaming Shores Public Library Board Electronic meeting held on September 18, 2015;

- d) Minutes of the Committee of Adjustment Committee meeting held on July 29, 2015;
- e) Minutes of the Property Standards Committee meeting held on September 30, 2015;
- f) Minutes of the Temiskaming Shores Accessibility Advisory Committee meeting held on October 21, 2015.

12. Committees of Council – Internal Departments

Draft Motion

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

- a) Minutes of the Recreation Services Committee meeting held on June 8, 2015;
- b) Minutes of the Waste Management Advisory Committee meeting held on October 15, 2015;
- c) Minutes of the Corporate Services Committee meeting held on October 13, 2015.

13. Reports by Members of Council

14. Notice of Motions

15. New Business

- a) **Designability – March of Dimes Workshop**

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of the invitation for the Designability Workshop scheduled for Thursday, November 26, 2015 at the Dymond Community Hall; and

That Council, as part of the Age Friendly initiative, hereby encourages all volunteers with skills working in wood, metal or plastic fabrication to participate in the Designability program with the objective of making products that allow daily activities for children and adults facing unique physical challenges easier thus increasing independence.

b) Memo No. 035-2015-CGP – Response to Rate Payers Association regarding Shelters

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 035-2015-CS; and

That Council hereby directs staff to forward its response to the Rate Payers Association.

c) Memo No. 036-2015-CGP – Immigration Relocation Guide

Draft Motion

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

That Council further acknowledges that an Immigration Relocation Guide prepared in-house will be placed into circulation as well as available on the municipal website through funding provided by the North Bay and District Multicultural Centre.

d) Administrative Report No. CGP-041-01-2015 – Purchase of Laneway from Jelly-Campbell – 112 May Street

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-041-01-2015;

That Council agrees to purchase the laneway legally described as Part 1 on Plan 54R-1333 from Kim Campbell and Douglas Jelly for the price of \$2.00 and directs staff to prepare the necessary by-law for consideration at the November 3, 2015 Regular Council meeting;

That Council acknowledges it is acquiring the laneway to permit continued efficient and effective collection of solid waste receptacles by local residents and directs staff to prepare the necessary by-law for the assumption and establishment of maintenance of the laneway for consideration at the November 3, 2015 Regular Council meeting; and

That Council agrees to pay all legal costs, both the City's and the vendor's and to retain George Kemp of Kemp Pirie Crombeen to finalize the transaction.

e) Administrative Report No. CGP-042-2015 – Outdoor Boilers – Proposed By-law

Draft Motion

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

That Council directs staff to prepare the necessary by-law for regulating Outdoor Boilers for consideration of First and Second Reading (provisional by-law) at the November 17, 2015 Regular Council meeting; and

That Council directs staff to provide notice to the public of Council's intent to adopt a by-law to regulate Outdoor Boilers and to send the Provisional By-law to the Ministry of the Attorney General for approval of the Short Form Wording and Set Fines.

f) Administrative Report No. CGP-043-2015 – Zoning By-law Amendment No. ZBA-2015-06 (NL) North East Ontario Family and Children's Services

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-043-2015;

That Council agrees to amend the provisions of the Town of New Liskeard Zoning By-law 2233 to permit the zone change from Medium Density Residential (R3) to Downtown Commercial (C2); and

That Council directs staff to prepare the necessary by-law to amend the Town of New Liskeard Zoning By-law 2233 for consideration at the November 3, 2015 Regular Council meeting.

g) Memo No. 009-2015-CS – Road Closure Request – Village Noel and Santa Claus Parade

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 009-2015-CS; and

That Council directs staff to prepare the necessary by-law for the temporary road closures for the Village Noel and Santa Claus Parade for consideration at the November 3, 2015 Regular Council meeting.

h) Administrative Report No. CS-034-2015 – Amendments to By-law No. 2008-160 (Procedural By-law)

Draft Motion

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

That Council acknowledges the proposed amendments to the Procedural By-law and directs staff to prepare the necessary by-law to amend By-law No. 2008-160 for consideration at the December 1, 2015 Regular Council meeting; and

That Council directs staff to provide public notice of the proposed amendments in accordance with the City's Notice By-law (No. 2004-022).

i) Administrative Report No. CS-035-2015 – Performance Management and Appraisal Policy

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-035-2015; and

That Council directs staff prepare the necessary by-law to adopt a revised Performance Management and Appraisal Policy at the November 3, 2015 Regular Council meeting.

j) Administrative Report No. CS-036-2015 - Operations & Capital Financial Report

Draft Motion

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-036-2015 for information purposes.

k) Administrative Report No. CS-037-2015 – Waterfront Project Extension

Draft Motion

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-037-2015;

That Council directs the Treasurer to apply for an extension to NOHFC for funding agreement #950872 to March 31, 2017; and

That Council directs the Treasurer to apply for an extension to FedNor for funding agreement #851-806190 to March 31, 2017.

l) Memo No. 017-2015-PW – Response to Mr. Norm Fortin – Bay Street

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 017-2015-PW in response to concerns raised by Mr. Norm Fortin;

That Council further acknowledges that the continued use of the end of Bay Street for various operations within the Public Works Department is in the best interest of the City; and

That Council hereby directs the Clerk's Office to forward correspondence to Mr. Fortin declining his request.

m) Memo No. 018-2015-PW – Rate Increase for Recycling Agreement with Outside Municipalities

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 018-2015-PW; and

That Council hereby approves a two percent (2%) increase to the \$250/tonne rate for the acceptance of recyclable materials at the Spoke Transfer Station resulting in a \$255/tonne rate commencing January 1, 2016.

n) Administrative Report No. PW-054-2015 – Equipment Rental – Tri-axle Trucks

Draft Motion

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-054-2015; and

That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the award of the Equipment Rental – Tri-axle Trucks for Snow Removal contract to *Loach Asphalt Ltd.* at the rate of \$69.00 per hour plus HST and directs staff to prepare the necessary by-law for consideration at the November 3, 2015 Regular Council meeting.

o) Administrative Report No. PW-055-2015 – Speed Reduction – Lakeshore Road South

Draft Motion

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-055-2015;

That Council confirms support of the recommendation not to reduce the speed limit on Lakeshore Road, from Radley Hill Road southward;

That Council directs staff to install "Truck Turning" signs in the vicinity of New Liskeard Sheet Metal; and

That Council directs staff to provide a response to Mr. Walton regarding their decision and work with New Liskeard Sheet Metal in the development of a policy for the Company regarding reversing vehicles at this location.

16. **By-laws**

Draft Motion

Be it resolved that:

By-law No. 2015-200 Being a by-law to adopt a Performance Management and Appraisal Policy

By-law No. 2015-201 Being a by-law to enter into an agreement with Larry and Jessica Breault for the operation of Bucke Park (2016-2018)

By-law No. 2015-202 Being a by-law to enter into an agreement with Loach Asphalt Ltd. for the Rental of Tri-axle Trucks within the City of Temiskaming Shores

By-law No. 2015-203 Being a by-law to regulate the location and installation of Outdoor Boilers

By-law No. 2015-204 Being a by-law to enact Zoning by-law Amendment to rezone property from Medium Density Residential (R3) to Downtown Commercial (C2) in the Town of New Liskeard Zoning By-law 2233 – 37 Paget Street (Plan M-11N.B. lots 10 and 11, Parcel 3736 SST) Roll No. 54-18-010-004-152.00

By-law No. 2015-205 Being a by-law to authorize Temporary Road Closures for the *Festival of Lights, Village Noel* and the *Santa Claus Parade*

be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that:

By-law No. 2015-200;

By-law No. 2015-201;

By-law No. 2015-202;

By-law No. 2015-204;

By-law No. 2015-205;

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. 2015-206 Being a by-law to authorize the Purchase of Land from Kim Campbell and Doug Jelly being a laneway abutting Elm Avenue shown on Part 1 on Plan 54R-1333

By-law No. 2015-207 Being a by-law for the assumption of a Highway for public use and the establishment of maintenance standards of the highway described as Part 1 on Plan 54R-1333 being a laneway abutting Elm Avenue in the City of Temiskaming Shores

be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that:

By-law No. 2015-206 and By-law No. 2015-207 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

17. Schedule of Meetings

- a) Regular Meeting of Council – Tuesday, November 17, 2015 at 6:00 p.m.

- b) Special Budget Meeting of Council – Tuesday, November 24, 2015 at 6:00 p.m.
- c) Regular Meeting of Council – Tuesday, December 1, 2015 at 6:00 p.m.

18. Question and Answer Period

19. Closed Session

20. Confirming By-law

Draft Motion

Be it resolved that By-law No. 2015-208 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 **November 3, 2015** be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that By-law No. 2015-208 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

21. 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, October 20, 2015
6:00 P.M.
City Hall Council Chambers – 325 Farr Drive

Minutes

1. Call to Order

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

2. Roll Call

Present: Mayor Carman Kidd
Councillors Jesse Foley, Patricia Hewitt, Doug Jelly, Jeff Laferriere,
Mike McArthur 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 Zubycck, Director of Corporate Services
Karen Beauchamp, Director of Planning and Community Growth
Tim Uttley, Fire Chief
Jennifer Pye, Planner

Regrets:

Media: Diane Johnston, Temiskaming Speaker
Bill Buchberger, CJTT

Members of the Public Present: 7

3. Review of Revisions or Deletions to Agenda

None

4. Approval of Agenda

Resolution No. 2015-574

Moved by: Councillor Jelly

Seconded by: Councillor Foley

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

Carried

5. Disclosure of Pecuniary Interest and General Nature

Councillor Foley disclosed a pecuniary interest under Section 19 Closed Session Item d) Labour Relations – HR Update

Councillor Jelly disclosed a pecuniary interest under Section 7 Public Meetings Item 7.1 Acquisition of Laneway – Elm Avenue

6. Review and adoption of Council Minutes

Resolution No. 2015-575

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

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

a) Regular Meeting of Council – October 6, 2015

Carried

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

7.1. Acquisition of Laneway – Elm Avenue

Councillor Jelly disclosed a pecuniary interest with this item and vacated his Councillor seat and sat in the audience and did not participate in any discussion on the matter.

Subject Land: Part 1 on Plan 54R-1333

Purpose: Laneway used for snowmobiling, setting out of waste and recyclable containers for pick-up on Elm Avenue and also contains a natural gas distribution line.

Mayor Kidd indicated that Council is considering purchasing a laneway from the owners of 112 May Street in New Liskeard and that notice of the intention and this public meeting, was given in the Temiskaming Speaker and Weekender on October 7, 2015 and October 8, 2015.

Mayor Kidd stated that this public meeting serves two purposes: to advise the public of council's intention to consider a by-law to purchase municipal land and, second, to hear from any person who claims his/her land would be impacted by the purchase, or any interested party or individual. Mayor Kidd declared the meeting to be open, and ask Karen Beauchamp, Director of Community Growth and Planning to provide further details.

Director of Community Growth and Planning, Karen Beauchamp utilizing a powerpoint indicated that the subject land is an unopened laneway that runs from Elm Avenue to the rear of 112 May Street being Part 1 on Plan 54R-1333. The laneway was transferred from the former Town of New Liskeard to the owner of 112 May Street on December 21, 1972 and that Union Gas advises that they have a 4" underground gas main in the laneway and their records indicate that the lane is municipally owned. It was noted that residents along Armstrong Street and Murray Street use the laneway to deliver their waste and recycling containers to a pick up location on Elm Avenue which is not only convenient for the residents but also the collection contractor.

Karen indicated that the City proposes to purchase the laneway from the owner of 112 May Street for a nominal purchase price of \$2, pay all legal fees for the transfer, and Council would be required to pass a by-law to assume the laneway and public works would continue to maintain it. Karen indicated that next steps include the preparation of an Administrative Report for consideration at the November 3, 2015 Regular Council meeting recommending the purchase and assumption.

Mayor Kidd inquired if there were any members of the public who claim that their land would be impacted by the purchase of this land; or any interested party or individuals; with no one approaching the podium, Mayor Kidd inquired if there were any questions or comments from Council. Without any comments, Mayor Kidd declared the public meeting to be closed and advised that Council will give due consideration to all information received tonight.

7.2. Zoning By-law Amendment No. ZBA-2015-06 (NL)

Subject Land: 37 Paget Street

Purpose: Rezone the property from Medium Density Residential (R3) to Downtown Commercial (C2) to allow the creation of a parking area

on the property at 37 Paget Street to service the commercial use located on the property at 25 Paget Street

Mayor Kidd indicated that this public meeting is for one Zoning By-law Amendment and the Planning Act requires that a public meeting be held before Council decides whether to pass a by-law adopting a proposed amendment. It was 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.

Mayor Kidd declared the meeting to be open and to be a public meeting pursuant to Section 34 of the Planning Act and requested Planner Jennifer Pye to present additional information on the application.

Planner, Jennifer Pye utilizing a powerpoint indicated that the subject property owned by North East Ontario Family and Children's Services (NEOFACS) is zone Medium Density Residential (R3) and the applicant is requested to amend the zoning to Downtown Commercial (C2) to allow the conversion of the property into a parking area to service their office building at 25 Paget Street. It was noted that a deeming by-law was passed on October 6, 2015 to consolidate 25 Paget and 27 Paget Street into one.

Jennifer indicated that the property contains an existing single detached home which would be demolished; adjacent uses include commercial to the south, residential and home office to the north and west as well as residential to the east. The subject land is designated Town Centre in the Official Plan with general policies that provide direction to protect and enhance the character of the downtown area and that the conversion of residential properties to commercial uses permitted provided impacts are evaluated and addressed – a parking lot is a permitted use in the requested C2 zone.

Mayor Kidd inquired if there were any questions or comments from the applicant, any questions or comments from members of the public and finally from members of Council. Without any comments Mayor Kidd declared the public meeting to be closed and advised that Council will give due consideration to all information provided and that an administrative report will be considered at a future Council meeting.

8. Question and Answer Period

Peggy Harrison – Timiskaming Rod and Custom Club

Mrs. Harrison provided correspondence requesting to be added to an upcoming agenda with the objective of being able to provide additional information in regards

to the potential cancellation of drag races at the Earlton-Timiskaming Regional Airport.

9. Presentations / Delegations

- a) Maureen Steward, Temiskaming Art Gallery Curator

Re: Art in Park 2015 – Review

Curator, Maureen Steward utilizing a powerpoint made a presentation on this summer's "Art in the Park" program which ran every Wednesday evening from July 1st to August 19th at Hourbor Place. Maureen indicated that the overall goal of the program was to broaden participation and engagement in arts and culture, foster the vibrancy and growth of the artistic and cultural communities and to provide opportunities for cultural enrichment in alignment with the City Cultural Sustainability program.

Maureen outlined some of the statistics related to the program including over 980 public attendees, 15 volunteers/4 staff, 9 groups of performers over 8 weeks, children's activities & face painting, 14 tables of artists and craftspeople, weekly concession and 2 barbeques.

Maureen thanked the community partners which included the City of Temiskaming Shores, the South Temiskaming Cultural Sustainability Committee, the Temiskaming Early Years and Scotiabank and concluded with a short video highlighting some of the activities held during the summer.

10. Communications

- a) Honourable Michael Chan, Minister – Ministry of Citizenship, Immigration and International Trade

Re: June Callwood Outstanding Achievement Award for Voluntarism in Ontario

Reference: Referred to the Recreation Committee

- b) David Pearce, Supply Chain Officer – Stewardship Ontario

Re: Municipal Blue Box Recycling – 1st Quarter of 2015

Reference: Referred to the Technical and Environmental Compliance Coordinator

- c) News Brief – Ministry of Agriculture, Food and Rural Affairs – Regional Economic Development Branch (RED)

Re: RED Program accepting funding applications

Reference: Referred to the Economic Development Officer

- d) Bridget Franks – Latchford Street

Re: Request for Prayer prior to Council Meeting

Reference: Received for information

- e) Ontario Good Roads Association- Heads UP Alert

Re: Ontario becomes first Province to Pilot the Self-Driving Vehicles

Reference: Received for information

Resolution No. 2015-576

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

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

Carried

11. Committees of Council – Community and Regional

Resolution No. 2015-577

Moved by: Councillor Jelly

Seconded by: Councillor Foley

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

- a) Minutes of the Property Standards Committee meeting held on August 26, 2015;

- b) Minutes of the Temiskaming Municipal Association meeting held on October 1, 2015;
- c) Minutes of the South Temiskaming Cultural Sustainability Project Committee meeting held on September 10, 2015;
- d) Minutes of the Timiskaming Board of Health meeting held on September 2, 2015;
- e) Minutes of the District of Timiskaming Social Services Administration Board meeting held on July 15, 2015;
- f) Minutes of the Temiskaming Shores Accessibility Advisory Committee meeting held on September 16, 2015;
- g) Minutes of the Ontario Clean Water Agency Consultation meeting held on September 23, 2015.

Carried

12. Committees of Council – Internal Departments

Resolution No. 2015-578

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

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

- a) Minutes of the Building Maintenance Committee meeting held on September 9, 2015;
- b) Minutes of the Protection to Persons and Property Committee meeting held on September 29, 2015;
- c) Minutes of the Protection to Persons and Property Committee meeting held on October 15, 2015;
- d) Minutes of the Public Works Committee meeting held on September 24, 2015.

Carried

13. Reports by Members of Council

Councillor Whalen indicated that there is a Temiskaming Transit meeting scheduled for Wednesday, October 21, 2015 and anticipates an update on the second transit bus.

14. Notice of Motions

None

15. New Business

a) Temiskaming Municipal Association – Support for dissolution of the Municipal Property Assessment Corporation (MPAC)

Resolution No. 2015-579

Moved by: Councillor Whalen

Seconded by: Councillor Jelly

Whereas the member municipalities of the Temiskaming Municipal Association have long expressed their displeasure with the inaccuracy of the assessments provided to them by the Municipal Property Assessment Corporation (MPAC); and

Whereas the accuracy of assessments provided to municipalities from MPAC has been successfully challenged by a number of large corporations leaving property taxpayers to shoulder the burden; and

Whereas these inaccuracies have been confirmed through appeals launched by the Province of Ontario, who set the related Assessment Policies for MPAC, on Provincial properties located in the City of Toronto including Queen's Park.

Now therefore be it resolved that the City of Temiskaming Shores hereby request the Province of Ontario to investigate the dissolution of MPAC in favour of the restoration of local assessment bodies; and

Further that a copy of this resolution be circulated to all member municipalities of the Temiskaming Municipal Association, the Federation of Northern Ontario Municipalities, the Northeastern Ontario Municipal Association, the Minister of Municipal Affairs and Housing, the Minister of Finance and the Premier of Ontario.

Carried

b) Earleton-Timiskaming Regional Airport – Use of Airstrip for non-airway purposes

Resolution No. 2015-580

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Whereas the City of Temiskaming Shores is an active member municipality and majority funding partner of the Earleton-Timiskaming Regional Airport Joint Municipal Services Board; and

Whereas the City realizes the need and benefits of a Regional Airport, including the potential for scheduled flight services and air ambulance; and

Whereas in 2014 there were 465 air ambulance movements alone at the Airport; and

Whereas the Earleton-Timiskaming Regional Airport has been utilized for special events such as drag races during which the airport is not available for any type of air movement; and

Whereas the City also realizes the liability it assumes during the use of regional non-flight/non-aircraft events.

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby objects to the use of the Earleton-Timiskaming Regional Airport for any activity that would limit or restrict air movements.

OR

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby supports the use of the Earleton-Timiskaming Regional Airport for regional non-flight/non-aircraft events.

Deferred

Resolution No. 2015-581

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores defers Resolution No. 2015-580 pending a presentation from the Timiskaming Rod and Custom Club

Carried

c) Memo No. 033-2015-CGP – Update on Sale of 285 Whitewood Avenue (New Liskeard Medical Centre)

Resolution No. 2015-582

Moved by: Councillor Laferriere

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 033-2015-CGP for information purposes.

Carried

d) Memo No. 008-2015-CS – Amendments to By-law No. 2008-128 Parking Enforcement on Lands not owned or occupied by the municipality

Resolution No. 2015-583

Moved by: Councillor Jelly

Seconded by: Councillor Hewitt

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

That Council directs staff to prepare the necessary by-law to amend By-law No. 2008-128 being a by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing parking regulations on lands not owned or occupied by the municipality as requested by Northern College (Haileybury Campus).

Carried

e) Administrative Report No. CS-031-2015 – Bucke Park Operator Agreement

Resolution No. 2015-584

Moved by: Councillor Foley

Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-031-2015;

That Council directs staff to prepare the necessary by-law to enter into an agreement with Larry and Jessica Breault for the operation of Bucke Park for a three-year term (2016-2018) for consideration at the November 3, 2015 Regular Council meeting.

Carried

f) Administrative Report No. CS-032-2015 – Great Northern Family Health Team Lease Agreement

Resolution No. 2015-585

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-032-2015; and

That Council directs staff to increase the rental rates by 2.4% effective January 1, 2016 with the Great Northern Family Health Team, Dr. Corneil, Dr. Logan and Dr. Corbin for the use of office space at the New Liskeard Medical Centre.

Carried

g) Administrative Report No. CS-033-2015 – Cell Phone Reimbursement

Resolution No. 2015-586

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-032-2015; and

That Council directs staff to increase the reimbursement amount for use of personal cellular phones for City business to fifty dollars (\$50) per month per approved position effective January 1, 2016.

Carried

h) Administrative Report No. PPP-017-2015 – Fire Rescue Truck

Resolution No. 2015-587

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PPP-017-2015;

That Council approves the award for the supply and delivery of one Rescue Truck for the Temiskaming Shores Fire Department to Asphodel Fire Trucks Ltd. at an upset amount of \$295,000 plus applicable taxes to be delivered in 2016; and

That Council directs staff to prepare the necessary by-law and agreement for the award of the supply and delivery of the Rescue Truck for consideration at the October 20, 2015 Regular Council meeting.

Carried

Recorded Vote

For Motion

Councillor Foley
Councillor Jelly
Councillor McArthur
Mayor Kidd

Against Motion

Councillor Hewitt
Councillor Laferriere
Councillor Whalen

i) Administrative Report No. PW-053-2015 – Demolition of the Matabanick Hotel

Resolution No. 2015-588

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-053-2015; and

That Council agrees to defer the award of the contract to Priestly Demolition Inc. for the demolition of the former Matabanick Hotel in the amount of \$307,929 plus applicable taxes to the 2016 Capital Budget Process.

Carried

j) Memo No. 016-2015-PW – Highway Entrance Signage Update

Resolution No. 2015-589

Moved by: Councillor Foley

Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 016-2015-PW for information purposes.

Carried

k) Memo No. 009-2015-RS – Ontario Municipal Cycling Infrastructure Program Funding Application

Resolution No. 2015-590

Moved by: Councillor McArthur

Seconded by: Councillor Foley

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Memo No. 009-2015-RS; and

That Council direct staff to submit an application for funding in the amount of \$325,000 to the Ministry of Transportation Ontario Municipal Cycling Infrastructure Program with the municipality designating a total of \$ 214,750 over two years, 2016 and 2017 in the municipal Capital budget and the South Temiskaming Active Travel Organization donating \$214,750 toward the project.

Carried

l) Administrative Report No. RS-008-2015 – Bucke Park Rates 2016 – 2018

Resolution No. 2015-591

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-008-2015; and

That Council approves the proposed fee schedule for Bucke Park for seasons 2016 through 2018 and directs staff to prepare the necessary by-law to amend By-law No. 2012-039 (Departmental User Fees) for Council's consideration at the November 3, 2015 Regular Council meeting.

Carried

16. By-laws

Resolution No. 2015-592

Moved by: Councillor Jelly

Seconded by: Councillor Foley

Be it resolved that:

By-law No. 2015-196 Being a by-law to enter into an Agreement with Dibrina Sure Benefits Consulting Inc. (formerly St. Cyr Associates) for the Administration of Services provided by Great West Life Assurance Company (City of Temiskaming Shores – Employees Group Benefits)

By-law No. 2015-197 Being a by-law to amend By-law No. 2008-128 as amended, being a by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing Parking Regulations on lands not owned or occupied by the municipality

By-law No. 2015-198 Being a by-law to authorize a purchase agreement with Asphodel Fire Trucks Ltd. for the purchase of a Command Rescue Truck

be hereby introduced and given first and second reading.

Carried

Resolution No. 2015-593

Moved by: Councillor Foley

Seconded by: Councillor McArthur

Be it resolved that:

By-law No. 2015-196;

By-law No. 2015-197;

By-law No. 2015-198;

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, November 3, 2015 at 6:00 p.m.
- b) Regular Meeting of Council – Tuesday, November 17, 2015 at 6:00 p.m.

18. Question and Answer Period

19. Closed Session

Resolution No. 2015-594

Moved by: Councillor Foley

Seconded by: Councillor Jelly

Be it resolved that Council agrees to convene in Closed Session at 7:15 pm to discuss the following matters:

- a) Adoption of the October 6, 2015 – Closed Session Minutes;
- b) Under Section 239 (2) (a) of the Municipal Act, 2001 – Security of the property of the municipality – Presentation by Technical and Environmental Compliance Coordinator
- c) Under Section 239 (2) (c) of the Municipal Act, 2001 – Proposed Disposition of Land – Senior’s Housing Project – Verbal Update
- d) Under Section 239 (2) (d) of the Municipal Act, 2001 – Labour Relations – HR Update

Carried

Resolution No. 2015-595

Moved by: Councillor Whalen

Seconded by: Councillor Foley

Be it resolved that Council agrees to rise with report at 8:12 p.m.

Carried

a) Adoption of the October 6, 2015 – Closed Session Minutes

Resolution No. 2015-596

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that Council approves the October 6, 2015 Closed Session Minutes as printed.

Carried

- b) Under Section 239 (2) (a) of the Municipal Act, 2001 – Security of the property of the municipality – Presentation by Technical and Environmental Compliance Coordinator**

Council provided direction to staff in closed session.

- c) Under Section 239 (2) (c) of the Municipal Act, 2001 – Proposed Disposition of Land – Senior’s Housing Project – Verbal Update**

Council provided direction to staff in closed session.

- d) Under Section 239 (2) (d) of the Municipal Act, 2001 – Labour Relations – HR Update**

Staff provided Council with an update on Human Resource issues and Council provided staff with direction in closed session.

20. Confirming By-law

Resolution No. 2015-597

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

Be it resolved that By-law No. 2015-199 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular Meeting held on **October 20, 2015** be hereby introduced and given first and second reading.

Carried

Resolution No. 2015-598

Moved by: Councillor Whalen

Seconded by: Councillor Laferriere

Be it resolved that By-law No. 2015-199 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2015-599

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Be it resolved that City Council adjourns at 8:13 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen

My Protest

Without prejudice.

November 3rd, 2015

HISTORY: I'll try to be brief here, but it is necessary for context. While it is the cause, it is not the primary reason I am here today.

My dispute with the city started in July 2014. That is when I received what I felt was an unjust order to dismantle what I call my tent. If for no other reason my only adjoining neighbor had two similar structures and was not so ordered. In my defense I started writing letters to councilors and the Speaker editor, which he chose to print. Collectively boiled down, I tried to make these four points.

- Since this city has a recent history of wasting vast sums of tax money, as a tax payer, I thought my tax money would be better utilized on the failing and deteriorating infrastructure than chasing down outside storage structures.
- Of necessity, for the assault on such structures to succeed it would require citizens to start ratting each other out. If successful it would almost certainly lead to a vicious cycle of bitterness and anger.
- If the financial provisions of the Ontario Building Code were applied to structures not clearly identified as buildings by that same code, it would probably become a legal issue!
- All of this might just quietly go away unless city proceeded with Orders to Remedy.

RELATED OPINION

- I for one, sincerely hope the Ontario Building Code never rules on outside storage structures. That way, municipalities are free to custom design their own policy in the best interest of their own citizens. Ontario is a big place and the needs of citizens are not always the same in all areas. Now that our city has a Rate Payers Association, such important decisions could be a shared responsibility with council.
- When people have a need for something they find a way to fill it. In this case outside storage structures. Who cannot understand that the needs of citizens for such structures are greater in 2015 than they were fifty years ago! Smart politicians usually learn that the people who pay all the bills are right! It never works well to have them feel abused or bullied. They will eventually push back hard.
- Outside shelters are just such an intelligent option for storing people's property in a neat, safe, and economical way. Without asking, I know that the fire department would prefer that emergency generators and gas for them; be in one of them, rather than inside a home. Likewise I believe the health department would prefer winter tires stored dry and inside as opposed to outside collecting rain water for breeding mosquitoes.

OTHER RELATED ISSUES:

- The order to remedy appeal to the Property Standards Committee Sept. 30th, 2015:
- Given the constraints they were under, the very good volunteers were unable to even hear the issues that brought most of us there.
- The chairman of the committee twice stated 'that if it has four walls and a roof, it comes under the Ontario Building Code'. I am a retired senior and reliable tax payer. I found that statement to be patronizing and insulting. For while that definition perfectly describes my dog house, I was there to defend my tent!
- The building inspector was present in the corridor leading to the board room while the appeal hearing was going on. My wife Judy asked him, 'What about the other people in the city who have such structures and have not been served a notice?' His answer was, 'Don't worry; they will soon be ratted out!' No comment!

October 6th Council Meeting

- One councilor expressed that he felt unfairly maligned by the Rate Payers Association, as he and others on this council had not voted for the contentious bylaw. Fact is the bylaw does exist and is now being enforced, unequally unfairly and for full compliance will require citizens to turn on one another! Civil unrest seemingly acceptable on such a high priority city project! This is happening on this councils watch! Push back is forming. You should know there is an ever growing number of tax payers who are sick and tired of wrong priorities and wasted tax money.

TAX ISSUE

Is it lawful for this city to:

- Apply financial charges provided for in the Building Code to a structure not identified as a building by that very same code?
- Identify what I believe are clearly fines as administrative fees and then when not paid for cause, convert them to a tax bill?
- Single out individuals such as myself for prosecution when there are others who have similar structures as my tent, not prosecuted?

I believe this tax bill I have received is unfair, unjustified and selectively discriminatory, possibly illegal!

I always pay my taxes in person, but unless so ordered by a judge, will not pay this tax in that way.

However, it is a charge on the books that needs to be settled in some way. Here is my proposal:

- I have divided this charge into seven equal parts and written a personal cheque to each member of council. If you accept them I can remain true to myself by not paying in person, while discharging the tax. You can endorse the cheques over to the city on my behalf or find some way to expunge this debt and return my funds.

So ends my presentation. Copies of this presentation will be forwarded to, The Speaker, the Ombudsman, and the Ministry of Municipal Affairs.

Thank you.

Bruce Tomlin

Rate Payers Association



Temiskaming Shores

November 3rd, 2015

Good Evening Mayor and Council:

My name is Mike Da Silva,

Thank you for allowing the Temiskaming Shores Ratepayers Association to speak tonight.

As a representative of the association I'd like to say the key to our success has been the composition of our membership.

In 2014 there was 8035 eligible voters and only 3360 cast their votes. This tells us that!

In just a small amount of time, we now represent the voice of 14.9% of the cast voters of Temiskaming Shores, that voted in 2014, which equals to 500 members of the ratepayers association of Temiskaming Shores.

In less than 3 months time we are steadily growing in numbers and momentum.

We are credible, we are here to stay and we will be encouraging more tax payers not to be afraid or intimidated, but to cast their votes to whom they see fit.

Our members take in a wide representation of the residents of Temiskaming Shores including businesses, citizens and professionals.

102 King Street, North Cobalt, On P0J 1R0
Email: rate-payers@outlook.com

We seek to have influence over the public policy agenda in the most respectful way possible.

Please remember, we are a parade and we aren't slowing down anytime soon.

People in Temiskaming Shores realize there is an opportunity to do things in their community and they are joining our cause.

They are not just sitting back waiting for something to happen anymore.

Since organizing, we have created a sense of community and yes; there is power in numbers as you are aware.

We seek to encourage good governance, to improve living conditions in our city and to promote interests of the people.

We want to work in partnership with you the council to achieve the goals of effective, fair and equal representation.

Contrary to what you, the council may think...we are concerned with more than just the plastic shelter issue. Speaking of the plastic shelter issue, the City has now placed their fines on residents property tax bill. This is outrageous since this issue has not been resolved. Please correct this issue until the shelter issue is dealt with. This is totally unfair to our ratepayers.

Some of our concerns include the wise use of taxpayer money and the creation of public policy that will help both young and old. For example we have a shortage of doctors, this is a major concern as most of our taxpayers do not have a family doctor to go to, so instead they inundate our hospitals taking the doctors time away from patients that are in more critical need.

We are also concerned with how efficiently the City is operating; the use of consultants, the use of public lands and the way tax dollars are being used. We will be addressing council with different concerns as we go along and we hope you the council acknowledge and act on the ratepayers concerns.

We do not want to see our hard earned money being wasted or used to finance purchases

that have to be financed over several years.

The costs of the interest of loans from the bank are viewed as money wasted and it would also indicate poor planning in terms of capital projects.

We use the purchase of the recent Haileybury fire rescue truck as an example. The Haileybury fire rescue truck purchase issue came before council October 20th, 2015. Please remember these comments have nothing against the Temiskaming Shores Fire Department and the fine job they do for the ratepayers. This is strictly business and ratepayers money we are concerned with.

Our understanding is the cost was \$290,000.00 from a Peterborough company.

Is this part of the city's overall fleet replacement for the Temiskaming Shores Fire Department?

We would like to see the figures for the number of fires in Haileybury and Temiskaming Shores overall to warrant a purchase like this.

Our understanding again is the city has plans on spending half a million dollars annually on replacing fire trucks and equipment. Half a million dollars per year to replace fire department equipment could be better used to improve our roads, not to mention other issues in town.

Council approved the purchase by a 3-4 vote, the mayor broke the tie.

Councillors Jeff Laferriere, Patricia Hewitt and Danny Whalen voted against the purchase and Mike McArthur, Jesse Foley, Doug Jelly and Mayor Carmen Kidd voted for it.

The real problem is the city will have to finance the cost of the vehicle over 10 years or more and the interest alone on that loan is ridiculous. The truck is being financed over several years at significant cost to the taxpayers. With all due respect, This was not a well thought out decision.

In business if you don't have the money outright to buy something, don't finance it. Make sure you budget for it and budget wisely.

The fire Department can have a big influence on a council if they let them.

It is our City, we do have a voice and we intend be heard. Council must know and expect to see us at council meetings, expect to see us out and about in the community and expect to see us raising issues that require prompt action from council.

These are just some of the ratepayers concerns. As you may know their are other concerns that have not yet been dealt with. But we assure you, the council, that we will bring them up on future dates.

Thank you again for your time and for listening to our (ratepayers)concerns.



29 Wellington St. N.

The Mayor & Councilors
 The City of Temiskaming Shores
 City Hall, Haileybury, P0J 1K0

Dear Sirs,

Further to my letter of June 2nd 2015 regarding the DANGEROUS condition of the sidewalk on Church Street between Wellington N and Armstrong Streets (New Liskeard). Some weeks ago I was pleased to see that it had been "orange striped" for attention. However, nothing has been done and construction season is ending. Surely some temporary measure could be taken with the worst part before someone gets seriously hurt - isn't SAFETY of the residents a high priority? In my opinion the whole sidewalk is due for complete reconstruction. There is a perfectly good sidewalk between Paget & Wellington N. streets, why is the section to Armstrong St. so neglected?

Also, vehicles are still parking alongside the 'Match Factory' building, is this legal? Or is this part of the 'Match Factory' property? If so, all the more reason for the pedestrian right of way to be properly designated - is there a shortage of paint?

I realize now that I ought to have been

Nov 3/15

more diligent with my 'complaint' years ago when my late husband tripped and fell, but wasn't seriously hurt. Have any of you ever walked down this street?

Thankyou for your prompt attention to this matter. I would appreciate acknowledgment of my communications and answers to my questions.

Yours sincerely

Mary Boyd.

Hydro One Networks Inc.

483 Bay Street
North Tower, 14th Floor
Toronto, ON M5G 2P5
www.HydroOne.com

Tel: 416-345-6598
Email: Olivera.RADINOVIC@HydroOne.com



Olivera Radinovic

Environmental Planner, Environmental Engineering and Project Support

October 23, 2015

Ms. Jennifer Pye
Planner— City of Temiskaming Shores
The Corporation of the City of Temiskaming Shores
325 Farr Dr., P.O. Box 2050
Haileybury, Ontario
P0J 1K0

Re: Update for Planned Wood Pole Replacement on the 115 kilovolt (kV) Wood Pole Transmission Structures (Circuit D2L) located in the City of Temiskaming Shores, and Timiskaming Unorganized

To Ms. Pye:

This letter is to provide you with an update regarding Hydro One's planned wood pole replacement on the existing 115 kilovolt (kV) transmission line (Circuit D2L).

On June 29, 2015, notification was sent to you regarding a Class Environmental Assessment (EA) Hydro One initiated to replace 57 aging and demerged wood pole structures and their components (i.e. cross-arms, conductors) over 42 kilometres of the existing 115 kilovolt (kV) transmission line (Circuit D2L).

The scope of work has since been revised, and will now include the replacement of 154 aging and demerged wood pole structures and their components (i.e. cross-arms, conductors) over the same 42 kilometres of existing line.

The planned project area (involving 154 poles), shown on the attached map, remains unchanged and located in the City of Temiskaming Shores, and Timiskaming Unorganized.

The transmission line refurbishment, which was determined through Hydro One's structural analysis of the D2L circuit, will involve the replacement of a number of aging and damaged wood pole structures and their components (i.e. cross-arms, conductors). Replacing damaged and aging structures will ensure the continued reliability and integrity of this transmission line and electricity supply. Most work will be carried out within the existing transmission corridor, with no new corridor being required. Where possible, access will be accomplished using existing roads and trails. There will be very little noticeable difference in this transmission line after this project has been completed.

Wood pole projects of this kind are subject to the *Class Environmental Assessment for Minor Transmission Facilities* (Ontario Hydro, 1992), in accordance with the provincial *Environmental Assessment Act*. The Class EA document was developed as a streamlined process to ensure that minor transmission projects that have a predictable range of effects are planned and carried out in an environmentally acceptable manner.

Hydro One Networks Inc.

483 Bay Street
North Tower, 14th Floor
Toronto, ON M5G 2P5
www.HydroOne.com

Tel: 416-345-6598
Email: Olivera.RADINOVIC@HydroOne.com



Olivera Radinovic

Environmental Planner, Environmental Engineering and Project Support

Contingent on the outcome of the Class EA process, work may begin as early as January 2016 and be completed by the end of 2017.

If you have any questions, or would like additional information regarding this project, please contact me at 416-345- 6598, or Olivera.Radinovic@HydroOne.com

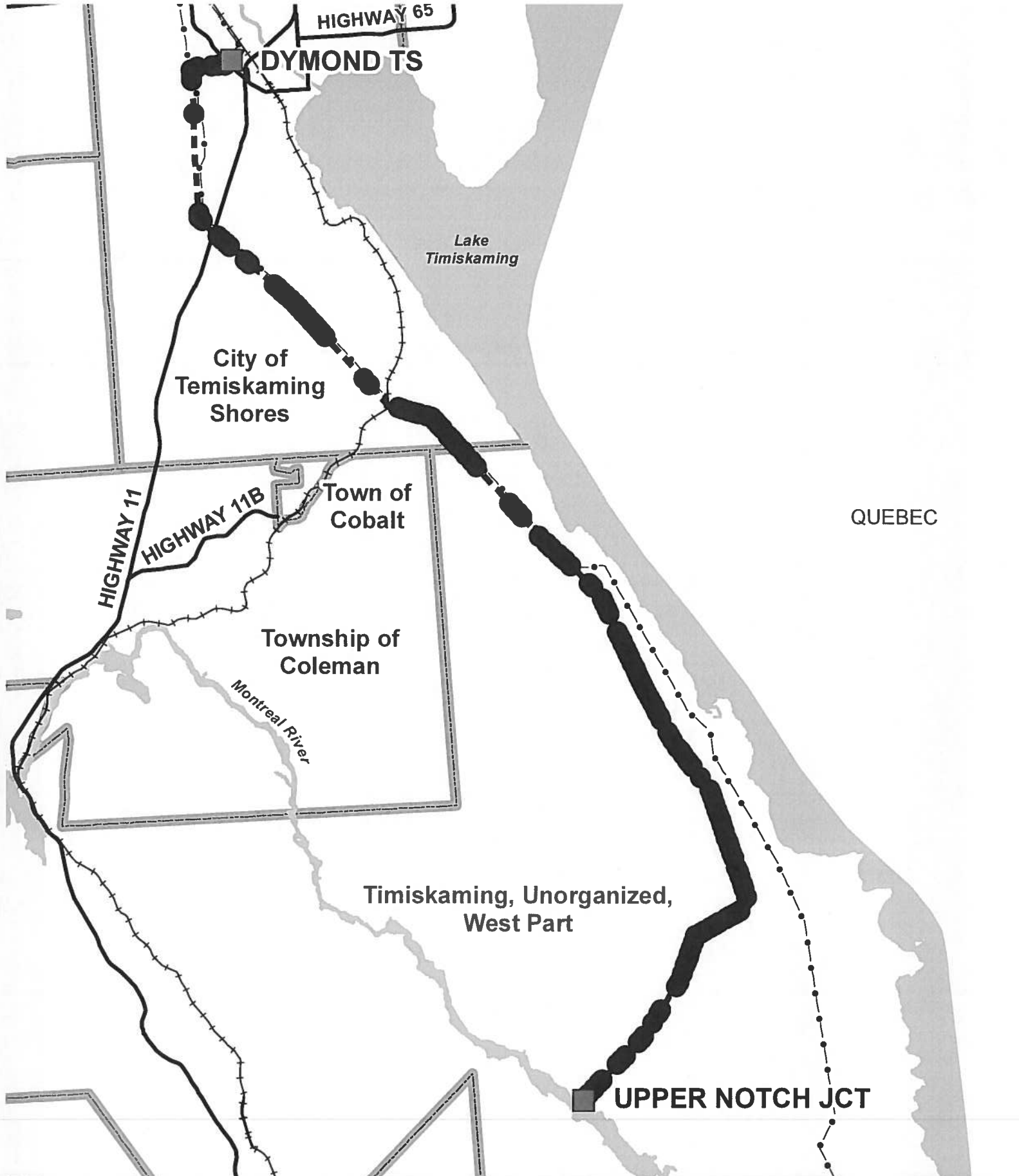
Sincerely,


A handwritten signature in black ink, appearing to be the initials "OR" or a similar stylized representation of the name Olivera Radinovic.

Olivera Radinovic, Environmental Planner
Environmental Engineering and Project Support

cc:

Brian J. McCormick, Manager, Environmental Engineering and Project Support, Hydro One













 Created By: Inergil LP (GIS Services)

 Oct 7, 2015


 I5-20_WoodPoleReplacement_D2L

 andTS&UpperNotchJCT_General_Portrait_Oct2015

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 HYDRO ONE NETWORKS INC.

-  Structures to be Replaced
-  Station or Junction
-  Water
-  Municipal Boundaries
-  115kV (Circuit D2L) - Wood Pole Section
-  Other Transmission Lines
-  Highway
-  Railway

Circuit D2L
Woodpole replacement
General map


 0 2.5 5
 1:150,000

RECEIVED

OCT 23 2015

Rate Payers Association



Temiskaming Shores

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

Attention: Mayor Carmen Kidd and all Council Members

Re: Council Meeting of October 6th, 2015

We the rate payers of Temiskaming Shores are requesting the following items as outlined in the above council meeting;

- > A copy of the minutes of September 30th, 2015 Property Standards Committee appeal hearing.
- > The number of informal notices issued.
- > The number of orders issued to remedy the above notices issued.
- > The number of hours that all city staff has spent in the development, reporting and enforcement of the outside shelter issue, along with the dollar value to do the same.
- > We also want to know the number of complaints issued to the building officials or did they go out looking for the shelters?
- > We would also request a timeline when the \$50.00 appeal fee will be refunded to the rate payers.

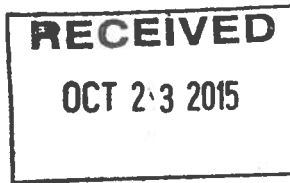
Thanking you in advance for your timely reply.

Regards

Rate-Payers Association of Temiskaming Shores

102 King Street, North Cobalt, On P0J 1R0
Email: rate-payers@outlook.com

TEMISKAMING ART GALLERY
325 Farr Drive, P.O. Box 1090, Haileybury, Ontario. P0J 1K0
Telephone: (705) 672-3706 Email: temiskamingartgallery@gmail.com
Web Page: www.temiskamingartgallery.ca



October 23, 2015

Mayor Carman Kidd and City Council
City of Temiskaming Shores,
325 Farr Drive,
Haileybury, ON
P0J 1K0

Dear Mayor Kidd and Councillors,

I am writing on behalf of the Temiskaming Art Gallery (TAG) Board of Directors to invite the City of Temiskaming Shores to consider sponsoring an exhibition during our 2016 season.

TAG's mandate is to provide free visual arts programming and exhibitions for our community. We connect people to art, enriching and inspiring our diverse community through programs increasingly offered in both official languages.

This past year Temiskaming Art Gallery has celebrated its 35th anniversary, launched an interprovincial juried exhibition with the Galerie du Rift in Ville Marie, QC, and undertaken one of our biggest endeavours yet – a two-year project entitled *Art, Myth, and Memory* which aims to broaden participation and engagement in arts and culture. Through this project the TAG offered community programming during the Royal Ontario Museum's travelling exhibition *Canada at Play*, hosted an exciting eight week Art in the Park summer festival, planned a speaker series, and organized a *Cultural Exchange*, involving young artists from local high schools with French, English, and Aboriginal backgrounds.

While project funding is essential to add vitality to the programming we offer, we cannot survive as a public art gallery on project funding alone. We need to be able to keep the lights on and the gallery open on a daily basis in order to be an effective arts organization within the region.

The Temiskaming Art Gallery is run by a hardworking volunteer group, with one full-time staff member, (and occasionally other support staff) on a modest annual budget of \$100,000, some 80% of which is raised through donations, memberships, grant funding and fundraising events within our community. We believe that access to great art makes life in North-eastern Ontario more appealing, but we need your help to continue our mission.

As a community leader, the City's sponsorship of an exhibition at the TAG would set a good example to other potential sponsors, while also enriching the cultural interests within our community. Through its sponsorship the City would receive inclusion in all of TAG's radio, print and on-site advertising, during the sponsored exhibition's run.

A typical budget to launch an exhibition is in the range of \$5000. We realize \$5000 is a large commitment, but one that would be mutually beneficial to the fiscal health of the Gallery, and advertising for the City. A copy of the 2016 Exhibition Schedule is attached for your review.

We would be most happy to entertain any questions you may have and look forward to hearing from you. Any assistance would help to alleviate our current financial stress.

Thank you for your consideration of our request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Maureen', with a stylized flourish at the end.

