



**The Corporation of the City of Temiskaming Shores  
Committee of the Whole  
Tuesday, October 1, 2024 – 3:00 p.m.  
City Hall – Council Chambers – 325 Farr Drive**

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**Agenda**

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

**Draft Resolution**

Moved by: Councillor

Seconded by: Councillor

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

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

**7. Public Meetings Pursuant to the Planning Act, Municipal Act, and Other Statutes**

None

**8. Public Works**

**a) Delegations/Communications**

None

**b) Administrative Reports**

**1. Memo No. 025-2024-PW – Environmental Services Operations Update**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 025-2024-PW, regarding the Environmental Services Update for information purposes.

**2. Administrative Report No. PW-025-2024 – 2024-2025 Winter Operations Plan**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-025-2024;

That Council directs Staff to prepare the necessary by-law, for the implementation of the 2024 – 2025 Winter Operations Plan, for consideration at the October 15, 2024 Regular Council Meeting; and

That Council directs the Manager of Transportation Services to advise staff in the Public Works Department of the intent to commence the Winter Operations Schedule on or about Sunday, November 3, 2024, and conclude on or about Friday, April 4, 2025.

**3. Administrative Report No. PW-026-2024 – Solid Waste Management Services Agreement**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-026-2024; and

That Council agrees to utilize the negotiated pricing and directs staff to prepare the necessary by-law to enter into a 7-year agreement with Phippen Waste Management for the collection, removal and disposal of refuse, and the operation and maintenance of the landfill site, to be presented to Council for consideration at the October 15, 2024 Regular Council meeting.

**4. Administrative Report No. PW-027-2024 – Disposal of Recycling Carts**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-027-2024;

That Council declares surplus the 95-gallon recycling carts currently utilized for curbside collection effective January 1, 2025;

That Council directs staff to enter into negotiations with GFL Environmental Inc. (GFL) for the sale of 4,684, 95-gallon recycling carts; and

That Council directs staff to prepare the necessary by-law to enter into an agreement with GFL Environmental Inc, for the sale of 4,684, 95-gallon recycling carts, for consideration at the October 15, 2024 Regular Council meeting.

**c) New Business**

None

**9. Recreation Services**

**a) Delegations/Communications**

None

**b) Administrative Reports**

**1. Memo No. 024-2024-RS – Sponsorship of Frogs Breath Grant Application - Isaac Walker-Dupont Foundation**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 024-2024-RS; and

That Council for the City of Temiskaming Shores approve the request from the Isaac Walker-Dupont Foundation, and agrees to sponsor the funding application to the Frog's Breath Foundation, to assist with the installation of a fence at the Dymond B ball field, in support of the City's Minor Ball program.

**2. Memo No. 025-2024-RS – Recreation Operations Update**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 025-2024-RS, regarding the Recreation Operations Update for the month of October, for information purposes.

**3. Administrative Report No. RS-020-2024 - Rockin' On Canada 2025 Request for Assistance**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-020-2024;



That Council approves, in principle, the following requests from the New Liskeard Biker's Reunion/Rockin' On Canada Day Event Committee:

- a. Use of the Don Shepherdson Memorial Arena and associated Parking Lot
- b. Use of the Fall Fairgrounds
- c. Land for RV Parking
- d. Small Stage and Fencing
- e. "Canada Parade" Approval

That Council directs staff to prepare a Strategic Alliance Agreement between the City and the New Liskeard Biker's Reunion/Rockin' On Canada Day Event Committee for the 2025 Rockin' On Canada Day Event, to be presented to Council for consideration at a future meeting.

**4. Administrative Report No. RS-021-2024 - Recreation Department Fee Update 2025-2027**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. RS-021-2024; and

That Council directs staff to amend By-law 2012-039 (Departmental User Fees) to update Recreational Fees for 2025-2027, for consideration at the October 15, 2024, Regular Council meeting.

**c) New Business**

None

**10. Fire Services**

**a) Delegations/Communications**

None

**b) Administrative Reports**

None

**c) New Business**

None

**11. Corporate Services****a) Delegations/Communications**

None

**b) Administrative Reports****1. Memo No. 034-2024-CS – Approval of Council Meeting Schedule – January 2025 to July 2025***Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Timiskaming Shores acknowledges receipt of Memo No. 034-2024-CS; and

That Council does hereby confirm the following schedule of meetings for the months of January 2025 to July 2025:

Tuesday, January 21, 2025	Committee of the Whole Meeting followed immediately by the Regular Meeting
Tuesday, February 4, 2025	Committee of the Whole Meeting
Tuesday, February 18, 2025	Regular Meeting
Tuesday, March 4, 2025	Committee of the Whole Meeting
Tuesday, March 18, 2025	Regular Meeting
Tuesday, April 1, 2025	Committee of the Whole Meeting
Tuesday, April 15, 2025	Regular Meeting
Tuesday, May 6, 2025	Committee of the Whole Meeting
Tuesday, May 20, 2025	Regular Meeting

Tuesday, June 3, 2025	Committee of the Whole Meeting
Tuesday, June 17, 2025	Regular Meeting

**2. Memo No. 035-2024-CS – Frog’s Breath Application Sponsorship – Branch 54 Royal Canadian Legion - Haileybury**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Memo No. 035-2024-CS; and

That Council for the City of Temiskaming Shores approve the request from the Branch 54 – Royal Canadian Legion (Haileybury), to sponsor an application to the Frog’s Breath Foundation, in the amount of \$50,000 for a kitchen renovation/ equipment at the Branch location.

**3. Administrative Report No. CS-033-2024 – Sale of Municipal Property – Portion of Dymond Crescent**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-033-2024;

That Council directs staff to continue with the disposition of the municipal road allowance, being a portion of Dymond Crescent, described as Part 1 on Plan 54R-6453, in accordance with By-law No. 2015-160; and

That Council directs staff to prepare the necessary by-laws to Stop and Close the above-described road allowance, and to enter into an Offer of Purchase and Sale Agreement between the City of Temiskaming Shores as Vendor, and 2844371 Ontario Inc., as Purchaser, for the above-described road allowance, conditional upon the registration of any easements required by the municipality and applicable external agencies, and upon registration of an approved Site Plan Agreement, in the amount of \$1,000 plus taxes (if applicable) plus all associated costs, in accordance with By-law No. 2015-160, for consideration at the October 15, 2024 Regular Council meeting.

