



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, September 17, 2019
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 – September 3, 2019.

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

7.1. *Zoning By-law Amendment (ZBA-2019-05)*

Owner: City of Temiskaming Shores

Purpose: The purpose of the application is to amend the list of permitted uses in the Downtown Commercial New Liskeard (C1), Downtown Commercial Haileybury (C1A) and Highway Commercial (C2) Zones to add micro-brewery/winery/distillery as a permitted accessory to a restaurant on properties in these zones.

8. **Question and Answer Period**

9. **Presentations / Delegations**

a) Melissa La Porte, Curator – Temiskaming Art Gallery

Re: Art in the Park

Draft Motion

Be it resolved that Council acknowledges the presentation from Melissa La Porte, Curator for the Temiskaming Art Gallery in regards to “*Art in the Park*” presentation.

10. **Communications**

a) C. Tarling, City Clerk – City of Kitchener

Re: Support – Single Use Disposal Wipes – Treatment System

Reference: Received for Information

b) Julie, Bouthillette, CAO / Clerk-Treasurer – Township of Larder Lake

Re: Support – Electronic Delegations with Ministers and Premier

Reference: Received for Information

Draft Motion

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

11. Committees of Council – Community and Regional

12. Committees of Council – Internal Departments

13. Reports by Members of Council

14. Notice of Motions

15. New Business

a) Support Request – Municipal Amalgamation

Draft Motion

Whereas there are 444 Municipalities in Ontario that are very efficient and well governed, and who respond quickly to ratepayer's needs; and

Whereas in the 1990's the Conservative Government forced many municipalities to amalgamate on the pretext they would become more efficient, effective, save money, lower taxes and ultimately reduce the provincial deficit; and

Whereas there has never been a valid evidence-based study that supported these outcomes; and

Whereas there are many positive examples of small rural and northern municipalities working together in a collaborative and cooperative manner via shared agreements that responds to local needs without amalgamation and provincial interference; and

Whereas the Conservative Government is presently reviewing other provincial regional governments through a purported "consultative" approach with a view to reduce or eliminate them; and

Whereas the Provincial Government should investigate all other internal ways of reducing their deficit and becoming more fiscally responsible over time rather than downloading to the municipal level of government;

Now therefore be it resolved that the Council of the City of Temiskaming Shores hereby supports the Municipality of Hastings Highlands and petitions the Provincial Government, prior to a forced amalgamation, hold a local referendum, conduct evidence-based study to illustrates the benefits of amalgamation, and allow municipalities to work out their own local collaborative agreements in the best interest of the municipalities; and

Furthermore, that a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario; The Honourable Christine Elliott, Deputy Premier; the Honourable Steve Clark, Minister of Municipal Affairs; Andrea Horwath, Leader of the New Democratic Party; the Association of Municipalities of Ontario (AMO); and the Federation of Northern Ontario Municipalities (FONOM).

b) Acquisition of Lands – Haileybury Harbour

Draft Motion

Whereas a delegation of City officials met with Minister John Yakabuski of the Ministry of Natural Resources and Forestry at the annual AMO conference (2019); and

Whereas this delegation expressed the City's desire to assume ownership of the Haileybury Harbour from Fisheries and Oceans Canada; and

Whereas the City of Temiskaming Shores wants assurance that Fisheries and Oceans Canada perform all required repairs to the Haileybury Harbour prior to transfer of ownership to the City; and

Whereas information from the delegation shows that the harbor must first pass to the Province of Ontario; and

Whereas the Minister, during the delegation, assured the City representatives the Province has no interest in the some twenty-seven (27) harbours being divested;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby expresses its interest and intent to acquire ownership of a fully repaired Haileybury Harbour; and

Furthermore, that a letter of interest and a copy of this resolution be forwarded to the Minister of Natural Resources and Forestry, John Yakabuski offering to

assist in ensuring and verifying the timely repairs to and assumption of the Haileybury Harbour.

c) Ontario Municipal Partnership Fund – Review of formulas and qualifiers

Draft Motion

Whereas representatives of the City of Temiskaming Shores met with the Parliamentary Assistant to the Minister of Finance, Stan Cho at the annual AMO conference (2019); and

Whereas this delegation involved discussions of the Ontario Municipal Partnership Fund (OMPF); and

Whereas the City representatives raised the issue of regional economic hubs across the north assuming an unfair burden of expenses not recognized by the OMPF;

Now therefore be it resolved that the Council of the City of Temiskaming Shores hereby requests an opportunity to meet and review formulas and qualifiers for the OMPF with provincial staff; and

Furthermore, that a copy of this resolution and a letter of interest be sent to Ministry of Finances Parliamentary Assistant, Stan Cho echoing this request.

d) Memo No. 022-2019-CS – Amendment to By-law No. 2019-089 Animal Control - Address of Pound

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 022-2019-CS; and

That Council direct staff to prepare the necessary by-law to amend By-law No. 2019-089 to identify the location of the pound as 60 Scott Street.

e) Memo No. 023-2019-CS – Deeming By-law – 418 Lakeview Avenue

Draft Motion

Whereas Mary Durocher, owner of 418 Lakeview Avenue would like to merge Lots on title through the adoption of a deeming by-law in compliance with the Planning Act in order to create one property with one Roll number; and

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

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby directs staff to prepare the necessary by-law to deem Lots 416, 417 and 420 on Plan M-52 NB, Parcels 7737 SST and 7608 SST to no longer be Lots on a Plan of Subdivision; and

Further that Council hereby directs staff to prepare the necessary deeming by-law for consideration at the September 17, 2019 Regular Council meeting.

f) Memo No. 024-2019-CS – Potential Disposition of Land – Portion of Glenhill Road

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 024-2019-CS; and

That Council hereby authorizes staff to continue with a potential disposition of land, being a portion of Glenhill Road in accordance to By-law No. 2015-160 being a by-law to adopt a Procedural Policy for the Disposal of Real Property.

g) Memo No. 025-2019-CS – Repairs to Highway Farms Municipal Drain

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 025-2019-CS; and

That Council further acknowledges repairs to the Highway Farms Municipal Drain will be completed in accordance with the *Drainage Act* through Tender CS-Tender-001-2019.

h) Administrative Report No. CS-048-2019 – Municipal Employee Group Benefit Plan

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-048-2019;

That Council approves the Municipal Employee Benefit Plan with premiums of \$292,044 for 2019-2020 in addition to the costs paid by the City for health benefits as they are incurred with applicable administrative fees under the Administrative Services Only portion of the Plan; and

That Council directs staff to prepare the necessary by-law to enter into an agreement for the Great West Life Employee Benefit Plan administered through Gallagher Benefit Services Canada Group Inc. (formerly DiBrina) for consideration at the September 17, 2019 Regular Council meeting.

i) Administrative Report No. CS-049-2019 – Zoning By-law Amendment (ZBA-2019-04) In and Out Truck Wash – 433959 Hawn Drive

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-049-2019;

That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law 2017-154 to permit the zone change from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2-E3); and

That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law 2017-154 for consideration at the September 17, 2019 Regular Council meeting.

j) Administrative Report No. CS-050-2019 – Compliance Letters & Tax Certificates – Property Information Certificate Process

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-050-2019; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2012-039, being a by-law to establish departmental user fees and service charges to consolidate various departmental compliance certificates/letters into one Property Information Certificate at a rate of \$150 per Roll Number for consideration at the September 17, 2019 Regular Council meeting.

k) Administrative Report PW-029-2019 – Landfill Use Agreement – Town of Cobalt

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report PW-029-2019; and

That Council authorizes staff to negotiate and finalize the Draft Landfill Use Agreement, as outlined in Appendix 01, with the Town of Cobalt.

l) Administrative Report PW-030-2019 – 2019-20 Winter Operations Schedule

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report PW-030-2019 and more specifically Appendix 01 being the proposed 2019-20 Winter Operations Schedule;

That Council directs Staff to finalize the 2019 – 2020 Winter Operations Plan and prepare the necessary by-law for Council’s consideration at the October 1, 2019 Regular Council meeting; and

That Council directs the Director of Public Works to advise staff in the Public Works Department, in writing, of the intent to commence the Winter Operations Schedule on or about Sunday, November 10th, 2019 and conclude on or about Friday, April 10th, 2020.

m) Administrative Report RS-015-2019 – Bucke Park

Administrative Report RS-015-2019 regarding the potential disposition of Bucke Park will be distributed on Monday, September 15, 2019 in order to facilitate discussion at the Committee level. The Building Maintenance Committee and Corporate Services Committee have meetings scheduled for Friday, September 13, 2019.

n) Administrative Report RS-014-2019 – Healthy Eating in Recreation Setting Policy

Draft Motion

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report RS-014-2019; and

That Council directs staff to prepare the necessary by-law to adopt a Healthy Eating in Municipal Recreation Settings Policy for consideration at the October 1, 2019 Regular Council meeting.

16. By-laws

Draft Motion

Be it resolved that:

By-law No. 2019-146 Being a by-law to amend By-law No. 2019-089 (Animal Control and Pound Services) – location of Pound

By-law No. 2019-147 Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision 418 Lakeview Avenue Roll No. 54-18-030-009-357.00

By-law No. 2019-148 Being a by-law to enact a Zoning by-law Amendment to rezone property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-3) in the City of Temiskaming Shores Zoning By-law 2017-154 - 433959 Hawn Drive Roll Nos. 5418-020-001-018.20

By-law No. 2019-149 Being a by-law to enter into an Agreement with Gallagher Benefit Services (formerly DiBrina) for the administration of services provided by Great West Life Employee Benefit Plan - Employee Group Benefits

By-law No. 2019-150 Being a by-law to amend By-law No. 2012-039, as amended being a by-law to adopt Schedules of

Departmental User Fees and Services for the City of
Temiskaming Shores – Property Information Certificate

be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that

By-law No. 2019-146;

By-law No. 2019-147;

By-law No. 2019-148;

By-law No. 2019-149; and

By-law No. 2019-150

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

17. Schedule of Council Meetings

- a) Regular – Tuesday, October 1, 2019 at 6:00 p.m.
- b) Regular – Tuesday, October 15, 2019 at 6:00 p.m.

18. Question and Answer Period

19. Closed Session

Draft Motion

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

- a) **Adoption of the July 9, 2019 – Closed Session Minutes**
- b) **Adoption of the July 23, 2019 – Closed Session Minutes**
- c) **Adoption of the August 7, 2019 – Closed Session Minutes**

- d) **Under Section 239 (2) (h) of the Municipal Act, 2001 – Information explicitly supplied in confidence to the municipality by a Crown agency Canada Mortgage and Housing Corporation (CMHC) – Temiskaming Shores Seniors Housing Corporation;**

Draft Motion

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

20. Confirming By-law

Draft Motion

Be it resolved that By-law No. 2019-151 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular meeting held on **September 17, 2019** be hereby introduced and given first and second reading.

Draft Motion

Be it resolved that By-law No. 2019-151 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 _____ p.m.

Mayor – Carman Kidd

Clerk – David B. Treen



The Corporation of the City of Temiskaming Shores
Regular Meeting of Council
Tuesday, September 3, 2019
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 6:00 p.m.

2. Roll Call

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

Present: Christopher W. Oslund, City Manager
David B. Treen, Municipal Clerk
Steve Burnett, Technical & Environmental Compliance Coordinator
Tammie Caldwell, Director of Recreation
Shelly Zubyck, Director of Corporate Services
Tim Uttley, Fire Chief
Jennifer Pye, Planner
Mitch Lafreniere, Manager of Physical Assets
James Franks, Economic Development Officer

Regrets: Councillor Jesse Foley

Media: Diane Johnston, Temiskaming Speaker
Bill Buchberger, CJTT 104.5 FM

Members of the Public Present: 4

3. Review of Revisions or Deletions to Agenda

4. Approval of Agenda

Resolution No. 2019-456

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

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

Carried

5. Disclosure of Pecuniary Interest and General Nature

None

6. Review and adoption of Council Minutes

Resolution No. 2019-457

Moved by: Councillor Laferriere

Seconded by: Councillor McArthur

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

a) Regular meeting of Council – August 13, 2019.

Carried

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

7.1. Zoning By-law Amendment (ZBA-2019-04)

Owner: In & Out Truck Wash

Subject Land: 433959 Hawn Drive

Purpose: Site specific amendment to rezone the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2-E) to add “motor vehicle washing establishment” as a permitted use on the subject property. The property owner intends to build a transport truck / large vehicle washing facility on the property.

Mayor Kidd outlined that the public meeting scheduled tonight is for one (1) Zoning By-law amendment application and that the Planning Act requires that a public meeting be held before Council decides whether to pass a by-law adopting a proposed amendment.

Mayor Kidd 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 to consider application number ZBA-2019-04 for 433959 Hawn Drive owned by In & Out Truck Wash to rezone the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2) to permit the construction of a transport truck/large vehicle washing establishment on the property.

Mayor Kidd requested that Planner, Jennifer Pye to present the application.

Jennifer Pye, utilizing a slide deck, described the legal description of the subject property and the purpose of the amendment to rezone the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2-#) to add “motor vehicle washing establishment” as a permitted use on the property to permit the construction of a transport truck/large vehicle washing establishment.

Jennifer outlined the Official Plan designation as Employment Area and that Industrial parks are primarily for industrial uses but may include commercial uses appropriate to a predominantly industrial setting. The current zoning is Manufacturing Industrial (M2) to which the proposed use is not permitted and that the applicant is requesting a site-specific amendment to add “motor vehicle washing establishment” as a permitted use on the subject property to allow the construction of a transport truck/large vehicle washing facility

Jennifer showed a sketch of the proposed layout of the facility and the associated setbacks. It was noted that the subject property is located within MTO permit control area around Highway 11/Radley Hill Rd intersection (395m) and that the application has been circulated to MTO for comments and there no direct access to Highway 11 would be permitted. The development will also be subject to a Site Plan Control Agreement.

Mayor Kidd thanked Jennifer for the presentation and inquired if there were any questions or comments from the applicant. With none Mayor Kidd requested that Jennifer Pye read any written comments that have been received. With none Mayor Kidd inquired if there were any questions or comments from members of the public. With none Mayor Kidd inquired if there were any questions or comments from Council – to which there were none.

Mayor Kidd declared this portion of the public meeting to be closed and advised that Council will give due consideration to all comments received tonight and that an administrative report will be considered by Council at a future Council meeting.

8. Question and Answer Period

None.

9. Presentations / Delegations

None.

10. Communications

a) Michael Jacek, Senior Advisor - Association of Municipalities Ontario

Re: Policy Update – Fixing the Housing Affordability Crisis

Reference: Referred to the Planner

b) Dave Gordon, Senior Advisor - Association of Municipalities Ontario

Re: Policy Update – Next Steps on Blue Box Program

Reference: Referred to the Technical & Environmental Compliance Coordinator

c) Suzanne Huschilt, Municipal Clerk – Hastings Highlands

Re: Request for Support – Municipal Amalgamation

Reference: Received for Information

d) Michael Jacek, Senior Advisor - Association of Municipalities Ontario

Re: Policy Update – Things from the AMO Conference

Reference: Received for Information

e) Honourable Jonathan Wilkinson, Minister – Fisheries and Oceans

Re: Response to Resolution No. 2019-355 “Amendments to the Fisheries Act (Bill C-68)

Reference: Received for Information

f) Jim Simpson, National President – Canadian Union of Public Workers

Re: Federal Election – Canada Post

Reference: Received for Information

Resolution No. 2019-458

Moved by: Councillor Whalen

Seconded by: Councillor Hewitt

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

Carried

11. Committees of Council – Community and Regional

None.

12. Committees of Council – Internal Departments

None.

13. Reports by Members of Council

Councillor Whalen reported on the following:

- AMO Conference: Councillor Whalen provided a copy of his report in regards to his attendance at the 2019 AMO Conference and reviewed the report with Council. City had two delegations; firstly with the Minister of MNRF, John Yakabuski in regards to the City's attempts to acquire the Haileybury Marina, the Minister indicated that DFO wants to divest themselves of the property, however the Province cannot excuse itself from the process, but also indicated the Province has no interest in acquiring the harbor. Councillor Whalen outlined he would present a Notice of Motion on the matter.

Secondly a delegation with the Ministry of Finance (Parliamentary Assistant) in regards to OMPF funding. The City will find out what our allocations will be for 2020 early in the fall. The province will be reviewing the OMPF formulas and qualifiers and the City did offer its assistance in that review. Councillor Whalen thanked Councillor McArthur for leading this delegation and outlined he would present a Notice of Motion on the matter.

- Pedestrian Safety: Councillor Whalen circulated pictures to members of Council depicting various areas within the municipality illustrating where pedestrians are forced to walk out onto the streets as the sidewalks are inaccessible to various factors (tree growth/crowding). Street signs are also being covered by extensive growing weeds; believe Temiskaming Shores needs to have higher concern maintenance for these issues and perhaps various internal committees need to consider these matters.

Councillor McArthur reported on the following:

- AMO Conference: along with Councillor Foley attended a Communication meeting for Councillors to deal with media; beware of what you say before your prepared what you should have said. Premiere Ford was in attendance and provided both good news and bad news about 2020. It should be noted that the Province pays \$34 M a day in interest to service the debt. Minister of Health is concerned about Northern Ontario based on its size and programs that must be delivered. Chief of the First Nations was in attendance and wants to play a key role in Ontario from a consultation perspective. Local Economies in transition seminar talked about tax breaks, for example farmers, government run programs and other such programs to which municipalities may be unaware of certain tax breaks – the city should know which facilities are getting tax breaks. For every dollar collected, \$0.09 goes to municipalities, \$0.44 to the Province and \$0.47 to Federal Government. Ontario pays the highest taxes. All and all a good conference.

Mayor Kidd reported on the following:

- Spring Flooding: Invited to participate in a meeting in North Bay with the Ministry to discuss the spring flooding and will bring up some of issues encountered here (i.e. ice damage).

14. Notice of Motions

Councillor Whalen submitted the following Notice of Motion:

Whereas a delegation of City officials met with Minister John Yakabuski of the Ministry of Natural Resources and Forestry at the annual AMO conference (2019); and

Whereas this delegation expressed the City's desire to assume ownership of the Haileybury Harbour from Fisheries and Oceans Canada; and

Whereas the City of Temiskaming Shores wants assurance that Fisheries and Oceans Canada perform all required repairs to the Haileybury Harbour prior to transfer of ownership to the City; and

Whereas information from the delegation shows that the harbor must first pass to the Province of Ontario; and

Whereas the Minister, during the delegation, assured the City representatives the Province has no interest in the some twenty-seven (27) harbours being divested;

Now therefore be it resolved that Council for the City of Temiskaming Shores hereby expresses its interest and intent to acquire ownership of a fully repaired Haileybury Harbour; and

Furthermore, that a letter of interest and a copy of this resolution be forwarded to the Minister of Natural Resources and Forestry, John Yakabuski offering to assist in ensuring and verifying the timely repairs to and assumption of the Haileybury Harbour.

Councillor Whalen submitted the following Notice of Motion:

Whereas representatives of the City of Temiskaming Shores met with the Parliamentary Assistant to the Minister of Finance, Stan Cho at the annual AMO conference (2019); and

Whereas this delegation involved discussions of the Ontario Municipal Partnership Fund (OMPF); and

Whereas the City representatives raised the issue of regional economic hubs across the north assuming an unfair burden of expenses not recognized by the OMPF;

Now therefore be it resolved that the Council of the City of Temiskaming Shores hereby requests an opportunity to meet and review formulas and qualifiers for the OMPF with provincial staff; and

Furthermore, that a copy of this resolution and a letter of interest be sent to Ministry of Finances Parliamentary Assistant, Stan Cho echoing this request.

15. New Business

a) Provincial Highway Signage – City of Temiskaming Shores

Resolution No. 2019-459

Moved by: Councillor McArthur

Seconded by: Councillor Jelly

Whereas the City of Temiskaming Shores was an amalgamation of Haileybury, New Liskeard and the Township of Dymond effective January 2004; and

Whereas Highway 11 traverses through the City of Temiskaming Shores; and

Whereas Provincial highway signage, whether directional, mileage or route information related to the City of Temiskaming Shores references either Haileybury, New Liskeard or the Township of Dymond.

Now therefore be it resolved that the Council of the City of Temiskaming Shores hereby requests that the Ministry of Transportation Ontario installs highway and directional signage referencing the City of Temiskaming Shores.

Carried

b) Administrative Report No. PW-025-2019 – Assumption of Roadways – FPT Boreal Subdivision

Resolution No. 2019-460

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. PW-025-2019; and

That Council hereby directs staff to prepare the necessary by-law for the assumption of a Highway for public use being Red Fox Avenue, Partridge Street, Fisher Avenue, and Robin Street within the City of Temiskaming Shores for consideration at the September 3, 2019 Regular Council meeting.