Maureen Steward,
Director / Curator,
Temiskaming Art Gallery.

2016 Exhibition program

January 15 to February 26:

1. *Temiskaming Artistic Connections : Temiscamingue Foire Artistique*

A juried selection of artwork from regional artists held in partnership with Galerie du Rift, Ville Marie, Quebec

March 4 to April 22:

2. *A Northern Perspective*

Artist: Taimi Poldmaa

Twenty landscape paintings oil on canvas and oil on wood by Sault Ste. Marie artist, Taimi Poldmaa. The paintings explore the geological features of the western coastline of Lake Superior.

May 2 to June 24:

3. *The Digital Era: Impact and Consequences*

A travelling exhibition by 24 francophone visual artists from BRAVO the theme of whose work deals with the cessation of Canada Post's home delivery service.

July 4 to September 2:

4. *Canadian Sculpture Association*

A national exhibition of sculpture by members of the Canadian Sculpture Association which also includes some outdoor sculptural pieces.

September 24 to October 14

5. *Northern Ontario Art Association's 60th Annual Exhibition*

In celebration of the NOAA's 60th annual juried exhibition, this selection of 40 paintings is chosen from entries received from artists from Sault Ste Marie to Cochrane, Ontario

November 4 to January 6, 2017:

6. *Northern Fibre Artists*

Featuring the unique style and fabric creations of Marie Black, Sylvia Bos, Jane Hughes, Marnie Mascioli, Kit Ormsby, Karen Pilch and Terry Whyte in this exhibition fibre art.

DESIGNABILITY®



The March of Dimes Crystal McCollom will be coming to talk about the Designability program and show off some of their creations.

When: Thursday November 26th, 2015

Where: Dymond Community Hall (181 Drive in Theatre Road, New Liskeard)

Time: 3:00-4:30pm

Cost: FREE!

Refreshments and light snack will be provided

Please RSVP to Amber Sayer 705-672-3363

asayer@temiskamingshores.ca by Nov. 24th, 2015

Built with volunteers' talent and generosity

Brought to you by:



Accessibility
Advisory Committee



DESIGNABILITY®

Built with volunteers' talent and generosity



ABOUT THE PROGRAM

DesignAbility® matches skilled volunteers with children and adults facing unique physical challenges to create or modify devices that increase independence.

There is NO CHARGE for the design and construction of a device. However, clients are asked, when possible, to cover material costs or make a donation to the program.

The devices produced by volunteers can make daily activities such as reading, cooking or gardening easier. They can assist a parent with childcare, a student in school, or an adult in their work environment.

DESIGNABILITY® HIGHLIGHTS

- Volunteering with DesignAbility® is an enriching and rewarding experience
- Serves clients of all ages
- Provides opportunities for volunteers to learn and participate in trade shows, workshops and skill building seminars
- Work with occupational therapists and health care professionals to develop solutions that suit the specific needs of the client
- Work with communities and increase access to recreational facilities, community centres and schools
- Students can take on actual consumer requests and learn about universal design
- Available in Ontario; and is expanding across Canada
- Work with an established charity with experience and infrastructure

Need a device or modification?

Call Today | 1-800-263-3463 ext. 7211

www.marchofdimes.ca/DesignAbility | DesignAbility@marchofdimes.ca

[f /MarchofDimesCanada](https://www.facebook.com/MarchofDimesCanada) | [t @modcanada](https://twitter.com/modcanada) | [i @marchofdimescda](https://www.instagram.com/marchofdimescda)

BECOME A VOLUNTEER

Do you have skills working in **wood, metal, or plastic fabrication, or knowledge about assistive devices**? Become a DesignAbility® volunteer!

You will have the opportunity to work in a group, with a partner, or one-on-one with a client who needs assistance.

Become a DesignAbility® volunteer:

- Join a local chapter or start your own!
- Receive requests for assistance from people in your community
- Meet with the client on your own, or with another volunteer, and preferably with an occupational therapist to discuss the problem and find solutions.
- Design, construct/modify a device
- Deliver device to client and make adjustments if necessary
- Document your activities and send expenses to March of Dimes Canada
- Enjoy helping others and making a difference!

Judy Dotten
4129 Twin Lakes
New Liskeard, Ont
POJ 1P0

October 13th, 2015

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

Dear Mayor Kidd,

I wish to inform you as the representation of the City of Temiskaming Shores that an application has been submitted to Health Canada requesting a license to grow marihuana for medical purposes under the current MMPR program. The proposed site of the growing facility is on the north part of Lot 8, concession III Dymond.

The proposed facility will meet the requirements of Health Canada security Level 9, which will keep all of the intended product under tight control. Our intent is to have only a positive impact on the local area through greater employment. If you have any questions on my application please feel free to contact me by email judy@dotteninc.com

Yours Very Truly,



Judy Dotten

I am also available by cell 416 844-4879

Temiskaming Shores Public Library Board

Meeting Minutes
Thursday, June 18, 2015
7:00 p.m. at the Haileybury Branch

1. Call to Order

Meeting called to order by Chair Donald Bisson at 7:00 p.m.

2. Roll Call

Present: Donald Bisson, Cam Locke, Robert Dodge, Roger Oblin, Theresa McGrory and
CEO/Head Librarian Rebecca Hunt

Regrets: Carman Kidd, Brenda Morissette, Jeff Laferriere

Members of the Public: 0

3. Adoption of the Agenda

Moved by: Theresa McGrory

Seconded by: Roger Oblin

Be it resolved that the Temiskaming Shores Public Library Board accept the agenda as amended.

Carried.

Additions to Agenda:

Correspondence e.: City of Temiskaming Shores Resolution

New Business e.: Signing authority

4. Adoption of the Minutes

Moved by: Cam Locke

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board approves the minutes of the meeting held on Thursday, May 21, 2015 as presented.

Carried.

5. Business arising from Minutes

- a. Multipoint. Donald Bisson asked about the virtualization project. The CEO reported that the system bugs seem to be worked out in Haileybury at this time, and the system is stable. There are two tickets with City IT Support open to set the homepage on web browsers to the Temiskaming Shores Public Library webpage, and to enable logging in to access Windows in French. Once the network merger is completed the multipoints will be installed at the New Liskeard branch.
- b. Community Complex. Donald Bisson asked if there had been any more news about the Community Complex project. The CEO reported that there had not.
- c. Ukulele. Roger Oblin inquired if there was further communications about the ukulele lending idea. The CEO reported that she had followed up with Candy Keith but has not heard anything further.

6. Correspondence

- a. From Michelle Sale, Manager—Culture Programs Unit, Ministry of Tourism, Culture and Sport.

Re: 2015-2016 Ontario Library Capacity Fund—Information Technology and Service Capacity Grant Application.

Reference: Information.
- b. From Claire Hendrikx, Executive Director, The Temiskaming Foundation

Re: May Ball Funds and New Liskeard Public Library Funds 2015.

Reference: Information.
- c. From Barbara Franchetto, Chief Executive Officer, Southern Ontario Library Service

Re: E-resources funding cancellation by Ministry of Tourism, Culture and Sport.

Reference: Information.

- d. From Michelle Sale, Manager—Culture Programs Unit, Ministry of Tourism, Culture and Sport.

Re: 2015-2016 Ontario Libraries Capacity Fund Research and Innovation Stream Open for Application.

The board discussed this funding application. It is for large research projects with a duration of up to two years. The Board Chair had emailed the CEO with an idea about doing a study to assess the impact of the library in the community that could possibly be used in funding applications in the future. Because it is a large grant, the CEO emailed the Northern Ontario Library listserv to see if there would be interest from other libraries to collaborate in doing a study focusing on small/rural and remote Northern communities, and there was a great deal of interest. Eleven libraries from across the North emailed back that they would want to be involved in some capacity. The CEO then contacted Ontario Library Service North (OLS-North), The Federation of Ontario Public Libraries (FOPL), and the Ministry of Tourism, Culture and Sport to assess the viability of an application. OLS-North said that they could be involved in some capacity, FOPL thought it was a good idea and wanted to take it to their board meeting on June 26 and a representative from the Ministry of Culture said off the record that the application sounded unique and timely. The CEO then drafted a proposal and sent it to some of the Northern libraries for comments and will then send it to OLS-North and FOPL for their comments. If it seems viable, a formal partnership will be formed over the summer, hopefully with the aid of OLS-North and FOPL, and an application will be submitted. The CEO will email the board for motion of support for the grant application if needed before the September 11 deadline.

Reference: Information

- e. From Dave Treen, Municipal Clerk, City of Temiskaming Shores

Re: Resolution acknowledging receipt of the Temiskaming Shores Public Library Strategic Plan and presentation.

Reference: Information

7. Secretary–Treasurer’s Report

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

Friends of the Library: Will meet in September, 2015.

Buildings and Equipment:

Fire safety checks were conducted in May in Haileybury and New Liskeard buildings

Network Merger Project: Work on the network merger has been ongoing for the past month. Most files and email contacts and groups have been transferred to the city server. Paralink has been notified that the changeover will occur. On June 19 the changeover will start, with all of the library work computers being removed from the current network and added to the city's network on June 22. The Library Board agreed that the CEO should send a letter of appreciation to Paralink for the internet service of the past 2.5 years.

Business:

Library Strategic Plan: Roger Oblin presented the Strategic Plan to City Council on June 2, 2015. The presentation went well and there was a story in the Temiskaming Speaker the following week.

Proctoring Exams: I am proctoring three exams in June.

Library Audited Financial Statement: The Audited Financial Statements have been completed by the City. I will provide a copy to the Board at the September meeting.

Mental Health First Aid: I attended the two day training session with city staff on June 3 and 4. The workshop was well done and I learned some valuable information on dealing with situations that could come up with co-workers or the public.

Library staff meeting: A staff meeting was held on June 9.

Trillium Funding Presentation: I attended the Trillium Funding Presentation on June 9. The Trillium priorities have changed slightly, and there will be more intake dates after March 2016.

TSAAC Meeting: I attended a TSAAC meeting on June 17 to ask for a motion of support for the Canada 150 Infrastructure Fund grant application. The request was approved and a motion was made by the committee.

Northern Lights Library Network: I will be attending a NLLN meeting on June 22 in Earlton.

Visit from OLS-North: Steve Kraus from Ontario Library Service North will be making a library visit in New Liskeard on June 24.

Holidays: I will be on holidays out of the country to visit family from July 4 to about July 21. I will also be off for the rest of that week, until July 25, doing my final exam for my Ryerson course. I will be back in town though in case of emergencies.

Programming

Les liseuses, Club de lecture pour les adultes à la succursale de New Liskeard

On holiday for the summer.

Class tours at the Library

Throughout the month of June.

Magic Club at the Haileybury Branch

Thursdays June 11 and 25

Book Signing at the New Liskeard Branch

Author Nicole Laferriere will be at the New Liskeard branch at 6:00 on June 30 to promote her book "Wake up Soon! The Trumpet will Sound!"

Summerfest Library Book Sale at the New Liskeard branch

Saturday, June 27 from 11-4

Divergent Challenge: One Choice can Transform You! At the New Liskeard Branch

Tuesday, June 23 from 6:30-7:30

Concours de lecture à la bibliothèque de Temiskaming Shores

Pour les jeunes de 5 à 18 ans. Pour chaque 10 livres français lus de la bibliothèque vous recevrez un prix! À partir du 1er juillet au 29 août 2015.

Tween Book Club (for youth aged 9 to 13 years) at the New Liskeard Branch

First meeting is 4 July at the New Liskeard branch from 1-2 p.m. This Tween Book Club will also involve pen pals from other public libraries in northern Ontario.

TD Summer Reading Club at the Library, Wednesdays in July and August

July 2015—Story/Craft/Activity

8th- Juniors (6,7,8) Haileybury 11 a.m.—noon

15th-Juniors (6,7,8) New Liskeard 10-11 a.m.

22nd-Seniors (9,10,11) Haileybury 11a.m.—noon

29th-Seniors(9,10,11) New Liskeard 10-11 a.m.

August 2015—Readers’ Theater

5th-Hlby- Juniors 11 a.m.—noon/Seniors 1-2p.m.

12th-NL– Juniors 10—11a.m./Seniors 1-2 p.m.

15th Readers’ Theater Presentation 2-3 p.m. NL

Manor, Lodge and Extencicare book exchanges continue

Books are exchanged for residents every two weeks in each location

Pay as you Please Used Book Sales at the Library Branches

There are ongoing used book sales at both branches of the library, pay as you please.

Tuesday Night Book Club at the New Liskeard Branch

On holiday for the summer.

Finances and Statistics

The Board reviewed the financial and statistical reports provided by the CEO. There was discussion on why the statistics are higher in some categories but lower in others. It was pointed out that the library website was down for much of the month of May, and correspondingly the statistics are lower. There was agreement that the CEO should highlight when there are anomalies to the statistics for future reference.

8. Committee Reports

a. **Finance and Property Committee:** Nothing to report

b. **Planning, Personnel, Policy and Publicity Committee**

- Minutes of the meeting on June 8, 2015. The minutes were reviewed by board members.

c. **Building Committee**

- Minutes of the meeting on May 25, 2015.
- Minutes of the meeting on June 1, 2015.

The board discussed the minutes of the meetings and supported the Building Committee’s statement of support for the City’s application to the Canada 150

Infrastructure Grant for improvements/accessibility to the New Liskeard Branch of the Library.

9. New Business

a. Report LIB-013-2015: Workplace inspection report

Received for information

b. Report LIB-015-2016: Ontario Capacity Building Grant

The board accepted the report and discussed the implications of the Ministry of Culture cancelling funding for e-resources. The statistical report was reviewed and the board agreed with the CEO's recommendation to apply the funding received to the 2016 budget to purchase subscriptions to select databases.

c. Report LIB-015-2015: Annual Survey to the Ministry of Tourism, Culture and Sport.

The board reviewed the report.

Motion #2015-16

Moved by: Roger Oblin

Seconded by: Cam Locke

Be it resolved that the Temiskaming Shores Public Library Board accepts the information in the annual survey for the Ministry of Tourism and Culture and consents to the release of the report to the Ministry.

Carried.

d. Report LIB-016-2015: Trillium Capital grant application.

The board reviewed the report.

Motion #2015-17

Moved by: Roger Oblin

Seconded by: Cam Locke

Be it resolved that the Temiskaming Shores Public Library Board apply to the September 2, 2015 Trillium program with the intent of implementing the project outlined in Report LIB-016-2015.

Carried.

e. Signing Authority.

Motion #2015-18

Moved by: Theresa McGrory

Seconded by: Cam Locke

Be it resolved that the Temiskaming Shores Public Library Board appoint the following individuals as signing officers:

Donald Bisson, Chair
Roger Oblin, Chair of Finance Committee
Rebecca Hunt, Treasurer

Carried.

10. Plan, Policy and Bylaw Review

a. Policy review: Community Information Policy, Facilities-3.

Motion #2015-19

Moved by: Theresa McGrory

Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board adopts the Library's Community Information policy, Facilities-3 as reviewed.

Carried.

b. Policy: Proctoring Exams, Facilities-8.

Motion #2015-20

Moved by: Robert Dodge
Seconded by: Roger Oblin

Be it resolved that the Temiskaming Shores Public Library Board adopts the policy Facilities-8 Proctoring Exams as recommended by the Policy, Planning, Personnel and Publicity Committee.

Carried.

c. **Policy: Staffing Priorities, Plan-2.**

Motion #2015-21

Moved by: Cam Locke
Seconded by: Robert Dodge

Be it resolved that the Temiskaming Shores Public Library Board adopts the policy Plan-2 Staffing Priorities as recommended by the Policy, Planning, Personnel and Publicity Committee.

Carried.

11. Adjournment

Motion to adjourn by Roger Oblin at 8:40 p.m.

Carried.

Chair – Donald Bisson

Temiskaming Shores Public Library Board

Informational Meeting Minutes
Thursday, September 17, 2015
7:00 p.m. at the New Liskeard Branch

1. Call to Order

Quorum not achieved. Information meeting called to order by Chair Donald Bisson at 7:05 p.m.

2. Roll Call

Present: Donald Bisson, Roger Oblin, Jeff Laferriere and CEO/Head Librarian Rebecca Hunt

Regrets: Carman Kidd, Brenda Morissette, Theresa McGrory, Robert Dodge

Leave of absence: Cam Locke

Members of the Public: 0

3. Business arising from Minutes

- a. Multipoint. Donald Bisson asked about the backup servers for the virtualization project. The CEO will check with the IT department on the status of the backup servers.
- b. Letter of appreciation to Parolink.net. Donald Bisson inquired if the letter of appreciation had been sent. The CEO reported that it had.

4. Correspondence

- a. From Carol Mackey, Principal—Ecole secondaire catholique Sainte-Marie.

Re: Thank you for May Ball bursary.

Reference: Information.

- b.** From Kendra Lacarte, Library Clerk, Temiskaming Shores Public Library

Re: Resignation.

Reference: Information.

- c.** From Claire Hendrikx, Executive Director—The Temiskaming Foundation

Re: Annual Report to the Community, 2014

Reference: Information.

- d.** From Daphnée Lévesque.

Re: Thank you for May Ball bursary.

Reference: Information

- e.** From Dr. Marlene Spruyt, Medical Officer of Health (A)/Chief Executive Officer—
Timiskaming Health Unit

Re: Letter of support for Trillium Foundation Capital grant application for
improvements to the New Liskeard Library.

Reference: Information

- f.** From Kaeleigh MacPhail.

Re: Thank you for May Ball bursary.

Reference: Information

5. Secretary–Treasurer’s Report

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

Friends of the Library: Will meet on October 13, 2015.

Buildings and Equipment:

Fire safety checks were conducted in June, July and August in Haileybury and New Liskeard buildings

Network Merger Project: The network merger has been completed. Everything seems to be running well, and the tickets we have submitted to IT Support at the City have been attended to in a timely fashion.

Multipoint Server project: The multipoint servers with hubs for public access computers have been installed in both branches of the library. They seem to be running smoothly, and there was minimal impact to the user experience in the switchover. Users do have to log in now, but the username and password is affixed to the front of the monitor at each workstation. Some patrons have had to ask for help logging in but once they are shown once they seem to be fine.

False Alarm Fee: Jeff Laferriere inquired if the libraries had been notified of the new false alarm fee. The CEO will follow up with City staff.

Business:

Proctoring Exams: We have proctored three exams since the fee took effect. One person has declined writing the exam at our facility when they were notified of the fee.

Library staff meeting: A staff meeting will be held on October 8

Trillium Grant: The capital grant application was completed and filed on August 20.

Youth Internship Program with Industry Canada: Our application was denied this year because Industry Canada has changed their focus to IT projects, not IT training. They will fund a student intern for things like Maker Spaces in libraries, Raspberry Pi classes, network restructures and website overhauls. Many libraries in the North contacted them stating that IT training was essential to smaller libraries and that they didn't have the equipment or expertise to maintain Maker Spaces or Raspberry Pi training, but they have not changed their stance as of yet.

Ontario Library Capacity Fund Research and Innovation grant application: I attended a teleconference call on September 8 to finalize the application. Ontario Library Services North is the lead on the grant, and Temiskaming Shores, Dryden, Kenora, Rainy River, and Powassan libraries are the public library partners who will participate in the pilot of the impact/Return on investment tool that will be developed by the project. I have attached a letter of support/participation that Ontario Library Services North has requested that each participating Library CEO sign and return to them. The application deadline is September 11.

Certificate in Nonprofit Organization Management: I have successfully completed my last course for the certificate and have applied for graduation for October. I have attached the list of courses showing that they were all successfully completed.

Staffing: Library Page Jessica Ashley left for university on August 28. she had worked with the library for two years.

Programming:

Manor, Lodge and Extencicare book exchanges continue

Les liseuses, Club de lecture pour les adultes à la succursale de New Liskeard: first Tuesday of the month

Preschool Storytime at the Library: Wednesdays at alternating branches until the end of October

Culture Days at the New Liskeard Branch: Come and discover the life and times of Soeur Raizenne from "Les Soeurs Grises de la Croix from the Old Mission". A French presentation by Thérèse Saintonge **Saturday, September 26 from 2 to 3:30 pm.**

Tween Book Club at the New Liskeard Branch: One Saturday a month for the fall

Magic Club at the Haileybury Branch: One Thursday a month

Tuesday Night Book Club at the New Liskeard Branch: Last Tuesday of the month

Finances and Statistics

The Board reviewed the financial and statistical reports provided by the CEO.

6. Committee Reports

- a. **Finance and Property Committee:** Deferred until next meeting

- b. **Planning, Personnel, Policy and Publicity Committee**

- c. **Building Committee**

7. New Business

a. Auditor's Report.

Received for information

b. Report LIB-017-2015: Workplace inspection report

Received for information

c. Report LIB-018-2016: OLS-North Conference attendance

An email motion will be voted on before the conference next week

d. Report LIB-019-2015: Block Loans.

The Chair declared a moratorium on Block Loans until the board can discuss the issue.

e. Motion for Northern Lights Library Network Trillium grant final report.

Motions from 9 library boards indicating that the equipment purchased through the OTF grant will be incorporated into their individual Technology Replacement Plans are needed for the final report to Trillium.

An email motion will be voted on so that the report can be filed.

8. Closed session: deferred until next meeting

An email motion of hire will be voted on and reported at the next meeting.

9. Plan, Policy and Bylaw Review

- a. **Policy review: Patron Code of Conduct.** Deferred until next meeting.

Jeff Laferriere left the meeting at 7:55 p.m.

10. Adjournment

The Chair declared the information meeting adjourned at 8:00 p.m.

Chair – Donald Bisson

Temiskaming Shores Public Library Board

E-Meeting Minutes
Friday, September 18, 2015
9:30 a.m.

1. Call to Order

E-Meeting called to order by Chair Donald Bisson at 9:28 a.m.

2. Roll Call

Present: Donald Bisson, Roger Oblin, Jeff Laferriere, Carman Kidd, Robert Dodge,
Theresa McGroary and CEO/Head Librarian Rebecca Hunt

Regrets: Brenda Morissette

Leave of absence: Cam Locke

Members of the Public: 0

3. New Business

a. Report LIB-018-2016: OLS-North Conference attendance

Motion #2015-22

Moved by: Roger Oblin

Seconded by: Jeff Laferriere

Be it resolved that the Temiskaming Shores Public Library Board accepts report LIB-018-2015 OLS-North conference and recommends sending Library CEO Rebecca Hunt to the Ontario Library Service North conference in Sudbury in September.

Carried.

b. Motion for NLLN Trillium IT project final project

Motion #2015-23

Moved by: Jeff Laferriere

Seconded by: Roger Oblin

Be it resolved that the Temiskaming Shores Public Library Board includes the equipment purchased through the OTF grant into the Temiskaming Shores Public Library Technology Replacement Plan.

Carried.

c. Motion to hire in Library Clerk position

Motion #2015-24

Moved by: Roger Oblin

Seconded by: Jeff Laferriere

Be it resolved that the Temiskaming Shores Public Library Board approves the hiring of Anna Turner as Library Clerk as recommended by the Library CEO.

Carried.

4. Adjournment

The Chair declared the E-Meeting adjourned at 10:31 a.m.

Chair – Donald Bisson

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

Meeting Minutes

Wednesday, July 29, 2015

Present: Chair: Carman Kidd
Members: Florent Heroux; Maria McLean

Regrets: Robert Dodge; Angela Hunter; Suzanne Othmer; Voula Zafiris

Also Present: Jennifer Pye, Secretary-Treasurer

Public: None

1. Opening of Meeting

Resolution No. 2015-24

Moved By: Florent Heroux

Seconded By: Maria McLean

Be it resolved that the Committee of Adjustment meeting be opened at 1:30 p.m.

Carried

2. Adoption of Agenda

Resolution No. 2015-25

Moved By: Maria McLean

Seconded By: Florent Heroux

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

Carried

3. Declaration of Pecuniary Interest

None

4. Adoption of Minutes

Resolution No. 2015-26

Moved By: Carman Kidd

Seconded By: Florent Heroux

Be it resolved that the Committee of Adjustment for the City of Temiskaming Shores hereby approves the minutes of the June 24, 2015 Committee of Adjustment Meeting as amended.

Carried

5. Public Hearings

Chairman Carman Kidd advised that this afternoon a public hearing is scheduled for one (1) minor variance application.

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

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

Meeting Minutes

Wednesday, July 29, 2015

5.1 Minor Variance Application A-2015-05(D) Paul-Andre Lajeunesse and Amanda Pyke

The Chair declared the public hearing for Minor Variance Application A-2015-05(D) to be open.

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

Subject land: 112 Driftwood Drive; Plan 54M360, Lot 19; Township of Dymond.

Purpose of the application: The applicant is seeking relief from the requirements of Zoning By-law 984 as follows:

Provision	Zoning By-law 984	Subject Property
5(2)(b) Lot Frontage (minimum)	22m (72.18')	18.171m (59.616')
5(2)(e) Building Setback, Front (minimum)	7.5m (24.6')	7.417m (24.33')

The purpose of the application is to legalize the subject property and the existing development on the property. This application has been filed in response to a land sale. Review of the Surveyor's Real Property Report indicates that the home on the property does not meet the front building setback requirements of the Township of Dymond Zoning By-law 984. The purchaser's lawyer requested the minor variance application which was filed through the seller's lawyer. The sale of the property has since closed and the property has changed ownership. The purchasers have submitted a letter requesting the City continue with the minor variance application to recognize the reduced front building setback on the property. No additional construction is being proposed as a result of this application.

Statutory public notice: The application was received on July 9, 2015 and was circulated to City staff. Notice of a complete application and notice of a public hearing was advertised in the Temiskaming Speaker on July 15, 2015 in accordance with the requirements of the Planning Act. Notice was also mailed to property owners within 60m (200') of the subject land.

Jennifer Pye summarized the Planning Report and advised that in her opinion the application meets the four tests for a minor variance as prescribed in the Planning Act and respectfully requested that the Committee approve the application.

The committee considered the following resolution:

Resolution No. 2015-27

Moved By: Florent Heroux

Seconded By: Maria McLean

Whereas the Committee of Adjustment for the City of Temiskaming Shores has considered Minor Variance Application A-2015-05(D) as submitted by Ted Byck on behalf of Paul-Andre Lajeunesse and Amanda Pyke for the following lands: 112 Driftwood Drive; Plan 54M360, Lot 19; Township of Dymond;

And whereas the applicant is requesting relief from the following sections of Zoning By-law 984, as amended:

- 1) Section 5(2)(b) requires a minimum lot frontage of 22m. The applicant is requesting 18.171m;

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

Meeting Minutes

Wednesday, July 29, 2015

- 2) Section 5(2)(e) requires a minimum front building setback of 7.5m. The applicant is requesting 7.417m;

And whereas the Committee of Adjustment for the City of Temiskaming Shores has received the planning report dated July 24, 2015 and has considered the recommendations therein;

Be it resolved that the Committee of Adjustment for the City of Temiskaming Shores approves Minor Variance Application A-2015-05(D).

Further be it resolved that the following variance be granted:

That the Committee of Adjustment for the City of Temiskaming Shores grant relief from Section 5(2)(b) of Zoning By-law 984 to permit a minimum lot frontage of 18.171m;

That the Committee of Adjustment for the City of Temiskaming Shores grant relief from Section 5(2)(e) of Zoning By-law 984 to permit a minimum front building setback of 7.417m;

Subject to the following conditions:

- 1) The approval of the minor variance applies only to the existing development on the property.

For the following reasons:

In the opinion of the Committee:

1. The variance maintains the general intent and purpose of the City of Temiskaming Shores Official Plan;
2. The variance maintains the general intent and purpose of the Township of Dymond Zoning By-law 984, as amended;
3. The variance is desirable for the appropriate development or use of the land, building, or structure;
4. The variance is minor.

Carried

The Chair declared the public hearing for Minor Variance Application A-2015-05(D) to be closed.

6. New Business

None

7. Unfinished Business

None

8. Applications for Next Meeting

Next meeting: Wednesday, August 26, 2015

9. Adjournment

Resolution 2015-28

Moved By: Florent Heroux

Seconded By: Maria McLean

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

Meeting Minutes

Wednesday, July 29, 2015

Be it resolved that the Committee of Adjustment meeting be closed at 1:41pm.

Carried

Carman Kidd
Chair

Jennifer Pye
Secretary-Treasurer

The Corporation of the City of Temiskaming Shores
Property Standards Committee
Meeting Minutes

Wednesday, September 30, 2015

Present: Chair: Carman Kidd
Members: Florent Heroux, Angela Hunter, Maria McLean,

Regrets: Suzanne Othmer, Voula Zafiris, Robert Dodge

Also Present: Jennifer Pye, Secretary
Matthew Del Monte, By-law/Property Standards Officer
Karen Beauchamp, Director of Community Growth and Planning

1. Opening of Meeting

Resolution No. 2015-09

Moved By: Florent Heroux

Seconded By: Maria McLean

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

Carried

2. Confirmation of Quorum

Carman Kidd, Chair, confirmed that four members of the Committee were present and quorum was achieved.

3. Adoption of Agenda

Resolution No. 2015-10

Moved By: Maria McLean

Seconded By: Florent Heroux

Be it resolved that the Property Standards Committee adopts the agenda as printed.

Carried

4. Declaration of Pecuniary Interest

None disclosed

5. Adoption of Minutes

Resolution No. 2015-11

Moved By: Maria McLean

Seconded By: Florent Heroux

Be it resolved that the Property Standards Committee hereby approves the minutes of the August 26, 2015 Property Standards Committee meeting.

Carried

6. Hearing of Appeals

**The Corporation of the City of Temiskaming Shores
Property Standards Committee**

Meeting Minutes

Wednesday, September 30, 2015

Chairman Carman Kidd advised that the hearing was scheduled for seven Property Standards appeals. Chairman Kidd asked Karen Beauchamp, Director of Community Growth and Planning, to explain the process for the hearing.

Mrs. Beauchamp gave general information about the function of the Property Standards Committee and the appeal process.

6.1 PS-2015-01 – 477740 Ontario Ltd., 998433 Highway 11 North

Chairman Kidd advised that the purpose of the hearing was to hear the appeal of 477740 Ontario Limited, represented by Marcel Hacquard, with respect to the dissatisfaction with the terms and conditions of an Order to Remedy Violation of Property Standards, issued on July 24, 2015 regarding the physical condition of his property known as 998433 Highway 11 North, Dymond Township.

Chairman Kidd advised that the Committee will only be considering the compliance and/or non-compliance of the property to which the order was issued with regard to the City of Temiskaming Shores Property Standards By-law No. 2012-084 and all evidence should therefore be restricted to the specific property and the order.

Chairman Kidd asked if there were any Committee members who wished to declare a conflict of interest and the general nature of the conflict. No conflicts were disclosed.

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a chart setting out the items included in the order with the applicable Property Standards By-law reference and a description of the work required to remedy the violation; a copy of the informal notice issued to the property owner; a copy of the Order to Remedy Violation of Property Standards issued to the property owner; and copies of the photographs taken on the property during site inspections occurring on June 2, 2014, August 5, 2014, September 5, 2014, December 10, 2014, and July 16, 2015.

Chairman Kidd asked the By-law/Property Standards Officer to approach the podium to present his evidence and state his name and position for the record.

Matt Del Monte, By-law/Property Standards Officer, stated he attended the subject property on June 2, 2014 and observed a number of deficiencies. On June 11, 2014 Mr. Del Monte advised the property owner, Marcel Hacquard, of the property standards concerns. On June 12, 2014, Mr. Del Monte attended the property with Mr. Hacquard and reviewed the property standards deficiencies. Mr. Hacquard requested a written list of the deficiencies which was provided to him on June 25, 2014 during a meeting at City Hall. Mr. Hacquard advised Mr. Del Monte that he had contacted the Building Inspector about obtaining a building permit for the deck, stairs, and guards. Mr. Del Monte and Mr. Hacquard agreed that July 31, 2014 would be a reasonable date for re-inspection of the property. On August 5, 2014 Mr. Del Monte attended the property with Mr. Hacquard and noted that repairs to the deck were ongoing while the scrap metal and debris had been piled and covered and two of the vans observed during the initial inspection had been filled with scrap metal. Mr. Hacquard advised that he intended to take the scrap metal and vans to the recycling depot within 2 weeks. Mr. Del Monte attended the property on September 5, 2014 and noted a number of deficiencies. Mr. Del Monte issued an Informal Notice to Mr. Hacquard on September 15, 2014. On September 22, 2014 Mr. Del Monte confirmed that Mr. Hacquard had received the Information Notice on September 19,

The Corporation of the City of Temiskaming Shores
Property Standards Committee
Meeting Minutes

Wednesday, September 30, 2015

2014. The deadline to comply with the Informal Notice was October 17, 2014. Mr. Del Monte spoke with Mr. Hacquard on September 30, 2014 and Mr. Hacquard asked if he could paint the garage and board up the window instead of replacing it. Mr. Del Monte advised that these repairs would be acceptable. Mr. Del Monte attended the property to inspect for compliance on December 10, 2014. Mr. Del Monte noted that five (5) of the vehicles had been removed but none of the other required actions had been completed. Mr. Del Monte attended the property on July 16, 2015 and noted numerous deficiencies. Mr. Del Monte issued an Order to Remedy Violation of Property Standards on the subject property to Mr. Hacquard on July 24, 2015 with a deadline to comply of August 31, 2015. On August 13, 2015 Mr. Hacquard filed a Notice of Appeal with the Secretary. On September 29, 2015, Mr. Del Monte confirmed receipt of the Order to Remedy by Mr. Hacquard.

Maria McLean asked if new items were noticed on the property during the enforcement process as the list of items observed on June 2, 2014 was not the same list given with the Order to Remedy.

Mr. Del Monte advised that some items were removed and some new items were observed but all violations fell under the same categories in the Property Standards By-law.

Chairman Kidd asked the property owner or their agent to approach the podium to present his evidence and to state his name for the record.

Marcel Hacquard came to the podium with Richard Pichette. Mr. Hacquard stated that he was upset with the way he was treated by the By-law Officer and that he felt like he was being attacked. During Mr. Hacquard and Mr. Del Monte's initial meeting on the property an old pool liner was located on the property and Mr. Del Monte forced Mr. Hacquard to drain and move it, which was very strenuous for Mr. Hacquard who almost had a heart attack in the process. Mr. Del Monte eventually came to Mr. Hacquard's aid after Mr. Hacquard spent a half hour trying to catch his breath. Mr. Del Monte told Mr. Hacquard that his concern with the pool liner was that a child could crawl to the pool liner and drown and Mr. Hacquard indicated that a child could also crawl to the Highway and be hit. Mr. Hacquard advised the Committee that the transport trailers are being used to store tractor parts for his grooming business. Mr. Hacquard had made a deal with a business for the parts but the business had since collapsed and the deal fell through leaving him with the trailers. Mr. Hacquard indicated that all of the trailers are licensed and operable and are not needed on the highway right now so are being used to store parts, but could be licensed and inspected and on the highway tomorrow if they are needed. Mr. Hacquard indicated that he would like more time to defend himself based on the information provided at the outset of the hearing. Mr. Hacquard stated that the cars are being filled up with the scrap metal as the yard is being cleaned up but he has been looking for a place to take the trailers cannot find anyone that is willing to take them and he does not want them on the property either. Mr. Hacquard indicated that a lot of work and clean up has been done to date and that the work required on the handrails and stairs is done.

Florent Heroux asked Mr. Hacquard what a reasonable time period would be to complete the work.

Mr. Hacquard answered that he would like to ask for two years. Fall is coming and fall and winter are his busy times so most of the work could be done in the spring and summer.

Maria McLean asked if the removal of the trailers is the biggest challenge.

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Mr. Hacquard answered confirming that was the biggest challenge. He began going through the photographs of the property indicating what had been completed and what was remaining, including a description of each vehicle photographed. Mr. Hacquard indicated that he uses the vehicles for parts to fix other vehicles. He stated that the cars are rare and parts are difficult to get so if he has to get rid of vehicles he will not be able to get the parts he needs. Mr. Hacquard also indicated that some of the items on the property belong to the tenant and he cannot do anything about those items.

Angela Hunter asked Jennifer Pye, Secretary, to discuss the zoning of the property and the permitted uses.

Mrs. Pye advised that in her general knowledge of the Official Plan and Zoning By-law, and without looking through the property file for confirmation or having the documents available for review, the property would be designated Agriculture in the Official Plan and zoned Agriculture (A1) in the zoning by-law. A scrapyards-type use is not permitted in the A1 zone. Regardless of that the issue is with the Order to Remedy and the non-compliance with the Property Standards By-law.

Mr. Hacquard stated that farmers all have abandoned vehicles on their properties all over the City and the City cannot say that they do not have them.

Chairman Kidd advised that the issue is how many abandoned vehicles Mr. Hacquard has on his property.

Mr. Hacquard indicated that many farmers have five or six abandoned vehicles and that maybe fences should be built to hide them from view.

Chairman Kidd stated that that is an issue that would end up in front of the Property Standards Committee down the road as well.

Mr. Hacquard continued going through the photographs taken on his property and indicating which items had been dealt with and which were in progress.

Angela Hunter told Mr. Hacquard that a description of each car depicted was not necessary and Mr. Hacquard responded that it was necessary so the Committee could understand why the parts were required.

Florent Heroux asked what the main occupation of the property is.

Mr. Hacquard stated that the property is primarily being used for storage right now and that he would like three years to clean it up but is only asking for two years. He indicated that he wants to construct a 60' x 100' storage shed and asked the Building Department for a permit but was told that a shed that size would need a foundation. The cost would be too high.

Maria McLean asked Mr. Hacquard about the status of the item required under section 3.5.2.

Mr. Hacquard advised that he will paint the garage if the Committee wants it done.

Maria McLean asked Mr. Hacquard to clarify that he is only requesting an extension of the timeline for items 1 and 2.

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Mr. Hacquard answered yes because dealing with those items costs a lot of money.

The Committee recessed to discuss the information.

The Committee returned to the meeting room and Mrs. Pye read the decision.

The Committee decided the following:

With respect to Item 1 as indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until October 1, 2016.

With respect to item 2 C. i., ii., and iii. as indicated on Schedule "A" to the Order to Remedy, the Committee rescinds the Order.

With respect to item 2 C. iv., v., vi., vii., and viii. As indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until October 1, 2016.

With respect to items 3 and 4 as indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until June 1, 2016.

Mrs. Pye advised that a copy of the decision would be sent to Mr. Hacquard.

Mrs. Beauchamp advised that the property owners for matters 6.2, 6.3, 6.5, 6.6, and 6.7 had authorized Manuel (Mike) DaSilva to represent them and consent form were submitted to the Secretary. Mrs. Beauchamp advised that those matters would be heard together. The property owner for matter 6.4 had not signed an authorization and would be representing himself.

Chairman Kidd advised that the Committee would hear the appeal for matter 6.4 and would then hear the remaining appeals before deliberating a decision.

6.4 PS-2015-04 – 562 High Street, Daniel Tassé

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection on August 12, 2015. Mrs. Pye also distributed copies of information submitted with the Notice of Appeal, including a letter from the property owner outlining his concerns; a survey plan showing the property and easements on the property; a surveyor's real property report; a copy of the receipt for the purchase of the temporary shelter; and photographs of the installation and finished temporary shelter dated May 7, 2013.

Chairman Kidd asked the Property Standards Officer to approach the podium and present his evidence.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on July 2, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte

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confirmed that Mr. Tasse received the Informal Notice on July 28, 2015. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

Angela Hunter asked if this issue came to the Property Standards Officer's attention because of a complaint or if the City identified the issue.

Mr. Del Monte answered that he was not aware and would have to check the file for the answer to that question. Mr. Del Monte also stated that if it was a complaint he would not be able to provide the information about the complainant.

Florent Heroux asked if the temporary shelter contravenes a by-law or if it is a structural concern.

Mr. Del Monte responded that the presence of the temporary shelter contravenes the Property Standards By-law.

Angela Hunter asked if taking the temporary shelter down means removing the cover or if the frame has to be removed as well.

Mr. Del Monte clarified that the cover and frame must be removed.

Chairman Kidd asked the property owner to approach the podium and present their evidence.

Daniel Tassé came to the podium and stated that he purchased his property in 2012 and moved into New Liskeard from Harley Township. An easement for water and sewer crosses his property and he would not have room to build a permanent structure because of the limitations of the lot. He made a gravel base for the temporary shelter and installed it according to the manufacturer's directions. He may have done things differently if he had have known this by-law was coming. His temporary shelter is at the back of his lot and respects his neighbour's property and is not an eyesore.

Chairman Kidd advised that the building code requires a permit for structures and a permit was required when the temporary shelter was put up. Council's by-law allows temporary shelters without a permit between October and April.

Chairman Kidd advised that the Committee will hear the remaining matters before recessing to make a decision.

Chairman Kidd asked the Property Standards Officer to approach the podium and present his evidence for each of the remaining matters.

6.2 PS-2015-02 – Bruce and Judy Tomlin, 45 Birch Street

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards

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issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 30, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte confirmed that Mr. and Mrs. Tomlin received the Informal Notice on July 20, 2015. On August 10, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 21, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.3 PS-2015-03 – BNS Corner Gas, 102 King Street

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection dated August 11, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 19, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte confirmed that the property owner received the Informal Notice on July 20, 2015. On August 11, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 24, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.5 PS-2015-05 – Daniel Burns and Melody Bonney, 1277 Lakeshore Road

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of a notification letter sent to the property dated June 22, 2015 including registered mail history information and registered mail delivery receipt; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during site inspections dated July 15, 2015 and August 8, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 19, 2015. On June 22, 2015 an owner notification letter was sent to the property owners. On June 30, 2015 the owner notification letter was received by the property owners. On July 15, 2015 a follow up inspection was conducted and Mr. Del Monte noted that the temporary shelter had not been removed. On July 17, 2015 an Informal Notice requiring the removal of temporary

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shelter with a deadline to comply of August 6, 2015 was issued to the property owners. On July 24, 2015 the property owner received the Informal Notice. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 28, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.6 PS-2015-06 – Marc Manseau, 61 Niven Street North

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during a site inspection dated August 12, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on July 2, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. On July 20, 2015 the property owner received the Informal Notice. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.7 PS-2015-07 – Marc Manseau, 126 Cross Lake Road

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during a site inspection dated August 10, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 30, 2015. On July 17, 2015 An Informal Notice requiring the removal of temporary shelter with a deadline to comply of August 6, 2015 was issued to the property owner. On July 21, 2015 Mr. Del Monte confirmed the property owner received the Informal Notice on July 17, 2015. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

Chairman Kidd asked Mike DaSilva to approach the podium and present evidence on behalf of the property owners for matters 6.2, 6.3, 6.5, 6.6, and 6.7.

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Mike DaSilva came to the podium and stated that he is requesting the Committee rescind the Orders for everyone, and that he believes everyone should be heard at once. Mr. DaSilva also requested that everyone's fees be reimbursed. He also stated that he would like to be shown where it says that the Building Code applies to anything under 400 square feet because he can't find it anywhere. He requested clarification on this by-law.

Chairman Kidd asked Mr. DaSilva if he is requesting Building Code clarification about what is considered a tent and what is considered a building.

Mr. DaSilva stated that everyone thinks anything under 10 x 10 is legal but really the Building Code only applies to anything over 399 square feet.

Chairman Kidd stated that the City sent a letter to the Building Code Commission last year and they told us to submit a case and they would make a ruling.

Mr. DaSilva stated that he is willing to do that.

Chairman Kidd asked for clarification from Mr. DaSilva that he would apply for a building permit, have it turned down, then appeal to the Building Code Commission.

Mr. DaSilva answered yes, that is what he would do.

Chairman Kidd advised that the Building Code was written before shelters became an issue, at a time when they were mostly put up for weekend events and then taken down after.

Florent Heroux asked if Mr. DaSilva was requesting the Committee to rescind the Orders.

Mr. DaSilva answered he is requesting the process be stopped immediately and that everyone be reimbursed for being there.

Chairman Kidd stated that the Committee has the power to defer making a decision.

Angela Hunter asked if the temporary shelters are allowed in winter.

Chairman Kidd clarified that Council's resolution allows the shelters in winter.

The Committee recessed to discuss the information.

Normand Desjardins, Chief Building Official, was requested to provide information during recess.

Normand Desjardins was dismissed.

Karen Beauchamp, Director of Community Growth and Planning, was requested to provide information during recess.

Chris Oslund, City Manager, was requested to provide information during recess.

Maria McLean left the meeting.

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The Committee returned to the meeting room.

Chairman Kidd stated that Council has been dealing with the temporary shelter issue for two years now. He stated that the Committee has decided to uphold the Order and grant additional time to comply until May 31, 2016, but that the \$50 appeal fee would be refunded to everyone who appealed the Order. He stated that Council would be reviewing the policy in the meantime but that the Committee had to uphold the order because the properties did not comply with the by-law as it was written at the time.

Mr. DaSilva asked Chairman Kidd if Chairman Kidd gave his word that Council would be reviewing the policy. Chairman Kidd stated that he gave his word to Mr. DaSilva that he would be requesting Council to review the policy. Chairman Kidd advised that as of October 1, it is legal for shelters to be up until May 31. He anticipates receiving information from the Building Code Commission before May 31. He assured the public that in the meantime, the By-law Officers will not undertake any enforcement for temporary shelters.

Chairman Kidd stated that the Council by-law is what allows the temporary shelters to be there and that without the by-law all of the temporary shelters would be illegal and would have to be removed.

A member of the audience asked what would happen to the people who had received summonses for Court and if their fees would be refunded as well. Chairman Kidd stated that they did not pay the fees for the appeal as they did not appeal their Orders to the Property Standards Committee and the Committee was only refunding the appeal fees. Karen Beauchamp, Director of Community Growth and Planning, advised that the court cases were a matter for the Provincial Offences Act Court and were not being dealt with by the Property Standards Committee.

A member of the audience recommended that the City look at temporary shelters policies in places like Timmins and Espanola.

A member of the audience asked what would happen with the cases that were going to court. Another member of the audience explained that those cases would be dealt with by the Court and that this Committee only dealt with people who had appealed their Orders.

7. Next Meeting

To be determined.

8. Adjournment

Resolution No. 2015-12

Moved By: Florent Heroux

Seconded By: Angela Hunter

Be it resolved that the Property Standards Committee meeting be closed at 4:46 p.m.

Carried

Carman Kidd
Chair

Jennifer Pye
Secretary



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

Wednesday, October 21, 2015 – 10:30 AM

Timiskaming Health Unit

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

- Vice Chair Josette Cote called the meeting to order at 10:37a.m.