**4. Administrative Report No. CS-034-2024 – Council Seat Vacancy**

Draft Resolution

Moved by: Councillor

Seconded by: Councillor

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. CS-034-2024;

That in accordance with section 262 of the Municipal Act, 2001, Council of the City of Temiskaming Shores does hereby declare the office of Councillor to be vacant;

That Council directs staff to proceed with:

Option 1a (Direct Appointment of Election Candidate);

Option 1b (Direct Appointment by Application);

Option 1c (Appointment by the Call for Nominees); or

Option 2 – By-election;

to fill the vacant seat of a member of Council;

That Council approves the draft Council Vacancy Policy in principle, and directs staff to prepare the necessary By-law to confirm the adoption of the Policy, at the October 15, 2024 Regular Council Meeting; and

Further directs the Clerk to release a Public Notice of the Municipal Seat Vacancy, based on the above-noted selected option and timeline outlined within the Administrative Report.

**c) New Business**

None

**12. Schedule of Council Meetings**

a) Regular Council Meeting – October 15, 2024 starting at 6:00 p.m.

b) Committee of the Whole Meeting – November 5, 2024 starting at 3:00 p.m.

**13. Closed Session**

None

**14. Adjournment**

*Draft Resolution*

Moved by: Councillor

Seconded by: Councillor

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

# **Memo**

**To:** Mayor and Council  
**From:** Steve Burnett, Manager of Environmental Services  
**Date:** October 1, 2024  
**Subject:** Environmental Department Update

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Mayor and Council:

I am pleased to provide the following update for the Environmental Department.

## **Water and Sanitary Operations**

Staff continue to repair/maintain both the water and sanitary systems within the City and address issues as they arise. As of September 26, 2024, there have been 63 water repairs completed this year. In addition to the repairs there have been 6 fire hydrants replaced with 1 pending and 6 water valve replacements completed with 1 pending.

The Fall sanitary sewer flushing program is nearing completion. The Fall water distribution flushing program is scheduled to commence on October 2, 2024.

## **Blue Box Transition**

The request for proposal released by Circular Material Ontario (CMO) to provide blue box material collection services within the Temiskaming District catchment area closed on March 20, 2024. On August 26, 2024, the City was provided notice from CMO that GFL Environmental Inc. (GFL) was awarded the collection contract for the Temiskaming District.

Since the announcement, staff have met with GFL representatives to discuss various topics to ensure a smooth transition is achieved. Some of the topics discussed include non-eligible source collection, bi-weekly collection, collection routes and 95-gallon recycling carts as stranded assets. GFL has shown interest in purchasing the recycling carts from the City. This topic is presented in further detail in the Administrative Report within this Committee of the Whole package.

It was agreed by both parties that regular meetings should continue up to and beyond transition.

As previously reported to Council, Staff met with CMO on 2 different occasions. The first meeting was regarding promotion and education (P&E) activities surrounding Blue Box material post transition. CMO has a comprehensive plan in place, however requested that the City consider entering into a contractual agreement for the P&E activities. Staff reviewed the draft

agreement and informed CMO that Staff would not be recommending entering into this agreement as it is not in the best interest of the City.

The second meeting was in regard to depot operations the City currently has in place. The depots provide a place for our residents to bring their excess recyclable material and are located at the Spoke Transfer Station and the New Liskeard Landfill. CMO also requested that the City enter into a contractual agreement for the operation of the 2 depots. Staff reviewed the draft agreement and informed CMO that Staff would not be recommending entering into this agreement as it is not in the best interest of the City.

## **Solid Waste**

The contract for Landfill Operations and Refuse Collection expires on December 31, 2024. More details are provided in the Administrative Report presented within this Committee of the Whole package.

## **Capital Projects**

- **ICI Water Meter Program (Carryover)** – Training continues with staff related to the implementation of the billing software. As a result of training not being completed and the time of year, staff is recommending that full implementation of the program take place on January 1, 2025.
- **Haileybury Water Treatment Plant Filter #3 Rehabilitation** – The rehabilitation of the filter commenced on September 9<sup>th</sup>. The project is proceeding quite well and is anticipated to be completed in November.

Prepared by:

*“Original signed by”*

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Steve Burnett  
Manager of Environmental Services

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<b>Subject:</b> 2024-2025 Winter Operations Plan	<b>Report No.:</b> PW-025-2024
	<b>Agenda Date:</b> October 1, 2024

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## **Attachments**

**Appendix 01:** Draft By-law 2024-2025 Winter Operations Plan

## **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-025-2024;
2. That Council directs Staff to prepare the necessary by-law, for the implementation of the 2024 – 2025 Winter Operations Plan, for consideration at the October 15, 2024 Regular Council Meeting; and
3. That Council directs the Manager of Transportation Services to advise staff in the Public Works Department of the intent to commence the Winter Operations Schedule on or about Sunday, November 3, 2024, and conclude on or about Friday, April 4, 2025.

## **Background**

Each year the Public Works Department submits an administrative report, for Council consideration, on the Winter Operations efforts for the upcoming season. The report includes the Winter Operations Plan and 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, to maintain the City's roadways and sidewalks in a safe condition.

Typically, the Winter Schedule commences on or about November 1, and ends on or about April 15, which coincides with the pay periods each year. This year afternoon patrolling will commence on or before November 4, with the full schedule starting on Sunday November 3. During this period, the Department will have 24 hour per day coverage with arrangements for re-scheduling staff as the need arises.





- Adding section of sidewalk to be maintained in Haileybury close to the downtown business area along the southside of Broadway.
- Pilot: Adding section of Sidewalk to be maintained on a secondary priority making the connection from Broadwood to Whitewood via Edith.
- Adding section of Snow Removal along Broadwood and Edith in New Liskeard.

Important to note:

- It is acknowledged that conditions may occur which temporarily prevent achieving the levels of service as detailed in the Winter Operations Plan. In such cases, attempts will be made to keep Class 2 & 3 roads as clear as possible by utilizing all maintenance equipment at maximum efficiency.
- Winter operations will continue until the prescribed level of service is achieved where conditions permit. Should conditions not permit accomplishment of the prescribed level of service, operations shall continue as required to maintain as good a driving service as possible.
- Not all sidewalks in our community are plowed in the winter. Please refer to appropriate appendix.
- Not all Laneways in our community are plowed in the winter. Please refer to appropriate appendix.
- Highway 65 boulevard, which is maintained by the MTO's contractor IMOS, will remain as is. In discussion with IMOS, they have been asked to wing back snow as far as reasonably possible on that section.

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

- Reg. 239/02 *Minimum Maintenance Standards for Municipal Highways*, (as amended by O Reg. 366/18 on May 2, 2018)
- By-Law 2012-101 (By-Law to Regulate Traffic and Parking of Vehicles)
- Annual Operations Budget

**Asset Management Plan Reference**

- Asset Management Strategy – Operations & Maintenance Activities – Roadway Network

**Consultation / Communication**

- Consultation with the City Manager, Manager of Environmental Services, Transportation Superintendent, and relevant City Staff.