Carried

c) Administrative Report No. PW-026-2019 – Water and Sewer Rate Standardization

Resolution No. 2019-461

Moved by: Councillor Jelly

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. PW-026-2019;

That Council acknowledges the need to standardize and consolidate the current Water and Sewer Service Rates By-law; and

That Council directs staff to include the implementation of an Industrial, Commercial and Institutional Water Meter Program as a Capital Project for

Council's consideration during the 2020 Budget process.

Carried

**d) Administrative Report No. PW-027-2019 – Stop Sign Request –
Morrisette Drive at Meridian Avenue**

Resolution No. 2019-462

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. PW-027-2019;

That Council approves the placement of a “STOP” sign at the south west corner of Morrisette Drive and Meridian Avenue, facing westward; and

That Council directs staff to prepare the necessary amendment to By-law 2012-101, being a by-law to *Regulate Traffic and Parking of Vehicles in the City of Temiskaming Shores* for consideration at the September 3, 2019 Regular Council meeting.

Carried

**e) Administrative Report No. PW-028-2019 – Proposed MTO Cost Sharing
Agreement – Highway Improvements (Highway 11N and Highway 65E)**

Resolution No. 2019-463

Moved by: Councillor Jelly

Seconded by: Councillor Whalen

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-028-2019;

That Council approves proceeding with the release of Request for Proposal PW-RFP-004-2019 as included as Appendix 03 to Administrative Report PW-028-2019;

That Council directs staff to respond to the Ministry of Transportation Regional Office, indicating that the City respectfully declines entering into a cost sharing agreement with the Ministry of Transportation Ontario for Traffic Control improvements to the Highway 11N/Golf Course Road intersection, Highway 65E/Wilson Drive intersection and Highway 65E/proposed Grant Drive extension; and

That Council directs staff to respond to the Ministry of Transportation Regional Office, indicating that the City will be proceeding with the release of a Request for Proposal which will include all required work for the design of Grant Drive Extension and the intersection with Highway 65E as recommended in the *Paradigm Proposed Extension of Grant Drive Transportation Impact Study* dated January 2019.

Carried

- f) **Memo No. 016-2019-RS – Amendment to By-law No. 2019-018 – Appointment of member to the Bicycle Friendly Committee**

Resolution No. 2019-464

Moved by: Councillor Laferriere

Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 016-2019-RS; and

That That Council directs staff to prepare the necessary by-law to amend By-law No. 2019-018 to appoint **Stacy Utas** and **Céline Léger Nolet** to the *Bicycle Friendly Committee* for consideration at the September 3, 2019 Regular Council meeting.

Carried

- g) **Memo No. 015-2019-RS – Amendment to By-law No. 2019-082 Recreation Non-Resident User Fee Policy – Northern Loons / Tri-Town Soccer Club**

Resolution No. 2019-465

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 015-2019-RS; and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2019-082 to include the Northern Loons Swim Club at \$125 per year and the Tri-Town Soccer Club at 25% of registration fee per year under Section 3 Organizations Subject to the Fee.

Carried

- h) **Memo No. 017-2019-RS – Letter of Municipal Significance – Battle of the Bands – Zach’s Crib**

Resolution No. 2019-466

Moved by: Councillor Jelly
Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Memo No. 017-2019-RS; and

That Council hereby declares the Battle of the Bands fundraising event for Zack's Crib scheduled for Saturday, October 19, 2019 as an event of municipal significance.

Carried

i) Administrative Report RS-013-2019 – Agreement for the preparation of a Recreation Master Plan

Resolution No. 2019-467

Moved by: Councillor Laferriere
Seconded by: Councillor Whalen

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report RS-013-2019; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with DBA Trace Planning and Design for the development of a Recreation Master Plan at the upset limit of \$89,720 plus applicable taxes to be completed prior to March 31, 2020 for consideration at the September 3, 2019 Regular Council meeting.

Carried

j) Administrative Report No. CS-043-2019 – Lease Agreement – Skate Sharpening Booth – Don Shepherdson Memorial Arena

Resolution No. 2019-468

Moved by: Councillor McArthur
Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-043-2019; and

That Council directs staff to prepare the necessary by-law to enter into a lease agreement with 1568133 Ontario Inc. (o/a Active 1 Source for Sports) for the use of the Skate Sharpening Booth at the Don Shepherdson Memorial Arena from September 1, 2019 to August 31, 2022 for consideration at the September 3, 2019 Regular Council meeting.

Carried

k) Administrative Report No. CS-044-2019 – FedNor Funding – Culinary Tourism Strategy Implementation

Resolution No. 2019-469

Moved by: Councillor Jelly
Seconded by: Councillor Hewitt

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-044-2019; and

That Council directs staff to prepare the necessary by-law to enter a Contribution Agreement with Fed Nor to implement a Culinary Tourism Strategy for the Lake Temiskaming Tour for consideration at the September 3, 2019 Regular Council meeting.

Carried

l) Administrative Report No. CS-045-2019 – Tax Arrears Certificate (TAC) – Extension Agreement

Resolution No. 2019-470

Moved by: Councillor Laferriere
Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-045-2019; and

That Council direct staff to prepare the necessary by-law to enter into a Tax Arrears Certificate (TAC) Extension Agreement for the property Roll No. 54-18-010-007-21001 (50 Dixon Street) for consideration at the September 3, 2019 Regular Council meeting.

Carried

m) Administrative Report No. CS-046-2019 – Lease Agreement with Dr. Lynn Lacasse for rental of space at the Haileybury Medical Centre

Resolution No. 2019-471

Moved by: Councillor Jelly
Seconded by: Councillor Laferriere

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-046-2019;

That Council directs staff to prepare the necessary by-law to enter into a lease agreement with Dr. Lynne Lacasse for rental space at the Haileybury Medical

Centre for consideration at the September 3, 2019 Regular Council meeting;
and

That Council directs staff to prepare the necessary by-law to amend By-law No. 2019-040 to remove Rooms 232 and 234 from the lease agreement with the Haileybury Family Health Team for consideration at the September 3, 2019 Regular Council meeting.

Carried

n) Administrative Report No. CS-047-2019 – Zoning By-law Amendment No. ZBA-2019-02 (RK Breau Holdings) - Approval

Resolution No. 2019-472

Moved by: Councillor Laferriere
Seconded by: Councillor Jelly

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges receipt of Administrative Report No. CS-047-2019;

That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law No. 2017-154 to permit the zone change from Low Density Residential (R2) to High Density Residential Exception (R4-E18); and

That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law No. 2017-154 for consideration at the September 3, 2019 Regular Council meeting.

Carried

o) January to August, 2019 Capital Financial Report

Resolution No. 2019-473

Moved by: Councillor Whalen
Seconded by: Councillor Laferriere

Be it resolved that Council of the City of Temiskaming Shores hereby acknowledges receipt of the January to August 2019 Capital Financial Report for information purposes.

Carried

16. By-laws

Resolution No. 2019-474

Moved by: Councillor McArthur
Seconded by: Councillor Jelly

Be it resolved that:

By-law No. 2019-133 Being a by-law to authorize the borrowing upon Serial Debentures in the principal amount of \$492,521.05 towards the cost of Fleet Replacement

By-law No. 2019-134 Being a by-law for the Assumption of a Highway for Public Use (Robin Street – Fisher Avenue – Partridge Street – Red Fox Avenue)

By-law No. 2019-135 Being a by-law to amend By-law No. 2019-018 (Committee Appointments By-law) - Appointment of members to the Bicycle Friendly Committee

By-law No. 2019-136 Being a by-law to amend By-law No. 2019-082 (Non-Resident User Fee Policy) - Northern Loons Swim Club & Tri-Town Soccer Club

By-law No. 2019-137 Being a by-law to enter into an agreement with DBA Trace Planning and Design for the development of a Recreation Master Plan for the City of Temiskaming Shores

By-law No. 2019-138 Being a by-law to enter into a Lease Agreement with 1568133 Ontario Inc. (o/a Active 1 Source for Sports) for the rental of the Skate Sharpening Booth at the Don Shepherdson Memorial Arena

By-law No. 2019-139 Being a by-law to enter into an agreement with Her Majesty the Queen in Right of Canada as represented by the Ministry of Industry – FedNor to implement a Culinary Tourism Strategy for the Lake Temiskaming Tour

By-law No. 2019-140 Being a by-law to authorize the execution of a Tax Arrears Extension Agreement pursuant to Section 378 of the Municipal Act, 2001

By-law No. 2019-141 Being a by-law to amend By-law No. 2012-101 (Traffic By-law) – Stop Sign on Morrissette at Meridian

By-law No. 2019-142 Being a by-law to enter into a lease agreement with Dr. Lynne Lacasse for the rental of space at the Haileybury Medical Centre

By-law No. 2019-143 Being a by-law to amend By-law No. 2019-040 (Lease Agreement with the Haileybury Family Health Team) – to Remove Rooms 232 & 234 at the Haileybury Medical Centre

By-law No. 2019-144 Being a by-law to enact an amendment to the City's Comprehensive Zoning By-law 2017-154 to rezone property from Low Density Residential (R2) to High Density Residential Exception 18 (R4-18) - Dymond Concession 4, South Part of Lot 9; Plan M275T Lot 1 and part of Lot 2; RP 54R-6002 Parts 1

be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-475

Moved by: Councillor Laferriere

Seconded by: Councillor Whalen

Be it resolved that

By-law No. 2019-133;

By-law No. 2019-134;

By-law No. 2019-135;

By-law No. 2019-136;

By-law No. 2019-137;

By-law No. 2019-138;
By-law No. 2019-139;
By-law No. 2019-140;
By-law No. 2019-141;
By-law No. 2019-142;
By-law No. 2019-143; and
By-law No. 2019-144

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

Carried

17. Schedule of Council Meetings

- a) Regular – Tuesday, September 17, 2019 at 6:00 p.m.
- b) Regular – Tuesday, October 1, 2019 at 6:00 p.m.

18. Question and Answer Period

None.

19. Closed Session

None.

20. Confirming By-law

Resolution No. 2019-476

Moved by: Councillor Whalen
Seconded by: Councillor Jelly

Be it resolved that By-law No. 2019-145 being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular meeting held on **September 3, 2019** be hereby introduced and given first and second reading.

Carried

Resolution No. 2019-477

Moved by: Councillor Laferriere

Seconded by: Councillor Jelly

Be it resolved that By-law No. 2019-145 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

Carried

21. Adjournment

Resolution No. 2019-478

Moved by: Councillor McArthur

Seconded by: Councillor Laferriere

Be it resolved that City Council adjourns at 6:58 p.m.

Carried

Mayor – Carman Kidd

Clerk – David B. Treen



Zoning By-law Amendment

Application No.: ZBA-2019-05

Applicant: Corporation of the City of Temiskaming Shores

Subject Land:

- All lands Zoned Downtown Commercial New Liskeard (C1)
- All lands Zoned Downtown Commercial Haileybury (C1A)
- All lands Zoned Highway Commercial (C2)

Public Meeting – Zoning By-law Amendment



Background

- Microbreweries have become more prevalent in recent years and operate at a much smaller scale than traditional large, mainstream brewers
- While traditional industrial locations may be more suitable for larger-scale breweries, microbreweries tend to be more “boutique” type operations that are rooted in the communities in which they are located
- Many microbreweries seek downtown or commercial locations and unique buildings for visibility and customer foot traffic
- During the Zoning By-law process the City permitted microbreweries/wineries/distilleries as-of-right in the General Industrial (M1) zone only
 - The downtown and commercial areas were excluded as a retail/restaurant component would be needed to ensure the operation was more commercial than industrial - would require a Zoning By-law amendment to permit the use
 - To keep the process efficient for prospective new businesses, it was determined that these considerations can be addressed through notes to the permitted uses and additional zone requirements



Purpose of the Amendment

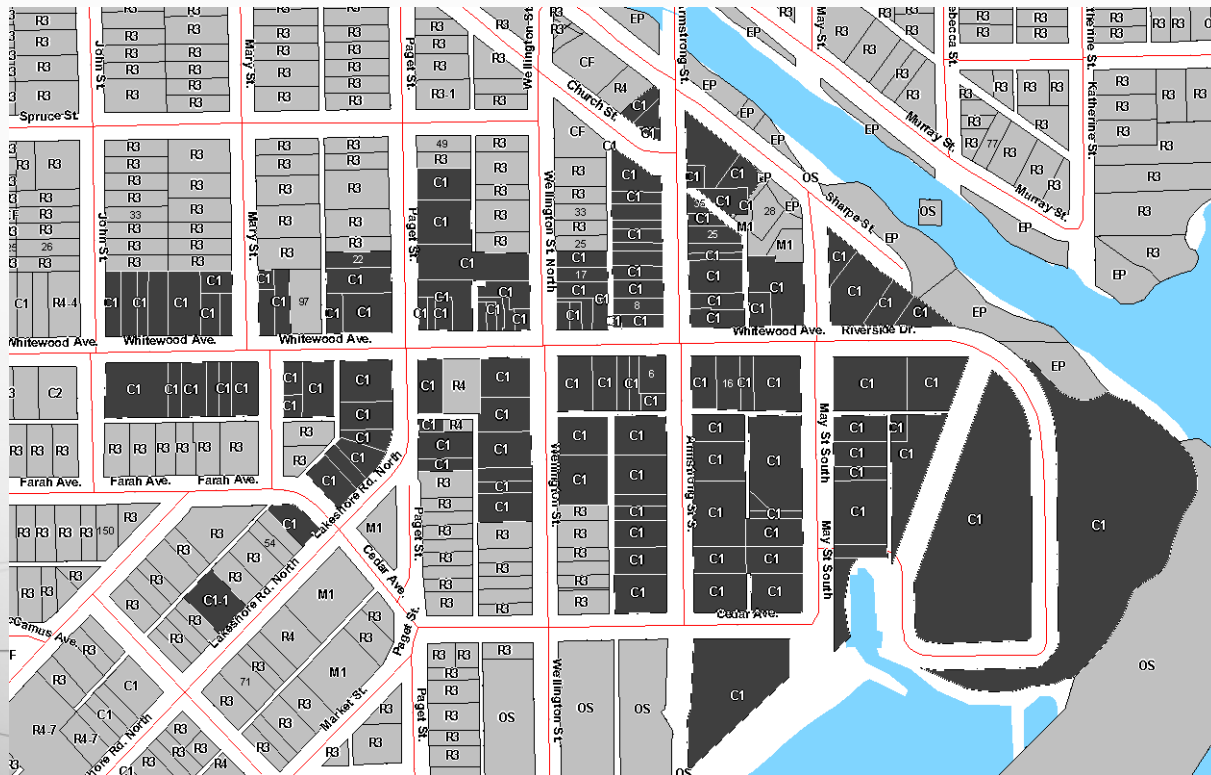
- Allow microbreweries/wineries/distilleries as-of-right in the Downtown Commercial New Liskeard (C1), Downtown Commercial Haileybury (C1A), and Highway Commercial (C2) Zones across the City subject to the following:
 - ✓ Only permitted accessory to a restaurant;
 - ✓ A maximum of 45% of the gross floor area of the facility can be dedicated to the micro brewery/winery/distillery use up to:
 - 200m² in the C1 and C1A Zones
 - 350m² in the C2 Zone
 - ✓ Tasting/retail areas are excluded from the area of microbrewery/winery/distillery use the purpose of calculating area
- Amend definition to remove: “It may include tasting and dining facilities and retail sale of related items, which comprise a maximum of thirty-five percent (35%) of the total floor area of the facility.”
- Amended definition: “A building used for the making of beer or wine or spirits on a small scale, and includes take and barrel storage and bottling facilities.”

Public Meeting – Zoning By-law Amendment



Purpose of the Amendment

- Downtown Commercial New Liskeard (C1)



Public Meeting – Zoning By-law Amendment



Purpose of the Amendment

➤ Downtown Commercial Haileybury (C1A)





Purpose of the Amendment

- Highway Commercial (C2)
 - Spread throughout the City with concentrations in certain areas:
 - along Highway 65 and Highway 11 in Dymond;
 - Armstrong Street North between Heard Street and Pine Street West;
 - Whitewood Avenue around Chartrand's;
 - Haileybury Mall



Official Plan Designation

- Generally either Town Centres (New Liskeard & Haileybury Downtowns) or Mixed Use Areas
 - New Liskeard's downtown to include a full range of retail, service commercial uses, financial, professional and personal service uses and upper storey commercial and residential uses
 - Haileybury's downtown to include retail, personal and service commercial uses, residential and public service uses
 - Mixed Use Areas may include a mix of industrial, commercial and institutional uses, associated accessory uses and public service facilities and residential uses compatible with a Mixed Use Area



Current & Proposed Zoning

- Micro breweries/wineries/distilleries only permitted in the General Industrial (M1) zone
 - Usually in more “out-of-the-way” locations with lower visibility and foot-traffic
- Add micro breweries/wineries/distilleries to the list of permitted uses in the C1, C1A, and C2 zones, subject to the provisions previously outlined



Additional Information

- Building permits will be required for conversion of existing buildings
 - All requests would be required to comply with the applicable requirements under the Ontario Building Code
- Site plan control would be required for new developments
- Businesses that wish to exceed the maximum ratio/floor area requirements could apply for an amendment to do so, provided it can be demonstrated that:
 - The operation remains primarily commercial
 - The operation is compatible with the surrounding neighbourhood
 - The operation will not have a detrimental impact on neighbouring properties



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

September 5, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding single-use disposable wipes:

“WHEREAS in 2018 the City of Kitchener implemented a sustainable funding model Water Infrastructure Project (WIP) for the city’s water, sanitary and stormwater infrastructure to ensure the safe delivery of these valued utilities; and,

WHEREAS in 2018 a multi-year initiative approved through the WIP has already improved several key measures of water quality, and proactive maintenance has reduced the risk of flooding in high-risk areas; and,

WHEREAS in 2018 the City has already seen a number of impacts due to the implementation of the WIP including: 48% decrease in complaints related to discoloured water; Storm main repairs increased by 27 per cent; 300 metric tonnes of sediment removed from catch basins; and, 2,200 properties protected against backflow and cross-connection contamination; and,

WHEREAS Single-use wipes are a \$6-billion industry and growing, and are now being advertised as the clean alternative to toilet paper and are safe to flush; and,

WHEREAS there is no one standard for what the word “flushable” means; and,

WHEREAS Single-use wipes are in fact not safe to flush as they are buoyant; are not biodegradable; and, are unable to break down into small pieces quickly; and,

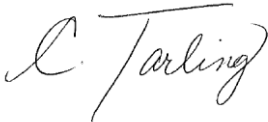
WHEREAS Single-use wipes accumulate in the sewer system and eventually clog the sanitary sewer system costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year to municipal sewer systems across the country; and,

WHEREAS there is a lack of public awareness of the impact caused by non-flushable wipes being flushed down toilets and consumer education and outreach could play a large part in reducing the impact;

THEREFORE BE IT RESOLVED that the City of Kitchener lobby the Federal Government, to review regulations related to consumer packaging on single-use wipes to remove the word flushable; and,

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; and, all Municipalities within the Province of Ontario.”

Yours truly,

A handwritten signature in cursive script, appearing to read "C. Tarling".

C. Tarling
Director of Legislated Services
& City Clerk

THE CORPORATION OF THE TOWNSHIP OF LARDER LAKE

69 Fourth Avenue, Larder Lake, ON

Phone: 705-643-2158 Fax: 705-643-2311



MOVED BY:

- PH* Thomas Armstrong
 Patricia Hull
 Paul Kelly
 Lynne Paquette

SECONDED BY:

- PH* Thomas Armstrong
 Patricia Hull
 Paul Kelly
 Lynne Paquette

Motion #: 17

Resolution #: **17**

Date: August 27, 2019

WHEREAS Council has discussed lobbying the provincial ministers to be allow for electronic delegation; And

WHEREAS Council feel that it is unjust to have to attend expensive conferences to be able to have a delegation with Ministers or the Premier; And

THEREFORE, Council request that the Ministers and the Premier offer electronic delegations to small and rural Municipalities that do not have sufficient budget to attend conferences; And

FURTHER THAT this resolution be sent to all Ontario Municipalities in order to request their support on the matter; And

FURTHER THAT this resolution be sent to the Premier and all the Ministries for their consideration.

Recorded vote requested:

	For	Against
Tom Armstrong		
Patricia Hull		
Paul Kelly		
Lynne Paquette		
Patty Quinn		

Disclosure of Pecuniary Interest*

I declare this motion

<input checked="" type="checkbox"/> Carried
<input type="checkbox"/> Lost / Defeated
<input type="checkbox"/> Deferred to: _____ (enter date)
Because:
<input type="checkbox"/> Referred to: _____ (enter body)
Expected response: _____ (enter date)

Chair: *[Signature]*

*Disclosed his/her (their) interest(s), abstained from discussion and did not vote on this question.