2. ROLL CALL

MEMBERS:

- | | | |
|--|--|--|
| <input type="checkbox"/> Janice Labonte - Chair | <input checked="" type="checkbox"/> George Depencier | <input checked="" type="checkbox"/> Debbie Despres |
| <input checked="" type="checkbox"/> Carman Kidd (Mayor) | <input checked="" 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 |

SUPPORT STAFF:

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

GUESTS: Amber Sayer, Age Friendly Community Coordinator

3. REVIEW OF REVISIONS OR DELETIONS TO AGENDA -

- None

4. APPROVAL OF AGENDA

Moved by: Carman Kidd

Seconded by: Walter Humeniuk

Be it resolved that:

The agenda for the October 21, 2015 TSAAC meeting be approved as printed.

CARRIED

5. DISCLOSURE OF CONFLICT OF INTEREST AND GENERAL NATURE -
No disclosure.

6. DELEGATION / PRESENTATION - None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Age Friendly Community Update – Amber Sayer

Amber advised that the two age friendly café's were well attended with 25 people at the meeting in the afternoon at City Hall and about 30 people at the evening meeting at Riverside Place. She has also spoken to approximately 300 older adults and has attended meetings for community service organizations like the Lions/Lioness Club. The steering committee has been established and will be holding their first meeting soon.

Amber advised that TSAAC nominated both Debbie Despres and Josette Cote to the Steering Committee but due to the size of the committee she requested that only one attend at a time. Josette will be the primary representative and Debbie will fill in if Josette is not available.

8. ADOPTION OF PREVIOUS MINUTES

Moved by: Debbie Despres

Seconded by: George Depencier

Be it resolved that:

The Minutes for the September 16, 2015 TSAAC meeting be approved as printed.

CARRIED

9. UNFINISHED BUSINESS

Banner: TSAAC's new banner was on display and committee members expressed their approval.

9.1 Audible Pedestrian Signals Update

Cynthia Barty, CNIB participated by telephone for this portion of the meeting. Karen Beauchamp presented the report and recommendations by the Audible Pedestrian Signal Sub-Committee.

The following additional recommendations were made:

Item 1 – That staff let Councillor Patricia Hewitt know about discussions to take place with the BIA because she is the Council representative on the BIA Board of Directors.

Item 2 – That walk signal countdowns should be added.

Item 3 – That children and young adults be included in the education regarding the operation of the signals.

Item 8 – That Renee Taylor, OPP be asked to assist with education regarding the new law that requires drivers to wait until pedestrians have completely crossed the road before proceeding.

Item 9 – That staff check the transit schedule and that the signals be programmed to lower the volume after the last bus in the evening.

Moved by: Walter Humeniuk

Seconded by: Debbie Despres

Be it resolved that TSAAC has reviewed the report from the Audible Pedestrian Signal sub-committee and recommends that Council receive the recommendations in the report for their consideration.

CARRIED

9.2 2016 Budget

Karen Beauchamp advised that the 2nd draft of the 2016 operations budget is currently being prepared. TSAAC has proposed \$1500 for training and \$1000 for operating expenses. These two items will be included in Draft 2.

The Public Works Department is proposing to have a separate line item for Accessibility Improvements in the amount of \$10,000. This is where new curb cuts, changing configuration of accessible parking spaces and painting, new van accessible signage, etc. will be charged to. The purpose is to assist in tracking the investment in accessibility improvements

Forrest Willett Presentation – Debbie Despres recommended that TSAAC and the City host a presentation by Forrest Willett in May 2016. He is an inspirational speaker who overcame catastrophic injuries that he suffered in a car accident and now travels the world to tell his story of recovery and encourages others to take 100% responsibility for their lives. Forrest Willett proposes to two presentations, from 1pm – 3 pm and 6pm – 8pm. The cost is \$3200 which includes mileage from Barrie, 2 night's accommodation, meals, and the fee for his presentation.

The City will work with Debbie Despres to market the event and to seek sponsors to help cover the costs. Potential sponsors are March of Dimes which has already committed \$500, Keepers of the Circle, Canadian Mental Health Association, Timiskaming Health Unit, service clubs, etc.

The proposed venue is Riverside Place because it is mostly accessible. A request is to be made to the Recreation Committee to use the Riverside Place at no charge. Additional costs will include refreshments and a light lunch.

Moved by: Mike McArthur

Seconded by: Josette Cote

Be it resolved that TSAAC recommends that the City of Temiskaming Shores and TSAAC host a presentation by Forrest Willett in May 2016 and that an upset limit of \$1000 be allocated in TSAAC's budget for this event.

CARRIED

10. NEW BUSINESS

10.1 DesignAbility

Moved by: Debbie Despres

Seconded by: Walter Humeniuk

Crystal McCollom will be in the area to give a presentation to the Temiskaming Municipal Association in the evening on November 26 in Earlton, and suggested that

she could make a public presentation in the afternoon from 3pm – 4:30 pm in Temiskaming Shores.

Amber Sayer provided TSAAC with an overview of the program, promotional material that she will be sending out and a list of invitees. TSAAC was asked to provide snacks which will cost approximately \$200.

Be it resolved that TSAAC recommends that the City of Temiskaming Shores and TSAAC host a DesignAbility presentation by March of Dimes on November 26, 2015 and that the snacks be paid for from TSAAC's budget.

CARRIED

11. SCHEDULING OF MEETINGS – Third Wednesday of each month

Carman Kidd recommended that Committee meet every second month instead of every month. Committee members discussed this option but were of the opinion that the meetings have been filling the 1 ½ hours allocated for the meeting each month and were concerned about the length of the meeting if it was held every second month. The committee agreed that so long as there are items on the agenda, the meetings would be held monthly, however if there are no items, then the meeting could be cancelled.

Moved by: Carman Kidd

Seconded by: Mike McArthur

Be it resolved that:

The next regular TSAAC meeting is to be held on November 18, 2015 at 10:30 a.m. at the Timiskaming Health Unit.

CARRIED

12. ITEMS FOR FUTURE MEETINGS

Updates: DesignAbility
2016 Budget
Audible Pedestrian Signals
Forrest Willett

13. ADJOURNMENT

Moved by: George Depencier

Be it resolved that:

TSAAC adjourns at 11:52 A.M

CARRIED

DRAFT

1.0 CALL TO ORDER

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

2.0 ROLL CALL

PRESENT:	Mayor, Carman Kidd; Councillor Mike McArthur; Councillor Jesse Foley; Tammie Caldwell, Director of Recreation; Jeff Thompson, Superintendent of Community Programs; Paul Allair, Superintendent of Parks and Facilities; Tammy Borgen-Flood Administrative Assistant; Danny Lavigne; Richard Beauchamp, Chuck Durrant
REGRETS:	City Manager, Chris Oslund; Amber Sayer; Mike Delmonte; Simone Holzamer

3.0 REVIEW OF REVISIONS OR DELETIONS TO AGENDA

Tammie Caldwell added the following to New Business;

- Knock Cancer Out of the Park- Facility Request for Ball Tournament
- Smoke Free Ontario Act- Sporting Areas and Childrens Playgrounds

4.0 APPROVAL OF AGENDA

Recommendation RS-2015-22

Moved by: **Danny Lavigne**

Seconded by: **Richard Beauchamp**

Be it recommended that:

1. The Recreation Services Committee agenda for the June 8th, 2015 meeting be approved as amended.

CARRIED

5.0 DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

- None

6.0 REVIEW AND ADOPTION OF PREVIOUS MINUTES

Recommendation RS-2015-23

Moved by: **Chuck Durrant**

Seconded by: **Carman Kidd**

Be it recommended that:

2. The Recreation Services Committee minutes of the May 11th, 2015 meeting be approved as printed.

CARRIED

7.0 DELEGATIONS / PUBLIC PRESENTATIONS

- None

8.0 UNFINISHED BUSINESS

- None

9.0 NEW BUSINESS

i. Programming Update-Jeff Thompson

Discussion

- Jumpstart After School Program- Now completed and positive feedback was received
- Community Gardens are still under construction.
- Get Moving Temiskaming held on June 6th was a success with approximately 300 people in attendance. The waterfront attracted many families and groups were pleased with the response to their programs. Positive feedback was received from the Community.
- Movie in the Park is being proposed for August at the Haileybury Pavilion. Requests to the community for a sponsor have been sent.
- The Haileybury Beach will be open on June 22nd
- Summer programs at the New Liskeard Arena will be available for registration on June 15th. Programs include; Skills, 4 on 4; Hockey School
- Commercial Schools at the New Liskeard Arena; Goaltending Camp and Chris Hill
- Splash Camp/Lessons at the Pool/Fitness Centre for ages 7-12

ii. Facilities Update-Paul Allair

Discussion

- Lawn mowers serviced and in full operation
- Four memorial bench pads installed
- All Sports fields rolled
- STATO Trail available for use
- Boardwalk repairs required due to winter damage
- Dock Work Completed
- New Dock Launch installed at the Haileybury Marina

- MMA Room painted at the Pool/Fitness Centre
- Bike Racks installed throughout the New Liskeard BIA
- Bleacher Floors at the New Liskeard Arena painted
- Preparation for rubberized playground surface in process

iii. Director's Update- Tammie Caldwell

Discussion

- Administrative Report RS-012-2015 was acknowledged as received by Council on May 19th, 2015 and Council directed staff to prepare the necessary By-Law to amend the Pool/Fitness Centre Fee schedule, effective June 1st, 2015.
- Administrative Report RS-014-2015 was acknowledged as received by Council on May 19th, 2015. Council recognizes the community interest for a new multi-use complex and directs staff to monitor the 2015 Capital Budget and should funds be available in the Fall, Council directs staff to present them with a recommendation to re-allocate funds towards a feasibility study for a new multi-use complex.
- Administrative Report RS-013-2015 was acknowledged as received by Council on May 19th, 2015 and endorsed the area East of the MADD parkette and North of the horse shoe pits for the installation of the Monument salute to Shannen's Dream
- Open House will be held on June 9th at Riverside Place at 7:00pm to discuss the future construction of a permanent facility for the Farmer's Market.

iv. Age Friendly Community Planning Grant & Community Transportation

Discussion

Tammie Caldwell advised the Committee that grant applications for both programs were successful. The programs provide funding to assist communities in assessing their needs for accessible senior transit options and developing an action plan to become an Age Friendly Community. She will prepare a report for Council for consideration to move forward with the programs.

- v. *Knock Cancer Out of the Park- Request to waive fee for Ball Fields and NL Arena Hall*

Discussion

The Committee discussed a request from the Shanna Larsen Knock Cancer Out of the Park Annual Ball Tournament, to waive the fees for the Ball Fields and New Liskeard Arena Hall for their 10th Annual Ball Tournament, July 10-12th, 2015.

Recommendation RS-2015-24

Moved by: **Chuck Durrant**

Seconded by: **Danny Lavigne**

Be it recommended that:

3. The Recreation Services Committee reviewed the request from the Shanna Larsen Knock Cancer Out of the Park Ball Tournament to waive the fees for the ball fields and New Liskeard Arena Hall; and
4. The Recreation Services Committee approves to waive the Non-Profit Rate at the New Liskeard Arena Hall and charge the same Non-Profit fee as 2014 for the Ball Fields; \$472.50 plus HST. The SOCAN Fee will also apply for the New Liskeard Arena Hall

CARRIED

- vi. *Smoke Free Ontario Legislation-Sporting Units and Playgrounds*

Discussion

Tammie Caldwell advised the Committee of the Smoke Free Ontario Act and how it pertains to Sporting Areas and Childrens Playgrounds as of January 1, 2015. These changes to the Smoke-Free Ontario Act are part of the government's plan to limit smoking in public places, reduce exposure to smoking and make it more difficult for young people to buy tobacco.

The Health Unit will be launching a Public Awareness Campaign and signage will be posted in the park areas.

Recommendation RS-2015-25

Moved by: **Richard Beauchamp**

Seconded by: **Chuck Durrant**

Be it recommended that:

5. The Recreation Services Committee reviewed the new Smoke Free Legislation for Sporting Areas and children's playgrounds ; and
6. The Recreation Services Committee directs staff to submit an Administrative Report to Council recommending that further to the Ontario Legislation that the municipality designate the New Liskeard and Haileybury waterfront areas including beaches, STATO, Boardwalk areas, as Smoke Free Areas.

CARRIED

10.0 SCHEDULE OF MEETINGS

- Monday, September 14th
- Monday, October 12th
- Monday, November 9th
- Monday, December 14th

11.0 CLOSED SESSION

- None

12.0 ADJOURNMENT

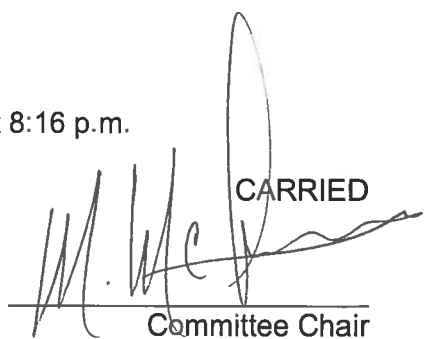
Recommendation RS-2015-26

Moved by: **Danny Lavigne**

Be it recommended that:

1. The Recreation Services Committee meeting is adjourned at 8:16 p.m.

CARRIED



Committee Chair



Recorder

1.0 Call to Order

The meeting was called to order at 1:33 p.m.

2.0 Roll Call

Present: Carman Kidd, Mayor; Doug Jelly, Councillor; Steve Burnett, Technical and Environmental Compliance Coordinator; Dave Treen, Municipal Clerk; Jennifer Pye, Planner (on behalf of Karen Beauchamp); Randy Phippen, Phippen Waste Management; Tim McBride, Project Manager (AMEC); Mary Kelly, Project Team (AMEC)

Regrets: Chris Oslund, City Manager; Doug Walsh, Director of Public Works; Karen Beauchamp; Del Fuller, resident;

Others Present: None

3.0 Review of Revisions or Deletions to Agenda

None

4.0 Approval of Agenda

Recommendation WMAC- 2015-004

Moved by: **Doug Jelly**

Be it recommended that:

1. The Waste Management Advisory Committee Agenda for the October 20, 2015 meeting be approved as printed.

Carried

5.0 Review and Adoption of Previous Minutes

Recommendation WMAC- 2015-005

Moved by: **Doug Jelly**

Be it recommended that:

1. The Waste Management Advisory Committee Minutes of the January 27, 2015 meeting be approved as printed.

Carried

6.0 Unfinished Business

None

7.0 New Business

7.1 EA Process

Mary Kelly, AMEC utilizing a powerpoint presentation, attached made a presentation on the Environmental Assessment Process. Mary indicated that the EA involved assessing ways of managing waste (Alternatives To), assessing locations for waste (Alternative Methods), assessing the existing environment, predicting potential environmental effects, identifying mitigation measures, monitoring and contingency plans to address any predicted potential effects and consultation.

Mary outlined the next steps including obtaining feedback and addressing comments from the City on the draft EA report, submit a final draft of the EA to the Ministry for a cursory review, make any necessary modifications for a formal submission. Once formerly submitted timelines would commence for various reviews by the MOE and the public prior to a Minister's decision.

Mary provided an overview of some of the components of the draft EA including the Natural Environment, Social Environment, Cultural Environment, Economic Environment. Mary subsequently elaborated on each of these items.

Mary outlined the potential/proposed mitigation, monitoring and contingency plans with respect to the atmospheric environment, groundwater, surface water, terrestrial environment, land use, public health and safety, visual aesthetics, air quality and landfill gas.

Mary indicated that Section 9 of the draft EA presents a summary of various consultation activities and highlighted that the City should review Appendix K, the requirements outlined in the approved Terms of Reference have been met or exceeded, no comments received from Aboriginal communities and that the primary concerns identified were:

- Property values;
- Potential effects from leachate;
- Potential effects with aesthetics;
- Potential effects to groundwater quality (drinking water wells);

- Potential effect to off-site drainage.

Mary concluded by outlining the next steps being the incorporating of feedback from the City, submission of final draft of EA report to MOECC for cursory review, make any necessary modifications for formal submission and formal submission.

Recommendation WMAC- 2015-006

Moved by: **Doug Jelly**

Be it recommended that:

The Waste Management Advisory Committee hereby acknowledges the presentation and further acknowledges that staff will review the draft EA in anticipation of providing feedback to AMEC by November 13, 2015; and

That subsequent to staff comments AMEC will submit the EA report to the Ministry.

Carried

8.0 Next Meeting

The next meeting of the Waste Management Advisory Committee will be scheduled on an as needed basis.

9.0 Adjournment

Recommendation WMAC – 2015-007

Moved by: **Doug Jelly**

Be it recommended that The Waste Management Advisory Committee meeting be adjourned at 2:23 pm

Carman Kidd
Committee Chair

David B. Treen
Recorder

City of Temiskaming Shores New Waste Management Capacity Environmental Assessment - Draft

October 15, 2015



Agenda

1. Environmental Assessment Process
2. Report Overview
3. Description of the Environment
4. Prediction of Potential Effects
5. Mitigation, Monitoring and Contingency Plans
6. Consultation
7. Next Steps

Environmental Assessment Process

Overview

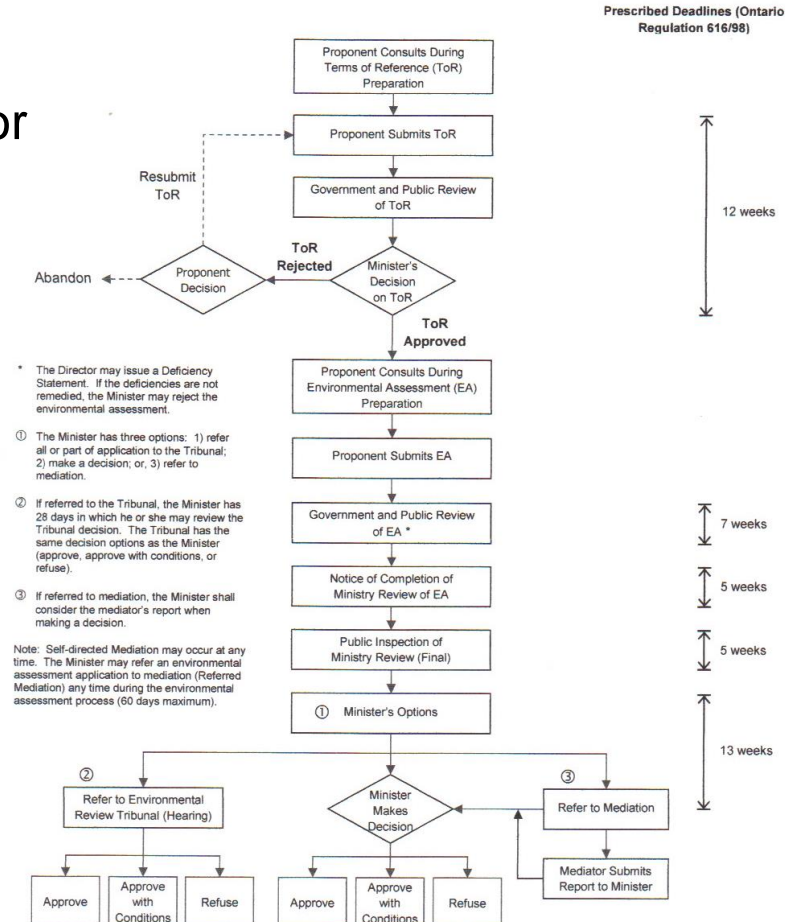
- ▶ Follows the requirements of the Ontario *Environmental Assessment Act* (and associated guidelines) as well as the approved Terms of Reference
- ▶ EA involved
 - ▶ Assessing different ways of managing the waste (Alternatives To)
 - ▶ Assessing different locations for waste management (Alternative Methods)
 - ▶ Assessing the existing environment
 - ▶ Predicting potential environmental effects
 - ▶ Identifying mitigation measures, monitoring and contingency plans to address any predicted potential effects
 - ▶ Consultation



Environmental Assessment Process

Next Steps

- ▶ Incorporate feedback and address comments from the City
- ▶ Submit draft EA Report to the MOECC for cursory review
- ▶ Make any necessary modification for formal submission
- ▶ Formally submit EA Report
 - ▶ Notice of Opportunity to Review
 - ▶ Submission to GRT, repositories, website
 - ▶ Government & public review (~ 7 weeks)
- ▶ Notice of Completion of Ministry Review (~5 weeks)
- ▶ Public inspection of Ministry Review (~5 weeks)
- ▶ Minister's Decision (~13 weeks)



Description of the Environment

Natural Environment

- ▶ Atmospheric environment (air quality; greenhouse gas emissions)
- ▶ Aquatic environment (fish habitat; fish community/species; Species at Risk)
- ▶ Geology and soils (surficial geology; soil contamination)
- ▶ Groundwater (quality; quantity and flow)
- ▶ Surface water (quality; quantity and flow)
- ▶ Terrestrial environment (habitat, vegetation communities, plant life; protected areas; wetlands; birds; other wildlife; rare species/Species at Risk)

Description of the Environment

Social Environment

- ▶ Aboriginal communities (traditional uses of land and resources; built heritage; archaeological sites; cemeteries, burial grounds)
- ▶ Land use and resources (existing land uses; planned land uses and land use policies; land resources)
- ▶ Municipal and community services (municipal infrastructure and services)
- ▶ Noise (noise levels; sensitive receptor locations)
- ▶ Public health and safety (water wells/drinking water supplies; effects related to litter, odours, and dust; road safety)
- ▶ Recreation (trails, parks and other designated recreation areas)
- ▶ Transportation (road infrastructure, air traffic)
- ▶ Visual aesthetics (visual landscape quality)

Description of the Environment

Cultural Environment

- ▶ Archaeology (archaeological sites; cemeteries, burial grounds, other)
- ▶ Heritage (built heritage; other cultural features)



Description of the Environment

Economic Environment

- ▶ Local economy (labour market, local employment; local businesses)
- ▶ Municipal finances (revenues and expenses)

Prediction of Effects

Natural Environment

- ▶ Atmospheric environment
 - ▶ Potential adverse for particulate matter (fugitive dusts) > mitigation measures
- ▶ Aquatic environment / surface water
 - ▶ Potential adverse > mitigation measures (improved surface water drainage and sediment control measures)
- ▶ Geology and soils
 - ▶ Adverse for surficial geology due to nature of landfilling
- ▶ Groundwater
 - ▶ Potential adverse for quality > monitoring and contingency plans
 - ▶ Potential adverse for quantity > monitoring (associated with CAZ)
- ▶ Terrestrial environment
 - ▶ Potential adverse due to change in habitat – considered minimal
 - ▶ No Areas of Scientific and Natural Interest, Provincially Significant Wetlands, Wildlife Concentration Areas or other Natural Areas within the Site-vicinity Study Area
 - ▶ Potential increase in road kills > mitigation measures
 - ▶ No SAR (or habitat) identified during baseline surveys

Prediction of Effects

Social Environment

- ▶ Aboriginal communities
 - ▶ No information provided by communities
- ▶ Land use and resources
 - ▶ No adverse – falls within City’s land use planning policy
- ▶ Municipal and community services
 - ▶ No adverse – aligns with City’s need to provide waste management services to its citizens
- ▶ Noise
 - ▶ No adverse – predicted levels below MOECC noise criteria
 - ▶ Operations may be audible for receptors in close proximity
- ▶ Public health and safety
 - ▶ Negligible for municipal water (due to monitoring) and road safety (due to improved design and operation)
- ▶ Recreation
 - ▶ None
- ▶ Transportation
 - ▶ Negligible for road safety (due to improved design and operation, consideration of school bus routes)
- ▶ Visual aesthetics
 - ▶ Potential from regional viewpoint > mitigation

Prediction of Effects

Cultural Environment

- ▶ Archaeology
 - ▶ None
- ▶ Heritage
 - ▶ None

Prediction of Effects

Economic Environment

- ▶ Local economy
 - ▶ Positive due to potential for opportunities for employment or supply
 - ▶ Proposed facility will keep waste management local and therefore keeping costs down
- ▶ Municipal finances
 - ▶ Negligible due need and cost-effective reuse/redevelopment of brownfield site

Mitigation, Monitoring and Contingency Plans

Mitigation

- ▶ Atmospheric environment
 - ▶ Dust Best Management Plan to manage fugitive dust
 - ▶ Vehicle maintenance, use of low sulphur fuel
 - ▶ Best practices for landfill management (litter control)
 - ▶ Landfill gas collection and utilization
- ▶ Groundwater
 - ▶ Groundwater monitoring and contingency plans
- ▶ Surface water
 - ▶ Sediment and erosion control
 - ▶ Surface water monitoring program
- ▶ Terrestrial Environment
 - ▶ Minimize area of disturbance
 - ▶ Avoiding breeding bird season
 - ▶ Worker awareness
- ▶ Land Use
 - ▶ Consideration for land use in future land use approvals
- ▶ Public Health and Safety (including Transportation)
 - ▶ Site design
 - ▶ Consideration of potential transportation route conflicts
- ▶ Visual Aesthetics
 - ▶ Obscuring site features through fencing, tree planting and ensuring daily cover placement



Mitigation, Monitoring and Contingency Plans

Monitoring

- ▶ Air quality and landfill gas
 - ▶ Daily visual monitoring
 - ▶ Subsurface landfill gas monitoring
- ▶ Groundwater
 - ▶ Continuation of ongoing groundwater monitoring program
- ▶ Surface water
 - ▶ Routine visual inspections to identify potential leachate seeps combined with surface water monitoring program with site-specific triggers

Contingency Plans

- ▶ Landfill gas
 - ▶ Gas monitoring probes to be installed around the closed and new landfill to identify if contingency measures are warranted
 - ▶ If warranted, possible measures could include extraction wells or collectors
- ▶ Groundwater
 - ▶ Depending on the scale, measures could include extension of the CAZ, groundwater interception and treatment, and extension of municipal infrastructure to adjacent groundwater users
- ▶ Surface water
 - ▶ Depending on the scale, measures could include repair to leachate seeps , re-direct surface water to the collection areas, and/or on-site treatment

Consultation

- ▶ Section 9 presents summary of consultation activities
 - ▶ City should review the associated Appendix K tables summarizing activities and comments
- ▶ Met the requirements outlined in the approved ToR and exceeded the minimum requires of the EAA by development of WMAC
- ▶ No comments received from Aboriginal communities
- ▶ Primary concerns identified:
 - ▶ Property values of neighbouring properties
 - ▶ Potential effects from leachate
 - ▶ Potential effects association with visual aesthetics (primarily from regional viewpoints)
 - ▶ Potential effects to groundwater quality (drinking water wells)
 - ▶ Potential effects to off-site drainage

Next Steps

- ▶ Incorporate feedback and address comments from the City
- ▶ Submit draft EA Report to the MOECC for cursory review
- ▶ Make any necessary modification for formal submission
- ▶ Formally submit EA Report
 - ▶ Notice of Opportunity to Review (publish, mail)
 - ▶ Submission to GRT, repositories, website

1. CALL TO ORDER

Meeting called to order at 2:20 PM

2. ROLL CALL

PRESENT:	Mayor Carman Kidd; Councillor Jeff Laferriere;; Christopher Oslund, City Manager; Shelly Zubycck, Director of Corporate Services;, Treasurer; Kelly Conlin, Executive Assistant
REGRETS:	Councillor Danny Whalen
OTHERS PRESENT:	Dave Treen, Clerk; Rebecca Hunt, Library CEO; Donald Brisson, Member, Library Board; Tim Uttley, Fire Chief; Doug Walsh, Director of Public Works; Steve Burnett, Technical and Environmental Compliance Coordinator;

3. REVIEW OF REVISIONS OR DELETIONS TO AGENDA

- None

4. APPROVAL OF AGENDA

Recommendation CS-2015-040

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee agenda for the October 13, 2015 meeting be approved as printed.

CARRIED

5. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE

- None

6. REVIEW AND ADOPTION OF PREVIOUS MINUTES

Recommendation CS-2015-041

Moved by: Councillor Jeff Laferriere

Be it recommended that:

The Corporate Services Committee minutes of the July 29, 2015 meeting be approved as printed.

CARRIED

7. DELEGATIONS/PRESENTATIONS

a) Presentation of the 2016 Library Budget Submission

Rebecca Hunt presented the draft 2016 Library Budget.

Rebecca highlighted the difference in line items from the 2015 budget to the proposed 2016, such as the decrease in interest from the May Ball Trust, as well as, the decrease in library pages as a result of reduced funding from the province.

One of the line items that could potentially see an increase or decrease is the amounts being received from the contracting townships. Staff is proposing an increase in the amount being charged, which could result in an increase in revenue or a decrease if the townships vote to terminate their agreements with the library. Chris Oslund will be attending the next Library board meeting to discuss.

Recommendation CS-2015-042

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee acknowledges receipt of the 2016 Library budget presentation and recommends it proceed to Council for consideration as part of the 2016 Budget process.

CARRIED

8. UNFINISHED BUSINESS

a) Asset Management - Financials

Work on the Asset Management financials is ongoing. The incorporation of the vehicle replacement schedule will be a key component of the plan.

b) Library Services Review – Contracting Townships

Chris Oslund circulated a spreadsheet outlining the amounts being received currently from various surrounding townships. Staff is recommending an increase be proposed to the townships to match the approximate cost per household for Library Services. Chris will be attending the next Library Board meeting to discuss.

c) Cell Phones

Shelly Zubycyk circulated a spreadsheet containing all the staff that are currently using a City owned cell phone or are receiving a monthly payment in the amount of \$30 for City use of their personal phones. Shelly inquired with other local organizations to determine if there is a need for an increase in the amount being paid to those using their personal cell phones for City business. Shelly questioned the committee if they were in support of an increase to \$50/month and if the Committee wants to consider adding or removing any staff to the current list.

Recommendation CS-2015-043

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee hereby recommends the increase to \$50/month for existing employees who utilize their personal cell phones for City business and further; recommends the addition of the City Manager and Director of Recreation for reimbursement for use of their personal cell phones for City related business.

CARRIED

9. NEW BUSINESS

a) Rescue Van – Haileybury Station – Purchase Request

Fire Chief Tim Uttley presented the Administrative Report for the purchase of a Rescue Truck for the Haileybury Fire Station.

Councillor Laferriere questioned the timing of this purchase, stating that it is committing funds in the 2016 budget without seeing the where funds may be required in other areas of the municipality.

Tim stated that due to the length of time required from order date to delivery, should the City wait longer to order the truck, there is risk that the current pricing could increase, as well as, the possibility of the truck not arriving until 2017.

Recommendation CS-2015-044

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee hereby acknowledges receipt of the Rescue Truck, RFP Award report and concurs with the financing strategy in said report, and further;

recommends the report proceed to Council for consideration at the October 20th Regular Council meeting.

CARRIED

b) Amendments to By-Law No. 2008-160 – Procedural By-Law

Dave Treen reviewed the proposed changes to the Procedural By-Law that will be presented at an upcoming Council meeting in Closed Session.

As one of the items of discussion in the by law is rules and protocol for closed session, Chris Oslund stated that both staff and Council should be signing a confidentiality agreement at the beginning of each year, and such agreements should be filed in personnel files. Dave will ensure the agreements are signed.

c) 2016 Budget Update

Chris Oslund provided the Committee with an update in regards to the 2016 budget process and timelines. Chris has met with Directors and staff from each department to review Draft 1 of Operations. Each department has been provided feedback and direction to review prior to Draft 2.

Chris is anticipating returning to the Corporate Services Committee by the end of November with a draft for both Operations and Capital.

Chris also reviewed the draft budget for Council, advising of an increase in the Council training line item.

Both Councillor Laferriere and Mayor Kidd suggested that it may not be worthwhile attending the AMO Conference (Association of Municipalities of Ontario) as it is costly and often the City's delegation requests are denied. Mayor Kidd stated that the FONOM (Federation of Northern Ontario Municipalities) conference and the Ontario Good Roads Association Conference was of more value and perhaps more Councillors could be budgeted to attend if they are available.

Recommendation CS-2015-045

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee hereby recommends the removal of participation at the AMO conference; and further that , the 2016 training budget for Council incorporate

an increased level of participation at the Ontario Goods Roads Association (OGRA) conference and the FONOM Conference.

CARRIED

d) Family Health Team Rental Increase

Recommendation CS-2015-046

Moved by: Councillor Jeff Laferriere

Be it recommended that:

The Corporate Services Committee hereby recommends an increase of 2.4 % to the rental rates at the New Liskeard Medical Centre (Great Northern Family Health Team)

CARRIED

e) Demolition of the former Matabanik Hotel

Chris Oslund informed the Committee that two quotes have been received for the completion of the demolition of the Matabanik Hotel, stating that work will likely commence in early 2016.

10. CLOSED SESSION

Recommendation CS-2015-047

Moved by: Mayor Carman Kidd

Be it recommended that:

The Corporate Services Committee convene into Closed Session at 3:52 p.m. to discuss the following matters:

- a) The security of the property of the municipality or local board under Section 239 (2) (a) of the Municipal Act, 2001; and
- b) Labour Relations or employee negotiations under Section 239 (2) (d) of the Municipal Act, 2001;

Recommendation CS-2015-048

Moved by: Councillor Jeff Laferriere

Be it recommended that:

The Corporate Services Committee agrees to rise from Closed Session at 4:35 PM. with report.

CARRIED

The Committee provided direction to staff.

11. SCHEDULE OF MEETINGS

- TBD - Budget

12. ADJOURNMENT

Recommendation CS-2015-049

Moved by: Mayor Carman Kidd

Be it recommended that:

1. The Corporate Services Committee meeting is adjourned at 4:37 PM

CARRIED

COMMITTEE CHAIR – J. LAFERRIERE

COMMITTEE SECRETARY

To: Mayor and Council
From: Karen Beauchamp, Director Community Growth and Planning
Date: November 3, 2015
Subject: Response to Rate Payers Association regarding Shelters
Attachment: **Appendix 01:** Letter from Rate Payers Association
Appendix 02: Draft Response Letter to Rate Payers Association

Mayor and Council:

On October 23, 2015, the City received a letter from the Rate Payers Association addressed to Mayor Carman Kidd and all Council members requesting information regarding shelters. A copy of the letter is attached as Appendix 01.

Staff obtained the information that was requested and prepared a draft letter for discussion at the Protection to Persons and Property (PPP) Committee on October 27, 2015. Following the PPP meeting, the letter was finalized and a copy is attached as Appendix 02.

Following Council's approval, the letter will be mailed to the Rate Payers Association.

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

RECEIVED

OCT 23 2015

Rate Payers Association



Temiskaming Shores

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

Attention: Mayor Carmen Kidd and all Council Members

Re: Council Meeting of October 6th, 2015

We the rate payers of Temiskaming Shores are requesting the following items as outlined in the above council meeting;

- > A copy of the minutes of September 30th, 2015 Property Standards Committee appeal hearing.
- > The number of informal notices issued.
- > The number of orders issued to remedy the above notices issued.
- > The number of hours that all city staff has spent in the development, reporting and enforcement of the outside shelter issue, along with the dollar value to do the same.
- > We also want to know the number of complaints issued to the building officials or did they go out looking for the shelters?
- > We would also request a timeline when the \$50.00 appeal fee will be refunded to the rate payers.

Thanking you in advance for your timely reply.

Regards

Rate-Payers Association of Temiskaming Shores

102 King Street, North Cobalt, On P0J 1R0
Email: rate-payers@outlook.com

LETTERHEAD

November 4, 2015

Rate Payers Association of Temiskaming Shores
102 King Street
North Cobalt, ON
P0J 1R0

Dear Rate Payers Association:

Re: Rate Payer Association Concerns

On behalf of our Temiskaming Shores Council, I would like to acknowledge your letter of October 23, 2015. In response to the issues that you brought forward, our staff have provided the information requested, as follows:

1. Attached is a copy of the minutes of the Property Standards Committee hearing which was held on September 30, 2015.
2. We confirm that the City issued 53 Informal Notices.
3. We confirm that the City issued 12 Orders to Remedy a Violation.
4. The City does not track the amount staff time spent on any particular project; therefore, we are not able to provide this information. Developing, reporting and enforcing the City's By-laws are normal administrative duties for staff.
5. The City staff actively enforces all By-laws, particularly when it involves health and safety concerns, as well as responding to all ratepayer complaints.
6. I am pleased to confirm that the cheques to refund the \$50 appeal fee, were mailed out October 26, 2015, as directed by the Property Standards Committee.

I hope this information provides you with the answers to your concerns.

Sincerely,

Carman Kidd
Mayor

**The Corporation of the City of Temiskaming Shores
Property Standards Committee**

Meeting Minutes

Wednesday, September 30, 2015

Present: Chair: Carman Kidd
Members: Florent Heroux, Angela Hunter, Maria McLean,

Regrets: Suzanne Othmer, Voula Zafiris, Robert Dodge

Also Present: Jennifer Pye, Secretary
Matthew Del Monte, By-law/Property Standards Officer
Karen Beauchamp, Director of Community Growth and Planning

1. Opening of Meeting

Resolution No. 2015-09

Moved By: Florent Heroux
Seconded By: Maria McLean

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

Carried

2. Confirmation of Quorum

Carman Kidd, Chair, confirmed that four members of the Committee were present and quorum was achieved.

3. Adoption of Agenda

Resolution No. 2015-10

Moved By: Maria McLean
Seconded By: Florent Heroux

Be it resolved that the Property Standards Committee adopts the agenda as printed.

Carried

4. Declaration of Pecuniary Interest

None disclosed

5. Adoption of Minutes

Resolution No. 2015-11

Moved By: Maria McLean
Seconded By: Florent Heroux

Be it resolved that the Property Standards Committee hereby approves the minutes of the August 26, 2015 Property Standards Committee meeting.

Carried

6. Hearing of Appeals

**The Corporation of the City of Temiskaming Shores
Property Standards Committee**

Meeting Minutes

Wednesday, September 30, 2015

Chairman Carman Kidd advised that the hearing was scheduled for seven Property Standards appeals. Chairman Kidd asked Karen Beauchamp, Director of Community Growth and Planning, to explain the process for the hearing.

Mrs. Beauchamp gave general information about the function of the Property Standards Committee and the appeal process.

6.1 PS-2015-01 – 477740 Ontario Ltd., 998433 Highway 11 North

Chairman Kidd advised that the purpose of the hearing was to hear the appeal of 477740 Ontario Limited, represented by Marcel Hacquard, with respect to the dissatisfaction with the terms and conditions of an Order to Remedy Violation of Property Standards, issued on July 24, 2015 regarding the physical condition of his property known as 998433 Highway 11 North, Dymond Township.

Chairman Kidd advised that the Committee will only be considering the compliance and/or non-compliance of the property to which the order was issued with regard to the City of Temiskaming Shores Property Standards By-law No. 2012-084 and all evidence should therefore be restricted to the specific property and the order.

Chairman Kidd asked if there were any Committee members who wished to declare a conflict of interest and the general nature of the conflict. No conflicts were disclosed.

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a chart setting out the items included in the order with the applicable Property Standards By-law reference and a description of the work required to remedy the violation; a copy of the informal notice issued to the property owner; a copy of the Order to Remedy Violation of Property Standards issued to the property owner; and copies of the photographs taken on the property during site inspections occurring on June 2, 2014, August 5, 2014, September 5, 2014, December 10, 2014, and July 16, 2015.

Chairman Kidd asked the By-law/Property Standards Officer to approach the podium to present his evidence and state his name and position for the record.

Matt Del Monte, By-law/Property Standards Officer, stated he attended the subject property on June 2, 2014 and observed a number of deficiencies. On June 11, 2014 Mr. Del Monte advised the property owner, Marcel Hacquard, of the property standards concerns. On June 12, 2014, Mr. Del Monte attended the property with Mr. Hacquard and reviewed the property standards deficiencies. Mr. Hacquard requested a written list of the deficiencies which was provided to him on June 25, 2014 during a meeting at City Hall. Mr. Hacquard advised Mr. Del Monte that he had contacted the Building Inspector about obtaining a building permit for the deck, stairs, and guards. Mr. Del Monte and Mr. Hacquard agreed that July 31, 2014 would be a reasonable date for re-inspection of the property. On August 5, 2014 Mr. Del Monte attended the property with Mr. Hacquard and noted that repairs to the deck were ongoing while the scrap metal and debris had been piled and covered and two of the vans observed during the initial inspection had been filled with scrap metal. Mr. Hacquard advised that he intended to take the scrap metal and vans to the recycling depot within 2 weeks. Mr. Del Monte attended the property on September 5, 2014 and noted a number of deficiencies. Mr. Del Monte issued an Informal Notice to Mr. Hacquard on September 15, 2014. On September 22, 2014 Mr. Del Monte confirmed that Mr. Hacquard had received the Information Notice on September 19,

**The Corporation of the City of Temiskaming Shores
Property Standards Committee**

Meeting Minutes

Wednesday, September 30, 2015

2014. The deadline to comply with the Informal Notice was October 17, 2014. Mr. Del Monte spoke with Mr. Hacquard on September 30, 2014 and Mr. Hacquard asked if he could paint the garage and board up the window instead of replacing it. Mr. Del Monte advised that these repairs would be acceptable. Mr. Del Monte attended the property to inspect for compliance on December 10, 2014. Mr. Del Monte noted that five (5) of the vehicles had been removed but none of the other required actions had been completed. Mr. Del Monte attended the property on July 16, 2015 and noted numerous deficiencies. Mr. Del Monte issued an Order to Remedy Violation of Property Standards on the subject property to Mr. Hacquard on July 24, 2015 with a deadline to comply of August 31, 2015. On August 13, 2015 Mr. Hacquard filed a Notice of Appeal with the Secretary. On September 29, 2015, Mr. Del Monte confirmed receipt of the Order to Remedy by Mr. Hacquard.

Maria McLean asked if new items were noticed on the property during the enforcement process as the list of items observed on June 2, 2014 was not the same list given with the Order to Remedy.

Mr. Del Monte advised that some items were removed and some new items were observed but all violations fell under the same categories in the Property Standards By-law.

Chairman Kidd asked the property owner or their agent to approach the podium to present his evidence and to state his name for the record.

Marcel Hacquard came to the podium with Richard Pichette. Mr. Hacquard stated that he was upset with the way he was treated by the By-law Officer and that he felt like he was being attacked. During Mr. Hacquard and Mr. Del Monte's initial meeting on the property an old pool liner was located on the property and Mr. Del Monte forced Mr. Hacquard to drain and move it, which was very strenuous for Mr. Hacquard who almost had a heart attack in the process. Mr. Del Monte eventually came to Mr. Hacquard's aid after Mr. Hacquard spent a half hour trying to catch his breath. Mr. Del Monte told Mr. Hacquard that his concern with the pool liner was that a child could crawl to the pool liner and drown and Mr. Hacquard indicated that a child could also crawl to the Highway and be hit. Mr. Hacquard advised the Committee that the transport trailers are being used to store tractor parts for his grooming business. Mr. Hacquard had made a deal with a business for the parts but the business had since collapsed and the deal fell through leaving him with the trailers. Mr. Hacquard indicated that all of the trailers are licensed and operable and are not needed on the highway right now so are being used to store parts, but could be licensed and inspected and on the highway tomorrow if they are needed. Mr. Hacquard indicated that he would like more time to defend himself based on the information provided at the outset of the hearing. Mr. Hacquard stated that the cars are being filled up with the scrap metal as the yard is being cleaned up but he has been looking for a place to take the trailers cannot find anyone that is willing to take them and he does not want them on the property either. Mr. Hacquard indicated that a lot of work and clean up has been done to date and that the work required on the handrails and stairs is done.

Florent Heroux asked Mr. Hacquard what a reasonable time period would be to complete the work.

Mr. Hacquard answered that he would like to ask for two years. Fall is coming and fall and winter are his busy times so most of the work could be done in the spring and summer.

Maria McLean asked if the removal of the trailers is the biggest challenge.

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Mr. Hacquard answered confirming that was the biggest challenge. He began going through the photographs of the property indicating what had been completed and what was remaining, including a description of each vehicle photographed. Mr. Hacquard indicated that he uses the vehicles for parts to fix other vehicles. He stated that the cars are rare and parts are difficult to get so if he has to get rid of vehicles he will not be able to get the parts he needs. Mr. Hacquard also indicated that some of the items on the property belong to the tenant and he cannot do anything about those items.

Angela Hunter asked Jennifer Pye, Secretary, to discuss the zoning of the property and the permitted uses.

Mrs. Pye advised that in her general knowledge of the Official Plan and Zoning By-law, and without looking through the property file for confirmation or having the documents available for review, the property would be designated Agriculture in the Official Plan and zoned Agriculture (A1) in the zoning by-law. A scrapyard-type use is not permitted in the A1 zone. Regardless of that the issue is with the Order to Remedy and the non-compliance with the Property Standards By-law.

Mr. Hacquard stated that farmers all have abandoned vehicles on their properties all over the City and the City cannot say that they do not have them.

Chairman Kidd advised that the issue is how many abandoned vehicles Mr. Hacquard has on his property.

Mr. Hacquard indicated that many farmers have five or six abandoned vehicles and that maybe fences should be built to hide them from view.

Chairman Kidd stated that that is an issue that would end up in front of the Property Standards Committee down the road as well.

Mr. Hacquard continued going through the photographs taken on his property and indicating which items had been dealt with and which were in progress.

Angela Hunter told Mr. Hacquard that a description of each car depicted was not necessary and Mr. Hacquard responded that it was necessary so the Committee could understand why the parts were required.

Florent Heroux asked what the main occupation of the property is.

Mr. Hacquard stated that the property is primarily being used for storage right now and that he would like three years to clean it up but is only asking for two years. He indicated that he wants to construct a 60' x 100' storage shed and asked the Building Department for a permit but was told that a shed that size would need a foundation. The cost would be too high.

Maria McLean asked Mr. Hacquard about the status of the item required under section 3.5.2.

Mr. Hacquard advised that he will paint the garage if the Committee wants it done.

Maria McLean asked Mr. Hacquard to clarify that he is only requesting an extension of the timeline for items 1 and 2.

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Mr. Hacquard answered yes because dealing with those items costs a lot of money.

The Committee recessed to discuss the information.

The Committee returned to the meeting room and Mrs. Pye read the decision.

The Committee decided the following:

With respect to Item 1 as indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until October 1, 2016.

With respect to item 2 C. i., ii., and iii. as indicated on Schedule "A" to the Order to Remedy, the Committee rescinds the Order.

With respect to item 2 C. iv., v., vi., vii., and viii. As indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until October 1, 2016.

With respect to items 3 and 4 as indicated on Schedule "A" to the Order to Remedy, the Committee will allow the property owner additional time to comply until June 1, 2016.

Mrs. Pye advised that a copy of the decision would be sent to Mr. Hacquard.

Mrs. Beauchamp advised that the property owners for matters 6.2, 6.3, 6.5, 6.6, and 6.7 had authorized Manuel (Mike) DaSilva to represent them and consent form were submitted to the Secretary. Mrs. Beauchamp advised that those matters would be heard together. The property owner for matter 6.4 had not signed an authorization and would be representing himself.

Chairman Kidd advised that the Committee would hear the appeal for matter 6.4 and would then hear the remaining appeals before deliberating a decision.