**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. Small increase in Staffing costs to allow for a seasonal HEO.

The schedule has been updated slightly to 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.

**Climate Considerations**

Climate Lens has been complete. Based on the results there are no expectations for increased GHG emissions, increased temperature, or increased precipitation based on this contract. No substitutes were identified as this contract satisfies the requirements of Ontario Regulations and Minimum Maintenance Standards.

**Alternatives**

No alternatives were considered.

**Submission**

Prepared by:

Reviewed and submitted for Council's consideration by:

*"Original signed by"*

*"Original signed by"*

Mitch McCrank, CET  
 Manager of Transportation Services

Mathew Bahm  
 Director of Recreation

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

**By-law No. 2024-000**

**Being a by-law to adopt the 2024-2025 Winter Operations Plan 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 PW-025-2024 at the October 1, 2024 Committee of the Whole meeting and directed staff to finalize the 2024-2025 Winter Operations Plan and directed staff to prepare the necessary by-law for consideration at the October 15, 2024 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 adopts the 2024-2025 Winter Operations Plan for the City of Temiskaming Shores, 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, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 15<sup>th</sup> day of October, 2024.

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Mayor

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Clerk



# **City of Temiskaming Shores**

## **Public Works Department Operations Division**

### **Winter Operations Plan 2024 – 2025**

### **Right-of Way Roadways, Sidewalks and City-owned Lands**

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## **Purpose**

This Winter Operations Plan sets out a policy and procedural framework for ensuring that the Corporation of the City of Temiskaming Shores continuously improves on the effective delivery of winter maintenance services and the management of road salt used in winter maintenance operations, as outlined in Environment Canada's Code of Practice for the Environmental Management of Road Salts.

The plan is meant to be dynamic, to allow the municipality to evaluate and phase-in any changes, new approaches and technologies in winter maintenance activities in a fiscally sound manner. At the same time, any modifications to municipal winter maintenance activities must ensure that roadway safety is not compromised. As specified in the Code of Practice for the Environmental Management of Road Salts, the Winter Operations Plan for the Corporation of the City of Temiskaming Shores is endorsed by City Council.

## **Definitions**

**Anti-icing** means the application of liquid de-icers directly to the road surface in advance of a winter event. (The City does not apply de-icing agents to the road surface in advance of a winter event.)

**De-icing** means the application of solids, liquids, pre-treated material to the road surface after the on-set of the winter event.

**Highway** includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

**Paved Road** is a road with an asphalt surface, concrete surface, composite pavement, or portland cement.

**Pre-treat** means the application of liquids (calcium chloride, sodium chloride, etc.) to dry sand or salt prior to being loaded for storage or applied to the road surface.

**Pre-wetting** means the application of liquids (calcium chloride, sodium chloride, etc.) at the spinner of the truck just prior to application to the road surface.

**Surface Treated Road** is road with bituminous surface treatment comprised of one or two applications of asphalt emulsion and stone chips over a gravel road.

**Unpaved Road** is a road which has a surface that does not meet the definition of a paved road. The road surface may be dirt, rock, gravel, or other non-solidified material and may have a dust palliative applied.

**Winter Event** is a weather condition affecting roads such as snowfall, wind blown snow, freezing rain, frost, black ice, etc. to which a winter event response is required.

**Winter Event Response** is a series of winter maintenance activities performed in response to a winter event.

- **Continuous Winter Event Response** is a response to a winter event with full deployment of manpower and equipment that plow/salt/sand the entire system.
- **Spot Winter Event Response** is a response to a winter event with only a part deployment of manpower and equipment or with full deployment to only part of the system.

**Winter Event Response Hours** are the total number of person-hours per year (plowing, salting/sanding, winging back, etc.) to respond to winter events.

## 1.0 Objective

The objective of the **2024 - 2025 Winter Operations Plan** is to define standards to be maintained and procedures to be followed, to reduce the hazards resulting from winter snow and ice, in order to maintain the City's roadways, sidewalks and lands in a safe condition.

Winter operations standards establish levels of service for snow and ice control across the city, for various classes and priorities of roadways and sidewalks, to ensure the safe and efficient movement of vehicles, people, goods and services through our community. The standards recognize the difference in traffic conditions and associated risk management on the various classes of roadways and sidewalks. Additionally, the standards indicate that levels of service may not be met until after the end of a winter storm or snowfall event.

Winter operations procedures indicate the actions to be taken in order to maintain the above noted standards. The procedures, in conjunction with the standards, recognize that the winter maintenance measures cannot be carried out on all roadways and sidewalks at the same time, and due to the associated risk management, must follow the priorities as defined by the classification of the roadways and sidewalks.

Notwithstanding the Corporation of the City of Temiskaming Shores is committed to improving winter maintenance operations while continuing to ensure public

safety. The Corporation of the City of Temiskaming Shores will optimize the use of winter maintenance materials containing chlorides on most municipal roads while striving to minimize negative impacts to the environment. The Corporation of the City of Temiskaming Shores public works staff will strive, insofar as reasonably practicable, to provide safe winter road conditions for vehicular and pedestrian traffic as set out in the level of service policies and within the resources established by the Council of the Corporation of the City of Temiskaming Shores.

## **2.0 Policy Statement**

The Corporation of the City of Temiskaming Shores will provide efficient and cost-effective winter maintenance to ensure, insofar as reasonably practicable, the safety of users of the municipal road network in keeping with applicable provincial legislation and accepted standards while striving to minimize adverse impacts to the environment. These commitments will be met by:

- adhering to the procedures contained within the Winter Operations Plan;
- reviewing and upgrading the Winter Operations Plan on an annual basis to incorporate new technologies and new developments;
- committing to ongoing winter maintenance staff training and education; and
- monitoring on an annual basis, the present conditions of the winter maintenance program, as well as the effectiveness of the Winter Operations Plan.

## **3.0 Responsibilities**

The Manager of Transportation Services is ultimately responsible for winter maintenance operations within the City of Temiskaming Shores. The Superintendent of Transportation Services, reporting to the Manager of Transportation Services, is directly responsible for winter maintenance operations. The Superintendent of the operations division has front line management level responsibilities, for directing the winter maintenance operations.

Winter operations are carried out by a combination of full-time road employees and, as required, contractor services, including four Heavy Equipment Operator / Crew Leaders, 1 Heavy Equipment Operator, one Shop Clerk, one PW Clerk, twelve Equipment Operators and Five Water and Sewer Operators reporting to the two Superintendents.