Memo

To: Mayor and Council
From: Jennifer Pye, Planner
Date: September 17, 2019
Subject: Deeming By-law for 418 Lakeview Ave (lots 416, 418, and 420 on Plan M52NB)
Attachments: Deeming By-law Application Form
Draft Deeming By-law

Mayor and Council:

Mary Durocher has submitted a request for a deeming by-law for her property at 418 Lakeview Avenue in North Cobalt. Ms. Durocher has also submitted a building permit application to construct a garage on the property which would cross the lot line between at least two of the lots that make up the property. The property currently contains a single detached dwelling, detached garage, and shed with the garage and shed to be removed upon construction of the new garage. The property is made up for three lots on a plan of subdivision that was created in 1906. The property backs onto a 14' wide municipal laneway running between Station Street and Cross Lake Road.

The subject property is designated Residential Neighbourhood in the City of Temiskaming Shores Official Plan and is zoned Medium Density Residential (R3) in the City of Temiskaming Shores Zoning By-law.

If the Deeming By-law is passed it will be registered on title at the owner's expense. It is recommended that Council pass the deeming by-law.

Prepared by:

Reviewed and approved by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

Jennifer Pye, MCIP, RPP
Planner

Shelly Zubyck
Director of Corporate Services

Christopher W. Oslund
City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2019-000

**Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision
418 Lakeview Avenue Roll No. 54-18-030-009-357.00**

Whereas Section 50(4) of the Planning Act, R.S.P. 1990, c.P.13, as amended authorizes the Council of a municipality to designate by by-law, a plan of subdivision, or any part thereof, that has been registered for eight (8) years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subdivision control;

And whereas Council considered Memo No. 023-2019-CS at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to deem Lots 416, 417 and 420 on Plan M-52 NB, Parcels 7737 SST and 7608 SST to no longer be Lots on a Plan of Subdivision for consideration at the September 17, 2019 Regular Council meeting;

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

1. That the lands hereinafter described shall be deemed not to be a lot or block on a Registered Plan of Subdivision for the purposes of Section 50(4) of the Planning Act R.S.O. 1990, c.P.13, as amended and as generally illustrated on Schedule "A" attached hereto and forming part of this by-law.
2. That the lands are described as:
 - a) Parcel 7737SST, Plan M52NB, Lot 416;
 - b) Parcel 7737SST, Plan M52NB, Lot 418;
 - c) Parcel 7608SST, Plan M52NB, Lot 420;
3. That in accordance with Section 50(28) of the Planning Act, R.S.O. 1990, c.P.13, as amended, a certified copy or duplicate of this by-law shall be registered by the Clerk of the Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
4. That in accordance with Section 50(29) of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council shall give notice of the passing of the by-law within 30 days of the passing to the owner of land to which the by-law applies.
5. That in accordance with Section 50(30) of the Planning Act R.S.O. 1990, c.P.13, as amended, Council shall hear in person or by an agent any person to whom a notice was sent, who within twenty days of the mailing of the notice gives notice to the Clerk of The Corporation of the City of Temiskaming Shores that the person desires to make representations respecting the amendment or repeal of the by-law.

6. That the Mayor and Clerk are authorized to sign all necessary documents in connection with this by-law.
7. That this by-law shall not be effective until a certified copy or duplicate of this by-law is registered by the Clerk of The Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
8. That the passing of this by-law shall be subject to the provisions of the Planning Act.
9. 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 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule “A”

City of Temiskaming Shores



418 Lakeview Avenue

**Application for Deeming By-law
Under Section 50(4) of the Planning Act**

Approval authority:
Council of the City of Temiskaming Shores

Fee: \$200 + 13% HST
= \$226.00
+ legal and land titles fees required to register by-law
(billed directly from solicitor)

Office Use Only
File No.: <u>D-2019-03</u>
Date Received: <u>September 6, 2019</u>
Roll No.: 5418- <u>030-009-357.00</u>

1. Owner Information

Name of Owner: Mary Durocher
Mailing Address: PO Box 250, North Cobalt, ON P0J 1R0
Email Address: mdurocher3@gmail.com Phone: 705-648-3795

If more than one registered owner, please provide information below (attach separate sheet if necessary):

Name of Owner: _____
Mailing Address: _____
Email Address: _____ Phone: _____

2. Applicant/Agent Information (if applicant is not the owner or applicant is an agent acting on behalf of the owner):

Name of Agent: _____
Mailing Address: _____
Email Address: _____ Phone: _____

3. Please specify to whom all communications should be sent:

Owner Applicant/Agent

4. Property Information

a. Location of the subject land:

Dymond New Liskeard Haileybury

Municipal Address 418 Lakeview
Legal Description (concession and lot numbers, reference plan and lot/part numbers) Plan M52NB Lots 416, 418, and 420; Parcels 7737SST and 7608SST

b. Date the property/properties were acquired by the current owner: June 1989

c. Are there any easements or restrictive covenants affecting the property/properties?

Yes No

If yes, describe the easement or covenant and its effect:

--

5. Reason a deeming by-law is required:

Property is made up of 3 subdivision lots that have never been deemed and a building permit application has been submitted to construct a garage across the lots.

6. Registration of By-law

If approved the deeming by-law must be registered on title to the property/properties to which it applies. The City will send the approved by-law directly to the lawyer of the applicant's choosing to ensure registration. The applicant is responsible for all fees associated with the registration of the by-law.

Name of Lawyer: _____

Name of Firm: Evans, Braganolo and Sullivan

Mailing Address: PO Box 490, Haileybury, ON P0J 1K0

Email Address: _____ Phone: 705-672-3338

7. Applicant/Agent Authorization

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be included with this form or the authorization set out below must be completed.


I/We, _____ are the registered owners of the subject land and I/we hereby authorize _____ to make this application on my/our behalf and to provide any of my/our personal information that will be included in this application or collected during the processing of the application.

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____


8. Authorization for Site Visits

I/We authorize Municipal Staff and Council and/or Committee members, as necessary, to enter the subject property to gather information necessary in the assessment of the application.

 _____
Applicant Initial *Applicant Initial*

9. Notice re: Use and Disclosure of Personal Information

In accordance with the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, I/We acknowledge and understand that any information collected on this form and any supplemental information submitted as part of this application can be disclosed to any person or public body.

 _____
Applicant Initial *Applicant Initial*

10. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.


I, Mary Durocher of the City of Temiskaming Shores
in the District of Timiskaming make oath and say
(or solemnly declare) that the information contained in this application is true and that the information contained in the documents that accompany this application is true and I make this solemn declaration conscientiously knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Sworn (or declared) before me

at the City of Temiskaming Shores
in the District of Timiskaming
this 6th day of September, 2019



Signature of Applicant



A Commissioner for Taking Affidavits
Jennifer Lynn Pye, a Commissioner,
etc., Province of Ontario, for the
Corporation of the City of Temiskaming
Shores. Expires June 26, 2021.

Memo

To: Mayor and Council
From: David B. Treen, Municipal Clerk
Date: September 17, 2019
Subject: Potential disposition of Land – M. Wilson (portion of Glenhill Rd.)
Attachments: Appendix 01 – Map

Mayor and Council:

Mark and Carole Wilson, owners of 325 Lakeview Avenue N. are requesting consideration for the acquisition of municipal land. **Appendix 01 – Aerial Map** illustrates the location of the subject land being a portion of Glen Hill Road. The Wilson's currently own either side of the road allowance and are looking to add to the existing property as it would legally connect the two.

Internal Circulation Comments:

Recreation: No concerns.

PW Dept.: No objections.

Planning: Wilson Property to the north (residence) is zoned Low Density Residential (R2) and property to south is zoned Development (D). Purchase of the road allowance would not change zoning of property to the south (remain development). No building permitted without approval of a Zoning By-law amendment.

In the event Council opts to consider disposition of the subject road allowance it will be necessary to attain a reference plan and adoption of a by-law to stop up and close that portion of Glen Hill Road.

It is recommended that Council authorize staff to continue with a potential disposition of land, being a portion of Glenhill Road in accordance to By-law No. 2015-160 being a by-law to adopt a Procedural Policy for the Disposal of Real Property.

Prepared by:

Reviewed by:

Reviewed and submitted for
Council's consideration by:

“Original signed by”

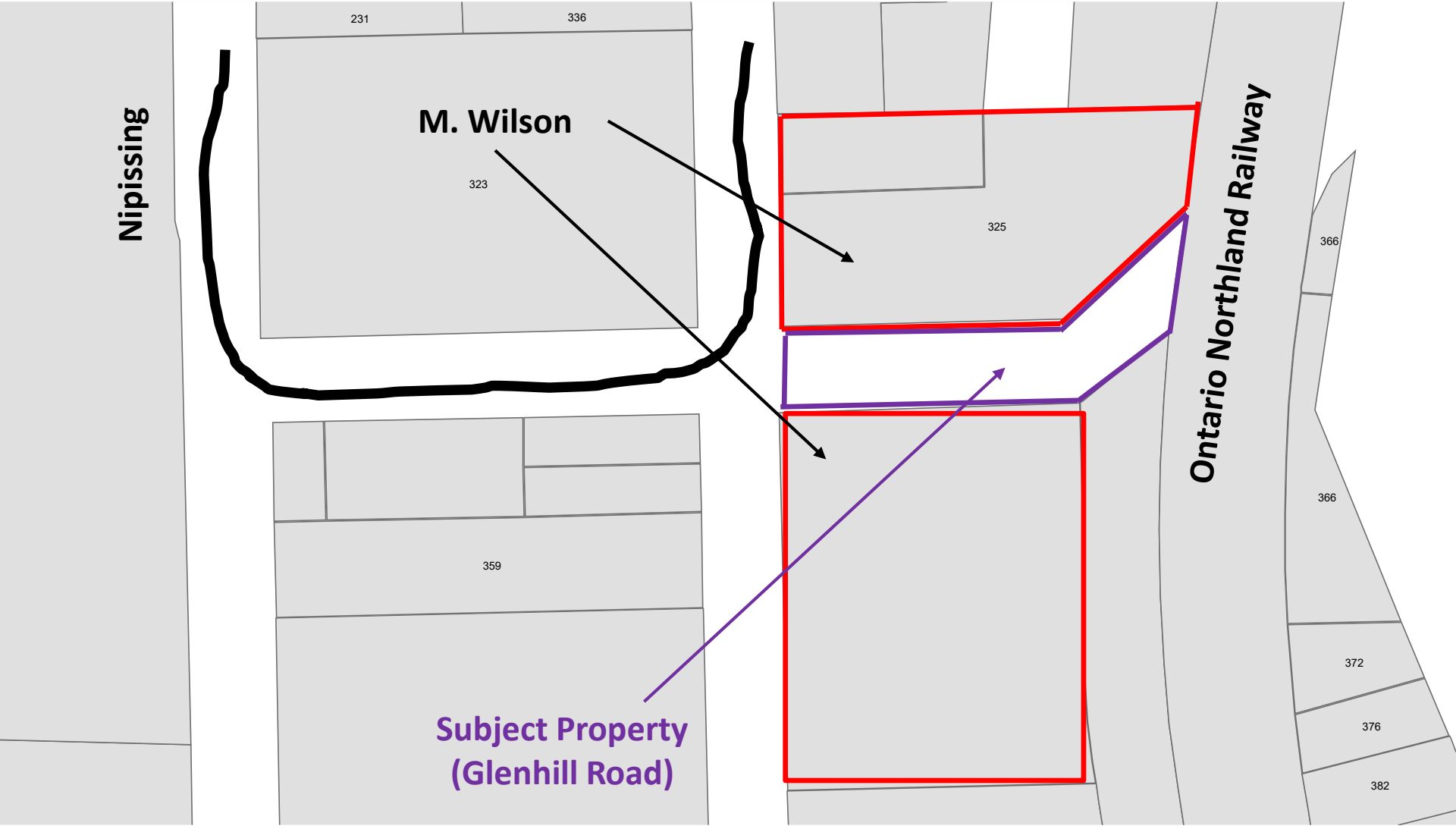
“Original signed by”

“Original signed by”

David B. Treen
Municipal Clerk

Shelly Zubyck
Director of Corporate Services

Christopher W. Oslund
City Manager



Nipissing

M. Wilson

231

336

323

325

359

Subject Property
(Glenhill Road)

Ontario Northland Railway

366

366

372

376

382

Memo

To: Mayor and Council
From: David B. Treen, Municipal Clerk
Date: September 17, 2019
Subject: Repairs to Highway Farms Municipal Drain
Attachments: Appendix 01 – Map

Mayor and Council:

Appendix 01 – Aerial Map illustrates the location of the Highway Farms Municipal Drain which commences at Maille Drive just off of Highway 11 and traverses along agricultural lands and outlets in the Wabi River. The Highway Farms Drain was constructed in 1978.

In the spring of 2019 our Drainage Superintendent, Ed Gorecki as part of the annual inspection program discovered that approximately 51 m of the drainage piping (located within the identified Work Area of Appendix 01) has blown apart and washed out the cover material over the pipe. A large portion of the piping damaged was concrete which was shattered into pieces.

The drainage superintendent and municipal staff have been working with the landowner upon which the repairs are required and staff has developed a Tender Package for the replacement of up to 65 m of outlet piping. The Tender Documents have been released with a submission date of September 26, 2019 with anticipated repairs being completed in October.

Municipal Drains are administered by the Municipality through the Clerk's Office with the cost of repairs being assessed back to the landowners benefitting from the drain with up to 2/3 of the cost being allocated to the Province for agricultural lands within the drainage area.

It is recommended that Council acknowledge receipt of Memo No. 025-2019-CS and that repairs to the Highway Farms Municipal Drain will be completed in accordance with the *Drainage Act* through Tender CS-Tender-001-2019 Repairs to Highway Farms Municipal Drain.

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
Director of Corporate Services

Christopher W. Oslund
City Manager

Work Area

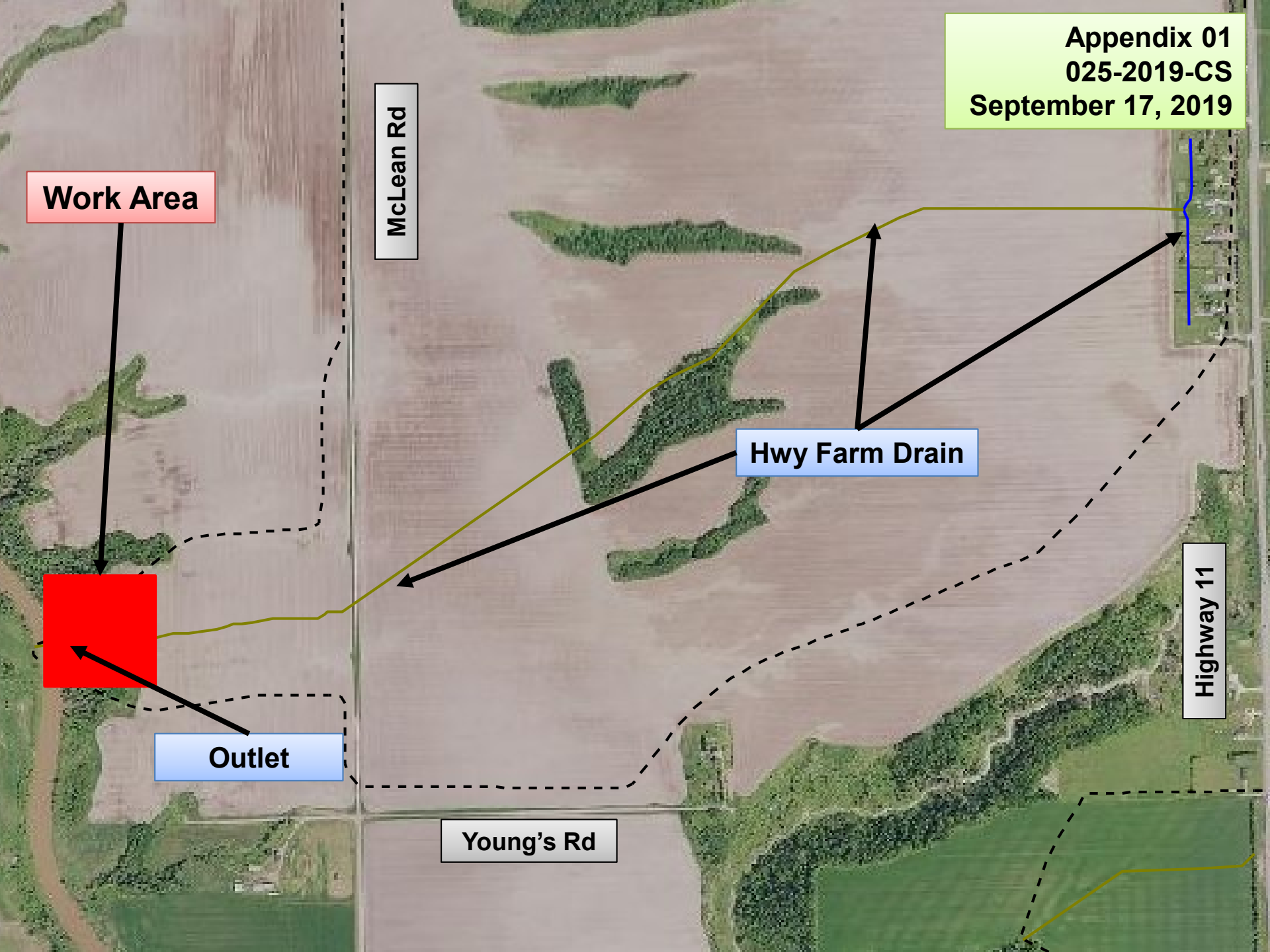
McLean Rd

Hwy Farm Drain

Outlet

Young's Rd

Highway 11



Subject: Municipal Employee Group
Benefit Plan

Report No.: CS-048-2019
Agenda Date: September 17, 2019

Attachments

None.

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-048-2019;
2. That Council approves the Municipal Employee Benefit Plan with premiums of \$292,044 for 2019-2020 in addition to the costs paid by the City for health benefits as they are incurred with applicable administrative fees under the Administrative Services Only portion of the Plan; and
3. That Council directs staff to prepare the necessary by-law to enter into an agreement for the Great West Life Employee Benefit Plan administered through Gallagher Benefit Services Canada Group Inc. (formerly Dibrina) for consideration at the September 17, 2019 Regular Council meeting.

Background

On September 5th, 2019 the City Manager and Director of Corporate Services met with Mr. Jeff St. Cyr to review the renewal proposal for the City's Municipal Employee Group Benefit Plan. The City's Benefit Plan became eligible for renewal on September 1, 2019.

Analysis

Currently, the City is using an Administrative Services Only (ASO) Plan. An ASO Plan has two (2) components:

1. A cash component used to pay for everyday benefits such as drug or dental costs; and
2. An insurance component to cover a catastrophic event such as an unforeseen need for special medicines or treatments.

Under an ASO Plan the administrator and the employer work together to establish a budget for self-insured health and dental care components. Employees or their health care providers will submit their claims directly to the administrator (GWL) who process the claims and issues the cheques. The City's average claims are approximately \$25,000 per month.

Great West Life's 2019-2020 proposal was submitted with a 5.7% overall increase to the current premium level.

For this renewal, the City of Temiskaming Shores main driver for the premium increase is the City's higher than average incidences of long-term disability claims versus the "normal experience" based on employee demographics (age and gender). The City's current insured employee group aged 50 and above has increased 5%, increasing the LTD insurance volume.

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 renewal of the City's benefit plan is part of ongoing operations costs. Gallagher Benefit Services Canada Group Inc. (formerly Dibrina) has negotiated a renewal increase of 5.7% for the overall combined plan. This will result in an overall increase of approximately \$34,433 in premiums for the year. Administrative Rates as follows:

Admin Charges	2019-2020 Rates
General Admin	5.35%
Profit Charge	0.90%
Commissions	2.00%
Taxes	As legislated
STD	8.76%
Healthcare	5.73%
Vision	5.73%
Pay Direct Drugs	3.40%
Dental	3.15%

Alternatives

No alternatives were considered in the preparation of this report.