6.4 PS-2015-04 – 562 High Street, Daniel Tassé

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection on August 12, 2015. Mrs. Pye also distributed copies of information submitted with the Notice of Appeal, including a letter from the property owner outlining his concerns; a survey plan showing the property and easements on the property; a surveyor's real property report; a copy of the receipt for the purchase of the temporary shelter; and photographs of the installation and finished temporary shelter dated May 7, 2013.

Chairman Kidd asked the Property Standards Officer to approach the podium and present his evidence.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on July 2, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte

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confirmed that Mr. Tasse received the Informal Notice on July 28, 2015. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

Angela Hunter asked if this issue came to the Property Standards Officer's attention because of a complaint or if the City identified the issue.

Mr. Del Monte answered that he was not aware and would have to check the file for the answer to that question. Mr. Del Monte also stated that if it was a complaint he would not be able to provide the information about the complainant.

Florent Heroux asked if the temporary shelter contravenes a by-law or if it is a structural concern.

Mr. Del Monte responded that the presence of the temporary shelter contravenes the Property Standards By-law.

Angela Hunter asked if taking the temporary shelter down means removing the cover or if the frame has to be removed as well.

Mr. Del Monte clarified that the cover and frame must be removed.

Chairman Kidd asked the property owner to approach the podium and present their evidence.

Daniel Tassé came to the podium and stated that he purchased his property in 2012 and moved into New Liskeard from Harley Township. An easement for water and sewer crosses his property and he would not have room to build a permanent structure because of the limitations of the lot. He made a gravel base for the temporary shelter and installed it according to the manufacturer's directions. He may have done things differently if he had have known this by-law was coming. His temporary shelter is at the back of his lot and respects his neighbour's property and is not an eyesore.

Chairman Kidd advised that the building code requires a permit for structures and a permit was required when the temporary shelter was put up. Council's by-law allows temporary shelters without a permit between October and April.

Chairman Kidd advised that the Committee will hear the remaining matters before recessing to make a decision.

Chairman Kidd asked the Property Standards Officer to approach the podium and present his evidence for each of the remaining matters.

6.2 PS-2015-02 – Bruce and Judy Tomlin, 45 Birch Street

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards

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issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 30, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte confirmed that Mr. and Mrs. Tomlin received the Informal Notice on July 20, 2015. On August 10, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 21, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.3 PS-2015-03 – BNS Corner Gas, 102 King Street

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of a photograph taken on the property during a site inspection dated August 11, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 19, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. Mr. Del Monte confirmed that the property owner received the Informal Notice on July 20, 2015. On August 11, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 24, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.5 PS-2015-05 – Daniel Burns and Melody Bonney, 1277 Lakeshore Road

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of a notification letter sent to the property dated June 22, 2015 including registered mail history information and registered mail delivery receipt; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during site inspections dated July 15, 2015 and August 8, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 19, 2015. On June 22, 2015 an owner notification letter was sent to the property owners. On June 30, 2015 the owner notification letter was received by the property owners. On July 15, 2015 a follow up inspection was conducted and Mr. Del Monte noted that the temporary shelter had not been removed. On July 17, 2015 an Informal Notice requiring the removal of temporary

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shelter with a deadline to comply of August 6, 2015 was issued to the property owners. On July 24, 2015 the property owner received the Informal Notice. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 28, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.6 PS-2015-06 – Marc Manseau, 61 Niven Street North

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during a site inspection dated August 12, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on July 2, 2015. An Informal Notice requiring the removal of temporary shelter was issued to the property owner on July 17, 2015 with a deadline to comply of August 6, 2015. On July 20, 2015 the property owner received the Informal Notice. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

6.7 PS-2015-07 – Marc Manseau, 126 Cross Lake Road

Jennifer Pye, Secretary, distributed information to the Committee members and the property owner, including: a synopsis of enforcement activity; a copy of the informal notice issued to the property owner, including a copy of the invoice for the informal notice fee, registered mail history information, and registered mail delivery receipt; a copy of the Order to Remedy Violation of Property Standards issued to the property owner, including a copy of the invoice for the Order fee, registered mail history information, and registered mail delivery receipt; and copies of photographs taken on the property during a site inspection dated August 10, 2015.

Matt Del Monte, Property Standards Officer, stated that a temporary shelter was observed on the property on June 30, 2015. On July 17, 2015 An Informal Notice requiring the removal of temporary shelter with a deadline to comply of August 6, 2015 was issued to the property owner. On July 21, 2015 Mr. Del Monte confirmed the property owner received the Informal Notice on July 17, 2015. On August 12, 2015 Mr. Del Monte conducted a follow up inspection and noted that the shelter was not removed. On August 20, 2015 an Order to Remedy Violation of Property Standards was issued requiring removal of the temporary shelter with a deadline to comply of September 10, 2015. On August 27, 2015 the Order to Remedy Violation of Property Standards was received by the property owner.

Chairman Kidd asked Mike DaSilva to approach the podium and present evidence on behalf of the property owners for matters 6.2, 6.3, 6.5, 6.6, and 6.7.

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Mike DaSilva came to the podium and stated that he is requesting the Committee rescind the Orders for everyone, and that he believes everyone should be heard at once. Mr. DaSilva also requested that everyone's fees be reimbursed. He also stated that he would like to be shown where it says that the Building Code applies to anything under 400 square feet because he can't find it anywhere. He requested clarification on this by-law.

Chairman Kidd asked Mr. DaSilva if he is requesting Building Code clarification about what is considered a tent and what is considered a building.

Mr. DaSilva stated that everyone thinks anything under 10 x 10 is legal but really the Building Code only applies to anything over 399 square feet.

Chairman Kidd stated that the City sent a letter to the Building Code Commission last year and they told us to submit a case and they would make a ruling.

Mr. DaSilva stated that he is willing to do that.

Chairman Kidd asked for clarification from Mr. DaSilva that he would apply for a building permit, have it turned down, then appeal to the Building Code Commission.

Mr. DaSilva answered yes, that is what he would do.

Chairman Kidd advised that the Building Code was written before shelters became an issue, at a time when they were mostly put up for weekend events and then taken down after.

Florent Heroux asked if Mr. DaSilva was requesting the Committee to rescind the Orders.

Mr. DaSilva answered he is requesting the process be stopped immediately and that everyone be reimbursed for being there.

Chairman Kidd stated that the Committee has the power to defer making a decision.

Angela Hunter asked if the temporary shelters are allowed in winter.

Chairman Kidd clarified that Council's resolution allows the shelters in winter.

The Committee recessed to discuss the information.

Normand Desjardins, Chief Building Official, was requested to provide information during recess.

Normand Desjardins was dismissed.

Karen Beauchamp, Director of Community Growth and Planning, was requested to provide information during recess.

Chris Oslund, City Manager, was requested to provide information during recess.

Maria McLean left the meeting.

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The Committee returned to the meeting room.

Chairman Kidd stated that Council has been dealing with the temporary shelter issue for two years now. He stated that the Committee has decided to uphold the Order and grant additional time to comply until May 31, 2016, but that the \$50 appeal fee would be refunded to everyone who appealed the Order. He stated that Council would be reviewing the policy in the meantime but that the Committee had to uphold the order because the properties did not comply with the by-law as it was written at the time.

Mr. DaSilva asked Chairman Kidd if Chairman Kidd gave his word that Council would be reviewing the policy. Chairman Kidd stated that he gave his word to Mr. DaSilva that he would be requesting Council to review the policy. Chairman Kidd advised that as of October 1, it is legal for shelters to be up until May 31. He anticipates receiving information from the Building Code Commission before May 31. He assured the public that in the meantime, the By-law Officers will not undertake any enforcement for temporary shelters.

Chairman Kidd stated that the Council by-law is what allows the temporary shelters to be there and that without the by-law all of the temporary shelters would be illegal and would have to be removed.

A member of the audience asked what would happen to the people who had received summonses for Court and if their fees would be refunded as well. Chairman Kidd stated that they did not pay the fees for the appeal as they did not appeal their Orders to the Property Standards Committee and the Committee was only refunding the appeal fees. Karen Beauchamp, Director of Community Growth and Planning, advised that the court cases were a matter for the Provincial Offences Act Court and were not being dealt with by the Property Standards Committee.

A member of the audience recommended that the City look at temporary shelters policies in places like Timmins and Espanola.

A member of the audience asked what would happen with the cases that were going to court. Another member of the audience explained that those cases would be dealt with by the Court and that this Committee only dealt with people who had appealed their Orders.

7. Next Meeting

To be determined.

8. Adjournment


Resolution No. 2015-12

Moved By: Florent Heroux

Seconded By: Angela Hunter

Be it resolved that the Property Standards Committee meeting be closed at 4:46 p.m.

Carried


Carman Kidd
Chair


Jennifer Pye
Secretary

Memo

To: Mayor and Council
From: James Franks, Economic Development Officer
Date: November 3, 2015
Subject: Immigration Relocation Guide
Attachments: None

Mayor and Council:

The City of Temiskaming Shores has partnered with the North Bay and District Multicultural Centre (NBDMC) as well as the communities of Cochrane and Almaguin to develop the Northeastern Ontario Immigration Project. Council received an update on this project from Don Curry and Garvin Cole at their October 6th meeting.

The project is designed to enable smaller communities in Northeastern Ontario gain access to the services and expertise offered by the NBDMC so that the communities can begin to provide services to newcomers similar to those offered in larger centres. The intent of this is to encourage newcomers to Canada to consider settling in small communities rather than just staying in the large urban centres.

It was recommended by NBDMC that each community prepare a Relocation Guide similar to the ones available in North Bay and other larger communities. In January, the City partnered with Northern College to host a co-op placement student for a four month period to complete work on the Relocation Guide and other immigration programs. Kim Benguenna was invaluable in researching and gathering the data for the guide and Cultural Coordinator, Courtney Tresidder has been working with a local printer to have the information put into an effective format and to be printed.

The Relocation Guide will be available in a printed version which can be picked up by folks moving to the community, but it will also be available as a link on the City's website so that people considering our community will be able to find valuable information to assist them to determine if Temiskaming Shores is the right place for them.

Through our partnership with NBDMC, we are able to offset the costs of printing the Guide as they are able to provide funds through the regional project to pay for the printing costs.

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
& Planning

Christopher W. Oslund
City Manager

Subject:	Purchase of Laneway from Jelly-Campbell – 112 May Street	Report No.:	CGP-041-02-2015
		Agenda Date:	November 3, 2015

Attachments

- Appendix 01:** Survey 54R-1333
- Appendix 02:** Imagery of the laneway
- Appendix 03:** Draft By-law to Purchase Laneway
- Appendix 04:** Draft Assumption / Minimum Maintenance by-law

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CGP-041-02-2015;
2. That Council agrees to purchase the laneway legally described as Part 1 on Plan 54R-1333 from Kim Campbell and Douglas Jelly for the price of \$2.00 and directs staff to prepare the necessary by-law for consideration at the November 3, 2015 Regular Council meeting;
3. That Council acknowledges it is acquiring the laneway to permit continued efficient and effective collection of solid waste receptacles by local residents and directs staff to prepare the necessary by-law for the assumption and establishment of maintenance of the laneway for consideration at the November 3, 2015 Regular Council meeting; and
4. That Council agrees to pay all legal costs, both the City's and the vendor's and to retain George Kemp of Kemp Pirie Crombeen to finalize the transaction.

Background

Part of 112 May Street consists of a laneway that was closed by New Liskeard Council and registered at land titles on December 21, 1972. The lane is described as Part 1 on Plan 54R-1333 which is attached as **Appendix 01**. In the Spring of 2015, Kim Campbell and Doug Jelly purchased the property at 112 May Street in New Liskeard and have expressed their concern about liability because the public regularly uses the laneway for access. Imagery showing the laneway in relation to abutting properties is attached as **Appendix 02**.

At the September 1, 2015 meeting, Council passed a resolution to confirm that the City was interested in purchasing the closed laneway which abuts 112 May Street and directed staff to negotiate a purchase price and start the public process for purchasing the land.

Analysis

The laneway is approximately 12' wide and 105' long and exits onto Elm Avenue.

The Director of Public Works advises that for safety reasons, the neighbours that front on Armstrong Street and Murray Street use the laneway to deliver their waste and recycling containers to a pick up location on Elm Avenue. In addition, Union Gas confirms that there is a 4" natural gas main buried in the laneway and their records indicate that the laneway is City-owned.

Staff have considered the existing public use of the laneway and are of the opinion that it is in the best interest of the public for the City to purchase the laneway to protect the underground infrastructure and to allow the neighbours to continue using it. The Director of Public Works advises that the City will remove snow from the laneway in the winter to make it easier for the neighbours to use it for access to Elm Avenue, however, he recommends that Council not pass a by-law to open the laneway to public traffic.

Notice of Council's intent to purchase the laneway and hold a public meeting was given in the Temiskaming Speaker on October 7, 2015 and the Weekender on October 8, 2015. The public meeting was held at the October 20, 2015 Regular meeting of Council. No members of the public expressed concern about the purchase of the laneway.

Appendix 03 – Draft By-law to Purchase Laneway is recommended for consideration by Council.

In order to have jurisdiction over this section of laneway the city will have to assume the highway (laneway). Ontario Regulation 239/02 Minimum Maintenance Standards for Municipal Highways would classify this section of highway as a Class 6 highway to which the standards of Ontario Regulation 239/02 are not applicable. Therefore it is further recommended that the by-law for assumption also establish minimum maintenance standards specific to the intended use. See **Appendix 04 – Draft Assumption / Minimum Maintenance by-law**

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

Costs will include the purchase price in the amount of \$2 plus the legal and land titles costs for both the City and the vendor which are estimated to be \$1,000.00. The 1972 survey is still valid, therefore a new survey is not required.

The Treasurer advises that if the City purchases the property it will become exempt thereby reducing the taxable assessment and tax revenues.

Maintenance costs for the laneway are included in the Public Works operating budget.

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

K-1619

PLAN 54R 1333

APPROVED 6 JUNE, 1972.

B.D. Oat
Asst. EXAMINER OF SURVEYS

PLAN 54R 1333
RECORDED
UNDER NO 174020 Tim.

REGISTERED 21 Dec. 1970
P. M. O'Connell

MASTER OF TITLES

PART 1 - PART OF PARCEL
9015 N.N.D.

PLAN OF SURVEY OF LANE SOUTH OF ELM AVENUE

(ADJACENT TO LOTS 2, 3 & 4 WEST OF MAY STREET AND
LOT 2 SOUTH ELM AVENUE)

REG. PLAN M-12 N.B. TOWN OF NEW LISKEARD DISTRICT OF TIMISKAMING

SCALE - 1 INCH = 50 FEET

W. J. RYAN O.L.S. 1972

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.

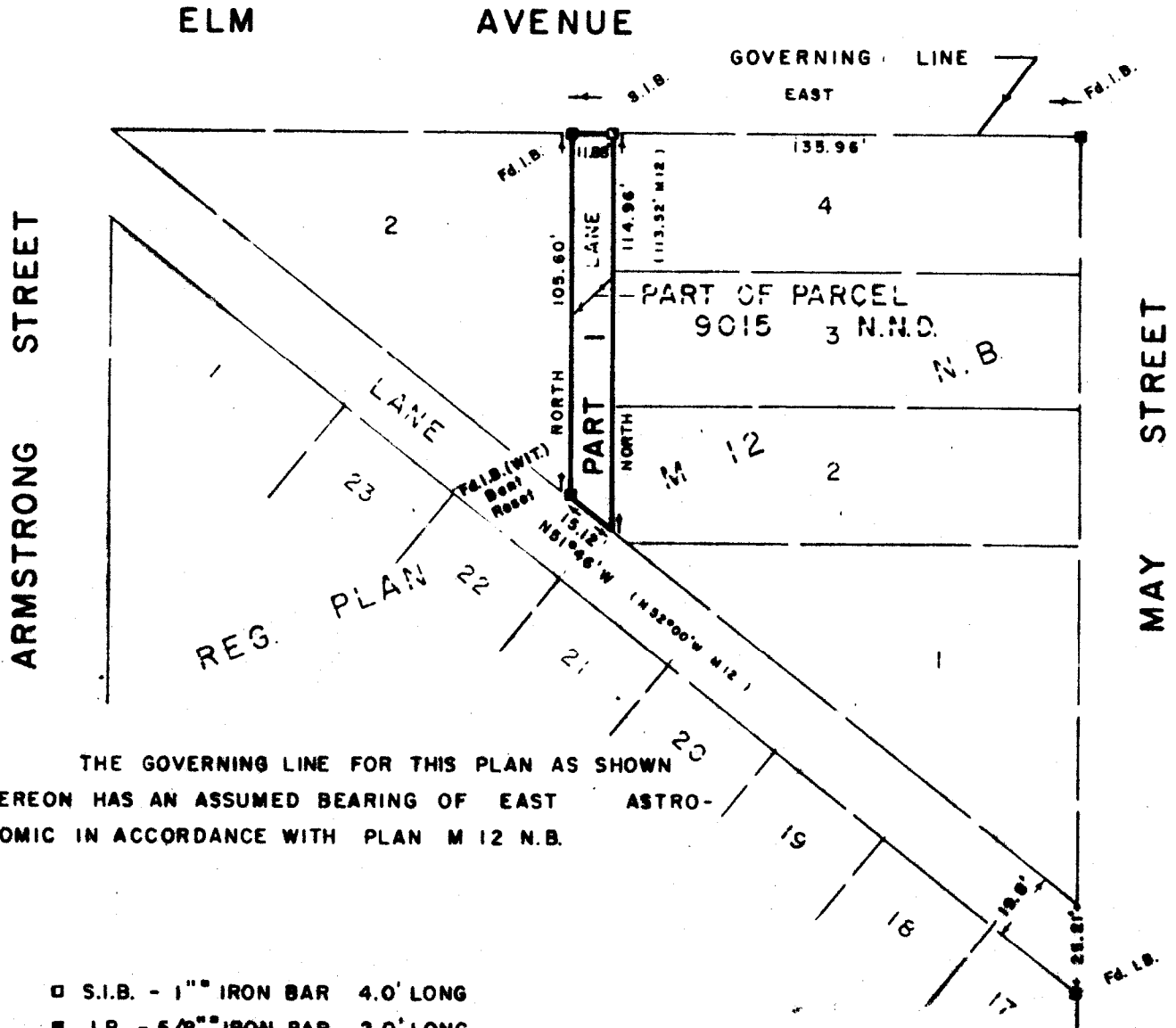
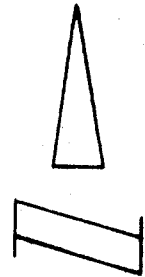
2. THAT I WAS PRESENT AT AND DID PERSONALLY SUPERVISE THE SURVEY REPRESENTED BY THIS PLAN.

3. THAT THIS PLAN CONTAINS A TRUE COPY OF THE FIELD NOTES OF SURVEY.

4. THAT THE SURVEY WAS COMPLETED ON THE 15th DAY OF MAY, 1972.

W. J. Ryan
W. J. RYAN
ONTARIO LAND SURVEYOR

NEW LISKEARD, ONTARIO
MAY 24, 1972.



THE GOVERNING LINE FOR THIS PLAN AS SHOWN
HEREON HAS AN ASSUMED BEARING OF EAST ASTRO-
NOMIC IN ACCORDANCE WITH PLAN M 12 N.B.

- S.I.B. - 1" IRON BAR 4.0' LONG
- I.B. - 5/8" IRON BAR 2.0' LONG
- WIT. - WITNESS
- F.d. I.B.'s ARE BY SUTCLIFFE CO.

H. SUTCLIFFE LIMITED
NEW LISKEARD, ONTARIO

NOTES 978/84	PLAN 5-458
DRAWN BY G.K.	DRAFTING CHECK



The Corporation of the City of Temiskaming Shores

By-law No. 2015-000

Being a by-law to authorize the Purchase of Land from Kim Campbell and Doug Jelly being a laneway abutting Elm Street shown as Part 1 on Plan 54R-1333

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 CGP-041-01-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to authorize the entering into a Purchase Agreement with Kim Campbell and Doug Jelly for the acquisition of the laneway shown as Part 1 on Plan 54R-1333;

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 Kim Campbell and Doug Jelly as Transferor and the City of Temiskaming Shores as the Transferee, 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-1333 from Kim Campbell and Doug Jelly for the sum of \$2.00 and other 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk- David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2015-000

**Being a by-law for the assumption of a Highway for public use
and the establishment of maintenance standards of the highway
described as Part 1 on Plan 54R-1333 being a laneway abutting
Elm Avenue in the City of Temiskaming Shores**

Whereas under Section 28, of the Municipal Act, S.O. 2001, c.25, as amended, a municipality may pass by-laws in respect of a highway if it has jurisdiction over the highway;

And whereas under Section 44, of the Municipal Act, S.O. 2001, c.25, as amended, a municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

And whereas Ontario Regulation 239/02 adopted under the Municipal Act establishes Minimum Maintenance Standards for Municipal Highways would classify Part 1 on Plan 54R-1333 as a Class 6 highway to which the minimum maintenance standards of Ontario Regulation 239/02 would not apply;

And whereas Council considered Administrative Report CGP-041-01-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law for the assumption of the laneway to permit continued efficient and effective collection of solid waste receptacles;

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

1. That the municipality hereby assumes the laneway abutting Elm Avenue legally described as Part 1 on Plan 54R-1333 as a highway for public use.
2. That the purpose of assuming the laneway is to permit access to Elm Avenue to local residents for the efficient and effective collection of solid waste receptacles.
3. That the minimum maintenance standard for highways described herein shall be as follows:

Highway	Minimum Maintenance Standard
Part 1 Plan 54R-1333	Passable by local residents to permit the placing of solid waste receptacles at the north end of the highway abutting Elm Avenue.

4. That the highway being assumed by the municipality is identified on Schedule "A", hereto attached and forming part of this by-law.

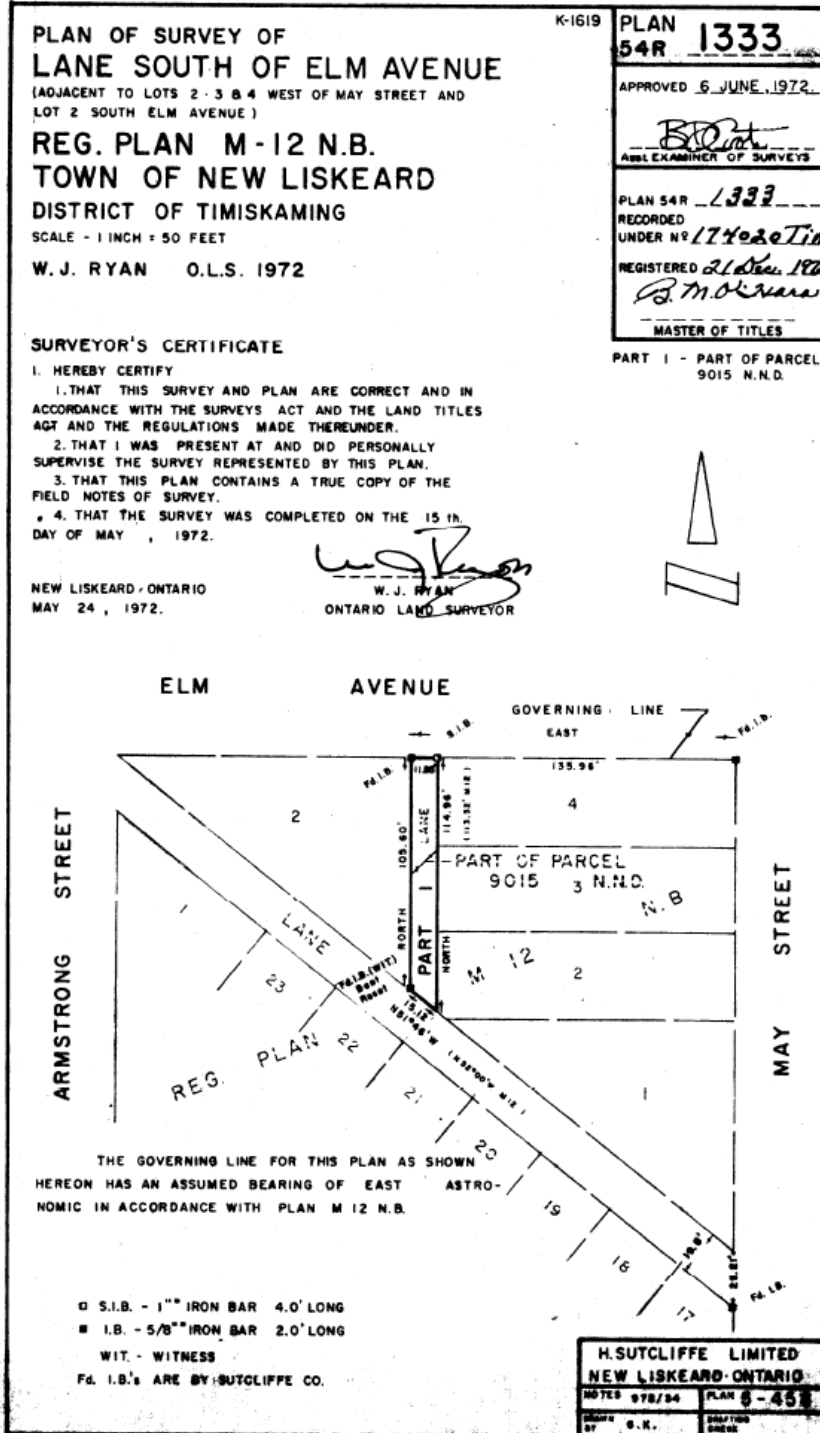
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical, numerical or typographical nature to the by-law and schedule after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed on this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A"
Assumed Part 1 on Plan 54R-1333
Laneway abutting Elm Avenue



Subject: Outdoor Boilers – Proposed By-law **Report No.:** CGP-042-2015
Agenda Date: November 3, 2015

Attachments

Appendix 01: Draft Outdoor Boiler By-law

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CGP-042-2015;
2. That Council directs staff to prepare the necessary by-law for regulating Outdoor Boilers for consideration of First and Second reading (provisional by-law) at the November 17, 2015 Regular Council meeting; and
3. That Council directs staff to provide notice to the public of Council's intent to adopt a by-law to regulate Outdoor Boilers and to send the Provisional By-law to the Ministry of the Attorney General for approval of the Short Form Wording and Set Fines.

Background

Outdoor boilers are becoming more popular as a heat source for homes and shops in Northern Ontario. An outdoor boiler is an outdoor solid fuel burning appliance which is used for the space heating of buildings through the heating of water or other such form of heat or other energy transfer which is located in a separate structure from the building that it serves or adjacent to the exterior of the building which it serves.

In order to protect public health and safety, the Chief Building Official (CBO) has developed an Outdoor Boiler By-law for Council's consideration. The draft by-law was presented to the Protection of Persons and Property Committee on September 29, 2015. The committee passed a resolution to recommend that staff present an administrative report and draft by-law to Council for their consideration.

Analysis

The Outdoor Boiler By-law contains policies that:

- Define an outdoor boiler as an appliance;
- Regulate the location of the appliance on the lot, storage of fuel for the appliance, type of fuel that can be burned in the appliance, type of base that the appliance can be installed on, the need for a spark arrestor and rain cap;

- Require the City to keep a register of all appliances so that the information is easily accessible for fire risk assessment purposes;
- Limit outdoor boilers to the Agriculture, Rural and Industrial Zones in the City;
- Provide for Part 1 Provincial Offences Act Short Form Wording and Set Fines.

Staff recommends that Council consider giving first and second reading to the By-law on November 17, 2015. Staff will then give notice to the public of Council's intent to pass an Outdoor Boiler By-law and send the short form wording and set fines to the Ministry of the Attorney General for approval. Once these two processes are complete, the by-law will be presented to Council for their consideration of third and final reading.

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

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

The Corporation of the City of Temiskaming Shores
By-law No. 2015-000
Being a by-law to regulate the location and installation of
Outdoor Boilers

Whereas Subsection 10. (2) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality a by-law respecting the health, safety and well-being of persons, protection of persons and property, and structures, including fences and signs;

And whereas Clause 125. (a) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to regulate the use and installation of heating and cooking appliances;

And whereas Clause 125. (b) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to regulate the storage of fuel for use in heating and cooking appliances. 2006, c. 32, Schedule A, s. 66;

And whereas Section 128. of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit or to regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances. 2001, c. 25, s. 128 (1); 2006, c. 32, Schedule A, s. 68;

And whereas Clause 129. (a) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors;

And whereas Clause 129. (b) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans. 2006, c. 32, Schedule A, s 69;

And whereas Subsection 425. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence. 2006, c. 32, Schedule A, s. 184;

And whereas Subsection 429. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws to establish a system of fines under a by-law of the municipality under this Act is guilty of an offence. 2006, c. 32, Schedule A, s. 184;

And whereas Subsection 436. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

1. A by-law of the municipality passed under this Act;
2. A direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act., and;
3. An order made under section 431 of this Act.

And whereas the Council of the City of Temiskaming Shores deemed it necessary and expedient to pass a by-law to prohibit activities that substantially interfere with other people's health, safety or normal enjoyment of their property and considers it desirable to pass a by-law to provide the regulation of installation and location of outdoor wood burning or other solid fuel burning appliances within the geographical limits of the City of Temiskaming Shores.

Now therefore the council of the Corporation of the City of Temiskaming Shores enacts as follows;

1. That the Council of the City of Temiskaming Shores hereby adopts the "*Outdoor Boiler By-law*", hereto attached as Schedule "A" and forming a part of this by-law,
2. That this by-law shall come into force and take effect on the date of passage hereof and remain in force and effect until repealed,
3. That the former New Liskeard By-law No. 2545 being a by-law to control and regulate the installation of solid fuel burning heating appliances is hereby repealed, and
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, semantical 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 first and second time on this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Read a third time and finally passed on this _____ day of _____, 2015

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2015-000

Outdoor Boiler By-law

Section 1 General Provisions

1.1 Short Title

This By-law shall be cited as the "Outdoor Boiler By-law."

1.2 Scope

Except where otherwise provided, the provisions of this by-law shall apply to all *persons* and property within the geographic limits of the City of Temiskaming Shores.

1.3 Enforcement

This By-law shall be enforced by a By-law Enforcement Officer, Fire Prevention Officer, Fire Chief, Building Inspector or Chief Building Official.

1.4 Conflicts

Where a provision of this by-law conflicts with another by-law in force in the *City*, the provision that establishes the higher standards 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.

1.5 Validity

If any section, clause or provision of this by-law is for any reason declared by a Court or tribunal of competent jurisdiction to be invalid, the same shall not affect 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 the remaining sections, clauses and 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 invalid.

Section 2 Definitions

2.1 Generality of words, phrases and terms

Definitions of words, phrases and terms used in this by-law that are not included in the list of definitions in Subsection 2.2 shall have the meanings which are commonly assigned to them in the context in which they are used in this by-law.

2.2 Words in this by-law

The words, phrases and terms defined in this Subsection shall have the following meaning for the purposes of this by-law;

- 2.2.1 **Act** means the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended
- 2.2.2 **Appliance** means an outdoor solid fuel burning appliance, which is used for the space heating of buildings through the heating of water or other such form of heat or other energy transfer and which is located in a separate structure from the building that it serves or on or adjacent to the exterior of the building which it serves.
- 2.2.3 **BCA** means the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended.
- 2.2.4 **By-law Enforcement Officer** means a Municipal Law Enforcement Officer and By-law Enforcement Officer for the *City* appointed pursuant to the Police Services Act, R.S.O. 1990, Chapter P.15.
- 2.2.5 **CBO** means the Chief Building Official for the *City* appointed pursuant to the *BCA*.
- 2.2.6 **City** means The Corporation of the City of Temiskaming Shores.
- 2.2.7 **Front Yard** means a portion of the lot as defined in the zoning by-law(s).
- 2.2.8 **Fuel** means any biomass materials that store potential energy and is burned to produce heat and may be clean wood, wood pellets, corn or any other material for which an *appliance* is designed to use.
- 2.2.9 **Lot** means a parcel of land which is capable of being legally conveyed in accordance with the Planning Act, R.S.O. 1990, c. P.13 as amended.
- 2.2.10 **OBC** means the Ontario Building Code and are the regulations made under Section 34 of the *BCA* as amended.
- 2.2.11 **Person** means any human being, association, firm, partnership, club, corporation, agent, renter or trustee.
- 2.2.12 **Waste** shall mean any material as waste in Section 25 of the Environmental Protection Act, R.S.O. 1990, Chapter E. 19, as amended.

Section 3 Regulations

- 3.1 No *person* shall install or allow to be installed an *appliance* without a permit.
- 3.2 No *person* shall install or allow to be installed an *appliance* in any approved zone;
- (a) Less than 15 meters from any lot line,

- (b) Less than 7 meters from the dwelling or any accessory building on the same lot,
 - (c) Less than 60 meters from any dwelling on an adjacent lot, and
 - (d) Notwithstanding Clause (b) no person shall install or permit to be installed an appliance less than 2 meters from an accessory building in which the *fuel* is being stored if the building is constructed with non-combustible siding and roofing.
- 3.3 No person shall install an appliance inside or partially inside a building or structure nor shall a building or structure be constructed to enclose or partially enclose an appliance unless the appliance is approved for such an installation.
- 3.4 No *person* shall install or allow to be installed an *appliance* in the *front yard* except where a property fronts a lake, river or other such body of water and is considered the *front yard* shall be allowed in the *front yard*.
- 3.5 No person shall store or allow to be stored any fuel for the appliance closer than the recommended distance in the manufacturer's instruction/installation manual but in any case shall not be closer than 3 meters.
- 3.6 No person shall burn any material other than the fuel for which the appliance was designed to burn.
- 3.7 No person shall burn or allow to be burned any waste, oils, rubber, oil soaked or treated products, any pressure treated wood, any creosote or creosote soaked wood products or garbage in an appliance.
- 3.8 No person shall install or allow to be installed an appliance unless the appliance is supported on a base;
- (a) constructed of concrete or other such non-combustible material and constructed so as to adequately support the weight of the *appliance*, and
 - (b) on a base of the size which is in accordance with the manufacturer's instructions but in any case shall extend not less than 0.3 meters beyond the sides and back of the *appliance* and not less than 0.6 meters from the side of the *appliance* in which the *fuel* is loaded.
- 3.9 No *person* shall install or permit to be installed an *appliance* unless such *appliance* is equipped with;
- (a) a spark arrestor; and
 - (b) a rain cap approved by the appliance manufacturer.
- 3.10 No *person* shall install or permit to be installed an *appliance* unless such *appliance* complies with CSA B415.1, "Performance Testing of Solid Fuel-

Burning Heating Appliances" as amended or other equivalent tests performed by an accredited testing authority

- 3.11 Notwithstanding the restrictions in Subsections 3.2, 3.3, 3.4, 3.5, 3.6, 3.7 and 3.8 a *person* may apply for relief from these restrictions and shall submit documentation supporting the application to the CBO or his designate who may accept the lesser restrictions at his/her discretion.
- 3.12 No person shall use or allow to be used an appliance, including an appliance installed prior to the passing of this by-law unless the appliance is registered with the City of Temiskaming Shores.
- 3.13 Subject to Subsections 3.1 to 3.11 a person may install an appliance in the following locations:
- (a) in the former municipality of Haileybury, in the RU (rural zone), AG (agricultural zone), OS (open space) and I (industrial zone) as per the Haileybury Zoning By-law No. 85-27, and
 - (b) in the former municipality of Dymond Township, in the A1 (agricultural zone), M1 (general industrial), M2 (manufacturing industrial), RR (rural residential zone) and RU (rural zone as per the Dymond Zoning By-law No. 984.
- 3.14 No *person* having an *appliance* shall allow the *appliance* to become damaged or to remain in disrepair including the items described in Clauses 3.8 (a) and (b).

Section 4 Rights of Entry

No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

Section 5 Penalties

- 5.1 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 to any provisions of this By-law or any permit or order issued pursuant thereto, is guilty of an offence and upon conviction is liable to a fine of not more than \$100,000 as provided for in the Municipal Act, 2001, S.O 2001, Chapter 25, as amended.
- 5.2 Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

- 5.3 A person who contravenes any provision of this by-law described in Section 3 and is found to contravene more than one provision of this by-law is guilty of a multiple offences and is subject to a fine as set out in Appendix 01 for each offence.

Appendix 01

Part 1 Provincial Offences Act

Set Fines

<u>Item No.</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Install appliance without a permit	Sch A, ss. 3.1	\$ 200.00
2	Install appliance less than 15 m from a lot line	Sch A, c. 3.2 (a)	\$ 200.00
3	Install appliance less than 15 m from building with combustible roof or sides	Sch A, c. 3.2 (b)	\$ 200.00
4	Install appliance less than 60 m from a dwelling on adjacent lot	Sch A, c. 3.2 (c)	\$ 200.00
5	Install appliance less than 3 m from building with non-combustible exterior	Sch A, c. 3.2 (d)	\$ 200.00
6	Install appliance in front yard	Sch A, ss. 3.3	\$ 200.00
7	Store fuel less than 3 m from appliance	Sch A, ss. 3.4	\$ 200.00
8	Burn materials not approved	Sch A, ss. 3.5	\$ 200.00
9	Burn garbage or waste	Sch A, ss. 3.6	\$ 200.00
10	Appliance not installed on concrete base	Sch A c. 3.7 (a)	\$ 200.00
11	Appliance base not the size required	Sch A, c. 3.7 (b)	\$ 200.00
12	Fail to ensure appliance equipped with spark arrestor	Sch A, s. 3.8 (a)	\$ 200.00
13	Fail to ensure appliance equipped with rain cap	Sch A, c. 3.8 (b)	\$ 200.00
14	Appliance is not tested and approved	Sch A, ss. 3.9	\$ 200.00
15	Fail to register appliance	Sch A, ss. 3.11	\$ 200.00
16	Fail to repair or maintain appliance	Sch A, ss. 3.13	\$ 200.00
17	Installed appliance in a non-approved zone	Sch A, c. 3.12. (a) & (b)	\$200.00
18	Obstructed By-law Enforcement Officer	Sch. A, ss. 4.1	\$400.00

Note: The penalty provision for the offences indicated above is Section 5 of the "Outdoor Boiler By-law" No. 2015-000, a certified copy of which has been filed."

Subject: Amendment ZBA-2015-06(NL) -
– NEOFACS

Report No.: CGP-043-2015
Agenda Date: November 3, 2015

Attachments

- Appendix 01:** Planning Report
Appendix 02: Application and Public Notice
Appendix 03: Draft Zoning By-law amendment

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CGP-043-2015;
2. That Council agrees to amend the provisions of the Town of New Liskeard Zoning By-law 2233 to permit the zone change from Medium Density Residential (R3) to Downtown Commercial (C2); and
3. That Council directs staff to prepare the necessary by-law to amend the Town of New Liskeard Zoning By-law 2233 for consideration at the November 3, 2015 Regular Council meeting.

Background

North East Ontario Family and Children's Services (NEOFACS) owns both the subject property at 37 Paget Street and the adjacent property to the south at 25 Paget Street. On October 6, 2015 Council passed a deeming by-law to merge the lots making up the two properties. 25 Paget Street is zoned Downtown Commercial (C2) and 37 Paget Street is currently zoned Medium Density Residential (R3). The purpose of the Zoning By-law Amendment application is to rezone 37 Paget Street to C2 to permit the demolition of the existing house on the property and to convert the property to a parking area for the commercial office building at 25 Paget Street and to make the zoning consistent across the area of the merged property.

Analysis

The public meeting was held on October 20, 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-2015-06(NL)

Applicant: North East Ontario Family and Children's Services (NEOFACS)

Property: 37 Paget Street

Roll No.: 5418-010-004-152.00

October 26, 2015

Subject Land

37 Paget Street; Plan M11NB, Lots 10 and 11; Town of New Liskeard

Background and Purpose of the Application

North East Ontario Family and Children's Services (NEOFACS) owns both the subject property at 37 Paget Street and the adjacent property to the south at 25 Paget Street. The NEOFACS office building sits on 25 Paget Street, along with a small number of parking spaces behind the building which are accessed through a laneway running south from Spruce Street. The adjacent property at 37 Paget Street currently contains a single detached dwelling which NEOFACS wishes to demolish in order to convert the property to additional parking area for the office building. The rear portion of this property was previously converted to parking and the City does not have records to indicate when this conversion took place. The property is currently zoned Medium Density Residential (R3) in the Town of New Liskeard Zoning By-law 2233 and a parking area accessory to a commercial use is not a permitted use. The applicant is requesting to rezone the property to Downtown Commercial (C2) to permit the commercial parking area and to make the zoning consistent with 25 Paget Street.

On October 6, 2015 Council passed a deeming by-law to allow the lots making up the properties at 25 Paget Street and 37 Paget Street to merge on title. The property at 25 Paget Street is zoned Downtown Commercial (C2).

Statutory Public Notice

The application was submitted on September 28, 2015. Notice of the complete application and public hearing was advertised in the Temiskaming Speaker on September 30, 2015 and was sent to public agencies in accordance with the statutory notice requirements of the Planning Act.

The public hearing was held on October 20, 2015. No members of the public made oral submissions at the hearing and no formal written comments have been received as of the date of this report.

Site Analysis

The property is located in the Town of New Liskeard on the east side of Paget Street between Whitewood Avenue and Spruce Street. The property is made up of two lots on a plan of subdivision that was registered in 1894. The property is $\pm 24\text{m} \times 41\text{m}$ (80' x 135') with an area of $\pm 1,003\text{m}^2$ (10,800 square feet).

Servicing

The property is serviced with municipal water and sanitary sewer services.

Access

The property fronts on and has access to Paget Street which is municipally-owned and maintained year round. Sidewalks are present on both the east and west side of Paget Street and 90-minute on-street parking is permitted on both sides of the street. The property also has access to the lane running between Spruce Street and Whitewood Avenue. The lane is used to access the current parking area behind the NEOFACS office building and the rear portion of the subject property.

Existing Land Use

The property currently contains a single detached home which is to be demolished. The rear portion of the property has been converted to a parking area. There are no records in the City's files to indicate when this conversion took place.

The property is located in a developed neighbourhood adjacent to New Liskeard's traditional downtown core. The neighbourhood has a mix of uses including buildings with main floor office space and upper level residential units. Many of these buildings appear to be formerly detached homes that have been converted.

Adjacent Land Uses

North: Office and Residential

South: Commercial

East: Lane and Residential

West: Paget Street, Residential, and Office

Planning Analysis

Provincial Policy Statement (2014)

The property is located within the Settlement Area of the City of Temiskaming Shores. The following policies are applicable:

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.*

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 parking area on the property will service the commercial office building to the south and is in proximity to the downtown core area of New Liskeard;
- The property fronts on a municipally-owned and year-round maintained 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 Town Centres in the City of Temiskaming Shores Official Plan.

4.8 Town Centres

4.8.2 *The intent of the Plan is to strengthen the role of New Liskeard's town centre as key to the economic health of Temiskaming Shores through the following policies:*

- a. *New Liskeard's town centre will be sustained as the City's primary commercial area, characterized as an area of mixed-use development dominated by a full range of retail, service commercial uses, financial, professional and personal service uses and upper storey commercial and residential uses. Large format retail stores will be strongly encouraged to locate in the town centre.*
- b. *Existing residential and other uses will also be permitted; however, new standalone residential uses will be discouraged.*
- c. *On the western perimeter of New Liskeard's town centre, on Whitewood Avenue, new retail format commercial uses will also be permitted as well as a mixed use node of existing commercial, residential and industrial uses along Rokeby, Scott, and Jaffray Streets and Whitewood Avenue. Residential buildings may be converted to professional offices, personal service uses and small scale commercial uses between Wellington, Paget and Scott Streets provided any impacts of conversions on abutting residential uses are addressed (eg. parking, access).*

In my opinion, the Zoning By-law amendment application meets the intent of the Official Plan policies in the following ways:

- The lots making up the property at 37 Paget Street were recently deemed with the lots making up 25 Paget Street to create one property. The proposed Zoning By-law amendment makes the zoning consistent across the merged property;
- The use of the property for a parking area will be accessory to the main office use on the property;
- The conversion of the property to a parking area will increase the amount of off-street parking available in this area and may improve existing traffic and parking concerns along this stretch of Paget Street.

Township of Dymond Zoning By-law 984

The property is currently zoned Medium Density Residential (R3) in the Town of New Liskeard Zoning By-law 2233. The purpose of the amendment is to change the zoning to Downtown Commercial (C2) to allow the conversion of the property to a parking area to service the NEOFACS office building to the south.

Existing uses in the surrounding neighbourhood include both large and small office uses and residential uses. Many of the buildings along Paget Street between Whitewood Avenue and Spruce Street are multi-unit, mixed use buildings with some having office space on the main floor.

Given the concentration of office uses, and the neighbourhood being directly adjacent to the traditional downtown core area, parking has been a concern along this section of Paget Street. 90-minute parking is permitted on both the east and west side of the street, and the Temiskaming Transit route runs along this section of street as well. It is anticipated that increasing the availability of off-street parking will have a positive impact on traffic conditions along this section of Paget Street.

The C2 zone requires a planting strip along any portion of a rear or side lot line that abuts a residential zone. The adjacent property to the north is zoned Medium Density Residential (R3) and therefore the planting strip

will be required. The zoning by-law requires planting strips to be at least 3m wide with a vertical dimension of 1.5m. The planting strip must be located immediately adjacent to the lot line. A planting strip is defined as:

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 – No comments received.

Chief Building Official – No comments received.

Fire Chief – No comments received.

Director of Recreation – *I have no concerns with this application in terms of Recreation Services.*

Director of Corporate Services – No comments received.

City Manager – *I have no concerns.*

Clerk – *The Clerk's Office has no objections to application ZBA-2015-06(NL).*

Economic Development and Funding Application Coordinator – *I think this is a great idea and hopefully will assist to solve traffic problems that have been in place on Paget St. for many years.*

Tax Collector / Treasurer – *I have no concerns with the zoning amendment.*

Public Comments: No comments received as of October 26, 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



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.:	_____
Date Received:	_____
Roll No.:	_____

1. Owner Information

Name of Owner: North Eastern Ontario Family and Children's Services

Mailing Address: 707 Ross Ave E - Timmins. ON P4N 8R1

Email Address: Paul.Ethier@neofacs.org Phone: 705-360-2102

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:

4. Location of the Subject Land

Dymond New Liskeard Haileybury

Municipal Address

37 Paget Street

Legal Description

Plan M11NB Lot 10 Lot 11 PCL 3736SST

Date the subject land was acquired by the current owner: Summer of 2010

5. Property Information

Lot Area: 10,947 Square Feet

Road Frontage: 80.52 feet

Water Frontage: 0

Lot Depth: 135.96 feet

Lot Width 80.52 feet

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: Residential East: Commercial

South: Commercial West: Residential

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:

N/A

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): Town Centre

Explain how the application conforms to the Official Plan: _____

A commercial parking area is permitted accessory to a commercial use

Current Zoning: Medium Density Residential (R3)

Requested Zoning (if applicable): Downtown Commercial (C2)

Reason why rezoning is being requested (if applicable): _____

To permit the creation of a parking area to service the commercial use on the property located at 25 Paget Street

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:

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.