The Heavy Equipment Operator / Crew Leader or Patrol Person working evening shift, night shift or weekend shifts will be required to carry "*on-duty*" cell phones that will receive emergency calls re-directed from the Public Works main complex telephone system during their respective shifts. It is the responsibility of that person to contact the Superintendent or his approved alternate or Managers, to act on the emergency accordingly.

The Crew Leader or Patrol Person will be responsible to contact the Superintendent, or his approved alternate, to arrange for additional operators and equipment, as may be required, to ensure that the roads are cleared of ice and snow in accordance with this plan.

#### **4.0 Winter Maintenance Program**

##### **4.1.0 The System Maintained**

The major activities related to winter maintenance are:

- snow plowing
- salt /sand application
- salt and sand storage
- snow removal snow storage
- sidewalk plowing and de-icing

The Corporation of the City of Temiskaming Shores is responsible for winter maintenance on:

Paved Roads	210 lane km
Surface Treated Roads	35.1 lane km
Unpaved Roads	172.2 lane km
Sidewalks	40.3 km*
Paths and Trails	9 km

**\*Note: Not all municipal sidewalks are maintained during Winter Operations, See Appendix B-01 and 02.**

For the purposes of this winter operations plan, the highways under the jurisdiction of the Corporation of the City of Temiskaming Shores have been classified (Class 2, 3,4, 5 & 6) as per the following table which is based on the Classification of Highways table included in O.Reg. 239/02 (as amended by O.Reg. 366/18).

### Classification of Highways

Average Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
	91 - 100	81 - 90	71 - 80	61 - 70	51 - 60	41 - 50	1 - 40
53,000 or more	1	1	1	1	1	1	1
23,000 – 52,999	1	1	1	2	2	2	2
15,000 – 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

For the purposes of the table above to this section, the average daily traffic on a highway or part of a highway under the jurisdiction of the Corporation of the City of Temiskaming Shores shall be determined:

- a. by counting and averaging the daily two-way traffic on the highway or part of the highway; or
- b. by estimating the average daily two-way traffic on the highway or part of the highway.

The table below summarizes the road system in the Corporation of the City of Temiskaming Shores as follows:

	Paved (L Km.)		Surface Treated (L Km.)		Unpaved (L Km.)	
	Rural	Urban	Rural	Urban	Rural	Urban
Class 1	0	0	0	0	0	0
Class 2	11.9	28.67	0	0	0	0
Class 3	12.12	7.13	3.22	0	0	0
Class 4	6.87	50.71	10.45	1.91	0	0
Class 5	4.29	77.54	0	11.14	40.9	11.34
Class 6	1.01	7.67	7.7	0.6	107.71	13.14

#### **4.2.0 Level of Service**

The Corporation of the City of Temiskaming Shores provides the following level of service during the winter maintenance season, in response to a winter event as described in O. Reg 239/02 and as amended by O. Reg 366/18.

##### **Patrolling**

- (1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section.
- (2) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions.
- (3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities.
- (4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. of the Regulation.

##### **Patrolling Frequency**

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

##### **Weather monitoring**

- (1) From October 1 to April 30, the minimum standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality.
- (2) From May 1 to September 30, the minimum standard is to monitor the

weather, both current and forecast to occur in the next 24 hours, once per calendar day.

**Snow accumulation, roadways**

- (1) The minimum standard for addressing snow accumulation on roadways is,
  - (a) after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table below, to deploy resources as soon as practicable to address the snow accumulation; and
  - (b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,
    - (i) to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or
    - (ii) on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres.
- (2) If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table below, the roadway is deemed to be in a state of repair with respect to snow accumulation.
- (3) For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under clause (1) (b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:
  1. Patrolling highways.
  2. Performing highway maintenance activities.
  3. Supervising staff who perform activities described in paragraph 1 or 2.
- (4) The depth of snow accumulation on a roadway and lane width may be determined by,
  - (a) performing an actual measurement;
  - (b) monitoring the weather; or
  - (c) performing a visual estimate.



- (5) For the purposes of this section, addressing snow accumulation on a roadway includes,
  - (a) plowing the roadway;
  - (b) salting the roadway;
  - (c) applying abrasive materials to the roadway;
  - (d) applying other chemical or organic agents to the roadway;
  - (e) any combination of the methods described in clauses (a) to (d).
- (6) This section does not apply to that portion of the roadway,
  - (a) designated for parking;
  - (b) consisting of a bicycle lane or other bicycle facility; or
  - (c) used by a municipality for snow storage.

**Snow Accumulation - Roadways**

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

**Snow accumulation, significant weather event**

- (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways until the declaration of the end of the significant weather event is,
  - (a) to monitor the weather in accordance with section 3.1 of the Regulation; and
  - (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on roadways, starting from the time that the municipality deems appropriate

to do so.

- (2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.
- (3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,
  - (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
  - (b) address snow accumulation on roadways in accordance with section 4. O. Reg. 366/18, s. 7.

#### **Ice formation on roadways and icy roadways**

- (1) The minimum standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:
  1. Monitor the weather in accordance with section 3.1 of the Regulation.
  2. Patrol in accordance with section 3 of the Regulation.
  3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway to prevent ice formation within the time set out in the Table to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose.
- (2) If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.
- (3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in the Table to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in the Table for treating the icy roadway expires after the

municipality becomes aware of the fact that a roadway is icy.

- (4) For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand.

**Ice Formation Prevention**

Class of Highway	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

**Treatment of Icy Roadways**

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

**Icy roadways, significant weather event**

- (1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways until the declaration of the end of the significant weather event is,
- (a) to monitor the weather in accordance with section 3.1; and
  - (b) if deemed practicable by the municipality, to deploy resources to treat icy roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 8.
- (2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 8.

- (3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,
  - (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
  - (b) treat icy roadways in accordance with section 5. O. Reg. 366/18, s. 8.

### **Snow accumulation on sidewalks**

- (1) Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,
  - a) to reduce the snow to a depth less than or equal to 8 centimetres within 48 hours; and
  - b) to provide a minimum sidewalk width of 1 metre. O. Reg. 366/18, s. 15.
- (2) If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 15.
- (3) If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends. O. Reg. 366/18, s. 15.
- (4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications. O. Reg. 366/18, s. 15.
- (5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,
  - (a) plowing the sidewalk;
  - (b) salting the sidewalk;
  - (c) applying abrasive materials to the sidewalk;
  - (d) applying other chemical or organic agents to the sidewalk; or
  - (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 15.