Submission

Prepared by:

Reviewed and submitted for
Council's consideration by:

"Original signed by"

"Original signed by"

Shelly Zubyck
Director of Corporate Services

Christopher W. Oslund
City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2019-000

Being a by-law to enter into an Agreement with Gallagher Benefit Services (formerly DiBrina) for the administration of services provided by Great West Life Employee Benefit Plan - Employee Group Benefits

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

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

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

And whereas Council considered Administrative Report No. CS-042-2018 at the October 9, 2018 Regular Council meeting and adopted Resolution No. 2018-448 directing staff to retain DiBrina Group for Municipal Employee Benefit Plan Brokerage Services for a period of three (3) years with the option of two (2) year renewal at a commission rate of 2%;

And whereas Council considered Administrative Report No. CS-048-2019 at the September 17, 2019 Regular Council meeting and directed staff to renew the Great West Life Employee Benefit Plan administered through Gallagher Benefit Services Canada Group Inc. (formerly DiBrina Sure Benefits Consulting Inc.) with premiums of \$292,044 for 2019-2020 for consideration at the September 17, 2019 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 agrees to enter into an Administrative Services Only (ASO) Plan with premiums of \$292,044 for 2019-2020 in addition to the costs paid by the City for health benefits with Great West Life Assurance Company for the period covering September 1, 2019 to August 31, 2020 as administered by Gallagher Benefit Services Canada Group Inc. (formerly DiBrina Sure Benefits Consulting Inc.).
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

Subject: ZBA-2019-04 – In & Out Truck
Wash, 433959 Hawn Drive

Report No.: CS-049-2019
Agenda Date: September 17, 2019

Attachments

Appendix 01: Planning Report

Appendix 02: Application and Public Notice

Appendix 03: Draft By-law to amend Zoning By-law No. 2017-154

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-049-2019;
2. That Council agrees to amend the provisions of the City of Temiskaming Shores Zoning By-law 2017-154 to permit the zone change from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2-E3); and
3. That Council directs staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law 2017-154 for consideration at the September 17, 2019 Regular Council Meeting.

Background

In & Out Truck Wash purchased the subject property from the City earlier in 2019 with the intention of constructing a transport truck/large vehicle washing establishment on the property. The property is currently zoned Manufacturing Industrial (M2) and a “motor vehicle washing establishment” is not listed as a permitted use in the M2 Zone. The purpose of this Zoning By-law amendment application is to rezone the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception (M2-#) to allow a “motor vehicle washing establishment” on the subject property.

Analysis

The public meeting was held on September 3, 2019 and no members of the public made submissions at the meeting. No written comments have been received as of the date of this report.

The planning report attached as Appendix 01 provides information regarding the application within the policy framework.

It is the opinion of the undersigned 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, MCIP, RPP
Planner

Shelly Zubycyk
Director of Corporate Services

Christopher W. Oslund
City Manager



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Planning Report

Zoning By-law Amendment Application: ZBA-2019-04

Applicant: In & Out Truck Wash

Property: 433959 Hawn Drive

Roll No.: 5418-020-001-018.20

September 10, 2019

Subject Land

433959 Hawn Drive; Dymond Concession 1, Part of the South ½ of Lot 6; 54R-5639 Parts 21, 22, 23, 29, 30, and 31.

Background and Purpose of the Application

The applicant purchased the subject land from the City earlier in 2019 with the intention of constructing a transport truck/large vehicle washing establishment on the property. The use in the Zoning By-law that most closely mirrors the intent of the applicant is “motor vehicle washing establishment,” which is defined as:

An establishment for washing, cleaning and polishing motor vehicles by means of either production line cleaning methods and/or mechanical devices and includes a coin-operated self-service operation but does not include a motor vehicle service station, a motor vehicle body repair shop or a motor vehicle dealership where car washing operations are incidental to the principal activity of business.

A motor vehicle washing establishment is not listed as a permitted use in the M2 zone, so the purpose of the application is to add an exception to the zoning of the property to permit the proposed use on a site-specific basis.

The property is currently vacant and is designated Employment Areas in the City of Temiskaming Shores Official Plan.

Statutory Public Notice

The complete application was received on July 29, 2019. Notice of the complete application and public hearing was advertised in the Temiskaming Speaker on August 14, 2019 and was sent to public agencies in accordance with the statutory notice requirements of the Planning Act. The notice was also mailed to property owners within 120m of the subject land.

The public hearing was held on September 3, 2019. No members of the public made oral submissions at the public hearing and no written comments have been received as of the date of this report.

Site Analysis

The property is a 59.98m x 72.856m (196.78' x 239') = 0.87 hectare (2.14 acre) industrial lot within the expanded portion of the Dymond Industrial Park.

Servicing

Municipal water and sanitary sewer services are available on Hawn Drive. The developer will be responsible for the extension of water and sewer lines to service the development. Stormwater management will be required on-site and as the property is directly adjacent to Highway 11 the Ministry of Transportation has commented that they will require a stormwater management plan for review and approval prior to development on this property.

Access

The property fronts on Hawn Drive which is municipally owned and maintained year-round. Access to the property will be off of Hawn Drive with an entrance proposed on the south end of the property and an exit on the north end of the property. The property also abuts Highway 11 to the east and the MTO has commented that direct access to Highway 11 will not be permitted.

Existing Land Use

The property is currently vacant.

Adjacent Land Uses

North: Vacant
South: Vacant
East: Highway 11 and vacant
West: Hawn Drive and vacant

Planning Analysis

Provincial Policy Statement (2014)

The property is located within the established settlement area boundary for the City within an area that has been identified as and was developed specifically for industrial uses.

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, liveable 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;*

The subject property is located within the expanded area of the Dymond Industrial Park in an area that has been identified for industrial uses. At full build-out of the industrial park, surrounding properties will be developed with industrial-type uses. Municipal infrastructure was constructed as part of the industrial park expansion project and water and sewer services are available at the property line of each lot.

1.3 Employment

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and*
- d) ensuring the necessary infrastructure is provided to support current and projected needs.*

1.3.2 Employment Areas

- 1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.*

1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

While not a traditional employment use, the proposed development would provide a service to the transportation industry, which is prevalent and well-established in the City. A transport truck/large vehicle washing establishment is also compatible with an industrial park setting as these types of vehicles are prevalent in these areas for shipping and delivery purposes, as well as industrial parks generally being the location of transportation depots and complimentary industries. Additionally, Highway 11 is a primary route for the movement of goods both within the province and across the country, and the Dymond Industrial Park is a good location to provide the service to operators travelling through the area.

1.6 Infrastructure and Public Service Facilities

1.6.6 Sewage, Water and Stormwater

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

1.6.6.7 Planning for stormwater management shall:

- a) minimize, or, where possible, prevent increases in contaminant loads;*
- b) minimize changes in water balance and erosion;*
- c) not increase risks to human health and safety and property damage;*
- d) maximize the extent and function of vegetative and pervious surfaces; and*
- e) promote stormwater management best practices, including stormwater attenuation and re-use, and lot impact development*

Municipal water and sanitary sewer services were installed during the construction of the expansion of the Dymond Industrial Park and both services are available at the property line of each lot. MTO has indicated that a stormwater management plan will be required for their review and approval prior to approval of the site plan control agreement.

Based on the above information it is my opinion that the proposed development demonstrates consistency with the Provincial Policy Statement (2014).

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 the proposal does not conflict with any of the Growth Plan policies.

City of Temiskaming Shores Official Plan

The property is designated Employment Areas in the City of Temiskaming Shores Official Plan.

4. Community Development

4.6 Employment Areas

4.6.1 The scope of permitted uses in an employment area as designated on the Land Use Schedules will depend on the classification of the area. Industrial Parks will be designed primarily for industrial land uses but may include commercial uses appropriate to a

predominantly industrial setting. Permitted uses in Employment Areas should include those which support the City's role as a regional hub and which are consistent with the City's economic development strategy. Emphasis will be placed on manufacturing uses, tourism and service commercial/industrial uses and knowledge-based and research uses.

- 4.6.2 *Uses will be designed to be compatible with neighbouring uses in Employment Areas and with sensitive land uses (see Planning Resource Kit). Employment Areas development impacts will be fully addressed prior to development approval (e.g. traffic, noise, air quality, servicing, environmental).*
- 4.6.6 *All employment area uses will be appropriately zone and will be subject to site plan control. Development will be subject to the urban design principles of this Plan (see Section 4.9) and residential uses shall be integrated to avoid or mitigate adverse effects from non-residential land uses through such techniques as:*
- a) Appropriate separation distances;*
 - b) Buffering and screening using landscaping, fencing intervening buildings, parking areas and amenity areas;*
 - c) Noise attenuation;*
 - d) Dust and air quality controls;*
 - e) Designing Employment Areas to be transit, pedestrian and cycling friendly;*
 - f) Designing Employment Areas to retain and enhance features of the natural environment wherever feasible.*

The subject property is located in the Dymond Industrial Park, which is the highest-order industrial park in the City. It is also the park with the easiest access to Highway 11 for large/heavy traffic. Although motor vehicle washing establishments are not typically industrial uses, the nature of the facility being proposed through this application, namely a transport truck/large vehicle washing establishment, is compatible with and complimentary to traditional industrial business.

The City has a large and well-established transportation/trucking sector, including a number of businesses that provide services to the sector. The proposed development would be complimentary to the trucking industry, and would also provide a service to those operators hauling on Highway 11.

Based on the above information it is my opinion that the proposed development demonstrates consistency with the City of Temiskaming Shores Official Plan.

City of Temiskaming Shores Zoning By-law

The property is currently zoned Manufacturing Industrial (M2) in the City of Temiskaming Shores Zoning By-law. The purpose of the amendment is rezone the property to Manufacturing Industrial Exception (M2-#) to add "motor vehicle washing establishment" as a permitted use on the subject property.

Comments Received from the Agency Circulation and Public Notification Process

The application was circulated to municipal departments, agencies, and the public. The following comments were received:

Director of Public Works

- ✓ *The subject land is located in the former Township of Dymond, in the Industrial Park located to the west of Highway 11. The property fronts Hawn Drive and is serviced with municipal sewer and water located at the property line. Depending on the amount of water required, the water service may require upgrading.*
- ✓ *The subject lands can be accessed directly off of Hawn Drive via Highway 11 North. Highway 11 has a bituminous asphalt surface and is maintained on a year-round basis while Hawn Drive currently has a gravel surface, maintained by the City also on a year-round basis. Hawn Drive has been constructed on a lime-stone ridge, with over 90cm (3 feet) of granular material forming the current road base, designed to*

withstand heavy truck traffic. Serious consideration as to the type of bituminous surface to be placed on this section of roadway will be required when the time comes.

- ✓ *There are no concrete sidewalks for curb & gutter present and roadway drainage is by open ditch. A lot grading plan will be required and a storm water management plan may also be required by the Ministry of Transportation.*
- ✓ *An oil-water separator will be required should consideration be given to have the floor drain system connect to the sanitary sewer network. (This is not desired, however, given the location of the proposed project, there is no storm water system in the area).*
- ✓ *Currently, there are no street lights in this area of the municipality and there are no plans for future installations.*
- ✓ *MTO review of the application may be required.*
- ✓ *An Entrance Permit for the construction, modification or upgrade to a driveway / entrance will be required from the City of Temiskaming Shores.*
- ✓ *The Public Works Department has no objections to this application.*

Chief Building Official – *The Building Dept has no concerns regarding this proposal.*

Fire Chief – *I have no objections to this application.*

Director of Recreation – *I have no concerns in relation to Recreation Services.*

Director of Corporate Services – *No comments received.*

City Manager – *I have no concerns.*

Clerk – *The Clerk's Office has no objections to ZBA-2019-04.*

Economic Development and Funding Application Coordinator – *No comments received.*

Tax Collector / Treasurer – *I have no concerns with this application.*

Ministry of Transportation:

Thank you for the opportunity to provide comments on the below. The following should be noted in the decision and the proponent made aware:

The Ministry of Transportation (MTO) has no objection to the proposal in principal, however, the proposed 9m setback is insufficient. A setback of 14m from the highway property line would be required. Additionally it must be noted that direct access to Highway 11 will not be permitted.

As the property is within the MTO permit control area MTO permits may be required. A Ministry of Transportation of Ontario (MTO) building/land use permit is required prior to the construction of any proposed buildings, septic systems, wells etc. located within 45m of the MTO right-of-way (ROW) limits of within a 395m radius of intersections along Highway 11. MTO Sign permit(s) are required for the placement of any signs within 400m of the limit of the highway.

Prior to the issuance of MTO permits the following will be required for MTO review and approval:

- *An updated site plan incorporating the MTO 14m setback from the Highway 11 property line*
- *A Stormwater Management plan: Additional information can be obtained online at:
<http://www.mto.gov.on.ca/english/publications/drainage/stormwater/>*
- *An illumination plan: for developments adjacent to a provincial highway that includes area or architectural lighting, the developer must provide the following to confirm there will be zero light trespass onto the MTO right-of-way:*
 - *To-scale site plan showing the site location and the highway*
 - *Lighting layout showing pole/luminaire locations and orientation*
 - *Luminaire installation info such as mounting height, orientation angle, shielding info, etc.*

- *Luminaire material info including catalog info and photometric data file*
- *Lighting calculation plan showing horizontal luminance levels at and beyond the MTO right-of-way in metric units of lux to 1 decimal place minimum*

Note from Planning Department: the comments above from MTO can be addressed through the Site Plan Control process. The comments have been forwarded to the applicant and will be reviewed again during preconsultation on the development of the site plan. Once the required information has been provided it will be sent to MTO for review and approval prior to Council approving the site plan agreement.

Recommendation

Based on the information presented in this report, 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 represents good planning.

It is therefore recommended that Council approve the Zoning By-law Amendment application.

Respectfully submitted,

Jennifer Pye, MCIP, RPP
Planner

**Application for Zoning By-law Amendment
Under Section 34 of the Planning Act**

Fee for 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, as well as information required by the City of Temiskaming Shores to assist in the assessment of the proposal.

In addition to completing this form, the Applicant is required to submit the 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.

OFFICE USE ONLY

File No.: ZBA-2019-04
Date Received: July 29, 2019
Roll No.: 5418-020-001-018.20

1. Owner Information

Name of Owner: In & Out Truck Wash Ltd. (Justin Breau)
Mailing Address: 414 305 Bryans Road, Englehart, On. P0J1H0
Email Address: j.breau@live.ca Phone: 1 (705) 676 6055

If more than one registered owner, please provide information below (attach separate sheet if necessary):

Name of Owner: _____
Mailing Address: _____
Email Address: _____ Phone: _____

2. Applicant/Agent Information (if applicant is not the owner or applicant is an agent acting on behalf of the owner):

Name of Agent: _____
Mailing Address: _____
Email Address: _____ Phone: _____

3. Please specify to whom all communications should be sent:

Owner Applicant/Agent

4. Property Information

a. Location of the subject land:

Dymond New Liskeard Haileybury

Municipal Address 433959 Hawn Dr.
Legal Description (concession and lot numbers, reference plan and lot/part numbers) Plan 54R-5639 - Parts 29,21,22,23,30,31

b. Date the subject land was acquired by the current owner: May 27th, 2019

c. Names and addresses of the holders of any mortgages, charges, or other encumbrances of the subject land:

d. Are there any easements or restrictive covenants affecting the subject land?

Yes No

If yes, describe the easement or covenant and its effect:

Instrument No. DT 44916. Easment is for Hydro One along West side of property to maintain Hydro Line.

e. Dimensions of subject land:

Lot Area: 2.2 acres Road Frontage: 50m
 Water Frontage: 0 Lot Depth: 120m

f. Existing use(s) of the subject land (check all that apply):

- Residential Commercial Industrial
 Institutional Agricultural Vacant
 Mixed Use (specify): _____
 Other (specify): _____

g. Length of time the existing uses of the subject land have continued: N/A

h. Are there any buildings or structures existing on the subject land?

- Yes No

If yes, complete the table below (attach a separate sheet if necessary):

	Building 1	Building 2	Building 3	Building 4	Building 5
Type or use of building					
Height of building (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)					
Date constructed					
Is building to remain or be removed?					

i. Has the subject land ever been used for commercial or industrial purposes?

- Yes No

If yes, has a Record of Site Condition ever been completed in accordance with Ontario Regulation 153/04?

- Yes No

j. Existing use(s) of abutting properties:

North: Vacant East: Hwy 11
 South: Vacant West: Hawn Drive

k. Are any of the following uses or features on the subject land or within 500m (unless otherwise specified)?

Use or Feature	On the subject land	Within 500 metres of subject land (indicate approximate distance)
An agricultural operation including livestock or stockyard	<input type="checkbox"/>	<input type="checkbox"/> _____
A landfill	<input type="checkbox"/>	<input type="checkbox"/> _____
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	<input type="checkbox"/> _____
A provincially significant wetland (Class 1, 2 or 3 wetland)	<input type="checkbox"/>	<input type="checkbox"/> _____
A provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____
A waterbody, watercourse, river, or stream	<input type="checkbox"/>	<input type="checkbox"/> _____
A rehabilitated mine site	<input type="checkbox"/>	<input type="checkbox"/> _____
A non-operating mine site within 1 kilometre of the subject land	<input type="checkbox"/>	<input type="checkbox"/> _____
An active mine site, gravel pit or quarry	<input type="checkbox"/>	<input type="checkbox"/> _____
An industrial or commercial use (specify)	<input type="checkbox"/>	<input type="checkbox"/> _____
An active railway line	<input type="checkbox"/>	<input type="checkbox"/> _____
Utility corridor(s)	<input type="checkbox"/>	<input type="checkbox"/> _____
Provincial Highway	NA	<input checked="" type="checkbox"/> Hwy. 11 _____

5. Planning Information

a. Current Official Plan Designation(s): Employment Areas

b. Explain how the application conforms with the Official Plan:

The proposed use supports the city's role as a regional hub for transportation and complements the transportation industry and transportation-related uses in the city. The property is well-situated for a truck wash facility with easy access to a major transportation corridor (Highway 11) and other transportation-related businesses. The property is serviced with existing municipal infrastructure and is identified for development.

c. Current Zoning: Manufacturing Industrial (M2)

d. Nature and extent of the rezoning being requested:

This is a site-specific amendment to change the zoning to Manufacturing Industrial Exception (M2-#) to add a Motor Vehicle Washing Establishment as a permitted use on the property.

e. Reason why rezoning is being requested:

M2 currently does not currently allow for a Motor Vehicle Washing Establishment to be build and operated on.

f. 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:

g. Is the subject land within an area where zoning with conditions may apply?

Yes No

If yes, explain how the application conforms to the Official Policies related to zoning with conditions:

h. Does the application propose to change the boundary of a settlement area or establish a new area of settlement?

Yes No

If yes, provide details of the current Official Plan policies or Official Plan Amendment dealing with the alteration or establishment of an area of settlement:

i. Does the application propose to remove land from an area of employment?

Yes No

If yes, provide details of the current Official Plan policies or Official Plan Amendment dealing with the removal of land from an area of employment:

6. Proposed Use of Property

a. Proposed use(s) of the subject land (check all that apply):

Residential Commercial Industrial
 Institutional Agricultural Vacant
 Mixed Use (specify): _____
 Other (specify): _____

b. Are any buildings proposed to be constructed on the property?

Yes No

If yes, complete the table below (attach a separate sheet if necessary):

	Building 1	Building 2	Building 3	Building 4	Building 5
Type or use of building	Steel Building				
Height of building (m)	6.7m				
Setback from front lot line (m)	27.4m				
Setback from rear lot line (m)	76.2m				
Setback from side lot line one side (m)	24.3m				
Setback from side lot line other side (m)	6.1m				
Setback from shoreline (m)	N/A				
Dimensions (m) or floor area (m ²)	663ms				

7. Access and Servicing

a. What type of access is proposed for the subject land?

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Provincial Highway | <input type="checkbox"/> Private Road |
| <input checked="" type="checkbox"/> Municipal Road, maintained all year | <input type="checkbox"/> Right-of-Way |
| <input type="checkbox"/> Municipal Road, maintained seasonally | <input type="checkbox"/> Water Access |
| <input type="checkbox"/> Other (specify): _____ | |

i. If access to the subject land will be by water only, describe the docking and parking facilities to be used and the approximate distance to these facilities from the subject land and the nearest public road:

b. What type of water supply is proposed for the subject land?

- Publicly owned and operated piped water supply (City water)
- Privately owned and operated individual well
- Privately owned and operated communal well
- Lake or other water body
- Water service not proposed
- Other (specify): _____

c. What type of sewage disposal is 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): _____

i. If the proposed amendment would permit development on a privately owned and operated individual or communal septic system, and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report prepared by a qualified professional are required to be submitted:

- Title and date of servicing options report: _____
- Title and date of hydrogeological report: _____

d. What type of storm drainage is proposed for the subject land?