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.

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): _____

Other (Please state): Parking Area

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):

	Building or Structure # 1	Building or Structure # 2	Building or Structure # 3	Building or Structure # 4	Building or Structure # 5
Type or use of building or structure					
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 ²)					
Year constructed					

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 checked="" 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 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

Conforms to the Provincial Policy Statement (2014)

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?

Complies with Northern Ontario Growth Plan

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. _____
2. _____
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 _____ to make this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

Date

Signature of Owner

Date

Signature of Owner

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.

PE

Applicant Initial

Applicant Initial

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.

PE

Applicant Initial

Applicant Initial

Declaration of Applicant

TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I, Paul Ethier of the North Eastern Ontario Family and Children's Services
in the City of Temiskaming make oath and say (or solemnly
declare) that the information contained in this application is true and that the information contained in the
documents that accompany this application is true and I make this solemn declaration conscientiously knowing
that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Timmins
in the Province of Ontario
this 29 day of September, 20 15



Signature of Applicant



A Commissioner for Taking Affidavits

Lynne Morel, a Commissioner, etc.,
Province of Ontario, for the Children's Aid Society.
Expires January 22, 2016.

Existing Wood Fence to be removed.

shed

← 8' →

Grass + Brush to Remain

New Parking to match existing Parking Area

≈ 50'



8' high precast Retaining Wall - Landmark Series by Armtec
chain link fence.

90'

slope

8' Retaining Wall c/w 6' fence on top

slope

New Parking Area to suit elevation of Paget Street

≈ 40'

80'

Sidewalk.

Paget Street

NTS

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 Medium Density Residential (R3) to Downtown Commercial (C2) in the Town of New Liskeard Zoning By-law 2233 37 Paget Street (Plan M11NB lots 10 and 11, Parcel 3736SST) Roll No. 5418-010-004-152.00

Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 c.p. 13, as amended, the Council of a Municipality may enact by-laws to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited;

And whereas By-law No. 2233 regulates the use of land and the use and erection of buildings and structures within the Town of New Liskeard, now the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. CGP-043-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to amend the Town of New Liskeard Zoning By-law No. 2233 to change the zoning on the property from Medium Density Residential (R3) to Downtown Commercial (C2);

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. 2233, as amended, is hereby further amended by rezoning Lots 10 and 11 on Plan M11NB, Parcel 3736SST, known locally as 37 Paget Street, as shown on Schedule "A" to this By-law, from the Medium Density Residential (R3) Zone to the Downtown Commercial (C2) Zone.
2. That all other provisions of By-law No. 2233 shall continue to apply.
3. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.
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.

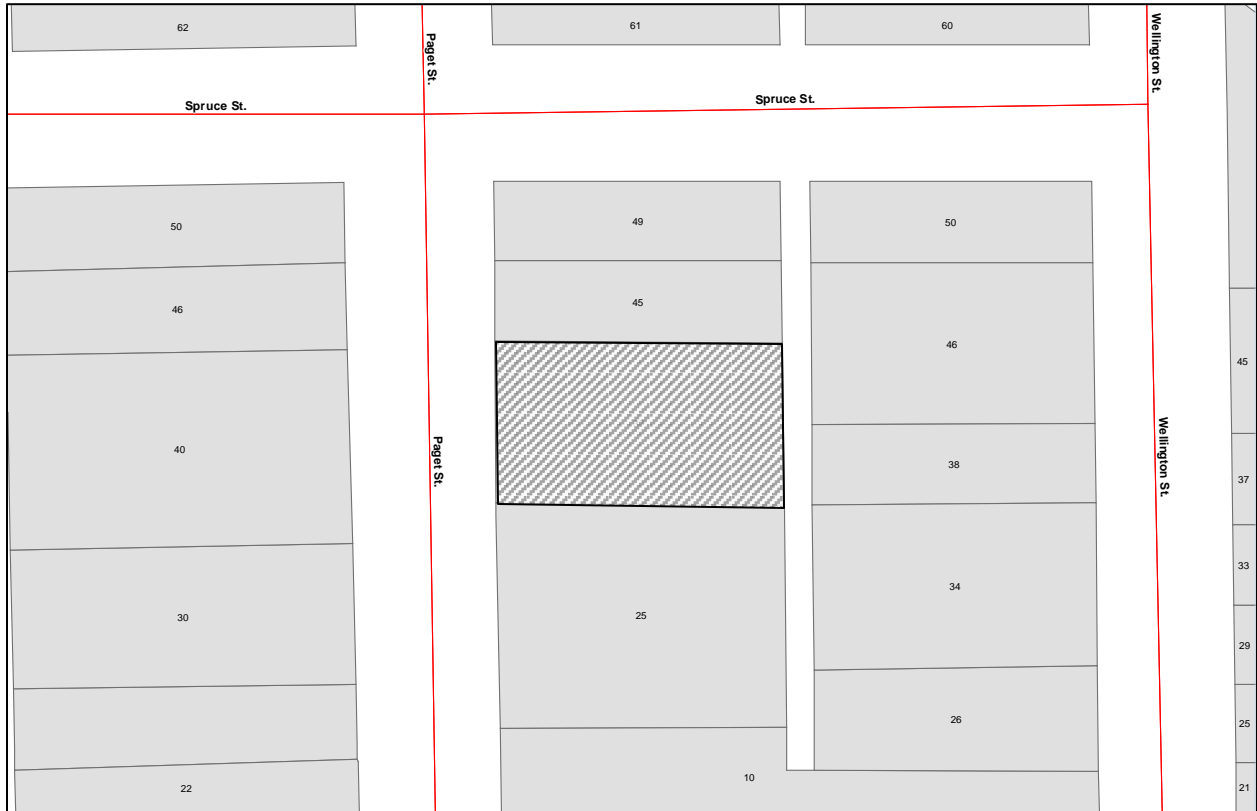
Read a first, second and third time and finally passed this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A" to By-law 2015-000

City of Temiskaming Shores



Rezoned from Medium Density Residential (R3) to Downtown Commercial (C2)

Memo

To: Mayor and Council
From: David B. Treen, Municipal Clerk
Date: November 3, 2015
Subject: Road Closure Request – Village Noel and Santa Claus Parade
Attachments: **Appendix 01:** Request for Closure

Mayor and Council:

Although By-law No. 2015-141 has delegated the authority to approve Temporary Road Closures to the Director of Public Works and/or Roads Superintendent, the Director is of the opinion that this particular road closure should be directly endorsed by Council. By bringing this initiative before Council it would provide an opportunity for discussion and promotion of the event along with the annual Santa Claus Parade.

Appendix 01 – Request for Closure from the organizing committee of the Village Noel is seeking to have Whitewood (Paget to May) and Armstrong (Whitewood to Church) closed from 6:00 p.m. Wednesday November 25, 2015 to 6:00 am Sunday November 29, 2015. There is also a request to keep a portion of Armstrong (Whitewood to end of Tench Ins.) closed until noon to allow dismantling of the First Nation Tepee.

In order to avoid confusion it is recommended that the entire road closure remain in effect until noon on Sunday November 29, 2015. If there is an opportunity to open sections of roadway in a safe manner prior to noon crews can do so. In 2014 the road closure remained in place until midnight on Sunday evening.

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



Thursday, September 17th 2015

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

**RE: PERMISSION FOR ROAD CLOSURE FOR VILLAGE NOËL TEMISKAMING,
NOVEMBER 26 to NOVEMBER 29th, 2015**

Dear Mayor Kidd,

The organizing committee of the *Village Noël Temiskaming* is in the process of planning this huge event for Thursday November 26th to Sunday November 29th 2015. We are asking the City of Temiskaming Shores for permission to close Whitewood Avenue from Paget Street to May Street and Armstrong Street from the corner of Armstrong and Whitewood to Church Street from the hours of 6:00 p.m. on the Wednesday night, 25th of November. We seek the City's collaboration on this so that crews will be able to place the 25 kiosks on the streets and so that artists can set up their kiosks and be ready for the "Lighting of the Lights Ceremony" at 6 p.m. on the Thursday. We request the streets be closed until 6 a.m. Sunday November 29th to allow crews to remove the kiosks and other related items.

We would, however, ask that part of the street at the corners of Whitewood and Armstrong, from the corner of the street to the entrance post of the parking lot behind Tench Insurance and Giant Tiger remain closed until noon on the Sunday November 29th so that First Nations can remove their tepee. If this is not allowed, First Nations would have to take down their tepee Saturday, during the day, and as this is a long process, this would hinder pedestrian circulation and take away from Village Noël's charm and ambiance.

Please advise us if there is any other information that you require. We look forward to hearing from you and thank you in advance for your cooperation on this matter.

Sincerely
Réjeanne Bélisle-Massie, Chair, Village Noël Temiskaming

Subject: Amendments to By-law No. 2008-160
Procedural By-law

Report No.: CS-034-2015
Agenda Date: November 3, 2015

Attachments

Appendix 01: Tracked changes/Proposed amendments

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-034-2015;
2. That Council acknowledges the proposed amendments to the Procedural By-law and directs staff to prepare the necessary by-law to amend By-law No. 2008-160 for consideration at the December 1, 2015 Regular Council meeting; and
3. That Council directs staff to provide public notice of the proposed amendments in accordance with the City's Notice By-law (No. 2004-022).

Background

Section 238 of the Municipal Act, 2001, as amended provides that every municipality shall pass a procedure by-law for governing the calling, place and proceeding of meetings. The City of Temiskaming Shores' Council proceedings are governed by By-law No. 2008-160, as amended.

In light of the 2014 Municipal Election (new Council) and several occurrences over the past few months it has been felt warranted to review the procedural by-law with the objective of implementing amendments that would enhance its overall effectiveness.

Analysis

Staff reviewed By-law No. 2008-160, as amended and identified proposed amendments for consideration. These amendments were subsequently reviewed and considered at the Corporate Services Committee meeting held on October 13, 2015. The results of the review with the Corporate Services Committee are as indicated in **Appendix 01 – Tracked Changes/Proposed Amendments**. Some of the more prominent proposed amendments are explained and summarized as follows:

6.13 Confidentiality

Traditionally this Affirmation of Confidentiality has only been executed by members of Council; however it should be executed by staff also in attendance at closed meetings. When deemed appropriate has been added as not all persons may be at the inaugural meeting.

7. Special Meetings

This section was silent with respect to ensuring a quorum, this will cause the Clerk to ensure a quorum can be achieved.

21.3 Providing Notice

With the advancement with social media, staff sometimes finds it advantageous to go beyond the minimum notice requirements (i.e. use of facebook). Subject to the approval of Council was removed as in most cases the timeframe to obtain such approval is not practical.

36.4 Reports from Municipal Officers

With the advancement in technology (i.e. electronic Council Package) the timeframe for staff to submit reports and for staff to compile reports for Council package have been modified to allow more time to submit reports.

37.7 Delegations

Incorporates a new provision to permit the Clerk to deny any delegation request that implies or threatens legal action. All such matters would be handled by the City Manager through legal venues (i.e. Municipal Solicitor and/or Court system). The City Manager would, as in the past continue to inform Council of pending legal matters in closed session.

37.14 Delegations

This provision was added for the purpose of ensuring that follow up is assigned to a specific person or department.

Appendix 01 – Affirmation

Included the wording for 6.13 (a) such that the individual signing the affirmation understands the necessity of the affirmation as well as modified the affirmation such that it is not specific and limited to Council members.

Council also heard a delegation on September 15, 2015 requesting that Council amend the procedural by-law in four areas interpreted as follows:

Delegations: Any taxpayer should be permitted at the spur of the moment to address Council and should not have to make arrangements through the Clerk.

Delegations are required to pre-arrange with the clerk such that the presentation is in keeping with the criteria of the procedural by-law (i.e. non legal matter, not related to labour management dispute, etc).

Mayor's Role: To chair the meeting, present the topics and express his take on the topic and permit each Councillor to make up their own minds without any influence. Mayor should not have a vote.

Section 243 of the Municipal Act states in part “every member of a council shall have one vote.”

Voting: If a policy is important enough to require a vote it should be a recorded vote. All motions should have a recorded vote.

Section 246 (1) of the Municipal Act states in part “if a member present, at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present shall announce his or her vote openly and the clerk shall record each vote”.

Minutes: Minutes should also include comments and statements from members of Council as debated, not just the decision.

Section 228 (1) of the Municipal Act under duties of the Clerk it states in part “to record, without note or comment, all resolutions, decisions and other proceedings of the council.”

Staff does **not** recommend any amendments to the Procedural By-law based on the above.

At the October 20, 2015 Regular meeting of Council correspondence was received indicating that the Anglican Church has been praying for Council. Also included in the letter was a statement to the effect that they were sad to find out the element of prayer before a meeting (Council) was missing. It should be noted that on April 15, 2015 the Supreme Court of Canada ended the ability for Prayer at Council. An explanatory reply has been sent.

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 are no financial or staffing implications with respect to these proposed amendments.

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed by:

Reviewed and submitted for Council’s consideration by:

“Original signed by”

“Original signed by”

“Original signed by”

David B. Treen
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. 2008-160

Procedural By-law

Whereas Section 238 of the Municipal Act, 2001, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceeding of meetings;

And whereas Council, at its Council-in-Committee meeting held on 4th day of November, 2008 adopted Recommendation No. 2008-289 approving the adoption of the Procedural By-law.

And whereas Notice of the Public Meeting in the matter of the Procedural By-law was given by way of an advertisement in the Temiskaming Speaker on the 19th day of November, 2008 and on the 21st day of November, 2008;

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

1. That the Council for the City of Temiskaming Shores hereby adopts a Council Procedural Policy, 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.

Read a first, second and this 18th day of November, 2008.

Mayor

Clerk

Read a third and final time and finally passed this 2nd day of December, 2008.

Mayor

Clerk



Schedule "A" to

By-law No. 2008-160

**City of Temiskaming Shores
Procedural By-law**

The Corporation of the City of Temiskaming Shores
Procedural By-law No. 2008-160

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Part 1 - Meetings of the Council

1. Definitions

In this by-law:

- 1.1 **Ad Hoc Committee** means a Committee established by Council to review a specific matter and once the Committee has reported with respect to its findings and recommendations, the Committee is automatically dissolved.
- 1.2 **Call the question** means that the vote on the motion shall be taken.
- 1.3 **Chair** means the Mayor or the Presiding Officer of a meeting.
- 1.4 **City Manager** means the City Manager of the Corporation.
- 1.5 **Clerk** means the City Clerk or the Deputy City Clerk of the Corporation.
- 1.6 **Closed Session** means that part of a meeting closed to the public in accordance with the provisions of the Municipal Act.
- 1.7 **Corporation** means The Corporation of the City of Temiskaming Shores.
- 1.8 **Defer, Deferred or Deferral**, when used in connection with a matter or item before the Council or a Committee, means that the matter or item is to be dealt with later in the same meeting, or at the next meeting of the same body, or at the meeting of the same body that it specified in the motion to defer.
- 1.9 **Delegation** means a person or persons intending to address the Council or Committee on a matter where a decision to the Council may be required.
- 1.10 **Deputy Mayor** means the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-law.
- 1.11 **Emergency Meeting** means a meeting where the health or welfare of the community is involved.
- 1.12 **Ex-officio** means by virtue of office or position and carries with it the right to participate fully in all committee meetings and to vote unless prohibited by law, but does not count towards a quorum.
- 1.13 **Holiday** shall mean any holiday as defined in the Interpretation Act, R.S.O. 1990, c.1.11 or Boxing Day.
- 1.14 **Improper conduct** means conduct which offers any obstruction to the deliberations or proper action of Council.
- 1.15 **In-Camera** means a closed session of Council which is closed to the public in

accordance with the Municipal Act.

- 1.16 **Inaugural Meeting** means the first meeting of Council held after a municipal election in a regular election year.
- 1.17 **Local Board** means a local board as defined in the Municipal Act, 2001.
- 1.18 **Majority Vote** means the vote of more than half of the members present at a properly constituted meeting at which a quorum is present.
- 1.19 **Mayor** means the Head of Council acting as the Chief Executive Officer of the Corporation.
- 1.20 **Meeting** means any regular, special or other meeting of a Council, or a local board or of a committee of either of them.
- 1.21 **Members of Council** means any Councillor and the Mayor of the Council.
- 1.22 **Motion** means a proposal by a member for the Council to adopt a resolution.
- 1.23 **Municipal Act** means the Municipal Act, S.O. 2001, c. 25, as amended and any successor legislation thereto.
- 1.24 **Municipal Election** shall mean a general municipal election held pursuant to the Municipal Elections Act.
- 1.25 **Newspaper** means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than seven (7) days, consisting in great part of news of current events of general interest.
- 1.26 **Notice of Motion** means a signal of intent to have a motion dealt with at a subsequent meeting.
- 1.27 **Officer** includes the City Manager and the members of the Senior Management Team employed by The Corporation of the City of Temiskaming Shores.
- 1.28 **Open Session** means any part of a meeting not in "closed session".
- 1.29 **Pecuniary Interest** means a direct or indirect interest within the meaning of the Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50, as amended, and any subsequent legislation thereto.
- 1.30 **Petition** means a written request signed by one or more persons.
- 1.31 **Point of Order** means an issue to which a member calls attention to:
- (a) any breach of the rules of order pursuant to this Procedural By-law; or
 - (b) any defect in the constitution of any meeting; or

- (c) the use of improper, offensive or abusive language; or
 - (d) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
 - (e) any other informality or irregularity in the proceeding of the meeting.
- 1.32 **Point of Personal Privilege** means a matter that a member of Council considers to impugn the integrity of the Council or the individual member.
- 1.33 **Presentation** means the presentation of material, reports or studies to assist Council in their deliberations on a particular subject matter.
- 1.34 **Presiding Officer** means
- (a) The Mayor, or
 - (b) in the absence of the Mayor, the Deputy Mayor, or
 - (c) a member appointed pursuant to Section 10.
- 1.35 **Public Meeting** means a public meeting under the Municipal Act or the Planning Act, or any other statute that requires the Council to hold a public Meeting.
- 1.36 **Public Notice** means a public notice published in accordance with the City's Notice By-law.
- 1.37 **Published** means published in a daily or weekly newspaper that, in the opinion of Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby and "publication" has a corresponding meaning.
- 1.38 **Question and Answer Period** means an opportunity for members of the Public to submit a question to Council pertaining to an item on the Council Agenda or the business of Council. It does not constitute a forum for comments or statements by members of the public.
- 1.39 **Quorum** means the minimum number of members who must be present at the meetings for business to be legally transacted.
- 1.40 **Recorded Vote** shall mean the recording of the name and vote of every Member of Council on any matter of question, subject to the Municipal Conflict of Interest Act.
- 1.41 **Regular Meeting** means a scheduled business meeting held in accordance with the approved calendar/schedule of meetings.
- 1.42 **Resolution** means the decision of the Council on any motion ~~including a Recommendation adopted at a Committee of the Whole meeting.~~
- 1.43 **Rules of Order** shall mean the rules, established by this by-law to govern the

proceedings of Council and its Committees.

1.44 **Special Meeting** means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.

2. General Provisions

- 2.1 The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of the Council and wherever possible, with the necessary modifications, for all committees of Council, unless otherwise prescribed.
- 2.2 The rules and regulations contained herein may not be suspended except by an affirmative vote of **2/3 of the members** of Council present and voting.
- 2.3 A word in this by-law interpreted in the singular number has a corresponding meaning when used in the plural. Words importing a single gender should be read to be inclusive of both genders.
- 2.4 The Mayor may be addressed as "Mayor (surname inserted)" or as "Your Worship".
- 2.5 A Member of Council may be addressed as "Councillor (surname inserted)".

3. Inaugural Meeting

- 3.1 The Inaugural Meeting date shall be held on the first Monday of December in an election year at 6:00 p.m.
- 3.2 The Inaugural Meeting shall be ceremonial in nature for purposes of the members of Council taking their Oath of Allegiance and Declaration of Office.
- 3.3 The Inaugural Meeting may be opened with a prayer by an officiating clergy chosen by the Head of Council elect.
- 3.4 No business shall be conducted at the Inaugural Meeting until the Oath of Allegiance and Declaration of Office have been taken.
- 3.5 At the Inaugural Meeting, Council shall appoint, by by-law a Councillor as Deputy Mayor.
- 3.6 At the Inaugural Meeting all required Council appointments to local boards and committees shall be appointed for the term of the Council unless otherwise provided by statute or by law.
- 3.7 At the Inaugural Meeting Council liaison representatives are required to be appointed to the following municipal departments;

- Corporate Services/Finance
- Protection to Persons & Property/Fire
- Recreation ~~Leisure~~ Services
- Public Works
- Economic Development/Tourism

4. Regular Meetings

- 4.1 Regular meetings of the Council shall be held on the first and third Tuesdays of each month commencing at 6:00 p.m., unless otherwise decided by Council.
- 4.2 Council may change the date of a Regular meeting by resolution.
- 4.3 If a Tuesday designated for the holding of a Council meeting falls on a public holiday, or on a day when City Hall is closed for business, Council shall meet on the next business day.

4.4 Postponement - Emergency

The Mayor may, when an emergency or extraordinary situation arises, postpone a meeting for not more than 7 days.

4.5 Postponement — Notice by Clerk

Upon the postponement of a meeting by the Mayor in accordance with section 4.4 of this by-law, the Clerk shall attempt to notify the members of Council on the postponement as soon as possible and in the most expedient manner available.

5. Public Meetings

- 5.1 Except as provided in Section 6, all Council meetings shall be open to the public.
- 5.2 Meetings shall be held in the Council Chambers of City Hall situated at 325 Farr Drive unless otherwise decided by Council.

6. Closed Session Meetings

- 6.1 A meeting or part of a meeting may be closed to the public if the subject matter being considered is;

- (a) the security of the property of the municipality or local board;
- (b) personal matters about an identifiable individual, including municipal or local board employees
- (c) a proposed or pending acquisition or disposition of land for municipal or local board purposes;
- (d) labor relations or employee negotiations;
- (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (g) a matter in respect of which the Council has authorized a meeting to be closed under another Act.

6.2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*.

6.3 Before holding a meeting or part of a meeting that is to be closed to the public, Council, shall state by resolution;

- (a) the fact of the holding of the closed meeting;
- (b) the subsection(s) of the Municipal Act, which authorizes each item to be considered at the closed session; and
- (c) the general nature of the subject matter to be considered at the Closed meeting.

6.4 Once in a closed session, no item shall be added to the agenda for that closed session.

6.5 The Presiding Officer may call an in-camera/closed meeting after 6:00 p.m. on any Regular meeting night to discuss the matters referred to in the above paragraph 6.1.

6.6 If a meeting is in-camera/closed to the public:

- (i) the Presiding Officer shall inquire as to whether any member present has a conflict of interest, to allow a member to declare any conflict, the reasons therefor and leave the meeting;
- (ii) no resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the *Municipal Freedom of Information and Protection of Privacy Act*.

- 6.7 Notwithstanding this section, a meeting shall not be closed during the taking of a vote, unless the vote is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the municipality, or persons retained by or under contract with the municipality.
- 6.8 Minutes shall be kept of all closed meetings, identifying the members present and absent, and the senior staff present, in the same fashion as those kept for open sessions and shall correspond directly to the prepared closed session agenda and shall note any direction given pursuant to section 6.7 above.
- 6.9 For discussion of items regarding confidential matters related to an individual employee during a closed session, the City Manager will designate which staff members may be present.
- 6.10 For discussion of items regarding confidential matters related to the City Manager, the Mayor will designate which staff members may be present.
- 6.11 The Clerk may require that extra copies of any reports or documents circulated at a closed session regarding confidential matters related to an individual employee be collected by the Clerk and returned to the Human Resources Department.
- 6.12 The Clerk shall be responsible to maintain a confidential copy of all agendas and minutes of closed sessions.

6.13 **Confidentiality**

- (a) Every person to be in attendance at an in-camera/~~closed~~ meeting held pursuant to this section shall make an Affirmation of Confidentiality at the Inaugural Meeting of the Council ~~or when deemed appropriate~~ and execute a Confidentiality Agreement in the form attached as ~~Appendix 01 Schedule "A"~~.
- (b) No person in attendance at an in-camera meeting called pursuant to this section shall disclose to any person that was not in attendance at the meeting any of the information provided at such in-camera meeting.
- (c) Exception: If a Member of Council is not in attendance at an in-camera meeting for any reason other than a Declaration of a Conflict of Pecuniary Interest, he or she may request a copy of the information provided at such in-camera meeting. No Member of Council shall disclose information provided at an in-camera meeting to another Member of Council that is not in attendance due to a Conflict of Pecuniary Interest declared pursuant to the *Municipal Conflict of Interest Act, 1990*.

6.14 **Educational or Training Sessions**

- (a) The Council may meet from time to time for educational or training sessions

during in-camera meetings pursuant to section 239.3(1) of the Municipal Act, 2001, (S.O. 2001, c.25) provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council.

- (b) Before holding a meeting or part of a meeting in-camera for educational or training purposes, Council shall state by resolution,
 - (i) the fact of the holding of the closed meeting;
 - (ii) the general nature of the subject matter to be considered at the closed meeting; and
 - (iii) that it is closed pursuant to section 239.3(1) of the Municipal Act.

6.15 **In Camera/Closed Meeting Investigator**

In accordance with Section 239.1 (b) of the Municipal Act, 2001, as amended, the Ombudsman shall conduct an investigation, upon the request of any person, to determine if the municipality complied with Section 239 of the Municipal Act or the City's Procedure By-law in respect of a meeting or part of a meeting that was closed to the public.

7. **Special Meetings**

7.1 The Mayor may summon a Special Council Meeting at any time upon giving written direction to the Clerk directly or through the City Manager, stating the date, time and purpose of the Special Meeting.

7.2 The Clerk shall notify members of Council of the pending Special meeting with the objective of obtaining a quorum. Once satisfied that a quorum will be reached, Upon the receipt of a petition of the majority of the members of Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition.

7.3 **Special Meetings — Notice**

Notice of a Special Meeting called in accordance with this by-law shall be delivered to the members of Council by telephone, facsimile transmission and/or electronic mail, to the phone number, fax number or e-mail address as provided by the members. The Clerk or the Clerk's representative shall use their best efforts to forward members of Council and the media all notices and agendas for Special Council Meetings a minimum of 24 hours in advance of such meetings.

7.4 **Special Meetings — Business Specified**

No business except the business dealing directly with the purpose mentioned in the notice shall be transacted at a Special Meeting.

8. Emergency Meetings

8.1 In the case of a disaster or emergency as defined in the municipality's Emergency Plan, an Emergency Meeting may be held without notice, to deal with the emergency or extraordinary situation, provided that an attempt has been made by the Clerk or the Clerk's representative to notify the members of Council and the media about the meeting as soon as possible and in the most expedient manner available.

8.2 Emergency Meetings — Business Specified

No business except the business dealing directly with the emergency or extraordinary situation shall be transacted at an Emergency Meeting.

9. Quorum

A majority of all members shall constitute a quorum.

10. Meeting Time

10.1 The Mayor, or in his/her absence, the Deputy Mayor, shall call members to order as soon after the meeting time as a quorum is present.

10.2 If the Mayor and Deputy Mayor are not present within thirty (30) minutes after the meeting time, the Clerk shall call the members to order and if a quorum is present, a member shall be chosen from among those present to preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

10.3 In the election of a Presiding Officer, the Clerk shall call the meeting to order and preside.

10.4 If there is no quorum within thirty (30) minutes after the meeting time, the Clerk shall call the roll, take down the names of the members present, and declare the meeting cancelled.

10.5 Unless otherwise determined by Council resolution, all regular Council meetings shall commence at 6:00 p.m. in the Council Chambers of City Hall.

10.6 If during the course of a meeting, the quorum is lost, then the meeting shall stand recessed and shall reconvene when a quorum is regained. In the event that the quorum is not regained within thirty (30) minutes, then the Clerk shall record in the minutes the names of those present and the meeting shall be ended without a formal adjournment.

10.7 The minutes of the meeting which ended because a quorum was lost, shall note

that the quorum was lost and shall include the names of the members present at the time the quorum was lost.

11. Absence from Meetings

The members of Council shall inform the Clerk of all planned absences, late arrivals and early departures from a meeting in order that the recording of the minutes of such meeting may accurately reflect attendance (i.e. vacation, illness, other municipal business, personal).

12. Conduct

12.1 The Presiding Officer shall preserve order and decorum.

12.2 The Presiding Officer may expel or exclude from any meeting any person who is guilty of improper conduct.

12.3 No person except a member or officer shall be allowed to approach beyond the podium ~~come within the bar~~ during a Council meeting without permission of the Presiding Officer.

12.4 Every member, prior to speaking, shall address the Presiding Officer, shall confine his remarks to the question and shall not use any indecorous or offensive language.

12.5 When two or more members raise their hands to be recognized, the Presiding Officer shall name the member whom he/she first recognizes.

12.6 Upon being recognized by the Presiding Officer, a member shall address the Presiding Officer.

12.7 While the question is being put, no one shall walk across or out of the Council Chambers, make any noise or disturbance or hold any private conversations, nor when a member is speaking shall any other member hold discourse or interrupt the speaker.

13. Language

13.1 No member shall speak disrespectfully of Her Majesty the Queen or of any member of the Royal Family, the Governor-General, Lieutenant-Governor or a Minister of the Crown.

13.2 No member shall use offensive words in or against the Council or against any member thereof.

13.3 No member shall disobey the decision of the Presiding Officer on questions of order or upon the interpretation of the rules of the Council.

13.4 In case a member refuses to obey the order of Council, or a decision of the Presiding Officer on questions of order or practice or upon the interpretation of the rules and should a member persist in such disobedience after having been called to order, the Presiding Officer may forthwith order him or her to vacate the Council Chamber or place where the meeting is being held. If the member apologizes he or she may, by vote of Council, be permitted to re-take his or her seat.

14. Adjournment

A meeting shall always adjourn by 11:00 p.m. unless a majority of members vote otherwise.

Part 2 – Roles and Duties

15. Role of the Mayor

15.1 It is the role of the Mayor as the Head of Council:

- (a) to act as the Chief Executive Officer of the municipality;
- (b) to preside over Council meetings so that the business can be carried out efficiently and effectively;
- (c) to provide leadership to the Council;
- (d) to provide information and recommendations to Council with respect to the role of Council;
- (e) to represent the municipality at official functions;
- (f) to carry out the duties of the Head of Council under any Act; and
- (g) to fulfill the responsibility of the Head of Council as prescribed in the Temiskaming Shores Emergency Response Plan.

15.2 As Chief Executive Officer of the municipality, the Head of Council shall:

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality's activities;
- (c) act as the municipality's representative both within and outside the municipality, and to promote the municipality locally, nationally and internationally; and
- (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

16. Duty of the Mayor

16.1 It is the duty of the Mayor to preside at all Meetings of Council, and in addition to the requirements in the Municipal Act shall be responsible:

- (a) to open the Meeting of Council by taking the Chair and calling the meeting to order;
- (b) to receive and submit, in the proper manner, all motions presented by the members;
- (c) to put to vote all motions and announce the result;
- (d) to sit as an ex-officio member of any Committee of Council and to vote at such Meetings;
- (e) decline to put motions to a vote which infringe upon the rules of procedure;
- (f) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;
- (g) to enforce on all occasions, the observance of order and decorum among the members;
- (h) to call by name any member persisting in a breach of the rules of procedure and order the member to vacate the Council Chambers;
- (i) to permit the questions to be asked through the Mayor of any officer of the City for information to assist in any debate when the Mayor deems it proper;
- (j) to provide information relating to the business of the City;
- (k) to authenticate by signature all by-laws, agreements and minutes of Council;
- (l) to rule on any points of order raised by members;
- (m) to represent and support the Council;
- (n) to maintain order;
- (o) to adjourn the meeting when the business is concluded;
- (p) to carry out the duties of the Head of Council under the Municipal Act or any other Act; and
- (q) to act in accordance with his Oath of Allegiance and Oath of Elected Office.

17. Role of the Council

17.1 It is the role of the Council:

- (a) to represent the public and consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which service the municipality provides in accordance with applicable legislation;

- (d) to ensure that the administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (f) to maintain the financial integrity of the municipality; and
- (g) to carry out the duties of Council under the Municipal Act or any other Act.

18. Duty of Councillors

18.1 It is the duty of Councillors to attend all meetings of Council, and:

- (a) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;
- (b) to speak only to the subject under debate;
- (c) to vote on all motions before the Council unless prohibited from voting by law;
- (d) to observe proper procedure and decorum at all times;
- (e) to state questions to be asked through the Presiding Officer;
- (f) to support the Council once a decision is made;
- (g) to attend Local Board and Committee Meetings to which the member has been appointed by Council;
- (h) to carry out the duties of Councillor under the Municipal Act or any other Act; and
- (i) to act in accordance with their Oath of Allegiance, Oath of Elected Office and Confidentiality Agreement.

19. Duty of the City Manager

19.1 It is the duty of the City Manager to attend all Council Meetings, and:

- (a) to provide vision, leadership and enthusiasm for administration, planning, organizing, directing and controlling all municipal operations and services in accordance with the municipality's policies and relevant legislation;
- (b) to manage the assets, business and financial health of the municipality;
- (c) to manage the relationship between the elected officials and staff;
- (d) to provide municipal representation to government, media, community and

public organizations;

- (e) 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
- (f) to perform all duties listed in the City Manager's job description and other such duties as are assigned by the Council of the municipality.

20. Duty of the Clerk

20.1 It is the duty of the Clerk to attend all Council Meetings, and

- (a) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
- (b) to record, without note or comment, all resolutions, decisions and other proceedings of the Council, whether it is closed to the public or not;
- (c) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question (recorded votes);
- (d) to keep the originals or copies of all by-laws and of all minutes of the proceedings of the Council;
- (e) to perform other duties required under the *Municipal Act, Municipal Elections Act 1996*, or as required under any other Act;
- (f) to authenticate by signature all by-laws, agreements and minutes of Council;
- (g) to advise Council on parliamentary procedure; and
- (h) to perform all duties listed in the Clerk's job description and other such duties as are assigned by either the City Manager or the Council of the municipality.

Part 3 – Prescribed Notice

21. Notice of Meetings

21.1 Where notice of a Regular Public Meeting is required to be given, the Clerk shall cause such notice to be published in a newspaper at least five (5) days prior to the meeting.

21.2 No notice shall be required under this by-law, where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under Section 239 of the Act.

21.3 Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of providing notice or for a longer notice period or additional notices

where deemed desirable ~~by the Council and subject to the approval of the Council.~~

21.4 **Emergency Provision**

If a matter arises, which in the opinion of the City Manager, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the municipality, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived by the City Manager and the Clerk shall make his best efforts to provide such notice as is reasonable under the circumstances.

Part 4 – Voting and Debate Procedures

22. Conflict of Interest

22.1 All members have a personal obligation to comply with the *Municipal Conflict of Interest Act*.

22.2 A member shall declare a conflict of interest in accordance with the *Municipal Conflict of Interest Act* and

- (a) shall, prior to any consideration of the matter at a meeting, disclose the interest and the general nature thereof;
- (b) shall not take part in the discussion of, or vote on any motion in respect of the matter; and
- (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such motion.

22.3 If the conflict under section 22.2 above is with respect to an item on a closed session agenda, in addition to complying with the requirements of section 22.2 above, the member shall forthwith leave the closed session or that part of the closed session during which time the matter is under consideration.

22.4 Where the interest of a member has not been disclosed as required by section 22.2 above, by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise comply with section 22.2 above at the first meeting of Council attended by the member after the meeting referred to in section 22.2 above.

22.5 Subject to compliance by all members with the *Municipal Conflict of Interest Act*, the Presiding Officer may vote with the other members on all questions.

23. Duties of Presiding Officer

23.1 The Presiding Officer may answer questions and comment in a general way without leaving the Chair, but if he/she wishes to speak on a motion taking a definite position and endeavouring to persuade the Council to support that position, he/she must first leave the chair.

23.2 If the Presiding Officer desires to leave the chair for the purpose of taking part in the debate or for any other reason, he/she shall designate another member to fill his/her place until he/she resumes the Chair.

24. Voting

24.1 Every member of Council who shall be present when a question is put shall vote thereon unless he/she is disqualified to vote on the question. All votes shall be by show of hands except where a recorded vote is requested by any member.

24.2 The Presiding Officer shall announce the result of every vote.

25. Result of the Vote - Disagreement

Any member who disagrees with the announcement of the Presiding Officer that a motion is carried or lost may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken, subject to the next order of business not having been already introduced.

26. Tie Vote – Deemed Negative

Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. (Municipal Act, 2001, c.25, s.245).

27. No Vote – Deemed Negative

If any member present refuses to vote, for other than a conflict of interest, it shall be recorded as a vote in the negative.

28. Recorded Votes

28.1 Where required by statute, and whenever any member shall request a recorded vote, the names of those who vote for and against the question shall be entered in the Minutes.

28.2 Subject to the *Municipal Conflict of Interest Act*, where a recorded vote is requested each member present in the chamber shall announce their vote openly.

28.3 The Clerk shall begin the recorded vote with the member who requested the recorded vote, and proceed in random order to poll all Councillors and the Presiding Officer.

29. Privilege

29.1 A member may raise a point of privilege at any time if they consider that their integrity or the integrity of the Council as a whole has been impugned, whereupon the Presiding Officer shall:

- (a) interrupt the matter under consideration;
- (b) ask the member raising the point of privilege to state the substance of and the basis for the point of privilege; and
- (c) rule on the point of privilege immediately without debate by Council.

29.2 Where the Presiding Officer considers the integrity of any City employee has been impugned or questioned, the Presiding Officer may permit the City Manager to make a statement to the Council.

30. Points of Order and Bourinot's Rules

30.1 The Presiding Officer may call to order any member who is speaking.

30.2 A member called to order shall remain seated and shall not speak until the point of order has been determined by the Presiding Officer, unless permitted to explain.

30.3 Whenever the Presiding Officer elects or is required to decide a point of order, the point shall be stated, a ruling made and the reason therefore given by the Presiding Officer.

30.4 In the event that this by-law does not address an issue, then Bourinot's Rules of Order shall apply.

30.5 No member shall disobey the decision of the Presiding Officer on questions of order or upon the interpretation of the rules of the Council.

30.6 In case a member refuses to obey the order of Council, or a decision of the Presiding Officer on questions of order or practice or upon the interpretation of the rules and should a member persist in such disobedience after having been called to order, the Presiding Officer may forthwith order him or her to vacate the Council

Chamber or place where the meeting is being held. If the member apologizes he or she may, by vote of Council, be permitted to re-take his or her seat.

30.7 Speaking Order

- (a) When a member is speaking, no other member may speak or shall make any disturbance or pass between the speaker and the Presiding Officer or interrupt the speaker, except to raise a point of order.
- (b) Every member shall speak only to the matter under debate upon being recognized by the Presiding Officer for a maximum of five (5) minutes.

30.8 Any member may require the motion under discussion to be read at any time, but not so as to interrupt a member speaking.

30.9 Without leave of the Presiding Officer, no member shall speak more than once on the same question, except to explain, without introducing new matter, a material part of a speech which may have been misconceived.

31. The Question

31.1 When a question is finally put by the Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.

31.2 A decision by the Presiding Officer that the question has been finally put shall be conclusive.

31.3 No member shall comment upon any vote by the Council.

32. To Amend the Rules

32.1 No rule contained in this by-law shall be repealed, altered or amended unless the Clerk receives two weeks written notice of any member's intent to introduce an amendment.

32.2 Public Notice of any amendment to the Procedural By-law shall be provided in accordance with the City's Notice By-law.

33. To Amend Motions

33.1 Every amendment shall be in writing and shall be decided or withdrawn before the main question is put.

- 33.2 Only one amendment shall be allowed to an amendment.
- 33.3 Amendments shall be put in reverse order to that in which they are moved.
- 33.4 If a vote on an amendment is carried, then the main motion shall be deemed to be carried.
- 33.5 Any member may request the Presiding Officer to divide any motion or report into such parts as the member may submit and the Presiding Officer shall make a ruling on whether to divide the motion.
- 33.6 If a proposed amendment or an amendment to an amendment is lost, then unless a further amendment is put, the main question shall be put.
- 33.7 When putting an amendment, the Clerk shall read the wording as it appears in the main motion, read the proposed amendment and then read the wording as it would be if the amendment carried.

34. Reconsideration

No matter decided within the calendar year shall be reconsidered without the consent by resolution of the Council. Such consent shall require an affirmative vote of 2/3 of the members present and voting.

35. Inquiries

- 35.1 Inquiries about a matter may be raised by any member and put to the Presiding Officer or through him/her to the City Manager, who may call upon another officer to reply.
- 35.2 No argument or opinion shall be offered or fact stated except as is necessary to explain the inquiry or the answer.
- 35.3 A member and staff are not to debate the matter.
- 35.4 Inquiries may be in writing or may be made orally.
- 35.5 An officer shall reply promptly in writing in response to all requests for reports made by Council resolution.
- 35.6 The City Manager may provide an update of the status of matters remaining on file at the end of each Regular meeting.

Part 5 – Agenda and Motions

36. Agenda

36.1 The Clerk shall prepare for the use of the members an Agenda for the Regular Council meetings as follows:

1. Call to Order
2. Roll Call
3. Review of Revisions or Deletions to the Agenda
4. Approval of Agenda
5. Disclosure of Pecuniary Interest and General Nature
6. Review and Adoption of Council Minutes
7. Public Meetings pursuant to the Planning Act, Municipal Act and Other Statutes
8. Question and Answer Period
9. Presentations/Delegations
10. Communications
11. ~~Committees of Council – Community and Regional Committee Reports~~
12. ~~Committees of Council – Internal Departments Reports by Members of Council~~
13. Reports by Members of Council
14. Notice of Motions
15. New Business
16. By-Laws
17. Schedule of Meetings
18. Question and Answer Period
19. Closed Session
20. Confirming By-law
21. Adjournment

36.2 The business shall be taken up in the order in which it stands upon the Agenda in all cases except where the Presiding Officer deems it necessary or expedient to alter the order of business listed on the Agenda.

36.3 A copy of Committee reports/minutes, staff reports and communication items received by the Clerk no later than 4 p.m. on the Wednesday prior to a Council meeting shall be provided to all members of Council by circulation of the Agenda.

36.4 Reports From Municipal Officers

- (a) Reports from municipal officers shall be signed by the writer. Signatures are required from the writer and Director. The City Manager shall sign all reports to Council.
- (b) Reports shall be submitted to the City Manager no later than noon on the Wednesday before the Council Meeting for approval and signature.
- (c) Where the City Manager, in consultation with the Mayor, determines a matter to be of an extremely urgent matter, then a staff report submitted after Wednesday at 12 noon may be shown on the Agenda without copies being provided.
- (d) Any staff reports received by the Clerk after 12 noon on the Friday before a meeting shall be referred to the next following Council meeting.

36.5 Additions to the Agenda

- (a) In the event that an item(s) deemed to be time sensitive must be added to an Agenda that has already been posted and circulated to the public and the media, an Addendum shall be posted and circulated to the media at least 24 hours prior to the meeting in an effort to provide advance public notice;
- (b) Should an item deemed to be time sensitive need to be added to the Agenda without advance public notice such as during the "Review of Revisions or Deletions to the Agenda", Council shall vote to allow such item(s) to be added to the Agenda. Such additions shall require a majority n-affirmative vote of ~~2/3 of~~ the members present and voting.

37. Delegations / Presentations

37.1 Delegations

Delegations from members of the public may be received at Regular Meetings of Council.

37.2 Persons wishing to make a formal presentation to Council must register with the Clerk prior to 4:30 p.m. on the Wednesday preceding any Regular Meeting. A written copy of the submission shall be provided to the Clerk prior to 4:30 p.m. on the Thursday preceding a Regular Council Meeting.

37.3 The maximum number of presenters in any delegation (including the spokesperson) shall be three.

37.4 The Clerk shall inform the presenter of the guidelines affecting the delegation (e.g. maximum time, maximum of three presenters and adherence to subject).

37.5 Delegation exceptions

- (a) A public delegation, which has been registered with the Clerk may address matters of municipal jurisdiction for up to 10 minutes.
- (b) Notwithstanding subsections (a) above, no delegation shall be permitted when the subject matter to be addressed relates to a recommendation of any tribunal that has conducted a hearing under the Statutory Powers Procedure Act, R.S.O. 1990, c. 22, as amended.

37.6 No person will be permitted to address Council with respect to a labour management dispute or issue, unless provided for by legislation or collective agreement.

37.7 Any delegation request that implies or threatens legal action shall be denied. The City Manager may refer all such matters to Legal Counsel.

37.8 Presenters appearing before Council who have previously appeared before the same Council on the same subject shall be limited to providing only new information in their second or subsequent appearances for up to 5 minutes. A presenter is not permitted to appear before Council more than two times on the same subject matter.

37.9 In unique circumstances, the time limit may be extended by the Chair or a majority vote of the Council members present. Such question shall be decided by Council without debate.

37.10 No presenter shall:

- (a) speak disrespectfully of any person;
- (b) use offensive words or unparliamentary language;
- (c) speak on any subject other than the subject for which he/she received approval to address; or
- (d) disobey the rules of order or a decision of the Presiding Officer.

37.11 After the presenter has finished, members shall each have the opportunity to ask questions for clarification purposes only, and without debate.

37.12 The Presiding Officer may curtail any presenter, any questions of a presenter or debate during a delegation, for disorder or for any other breach of this Procedural By-law and, should the Presiding Officer rule that the delegation is concluded, the presenter shall withdraw immediately and shall be given no further audience by the Council.

37.13 Public delegations made at the beginning of the meeting may shall be considered by Council during the New Business portion of the Agenda.

37.14 Public delegations, depending on their nature, may be assigned by the City Manager to the appropriate Director and/or Committee of Council for follow up.

37.15 The Presiding Officer, at his/her discretion, may recognize a member of the public.

37.16 Presentations

Presentations may be received from municipal staff, public agencies, consultants retained by the municipality or the Municipal Auditor at a Regular Meeting of Council.

37.17 Presentations to Council from any of those listed in Section 37.14 shall be subject to a maximum time limit of thirty (30) minutes for their presentation unless otherwise decided by Council.

38. Notice of Motion

38.1 Notice of Motions shall be given in writing;

- (a) at a meeting of Council, but shall not be debated until the next regular meeting of Council or subsequent meeting specified by the member introducing the Notice of Motion; or
- (b) delivered to the Clerk at any time prior to noon of the last business day preceding the date of the meeting at which the motion is to be introduced.

38.2 Where a member's Notice of Motion has been called by the Presiding Officer at the subsequent meeting and not proceeded with, it shall be dropped from the agenda unless Council decides otherwise.