### **Snow accumulation on sidewalks, significant weather event**

- (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on sidewalks until the declaration of the end of the significant weather event is,
  - (a) to monitor the weather in accordance with section 3.1; and
  - (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.
- (2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.
- (3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,
  - (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
  - (b) address snow accumulation on sidewalks in accordance with section 16.3. O. Reg. 366/18, s. 15.

#### **Ice formation on sidewalks and icy sidewalks**

- (1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,
  - (a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and
  - (b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 15.
- (2) If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy. O. Reg. 366/18, s. 15.

- (3) The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated. O. Reg. 366/18, s. 15.
- (4) For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk. O. Reg. 366/18, s. 15.

**Icy sidewalks, significant weather event**

- (1) If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,
  - (a) to monitor the weather in accordance with section 3.1; and
  - (b) if deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.
- (2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48 hours after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.
- (3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,
  - (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
  - (b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5. O. Reg. 366/18, s. 15.

### **Winter sidewalk patrol**

- (1) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as representative of its sidewalks at intervals deemed necessary by the municipality. O. Reg. 366/18, s. 15.
- (2) Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk, and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for or performing roadway or sidewalk maintenance activities. O. Reg. 366/18, s. 15.

### **Closure of a highway**

- (1) When a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality. O. Reg. 366/18, s. 15.
- (2) For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,
  - (a) when a municipality passes a by-law to close the highway or part of the highway; and
  - (b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway. O. Reg. 366/18, s. 15.

### **Declaration of significant weather event**

A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the following ways:

1. By posting a notice on the municipality's website.
2. By making an announcement on a social media platform, such as Facebook or Twitter.
3. By sending a press release or similar communication to internet, newspaper, radio or television media.

4. By notification through the municipality's police service.
5. By any other notification method required in a by-law of the municipality. O. Reg. 366/18, s. 15.

#### **4.3.0 Winter Maintenance Season**

The winter maintenance season within which the Corporation of the City of Temiskaming Shores will perform winter highway maintenance commences **on or about November 1, 2024, and is completed on or about April 15, 2025.**

#### **4.4.0 Winter Preparations**

In the months prior to the start of the winter maintenance season, as identified in 4.3.0, the Corporation of the City of Temiskaming Shores undertakes the following tasks to prepare for the upcoming winter season.

##### **4.4.1 Prior to the Winter Season**

Prior to the winter season, if required, prepare and call tenders for the supply of materials (salt, sand, liquid), replacement parts (for plows, solid and liquid application equipment), value added meteorological services (VAMS) and contract equipment (plow trucks, spreader trucks, combination units). Prior to the winter season Corporation of the City of Temiskaming Shores will;

1. Conduct a mandatory training session for staff and contract operators where all policies, procedures, schedules, reporting procedures for callout, route maps, equipment training and safety precautions will be discussed. Any issues resulting from the meeting with regard to the policies, procedures, schedules, reporting procedures for callout, route maps, equipment training and safety precautions shall be resolved either at the meeting or prior to the winter season.
2. Train winter patrollers (or staff whose duties also include patrolling) on the route of representative roads to be patrolled between winter events, their duties during a winter event, recording keeping requirements and callout procedures and the de-icing chemicals to be applied for the forecast weather conditions.
3. Inspect equipment to ensure proper working order. Schedule and complete any and all equipment repairs
4. Arrange for the delivery of materials (salt, sand and liquid solution) and begin filling storage facilities. If liquid solution is mixed on site, begin mixing and filling storage tanks.



5. Confirm that all guiderail, catch basin, hazard and fire hydrant markers, if any, are in place. Any missing markers will be replaced prior to the winter session.

#### **4.4.2 One Month Prior to the Winter Season**

One month prior to the winter season Corporation of the City of Temiskaming Shores will;

1. Prepare the winter shift schedule in accordance with the municipality's collective agreement, if any.
2. Assign equipment to staff.
3. Calibrate material application equipment.
4. Allow operators (staff and contract) time to familiarize themselves with any new equipment, material application rates, material application equipment and their route (driving the route and noting obstacles along the route).
5. Assign staff to monitor weather forecasts on a daily basis. Assign night patrol shift if forecast indicates an overnight winter event is probable. The patrol person will be authorized to initiate a winter event response if conditions warrant a response.
6. Have 25 % of the fleet ready to respond to a winter event.
7. Have sufficient staff available to operate the fleet if conditions warrant a winter event response.

#### **4.4.3 Two Weeks Prior to the Winter Season**

Two weeks prior to the winter season the Corporation of the City of Temiskaming Shores will;

1. If required, begin regularly scheduled night patrol of representative roads that are maintenance Class 2 and 3 roads, as deemed necessary.
2. Review and discuss the winter shift schedule in accordance with the municipality's collective agreement, if any.
2. Have the required complement of the fleet ready to respond to a winter event.
3. Have staff available to operate the required complement of the fleet if conditions warrant a winter event response

#### 4.4.4 Start of the Winter Season

At the start of the winter season the Corporation of the City of Temiskaming Shores will;

1. Implement the winter shift schedule.
2. Begin patrolling representative roads in all maintenance classes.
3. Respond to winter events as per the winter operations plan.

#### 4.5.0 Winter Patrol

During the winter maintenance season, as identified in 4.3.0, the Corporation of the City of Temiskaming Shores carries out a winter patrol on a route of representative roads **twice daily, 7 days a week**. Between winter events a patrol of representative roads will occur during daylight hours and a second night patrol will be also be scheduled. The purpose of the patrol is to monitor and record weather and road conditions and mobilize winter maintenance operators and equipment should a winter event be observed and a winter event response is required. On the approach of a winter event or during a winter event the route of representative roads may be modified, insofar as reasonably practicable, depending on the type and severity of winter event or the direction from which the storm approaches.

The patrol person will be familiar with local conditions in their patrol area, and prepare a condition log of road and weather conditions as well as any actions taken during the shift. The winter patrol schedule parallels the designated winter season.

#### 4.6.0 Operations

##### 4.6.1 Staffing and Hours of Work

Four (4) regular crews for Public Works staff will be scheduled during the “Winter Operations Season” on a rotating basis. The winter maintenance season will commence on or about November 1<sup>st</sup> and finish on or about April 15<sup>th</sup> of each year. The start and finish dates of the winter maintenance season may be adjusted by management due to weather conditions.

Shift “ <b>D</b> ” Days	6:30 am to 3:00 pm
Shift “ <b>N</b> ” Nights	10:00 pm to 6:30 am
Shift “ <b>E</b> ” Evenings	3:00 pm to 11:30 pm

Crew	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	N	N	N	N	N	OFF	OFF
2	OFF	D,EP	D, EP	D, EP	D, EP	D, EP	OFF
3	DP, EP	D,	D	D	D	D, NP	NP
4	OFF	D,	D	D	D	D,	DP,EP

The Public Works staff will share the requirements of the winter maintenance shift duties. Each day and night shift (Sunday night to Friday day shift) should, at minimum, consist of one Heavy Equipment / Crew Leader, three Operators / Laborers and one Water / Sewer Operator. Evening and weekend patrol shifts shall consist of, at minimum, one Public Works staff person.