Storm sewer

Ditches

Swales

Other (specify): _____

8. Previous Applications

Has the subject land ever been the subject of any of the following applications under the Planning Act (if the answer to any of the following is yes, please provide the file number and status of the application if known):

Unknown

Official Plan Amendment Yes No File No.: _____ Status: _____

Zoning By-law Amendment Yes No File No.: _____ Status: _____

Minor Variance Yes No File No.: _____ Status: _____

Plan of Subdivision Yes No File No.: _____ Status: _____

Consent Yes No File No.: _____ Status: _____

Site Plan Control Yes No File No.: _____ Status: _____

Minister's Zoning Order Yes No File No.: _____ Status: _____

9. Concurrent Applications

Is the subject land currently the subject of any of the following applications under the Planning Act (if the answer to any of the following is yes, please provide the file number and status of the application if known):

Official Plan Amendment Yes No File No.: _____ Status: _____

Zoning By-law Amendment Yes No File No.: _____ Status: _____

Minor Variance Yes No File No.: _____ Status: _____

Plan of Subdivision Yes No File No.: _____ Status: _____

Consent Yes No File No.: _____ Status: _____

Site Plan Control Yes No File No.: _____ Status: _____

10. PROVINCIAL POLICIES

a. Is the proposed zoning by-law amendment consistent with the policy statements issued under subsection 3(1) of the Planning Act?

Yes No

i. If yes, explain how the zoning by-law amendment is consistent with the policy statements issued under subsection 3(1) of the Planning Act:

The property is located within an industrial park that is intended for a number of businesses and economic activities. Existing infrastructure is available to service the proposed facility, including water, sanitary sewer, hydro, and natural gas.

b. Is the subject land within an area of land designated under any provincial plan or plans?

Yes No

i. If yes, explain how the zoning by-law amendment conforms or does not conflict with the provincial plan or plans:

The proposed use does not conflict with the Growth Plan for Northern Ontario.

11. Public Consultation Strategy

Detail the proposed strategy for consulting with the public with respect to the application:

Follow Planning Act requirements

Other (please specify):

12. 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):

- _____
- _____
- _____
- _____

13. Sketch

The application shall be accompanied by a site plan showing the following information:

- The boundaries of the subject land;
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side 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, etc.) that:
 - Are located on the subject land and on land that is adjacent to the subject land, and
 - In the applicant's opinion, may affect the application;
- The current uses of land that is adjacent to the subject land;
- 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 docking facilities to be used;
- The location and nature of any easement affecting the subject land.

17. Declaration of Applicant

- ✓ If the application is being submitted by the property owner and there is more than one registered owner, each owner must complete a separate declaration.
- ✓ If the application is being submitted by the property owner and the owner is a firm or corporation the person signing this declaration shall state that he/she has authority to bind the corporation or affix the corporate seal.
- ✓ This declaration must be completed in front of a Commissioner for Taking Affidavits.

I, Justin Breau (President) of the Township of Evanturel
in the Province of Ontario 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 Town of New Liskeard
in the Province of Ontario
this 23rd day of July, 2019

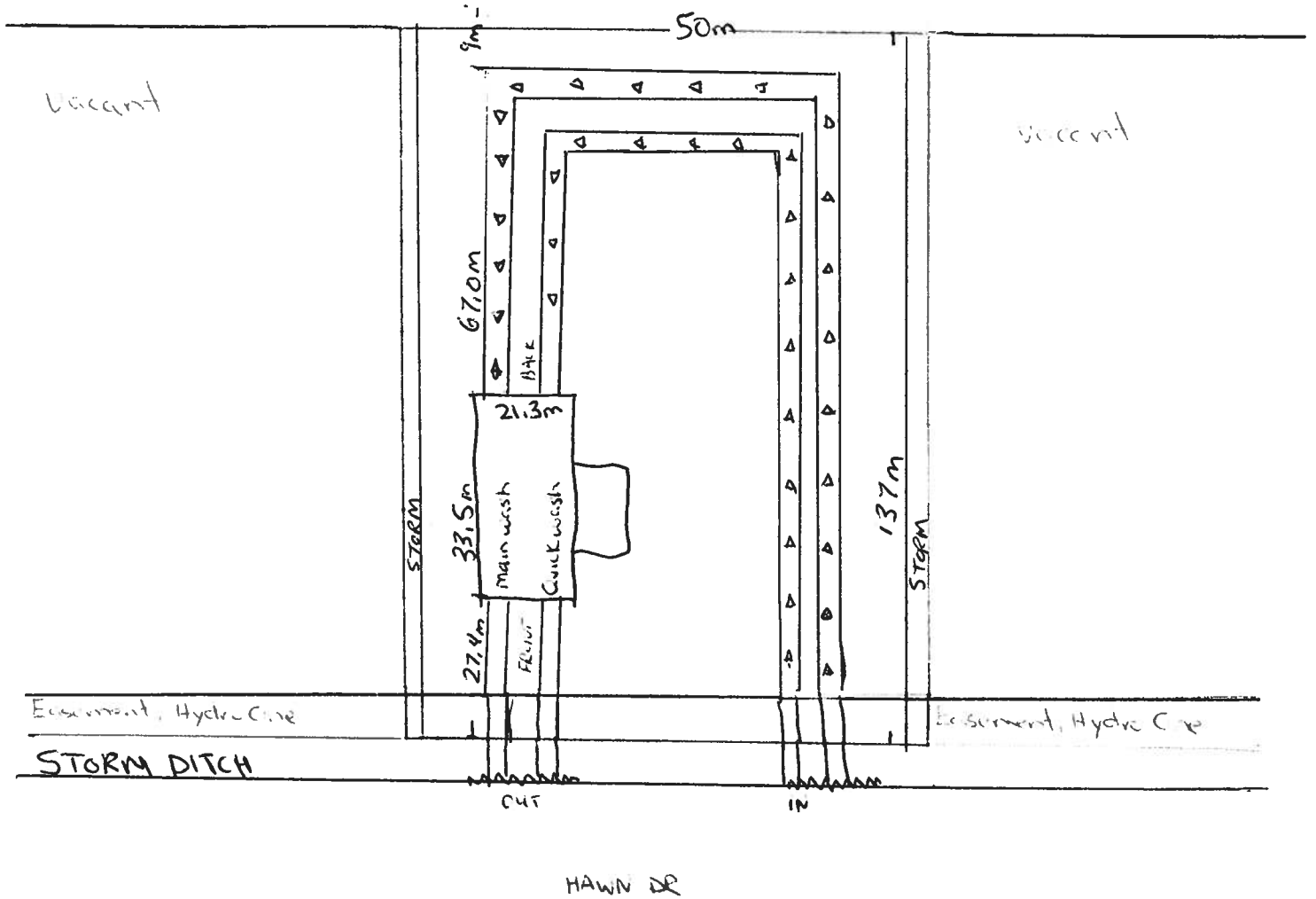
Justin Breau
Signature of Applicant

I have authority to bind
the corporation.


A Commissioner for Taking Affidavits

PAUL CROMBEEN
Temiskaming Shores, ON
Solicitor

Hyw 11





Application for Zoning By-law Amendment

Notice of Complete Application And Notice of Statutory Public Hearing

Under Section 34 of the Planning Act, R.S.O. 1990 c.P.13

The City of Temiskaming Shores has received the following application to amend the City of Temiskaming Shores Zoning By-law:

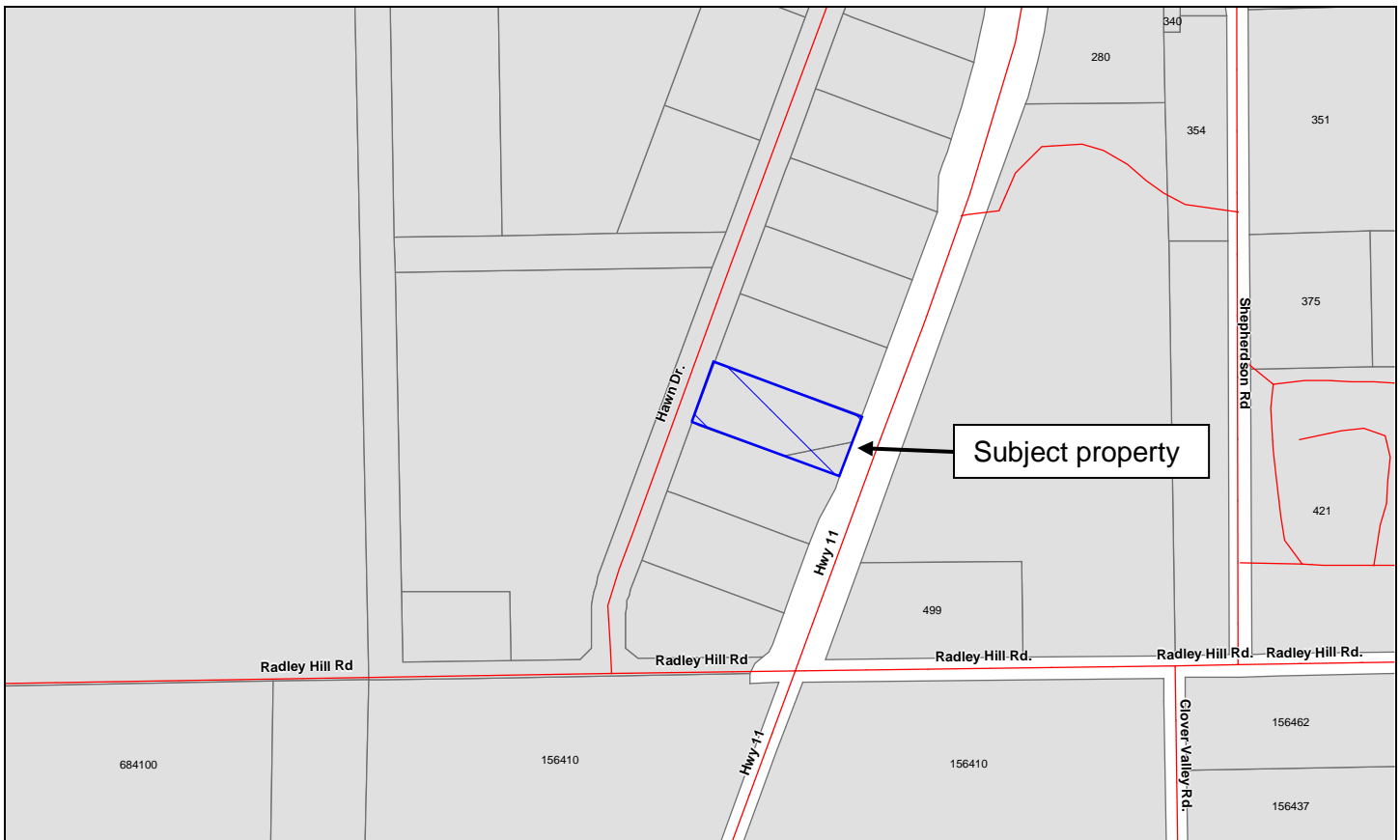
File #: ZBA-2019-04
Agent: In & Out Truck Wash
Property: 433959 Hawn Drive; Dymond Concession 1 Part of the South Half of Lot 6; RP 54R-5639 Parts 21, 22, 23, 29, 30, 31

A public hearing will be held to consider the Zoning By-law Amendment application:

Date: Tuesday, September 3, 2019
Time: 6:00 p.m.
Place: Council Chambers at City Hall, 325 Farr Drive, Haileybury

The application proposes to rezone the subject land from **Manufacturing Industrial (M2)** to **Manufacturing Industrial Exception (M2-#)** to add “motor vehicle washing establishment” as a permitted use on the subject property. The property owner intends to build a transport truck / large vehicle washing facility on the property.

The property is designated Employment Areas in the City of Temiskaming Shores Official Plan.



Any person may attend the public meeting and/or make written or verbal presentation to express support of, or opposition to, this application. If you are aware of any person who may be affected by this application, who has not received a copy of this notice, it would be appreciated if you would inform them of the application.

Written comments on this application may be forwarded to the City prior to the hearing.

If you are receiving this notice as the owner of a multi-unit residential building, please post this notice in a location that is visible to all of the residents.

If you wish to be notified of the decision of the City of Temiskaming Shores on the proposed Zoning By-law Amendment, you must make a written request to the City of Temiskaming Shores at the address below.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Temiskaming Shores to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Temiskaming Shores before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Temiskaming Shores before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information pertaining to the application is available for review between 8:30 a.m. and 4:30 p.m. at City Hall, or by contacting the undersigned.

Dated this 13th day of August, 2019.

Jennifer Pye, MCIP, RPP
Planner
City of Temiskaming Shores
325 Farr Drive
PO Box 2050
Haileybury, ON P0J 1K0
Tel: 705-672-3363 ext. 4105
Fax: 705-672-2911
jpye@temiskamingshores.ca

The Corporation of the City of Temiskaming Shores

By-law No. 2019-000

Being a by-law to enact a Zoning by-law Amendment to rezone property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-3) in the City of Temiskaming Shores Zoning By-law 2017-154 433959 Hawn Drive Roll Nos. 5418-020-001-018.20

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. 2017-154 regulates the use of land and the use and erection of buildings and structures within the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. CS-049-2019 at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law No. 2017-154 to change the zoning on the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-E3) for consideration at the September 17, 2019 Regular Council meeting;

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

1. **Schedule Changes**

- a) Schedule "F2" of By-law No. 2017-154 is hereby amended by rezoning 433959 Hawn Drive, as shown on Schedule "A" to this By-law, from the Manufacturing Industrial (M2) Zone to the Manufacturing Industrial Exception 3 (M2-E3) Zone.

2. **Text Changes**

- a) Table 8.1 is amended to permit, in the M2-E3 Zone, a "motor vehicle washing establishment".

3. That all other provisions of By-law No. 2017-154 shall continue to apply.

4. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.

5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

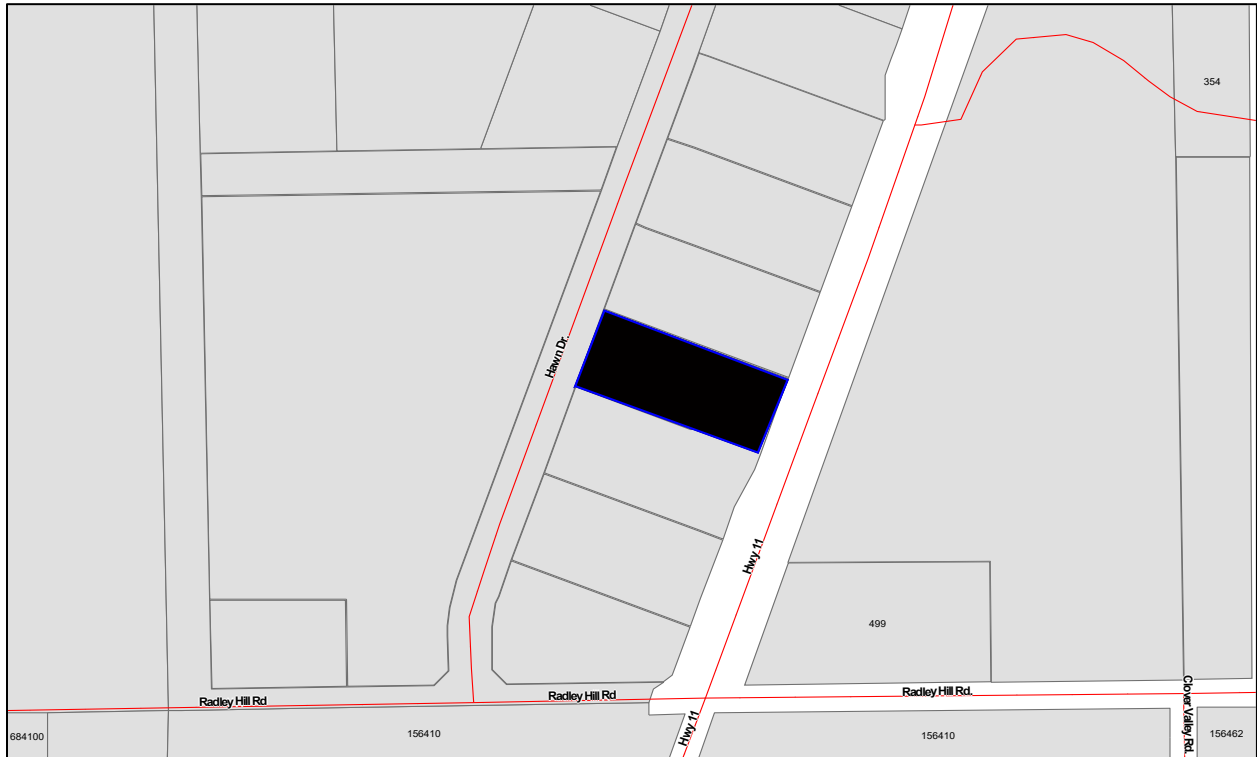
Read a first, second and third time and finally passed this 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A" to By-law 2019-000

City of Temiskaming Shores



Rezoned from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-E3)

Subject: Compliance Letters & Tax Certificates **Report No.:** CS-050-2019
Property Information Certificate Process **Agenda Date:** September 17, 2019

Attachments

None.

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-050-2019; and
2. That Council directs staff to prepare the necessary by-law to amend By-law No. 2012-039, being a by-law to establish departmental user fees and service charges to consolidate various departmental compliance certificates/letters into one Property Information Certificate at a rate of \$150 per Roll Number for consideration at the September 17, 2019 Regular Council meeting.

Background

Through the current compliance letter process, when a property is transferred or a mortgage or charge is placed on title to a property the City is occasionally asked to verify certain information about the property and any buildings/structures located on the property. This process allows the Building, Planning, and Public Works Departments to review the property file and identify any issues that may be existing, such as open building permits, outstanding notices and/or orders, and any local improvement charges that may be applicable to the property.

Additionally, the Fire Department also receives requests to determine whether there are any records on file with regard to any fire safety inspections having been conducted, outstanding notices, orders, or violations pursuant to the Fire Protection and Prevention Act and the Ontario Fire Code during the sale of properties or for mortgage purposes.

The number of compliance letter requests has declined in recent years, however, and the assumption is that this is mainly due to the prevalence of title insurance which is generally required by mortgage lenders.

Tax certificates are usually requested as part of a tax sale or mortgage renewal process. The tax certificate identifies the prior and current year taxes assessed on a property and any arrears if applicable. It also identifies Area Charges and Other Adjustments and Local Improvements.

During the 2018 budget preparation, staff discussed the possibility of combining the tax certificate with the compliance letter and making the compliance letter portion mandatory upon request for a tax certificate.

Analysis

Information generally requested through a compliance letter request includes: Official Plan designation and Zoning; outstanding work orders and/or notices of violation; confirmation that the use of the property is permitted; compliance buildings/structures on the property with specific zoning provisions including setbacks, lot coverage, height, etc.; open building permits and/or outstanding inspections; pending minor variance or zoning by-law amendment applications; and local improvements planned or underway in the vicinity of the property. Based on these typical questions, staff have created a list of standard information that will be provided under the compliance portion of the new Property Information Certificate. If a law firm requests additional information or provides a list of other questions to be answered an additional fee will apply.

The standard compliance information to be provided is as follows:

1. Official Plan designation of the property;
2. Zoning of the property;
3. Whether the existing use of the property complies with the official plan and applicable zoning by-law (requires additional information from the applicant);
4. Whether the property and buildings on the property comply with the specific provisions of the zoning by-law (requires additional information from the applicant);
5. Whether there are any prohibitions, limitations or other restrictions, existing or proposed, which may affect the use of the property;
6. Whether the City's files indicate any legal non-conforming use of the property and whether there are any applications pending with respect to a rezoning or minor variance relating to the property;
7. Whether there are any open building permits for the property;
8. Whether there are any outstanding work orders or notices of violation against the property;
9. Whether an occupancy certificate is required prior to occupation of the building on the property and whether such certificate has been issued.
10. Assessment value and class
11. Other adjustment charges applied to the property

As noted in number 3 and 4 in the above list, information regarding the use of the property and compliance of the buildings and structures with specific provisions of the Zoning By-law require the applicant to provide additional information, including details of the current

use of the property (number 3) and a current surveyor's real property report (number 4). If the required information is supplied then staff will review and provide the appropriate response, however the required information is generally not supplied with compliance letter requests and the City's standard response is that compliance cannot be determined without the specific information. This will remain the response for requests without the required information.

The current fees are as follows:

Compliance letter	\$100 per roll number
Tax Certificate	\$25.00 per roll number
Fire Compliance Letter	\$100.00 per roll number

The proposed fee for the Property Information Certificate is \$150.00 per roll number.