38.3 Where Council has determined not to drop a notice of motion from the agenda, and at the second meeting such notice of motion is called by the Mayor and not proceeded with, it shall be deemed to have been withdrawn.

39. Motions

39.1 Every motion shall be in writing, shall be seconded and shall be read by the Presiding Officer before debate or before being put from the Chair.

39.2 Where the question under consideration contains separate propositions then, at the request of any member of Council, any separate matter shall be put separately.

39.3 After a motion is read by the Presiding Officer, it shall be deemed to be in the

possession of the Council, but may be withdrawn at any time before decision or amendment.

40. Precedence

40.1 When a question is under debate, the only motions in order shall be:

1. to extend the time of the meeting;
2. to amend;
3. to lay on the table;
4. to postpone to a certain time and day;
5. to move the previous question.

These five motions shall have precedence in the order in which they are listed.

40.2 On a motion to postpone to a certain time and day, only the question of time and day so mentioned is open to debate, after an explanation by the mover of the motion.

40.3 A motion to refer for a staff report shall name the City Manager who shall determine the necessary staffing requirements and timelines for submission of a report back to Council.

Part 6 – By-laws and Correspondence

41. By-laws

41.1 By-law Presentation

- (a) No by-law shall be presented to Council unless there is a resolution to authorize the by-law.
- (b) Each member shall be supplied with a copy of every by-law prior to consideration of the by-law by the Council.
- (c) No by-law shall be introduced for first reading in blank or in imperfect form.
- (d) The Presiding Officer shall provide a brief description and summary of each by-law listed on the Agenda prior to calling the question on the first and second reading.

41.2 By-law Adoption

- (a) A by-law shall be passed by being given three readings.

- (b) A by-law shall be given each reading by reference to its by-law number in the same resolution in which all by-laws are being considered.
- (c) At the request of any member of Council, the reading of any by-law shall be deleted from a consolidated motion and dealt with by separate motion.
- (d) A by-law shall be deemed to have been read upon the number, title or heading being read or taken as read, unless a member requires the by-law or any portion thereof to be read in full.
- (e) The minutes of the meeting shall reflect both the number and the title of the by-law, notwithstanding that the motion refers only to the number of the by-law.

41.3 First Reading and Second Reading

The first and second reading of a by-law shall be decided by resolution without amendment or debate.

41.4 Third Reading

- (a) The third reading of a by-law shall be decided by resolution at which time the contents of the by-law shall be debated.
- (b) The contents of the by-law may be changed by an amending resolution to authorize the third reading.
- (c) An amending resolution may be introduced to refer the by-law for further consideration.
- (d) A by-law deferred for further consideration shall be considered at the next Regular Meeting of Council.

41.5 ~~Unless otherwise required by statute or by the direction of the Chair to be heard at two separate Council meetings, any by-law shall be given three readings and passed at the same meeting on a vote of a majority of all members by separate motions.~~

Comment [DT1]: 41.5 and 41.6 are redundant!

41.6 Every by-law which has been read a first and second time may, at the same meeting or at a subsequent meeting, be read a third time and finally passed.

41.7 Records

The Clerk shall endorse on every by-law the dates of the three readings thereof.

41.8 Every by-law passed by Council shall be numbered, sealed with the corporate seal, signed by the Mayor and the Clerk and the by-law shall be entered in a by-law register to be kept by the Clerk.

42. Minutes

After the minutes of each meeting of the Council have been approved by the Council, the minutes shall be immediately signed by the Mayor and Clerk.

43. Documents

All original documents, including by-laws, contracts, agreements, deeds, leases, bonds or other securities, addressed to or considered by the Council, shall remain in the custody of the Clerk.

44. Correspondence

44.1 Every communication to be considered by Council shall be in writing.

44.2 All correspondence addressed to "Mayor and Council" shall be opened by the Clerk's Office and date-stamped for the day on which it is received.

44.3 The Clerk, at his or her discretion, shall determine the method of distribution for correspondence addressed to "Mayor and Council" by either placing such correspondence in individual Council Member mail-boxes situated at City Hall, distribution by e-mail or included in the correspondence in the Communications section of the Council Agenda.

44.4 All correspondence referred to appropriate staff shall receive a response within six weeks following its receipt.

44.5 Requests for Proclamations shall be distributed in the Communications section of the Council Agenda with a "**Received for Information**" reference. Any member of Council may request that a proclamation be prepared and considered by Council at an upcoming meeting.

Part 7 - Committees

45. Ad Hoc Committee

45.1 Ad Hoc Committees may be established by Council, from time to time for consideration of special projects or in response to specific issues requiring immediate or long-term attention.

45.2 Prior to the establishment of an Ad Hoc Committee which Council has determined will include members of the public, the Clerk shall place an advertisement in a newspaper inviting members of the public to apply to be a member of the committee.

45.3 Each Ad Hoc Committee shall be given a clear mandate and well defined terms of reference that shall include:

- (a) the mandate,
- (b) the membership,
- (c) the composition, including the applicable staff members,
- (d) the reporting relationships,
- (e) the staff and other resources to be made available, and
- (f) a start and finish date.

45.4 The Chair and Vice-Chair shall be determined and appointed by the Council.

45.5 The Mayor shall be ex-officio, a member of all Ad Hoc Committees of Council and shall be entitled to vote and to make motions and amendments.

45.6 Any member of Council may attend and participate in meetings of Ad Hoc Committees, but only those appointed by Council resolution may vote.

45.7 The Ad Hoc Committee shall meet in accordance with the meeting schedule established by the Committee at a location to be determined by the Chair.

45.8 The Procedural Rules governing meetings of Council as set out in this by-law shall apply, with necessary modifications, to any meeting of an Ad Hoc Committee.

45.9 When an Ad Hoc Committee has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by Council.

45.10 Council may terminate an Ad Hoc Committee at its discretion at any time.

Part 8 – General Provisions

46. Severability

Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

47. Repeal

By-law No. 2004-110, as amended, is hereby repealed.

48. Enactment

This By-law shall take force and effect upon being passed.

**Affirmation of Confidentiality
of By-law 2008-160**

6.13 (a) Every person to be in attendance at an in-camera/closed meeting held pursuant to this section shall make an Affirmation of Confidentiality at the Inaugural Meeting of the Council or when deemed appropriate and execute a Confidentiality Agreement in the form attached as Appendix 01

I, _____, being a person to be in attendance at an in-camera/closed meeting member of the Council of The Corporation of the City of Temiskaming Shores, held pursuant to Section 6.13 of Schedule "A" to By-law No. 2008-160, as amended do hereby affirm that I will not disclose to any person any information or document arising from confidential Council meetings of The Corporation of the City of Temiskaming Shores that come to my knowledge or possession by reason of those meetings, except as I may be legally required or expressly authorized to do so or except as that information or document has otherwise already been properly made public.

Confidentiality Agreement

By signing this document, I agree that:

I will not disclose to any person any information or document communicated to me in a confidential meeting held by the Council of The Corporation of the City of Temiskaming Shores in connection with any matter designated as confidential by the Procedural By-law except as I may be legally required or expressly authorized to do so or except as that information or document has otherwise already been properly made public.

Signed, sealed and delivered at Temiskaming Shores, Ontario, this _____ day of _____, 20____.

Signature

Affirmed before me at the City of Temiskaming Shores in the District of Timiskaming this _____ day of _____, 20 _____.

David B. Treen, a Commissioner, etc.
While Clerk of the City of Temiskaming Shores

Subject: Performance Management
and Appraisal Policy

Report No.: CS-035-2015
Agenda Date: November 3, 2015

Attachments

Appendix 01 - Draft Performance Management and Appraisal Policy

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-035-2015; and
2. That Council directs staff prepare the necessary by-law to adopt a revised Performance Management and Appraisal Policy at the November 3, 2015 Regular Council meeting.

Background

The City of Temiskaming Shores is committed to building a skilled, knowledgeable, collaborative and respectful organization that thrives on quality customer service. The City of Temiskaming Shores is also committed to supporting the growth and development of employees through effective performance management.

The current Performance Management and Appraisal Policy (By-law No. 2012-145) has not been revised since 2012.

Analysis

Upon review of the current policy, including a review of best practices, staff identified a need for change and is proposing a revised Performance Management and Appraisal Policy.

The revised process is simplified and in line with the CUPE Local 5014 Collective Agreement as well as other applicable legislation.

The purpose of the City's performance management process is to align employee performance with the City's strategic plan and departmental goals and objectives.

This policy applies to all management/non-union and Union City employees, including but not limited to full-time, part-time, regular, and temporary.

Attached as Appendix 01 is the proposed draft policy.

Financial / Staffing Implications

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

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

Alternatives

Maintain current policy.

Submission

Prepared by:

Reviewed and submitted for
Council's consideration by:

“Original signed by”

“Original signed by”

Shelly Zubyck, CHRP
Director of Corporate Services

Christopher W. Oslund
City Manager

The Corporation of the City of Temiskaming Shores
By-law No. 2015-000
Being a by-law to adopt a Performance Management and
Appraisal Policy

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 CS-035-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to adopt a revised Performance Management Appraisal Policy for consideration at the November 3, 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 of The Corporation of the City of Temiskaming Shores hereby adopts a Performance Management and Appraisal Policy, attached hereto as Schedule "A" and forming part of this by-law;
2. That By-law No. 2012-145, as amended is hereby repealed;
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature of any 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule “A” to

By-law No. 2015-000

Performance Management and Appraisal Policy

PERFORMANCE MANAGEMENT AND APPRAISAL POLICY

Policy Statement and Purpose

The City of Temiskaming Shores is committed to building a skilled, knowledgeable, collaborative and respectful organization that thrives on quality customer service. The City of Temiskaming Shores is also committed to supporting the growth and development of employees through effective performance management.

The purpose of the City's performance management process is to align employee performance with the City's departmental goals and objectives.

Scope

This policy applies to all management/non-union and union City employees, including but not limited to full-time, part-time, regular, and temporary.

Performance Management

Performance Management is the process of linking individual performance actions and behaviours to the achievements of the City's and departmental objectives. At the City of Temiskaming Shores, this process is comprised of a cycle with three interrelated phases:

- 1. Performance Planning** – The supervisor and employee establish performance expectations, goals and objectives in alignment with the level of the position.
- 2. Performance Feedback and Coaching** – As the employee works throughout the review period to accomplish the established performance expectations, the supervisor observes performance and provides ongoing feedback and coaching. It is recommended that a midpoint review period meeting be conducted to ensure appropriate communication related to ongoing performance. The employee may also request coaching and feedback to improve/ develop performance.
- 3. Performance Assessment** – The supervisor conducts and documents a formal performance review with each employee at the end of every twelve month review period. The employee participates in this process by contributing a self-assessment. The supervisor sends the original signed performance appraisal form to Human Resources.

Provisions

Employees play an integral role in the City's success. Open, honest and regular feedback between supervisors and employees with regards to performance ensures that employees, at every level, understand what is expected of them in terms of performance results and behaviours.

The performance appraisal provides an opportunity for supervisors to record the employee's performance on an objective basis and establish a basis for assessment of annual progressive salary increases (merit increases) if applicable.

The performance appraisal form is completed at least every twelve months. The performance appraisal is conducted whether or not an annual progressive step increase in salary is pending.

Upon completion of an employee's probationary period, a performance appraisal is completed to ensure satisfactory performance.

The process helps to clarify expectations and evaluate results achieved. The performance appraisal provides opportunities to identify learning and development needs and to develop learning plans. The annual meeting also provides an opportunity for supervisors to discuss career plans with their employees.

The City Manager makes the final decision on ratings.

Responsibilities

City Manager:

Ensures that performance management is an ongoing priority for the City.

Provides documented performance appraisals for Directors on a twelve month interval.

Directors:

Ensure the implementation and maintenance of the performance management process in his or her department and report regularly on the results of the process to the City Manager.

Provides documented performance appraisals for direct reports on a twelve month interval.

Director of Corporate Services:

Develops and provides support for the performance management process in consultation with the City Manager.

Ensures that training programs for the implementation and maintenance of the Performance.

Management Process is provided when appropriate.

Provides documented performance appraisals for direct reports on a twelve month interval.

Superintendents:

Provide documented performance appraisals for direct reports on a twelve month interval. Report regularly on the results of the program to their Director.

Employees:

Participate in the performance appraisal meeting with his or her immediate supervisor, listen to feedback and ask questions to clarify information.

Offer suggestions for improving performance if needed and identify areas for learning and development. If necessary, identify obstacles to performance and suggest solutions.

Compliance

Non-compliance with this policy may result in discipline in accordance with the City's policies.

SUPERVISOR'S GUIDE TO COMPLETING THE PERFORMANCE APPRAISAL PROCESS

Supervisor:

Before the performance appraisal meeting:

- Schedule ample time and provide a private place for the appraisal meeting.
- Notify the employee in advance.
- Arrange for work coverage for your employee (if required); appraisal meetings should be conducted during regular business hours, not during breaks, lunch or after the workday is over.
- Review the employee's job description and documentation you have collected throughout the year (emails, letters, notes, certifications, business plans, work plans, etc.).

During the performance appraisal meeting:

- Provide specific feedback on the employee's performance.
- Discuss learning and development needs of the employee.
- Set targets for improvement (if required).
- Answer employee questions with regard to the performance appraisal.
- Identify employee's performance rating.

Employee:

Before the performance appraisal meeting:

- Confirm the meeting with your manager/supervisor.
- Gather any documentation regarding your performance and achievements that you have collected throughout the year (emails, letters, notes, certifications, business plans, work plans, etc.).
- Write down questions, suggestions, or concerns that you want to discuss with your supervisor.
- Be prepared to talk about your performance – what you do well, how you could improve, how you can contribute to the team, what you would like to learn, etc.

During the performance appraisal meeting:

- Be open to discussion.
- Listen well to feedback from your supervisor and ask questions to clarify information.

- Share information from the P.A. form completed prior to meeting.
- Offer suggestions and ideas for improving performance, if needed.
- Identify areas for learning and development.
- Identify obstacles to performance and suggest solutions.

Complete, Exchange and Meet:

1. The supervisor will forward the form to the Director of their department who will read, make comments, and sign the employee's performance appraisal form.
2. A photocopy of the completed and signed performance appraisal form is to be provided to the employee, and the **original completed performance appraisal form will be sent to Human Resources**. This copy will be filed in the employee's personnel file.

PERFORMANCE REVIEW

Review Period:	Review Date:
Name:	Supervisor:
Position:	Department:
Performance Rating:	Recommended Salary Level/Date:

- A. Performance **consistently exceeds** the majority of position expectations and is characterized by uniformly high performance.
- B. Performance **consistently meets** position expectations and occasionally exceeds them.
- C. Performance **meets** position expectations the majority of the time, and is characterized by striving to consistently meet position expectations. This may be an individual addressing a specific performance issue(s) or an individual new to a role.
- D. Performance **is not meeting** minimum position expectations. Remedial action required.

PERFORMANCE FACTORS:

	1	2	3	4
Accountability: Demonstrate a high level of ownership/commitment to achieve results.				
Integrity: Achieves a high level of trust in relationships. Adheres to the City's values and guidelines of conduct.				
Decision Making/Judgement: Assess the importance of urgency and risk associated with each situation and takes actions which are timely and in the best interests of the City.				
Communication Skills: Effectively presents and receives information both orally and in writing.				
Quality of Work: Completes assignments by or before deadline. Produces acceptable quantity of work. Works at a steady pace regardless of environmental pressures.				
Safety: Aware of the Municipality's safety policies. Reports potential safety hazards.				
Commitment: Demonstrates trust to carry out work and reliable.				
Job Knowledge: Demonstrates a thorough knowledge of his/her key responsibilities.				
Organizational Skills: Uses an effective methodology to determine priorities, set goals, create a plan, take action and measure results.				

OBJECTIVES: Define future goals, how they will be met and in what timeframe.

Goals/Objectives	Timeframe

COMMENTS/SIGNATURES:

Employee Comments:

Employee Signature:

Date:

Supervisor Comments:

Supervisor Signature:

Date:

Subject: Operating and Capital Project
Status Report

Report No.: CS-036-2015
Agenda Date: November 3, 2015

Attachments

Appendix 01: Operating Projects

Appendix 02: Capital Projects

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-036-2015 for information purposes.

Background

On April 7, 2015 Council passed By-law 2015-073 approving the 2015 budget which included Capital and Operating projects. Annually the Treasurer provides Council with a report on the status of said projects.

Analysis

Operating Projects (Appendix 1)

Capital Projects (Appendix 2)

Financial / Staffing Implications

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

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

Alternatives

No alternatives were considered.

Submission

Prepared by:

"Original signed by"

Laura Lee MacLeod
Treasurer

Reviewed and approved by:

"Original signed by"

Shelly Zubyck, CHRP
Director of Corporate Services

Reviewed and submitted for
Council's consideration by:

"Original signed by"

Christopher W. Oslund
City Manager

2015 OPERATING PROJECTS

Public Works:

1. Culverts – major replacement of culvert from Broadwood to Wedgewood from Lakeshore to Market Street. Other large diameter culvert repairs on the rural roads are still ongoing with completion anticipated by mid-November.

Community Growth & Planning:

2. Official Plan – complete, OP was approved by MMAH on March 20, 2015
3. Housing Needs Analysis – complete, public meeting held March 31, 2015 to present Housing Needs Analysis
4. Cultural Sustainability Plan – ongoing, retained MDB Insight to complete formal study and plan for region and individual groups, training programs continue to local cultural groups and organizations, advertising support is being provided monthly in Speaker and Le Reflect, completed regional Sustainability Plan to be presented to Council spring 2016
5. PDAC/Northern Ontario Exhibit
 - a. 2015 event – extremely successful, 55 NO mining supply and service business with the showcase, over 8,000 attendees visited the exhibit
 - b. 2016 event – planning is underway, FedNor has committed funding and registrations is open, 32 businesses have registered since October 22, 2015, over 65 businesses have applied to be part of the showcase, additional floor space has been rented for the 2016 event to enable 70+ businesses to participate
6. Economic Strategic Plan – project has not moved forward in 2015, Council approved submission of funding applications to hire a consultant to complete plan however it was recommended by CEDAC committee that project would be completed in-house, eliminating need for outside consultants, was suggested that information collected from stakeholders during 2014 industry sessions be used as background material for plan and reworded by staff to create new strategic plan

Corporate Services:

7. Shredding of Documents – this was an unbudgeted project as the need arose after the budget was passed. It had been over three (3) years since documents had been disposed of as per the City's retention by-law. It was determined that the most efficient means of disposal was the hiring of a company that specialized

in the destruction of confidential documents. The City is now up-to-date on its disposal of documents.

8. Computer Hardware – all anticipated projects have been completed with the exception of the Integrated Cash Program (Vailtech) which we have deferred until finalization of conversion to weblogic vailtech program.

Recreation Services:

9. NL Arena Tables – complete, 12 30"x72" tables have been purchased
10. Small Riding Tractor – complete, tractor is in use at Haileybury Waterfront
11. Hockey Nets – complete
12. Downtown Benches (2) – complete, 1 bench was installed at the Haileybury underpass, the other bench was installed on Cedar Street (Gervais)
13. Garbage Receptacle Replacement (20) – 7 receptacles have been purchased by the City, 6 were purchased and donated to City by the Richelieu Club, additional receptacles have been ordered that will maximize the 2015 budget for this project
14. Park Signage (7) – implementation has been delayed
15. Ignite Ontario Program – a one (1) event was held on June 6th at the Algonquin Beach Park with over twenty (20) local organizations were represented. 400 – 500 people participated throughout the day. Funding from Ignite Ontario was utilized to offset the City's cost in addition to many in-kind contributions
16. Ball Field Lights (Relamp) – complete
17. Cubicles PFC – complete
18. Christmas Light Replacements (LED) – lights have been ordered and installation is anticipated to be complete in time for the tree lighting's in both Haileybury and New Liskeard
19. TD Green Streets (tree replacement) – funding was not received however City's contribution of \$15,000 is being utilized for the restoration of the trees at the Haileybury cenotaph

Property Maintenance:

20. Municipal Energy Plan – currently working on Stage 2 Baseline Energy Study and Map Development, VIP Energy met with staff on June 8th to review the draft map, key energy user meetings and interviews were held June 8 – 10, 2015, a rough draft is anticipated late December with the final draft to be presented to Council March 2016
21. Completed Projects:
 - a. Wax Floors (HMC, City Hall, Arenas, PFC, Halls (5))
 - b. Overhead Door Annual Inspection & Repairs
 - c. Misc Building Painting Materials

- d. Lifting Device Annual Inspections and Replacements
 - e. Fire Alarm Systems Annual Inspections and Repair
 - f. Dym Complex Review Heating Systems
 - g. Water Feed Increase Flows to Zamboni Room
 - h. NL Community Hall Washroom Upgrades
 - i. Hlby Arena Washroom Upgrades
 - j. Hlby MC Lighting Energy Upgrades
 - k. Hlby Library Interior Painting
 - l. NL Community Hall painting of kitchen
 - m. Riverside Place painting of kitchen and washrooms
 - n. PW reshingle roof
22. Ongoing Projects:
- a. Lighting Misc Retrofit Projects
 - b. Misc Roof Repairs
 - c. Misc HVAC Repairs
 - d. Fire Extinguisher Annual Inspections and Replacements
 - e. Elevator Repairs (new contract)
 - f. Eye Wash Station Installations
 - g. Water System Failures
 - h. Motors and Pumps Replacement
 - i. Misc Walkways and Exterior Work
 - j. Key Alike Building Maintenance Facilities
 - k. Hlby Cenotaph Upgrades
 - l. City Hall Landscaping Project
 - m. Fire Station Misc Repairs (NL, Dym, Hlby)
23. No Activity:
- a. Inspect and evaluate HVAC Riverside Place for CJTT
 - b. Washroom Upgrades at PW Main Complex
 - c. Hlby MC Flooring Upgrades
 - d. City Hall Interior Painting and Repair
 - e. Hlby Arena Stair Tread Replacement
 - f. PFC Stairs for Hydro Mast
 - g. Farr Park Washroom Upgrades
 - h. Hlby Arena Lighting Energy Upgrades

Environmental Services:

24. Completed
- a. Dymond Well Analysis
 - b. Hlby WTP - Refurbish Filter Turbidity Analyzer
 - c. NL Lagoon – aeration line maintenance

- d. Cedar St Pumping Station – replace control panels

25. Ongoing:

- a. Repairs and maintenance such as pump repairs, valve replacements, excess sludge hauls, etc.
- b. Master Electrician – maintaining electrical needs at water/sewer facilities
- c. Farr Drive Lift Station – pump replacement
- d. Various locations – fencing installation repairs

26. No Activity:

- a. Inspection/Cleaning of Reservoirs
- b. HIby WTP – rebuild sludge settling tanks
- c. HIby WTP – replace high lift pump
- d. HIby Reservoir – modifications to PLC programming, cancelled, has been incorporated in Communications Upgrade capital project
- e. NL Lagoon – installation of genset, cancelled, has been incorporated into Linking project as generator is from NL Reservoir

**THE CITY OF TEMISKAMING SHORES
JANUARY - SEPTEMBER 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

27-Oct-15

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1.0 EXECUTIVE SUMMARY

1.1 Overview Total City Net favourable position of \$423.0K.

The operations budget is favourable by \$423.0K. General operations has a net favourable position of \$596.4K. Environmental operations has a net unfavourable position of (\$173.4).

1.2 Bank Balance \$6,075.5K

The current bank balance as at September 30, 2015 is \$6075.5K.

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 \$1,089.3K

The balance as at September 30, 2015 was \$1,089.3K. The final 2015 contribution of \$301.1 will be received in November.

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

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
GENERAL OPERATIONS					
Revenues	21,676.7	18,265.1	17,728.9	536.2	3.0%
Expenditures	20,633.0	14,097.0	14,157.2	60.2	0.4%
Transfer to Capital	1,043.7	4,168.1	3,571.7	596.4	16.7%

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
ENVIROMENTAL OPERATIONS					
Revenues	3,904.5	3,899.6	3,892.9	6.7	0.2%
Expenditures	3,205.3	2,250.3	2,070.2	(180.1)	-8.7%
Transfer to Capital	699.2	1,649.3	1,822.7	(173.4)	-9.5%

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
TOTAL BUDGET OPERATIONS					
Revenues	25,581.2	22,164.7	21,621.8	542.9	2.5%
Expenditures	23,838.3	16,347.3	16,227.4	(119.9)	-0.7%
Transfer to Capital	1,742.9	5,817.4	5,394.4	423.0	7.8%

NOTE: The January - September 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 September 2015 is \$536.2K or 3.0%. The primary drivers are:

- CG&P is \$250.9K favourable due to land sales of \$256K which are not budgeted
- Healthy Kids is \$57.2K favourable due to MOH funding received monthly in advance of program spending, year-end calculation will be processed based on actuals
- Age Friendly/Comm Trans is \$35.0K favourable due to advance funding received from both agencies, year-end calculation will be processed based on actuals
- EcDev is \$202.1K favourable as advance funding for the 2016 PDAC event has been received in advance of the expenditures, year-end calculation will be processed based on actuals

Analysis The Environmental Operations YTD revenue variance as at September 2015 is \$6.7K or 0.2%. There are no major drivers for this variance.

Analysis The General Operations YTD expenditures variance as at September 2015 is \$60.2K or 0.4%.

- City Manager is (\$94.6K) unfavourable due to union contract negotiation costs
- FEMS is \$37.6K favourable across various line items, no major driver for the variance
- CS is (\$63.1K) unfavourable due to GWL premiums, year-end reallocation of STD premiums will be processed

Analysis The Environmental Operations YTD expenditures variance as at September 2015 is (\$180.1K) or (8.7%).

- Water systems is (\$151.7K) unfavourable due to higher than anticipated utility costs and water repairs.
- Buildings is (\$43.1K) unfavourable due to higher than anticipated utility costs

2.2

GENERAL OPERATIONS BY COST CENTRE

Revenues
as at September 2015

	2015 Total Budget	2015 YTD			
		Actual	Budget	Variance B/(W)	% Change
Revenues:					
Governance: FEMS	69.3	56.7	61.7	(5.0)	-8.1%
Policing	18.9	3.3	9.3	(6.0)	-64.5%
Corporate Services: Corporate Services	180.0	58.8	51.0	7.8	15.3%
Municipal Clerk	42.7	36.9	35.7	1.2	3.4%
Cemeteries	78.3	69.0	58.7	10.3	17.5%
Finance	5,569.1	3,020.6	3,051.6	(31.0)	-1.0%
General Taxation	12,649.6	12,631.8	12,613.3	18.5	0.1%
Comm Growth/Plng: P&DS	319.7	447.1	196.2	250.9	127.9%
Economic Development	489.0	409.5	207.4	202.1	97.4%
Public Works: Transportation	371.9	268.5	258.3	10.2	3.9%
Solid Waste Management	470.7	361.2	343.6	17.6	5.1%
Leisure Services: Parks	178.9	132.3	141.3	(9.0)	-6.4%
Programs	194.8	147.4	147.9	(0.5)	-0.3%
Facilities	509.7	345.4	391.7	(46.3)	-11.8%
Healthy Kids	161.7	60.7	3.5	57.2	1634.3%
Age Friendly/Comm Trans	0.0	35.0	0.0	35.0	0.0%
Property Mntce: Property Maintenance	64.3	12.2	5.3	6.9	130.2%
Buildings & Yards	171.5	124.9	117.5	7.4	6.3%
Fleet:	62.5	0.0	0.0	0.0	0.0%
Libraries:	74.1	43.8	34.9	8.9	25.5%
Total Revenues	21,676.7	18,265.1	17,728.9	536.2	3.0%

2.3

GENERAL OPERATIONS BY COST CENTRE
Expenditures
as at September 2015

		2015	2015 YTD			
		Total Budget	Actual	Budget	Variance B/(W)	% Change
Expenditures						
Council:		140.0	106.8	110.9	4.1	3.7%
Governance:	City Manager's Office	314.0	342.6	248.0	(94.6)	-38.1%
	FEMS	588.7	358.9	396.5	37.6	9.5%
Health & SS:	Health	445.1	329.0	333.8	4.8	1.4%
	Social Services	2,314.0	1,735.4	1,735.5	0.1	0.0%
Policing:	Police Service Board	8.3	5.9	5.9	0.0	0.0%
	OPP	2,308.1	1,787.6	1,785.1	(2.5)	-0.1%
Corporate Services:	Corporate Services	1,545.3	1,296.3	1,240.6	(55.7)	-4.5%
	Municipal Clerk's Office	252.6	167.5	180.5	13.0	7.2%
	Cemeteries	94.1	67.6	73.2	5.6	7.7%
	Finance	2,121.8	403.3	401.1	(2.2)	-0.5%
	General Taxation	192.3	151.8	142.9	(8.9)	-6.2%
Comm Growth/Plng:	Economic Development	818.7	667.7	675.0	7.3	1.1%
	P&DS	788.7	509.8	532.5	22.7	4.3%
Public Works:	Transportation	3,079.6	2,271.0	2,335.5	64.5	2.8%
	Solid Waste Management	1,383.4	993.2	1,011.7	18.5	1.8%
	Property Maintenance	653.2	461.5	483.4	21.9	4.5%
	Buildings & Yards	243.3	159.2	187.5	28.3	15.1%
	Fleet	574.3	425.6	434.5	8.9	2.0%
Leisure Services:	Parks	1,557.3	1,106.2	1,074.5	(31.7)	-3.0%
	Programs	49.5	29.6	39.0	9.4	24.1%
	Facilities	559.2	406.8	424.2	17.4	4.1%
	Healthy Kids	161.7	6.6	3.5	(3.1)	-88.6%
	Age Friendly/Comm Trans	0.0	10.5	0.0	(10.5)	0.0%
Libraries:		439.8	296.6	301.9	5.3	1.8%
Total Expenditures		20,633.0	14,097.0	14,157.2	60.2	0.4%

ENVIRONMENTAL OPERATIONS
Revenues and Expenditures
as at September 2015

	2015	2015 YTD			
	Total Budget	Actual	Budget	Variance B/(W)	% Change
Revenues					
User Fees	3,904.5	3,899.6	3,892.9	6.7	0.2%
Total Revenues	3,904.5	3,899.6	3,892.9	6.7	0.2%
Expenditures					
Financing	254.9	88.1	88.1	0.0	0.0%
Administration	719.7	444.0	463.5	19.5	4.2%
Sanitary Sewer Systems	667.2	454.7	449.9	(4.8)	-1.1%
Waterworks System	1,141.5	901.6	749.9	(151.7)	-20.2%
Buildings & Yards	422.0	361.9	318.8	(43.1)	-13.5%
Total Expenditures	3,205.3	2,250.3	2,070.2	(180.1)	-8.7%
Net Expenditures	699.2	1,649.3	1,822.7	(173.4)	-9.5%

**GENERAL OPERATING PROJECTS
as at September 2015**

		2015	2015 YTD		Budget Remaining
		Total Budget	Actual	Budget	
Expenditures					
Public Works:	Culverts	100.0	63.1	100.0	36.9
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	65.5	65.2	35.0
	PDAC/Northern Ontario Exhibit	415.0	415.0	419.5	0.0
	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	31.9	31.9	3.1
Leisure Services:	NL Arena Tables	1.5	1.3	1.5	0.2
	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	1.8	2.4	0.6
	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	4.8	10.0	5.2
	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	116.5	116.5	41.0
	Municipal Energy Plan	53.0	38.8	38.8	14.2
Total Expenditures		1,028.9	687.7	694.2	241.2

**ENVIRONMENTAL OPERATING PROJECTS
as at September 2015**

		2015	2015 YTD		Budget Remaining
		Total Budget	Actual	Budget	
Expenditures					
Sewer System:	Equipment & Facilities	254.3	140.1	140.1	114.2
Water System:	Equipment & Facilities	254.3	84.5	84.5	169.8
Total Expenditures		508.6	224.6	224.6	284.0
Total Variance Created by Operating Projects:					
		1,537.5	912.3	918.8	525.2

CAPITAL PROJECT PRESENTATION

Corporate Services:

1. Computer Hardware – complete, security management appliance, backup & recovery appliance, network switch refresh

Property Maintenance:

2. NL Community Hall Heating Upgrades – new radiator heating being installed in main hall, anticipated completion by end of November
3. NL Community Hall Engineering – cancelled
4. Pool Dehumidification Upgrades – complete, finalization of 2014 project
5. Hlby Station Review/Design – Mitchell Architects is preparing the draft document, anticipated completion by end of November
6. Dymond Community Hall Roof – complete
7. Hlby Library Roof – complete with exception of some capping, to be fully completed by end of November
8. Hlby Arena Roof – complete with exception of some capping, to be fully completed by end of November
9. Hlby Arena Entrance Engineering – cancelled
10. PFC Accessible Entrance Upgrades – complete, installation of new accessible doors at the main PFC entrance, also installation of accessible entrances to the boys & girls change rooms
11. PW #1 Bldg Energy Upgrades – ceiling has been painted, new lighting installed, heating installed, due to cost savings new windows will also be installed by the end of November
12. NL Library Stabilization – bore hole testing is completed, report has been received with recommendations

Fire and Emergency Management Services:

13. Live Fire Training Facility – storm management plan cancelled and replaced with design of grey water catchment system and update of construction costs
14. Thermal Imaging Unit – complete, in service March 2015
15. Wildland Firefighting Equipment (Station #1) - purchased trailer, hose, pumps, finalizing purchase of PPE

Public Works:

16. Dymond Industrial Park –
 - a. Radley Hill Turning Lane is complete

- b. Rockley Road paving is complete
 - c. Solid Waste Management Pond is complete
 - d. Certified Site Program – contract awarded to P.A. Blackburn, anticipated completion mid-December
17. 2015 Road Program – complete
- a. Lakeshore Road – milling and pulverizing 0.8 km from Edgewater Motel to Cottage Road including paved shoulders on both sides and STATO trail, supply, replace and compact Granular “A” over pulverized area, place one lift of 50mm asphalt
 - b. Niven Street S – milling and pulverizing existing asphalt surfaces from Main St to Seton St (175m), regrade and place 50mm asphalt
 - c. Golf Course Road – milling and pulverizing from Hwy 65 to Mackey Bridge (300m), supply, place and compact 50mm Granular “A” and two (2) 50mm lifts of asphalt
 - d. Pete’s Dam Road – replacement of RAP/grindings from Hwy 65W westward 2.3km
 - e. New Liskeard downtown – mill and pave Armstrong St (Bridge to Whitewood – 220m) and Whitewood Ave (Armstrong St to Paget St – 200m) curb to curb with millings placed on Armstrong St laneways
18. Uno Park Bridge – complete, on budget and on time, partnership with Harley Township (lead), MIII funding, utilized OCIP formula based funding towards project
19. Street Light Upgrades – majority of Hlby is complete, 2nd shipment expected mid-November with balance of changes to be completed by mid-December
20. Municipal Data Works System – infrastructure management program, Engineering technician working with OGRA to finalize City’s requirements
21. 182 Pine St W Emergency Repair – complete, storm system repair

Solid Waste:

22. Landfill Site Expansion – expansion of NL landfill, draft EA under review by City staff, EA will be submitted to MOE by end of 2015 with design to take place in 2016

Transit:

23. Bus Shelters – due to increasing the bus purchase from 1 to 2, no new shelters were installed in 2015
24. Transit Buses – complete, received August 2015, 1 bus is in service

Fleet:

25. Loader – 2014 purchase, capital lease payments
26. Pumper – complete, in service May 2015, capital lease payments

- 27. Sanders (2) – complete, in service October 2015
- 28. Pick Up Crew Cab – complete, in service June 2015
- 29. Pick Up Emergency Purchase – complete, in service September 2015

Recreation Services:

- 30. Pete's Dam Bridge – complete, installation of new pedestrian bridge, signage has been ordered and will be installed in 2015
- 31. PFC Weight Room Floor – complete, installation of new thick, rubberized flooring in the upstairs weight room
- 32. STATO Project – no activity in 2015
- 33. Dym Kinsmen Park – upgrading to the trail system, repairing drainage issues, replacement of pedestrian bridges. 1 bridge is ongoing along with filling additional sand and granular, to be completed by year end
- 34. Floor Machine – complete, new machine for Hlby Arena
- 35. Hlby Beach Mushroom – complete, new pump and chlorination system to THU regulations
- 36. Waterfront Development – ongoing, refer to CS-037-2015

Environmental Services (Water/Sewer):

- 37. Gray Road Lift Station – on hold until funding can be secured
- 38. Beach Garden Trunk Sanitary – cancelled
- 39. Looping NL & Dym Distribution Systems – looping Dym to the NL distribution system, Dym wells will be decommissioned upon completion, all water to Dym will be supplied from the NL wells, Pedersen Construction has been awarded the contract, currently installing new water mains and upgrading facilities
- 40. Communications Upgrades (Hlby/Dym Facilities) – complete, Phase 2 of communications upgrades to water/sewer facilities
- 41. Cube Van – in service September 2015
- 42. Pick Up (2) – reduced to 1 due to higher than anticipated cost of water/sewer van, in service June 2015
- 43. Rebecca St Emergency Repair – complete, sanitary sewer line repair, resurfacing affected area
- 44. NL Reservoir Upgrades – complete, engineering design
- 45. McDonough Heights Emergency Repair – complete, water line repair, resurfacing affected area
- 46. Lakeshore Road Emergency Repair – complete, water line repair, resurfacing affected area
- 47. Hlby WTP Roof Replacement - complete

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

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28-Oct-15

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SUMMARY - CAPITAL
Revenues and Expenditures
as at October 2015

	2015 Total Budget	Actual	2015 YTD		% Change
			Total Budget	Variance B/(W)	
CAPITAL					
Revenues					
Capital - General	6,454.7	899.1	6,454.7	(5,555.6)	-86.1%
Capital - Environmental	6,151.9	1,140.0	6,151.9	(5,011.9)	-81.5%
Total Revenues	12,606.6	2,039.1	12,606.6	(10,567.5)	-83.8%
Expenditures					
Capital - General	7,498.3	3,342.1	7,498.3	4,156.2	55.4%
Capital - Environmental	6,851.0	1,255.6	6,851.0	5,595.4	81.7%
Total Expenditures	14,349.3	4,597.7	14,349.3	9,751.6	68.0%
Net Position Capital	(1,742.7)	(2,558.6)	(1,742.7)	815.9	-46.8%

NOTE: The January - October 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:

A majority of the projects are underway.

GENERAL CAPITAL
Revenues & Expenditures
as at October 2015

Department	Project	2015				%	G	Y	R
		Total Budget	Actual	Budget	Variance B/(W)				
REVENUES:									
	Transfer from Reserves	405.3	108.9	405.3	(296.4)				
	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	76.0	75.7	0.3				
	STATO Partnership	160.0		160.0	(160.0)				
	Waterfront Development Funding	1,633.4	599.8	1,633.4	(1,033.6)				
Total Revenues		6,454.7	899.1	6,454.7	(5,555.6)				
EXPENDITURES:									
Corporate Services:	Capital Contingency Fund	100.0	0.0	100.0	100.0				
	Computer Hardware	50.7	62.6	50.7	-11.9	100%	X		
Property Mtnce:	NL Community Hall Heating Upgrades	20.0	0.0	20.0	20.0	75%	X		
	NL Community Hall Engineering	10.0	0.0	10.0	10.0	25%		X	
	Pool Dehumidification Upgrades	25.0	32.1	25.0	-7.1	100%	X		
	Hlby Station Review/Design	15.0	7.5	15.0	7.5	50%	X		
	Roofs (Dym Comm Hall/Hlby Lib)	133.0	109.1	133.0	23.9	95%	X		
	Haileybury Arena Roof Replacement	92.0	77.6	92.0	14.4	95%	X		
	Haileybury Arena Entrance Engineering	10.0	0.0	10.0	10.0	25%		X	
	PFC Accessible Entrance Upgrades	125.0	108.3	125.0	16.7	100%	X		
	PW#1 Bldg Energy Upgrades	60.0	32.2	60.0	27.8	75%	X		
	NL Library Stabilization	30.0	7.5	30.0	22.5	100%	X		
FEMS:	Live Fire Training Facility	2.4	0.0	2.4	2.4	10%	X		
	Firefighting Equipment	30.5	23.0	30.5	7.5	90%	X		
Public Works:	Dymond Industrial Park	1,699.8	597.7	1,699.8	1,102.1	100%	X		
	2015 Road Program	1,071.6	0.0	1,071.6	1,071.6	100%	X		
	Uno Park Bridge	220.0	206.8	220.0	13.2	100%	X		
	Street Light Upgrades	810.0	163.9	810.0	646.1	60%	X		
	Municipal Data Works System	25.0	3.3	25.0	21.7	25%	X		
	182 Pine Street West Emergency Repair	0.0	63.8	0.0	-63.8	100%	X		
Solid Waste:	Landfill Site Expansion	200.0	134.9	200.0	65.1	75%	X		
Transit:	Bus Shelters	7.0	0.0	7.0	7.0				
	Transit Buses	478.7	755.8	478.7	-277.1	100%	X		
Fleet:	Loader (annual capital lease payments)	36.4	30.2	36.4	6.2	100%	X		
	Pumper (annual capital lease payments)	52.8	33.4	52.8	19.4	100%	X		
	Sanders	24.0	8.3	24.0	15.7	100%	X		
	Pick Up Crew Cab	35.0	30.8	35.0	4.2	100%	X		
	Pick Up	0.0	27.1	0.0	-27.1	100%	X		
Leisure Services:	Pete's Dam Bridge	112.0	111.9	112.0	0.1	100%	X		
	PFC Weight Room Floor	24.0	18.9	24.0	5.1	100%	X		
	STATO Project	160.0	0.0	160.0	160.0				
	Dymond Kinsmen Park	8.0	3.5	8.0	4.5	80%	X		
	Floor Machine	7.5	5.6	7.5	1.9	100%	X		
	Hlby Beach Mushroom	8.0	10.8	8.0	-2.8	100%	X		
	Waterfront Development	1,814.9	675.5	1,814.9	1,139.4		X		
Total Expenditures		7,498.3	3,342.1	7,498.3	4,156.2				
Net Position		(1,043.6)	(2,443.0)	(1,043.6)	(9,711.8)				

2.3

**DYMOND INDUSTRIAL PARK
as at October 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	282.4

Project	YTD		2015
	Actual	Budget	Variance B/(W)
Hwy 11/Radley Road Turning Lane	23.4	610.8	587.4
Rockley Road Design	15.2	34.9	19.7
Rockley Road Construction	319.5	731.0	411.5
Storm Water Management Pond	239.6	223.1	-16.5
Certified Site Program	0.0	100.0	100.0
	597.7	1,699.8	1,102.1

2.4

**WATERFRONT DEVELOPMENT PROJECT
as at October 2015**

Project	Total Budget	2014 Actual	YTD Actual	2015		Variance B/(W)	%	2015		
				Budget	Budget			G	Y	R
Waterfront Stabilization & Beautification	687.1	0.0	24.9	687.1	662.2	75%	X			
Boardwalk Demolition and Replacement	323.2	323.2	34.6	0.0	-34.6	100%	X			
Boardwalk Lighting Upgrades	32.9	0.0	13.3	32.9	19.6	100%	X			
Accessible Landscaping	250.0	0.0	171.5	250.0	78.5	100%	X			
Farmer's Market	300.0	0.0	0.0	300.0	300.0					
Spurline Building Renovations	40.0	11.7	19.9	28.3	8.4	100%	X			
Bucke Park Water and Septic Upgrades	130.0	13.3	58.4	116.7	58.3	100%	X			
Professional Services (Engineering)	100.0	7.7	45.2	92.3	47.1	80%	X			
Marina Refurbishment and Electrical Upgrades	358.8	51.2	307.6	307.6	0.0	100%	X			
Total	2,222.0	407.1	675.4	1,814.9	1,139.5					

Project Summary:

Waterfront Stabilization:

- Pedersen Construction awarded contract for the Haileybury Service Marina, By-law 2015-071, work at Haileybury North Marina and Gabion baskets at Montgomery Street
- Pedersen Construction awarded contract for Shoreline Stabilization at south marina. Work begin early October with completion anticipated by end of November.

Boardwalk Demolition and Replacement:

- entire boardwalk was replaced in 2014
- six (6) fingers extending the length of the boardwalk were added to the project and have been completed
- lighting upgrades have been completed

Accessible Landscaping:

- Harbourfront, Camsell, Algonquin Beach and Mini-Putt Park had the new accessible rubberized surface installed

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

Bucke Park Water and Septic Upgrades:

- well has been drilled but there were issues with the water samples
- water system with arsenic removal system is installed and working well
- due to MOE requirements to obtain an Environmental Compliance approval, it is not feasible to pursue the sewer component at this time

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

2.5

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

	2015				%	G Y R		
	Total Budget	Actual	Budget	Variance B/(W)				
REVENUES:								
Public/Private Partnership	124.9	0.0	124.9	(124.9)				
Funding - Looping Project	1,199.5	1,140.0	1,199.5	(59.5)				
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)				
Total Revenues	6,151.9	1,140.0	6,151.9	(5,011.9)				
EXPENDITURES:								
Gray Road Lift Station	4,165.0	22.7	4,165.0	4,142.3	10.0%	x		
Beach Garden Trunk Sanitary	450.0	5.0	450.0	445.0				x
NL Water Supply-Dymond Link	1,634.5	512.9	1,634.5	1,121.6	60.0%	x		
Communication Upgrades NL/Dym	325.0	284.7	325.0	40.3	75.0%	x		
Vehicle Replacements	100.0	93.0	100.0	7.0	100.0%	x		
Rebecca Street Emergency Repairs	0.0	76.0	0.0	(76.0)	100.0%	x		
NL Reservoir Pump Upgrades	9.0	9.0	9.0	0.0	100.0%	x		
McDonough Heights Emergency Repairs	0.0	69.4	0.0	(69.4)	100.0%	x		
Lakeshore Road Emergency Repair	0.0	41.1	0.0	(41.1)	100.0%	x		
Hlby WTP Roof Replacement	167.5	141.8	167.5	25.7	100.0%	x		
Total Expenditures	6,851.0	1,255.6	6,851.0	5,595.4				
Net Position	(699.1)	(115.6)	(699.1)	(10,607.3)				

2.6

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

Project	Total Budget	2014 Actual	YTD Actual	2015		Variance B/(W)	%	G	Y	R
				Budget	Budget					
Looping Project	2,171.3	62.8	21.5	1,634.5		1,613.0	25%	x		
	2,171.3	62.8	21.5	1,634.5		1,613.0				

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.

The City has received \$1,140,000 from OCIF based on achievement of Milestones 1 and 2.

The contract for the linking of the New Liskeard and Dymond water system was awarded to Pedersen Construction on June 16, 2015. The contract administration was awarded to exp Services on July 7, 2015.

Pedersen is currently installing the new water mains and upgrading the facilities. Work is anticipated to be completed in 2016.

A payment certificate to September 30, 2015 has been received and paid.