This schedule provides for 24 hours per day – 7 days per week operational coverage during the winter maintenance season and will improve response times during and after winter storm events.

A one-half hour lunch break will be provided beginning at 12:00 pm during the day shift and a ½ hour lunch break beginning at 3:00 am during the night shift and at 7:00 p.m. during the evening shift. All non-paid break periods do not include travel time to and from the work site.

From 6:30 am Monday to 3:00 pm Friday, the Road Superintendent or his approved alternate will provide the legislated road patrol requirements with the purpose of being informed of weather and roadway conditions.

From 3:01 pm Friday to 6:29 am Monday, the weekend day, evening and night shift Patrol Person or Heavy Equipment Operator / Crew Leader will provide the legislated road patrol requirements during their respective shifts with the purpose of being informed of weather and roadway conditions. These same Patrol Persons or Crew Leaders shall carry the “on-duty” cell phone and will respond to emergency calls. It is the responsibility of these individuals to contact to Superintendent or his approved alternate to arrange for additional operators, manpower or equipment as may be required.

A worker’s normal scheduled shift may be changed by a supervisor or his alternate at any time provided the supervisor or his alternate so advises the employee by no later than 4 hours after the completion of the employees last regularly scheduled shift.

Two, fifteen minute paid “coffee breaks” will be permitted through the shift period, the first break two hours after the shift start time and the other break two hours after the scheduled lunch break period. The fifteen-minute paid break period does not include travel time to and from the work site.

**4.6.1.1 Minimum Crew Size**

A minimum number of operators are required to ensure compliance with this winter operations plan. Therefore, restrictions on time off will be governed by the limitations of the following chart.

<b>Operator classification</b>	<b>Limitation</b>
Heavy Equipment Operator	1 of 4
Equipment Operator	4 of 12
Water/Sewer Operators	2 of 4
Equipment Mechanic	1 of 2
Supervisors and Clerk	2 of 4

- But no more than two workers off per shift crew.

This limitation on time off will allow for a total of 14 workers available to deal with winter events. The supervisor will determine the need to re-schedule worker’s shifts, if workers need to be held back on overtime or called-in so that the Public Works Department can provide for the necessary operators for a full winter event response. The use of part-time workers, supervisors and mechanics is available only as provided for in the current Collective Agreement.

**4.6.1.2 Contracts**

Contractors will be hired or contracted for winter maintenance operations to assist and/or supplement;

- Snow Removal and Hauling Operations

**4.6.2 Winter Materials used Annually**

**Materials Used Annually**

<b>Year</b>	<b>Rock Salt</b>	<b>Winter Sand</b>
2005	\$81,400	\$56,200
2006	\$35,200	\$73,600
2007	\$78,500	\$87,900
2008	\$106,400	\$90,250
2009	\$74,369	\$77,618
2010	\$95,102	\$64,922
2011	\$107,206	\$95,752
2012	\$125,965	\$75,440
2013	\$177,382	\$66,586
2014	\$177,185	\$100,143

2015	\$146,758	\$73,012
2016	\$203,737	\$79,914
2017	\$178,245	\$81,785
2018	\$238,672	\$84,050
2019	\$193,915	\$143,808
2021	\$151,390	\$58,770
2022	\$244,153	\$93,533
2023	\$263,661	\$133,224

### 4.6.3 Application Rates

#### 4.6.3.1 Winter Sand

Winter sand is applied to provide grit and traction on snow and ice and is typically used in weather conditions where the temperature is colder than -10C, on low volume roads and gravel roads where salt is not an option. The Ministry of Transportation has performed tests and has shown that the application of winter sand improves greatly the stopping distance of vehicles and improves safety of vehicular traffic.

Winter sand contains a measure of salt to prevent freezing of the material and to allow the material to smoothly flow out of the spreader units. The Ministry of Transportation standard is to produce winter sand between 3% to 5% sand/salt mix, which is the minimum amount of salt that the Ministry has determined is required to prevent freezing of the sand. The Ministry standard for the application of winter sand is 570 kg / 2-lane km.

However, in the City of Temiskaming Shores practice has been to apply a sand/salt mix based on operator experience. Intersections and hills get a higher application rate for safety reasons and low volume flat residential areas get a lower application rate. The city does not have electronic spreader controls in their sander units and therefore does not accurately know the exact rates of winter sand applied.

The City presently uses a 4% salt/sand mix ratio in its winter sand.

#### 4.6.3.2 Salt

Most road authorities do not recommend the use of crushed rock salt when the ambient temperature is below -12C, although salt may be used down to -18C if strong sunlight is providing higher surface temperatures. The eutectic temperature of salt is -21C but as this

temperature is approached the melting action becomes very slow. Ten times as much snow can be melted by a kg of salt at -1C as at -12C.

The need for treatment at -12C is much less than at temperatures closer to the freezing mark as tests have shown that an automobile will stop 25 meters earlier on glare ice at -12C than the same glare ice at -1C.

The City of Temiskaming Shores policy is to apply salt for Winter Control Services at an application rate of 131 kg / 2-lane km. This rate of salt application is consistent with the lower end of the 130 to 170 kg / 2-lane km recommended by the Ministry of Transportation.

The greatest majority of salt applied to city roads is done on the secondary highways and high traffic roads, which are mostly included in Route "I". The City's vehicle does not have electronic controls and therefore salt is applied through a manual setting based on operator experience.

#### 4.6.4 Equipment – Winter Maintenance Fleet

The Public Works Department will continuously identify and assess new and innovative technologies to improve snow removal efficiency and significantly reduce the amount of road salts being applied to the roads.

New equipment purchases should investigate innovative practices and demonstrate the City's commitment to the safety of road users and the protection of the environment. Through product innovation, operators can continue making consistent decisions to achieve desired objectives.

The following table provides a list of municipal equipment used in the plowing and sanding operations for the city.