Here is a breakdown of letters/certificates issued (number and revenues generated) in 2019 and the past five (5) years:

Dept.	2019	2018	2017	2016	2015	2014
Planning	16	22	21	23	41	65
	\$1,600	\$2,200	\$2,100	\$2,300	\$4,100	\$6,500
Fire	4	4	5	6	2	8
	\$400	\$400	\$500	\$600	\$200	\$800
Tax	200	295	335	335	370	340
	\$5,000	\$7,375	\$8,375	\$8,375	\$9,250	\$8,500

An average of 335 tax certificates have been issued annually over the past five (5) years.

A letter template will be created and forwarded to all legal firms that we receive compliance or tax certificate requests from identifying the changes to our process and new rate.

January 1, 2020 will be the implementation date for the Property Information Certificate.

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

Based on this average amount generated annually, revenues of approximately \$50,250 would be generated at a rate of \$150 per property information certificate.

The certificate would also now provide important information to the purchaser regarding planning, building, fire and taxes in relation to the property as detailed in the analysis section above. This information provided in advance will allow any outstanding matters to be rectified prior to the closing.

Alternatives

No alternatives were considered.

Submission

Prepared by:

“Original signed by”

Jennifer Pye, MCIP, RPP
Planner

and 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

Subject: Landfill Use Agreement – Town of Cobalt

Report No.: PW-029-2019
Agenda Date: Sept. 3, 2019

Attachments

Appendix 01: Draft Landfill Use Agreement – Town of Cobalt

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-029-2019; and
2. That Council authorizes staff to negotiate and finalize the Draft Landfill Use Agreement, as outlined in Appendix 01, with the Town of Cobalt.

Background

In 1978 the former municipality of Haileybury entered into an agreement with the former township of Dymond for their joint use of the Haileybury Landfill Site. In 1984, Haileybury entered into a similar agreement with the Town of Cobalt. Both of these agreements were terminated in 2000 when all three parties entered into a single agreement providing for their joint use of the Haileybury Landfill Site. Within the agreement, all parties were responsible to pay their share of operating cost based on a defined percentage of refuse deposited. In addition, a contribution to a reserve fund was required by each municipality.

At the time of amalgamation in 2004, this by-law agreement was not amended and remains in effect. Cobalt continued to pay the City of Temiskaming Shores for the use of the Haileybury Landfill as described in the 2000 agreement.

As a result of the increasing costs associated with the Environmental Assessment process for the expansion of the New Liskeard Landfill Site, in 2015, staff met with Cobalt representatives to discuss the current joint landfill use agreement as well as the need for a new agreement with the opening of the new landfill site. From the meeting, it was determined that Cobalt was not accurately paying for their portion of landfill operating costs. In addition, it was identified that the portion of Cobalt's landfill reserve contribution was nearly consumed based on payments to date associated with the Environmental Assessment. for the expansion of the New Liskeard Landfill Site.

Since the meeting in 2015, Cobalt has been invoiced appropriately according to their percentage of refuse deposited at the Haileybury Landfill Site.

Analysis

This topic was most recently discussed at the Public Works Committee Meetings held on May 14, 2019 and June 25, 2019 resulting in Recommendation No. PW-2019-040 which reads as follows:

Be it resolved that:

The Public Works Committee hereby recommends a fee for service charge for the Town of Cobalt in the new agreement for use of the City's landfill and further directs staff to begin discussions with the Town of Cobalt.

Based on the above recommendation, staff met with the new CAO for Cobalt to provide an update on the landfill situation and requirements moving forward. As a result, staff has drafted a Landfill Use Agreement with the Town of Cobalt which is outlined in Appendix 01.

Therefore, it is staff's recommendation that Council directs staff to present the draft agreement to Cobalt with the intention to finalize the agreement through by-law.

Relevant Policy / Legislation/City By-Law

Haileybury Landfill Site - Certificate of Approval Number A570402

Consultation / Communication

- Meeting with Cobalt – January 22, 2015
- Public Works Committee Meeting – May 14, 2019
- Public Works Committee Meeting – June 25, 2019
- Meeting with Cobalt – August 21, 2019

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:	Reviewed by:	Reviewed and submitted for Council's consideration by:
 "Original signed by"	 "Original signed by"	 "Original signed by"
_____ Steve Burnett Technical & Environmental Compliance Coordinator	_____ G. Douglas Walsh, CET Director of Public Works	_____ Christopher W. Oslund City Manager

The Corporation of the City of Temiskaming Shores
By-law No. 2019-000

**Being a by-law to enter into an Agreement with the Corporation of
the Town of Cobalt for the use of the City of Temiskaming Shores'
Municipal Landfill Site**

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

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

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

And whereas Council considered Administrative Report No. PW-029-2019 at the September 17, 2019 Regular Council meeting and authorized staff to negotiate and finalize the Draft Landfill Use Agreement, as outlined in Appendix 01, with the Town of Cobalt;

And whereas Council considered Administrative Report No. PW-000-2019 at the Month 00, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to enter into a Landfill Use Agreement with the Town of Cobalt for consideration at the Month 00, 2019 Regular Council meeting;

And whereas Council deems it necessary to enter into an agreement with the Town of Cobalt;

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

1. That the Mayor and Clerk be authorized to execute an agreement with the Town of Cobalt for the use of the City of Temiskaming Shores' Municipal Landfill Site, a copy of which is attached hereto as **Schedule "A"** forming part of this by-law.
2. That the Term of this agreement shall commence on January 1, 2020.
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedules as may be deemed necessary after the passage of this by-law.

Read a first, second and third time and finally passed this ___ day of _____, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule "A" to

By-law No. 2019-000

Agreement between

The Corporation of the City of Temiskaming Shores

and

The Corporation of the Town of Cobalt

for the use of the City of Temiskaming Shores' Municipal Landfill Site

This Agreement made in triplicate this ___ day of _____, 2019.

Between:

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

Party of the First Part

And:

The Corporation of the Town of Cobalt
(hereinafter called the "Cobalt")

Party of the Second Part

Whereas the City desires to enter into an agreement with Cobalt for the use of the City's Municipal Landfill Site;

And whereas the City and Cobalt have agreed to the following terms and conditions, which form part of this Agreement.

Now therefore the parties hereto in consideration of the mutual promises and covenants, set out herein do hereby agree one with the other as follows:

1. The City of Temiskaming Shores' Municipal Landfill Site (hereinafter referred to as the "Landfill") is situated at the South Half of Lot 1 Concession 2 in the Township of Bucke, located within the City. The City agrees to accept the garbage and other refuse delivered to the Landfill by the garbage collectors for Cobalt, or by the individual ratepayers of Cobalt, or by the carrier authorized in writing by an individual ratepayer of Cobalt, provided that the garbage or refuse delivered is deposited in a suitable location within the Landfill as designated by the operator of the Landfill.
2. It is agreed by both parties that in the event the current Landfill is closed and a new Landfill site is opened within the City, the terms and conditions outlined in this agreement will apply to the new Landfill. In addition, it is acknowledged and agreed by both parties that the new Landfill will result in a change to operating costs.
3. Both parties acknowledge and agree that the Landfill is operated under a Ministry approved Environmental Compliance Approval which includes applicable laws. Any change of law may result in a change to operating costs.
4. It is acknowledged and agreed by both parties that this agreement constitutes a Landfill Use Agreement only and that all of Cobalt's share of funds within the current Landfill Reserve have been consumed.

5. Both parties agree that Cobalt shall pay the City a percentage of the total operating costs of the Landfill. This percentage will be calculated, by the City, based on Cobalt's share of the total domestic refuse deposited at the Landfill from the previous year. A year-end reconciliation will be conducted by the City in January of each year. Any deficit/excess payments will be applied to Cobalt's account at that time.

Cobalt shall be sent an invoice in the first week of each month for their share of the operating costs incurred which will include a 15% administration/amortization fee. Payment shall be due upon issuance of the invoice. Interest shall be charged on any invoice remaining unpaid thirty days after its issuance at the rate of 12% per annum.

6. Cobalt shall be responsible for the costs incurred by it in having refuse delivered from their municipality to the location designated by the operator responsible for the Landfill site.
7. The previous agreements between the former municipality of Haileybury and Cobalt, associated with the Haileybury Landfill Site shall be terminated effective immediately upon the signature of this agreement by all parties.
8. This agreement may be terminated by the City only in the event Cobalt is in default of its obligations as set out in this agreement and only if the City has given written notice of the default in question to Cobalt and the default continues to exist for a ninety day period following the date that notice is given. This agreement may be terminated by Cobalt, provided it gives the City not less than 12 months written notice of its intention to terminate the agreement.

Any notice, demand, or other communication (hereinafter in this Clause called a "notice") required or permitted to be given to either Party hereunder shall be in writing and shall be:

- a) Personally delivered to such Party or a responsible officer of such Party; or
- b) Except during a period of strike lockout or other postal disruption, sent by registered mail, postage prepaid.

Any notices given pursuant to subparagraph (a) and (b) hereof shall be sent to the Parties at their respective addresses set out below:

The Corporation of the Town of Cobalt
P.O. Box 70
Cobalt, Ontario
P0J 1C0

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

Or at such other address as the Party to whom such notices is to be given shall have the last notified to the Party giving the same in the manner provided in this

clause. Any notice given by personal delivery shall be deemed to be given and received on the date of delivery provided that if such day is not a business day, then the notice shall be deemed to have been given and received on the business day next following such day. Any notice given by mail as aforesaid shall be deemed to have been given and received on the fourth business day next following the date of its mailing provided no postal strike is then in effect or comes into effect within four business days after such mailing.

9. The parties agree to participate in a cooperative approach to disputes arising under this agreement. To this end, all agree that all reasonable efforts shall be made to resolve disputes informally and amicably at an early stage by negotiation carried out between the parties either directly or through or with the assistance of such advisers as they may wish to engage, and in default of resolution through negotiation, by mediation or such similar dispute resolution process as the parties may select. In the event any dispute cannot be resolved by the parties in this fashion, any party may apply to a court of competent jurisdiction for relief. Each party shall pay its own costs in resolving disputes which arise from this agreement, but reserves the right to claim costs against another party in the event the dispute is referred to a court of competent jurisdiction for resolution.

Remainder of Page left blank intentionally

In witness whereof the Parties hereto have hereunto set their hands and Seals.

Signed and Sealed in)
the presence of)
Municipal Seal)

The Corporation of the Town of Cobalt

Mayor – George Othmer

CAO – Brian Walker

**Corporation of the City of
Temiskaming Shores**

Municipal Seal)

Mayor – Carman Kidd

Clerk – David B. Treen

Subject: 2019–20 Winter Operations
Schedule

Report No.: PW-030-2019
Agenda Date: September 17, 2019

Appendix 01: Proposed 2019-20 Winter Operations Shift Schedule

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-030-2019 and more specifically Appendix 01 being the proposed 2019-20 Winter Operations Schedule;
2. That Council directs Staff to finalize the 2019 – 2020 Winter Operations Plan and prepare the necessary by-law for Council’s consideration at the October 1, 2019 Regular Council meeting; and
3. That Council directs the Director of Public Works to advise staff in the Public Works Department, in writing, of the intent to commence the Winter Operations Schedule on or about Sunday, November 10th, 2019 and conclude on or about Friday, April 10th, 2020.

Background

Each year the Public Works Department submits an administrative report, for Council’s consideration, on the Winter Operations efforts for the upcoming season. The report includes a proposed shift schedule which is intended to improve upon or modify the approach that has been used in previous years while maintaining the *Minimum Maintenance Standards for Municipal Highways* and reducing the hazards resulting from winter snow and ice, in order to maintain the City’s roadways and sidewalks in a safe condition.

Typically, the Winter Schedule commences on or about November 1st and ends on or about April 15th which coincides with the pay periods each year. This year afternoon patrolling will commence on or before November 4th with the full schedule starting on Sunday November 10th. During the period of November 10th to April 10th, 2020 the Department will have 24 hour per day coverage with arrangements for re-scheduling staff as the need arises.

Analysis

Every winter season brings new, unique and unpredictable conditions and circumstances that the Public Works Dept. is tasked with dealing with. Over the past several winters, conditions have varied from relatively mild to extremely cold and from light snowfalls to extended periods of heavy snowfall. Last winter the Department dealt with a notably

higher than normal amount of freezing rain events that increased the amount of salt and sand required in order to maintain the roadways and sidewalks in a safe and manageable condition. As in the past there were areas within the municipality that required more attention than others given the local conditions.

It is virtually impossible to establish a shift schedule in September that will meet the needs of the entire winter day in and day out, shift by shift and the requirement for overtime is inevitable. During the 2018 – 19 winter season we realized an increase (approximately 40%) in overtime hours for roadway maintenance purposes due to weather conditions.

Currently, the Department is at full staff compliment and for the most part the Public Works staff will continue to operate as four groups or “teams” of five members comprised of one Heavy Equipment Operator / Crew Leader, a Water / Sewer Operator and three Equipment Operators. This arrangement has worked very well to address most situations. As well there will once again be a “Patrol Person” assigned to the 3:00 p.m. to 11:30 p.m. afternoon shift for consistent patrol purposes. A “seasonal employee” will be the dedicated Patrol Person scheduled from Monday to Friday for the afternoon shift. The crews have also been rotated to ensure that the same people are not working the same timeframe as last year. (Christmas etc.)

Since 2011-12 winter season the department has continued to provide coverage, at varying levels, 24 hours per day, 7 days per week. With a focus on providing more scheduled resources from Monday to Friday during the day time, afternoon, evening, and weekend coverage has been reduced to minimal coverage, ensuring that Minimum Standards are met. The Crew Leader or the Evening/Weekend shift Patrol Person contacts the “on-call” Supervisor, to arrange for additional staff as required.

As indicated in the Collective Agreement with CUPE Local 5014, Section 14.03 allows for the Employer to establish and alter starting and quitting times as necessary, with advance notice. Therefore, in the event that additional staff is required to conduct operations during the night shift, resources from the following day shift were re-scheduled.

As outlined in By-law 2017-046, the City will have a reciprocal Agreement with the Ministry of Transportation whereby the maintenance of Hwy 11B from south limit of the City 104 to the Cobalt Bridge will be carried out by city forces and the MTO contractor will maintain Mowat Landing Road from Hwy 11 to Firstbrook Line.

Relevant Policy / Legislation / City By-Law

- Reg. 239/02 *Minimum Maintenance Standards for Municipal Highways*
- By-Law 2008-069 (By-Law to Regulate Traffic and Parking of Vehicles)
- By-law 2018-086 (MTO Agrmt. – Winter Maintenance Hwy 11B & Mowat Landing Road)
- Annual Operations Budget

Asset Management Plan Reference

Asset Management Strategy – Operations & Maintenance Activities – Roadway Network

Consultation / Communication

- Presentation and discussion with Public Works Department staff, August 28th, 2019
- Annual presentation to, and approval by, Municipal Council, October 1st, 2019 *
- Municipal Web Site and Community Bulletin posting *

* Proposed

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 operational functions and duties. As in the past, temporary seasonal staff may be required. Only one position would be being proposed at this time to cover for vacation requests by full time staff, as the need presents itself, during scheduled shift periods.

Adopting the same schedule as in recent years will continue to provide staff with an opportunity for a better work-life balance as well as opportunity to enhance their skills using a variety of equipment and at a wide array of tasks through training and experience.

Alternatives

No other alternatives were considered at this time.

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

APPENDIX N

2019 -20 Winter Shift Schedule (Supervisor Schedule)

November

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
22:00 - 6:30										1	1	1	1	1	3e	3e	2	2	2	2	2	2	4a	4a	3	3	3	3	3	1a	1a
6:30 - 15:00											2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4c	4c	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1c	1c	1,2,4	1,2,4	1,2,4	1,2,4	2d	
15:00 - 23:30				AP	AP	AP	AP	AP			AP	AP	AP	AP	AP	4a	4a	AP	AP	AP	AP	AP	1a	1a	AP	AP	AP	AP	AP	2e	

December

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
22:00 - 6:30	4	4	4	4	4	2a	2a	1	1	1	1	1	3a	3a	2	2	2	2	2	2	4b	4b	3	3	3	3	3	1b	1b	4	4	4
6:30 - 15:00	2d	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	3d	3d	2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4d	4d	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1d	1d	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	2b	2b	1,2,3	1,2,3
15:00 - 23:30	2e	AP	AP	AP	AP	AP	3e	3e	AP	AP	AP	AP	AP	4e	4e	AP	AP	AP	AP	AP	1e	1e	AP	AP	AP	AP	AP	2c	2c	AP	AP	

January

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
22:00 - 6:30	4	4	2b	2b	1	1	1	1	1	3b	3b	2	2	2	2	2	4c	4c	3	3	3	3	3	1c	1c	4	4	4	4	4	2c
6:30 - 15:00	1,2,3	1,2,3	1,2,3	3b	3b	2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4b	4b	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1b	1b	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	2a	2a					
15:00 - 23:30	AP	AP	AP	3c	3c	AP	AP	AP	AP	AP	4c	4c	AP	AP	AP	AP	AP	1c	1c	AP	AP	AP	AP	AP	2d	2d	AP	AP	AP	AP	AP

February

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	
22:00 - 6:30	2c	1	1	1	1	1	3c	3c	2	2	2	2	2	4d	4d	3	3	3	3	3	1d	1d	4	4	4	4	4	4	2d	2d
6:30 - 15:00	3a	3a	2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4a	4a	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1a	1a	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	3e	
15:00 - 23:30	3d	3d	AP	AP	AP	AP	AP	4d	4d	AP	AP	AP	AP	AP	1d	1d	AP	AP	AP	AP	AP	2b	2b	AP	AP	AP	AP	AP	3b	

March

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
22:00 - 6:30	1	1	1	1	1	3d	3d	2	2	2	2	2	4e	4e	3	3	3	3	3	1e	1e	4	4	4	4	4	4	2e	2e	1	1	1
6:30 - 15:00	3e	2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4e	4e	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1e	1e	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	2c	2c	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	3c	3c	2,3,4	2,3,4
15:00 - 23:30	3b	AP	AP	AP	AP	AP	4b	4b	AP	AP	AP	AP	AP	1b	1b	AP	AP	AP	AP	AP	2a	2a	AP	AP	AP	AP	AP	3a	3a	AP	AP	

April

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
22:00 - 6:30	1	1	3e	3e	2	2	2	2	2																					
6:30 - 15:00	2,3,4	2,3,4	2,3,4	4c	4c	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4	1,3,4																		
15:00 - 23:30	AP	AP	AP	4a	4a	AP	AP	AP	AP																					
6:30 - 15:00																														



Subject: Healthy Eating in Recreation Setting
Policy

Report No.: RS-014-2019
Agenda Date: September 17, 2019

Attachments

Appendix 01: Draft Healthy Eating in Municipal Recreation Settings Policy

Recommendations

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-014-2019; and
2. That Council directs staff to prepare the necessary by-law to adopt a Healthy Eating in Municipal Recreation Settings Policy for consideration at the October 1, 2019 Regular Council meeting.

Background

The City of Temiskaming Shores was selected as one of forty-three communities across the province to host the Healthy Kids Community Challenge from 2015 – 2019. The challenge involved three - nine month themes to target healthy living for children. The second theme – Choose more Veggies and Fruit encompassed many facets including an analysis of the arena concession operations and the healthy options on the menu, a public survey to determine what people would prefer as healthy options and a marketing strategy for promoting healthier options at the arena concessions. The work was a collaborative effort with excellent input from the Temiskaming Health Unit Dietitians and Evaluators.

The results of the public survey determined that 99% of those surveyed (101 respondents) wanted more healthy food and drinks available, more than 75% want more than half of the menu to be made up of healthy options and 46% stated they were more likely to buy food at the arenas when healthier items were available, 56% were more likely to eat healthier options as a result of healthier options being made available.

Analysis

The municipality has the opportunity to play a lead role in recognizing the importance of access to healthy food options in municipal recreation settings for the health of all citizens and specifically for young children and youth who are the main users of recreation facilities.

The policy supports the momentum around healthy eating across the province and Canada, compliments the general goal of municipal recreation programs and settings to improve the quality of life and health of citizens, positively impact future generations, support and promote healthy active living and athletic performance, provide the

opportunity to practise eating well and support chronic disease prevention and childhood obesity prevention strategies.

The policy sets a phase-in approach:

Year 1 (2019)	3 Mandatory Healthy Options (Fruit smoothies, fresh fruit, healthy grilled sandwich)
Year 2 (2020)	6 Mandatory Healthy Options (list above + 3 NEW Healthy Options, operators choice)
Year 3 and Onward	9 Mandatory Healthy Options (list above + 3 NEW Healthy Options, operators choice)

The goal of the policy is to increase the number of choices for healthy options while still offering traditional menu items.

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 costs associated with this policy.