Subject: Waterfront Development Project

Report No.:

CS-037-2015

Agenda Date:

November 3, 2015

Attachments

Appendix 01: Project Estimates

Appendix 02: NOHFC funding agreement amendment

Appendix 03: FedNor funding agreement amendment

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-037-2015;
2. That Council directs the Treasurer to apply for an extension to NOHFC for funding agreement #950872 to March 31, 2017; and
3. That Council directs the Treasurer to apply for an extension to FedNor for funding agreement #851-806190 to March 31, 2017.

Background

On June 17, 2014, Council passed by-law 2014-109, a by-law to enter into a funding agreement with FedNor for the Waterfront Revitalization Project in New Liskeard and Haileybury (#851-506190) providing 45% funding.

On October 7, 2014, Council passed by-law 2014-185, a by-law to enter into a funding agreement with NOHFC for the Waterfront Revitalization Project (#950872) providing 45% funding.

The project was estimated at \$2,222,000. The City's contribution would be 10% of the total cost or \$222,200.

The project encompassed Waterfront Stabilization/Enhancements (Haileybury South Marina and Wabi River entrance), New Liskeard Boardwalk Demolition and Replacement including Lighting Upgrades, Accessible Landscaping, Farmer's Market, Spurline Building Renovations, Water/Septic Upgrades (Bucke Park) and Marina Refurbishment/Electrical Upgrades (NL Marina).

Both the NOHFC and FedNor funding agreements had a completion date of March 31, 2016.

Analysis

A majority of the project components are complete or will be complete by the end of 2015:

Waterfront Stabilization/Enhancements – south marina upgrades are currently in progress with Pedersen Construction stabilizing the existing shoreline, Montgomery Street removal of existing docks and crib and the removal and replacement of gabion baskets is complete, Wabi River shoreline stabilization (near launch) has not proceeded

Boardwalk Demolition/Replacement, Lighting Upgrades – complete, the entire boardwalk was replaced in 2014, six (6) extension fingers were completed in 2015 in addition to the lighting upgrades along the length of the boardwalk

Accessible Landscaping – complete, rubberized surfaces were installed at four (4) playgrounds – Harbourfront, Camsell Park, Algonquin Beach Park, Mini-Putt Park

Farmer's Market – awaiting site selection

Spurline Building Renovations – complete, renovations to the washrooms, upgrades to the kitchen which included new appliances and venting upgrades

Bucke Park Water and Septic Upgrades – complete, well has been drilled but due to issues with the water samples, an arsenic removal system was installed to alleviate the issues and is working well, Septic upgrades were cancelled due to MOE requirements to obtain an Environmental Compliance approved making this component unfeasible at this time

Marina Refurbishment/Electrical Upgrades – complete, installation of new docks and electrical upgrades at the NL Marina, new swipe card system at both Hlby and NL marinas

Project Estimates (Appendix 01) identifies expenditures spent to date and anticipated to completion. This totals approximately \$1,751,100, leaving available budget of \$470,900 towards unfinished components which include the Wabi River shoreline stabilization and the Farmer's Market.

Based on the available time for construction and the upcoming winter season, it would not appear that the project will be finished by the anticipated completion of March 31, 2016. Therefore it is prudent to request an extension to the funding agencies to March 31, 2017 to allow sufficient time for Council to determine how the unutilized budget funds are to be spent.

Financial / Staffing Implications

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

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

As the projected estimates (Appendix 01) identifies overages/shortages within the cost categories, it is also prudent to request a reallocation of the project funds to ensure that the component expenditures fall within approved budget amounts and are eligible for the 90% funding dollars.

Appendix 02 identifies the reallocation request to NOHFC’s funding agreement.

Appendix 03 identifies the reallocation request to FedNor’s funding agreement.

The unutilized budget funds have been left with the Waterfront Stabilization/Enhancements and Farmer’s Market project components. Should it be necessary to reallocate the funds to different components, another request can be made to the funding agencies.

Reallocation within the cost categories of the funding agreements will not impact the overall project budget of \$2,222,000.

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”

Laura Lee MacLeod
Treasurer

Shelly Zubyck, CHRP
Director of Corporate Services

Christopher W. Oslund
City Manager

WATERFRONT DEVELOPMENT PROJECT

YTD as at October 27, 2015 (based on NOHFC funding agreement cost categories)

Project Estimates

Project	Total Budget	2014 Actual	YTD Actual	2015		
				Project Estimates	Estimated Totals	Available Budget
Waterfront Stabilization & Beautification - South Marina	687.1	0.0	24.9	535.1	560.0	127.1
Waterfront Stabilization & Beautification - Wabi River					0.0	
Boardwalk Demolition and Replacement	323.2	323.2	34.6	0.0	357.8	-34.6
Boardwalk Lighting Upgrades	32.9	0.0	13.3	0.0	13.3	19.6
Accessible Landscaping	250.0	0.0	171.5	88.5	260.0	-10.0
Farmer's Market	300.0	0.0	0.0	0.0	0.0	300.0
Spurline Building Renovations	40.0	11.7	19.9	0.0	31.6	8.4
Bucke Park Water and Septic Upgrades	130.0	13.3	58.4	25.0	96.7	33.3
Professional Services (Engineering) - South Marina	100.0	5.7	41.7	20.0	67.4	27.1
Professional Services (Engineering) - Wabi River					0.0	
Professional Services (Engineering) - Dock Electrical		2.0	3.5	0.0	5.5	
Marina Refurbishment and Electrical Upgrades	358.8	51.2	307.6	0.0	358.8	0.0
	2,222.0	407.1	675.4	668.6	1,751.1	470.9

WATERFRONT DEVELOPMENT PROJECT

NOHFC Funding Agreement - By-law 2014-185

Project #950872

Project	Total Budget	Estimated Totals	Available Budget	Revised Budget
Waterfront Stabilization & Beautification	687.1	560.0	127.1	686.4
Boardwalk Demolition and Replacement	323.2	357.8	-34.6	357.8
Boardwalk Lighting Upgrades	32.9	13.3	19.6	13.3
Accessible Landscaping	250.0	260.0	-10.0	260.0
Farmer's Market	300.0	0.0	300.0	350.0
Spurline Building Renovations	40.0	31.6	8.4	31.6
Bucke Park Water and Septic Upgrades	130.0	96.7	33.3	96.7
Professional Services (Engineering)	100.0	72.9	27.1	67.4
Marina Refurbishment and Electrical Upgrades	358.8	358.8	0.0	358.8
	2,222.0	1,751.1	470.9	2,222.0

WATERFRONT DEVELOPMENT PROJECT

FedNOr Funding Agreement - By-law 2014-109

Project #851-806190

Project	Total Budget	Estimated Totals	Available Budget	Revised Budget
Waterfront Stabilization & Beautification	767.0	627.4	139.6	748.3
Boardwalk Demolition and Replacement	250.0	357.8	-107.8	357.8
Boardwalk Lighting Upgrades	35.0	18.8	16.2	18.8
Accessible Landscaping	250.0	260.0	-10.0	260.0
Farmer's Market	350.0	0.0	350.0	350.0
Spurline Building Renovations	40.0	31.6	8.4	31.6
Bucke Park Water and Septic Upgrades	130.0	96.7	33.3	96.7
Marina Refurbishment and Electrical Upgrades	400.0	358.8	41.2	358.8
	2,222.0	1,751.1	470.9	2,222.0

Memo

To: Mayor and Council
From: Douglas Walsh, Director – Public Works
Date: November 3, 2015
Subject: Bay Street – Snow Dump Area
Attachments: **Appendix 01** – Correspondence, Norm Fortin, dated September 26, 2015

Mayor and Council:

Further to the above noted correspondence, referred to the Public Works Department at the Regular Meeting of Council on October 6th, 2015, I wish to provide the following information in response.

As included in *Section 4.6.8 Snow Removal and Disposal* of the City of Temiskaming Shores Winter Operations Plan for the past number of years, the location in question has been identified as a Snow Storage Area with an estimated volume of 25,000 cubic metres available to the Department for snow removal operations. This location has been strategically selected for depositing the snow collected and hauled over a short distance from Radley Hill to the south and Paget / Whitewood area in the north and any local area streets that are included in the snow removal program.

These operations are typically carried out on a scheduled night-shift basis between the hours of 10:00 p.m. and 6:30 a.m. when traffic is reduced, and the crew has easier access to areas included in the Winter Control Plan. Of equal importance is the ability to use these areas for the placement of materials excavated from water breaks. Due to the nature of the work (emergency repairs), time is of the essence and while to some the placement of the material may appear to be creating work, in fact it reduces our time and costs.

Firstly, the trucks that are used for the water breaks are owned and operated by the City and staff. These tandem trucks are slightly smaller than those that are hired at other times and for other purposes, but work best for the situations and locations that we often find ourselves in. Given that the boxes of these trucks are not heated, it is extremely important that the wet clay loads that are typical at these emergency repairs are unloaded in a timely manner during periods of extreme cold. Access to the snow dumps located throughout the City are maintained and expedite the repair process by allowing for closer hauls, thereby reducing the number of trucks and staff required at each repair.

Secondly, these same trucks are required to haul granular backfill on the return trip (stored in each of the Public Works Yards) and the locations of the snow dumps make for the efficient use of the trucks to utilize the equipment and materials located in the Public Works yards, as compared to possibly having to travel to the Landfill Site.

Likewise, in the spring and throughout the summer, street sweeping are placed in these same areas for convenience purposes. The capacity of the sweeper is significantly smaller than the tandem trucks, and travel to the landfill site would be very time consuming and not economically feasible.

The excavated material and street sweepings placed at these locations is removed in late fall and during spring season, and hauled to the landfill site to be used as cover material when possible. The return trip is then used to haul granular material from an adjacent pit to replenish and stockpile in the respective locations, again making use of the turn trip more purposeful.

While the Public Works Department is ever mindful of the locations in which they work and make every effort to do so in an un-intrusive manner, they are also asked to be diligent in working efficiently and effectively.

By utilizing the snow dump areas, for the purpose of temporarily storing excavated material, they are able to reduce the resources required to address the emergency repairs, reduce the time required to make those repairs, and utilize the materials and equipment available to the department at strategic locations.

Prepared by:

Reviewed and submitted for
Council's consideration by:

“Original signed by”

“Original signed by”

G. Douglas Walsh
Director of Public Works

Christopher W. Oslund
City Manager

Mr. Mayor.

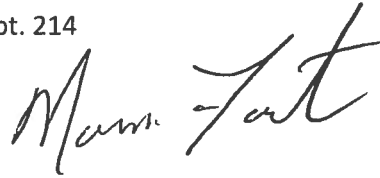
Sept,26,2015-

I am writing this letter regarding my concern over the practice of the city crew dumping debris and unwanted filling in the field at the end of Bay st. This field is being used as a trailer parking during the Bikers Reunion. The city crew dump there spring summer and winter then waste employees and equipment (trucks, loader and even contractor equipment) to remove these dumping elsewhere. I would say that is a waste of funds from the city coffers. These waste material could be brought at the proper location right away when loaded from wherever. Also these waste are dumped there at all hours even at night or early morning (3.00 a.m to 5.00 a.m.) causing all kind of noise with their back-up alarms and box doors slamming against the truck box. You should realize that is a senior citizens area with three senior building there. I think it is disrespectful to these people since most are light sleeper and easily awaken.

I hope you and your council will listen to my request to stop this procedure.

Respectfully yours Norm Fortin

154 Market St. apt. 214

A handwritten signature in black ink that reads "Norm Fortin". The signature is written in a cursive style with a large, stylized "F" and "T".

Memo

To: Mayor and Council
From: Steve Burnett, Technical and Environmental Compliance Coordinator
Date: November 3, 2015
Subject: Rate Increase for Recycling Agreement with Outside Municipalities
Attachments: None

Mayor and Council:

At the Regular Meeting of Council held on December 16, 2014, Administrative Report PW-053-2014 – Spoke Transfer Station Agreements, was presented to Council resulting in the following Resolution No. 2015-026 which reads as follows:

Be it resolved that the Council of the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-053-2014; and

That Council agrees to enter into agreements with outside municipalities for the acceptance of recyclable material at the Spoke Transfer Station at a rate of two hundred and fifty dollars per tonne (\$250/tonne).

Within the current multi-year agreements with Phippen Waste Management and R&D Recycling, a Consumer Price Index (CPI) increase is included on a yearly basis. The current terms of the agreements with outside municipalities are from January 1st to December 31st each year.

It is Staff's recommendation to incorporate a two percent (2%) increase with the renewal of all agreements with outside municipalities for the acceptance of recyclable material at the Spoke Transfer Station on a yearly basis. For 2016 agreements, this will result in increasing the rate of two hundred and fifty dollars per tonne (\$250/tonne) to two hundred and fifty five dollars per tonne (\$255/tonne).

Prepared by: Reviewed and approved by: Reviewed and submitted for Council's consideration by:

"Original signed by" "Original signed by" "Original signed by"

Steve Burnett
Technical and Environmental
Compliance Coordinator

G. Douglas Walsh
Director of Public Works

Christopher W. Oslund
City Manager

Subject: Equipment Rental – Tri-axle Trucks

Report No.: PW-054-2015

Agenda Date: November 3, 2015

Attachments

Appendix 01: Tender 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-054-2015; and
2. That as outlined in Section 3.5 of the City's Purchasing Policy, Council approves the award of the Equipment Rental – Tri-axle Trucks for Snow Removal contract to *Loach Asphalt Ltd.* at the rate of \$69.00 per hour plus HST and directs staff to prepare the necessary by-law for consideration at the November 3, 2015 Regular Council meeting.

Background

Each year the City of Temiskaming Shores procures the services of qualified owner / operators for the supply and operation of Tri Axle Trucks to assist in snow removal operations at various locations within the City of Temiskaming Shores.

The work involves the hauling and dumping of accumulated snow and ice derived from plowing operations within the limits of the City of Temiskaming Shores that is picked up mechanically. The trucks are called out **as and when required** by the Operations Division of the Public Works Department. The Contractor is assigned a specific route by the City at the time. The mechanized pick up is considered to be loading of snow into trucks by means of both snow blower and/or loader. The dumping of snow shall take place at designated municipally owned snow dump locations.

The Tender documents were prepared and Tender PWO-RFT-013-2015 was distributed to previous and known potential bidders for the supply of up to three (3) trucks to meet the demands of the Department. Closing date was set at 2:00 p.m. on Thursday, October 22nd, 2015.

Analysis

Six (6) responses to the tender request were received by the closing date.

Bidder	Rate/hr	HST	Total
Demora Construction	\$73.00	\$9.49	\$82.49
A. Miron Topsoil	\$ 88.00	\$11.44	\$ 99.44
James Lathem Exc.	\$ 77.95	\$10.13	\$ 88.08
Loach Asphalt	\$ 69.00	\$ 8.97	\$ 77.97
A. Caldwell Sand & Grvl.	\$ 75.00	\$ 9.75	\$ 84.75
Pedersen Const.	\$ 73.45	\$ 9.55	\$ 83.00

Loach Asphalt Ltd. has provided rental equipment to the City of Temiskaming Shores on several occasions and has demonstrated the ability to successfully complete work as intended. Loach's have indicated that they could supply three (3) trucks with sufficient notice.

The tenders were analysed for errors and/or omissions and was found to be correct and complete. The process for obtaining competitive pricing was in keeping with the City's Purchasing Policy (By-Law 2009-012, as amended).

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

Costs associated with this work in comparable to those obtained for similar work in previous years.

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

Alternatives

No alternatives were considered.

Submission

Prepared by:

Reviewed and submitted for
 Council's consideration by:

"Original signed by"

"Original signed by"

 G. Douglas Walsh, CET
 Director of Public Works

 Christopher W. Oslund
 City Manager

Document Title: **PWO-RFT-013-2015**

Opening Date: **October 22, 2015**

Inquiry Contact: **Doug Walsh**

Opening Time: **2:00 pm**

Description: **Rental of Tri-Axle Trucks for snow removal with Operator**

Form of Proposal

Bidder: DEMORA

(1) Min 20 m ³ Dump Box:	73. ⁰⁰ /hr
(2) Min 20 m ³ Dump Box:	—
(3) Min 20 m ³ Dump Box:	—

Non Collusion Affidavit Conflict of Interest AODA

Bidder: LOACH ASPHALT

(1) Min. 20 m ³ Dump Box:	69. ⁰⁰ /hr
(2) Min. 20 m ³ Dump Box:	69. ⁰⁰ /hr
(3) Min. 20 m ³ Dump Box:	69. ⁰⁰ /hr

Non Collusion Affidavit Conflict of Interest AODA

Bidder: A. MIRON TOP SOIL

(4) Min 20 m ³ Dump Box:	88. ⁰⁰ /hr
(5) Min 20 m ³ Dump Box:	88. ⁰⁰ /hr
(6) Min 20 m ³ Dump Box:	—

Non Collusion Affidavit Conflict of Interest AODA

Bidder: ALVIN CALDWELL SAND & GRAVEL

(4) Min. 20 m ³ Dump Box:	75. ⁰⁰ /hr
(5) Min. 20 m ³ Dump Box:	75. ⁰⁰ /hr
(6) Min. 20 m ³ Dump Box:	75. ⁰⁰ /hr

Non Collusion Affidavit Conflict of Interest AODA

Bidder: JAMES LATHAM EXCAV.

(7) Min 20 m ³ Dump Box:	77.95/hr
(8) Min 20 m ³ Dump Box:	77.95/hr
(9) Min 20 m ³ Dump Box:	77.95/hr

Non Collusion Affidavit Conflict of Interest AODA

Bidder:

(7) Min. 20 m ³ Dump Box:	
(8) Min. 20 m ³ Dump Box:	
(9) Min. 20 m ³ Dump Box:	

Non Collusion Affidavit Conflict of Interest AODA

Bidder: PEDERSEN CONSTRUCTION

(10) Min 20 m ³ Dump Box:	73.45/hr
(11) Min 20 m ³ Dump Box:	73.45/hr
(12) Min 20 m ³ Dump Box:	73.45/hr

Non Collusion Affidavit Conflict of Interest AODA





Bidder:

(10) Min. 20 m ³ Dump Box:	
(11) Min. 20 m ³ Dump Box:	
(12) Min. 20 m ³ Dump Box:	

Non Collusion Affidavit Conflict of Interest AODA

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:

<u>Print Name</u>	<u>Representing</u>	<u>Signature</u>
Clint Bearsto	Pedersen	
Math McLean	Demora	
DAVE TREEN	CITY	
LINDA MCKNIGHT	C of T.S.	

The Corporation of the City of Temiskaming Shores
By-law No. 2015-000

**Being a by-law to enter into an agreement with
Loach Asphalt Ltd. for the Rental of Tri-axle
Trucks 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-054-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Loach Asphalt Ltd. for the Rental of Tri-axle Trucks for consideration at the November 3, 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 entering into an agreement with Loach Asphalt Ltd. for the Rental of Tri-axle Trucks at a rate of **\$69.00** per hour 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 3rd day of November, 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

Loach Asphalt Ltd.

for the Rental of Tri-axle Trucks for Snow Removal

This agreement made in duplicate this 3rd day of November 2015.

Between:

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

and

Loach Asphalt Ltd.
(hereinafter called “the Contractor”)

Witnesseth:

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

Article I:

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores
Equipment Rental – Tri-axle Trucks
Tender No. PWO-RFT-013-2015**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement; and
- c) Complete, as certified by the Director, all the work by **April 30th, 2016.**

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid Sixty-Nine Dollars and Zero Cents (\$69.00) per hour 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 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:

Loach Asphalt Ltd.
227 Raymond Street
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)

Loach Asphalt Ltd.

General Manager – Lance Loach

Witness
Print 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
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Form of Tender

Each Tender should contain the legal name under which the Bidder carries on business, telephone number and fax number, mailing address as well the name or names of appropriate contact personnel which the City may consult regarding the Tender.

We, the undersigned, have carefully examined the attached documents and conditions of the Tender.

We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment, labour, apparatus and documentation as are required to satisfy this Tender.

NOTE: All portions of "Form of Tender" must be accurately and completely filled out.

Item	Description	Make and Model	Manufactured Date	Hourly Rate, \$
1	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	STERLING L9000	2006	69.00
2	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	INTERNATIONAL RAYSTAR	2007	69.00
3	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	STERLING L9000	2009	69.00

The City permits one Bidder to bid simultaneously for more than one truck. Should the Bidder be successful on more than one truck, the City reserves the right to decide which truck(s) to award to the Bidder based on the greatest benefit to the taxpayer.

Pricing shall exclude applicable taxes but will be considered extra.


This is page 1 of 6 to be submitted



City of Temiskaming Shores
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Form of Tender

All hourly rates offered in this Tender are firm, irrevocable and open for acceptance by the City for a period of sixty (60) days. The City will not reimburse any Bidder for any cost or expense of any kind incurred in preparation or submission of any response to this Request for Tender.

Company Name LOACH ASPHALT LTD.	Contact name (please print) LANCE LOACH
Mailing Address 227 RAYMOND STREET	Postal Code PO5 1P0
Authorizing Signature  "I have the authority to bind the company/corporation/partnership."	Title GENERAL MANAGER
Telephone 705-647-4700	Fax 705-647-4712
Cell Phone if available 705-648-5766	Date OCT - 22 - 2015
Email address if available loachasp@live.ca	



City of Temiskaming Shores
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Non Collusion Affidavit

I/ We LOACH ASPHALT LTD. 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 Tender 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

LOACH ASPHALT LTD.

Title

GENERAL MANAGER

This is page 3 of 6 to be submitted



**City of Temiskaming Shores
PWO-RFT-013-2015**

Equipment Rental – Tri Axle Trucks

Conflict of Interest Declaration

Please check appropriate response:

- I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

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

Dated at NEW LISKEARD this 22nd day of OCTOBER, 2014.

FIRM NAME: LOACH ASPHALT LTD.

BIDDER'S AUTHORIZED OFFICIAL: LANCE LOACH

TITLE: GENERAL MANAGER

SIGNATURE:

This is page 4 of 6 to be submitted



**City of Temiskaming Shores
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.

The Contractor shall not show "Own Forces" in their list of proposed Subcontractors, except where the Bidder's intent is to employ the Bidder's own qualified on-staff personnel to perform such work.

The Contractor shall not indicate "TBD" (To Be Determined) or "TBA" (To Be Announced) or similar wording and shall not indicate multiple choices of Subcontractor names

One Subcontractor name shall be indicated for each Subcontractor category.

No names, either of Subcontractors or "Own Forces" may be changed after submission of the list of proposed Subcontractors unless prior written approval is received from the City

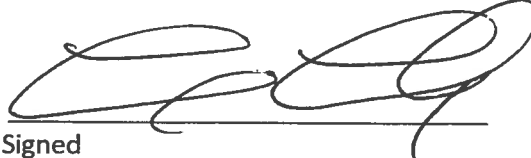
Should the Bidder indicate "N/A" (not applicable), "None", "Own Forces" or imply by either non completion or omission of this form, that no Sub-Contractor will be used in the execution of this agreement, It is then understood that the City will make no allowance for, nor shall any Sub-Contractors shall be allowed to perform any part of this agreement.

Name	Address	WSIB Certificate Number (copy attached)

I / We verify that the information provided above is accurate and that the individuals are qualified, experienced operators capable of completing the work outlined in this Tender document.

Signed by Company Official

LANCE LOACH
Printed


Signed

This is page 5 of 6 to be submitted



**City of Temiskaming Shores
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 LANCE LOACH Company Name LOACH ASPHALT LTD.

Phone Number 705-647-4700 Address NEW HUSKEARD

I, _____, 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, LANCE LOACH, 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/serve-ability/splash.html.

Date: OCT-22-2015

Subject: Speed Reduction –
Lakeshore Road South

Report No.: PW-055-2015
Agenda Date: November 3, 2015

Attachments

Appendix 01: Walton Correspondence – dated December 5, 2014

Appendix 02: Memo to Committees – dated July 6, 2015

Appendix 03: Comments from Stakeholders

Recommendation

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-055-2015;
2. That Council confirms support of the recommendation not to reduce the speed limit on Lakeshore Road, from Radley Hill Road southward;
3. That Council directs staff to install “Truck Turning” signs in the vicinity of New Liskeard Sheet Metal; and
4. That Council directs staff to provide a response to Mr. Walton regarding their decision and work with New Liskeard Sheet Metal in the development of a policy for the Company regarding reversing vehicles at this location.

Background

On February 17, 2015 Municipal Council received correspondence (**Appendix 01**), dated December 5, 2014, from Mr. Murray Walton of New Liskeard Sheet Metal Works Ltd. requesting that the speed limit along Lakeshore Road South, from Radley Hill Road southward, be reduced. At that time, Council referred the matter to the Director of Public Works for review, investigation and recommendations.

Currently, the posted speed along Lakeshore Road South, from Lowry Street towards Radley Hill Road, is 80 kilometers per hour (km/h). This speed limit was established by the Ministry of Transportation prior to the transfer of ownership in the late 1990's from the Province of Ontario to the former Town of Haileybury. The Town of Haileybury had previously considered reducing the speed limit along this section of roadway to 60 km/h; however, there was significant opposition at that time.

At the June 25, 2015 Public Works Committee meeting the members discussed the correspondence and are considering the request to reduce the speed limit along the entire length of Lakeshore Road, from Lowry Street to Radley Hill Road, to 60 km/h. It was noted that the 20 km/h reduction, if travelled at the posted speed, would result in an additional one minute and nineteen seconds (1:19) of travel time over the 4.6 kilometer distance.

On July 6th, at the request of the Public Works Committee, a Memo (**Appendix 02**) was circulated to the Police Services Board, Temiskaming Transit, the Protection to Persons and Property Committee and members of Council for review and comments, with an Administrative Report to be provided for Municipal Council's decision.

Analysis

As indicated above, a Memo was circulated to the various stakeholders identified at the PW Committee meeting. **Appendix 03**, attached to this Report, highlights the comments that were provided in response to the Memo.

Each stakeholder group or respondent indicated that, in their opinion, the reduction of the speed limit or relocation of the speed limit sign would not contribute significantly to increase roadway safety in this area.

As an alternative, staff conducted a review of and are recommending the use of "Truck Turning" signs similar to those that were previously located in the vicinity of the former Uniboard plant further south along this same roadway. At the request of Uniboard, the Town of Haileybury installed the signs informing the motoring public of the potential for heavy trucks turning at the location and the Company developed an internal policy that included the use of "flag persons" to assist the trucks when reversing into the property from the roadway was required.

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 cost to install the signs is estimated to be \$400. The signs that had been installed at the Uniboard facility were placed in 2000-2001 and were relocated in good condition in 2013 to Hopper Road near the Miller Paving Pit location.

Submission

Prepared by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

G. Douglas Walsh, CET
Director of Public Works

Christopher W. Oslund
City Manager

New Liskeard Sheet Metal Works Ltd
1444 Lakeshore Road
New Liskeard ON P0J 1P0
705-647-4461

December 5, 2014

The City of Temiskaming Shores

ATT: MAYOR & COUNCIL

New Liskeard Sheet Metal Works Ltd is making a request to have the speed limit on highway 11 south that passes in front of our establishment reduced.

The speed limit changes from 50km to 80km at Radley Hill Road.

We would like it to remain at 50km until passed our establishment going south.

In between Radley Hill Road and New Liskeard Sheet Metal there are numerous homes, an apartment complex, Grass King, Northern Shores and New Liskeard Sheet Metal. During operation of business at New Liskeard Sheet Metal, daily we have transports backing into the yard, delivery trucks, couriers and customers. When leaving our yard because of the corner to the north it is a very short distance of visibility and the oncoming traffic is traveling 80km. Also, during the summer months the one lane is closed off due to the running trail making it more difficult for backing into the yard.

We would appreciate council considering this matter and thank you in advance.

Yours truly



Murray Walton
Owner

Memo

To: Temiskaming Shores Police Services Board
Cc: Protection to Persons & Property Committee, Temiskaming Transit Committee, Mayor and Council
From: Douglas Walsh, CET – Director of Public Works
Date: July 6, 2015
Subject: Speed reduction – Lakeshore Road South
Attachments: None

Police Services Board Members:

On February 17, 2015 Municipal Council received correspondence, dated December 5, 2014, from Mr. Murray Walton of New Liskeard Sheet Metal Works Ltd. requesting that the speed limit along Lakeshore Road South, from Radley Hill Road southward, be reduced. At that time, Council referred the matter to the Director of Public Works for review, investigation and recommendations.

Currently, the posted speed along Lakeshore Road South, from Lowry Street towards Radley Hill Road, is 80 kilometers per hour (kph). This speed limit was established by the Ministry of Transportation prior to the transfer of ownership in the late 1990's from the Province of Ontario to the former Town of Haileybury. The Town of Haileybury had previously considered reducing the speed limit along this section of roadway to 60 kph, however, there was significant opposition at that time.

In recent years, with the development of the South Temiskaming Active Travel Organization (STATO) trail, there has been a noted increase in pedestrian and cycle traffic as well as added concern from home and business owners along this section regarding the excessive speeds by the motoring public. This is very evident in areas where more than a single lane of traffic in each direction exists.

At the June 25, 2015 Public Works Committee meeting the members discussed the correspondence and are considering the request to reduce the speed limit along the entire length of Lakeshore Road, from Lowry Street to Radley Hill Road, to 60 kilometers per hour. It was noted that the 20 kilometer per hour reduction, if travelled at the posted speed, would result in an additional one minute and nineteen seconds (1:19) of travel time over the 4.6 kilometer distance.

Prior to making recommendations to Municipal Council, the Public Works Committee has requested that this Memo be circulated to the Police Services Board, Temiskaming Transit and the Protection to Persons and Property Committee for review and comments.

Should you require further information do not hesitate to contact the undersigned.

“original signed by”

G. Douglas Walsh
Director of Public Works

Memo

To: Mayor and Council
C.C. Doug Walsh, Director of Public Works
From: Christopher W. Oslund on behalf of the Police Services Board
Date: July 20, 2015
Subject: Speed Reduction on Lakeshore Road

Mayor and Council,

As per memo PW-009-2015 from Doug Walsh, Director of Public Works, please be advised that the Police Services Board has reviewed the Lakeshore Road speed reduction proposal at its July 20, 2015 meeting.

The committee has requested that the following comments be forwarded for Council's consideration prior to making a decision.

- 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.

Yours truly,



Christopher W. Oslund
Secretary



STORY ENVIRONMENTAL INC.

P. O. Box 716
Haileybury, ON, P0J 1K0
Tel: (705) 672 - 3324
Fax: (705) 672 - 3325



22 July 2015

Dave Treen
Municipal Clerk
P.O. Box 2050
325 Farr Drive
Haileybury, Ontario
P0J 1K0

Dear Dave,

I have recently heard that the City is investigating the possibility of reducing the speed limit on Lakeshore Rd. I know it is for an isolated length of Lakeshore Rd but regardless the first step should be strictly enforcing the existing speed limits everywhere on Lakeshore Rd. No one drives the speed limit on Lakeshore Rd. Even where I live, 770 Lakeshore Rd. S, most people are still driving 80 km/h and at times even faster since they haven't slowed down yet.... This past weekend, I was almost hit by a vehicle when I was crossing the road to go to the lake. I think reducing the speed limit further will only disadvantage the residents of Haileybury further. Often, I drive to and from New Liskeard five times a day, between before school practices, taking children to school, meetings, after school practices, band practices, shopping, etc... I don't think reducing the speed limit further is the solution. The solution is ensuring the OPP strictly enforce the existing speed limits.

If you have any questions please call me.

Thank you,

Maria Story, PEng.
President

STORY ENVIRONMENTAL INC.



Memo

To: Mayor and Council
C.C. Doug Walsh, Director of Public Works
From: Kelly Conlin, on behalf of the Temiskaming Transit Committee
Date: August 13, 2015
Subject: Speed Reduction on Lakeshore Road

Mayor and Council,

As per memo PW-009-2015 from Doug Walsh, Director of Public Works, please be advised that the Temiskaming Transit Committee reviewed the Lakeshore Road speed reduction proposal at its July 23, 2015 meeting.

The committee has requested that the following comments be forwarded for Council's consideration prior to making a decision.

- It is anticipated that the new, larger transit buses will require additional time within the current schedule.
- The speed limit reduction will result in an approximate 1 ½ minute increase in travel time per trip. Each transit bus travels between Cobalt and New Liskeard 12 times per day. This will result in an overall cumulative adjustment of 48 minutes to the schedule.
- To accommodate increased time, the Temiskaming Transit Committee would need to investigate the elimination of bus stops and review its current schedule. An hourly bus service will not be achievable if a reduced speed limit is implemented.

In order to maintain our current service level, which services 130,000 riders per year, the Transit Committee respectfully recommends that the current speed limit of 80 km be maintained.

Yours truly,

Kelly Conlin
Secretary

From: Cecchini, Brent (OPP) [<mailto:Brent.Cecchini@opp.ca>]

Sent: October-22-15 9:27 AM

To: Chris Oslund

Cc: Doug Walsh

Subject: RE: Speed Limit Sign Relocation

Hi guys,

We have had some logistics problems with getting the speed sign out there, but as I reported on at the last PSB meeting, here are the results of the informal speed survey we conducted on Lakeshore drive during the summer months:

Highest observed speed in the 80 zone: 108 Km/h.

Average speed in 80 zone: 82 Km/h

Average speed in 50 zone: 48 Km/h

Charges laid on Lakeshore in July: 2 speeding, 1 plate offence, 1 licence condition offence

Charges laid on Lakeshore in Aug: 2 distracted, 1 speeding, 1 fail to yield.

We had a very high police presence on Lakeshore during the summer months. Based on our experience and observations, I don't believe that lowering the speed limit anywhere on Lakeshore will contribute to road safety.

Brent.

The Corporation of the City of Temiskaming Shores
By-law No. 2015-200
Being a by-law to adopt a Performance Management and
Appraisal Policy

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 CS-035-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to adopt a revised Performance Management Appraisal Policy for consideration at the November 3, 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 of The Corporation of the City of Temiskaming Shores hereby adopts a Performance Management and Appraisal Policy, attached hereto as Schedule "A" and forming part of this by-law;
2. That By-law No. 2012-145, as amended is hereby repealed;
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature of any 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2015-200

Performance Management and Appraisal Policy

PERFORMANCE MANAGEMENT AND APPRAISAL POLICY

Policy Statement and Purpose

The City of Temiskaming Shores is committed to building a skilled, knowledgeable, collaborative and respectful organization that thrives on quality customer service. The City of Temiskaming Shores is also committed to supporting the growth and development of employees through effective performance management.

The purpose of the City's performance management process is to align employee performance with the City's strategic plan and departmental goals and objectives.

Scope

This policy applies to all management/non-union and union City employees, including but not limited to full-time, part-time, regular, and temporary.

Performance Management

Performance Management is the process of linking individual performance actions and behaviours to the achievements of the City's and departmental objectives. At the City of Temiskaming Shores, this process is comprised of a cycle with three interrelated phases:

- 1. Performance Planning** – The supervisor and employee establish performance expectations, goals and objectives in alignment with the level of the position.
- 2. Performance Feedback and Coaching** – As the employee works throughout the review period to accomplish the established performance expectations, the supervisor observes performance and provides ongoing feedback and coaching. It is recommended that a midpoint review period meeting be conducted to ensure appropriate communication related to ongoing performance. The employee may also request coaching and feedback to improve/ develop performance.
- 3. Performance Assessment** – The supervisor conducts and documents a formal performance review with each employee at the end of every twelve month review period. The employee participates in this process by contributing a self-assessment. The supervisor sends the original signed performance appraisal form to Human Resources.

Provisions

Employees play an integral role in the City's success. Open, honest and regular feedback between supervisors and employees with regards to performance ensures that employees, at every level, understand what is expected of them in terms of performance results and behaviours.

The performance appraisal provides an opportunity for supervisors to record the employee's performance on an objective basis and establish a basis for assessment of annual progressive salary increases (merit increases) if applicable.

The performance appraisal form is completed at least every twelve months. The performance appraisal is conducted whether or not an annual progressive step increase in salary is pending.

Upon completion of an employee's probationary period, a performance appraisal is completed to ensure satisfactory performance.

The process helps to clarify expectations and evaluate results achieved. The performance appraisal provides opportunities to identify learning and development needs and to develop learning plans. The annual meeting also provides an opportunity for supervisors to discuss career plans with their employees.

The City Manager makes the final decision on ratings.

Responsibilities

City Manager:

Ensures that performance management is an ongoing priority for the City.

Provides documented performance appraisals for Directors on a twelve month interval.

Directors:

Ensure the implementation and maintenance of the performance management process in his or her department and report regularly on the results of the process to the City Manager.

Provides documented performance appraisals for direct reports on a twelve month interval.

Director of Corporate Services:

Develops and provides support for the performance management process in consultation with the City Manager.

Ensures that training programs for the implementation and maintenance of the Performance.

Management Process is provided when appropriate.

Provides documented performance appraisals for direct reports on a twelve month interval.

Superintendents:

Provide documented performance appraisals for direct reports on a twelve month interval. Report regularly on the results of the program to their Director.

Employees:

Participate in the performance appraisal meeting with his or her immediate supervisor, listen to feedback and ask questions to clarify information.

Offer suggestions for improving performance if needed and identify areas for learning and development. If necessary, identify obstacles to performance and suggest solutions.

Compliance

Non-compliance with this policy may result in discipline in accordance with the City's policies.

SUPERVISOR'S GUIDE TO COMPLETING THE PERFORMANCE APPRAISAL PROCESS

Supervisor:

Before the performance appraisal meeting:

- Schedule ample time and provide a private place for the appraisal meeting.
- Notify the employee in advance.
- Arrange for work coverage for your employee (if required); appraisal meetings should be conducted during regular business hours, not during breaks, lunch or after the workday is over.
- Review the employee's job description and documentation you have collected throughout the year (emails, letters, notes, certifications, business plans, work plans, etc.).

During the performance appraisal meeting:

- Provide specific feedback on the employee's performance.
- Offer the employee an opportunity to share his/her self evaluation.
- Discuss learning and development needs of the employee.
- Set targets for improvement (if required).
- Answer employee questions with regard to the performance appraisal.
- Identify employee's performance rating.

Employee:

Before the performance appraisal meeting:

- Confirm the meeting with your manager/supervisor.
- Gather any documentation regarding your performance and achievements that you have collected throughout the year (emails, letters, notes, certifications, business plans, work plans, etc.).
- Write down questions, suggestions, or concerns that you want to discuss with your supervisor.
- Be prepared to talk about your performance – what you do well, how you could improve, how you can contribute to the team, what you would like to learn, etc.

During the performance appraisal meeting:

- Be open to discussion.

- Listen well to feedback from your supervisor and ask questions to clarify information.
- Share information from the P.A. form completed prior to meeting.
- Offer suggestions and ideas for improving performance, if needed.
- Identify areas for learning and development.
- Identify obstacles to performance and suggest solutions.

Complete, Exchange and Meet:

1. The supervisor will forward the form to the Director of their department who will read, make comments, and sign the employee's performance appraisal form.
2. A photocopy of the completed and signed performance appraisal form is to be provided to the employee, and the ***original completed performance appraisal form will be sent to Human Resources***. This copy will be filed in the employee's personnel file.

PERFORMANCE REVIEW

Review Period:	Review Date:
Name:	Supervisor:
Position:	Department:
Performance Rating:	Recommended Salary Level/Date:

- A. Performance **consistently exceeds** the majority of position expectations and is characterized by uniformly high performance.
- B. Performance **consistently meets** position expectations and occasionally exceeds them.
- C. Performance **meets** position expectations the majority of the time, and is characterized by striving to consistently meet position expectations. This may be an individual addressing a specific performance issue(s) or an individual new to a role.
- D. Performance **is not meeting** minimum position expectations. Remedial action required.

PERFORMANCE FACTORS:

	1	2	3	4
Accountability: Demonstrate a high level of ownership/commitment to achieve results.				
Integrity: Achieves a high level of trust in relationships. Adheres to the City's values and guidelines of conduct.				
Decision Making/Judgement: Assess the importance of urgency and risk associated with each situation and takes actions which are timely and in the best interests of the City.				
Communication Skills: Effectively presents and receives information both orally and in writing.				
Quality of Work: Completes assignments by or before deadline. Produces acceptable quantity of work. Works at a steady pace regardless of environmental pressures.				
Safety: Aware of the Municipality's safety policies. Reports potential safety hazards.				
Commitment: Demonstrates trust to carry out work and reliable.				
Job Knowledge: Demonstrates a thorough knowledge of his/her key responsibilities.				
Organizational Skills: Uses an effective methodology to determine priorities, set goals, create a plan, take action and measure results.				

OBJECTIVES: Define future goals, how they will be met and in what timeframe.

Goals/Objectives	Timeframe

COMMENTS/SIGNATURES:

<i>Employee Comments:</i>	
<i>Employee Signature:</i>	<i>Date:</i>
<i>Supervisor Comments:</i>	
<i>Supervisor Signature:</i>	<i>Date:</i>

The Corporation of the City of Temiskaming Shores

By-law No. 2015-201

**Being a by-law to enter into an Agreement with Larry Breault
for the Operation of Bucke Park Campground
for the 2016, 2017, 2018 Term**

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 at its October 20th, 2015 Regular Council Meeting, acknowledged receipt of Administrative Report No. CS-031-2015 regarding the Bucke Park Operator's Agreement and directed staff to prepare the necessary by-law to enter into an agreement with Larry Breault for the operation of Bucke Park for a three-year term;

And whereas the Council of The Corporation of the City of Temiskaming Shores deems it desirable to enter into an agreement with Larry Breault for the operation of Bucke Park for the 2016-2018 term;

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 Larry Breault for the Operation of Bucke Park for the 2016, 2017 and 2018 term, 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

This agreement made the 3rd day of November, 2015

Between:

City of Temiskaming Shores
(Hereinafter called the "City")

And:

Larry Breault and Jessica Breault
(Hereinafter called the "Operator")

Whereas the City is the owner of the lands described as follows:

North Part of Lot 15; Concession1; Bucke Township; Parcel 4139 N.N.D.
(Hereinafter called the "Lands"); and

On the lands there is a two-storey main building
(Hereinafter called the "Chalet")

And whereas the parties hereto have agreed to enter into this agreement.

1.0 Premises

The City hereby permits the Operator all of the ground floor and upper level of the Chalet containing living quarters and concession/restaurant area and one boat slip. In addition to the foregoing, the City permits the Lands municipally known as "Bucke Centennial Park" as shown on Appendix 01 hereto attached.

2.0 Ingress and Egress

Together with right of ingress and egress for the Operators servants, family, invitees, and patrons, the use of entrance, halls, stairways, rooms, landings, walkways, driveways, park lands, docks, beaches, parking lots, and stopping areas in and about the lands and structures. (Hereinafter called the "Common Areas").

3.0 Term and Rate

The term of this lease runs from October 19th, 2015 to October 19th, 2018.

The City shall pay to the Operator on a weekly basis \$750/week from the second week of May to the week following Thanksgiving weekend in October for the year 2016, 2017, and 2018.

4.0 City's Covenants

4.1 Telephone/Electricity

To pay when due the cost of the telephone service and hydroelectric costs supplied to the Chalet and lands during the term of the agreement.

4.2 Sanitary Collection System

Pay for the costs associated with the Sanitary Collection System and programs unless otherwise specified.

To utilize a licensed waste hauler in respect to the Wastewater Holding Tanks and pay all associated costs for such unless otherwise specified.

4.3 Trailer/Tent/Transient Sites

Rent trailer, tent and transient sites to seasonal campers as shown on Appendix 02 hereto attached. The City must approve any modifications to any existing or proposed trailer, tent and/or transient sites.

The City will provide a cash register for City transactions at the Park.

The City will provide the Operator with a City manual Visa Machine.

4.4 Maintenance and Repair of the Lands

During the term of the agreement and any extension thereof to keep the said lands and chalet including windows, and fixtures therein in good repair, reasonable wear and tear, and damage by fire, lightning, tempest, flood, explosion, act of God, or the Queen's enemies, riot, civil commotion, insurrection, structural defects and other causes no the fault or responsibility of the Operator or any of its employees, only excepted, and to deliver them up in such condition on the termination of the lease.

4.5 Rates

The City will establish rates for transient sites, trailer sites, tenting sites and docking facilities.

4.6 Access to the Lands

To provide the Operator, members, invitees and servants reasonable access to the land by means of grading access road. Grading will be in accordance with By-law 96-57, as amended, "Roadway Service Standards" for seasonal roads.

4.7 Access to Chalet

To permit the Operator, members, invitees and servants and all persons lawfully entitled to use, by this agreement, entrance to said building.

4.8 Insurance

To provide for insurance against perils such as fire, wind, snow and other acts of God.

4.9 Chalet Maintenance

To ensure that the building’s common areas are structurally sound and to alleviate any structural defects which may arise.

4.10 Material Supplies

The City will approve and provide the necessary materials and supplies required for the general maintenance of the Chalet and said lands.

5.0 Operator’s Covenants

5.2 Sanitary Collection System

The Operator will maintain the system.

5.3 Trailer/Tent/Transient Sites

The Operator shall ensure that transient sites are reserved for occupants whose length of stay is not longer than (15) consecutive days.

The Operator shall supply a receipt to the camper and the City for all cash transactions.

The Operator shall forward all funds from Campsites and Boat slips to the City on Monday and Friday of each week.

The Operator may operate a small confectionary (pre-packaged items only) from the Chalet at own expense. Any profit/loss from this operation is that of the Operator.

5.4 Cost of Repairs when Operator at fault

That if the chalet, heaters, light fixtures, pipes and other apparatus (or any of them) used for the purpose of heating the building, or if water pipes, drainage pipes, or the roof, outside walls or windows of the chalet get out of repair or become damaged or destroyed through the negligence, carelessness or misuse by the Operator, his directors, members, invites, servants, agents, or anyone

permitted by him to be in the chalet, the expense of any necessary repairs, replacements or alterations shall be the exclusive cost of the Operator.

5.5 Assigning of Subletting

The Operator may not assign temporary use to other bodies unless prior written consent is received from the City, which consent will not be unreasonably withheld. The Operator will be responsible for all provisions of this agreement when temporary use is assigned to other bodies.

5.6 Park Maintenance

The Operator shall be responsible for the repair and maintenance of the park grounds, waterfront, docks and roadways in need of such caused by normal usage.

5.7 Devil's Rock Trail System

The Operator shall at least twice per month during the term of this agreement review the Devil's Rock Trail System as outlined in Appendix 03 – *Devil's Rock System*, hereto attached which included signage, all trails, lookouts, and access from Highway 567. The Operator shall maintain the trail system such that the system is passable by visitors and report to the City any damage or necessary work required to be conducted by the City beyond the capability of the Operator.

The Operator shall maintain a log book, supplied by the City, at the chalet to record visitors utilizing the Devil's Rock Trail system via Bucke Park Campground.