**Winter Equipment Inventory**

Unit	Year	Make	Model	Box Type	Spreader Type	Route
23	2014	International	7600	U Body	Electronic	C - Ilby-Country
24	2018	Freightliner	114SD	U Body	Electronic	H – Dymond East
25	2016	Freightliner	108SD	U Body	Electronic	Sander-South
26	2018	Freightliner	114SD	U Body	Electronic	G - Dymond West
27	2016	Freightliner	108SD	U Body	Electronic	Sander-North

31	2019	International	HV613	U Body	Electronic	I - Highway
40	2016	Trackless	MT6	Hopper	Electronic	Sidewalk South
41	2018	Trackless	MT7	Hopper	Electronic	Spare
42	2009	Trackless	MT6	Hopper	Electronic	Sidewalk North
43R	Rental			N/A	N/A	A -Hlby-South
45	2011	John Deere	772GP	N/A	N/A	F - NL-North
52 R	Rental			N/A	N/A	E - NL-Center
61 R	Rental			N/A	N/A	D – NL - South
63	2012	John Deere	772G	N/A	N/A	B – Hlby North

#### 4.6.5 Yard Facilities

##### Winter Material Storage Capacities

Site	Rock Salt (t)	Winter Sand (t)	Covered Area
New Liskeard	250	5000	No
Dymond	Nil	1000	Yes
Haileybury	450	3000/2000	Yes / No

City staff is based primarily out of the main complex yard based at 200 Lakeshore Road, New Liskeard to provide Winter Maintenance Services. The north section, formerly known as Dymond may be dispatched from the Dymond Yard located at 181 Drive-in Theatre Road. The middle section, formerly known as New Liskeard is serviced out of the New Liskeard Yard located at 200 Lakeshore Road. The southern section, formerly known as Haileybury may be dispatched out of the Haileybury Yard located at 500 Broadway Street and a materials storage yard located on View Street.

The Superintendent will endeavor to schedule the next shifts work assignments by 2:30 pm each day. Workers are responsible to travel to their assigned work start locations. If a change occurs in a worker’s assigned start location and the worker is not given advance notice and reports for work at the main complex yard, transportation to the new work start location will be provided from the main complex yard.

Evening Patrols (3:00 p.m. to 11:30 p.m.) commence at the New Lisheard Yard in November and service the entire city's transportation network. City staff is called in to perform work on an as-required basis until the end of April. The day shift is from 6:30 am to 3:00 pm and the night shift is from 11:00 pm to 7:30 am. In the event of a major storm requiring continuous equipment operations, equipment operators from the day shift may be re-scheduled. The evening shift may require additional help to ensure the safety of the transportation network.

#### **4.6.6 Roadway De-icing and Sanding**

Roadway de-icing and/or sanding needs initiate the winter maintenance operations when the first effects of a storm are felt in order to provide traction for traffic until the depth of snow has reached the operations start trigger, at which time plowing operations typically commence.

Road Supervisors are allowed some latitude regarding frequency and timing of salt and grit applications. Application rates have been harmonized across the City. These settings were established through past practices within our urban environment.

Salt placement will be on the crown or high side of the driving surface where there is a good cross fall allowing traffic to distribute the resulting brine over the road.

There are some road authorities that are beginning to use liquid de-icing chemicals in addition to solid salt. Literature and practice show that salt performance can be improved with liquids. However, one must be cautious when introducing such techniques. To date, established city practices do not include straight liquid chemical techniques.

The City of Temiskaming Shores present guideline is to apply a solid de-icer once snow starts to accumulate or "stick" on arterial roads. Timely application of chemicals is critical to preventing snow from sticking to roads. Without the timely application of chemicals, snow could easily bond to roads and, in turn, become difficult to plow, potentially causing road hazards. As snow accumulates, it is plowed to maintain safe driving conditions.

During and upon completion of winter maintenance operations, a daily log is maintained and updated, indicating roadway winter maintenance activities carried out.

#### **4.6.7 Snow Plowing**

Plowing and de-icing/sanding continue, with respect to each class of roadway, in accordance with its classification and level of service standard.



The plowing route maps included in the appendices identify the roadways to be cleared and the classification of each roadway section.

During the regular Monday to Friday, day or night shifts, winter maintenance procedures will be initiated by the Road Superintendent or his alternate based on existing and forecasted weather and road conditions. Monitoring of weather forecasts, patrol reports and other information, as may be available, may allow preparations for winter maintenance operations to be initiated prior to the beginning of an actual event.

During the evening shift, night shift, weekend shifts or on a statutory holiday, winter maintenance procedures will be initiated by the Patrol Person or Heavy Equipment Operator/Crew Leader designated. The designated Patrol Person or Heavy Equipment Operator/Crew Leader will be responsible for roadway patrol to inform him of changing road and weather conditions and he will make the appropriate call to the Superintendent or his approved alternate, to arrange for additional manpower, operators or equipment as required.

#### 4.6.8 Snow Removal and Disposal

As a result of snow plowing operations, snow accumulates at the side of roads as windrows or mounds. The City starts snow removal operations when these windrows reach volumes that create a nuisance or hazard to pedestrians and motorists and to maintain capacity for subsequent snowfalls.

The objective is to commence removal operations in **Priority 1** locations as soon as practicable after becoming aware that the snow bank accumulation is greater than **60 cm** and **120 cm** in **Priority 2** locations.

Experience over the years has shown that the City has the capability and capacity to remove and dispose of 2700 cubic meters of snow per night shift. One average snowstorm requires three-night shifts to complete all required removal work in approved designated areas.

Snow removal involves the use of in-house snow blowers, front-end loaders, motor graders and city owned dump trucks as well as contracted dump trucks.

#### List of Snow Storage Areas

Site	Location	Area	Volume
1	Shepherdson Road	New Liskeard	71,000
2	Craven Drive *	New Liskeard	34,000
3	Birch Drive Ravine	New Liskeard	3,900
4	Bay Street	New Liskeard	25,000
5	Montgomery Street North	New Liskeard	9,700

6	Montgomery Street South	New Liskeard	4,500
7	Dawson Point Road	New Liskeard	44,000
8	Haliburton Street Ravine	New Liskeard	700
9	Pine Street Ravine	New Liskeard	900
10	Sharpe St	New Liskeard	
11	Laurette Street	Dymond	10,000
12	Morissette Drive South	Haileybury	47,000
13	Lakeview Street	Haileybury	25,500
14	Groom Drive	Haileybury	6,000
15	Morissette Drive North	Haileybury	12,900

**Note:** New Liskeard has a maximum capacity of 192,700 cubic meters, Dymond has 24,600 cubic meters and Haileybury has 97,000 cubic meters. The total available storage area for the City is 323,000 cubic meters.

#### **4.6.8.1 City By-laws and Ordinances**

There are two bylaws used extensively by the Public Works Department during winter maintenance operations; Traffic By-law and Snow Disposal By-law, excerpts are included in Appendix “F”.