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"

Tammie Caldwell
Director of Recreation Services

Christopher W. Oslund
City Manager

The Corporation of the City of Temiskaming Shores

By-law No. 2019-000

Being a by-law to adopt a Healthy Eating in Municipal Recreation Settings Policy for the City of Temiskaming Shores

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

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

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

And whereas Council considered Administrative Report No. RS-015-2019 at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to adopt a Healthy Eating in Municipal Recreation Settings Policy for consideration at the October 1, 2019 Regular Council meeting;

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

1. That Council for the City of Temiskaming Shores hereby adopts a Healthy Eating in Municipal Recreation Settings Policy, attached hereto as Schedule "A" and forming part of this by-law; and
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature to the by-law and schedule, after its passage, where such modifications or corrections do not alter the intent of the by-law or its associated schedules.

Read a first, second and third time and finally passed on this 1st day of October, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen



Schedule “A” to

By-law No. 2019-000

Healthy Eating in Municipal Recreation Settings Policy

Original Draft: July 2019
Final Draft: September 2019

**City of Temiskaming Shores
Healthy Eating in Municipal Recreation Settings Policy**

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1.0 Definitions

City means the Corporation of the City of Temiskaming Shores.

City Staff means City of Temiskaming Shores staff identified by the City as a contact for either Municipal Healthy Eating in Recreation Settings Policy purposes or the facility or premises in question as the context requires.

Energy Drink means a type of beverage containing stimulant drugs, usually caffeine, which is marketed as providing mental and physical stimulation

Event means any gathering of any kind whether social, business or otherwise, on City property.

Facility Manager means the City official, or designate, having operational jurisdiction over the facility, property, or area where an activity/event is taking place.

Healthy Eating refers to flexible patterns of eating that, over time, meet individuals' energy and nutrient needs, promoting optimal health and minimizing the risk of nutrition related conditions and diseases. [Canada's Food Guide](#) is the basis for this pattern of eating and its main recommendations include: eat vegetables and fruits, whole grain foods and protein foods; choose protein foods that come from plants more often; limit highly processed foods and if you choose these foods, eat them less often and in small amounts; make water your drink of choice.

Healthy Options products/ingredients categorized as "Sell Most" under the Nutrition Standards for Ontario Schools and does not include those categorized as "Sell Less" or "Not Permitted for Sale"

Municipal Property means any municipally-owned or leased lands, buildings, or structures.

Private Event means an event that is not open to the public and for which notification is limited to invited guests where the intent may not be to generate revenue.

Public Event means an event that is open to the public to attend and is conducted by a registered charity or not for profit entity or an event of municipal, provincial, national, or international significance where the intent may be to generate revenue.

Recreation Setting refers to municipal recreation facilities, parks and programs where concession contracts and/or vending machines are located namely the Don Shepherdson Memorial Arena, Shelley Herbert-Shea Memorial Arena, Rotary Farr Park, Harbourfront, Haileybury Beach, Waterfront Pool/Fitness Centre, New Liskeard Spurline, and Dymond Recreation Park.

Timiskaming Health Unit also referred to as **THU** is the regional public health provider in the district of Timiskaming. The vision of the THU is "Total wellness of our community" and the mission is "Promote health, prevent illness."

2.0 Purpose

The City of Temiskaming Shores recognizes the importance of access to healthy food options in municipal recreation settings for the health of all citizens and specifically for young children and youth who are the main users of recreation facilities. In the interest of public health and to promote the health and well-being of citizens, the municipality actively encourages and promotes recreation and municipal environments that support accessibility and consumption of food and beverages consistent with healthy eating, thereby making the healthy choice the easy choice.

The policy is the result of the efforts of the Healthy Kids Community Challenge, hosted by the municipality from 2015 to 2019 that carried out a public consultation process and implemented healthier options at arena concessions. Survey results demonstrated 99% of respondents wanted to see healthy food and drinks available at the arena concessions, more than 75% said 50% or more of the menus should be healthy food and drinks, 46 % stated they were more likely to buy food at the arenas when healthier items were available and 56% were more likely to eat healthier options as a result of healthier options being made available.

The policy:

- 1) Supports the momentum around healthy eating across the province of Ontario and Canada
- 2) Compliments the general goal of municipal recreation programs and settings to improve the quality of life and health of citizens
- 3) Positively impacts future generations
- 4) Demonstrates a collaborative approach to policy development that allows consistency in delivering the message of healthy eating or healthy foods/beverages
- 5) Supports and promotes athletic performance
- 6) Compliments the Nutrition Standards for Ontario Schools
- 7) Provides the opportunity to practice eating well
- 8) Supports chronic disease prevention and healthy growth and development strategies

3.0 Implementation and Monitoring

- 3.1 The Healthy Eating in Municipal Recreation Settings Policy will be implemented November 1, 2019.

- 3.2 The Healthy Eating in Municipal Recreation Settings Policy will be submitted for review to the Timiskaming Health Unit every three (3) years.
- 3.3 The Healthy Eating in Municipal Recreation Settings Policy will be reviewed by the Mayor and Council of Temiskaming Shores every three (3) years.

4.0 Policy Objectives

To improve healthy eating in municipal recreation settings by:

- 4.1 Increasing healthy eating choices in municipal recreation settings
- 4.2 Increasing understanding of healthy eating by food and beverage providers and distributors
- 4.3 Improving the visibility/placement/affordability of healthy options
- 4.4 Improving the understanding/awareness of the users of recreation services of what constitutes healthy eating
- 4.5 Improving commitment to long term change that will have impact for citizens on an ongoing basis;
- 4.6 Improving the connections between eating well and recreation, the visual message matching the verbal message (walking the talk);
- 4.7 Increasing access to and enjoyment of health-promoting, safe food and beverages.

5.0 Scope

The policy applies to the food and beverages served and sold in the following:

- municipal recreation facilities, parks and programs where concession contracts and/or vending machines are located namely the Don Shepherdson Memorial Arena, Shelley Herbert-Shea Memorial Arena, Rotary Farr Park, Harbourfront, Haileybury Beach, Waterfront Pool/Fitness Centre, New Liskeard Spurline, and Dymond Recreation Park.
- Municipal recreation programs and events

The policy does **not** apply to:

- Food and beverages brought in for meals and snacks by employees
- Organizations and individuals who rent space/rooms for public and/or private events. However, they will be encouraged to follow the policy and offer more healthy food options
- Non-recreation municipal programs and events
- Alcohol is not included in the scope of this policy
- Coffee and Tea are permitted

6.0 Guidelines

- a) The guideline for healthy food and beverages served in municipal recreation settings to be used is the [Nutrition Standards for Ontario Schools](http://hs.curriculum.org/sb/nst) (Attached as Appendix No. 1 to the Policy), which divides foods and beverages in three (3) categories, according to their nutritional value: Sell Most (here referred to as Healthy Options), Sell Less and Not Permitted for Sale. <http://hs.curriculum.org/sb/nst>
- b) Prices for Healthy Options (Sell Most products from Standards above mentioned) to be the same or lower than the prices for similar menu options.
- c) Priority space should be given to the Healthy Options (i.e. eye-level shelves in the counter-top refrigerators, placement of fruits and vegetables on the counter). For more ideas please contact the Registered Dietitian at the Timiskaming Health Unit.
- d) Freggie Fuel branded materials must be used by concession operators to promote the Healthy Options available at all times. This includes: a posted menu board for Healthy Options, a sandwich menu board, a large Freggie cut-out and Freggie Fuel stickers to place on the Healthy Options (e.g. Smoothie cups). The Timiskaming Health Unit will provide promotional materials. The Proponent will include other branded materials suggested and provided by the City of Temiskaming Shores and the Timiskaming Health Unit
- e) Portion sizes are to reflect and support healthy eating behaviors – appropriate portions of food and beverages will be served and sold. Super-sized portions are not appropriate. Pre-packaged products sold must only be offered in regular-sized single serving packages. Non-packaged food (i.e. pizza, hot dogs, burgers, nachos) must be sold in single-serving size portions:
 - No king size candy, chocolate, or sugary drinks
 - No jumbo size hotdogs
 - No jumbo size potato chips
 - No jumbo size popcorn
 - Whenever possible, beverages should be sold in containers of 250ml or less, with exception for white milk and water.
- f) Fruit smoothies, fresh fruit and at least one (1) grilled sandwich made with healthy ingredients (Sell Most) are mandatory menu items and must be available at all times when the concessions are open.
- g) Commit to have drinking water available at all times. Provide reusable water bottles for retail sale and encourage use of municipal water bottle filling stations. No charge will be applied when requested to fill a reusable water bottle from the tap.

- h) Consider offering less sugar sweetened beverages (i.e. pop, iced tea, fruit juice) and, when available, purchase smaller bottles/containers. Ensure white, unsweetened milk is available at all times and, if wanting to sell chocolate milk, purchase only the smaller size (250ml). Reference: https://brightbites.ca/wp-content/uploads/TRG_Key-Messages-and-Guide-to-Making-Healthy-Drink-Choices.pdf
- i) Fruit smoothies and healthy grilled sandwiches must be prepared following the recipes provided/approved by the Timiskaming Health Unit Registered (THU) Dietitians. Preparing fruit smoothies with fruit juice and/or flavored syrup is not permitted.
- j) Vending Machines must include at least 20% (1 Healthy Option for each 4 other options available) of Healthy Options. This applies to foods and beverages separately (20% of beverages and 20% of foods must be Healthy Options). Appendix No. 1 includes online tools that can be used to ensure chosen products fit in the nutrition standards (<http://hs.curriculum.org/sb/nst>). If in doubt about what other Healthy Options can be included in the vending machines please contact the Registered Dietitians at the Timiskaming Health Unit.
- k) Additional Healthy Options – Adding other Healthy Options to the menu is encouraged by the City of Temiskaming Shores. Refer to Appendix No. 1 (nutrition standards) to ensure they fall in the "Sell Most" category. Any new proposed Healthy Options to be submitted to the Timiskaming Health Unit for approval.
- l) Food safety: Each concession area serving food for public consumption are required to have one person with a Food Handler's Certificate on the premises.
- m) Energy drinks (i.e. Red Bull, Monster Energy, Vitaminwater Energy, NOS Energy Drink, Full Throttle, 28 Black, Rockstar, Zevia Zero Calorie Energy, Mountain Dew – Amp & Amp Game Fuel & Kickstart, MiO Energy water enhancers.) are not permitted to be served or sold at municipal recreation settings.
- n) It is recommended that fundraising activities organized by and through municipal and recreation programs and settings focus primarily on Non Food items (i.e. sports equipment, entertainment experiences).
- o) Special Events: All events will be encouraged to follow the leadership example set by the municipality and work toward providing more healthy food options at community events.

7.0 Implementation Schedule

Year 1 (2019)	3 Mandatory Healthy Options (Fruit smoothies, fresh fruit, healthy grilled sandwich)
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Year 2 (2020) 6 Mandatory Healthy Options
(list above + 3 NEW Healthy Options, operators choice)

Year 3 and Onward 9 Mandatory Healthy Options
(list above + 3 NEW Healthy Options, operators choice)

Note: the counting of healthy items is based on the type of product they are, and not the brand. For example, a granola bar and chili are considered two (2) new Healthy Options. Adding 2 granola bars, from different brands, and chili, is still considered 2 new Health Options (different brands of granola bar, but the same product being sold).

8.0 Accountability Inspection

The City of Temiskaming Shores and the Timiskaming Health Unit reserve the right to have a representative attend any concession area identified in the policy to inspect concession operations and adherence to the Healthy Eating in Municipal Recreation Settings policy. The THU representative will monitor items at least once during each operating season to ensure percentage goals and healthy option requirements are being met. The THU representative will contact the concession operator prior to the visit and will communicate the results to municipal staff.

9.0 Enforcement Procedures and Penalties

Upon receiving a complaint of non-compliance to the policy, a designated municipal representative will contact the Operators and review the policy. Failure to comply with the policy may result in the termination of a lease agreement.

Nutrition Standards for Ontario Schools

APPENDIX: NUTRITION STANDARDS FOR ONTARIO SCHOOLS

Read the information on the food label – particularly the Nutrition Facts table and the ingredient list – and compare this information with the nutrition criteria outlined below in order to determine whether a food or beverage may be sold at the school.

Products in the “Sell Most” category must make up *at least 80 per cent* of all food choices and *at least 80 per cent* of all beverage choices that are available for sale in all venues, through all programs, and at all events on school premises.

Products in the “Sell Less” category must make up *no more than 20 per cent* of all food choices and *no more than 20 per cent* of all beverage choices that are available for sale in all venues, through all programs, and at all events on school premises.

Nutrition Standards for Food

All food sold in schools must meet the standards set out in Ontario Regulation 200/08, “Trans Fat Standards”, made under the Education Act.

Vegetables and Fruit

<ul style="list-style-type: none"> Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label. See the section “Nutrition Standards for Beverages” for the nutrition criteria for vegetable and fruit juices and juice blends. Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying. 			
	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Fresh, Frozen, Canned, and Dried Vegetables and Fruit	Vegetable or fruit is the first item on the ingredient list and Fat: ≤ 3g and Sodium: ≤ 360mg <i>Examples:</i> <ul style="list-style-type: none"> Fresh or frozen vegetables with little or no added salt Fresh or frozen fruit with no added sugar Canned vegetables Canned fruit packed in juice or light syrup Unsweetened apple sauce Some low-fat frozen potato products, including French fries Some dried fruit and 100% fruit leathers* 	Vegetable or fruit is the first item on the ingredient list and Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> Some dried fruit and 100% fruit leathers Lightly seasoned or sauced vegetables and fruit Some prepared mixed vegetables 	Sugar** is the first item on the ingredient list or Fat: > 5g or Saturated fat: > 2g or Sodium: > 480mg <i>Examples:</i> <ul style="list-style-type: none"> Vegetable and fruit products prepared with higher amounts of fat, sugar, and/or salt, including deep-fried vegetables Some packaged frozen and deep-fried potato products, including hash browns and French fries Some fruit snacks made with juice (e.g., gummies, fruit rolls)

Policy/Program Memorandum No. 150, “School Food and Beverage Policy”, October 4, 2010

6

Vegetables and Fruit (cont.)

	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Canned Tomatoes and Tomato-Based Products	Fat: ≤ 3g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> Some whole, crushed, or diced tomatoes Some pasta sauce 		Fat: > 3g or Sodium: > 480mg <i>Examples:</i> <ul style="list-style-type: none"> Whole, crushed, or diced tomatoes that are higher in fat or sodium Pasta sauce that is higher in fat or sodium
Vegetable and Fruit Chips	Fat: ≤ 3g and Sodium: ≤ 240mg <i>Examples:</i> <ul style="list-style-type: none"> Some lower-fat, lower-sodium vegetable chips (e.g., potato, carrot) Some lower-fat, lower-sodium fruit chips (e.g., banana, apple, pear) 	Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> Some vegetable chips (e.g., potato, carrot) Some fruit chips (e.g., banana, apple, pear) 	Fat: > 5g or Saturated fat: > 2g or Sodium: > 480mg <i>Examples:</i> <ul style="list-style-type: none"> Some vegetable chips that are higher in fat or sodium Some fruit chips that are higher in fat or sodium

*Food high in sugars and starches (natural or added) can leave particles clinging to the teeth and put dental health at risk. Vegetable and fruit choices of particular concern include fruit leathers, dried fruit, and chips (potato or other). It is suggested that these foods be eaten only at meal times and that foods that clear quickly from the mouth be eaten at snack times, such as fresh (raw or cooked), canned, or frozen vegetables or fruit.

**Look for other words for sugar, such as *glucose, fructose, sucrose, dextrose, dextrin, corn syrup, maple syrup, cane sugar, honey, and concentrated fruit juice*.

Grain Products

<ul style="list-style-type: none"> • Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label. • Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying. 			
	Sell Most (≥ 80%)	Sell Less (≤ 20%)	Not Permitted for Sale
	Nutrition Criteria	Nutrition Criteria	Nutrition Criteria
Bread	<p>Whole grain is the first item on the ingredient list and Saturated fat: ≤ 2g and Sodium: ≤ 240mg and Fibre: ≥ 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Whole grain breads, including buns, bagels, English muffins, rolls, naan, pitas, tortillas, chapattis, rotis, bannock • Whole grain pizza dough and flatbread 	<p>Saturated fat: ≤ 2g and Sodium: ≤ 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • White (enriched) breads, including buns, bagels, English muffins, rolls, naan, pitas, tortillas, chapattis, rotis, bannock • White (enriched) pizza dough 	<p>Saturated fat: > 2g or Sodium: > 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • White breads that are higher in fat or sodium • Some cheese breads, scones, and biscuits
Pasta, Rice, and Other Grains	<p>Fat: ≤ 3g and Saturated fat: ≤ 2g and Sodium: ≤ 240mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Whole wheat or white (enriched) pasta, including couscous • White, brown, and wild rice, rice noodles, and soba noodles • Quinoa, bulgur, wheat berries, spelt, and other whole grains 	<p>Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some pasta, rice, and other grains 	<p>Fat: > 5g or Saturated fat: > 2g or Sodium: > 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some pasta, rice, and other grains that are higher in fat, saturated fat, or sodium
Baked Goods	<p>Fat: ≤ 5g and Saturated fat: ≤ 2g and Fibre: ≥ 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some muffins, cookies, grain-based bars • Some whole grain waffles and pancakes 	<p>Fat: ≤ 10g and Saturated fat: ≤ 2g and Fibre: ≥ 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some muffins, cookies, grain-based bars, snacks • Some waffles and pancakes 	<p>Fat: > 10g or Saturated fat: > 2g or Fibre: < 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Most croissants, danishes, cakes, doughnuts, pies, turnovers, pastries • Some cookies and squares

Grain Products (cont.)

	Sell Most (≥ 80%)	Sell Less (≤ 20%)	Not Permitted for Sale
	Nutrition Criteria	Nutrition Criteria	Nutrition Criteria
Grain-Based Snacks	<p>Fat: ≤ 3g and Saturated fat: ≤ 2g and Sodium: ≤ 240mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some whole grain crackers, pita chips, and flatbreads • Some packaged crackers and popcorn 	<p>Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some crackers, pretzels, and popcorn 	<p>Fat: > 5g or Saturated fat: > 2g or Sodium: > 480mg</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Crackers, pretzels, and popcorn higher in fat and sodium • Most corn chips and other snack mixes
Cereals	<p>Whole grain is the first item on the ingredient list and Saturated fat: ≤ 2g and Fibre: ≥ 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some breakfast cereals, including oatmeal, some granola, and cold cereals containing fibre 		<p>Whole grain is <i>not</i> the first item on the ingredient list or Saturated fat: > 2g or Fibre: < 2g</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> • Some breakfast cereals

Milk and Alternatives

<ul style="list-style-type: none"> • Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list on the food label. • See the section “Nutrition Standards for Beverages” for the nutrition criteria for fluid milk and fluid milk alternatives. 			
	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Yogurt/Kefir	Fat: ≤ 3.25% M.F.* or ≤ 3g <i>Examples:</i> <ul style="list-style-type: none"> • Plain and flavoured yogurt, yogurt tubes 		Fat: > 3.25% M.F. or > 3g <i>Examples:</i> <ul style="list-style-type: none"> • Yogurt higher in fat, such as Balkan-style
Cheese**	Fat: ≤ 20% M.F. and Sodium: ≤ 360mg and Calcium: ≥ 15% DV*** <i>Examples:</i> <ul style="list-style-type: none"> • Cheeses lower in fat and sodium, including part-skim mozzarella, light cheddar, some Swiss and ricotta 	Sodium: ≤ 480mg and Calcium: ≥ 15% DV <i>Examples:</i> <ul style="list-style-type: none"> • Most hard and soft, non-processed cheese, including cheddar, mozzarella, brick, parmesan, some feta, Monterey jack, havarti, and gouda; cottage cheese, cheese curds, and cheese strings 	Sodium: > 480mg or Calcium: < 15% DV <i>Examples:</i> <ul style="list-style-type: none"> • Some processed cheese products • Most cream cheese
Milk-Based Desserts		Fat: ≤ 5g and Sodium: ≤ 360mg and Calcium: ≥ 5% DV <i>Examples:</i> <ul style="list-style-type: none"> • Some frozen yogurt, puddings, custards, ice milk, gelato 	Fat: > 5g or Sodium: > 360mg or Calcium: < 5% DV <i>Examples:</i> <ul style="list-style-type: none"> • Some puddings • Most frozen desserts high in fat and sugar, including ice cream, ice cream bars, ice cream cakes, and ice cream sandwiches

*M.F. = Milk Fat. The amount can be found on the front of the food label.
 **Encourage selection of lower-fat cheese options.
 ***DV = Daily Value.