5.8 Cleanliness

The Operator shall be responsible for janitorial services so as to cause the buildings with the park to be kept in a state acceptable to the Temiskaming Health Unit and the City.

The Operator shall be responsible for removal of all refuse from the lands and shall be allowed to take a maximum of ten (10) bags of domestic waste to the Haileybury Landfill Site each week at no charge. The City will cover garbage bin fees.

5.9 Entry by City

To permit the City or its agents to enter upon the premises at any time and from time to time for the purpose of inspecting and making repairs, alterations or improvements to the premises or to any structure, and the Operator shall not be entitled to compensation for any inconvenience, nuisance, or discomfort occasioned thereby; provided that the landlord shall give reasonable advance

notice to avoid inconvenience to the Operator given the private and confidential nature of the profession of the Operator.

5.10 Alterations

Except as herein provided, not to make or permit to be made any structural alteration, addition, change or improvement to the chalet or the Lands without obtaining prior written approval of the City which approval shall not be unreasonably withheld.

The Operator shall also prohibit the erection of any permanent buildings or structures of any kind whatsoever to any trailer or vehicle within the camp. Accessory and non-permanent structures may be erected so long as they are removed from the Lands or stored in areas designated by the City for that purpose. The City reserves the rights to refuse this privilege as it sees fit.

5.11 Reports by Operator

The Operator shall prepare an end of season report recommending capital improvements for the Lands. This report will be reviewed by the City. The City may or may not incorporate the recommendations.

5.12 Usage of Park

The Operator will ensure all patrons respect that the lands, with the exception of the established sites, are for freehold public use. The Operator may not charge or unreasonably restrict use of the boat launch, parking areas, beach, and fishing or common park areas within the lands.

5.13 Fire Control

The Operator shall ensure that no person shall light or use an open fire except in stove or fire pits designated for such purpose.

The Operator shall first obtain a burning permit in accordance to regulations and abide by any restrictions announced throughout the operating season.

It is the responsibility of the Operator to ensure that there are no burning restrictions.

5.14 Boat Slip Marina

The Operator is entitled to rent boat slips to Bucke Park tenants, up to the number of slips available during the term of this agreement. The Tenant will ensure that at least two (2) transient slips are available. Storage of boats on the outside of the break-wall or in a manner that prohibits the use of the launch is prohibited.

The Operator is responsible for the maintenance of the slips for the duration of this agreement.

All boat slip fees are to be forwarded to the City.

5.15 Park Rules

A list of park rules that the Operator is responsible for enforcing are as indicated in Appendix 04 – *PARK RULES*, hereto attached. Additional rules may be added at the discretion of the City.

6.0 Provisions

Provided always and it is hereby agreed as follows:

6.1 Amendments

This agreement may not be modified or amended except by an instrument in writing signed by the parties hereto or by their successors or assigns

6.2 Replacement of Damaged Facilities

In the event that the complete destruction of or damage to the chalet or partial damage to the building which results in the Operator's inability to reasonably carry on his business therein, the Agreement shall cease until the premises are fit to allow the operator to reasonably carry on his business. The City shall begin the repair or replacement thereof and with due diligence repair or reconstruct the structure of the same type and character and of equal value. After completing the repair, reconstruction or replacement, the balance of any insurance proceeds or other proceeds available by reason thereof belong absolutely to the City.

The City, instead of repair or replacement may at its option terminate this agreement on giving to the Operator within thirty (30) days of the happening of the damage or destruction notice in writing of its intention. Upon notification thereupon any payments for which the City is liable under the agreement shall be apportioned and paid to the date of such happening of the damage or destruction and Operator shall immediately deliver up possession of the Lands to the City.

6.3 Damage to Lands

The City shall not be liable nor responsible in any way for any loss of or damage or injury to any property belonging to the Operator to employees of the Operator to any other person while in the chalet or on the Lands unless such loss, damage or injury shall be caused by the negligence of the City or its employees, servants or agents and the City shall not be liable in any event for any damage to any such property caused by steam, water, rain or snow which may leak into, issue or

flow from any part of the chalet or from the water, steam or drainage of the chalet or from any other place or quarter not for any damage caused by or attributable to the condition or arrangement of any electric or other wiring not for any damage caused by anything done or omitted by any other Operator.

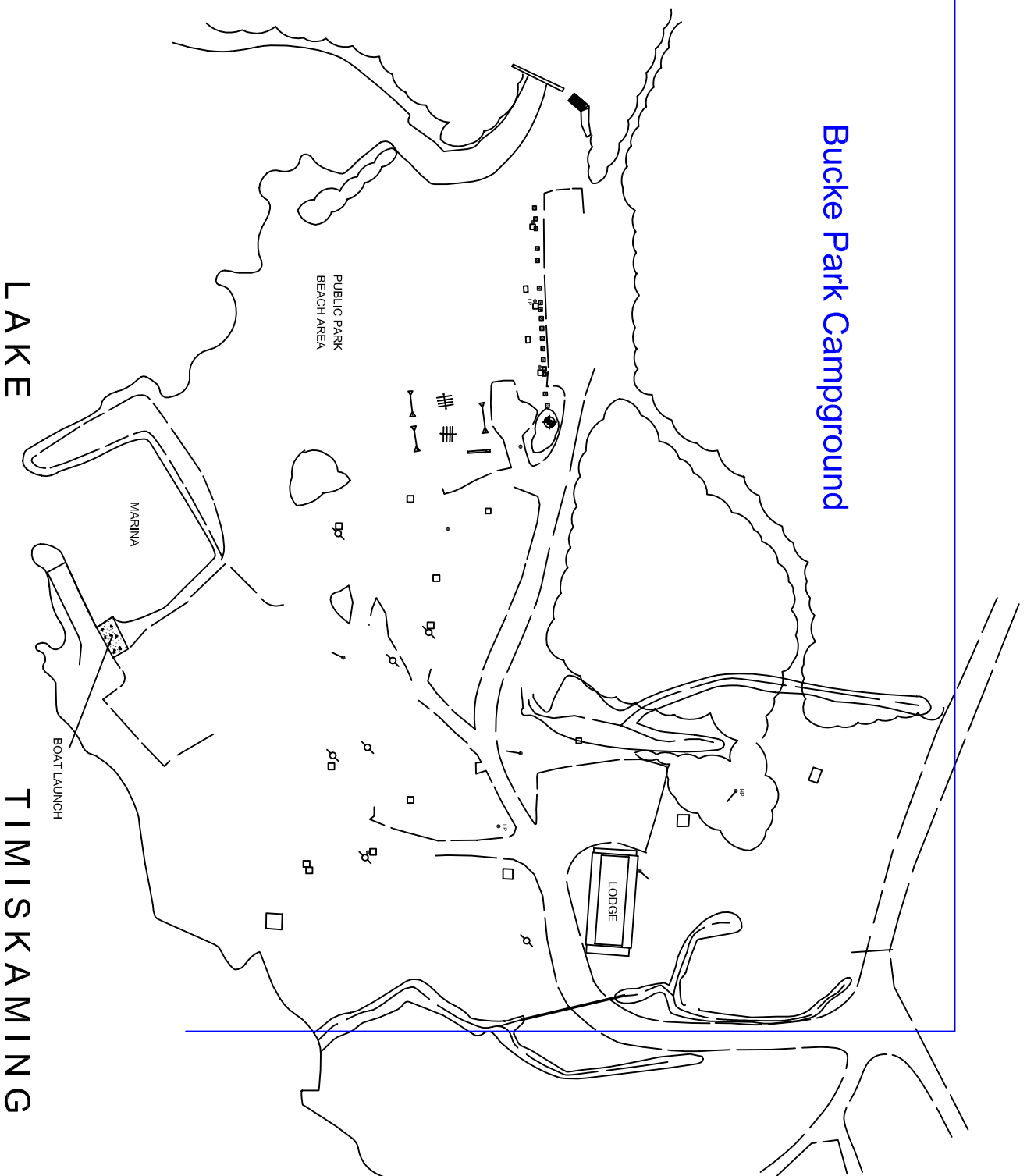
6.4 Impossibility of Performance

It is understood and agreed that whenever and to the extent that the City shall be unable to fulfill, or shall be delayed or restricted in fulfilling any obligation hereunder for the supply or provision of any service or utility or the doing of any service or utility or the doing of any work or the making of any repairs because it is unable to obtain the material, good, equipment, service, utility or labor required to enable it to fulfill such obligations or by reason of any statute, law or order-in-council or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or any government department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control whether of the foregoing character or not, the City shall be relieved from the fulfillment of such obligation and the Operator shall not be entitled to compensation for any inconvenience, nuisance or discomfort thereby occasioned.

6.5 Effect of Agreement

This agreement and everything herein contained, shall extend to and bind and may be taken advantage of by the heirs, executors, administrators of the City, as the case may be, of each (and every) or the parties hereto, and where there is more than one Operator or there is a female party or a corporation, the provisions hereof shall be read with all grammatical changes thereby rendered necessary and all covenant shall be deemed joint and several.

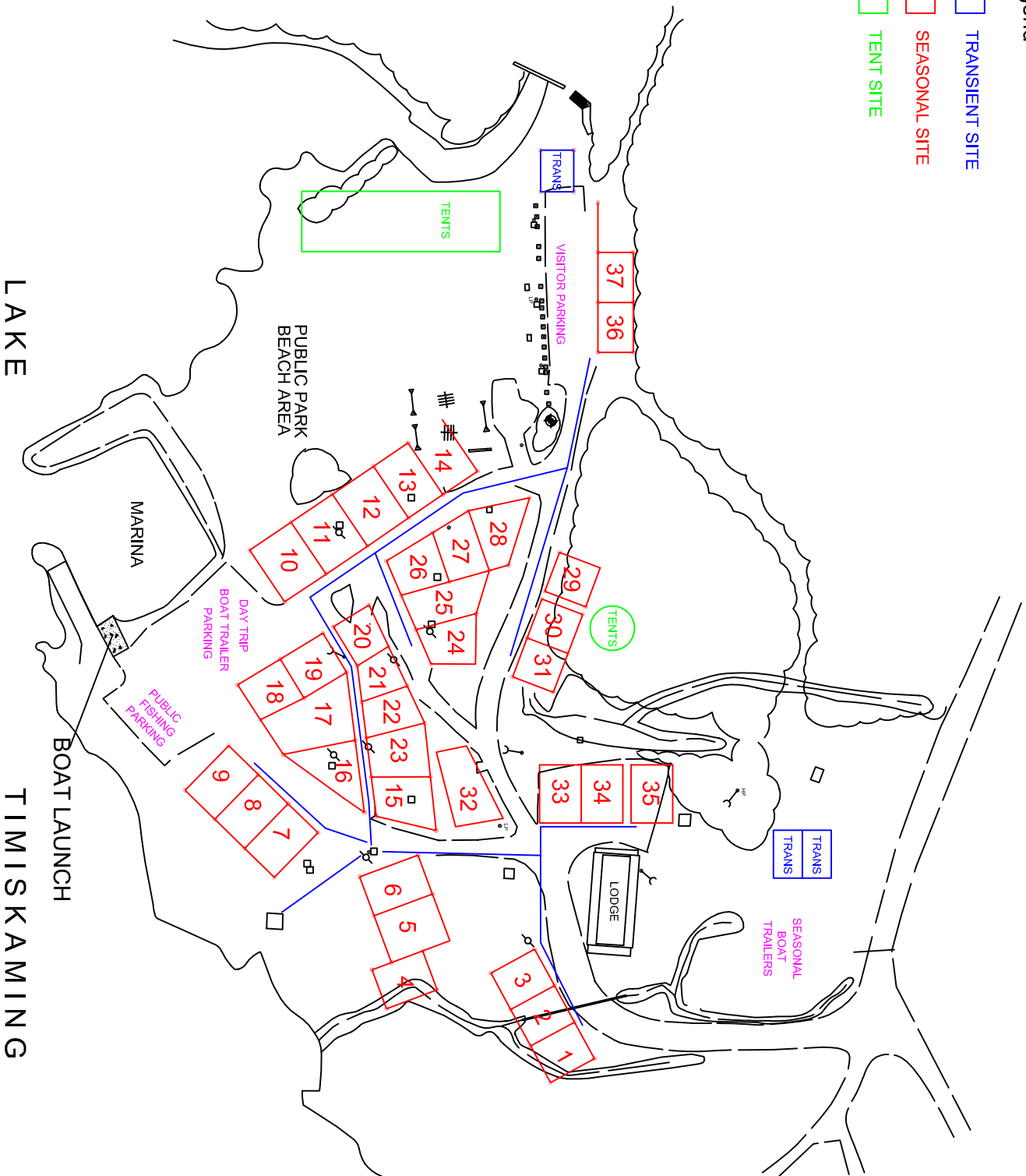
Bucke Park Campground

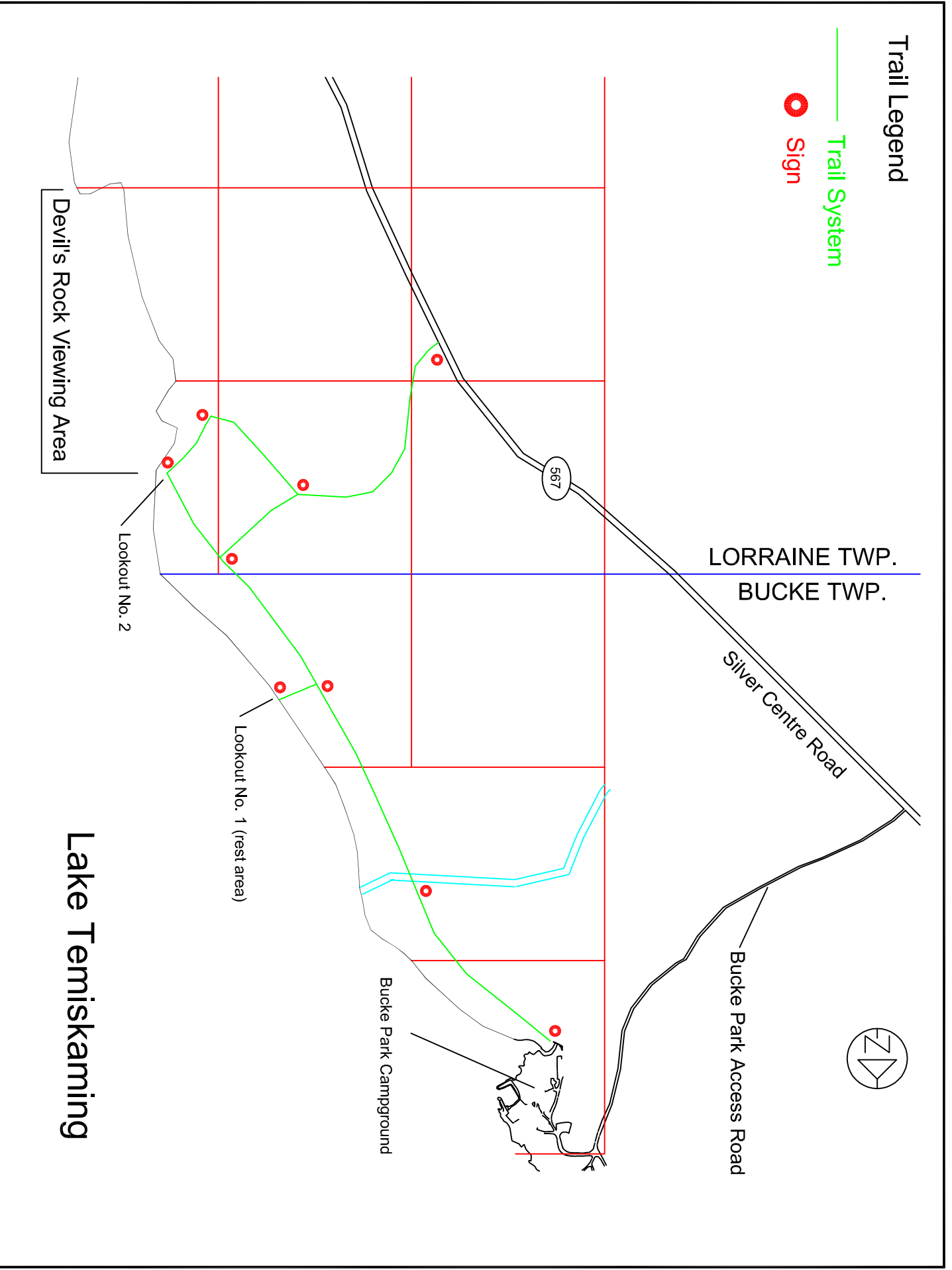


LAKE

TIMISKAMING

- Legend
- TRANSIENT SITE
 - SEASONAL SITE
 - TENT SITE





Rules of the Campground

Any camper breaching any of these rules may be evicted from the park with no refund.

1. Period of Occupancy:

No occupancy will be allowed within the park during the period of October 14th to May 15th. Trailers may be stored on the site if the appropriate winter storage agreement has been signed and fee paid to the City.

2. Trailer and Accessories Area:

The area of each lot covered by a trailer and accessories such as decks, sheds, add-ons can at no time exceed 50% of the trailer lot.

3. Occupancy of Trailer Lots:

Each trailer lot is allowed only one trailer on it at any time.

4. Waste Disposal:

Campers are responsible to dispose of their own garbage in the containers provided in the park. Sewage or grey water must be emptied into the holding tank at the entrance to the park.

5. Pets:

Campers with pets must not let them run at large or commit any nuisance within the limits of the park. All pets harboured in the park for more than 30 consecutive days must have municipal tags. Campers must clean up after their pets at all times.

6. Campfires:

Campfires are permitted only in contained fire pits and must be extinguished before retiring of high winds, or upon request of the park manager.

7. Speed Limits:

The speed limit for all vehicles inside the park is **10 km/h**.

8. Parking:

There are to be no vehicles parked on roadways at any time. Any visitors to the park must park in the designated visitor parking areas. Any boat trailers that will be in the park for a period of more than five (5) consecutive days must be parked in the trailer parking lot at the north end of the park.

9. Improper Conduct:

Conduct disturbing or objectionable to other campers will not be tolerated.

The Corporation of the City of Temiskaming Shores
By-law No. 2015-202

**Being a by-law to enter into an agreement with
Loach Asphalt Ltd. for the Rental of Tri-axle
Trucks 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-054-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to enter into an agreement with Loach Asphalt Ltd. for the Rental of Tri-axle Trucks for consideration at the November 3, 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 entering into an agreement with Loach Asphalt Ltd. for the Rental of Tri-axle Trucks at a rate of **\$69.00** per hour 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law 2015-202

Agreement between

The Corporation of the City of Temiskaming Shores

and

Loach Asphalt Ltd.

for the Rental of Tri-axle Trucks for Snow Removal

This agreement made in duplicate this 3rd day of November 2015.

Between:

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

and

Loach Asphalt Ltd.
(hereinafter called “the Contractor”)

Witnesseth:

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

Article I:

The Contractor will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores
Equipment Rental – Tri-axle Trucks
Tender No. PWO-RFT-013-2015**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement; and
- c) Complete, as certified by the Director, all the work by **April 30th, 2016.**

Article II:

The Owner will:

- a) Pay the Contractor in lawful money of Canada for the material and services aforesaid Sixty-Nine Dollars and Zero Cents (\$69.00) per hour 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 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:

Loach Asphalt Ltd.
227 Raymond Street
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)

Loach Asphalt Ltd.

General Manager – Lance Loach

Witness
Print 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. 2015-202

Form of Agreement



City of Temiskaming Shores
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Form of Tender

Each Tender should contain the legal name under which the Bidder carries on business, telephone number and fax number, mailing address as well the name or names of appropriate contact personnel which the City may consult regarding the Tender.

We, the undersigned, have carefully examined the attached documents and conditions of the Tender.

We, the undersigned, understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment, labour, apparatus and documentation as are required to satisfy this Tender.

NOTE: All portions of "Form of Tender" must be accurately and completely filled out.

Item	Description	Make and Model	Manufactured Date	Hourly Rate, \$
1	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	STERLING L9000	2006	69.00
2	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	INTERNATIONAL RAYSTAR	2007	69.00
3	Tri axle truck c/w minimum 20 cubic metre volume dump box and Operator.	STERLING L9000	2009	69.00

The City permits one Bidder to bid simultaneously for more than one truck. Should the Bidder be successful on more than one truck, the City reserves the right to decide which truck(s) to award to the Bidder based on the greatest benefit to the taxpayer.

Pricing shall exclude applicable taxes but will be considered extra.


This is page 1 of 6 to be submitted



City of Temiskaming Shores
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Form of Tender

All hourly rates offered in this Tender are firm, irrevocable and open for acceptance by the City for a period of sixty (60) days. The City will not reimburse any Bidder for any cost or expense of any kind incurred in preparation or submission of any response to this Request for Tender.

Company Name LOACH ASPHALT LTD.	Contact name (please print) LANCE LOACH
Mailing Address 227 RAYMOND STREET	Postal Code P0S 1P0
Authorizing Signature  "I have the authority to bind the company/corporation/partnership."	Title GENERAL MANAGER
Telephone 705-647-4700	Fax 705-647-4712
Cell Phone if available 705-648-5766	Date OCT - 22 - 2015
Email address if available loachasp@live.ca	

This is page 2 of 6 to be submitted



City of Temiskaming Shores
PWO-RFT-013-2015
Equipment Rental – Tri Axle Trucks

Non Collusion Affidavit

I/ We LOACH ASPHALT LTD. 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 Tender 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

LOACH ASPHALT LTD.

Title

GENERAL MANAGER

This is page 3 of 6 to be submitted



**City of Temiskaming Shores
PWO-RFT-013-2015**

Equipment Rental – Tri Axle Trucks

Conflict of Interest Declaration

Please check appropriate response:

- I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

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

Dated at NEW LISKEARD this 22nd day of OCTOBER, 2014.

FIRM NAME: LOACH ASPHALT LTD.

BIDDER'S AUTHORIZED OFFICIAL: LANCE LOACH

TITLE: GENERAL MANAGER

SIGNATURE: 

This is page 4 of 6 to be submitted



**City of Temiskaming Shores
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.

The Contractor shall not show "Own Forces" in their list of proposed Subcontractors, except where the Bidder's intent is to employ the Bidder's own qualified on-staff personnel to perform such work.

The Contractor shall not indicate "TBD" (To Be Determined) or "TBA" (To Be Announced) or similar wording and shall not indicate multiple choices of Subcontractor names

One Subcontractor name shall be indicated for each Subcontractor category.

No names, either of Subcontractors or "Own Forces" may be changed after submission of the list of proposed Subcontractors unless prior written approval is received from the City

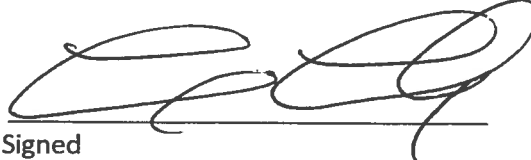
Should the Bidder indicate "N/A" (not applicable), "None", "Own Forces" or imply by either non completion or omission of this form, that no Sub-Contractor will be used in the execution of this agreement , It is then understood that the City will make no allowance for, nor shall any Sub-Contractors shall be allowed to perform any part of this agreement.

Name	Address	WSIB Certificate Number (copy attached)

I / We verify that the information provided above is accurate and that the individuals are qualified, experienced operators capable of completing the work outlined in this Tender document.

Signed by Company Official

LANCE LOACH
Printed


Signed

This is page 5 of 6 to be submitted



**City of Temiskaming Shores
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 LANCE LOACH Company Name LOACH ASPHALT LTD.

Phone Number 705-647-4700 Address NEW HUSKEARD

I, _____, 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, LANCE LOACH, 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/serve-ability/splash.html.

Date: OCT-22-2015

The Corporation of the City of Temiskaming Shores
By-law No. 2015-203
Being a by-law to regulate the location and installation of
Outdoor Boilers

Whereas Subsection 10. (2) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality a by-law respecting the health, safety and well-being of persons, protection of persons and property, and structures, including fences and signs;

And whereas Clause 125. (a) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to regulate the use and installation of heating and cooking appliances;

And whereas Clause 125. (b) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to regulate the storage of fuel for use in heating and cooking appliances. 2006, c. 32, Schedule A, s. 66;

And whereas Section 128. of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit or to regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances. 2001, c. 25, s. 128 (1); 2006, c. 32, Schedule A, s. 68;

And whereas Clause 129. (a) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors;

And whereas Clause 129. (b) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans. 2006, c. 32, Schedule A, s 69;

And whereas Subsection 425. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under this Act is guilty of an offence. 2006, c. 32, Schedule A, s. 184;

And whereas Subsection 429. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws to establish a system of fines under a by-law of the municipality under this Act is guilty of an offence. 2006, c. 32, Schedule A, s. 184;

And whereas Subsection 436. (1) of the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended, permits a municipality to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

1. A by-law of the municipality passed under this Act;
2. A direction or order of the municipality made under this Act or made under a by-law of the municipality passed under this Act., and;
3. An order made under section 431 of this Act.

And whereas the Council of the City of Temiskaming Shores deemed it necessary and expedient to pass a by-law to prohibit activities that substantially interfere with other people's health, safety or normal enjoyment of their property and considers it desirable to pass a by-law to provide the regulation of installation and location of outdoor wood burning or other solid fuel burning appliances within the geographical limits of the City of Temiskaming Shores.

Now therefore the council of the Corporation of the City of Temiskaming Shores enacts as follows;

1. That the Council of the City of Temiskaming Shores hereby adopts the "*Outdoor Boiler By-law*", hereto attached as Schedule "A" and forming a part of this by-law,
2. That this by-law shall come into force and take effect on the date of passage hereof and remain in force and effect until repealed,
3. That the former New Liskeard By-law No. 2545 being a by-law to control and regulate the installation of solid fuel burning heating appliances is hereby repealed, and
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, semantical 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 first and second time on this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Read a third time and finally passed on this _____ day of _____, 2015

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to
By-law No. 2015-203
Outdoor Boiler By-law

Section 1 General Provisions

1.1 Short Title

This By-law shall be cited as the "Outdoor Boiler By-law."

1.2 Scope

Except where otherwise provided, the provisions of this by-law shall apply to all *persons* and property within the geographic limits of the City of Temiskaming Shores.

1.3 Enforcement

This By-law shall be enforced by a By-law Enforcement Officer, Fire Prevention Officer, Fire Chief, Building Inspector or Chief Building Official.

1.4 Conflicts

Where a provision of this by-law conflicts with another by-law in force in the *City*, the provision that establishes the higher standards 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.

1.5 Validity

If any section, clause or provision of this by-law is for any reason declared by a Court or tribunal of competent jurisdiction to be invalid, the same shall not affect 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 the remaining sections, clauses and 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 invalid.

Section 2 Definitions

2.1 Generality of words, phrases and terms

Definitions of words, phrases and terms used in this by-law that are not included in the list of definitions in Subsection 2.2 shall have the meanings which are commonly assigned to them in the context in which they are used in this by-law.

2.2 Words in this by-law

The words, phrases and terms defined in this Subsection shall have the following meaning for the purposes of this by-law;

- 2.2.1 **Act** means the Municipal Act, 2001, S.O. 2001 Chapter 25 as amended
- 2.2.2 **Appliance** means an outdoor solid fuel burning appliance, which is used for the space heating of buildings through the heating of water or other such form of heat or other energy transfer and which is located in a separate structure from the building that it serves or on or adjacent to the exterior of the building which it serves.
- 2.2.3 **BCA** means the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended.
- 2.2.4 **By-law Enforcement Officer** means a Municipal Law Enforcement Officer and By-law Enforcement Officer for the *City* appointed pursuant to the Police Services Act, R.S.O. 1990, Chapter P.15.
- 2.2.5 **CBO** means the Chief Building Official for the *City* appointed pursuant to the *BCA*.
- 2.2.6 **City** means The Corporation of the City of Temiskaming Shores.
- 2.2.7 **Front Yard** means a portion of the lot as defined in the zoning by-law(s).
- 2.2.8 **Fuel** means any biomass materials that store potential energy and is burned to produce heat and may be clean wood, wood pellets, corn or any other material for which an *appliance* is designed to use.
- 2.2.9 **Lot** means a parcel of land which is capable of being legally conveyed in accordance with the Planning Act, R.S.O. 1990, c. P.13 as amended.
- 2.2.10 **OBC** means the Ontario Building Code and are the regulations made under Section 34 of the *BCA* as amended.
- 2.2.11 **Person** means any human being, association, firm, partnership, club, corporation, agent, renter or trustee.
- 2.2.12 **Waste** shall mean any material as waste in Section 25 of the Environmental Protection Act, R.S.O. 1990, Chapter E. 19, as amended.

Section 3 Regulations

- 3.1 No *person* shall install or allow to be installed an *appliance* without a permit.
- 3.2 No *person* shall install or allow to be installed an *appliance* in any approved zone;
- (a) Less than 15 meters from any lot line,

- (b) Less than 7 meters from the dwelling or any accessory building on the same lot,
 - (c) Less than 60 meters from any dwelling on an adjacent lot, and
 - (d) Notwithstanding Clause (b) no person shall install or permit to be installed an appliance less than 2 meters from an accessory building in which the *fuel* is being stored if the building is constructed with non-combustible siding and roofing.
- 3.3 No person shall install an appliance inside or partially inside a building or structure nor shall a building or structure be constructed to enclose or partially enclose an appliance unless the appliance is approved for such an installation.
- 3.4 No *person* shall install or allow to be installed an *appliance* in the *front yard* except where a property fronts a lake, river or other such body of water and is considered the *front yard* shall be allowed in the *front yard*.
- 3.5 No person shall store or allow to be stored any fuel for the appliance closer than the recommended distance in the manufacturer's instruction/installation manual but in any case shall not be closer than 3 meters.
- 3.6 No person shall burn any material other than the fuel for which the appliance was designed to burn.
- 3.7 No person shall burn or allow to be burned any waste, oils, rubber, oil soaked or treated products, any pressure treated wood, any creosote or creosote soaked wood products or garbage in an appliance.
- 3.8 No person shall install or allow to be installed an appliance unless the appliance is supported on a base;
- (a) constructed of concrete or other such non-combustible material and constructed so as to adequately support the weight of the *appliance*, and
 - (b) on a base of the size which is in accordance with the manufacturer's instructions but in any case shall extend not less than 0.3 meters beyond the sides and back of the *appliance* and not less than 0.6 meters from the side of the *appliance* in which the *fuel* is loaded.
- 3.9 No *person* shall install or permit to be installed an *appliance* unless such *appliance* is equipped with;
- (a) a spark arrestor; and
 - (b) a rain cap approved by the appliance manufacturer.
- 3.10 No *person* shall install or permit to be installed an *appliance* unless such *appliance* complies with CSA B415.1, "Performance Testing of Solid Fuel-

Burning Heating Appliances" as amended or other equivalent tests performed by an accredited testing authority

- 3.11 Notwithstanding the restrictions in Subsections 3.2, 3.3, 3.4, 3.5, 3.6, 3.7 and 3.8 a *person* may apply for relief from these restrictions and shall submit documentation supporting the application to the CBO or his designate who may accept the lesser restrictions at his/her discretion.
- 3.12 No person shall use or allow to be used an appliance, including an appliance installed prior to the passing of this by-law unless the appliance is registered with the City of Temiskaming Shores.
- 3.13 Subject to Subsections 3.1 to 3.11 a person may install an appliance in the following locations:
- (a) in the former municipality of Haileybury, in the RU (rural zone), AG (agricultural zone), OS (open space) and I (industrial zone) as per the Haileybury Zoning By-law No. 85-27, and
 - (b) in the former municipality of Dymond Township, in the A1 (agricultural zone), M1 (general industrial), M2 (manufacturing industrial), RR (rural residential zone) and RU (rural zone as per the Dymond Zoning By-law No. 984.
- 3.14 No *person* having an *appliance* shall allow the *appliance* to become damaged or to remain in disrepair including the items described in Clauses 3.8 (a) and (b).

Section 4 Rights of Entry

No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

Section 5 Penalties

- 5.1 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 to any provisions of this By-law or any permit or order issued pursuant thereto, is guilty of an offence and upon conviction is liable to a fine of not more than \$100,000 as provided for in the Municipal Act, 2001, S.O 2001, Chapter 25, as amended.
- 5.2 Where an offence is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

- 5.3 A person who contravenes any provision of this by-law described in Section 3 and is found to contravene more than one provision of this by-law is guilty of a multiple offences and is subject to a fine as set out in Appendix 01 for each offence.

Appendix 01

Part 1 Provincial Offences Act

Set Fines

<u>Item No.</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Install appliance without a permit	Sch A, ss. 3.1	\$ 200.00
2	Install appliance less than 15 m from a lot line	Sch A, c. 3.2 (a)	\$ 200.00
3	Install appliance less than 15 m from building with combustible roof or sides	Sch A, c. 3.2 (b)	\$ 200.00
4	Install appliance less than 60 m from a dwelling on adjacent lot	Sch A, c. 3.2 (c)	\$ 200.00
5	Install appliance less than 3 m from building with non-combustible exterior	Sch A, c. 3.2 (d)	\$ 200.00
6	Install appliance in front yard	Sch A, ss. 3.3	\$ 200.00
7	Store fuel less than 3 m from appliance	Sch A, ss. 3.4	\$ 200.00
8	Burn materials not approved	Sch A, ss. 3.5	\$ 200.00
9	Burn garbage or waste	Sch A, ss. 3.6	\$ 200.00
10	Appliance not installed on concrete base	Sch A c. 3.7 (a)	\$ 200.00
11	Appliance base not the size required	Sch A, c. 3.7 (b)	\$ 200.00
12	Fail to ensure appliance equipped with spark arrestor	Sch A, s. 3.8 (a)	\$ 200.00
13	Fail to ensure appliance equipped with rain cap	Sch A, c. 3.8 (b)	\$ 200.00
14	Appliance is not tested and approved	Sch A, ss. 3.9	\$ 200.00
15	Fail to register appliance	Sch A, ss. 3.11	\$ 200.00
16	Fail to repair or maintain appliance	Sch A, ss. 3.13	\$ 200.00
17	Installed appliance in a non-approved zone	Sch A, c. 3.12. (a) & (b)	\$200.00
18	Obstructed By-law Enforcement Officer	Sch. A, ss. 4.1	\$400.00

Note: The penalty provision for the offences indicated above is Section 5 of the "Outdoor Boiler By-law" No. 2015-203, a certified copy of which has been filed."

The Corporation of the City of Temiskaming Shores

By-law No. 2015-204

**Being a by-law to enact a Zoning by-law Amendment to
rezone property from Medium Density Residential (R3) to
Downtown Commercial (C2) in the Town of New Liskeard
Zoning By-law 2233 - 37 Paget Street (Plan M11NB lots
10 and 11, Parcel 3736SST) – Roll No. 54-18-010-004-
152.00**

Whereas pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 c.p. 13, as amended, the Council of a Municipality may enact by-laws to authorize the use of land, buildings or structures for any purpose set out therein that is otherwise prohibited;

And whereas By-law No. 2233 regulates the use of land and the use and erection of buildings and structures within the Town of New Liskeard, now the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. CGP-043-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to amend the Town of New Liskeard Zoning By-law No. 2233 to change the zoning on the property from Medium Density Residential (R3) to Downtown Commercial (C2);

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. 2233, as amended, is hereby further amended by rezoning Lots 10 and 11 on Plan M11NB, Parcel 3736SST, known locally as 37 Paget Street, as shown on Schedule "A" to this By-law, from the Medium Density Residential (R3) Zone to the Downtown Commercial (C2) Zone.
2. That all other provisions of By-law No. 2233 shall continue to apply.
3. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.
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.

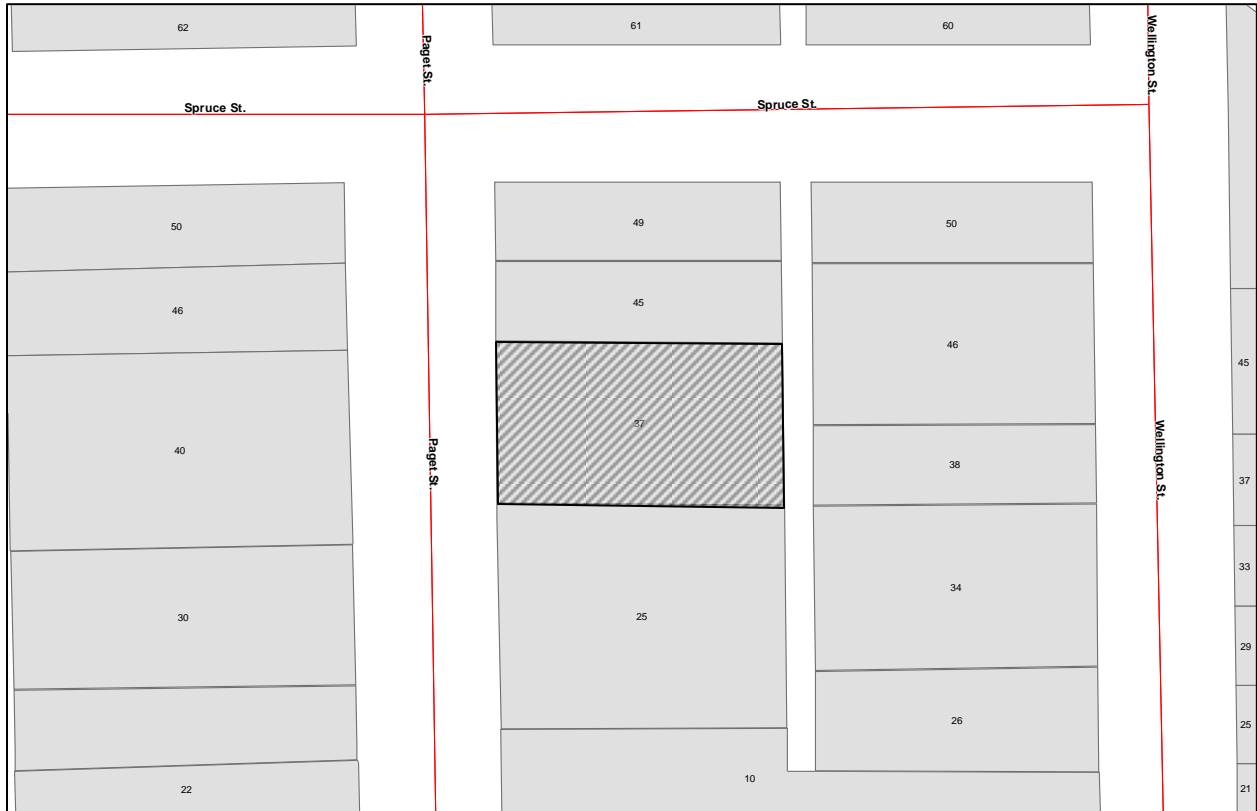
Read a first, second and third time and finally passed this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A" to By-law 2015-204

City of Temiskaming Shores



Rezoned from Medium Density Residential (R3) to Downtown Commercial (C2)

The Corporation of the City of Temiskaming Shores
By-law No. 2015-205
Being a by-law to authorize Temporary Road Closures for
the *Festival of Lights, Village Noel* and the *Santa Claus*
Parade

Whereas under Section 27, of the Municipal Act, S.O. 2001, c.25, as amended, a municipality may pass by-laws in respect of a highway if it has jurisdiction over the highway;

And whereas under Section 10, of the Municipal Act, 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. 009-2015-CS and directed staff to prepare the necessary by-law to temporarily close roads for the annual Festival of Lights, Village Noel and the Santa Claus Parade.

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

That the following roads shall be temporarily closed on the date and time specified below for these annual events:

1. **Festival of Lights – Friday, November 27, 2015 from 6:00 p.m. to 9:00 p.m.**
 - a) Whitewood Avenue from Paget Street to May Street; and
 - b) Armstrong Street from Whitewood Avenue to the bridge Sharpe Street.

2. **Village Noel – Wednesday, November 25, 2015 from 6:00 p.m. to Sunday, November 29, 2015 at 11:59 a.m.**
 - a) Whitewood Avenue from Paget Street to May Street; and
 - b) Armstrong Street from Whitewood Avenue to Church Street.

3. **Santa Claus Parade – Saturday, November 28, 2015 from 4:30 p.m. to 6:30 p.m.**
 - a) Scott Street from Birch Drive to Whitewood Avenue;
 - b) Whitewood Avenue from Scott Street to Armstrong Street;
 - c) Armstrong Street from Whitewood Avenue to Sharpe Street;
 - d) Sharpe Street from Armstrong Street to May Street;
 - e) May Street from Sharpe Street to Cedar Street; and
 - f) Cedar Street from May Street to Wellington Street.

Read a first, second and third time and finally passed this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2015-206

Being a by-law to authorize the Purchase of Land from Kim Campbell and Doug Jelly being a laneway abutting Elm Avenue shown as Part 1 on Plan 54R-1333

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 CGP-041-01-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law to authorize the entering into a Purchase Agreement with Kim Campbell and Doug Jelly for the acquisition of the laneway shown as Part 1 on Plan 54R-1333;

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 Kim Campbell and Doug Jelly as Transferor and the City of Temiskaming Shores as the Transferee, 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-1333 from Kim Campbell and Doug Jelly for the sum of \$2.00 and other 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk- David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2015-207

**Being a by-law for the assumption of a Highway for public use
and the establishment of maintenance standards of the highway
described as Part 1 on Plan 54R-1333 being a laneway abutting
Elm Avenue in the City of Temiskaming Shores**

Whereas under Section 28, of the Municipal Act, S.O. 2001, c.25, as amended, a municipality may pass by-laws in respect of a highway if it has jurisdiction over the highway;

And whereas under Section 44, of the Municipal Act, S.O. 2001, c.25, as amended, a municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

And whereas Ontario Regulation 239/02 adopted under the Municipal Act establishes Minimum Maintenance Standards for Municipal Highways and would classify Part 1 on Plan 54R-1333 as a Class 6 highway to which the minimum maintenance standards of Ontario Regulation 239/02 would not apply;

And whereas Council considered Administrative Report CGP-041-02-2015 at the November 3, 2015 Regular Council meeting and directed staff to prepare the necessary by-law for the assumption of the laneway to permit continued efficient and effective collection of solid waste receptacles;

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

1. That the municipality hereby assumes the laneway abutting Elm Avenue legally described as Part 1 on Plan 54R-1333 as a highway for public use.
2. That the purpose of assuming the laneway is to permit access to Elm Avenue to local residents for the efficient and effective collection of solid waste receptacles.
3. That the minimum maintenance standard for highways described herein shall be as follows:

Highway	Minimum Maintenance Standard
Part 1 Plan 54R-1333	Passable by local residents to permit the placing of solid waste receptacles at the north end of the highway abutting Elm Avenue.

4. That the highway being assumed by the municipality is identified on Schedule "A", hereto attached and forming part of this by-law.

5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical, numerical 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.

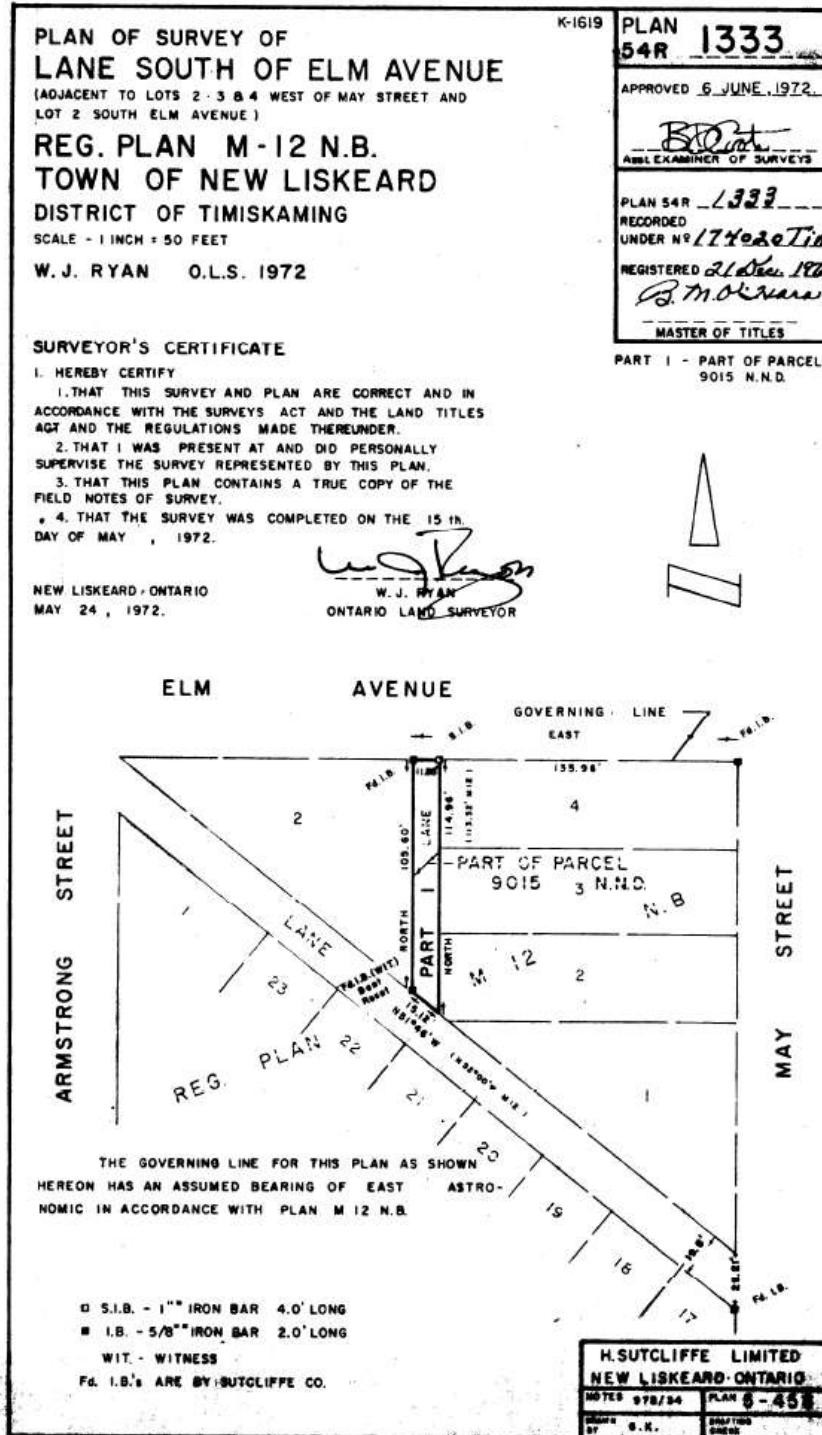
Read a first, second and third time and finally passed on this 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A"

Assumed Part 1 on Plan 54R-1333
Laneway abutting Elm Avenue



The Corporation of the City of Temiskaming Shores

By-law No. 2015-208

**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 November 3, 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 **November 3, 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 3rd day of November, 2015.

Mayor – Carman Kidd

Clerk – David B. Treen