Meat and Alternatives

<ul style="list-style-type: none"> • Compare the nutrition criteria below with the Nutrition Facts table and ingredient list on the food label. • Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying. 			
	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Fresh and Frozen Meat	Fat: ≤ 10g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Extra-lean ground meat • Lean beef, goat, lamb, pork, or poultry • Some breaded chicken strips and nuggets • Some lean meatballs • Some lean hamburger patties 	Fat: ≤ 14g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Lean ground meat • Beef, goat, lamb, pork, or poultry • Some breaded chicken strips and nuggets • Some meatballs • Some hamburger patties 	Fat: > 14g or Sodium: > 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Meat that contains higher amounts of fat or sodium, including chicken wings, bacon, pork and beef ribs • Some wieners • Most pepperoni sticks • Most beef/turkey jerk products
Deli (Sandwich) Meat	Fat: ≤ 5g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Some lean deli meat 	Fat: ≤ 5g and Sodium: ≤ 600mg <i>Examples:</i> <ul style="list-style-type: none"> • Some lean deli meat 	Fat: > 5g or Sodium: > 600mg <i>Examples:</i> <ul style="list-style-type: none"> • Deli meat higher in fat or sodium
Fish	Fat: ≤ 8g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Fresh, frozen, or canned fish 	Fat: ≤ 12g and Sodium: ≤ 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Some frozen, breaded fish (e.g., fish sticks) • Fresh, frozen, or canned fish 	Fat: > 12g or Sodium: > 480mg <i>Examples:</i> <ul style="list-style-type: none"> • Some breaded or battered fish higher in added fat or sodium • Fresh or frozen fish with a higher mercury content[†]
Eggs	Fat: ≤ 7g and Sodium: ≤ 480mg		Fat: > 7g or Sodium: > 480mg

Meat and Alternatives (cont.)

	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Nuts, Protein Butters, and Seeds	Not coated with candy, chocolate, sugar, or yogurt and Sodium: ≤ 480mg <i>Examples:</i> • Nut, legume, and seed butters, including peanut, almond, walnut, soy, sesame, and sunflower • Nuts and seeds, including almonds, walnuts, peanuts, sunflower seeds, pumpkin seeds (papas)		Coated with candy, chocolate, sugar, and/or yogurt or Sodium: > 480mg <i>Examples:</i> • Coated nuts • Some roasted and salted nuts
Meat Alternatives, such as Tofu, Beans, and Lentils	Fat: ≤ 8g and Sodium: ≤ 480mg and Protein: ≥ 10g <i>Examples:</i> • Some vegetarian burgers, simulated meat strips, veggie meatballs, veggie ground round, veggie wieners and sausages, tofu and tempeh • Beans and lentils		Fat: > 8g or Sodium: > 480mg or Protein: < 10g <i>Examples:</i> • Some vegetarian products high in sodium • Some meat alternatives that are higher in fat or sodium or lower in protein

* Certain types of fish may contain levels of mercury that can be harmful to human health. Fish caught in local lakes and streams may have different levels of mercury from those found in stores. Canned “light” tuna contains less mercury than “white” or “albacore” tuna, and salmon generally has low levels of mercury. See Health Canada’s website for continually updated information and a list of fish with low levels of mercury, at <http://www.hc-sc.gc.ca/fn-an/securit/chem-chim/envIRON/mercur/cons-adv-etud-eng.php>.

Mixed Dishes

Note: Mixed dishes are products that contain more than one major ingredient.

Mixed Dishes With a Nutrition Facts Table			
<ul style="list-style-type: none"> • Compare the nutrition criteria below with the Nutrition Facts table and the ingredient list provided by the supplier. • Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying. 			
	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Entrées (e.g., frozen pizza, sandwiches, pasta, hot dogs)	Fat: ≤ 10g and Saturated fat: ≤ 5g and Sodium: ≤ 960mg and Fibre: ≥ 2g and Protein: ≥ 10g	Fat: ≤ 15g and Saturated fat: ≤ 7g and Sodium: ≤ 960mg and Fibre: ≥ 2g and Protein: ≥ 7g	Fat: > 15g or Saturated fat: > 7g or Sodium: > 960mg or Fibre: < 2g or Protein: < 7g
Soups	Fat: ≤ 3g and Sodium: ≤ 720mg and Fibre: ≥ 2g	Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 720mg	Fat: > 5g or Saturated fat: > 2g or Sodium: > 720mg
Side Dishes (e.g., grain and/or vegetable salads)	Fat: ≤ 5g and Saturated fat: ≤ 2g and Sodium: ≤ 360mg and Fibre: ≥ 2g	Fat: ≤ 7g and Saturated fat: ≤ 2g and Sodium: ≤ 360mg	Fat: > 7g or Saturated fat: > 2g or Sodium: > 360mg

Mixed Dishes (cont.)

Mixed Dishes Without a Nutrition Facts Table			
<ul style="list-style-type: none"> For every ingredient used, refer to the nutrition criteria in this appendix for the appropriate food groups. Food should always be prepared in a healthy way – that is, using cooking methods that require little or no added fat or sodium, such as baking, barbequing, boiling, broiling, grilling, microwaving, poaching, roasting, steaming, or stir-frying. 			
	Sell Most (≥ 80%) Nutrition Criteria	Sell Less (≤ 20%) Nutrition Criteria	Not Permitted for Sale Nutrition Criteria
Entrées (e.g., pizza, sandwiches, pasta, hot dogs)	All major ingredients* are from the "Sell Most" category.	One or more major ingredients are from the "Sell Less" category.	Cannot be sold if prepared with any ingredients from the "Not Permitted for Sale" category.
Soups	All major ingredients are from the "Sell Most" category.	One or more major ingredients are from the "Sell Less" category.	Cannot be sold if prepared with any ingredients from the "Not Permitted for Sale" category.
Side Dishes (e.g., grain and/or vegetable salads)	All major ingredients are from the "Sell Most" category.	One or more major ingredients are from the "Sell Less" category.	Cannot be sold if prepared with any ingredients from the "Not Permitted for Sale" category.

*A major ingredient is any product that is identified in one of the food groups set out in the nutrition standards – that is, Vegetables and Fruit, Grain Products, Milk and Alternatives, and Meat and Alternatives. All pizza toppings are considered major ingredients.

Miscellaneous Items

Minor Ingredients	
<ul style="list-style-type: none"> The following are considered minor ingredients and are to be used in limited amounts, as defined under "Serving Size". Choose products that are lower in fat and/or sodium. 	
Ingredients	Serving Size
Condiments and Spreads	≤ 15ml (1 tbsp)
Gravies and Sauces	≤ 60ml (4 tbsp)
Dips	≤ 30ml (2 tbsp)
Fats	≤ 5ml (1 tsp)
Oils and Dressings	≤ 15ml (1 tbsp)
Other (e.g., chocolate chips, coconut, olives, parmesan cheese)	≤ 15ml (1 tbsp)

Not Permitted for Sale: Confectionery (Examples)
Candy Chocolate Energy bars Licorice Gum Gummies Popsicles and freezies, if not prepared with 100% juice

Nutrition Standards for Beverages

Separate beverage standards are provided for elementary and secondary schools.

All beverages sold in schools must meet the standards set out in Ontario Regulation 200/08, "Trans Fat Standards", made under the Education Act.

Beverages – Elementary Schools

Compare the nutrition criteria below with the Nutrition Facts table and ingredient list on the food label.			
	Sell Most (≥ 80%)	Sell Less (≤ 20%)	Not Permitted for Sale
	Nutrition Criteria	Nutrition Criteria	Nutrition Criteria
Water	Plain		
Milk and Milk-Based Beverages (Plain or Flavoured)	Fat: ≤ 2% M.F.* or ≤ 5g and Sugar: ≤ 28g and Calcium: ≥ 25% DV** and Container size: ≤ 250ml		Fat: > 2% M.F. or > 5g or Sugar: > 28g or Calcium: < 25% DV or Container size: > 250ml
Yogurt Drinks	Fat: ≤ 3.25% M.F. or ≤ 3g and Container size: ≤ 250ml		Fat: > 3.25% M.F. or > 3g or Container size: > 250ml
Soy/Milk Alternative Beverages (Plain or Flavoured)	Fortified with calcium and vitamin D and Container size: ≤ 250ml		Unfortified or Container size: > 250ml
Juices or Blends: Vegetable or Fruit	100% juice, pulp, or purée and Unsweetened/No sugar added and Container size: ≤ 250ml		< 100% juice, pulp, or purée or Sugar in the ingredient list or Container size: > 250ml
Hot Chocolate	Fat: ≤ 2% M.F. or ≤ 5g and Sugar: ≤ 28g and Calcium: ≥ 25% DV and Container size: ≤ 250ml		Fat: > 2% M.F. or > 5g or Sugar: > 28g or Calcium: < 25% DV or Container size: > 250ml
Coffee and Tea			All Coffee and Tea
Iced Tea			All Iced Tea
Energy Drinks			All Energy Drinks
Sports Drinks			All Sports Drinks
Other Beverages (e.g., soft drinks; flavoured water; "juice-ades", such as lemonade, limeade)			All Other Beverages

*M.F. = Milk Fat. The amount can be found on the front of the food label.

**DV = Daily Value.

The full Policy/Program Memorandum No. 150 can be found at <http://www.edu.gov.on.ca/extra/eng/ppm/150.html> and <http://www.edu.gov.on.ca/extra/eng/ppm/Appendix150.pdf>

You can also use the website below to see if a new food or beverage fits the PPM150 standards. You just have to select the category for the product (i.e. mixed dishes for chili) and then enter the nutrition information for the product.

<http://hs.curriculum.org/sb/nst>

If the product does not have a label (i.e. chili made in the concession store, following a recipe), you can check the nutrition information for the recipe at EaTracker Recipe Analyzer.

(https://www.eatracker.ca/recipe_analyzer.aspx)

The Corporation of the City of Temiskaming Shores

By-law No. 2019-146

**Being a by-law to amend By-law No. 2019-089 being an
Agreement for Animal Control and Pound Services –
location of Pound**

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 adopted By-law No. 2019-089 at the May 21, 2019 Regular Council meeting being a three (3) year agreement with Ms. Roxanne St. Germain o/a Animals First - Temiskaming Shores and Area Animal Services for Animal Control and Pound Services;

And whereas Council considered Memo No. 022-2019-CS at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to amend By-law No. 2019-089 to identify the location of the Pound as 60 Scott Street for consideration at the September 17, 2019 Regular Council meeting;

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

1. That Council hereby amends Article 4.1.2 of Schedule "A" to By-law No. 2019-040 by removing the location of pound at **55 Regina Street** and replacing it with **60 Scott Street**.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

Read a first, second and third time and finally passed this 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2019-147

**Being a by-law to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed as not a registered plan of subdivision
418 Lakeview Avenue Roll No. 54-18-030-009-357.00**

Whereas Section 50(4) of the Planning Act, R.S.P. 1990, c.P.13, as amended authorizes the Council of a municipality to designate by by-law, a plan of subdivision, or any part thereof, that has been registered for eight (8) years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of subdivision control;

And whereas Council considered Memo No. 023-2019-CS at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to deem Lots 416, 417 and 420 on Plan M-52 NB, Parcels 7737 SST and 7608 SST to no longer be Lots on a Plan of Subdivision for consideration at the September 17, 2019 Regular Council meeting;

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

1. That the lands hereinafter described shall be deemed not to be a lot or block on a Registered Plan of Subdivision for the purposes of Section 50(4) of the Planning Act R.S.O. 1990, c.P.13, as amended and as generally illustrated on Schedule "A" attached hereto and forming part of this by-law.
2. That the lands are described as:
 - a) Parcel 7737SST, Plan M52NB, Lot 416;
 - b) Parcel 7737SST, Plan M52NB, Lot 418;
 - c) Parcel 7608SST, Plan M52NB, Lot 420;
3. That in accordance with Section 50(28) of the Planning Act, R.S.O. 1990, c.P.13, as amended, a certified copy or duplicate of this by-law shall be registered by the Clerk of the Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
4. That in accordance with Section 50(29) of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council shall give notice of the passing of the by-law within 30 days of the passing to the owner of land to which the by-law applies.
5. That in accordance with Section 50(30) of the Planning Act R.S.O. 1990, c.P.13, as amended, Council shall hear in person or by an agent any person to whom a notice was sent, who within twenty days of the mailing of the notice gives notice to the Clerk of The Corporation of the City of Temiskaming Shores that the person desires to make representations respecting the amendment or repeal of the by-law.

6. That the Mayor and Clerk are authorized to sign all necessary documents in connection with this by-law.
7. That this by-law shall not be effective until a certified copy or duplicate of this by-law is registered by the Clerk of The Corporation of the City of Temiskaming Shores at the Land Registry Office in Haileybury, Ontario.
8. That the passing of this by-law shall be subject to the provisions of the Planning Act.
9. 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 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule “A”

City of Temiskaming Shores



418 Lakeview Avenue

The Corporation of the City of Temiskaming Shores

By-law No. 2019-148

Being a by-law to enact a Zoning by-law Amendment to rezone property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-3) in the City of Temiskaming Shores Zoning By-law 2017-154 433959 Hawn Drive Roll Nos. 5418-020-001-018.20

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. 2017-154 regulates the use of land and the use and erection of buildings and structures within the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. CS-049-2019 at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to amend the City of Temiskaming Shores Zoning By-law No. 2017-154 to change the zoning on the property from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-E3) for consideration at the September 17, 2019 Regular Council meeting;

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

1. Schedule Changes

- a) Schedule "F2" of By-law No. 2017-154 is hereby amended by rezoning 433959 Hawn Drive, as shown on Schedule "A" to this By-law, from the Manufacturing Industrial (M2) Zone to the Manufacturing Industrial Exception 3 (M2-E3) Zone.

2. Text Changes

- a) Table 8.1 is amended to permit, in the M2-E3 Zone, a "motor vehicle washing establishment".
3. That all other provisions of By-law No. 2017-154 shall continue to apply.
4. That the passing of this by-law shall be subject to the provisions of the *Planning Act*.
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.

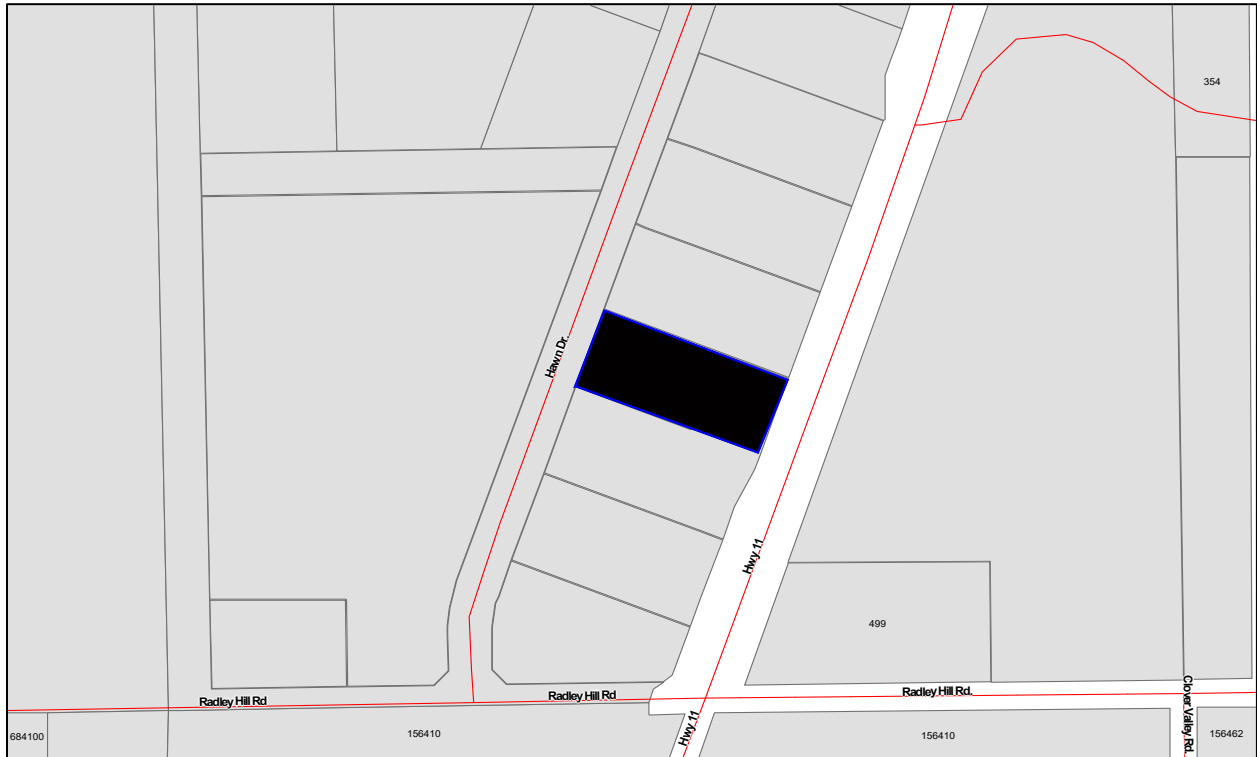
Read a first, second and third time and finally passed this 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

Schedule "A" to By-law 2019-148

City of Temiskaming Shores



Rezoned from Manufacturing Industrial (M2) to Manufacturing Industrial Exception 3 (M2-E3)

The Corporation of the City of Temiskaming Shores

By-law No. 2019-149

Being a by-law to enter into an Agreement with Gallagher Benefit Services (formerly DiBrina) for the administration of services provided by Great West Life Employee Benefit Plan - Employee Group Benefits

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

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

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

And whereas Council considered Administrative Report No. CS-042-2018 at the October 9, 2018 Regular Council meeting and adopted Resolution No. 2018-448 directing staff to retain DiBrina Group for Municipal Employee Benefit Plan Brokerage Services for a period of three (3) years with the option of two (2) year renewal at a commission rate of 2%;

And whereas Council considered Administrative Report No. CS-048-2019 at the September 17, 2019 Regular Council meeting and directed staff to renew the Great West Life Employee Benefit Plan administered through Gallagher Benefit Services Canada Group Inc. (formerly DiBrina Sure Benefits Consulting Inc.) with premiums of \$292,044 for 2019-2020 for consideration at the September 17, 2019 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 agrees to enter into an Administrative Services Only (ASO) Plan with premiums of \$292,044 for 2019-2020 in addition to the costs paid by the City for health benefits with Great West Life Assurance Company for the period covering September 1, 2019 to August 31, 2020 as administered by Gallagher Benefit Services Canada Group Inc. (formerly DiBrina Sure Benefits Consulting Inc.).
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

Read a first, second and third time and finally passed this 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2019-150

**Being a by-law to amend By-law No. 2012-039, as amended
being a by-law to adopt Schedules of Departmental User Fees
and Services for the City of Temiskaming Shores – Property
Information Certificate**

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

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

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

And whereas the Council of The Corporation of the City of Temiskaming Shores adopted By-law No. 2012-039 on April 3, 2012 to adopt Schedules of Departmental User Fees and Service Charges for the City of Temiskaming Shores;

And whereas Council considered Administrative Report No. CS-050-2019 at the September 17, 2019 Regular Council meeting and directed staff to prepare the necessary by-law to amend By-law No. 2012-039 (Fees By-law) to consolidate various departmental compliance certificates/letters into one Property Information Certificate at a rate of \$150 per Roll Number for consideration at the September 17, 2019 Regular Council meeting;

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

1. That Council hereby amends Schedule "A" to Fees By-law No. 2012-039, as amended, Administration – Corporate Services section by removing **Tax Certificates (\$25/Roll No.)**;
2. That Council hereby amends Schedule "C" to Fees By-law No. 2012-039, as amended, Fire Services section by removing **Compliance Letters / Reports (\$100.00)**;
3. That Council hereby amends Schedule "E" to Fees By-law No. 2012-039, as amended, Planning, By-law and Building section by removing **Building Permit / Property Standards / Work Order Searches and Zoning Compliance Letter (\$100.00 per Roll No.)**;

4. That Council hereby amends Schedule “A” to Fees By-law No. 2012-039, as amended, Administration – Corporate Services by adding the following:

Fee Title	Description of Fee / Authority	Fee (plus HST where applicable)
Property Information Certificate (Fire, Planning, Tax, Building, etc.)	Municipal Act 391 (1)	\$ 150.00 / Roll No.

5. That the Clerk of the City of Temiskaming Shore 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 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 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen

The Corporation of the City of Temiskaming Shores

By-law No. 2019-151

Being a by-law to confirm certain proceedings of Council of The Corporation of the City of Temiskaming Shores for its Regular meeting held on September 17, 2019

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 **September 17, 2019** 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 17th day of September, 2019.

Mayor – Carman Kidd

Clerk – David B. Treen