#### **4.6.9 Sidewalk Service Standards**

Sidewalks are classified in accordance with the associated pedestrian traffic and proximity to schools, seniors’ buildings, downtown business areas and high-volume roadways.

The objective is to make the sidewalk as safe as possible, to be reached as soon as possible, after a storm has ended, and normally within (24) hours. The trigger to start plowing operations is 10 cm snow accumulation.

The objective is to treat the icy sidewalk as soon as practicable after becoming aware that the sidewalk is icy, and is accordance with the standard.

There are two maps included in the Appendix “B” that specify which sidewalks have been approved for winter maintenance. Those not shown as being maintained are considered to be closed for the period covered by the Winter Operations Plan.

#### **4.6.10 Parking Lot Service Standards**

Parking lots/laneways are classified in accordance with the associated vehicular traffic and proximity to downtown business areas and municipal buildings.

The objective is to make the parking lot as safe as possible, to be reached as soon as possible, after a storm has ended, and normally within (48) hours. Staff priority will be given to plowing and sanding/salting roadways and sidewalks.

The objective is to treat the icy parking lots/laneways as soon as practicable after becoming aware that the parking lot/laneway is icy, and normally within (16) hours.

There are three maps included in the Appendix "C" that specify which parking lots/laneways have been approved for winter maintenance.

#### **4.6.11 Vulnerable Areas**

Currently the salt vulnerable areas within the City of Temiskaming Shores have been identified as:

- The Wabi River particularly at low flow (flows in the Wabi River are controlled by the South Temiskaming Dam and impacts from the discharge of salt laden run off could be more pronounced during these periods);
- Lake Temiskaming
- Moose Creek
- South Wabi Creek
- Mill Creek
- Dickson Creek
- Areas associated with groundwater recharge zones or shallow water table, with medium to high permeability soils; and
- Salt vulnerable vegetation along roadways.

Reducing salt-laden runoff to these areas will be the result of successfully implementing the 4-R's of Salt Management: right material, right amount, right time, right place.

#### **4.6.12 Weather Monitoring**

- (1) From October 1 to April 30, the minimum standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality.
- (2) From May 1 to September 30, the minimum standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day.

In order to determine an effective winter event response and allocate the appropriate resources the Corporation of the City of Temiskaming Shores supplements road patrol information with weather information from various sources which includes:

- Observations from municipal staff, communication with staff of adjacent municipalities and MTO contractors.
- Monitoring websites [www.theweathernetwork.com](http://www.theweathernetwork.com)
- Staff monitoring pavement temperatures by means of on-board infrared thermometers which are mounted on the patrol and other trucks, and;
- Local Radio Station - CJTT FM 104.5

#### **4.6.13 Communications**

All Public Works Department winter maintenance vehicles are equipped with high band radios capable of transmitting and receiving on the following frequencies: transmitting – 170.490 and receiving – 165.885 mhz. Each vehicle is assigned a unique call number and can communicate with other city Public Works vehicles, the Superintendents and the Public Works Clerk located at the Operation Division yard at 200 Lakeshore Road.

Reporting hazards and accidents to the Police, Fire or Ambulance Services can be accomplished through the Public Works Clerk.

The City provides a call service which serves as the main hub for in/outgoing calls from staff, emergency services and the general public

The Call Service:

- Can be reached by calling (705) 647-6220 during business hours
- Can be reached by calling (705) 648-5575 after business hours
- Typical call timings (during winter season) are 24 hours. (Transferred to Patrol Persons Cellular Phone after Regular Hours)
- Is in operation (during winter season) 7 days a week.
- Municipality communicates important information to the public via:
  - CJTT 104.5 FM Radio
  - City Website - [www.temiskamingshores.ca](http://www.temiskamingshores.ca)
  - Public Works Facebook Page

#### 4.6.14 Call Out Procedures

Operational decisions will be made by the Superintendent of Transportation Services or his/her designate with the aid of available forecasting, Level of Service policy, patrolling etc. However, it should be emphasized that decisions will be subjective and external input, whether in this plan or elsewhere, merely acts as an aid in determining if a call out of staff and equipment by the Supervisor or Patrol Person to respond to a winter event is warranted. It is vital therefore that the Supervisor or Patrol Person records the prevalent conditions and relevant information when he/she makes a decision.

The Patrol Person shall inform the Supervisor of changing of road and weather conditions observed in the field. When a winter event response is required the Supervisor or his/her designate will contact the Crew Leader by radio or cellular phone. The Supervisor or his/her designate will contact staff as per the shift schedule and direction given by the Supervisor or his/her designate. In the absence of the Superintendent, the Superintendent of Environmental Services, Manager of Environmental Services or the Manager of Transportation Services shall be his/her designate and initiate a call out in response to a winter event.

**Call-out Chart**

Forecast	Call-out Response			
	Class 2	Class 3	Class 4	Class 5
Storm Severity Less than 10 cm	Call-out plow operations near end of storm or when <b>5 cm</b> of snowfall has accumulated  If roads become slippery combination sander unit shall apply salt and/or sand as road temperature dictates.	Call-out plow operations near end of storm or when <b>8 cm</b> of snowfall has accumulated and maintain collector routes with plow / spreader combination unit.  No call-out of sander unless roads become slippery	Call-out plow operations near end of storm only if <b>8 cm</b> of snow fall has accumulated and maintain collector routes with plow / spreader combination unit.  No call-out of sander unless roads become slippery	Call-out plow operations near end of storm only if <b>10 cm</b> of snowfall has accumulated  No call-out of sander unless roads become slippery
More than 10 cm	Call-out plow operations when <b>5 cm</b> of snow has accumulated.  If roads become slippery combination sander unit shall apply salt and/or sand as road temperature dictates.	Call-out plow operations when <b>8 cm</b> of snow has accumulated. Re-schedule a full plow call-out shift for the next morning. No call-out of sander unless roads become slippery	Call-out plow operations when <b>8 cm</b> of snow has accumulated. Re-schedule a full plow call-out shift for the next morning. No call-out of sander unless roads become slippery	Call-out plow/spreader truck when <b>10 cm</b> of snow has accumulated. Reschedule a full plow call-out shift for the next morning. No call-out of sander unless roads become slippery
Sleet and freezing rain	Call-out combination plow/sander units if road conditions permit	Call-out sander if road conditions permit	Call-out sander if road conditions permit	Call-out sander if road conditions permit

#### **4.6.15 Road Closure Procedure**

In the event a specific road must be closed due to a severe winter storm, appropriate signs will be placed to close the road. Rb-92 Road Closed Signs on portable stands, TC-54 flexible drums and barricades will be available at the New Liskeard Main Complex.

Upon receiving a request from the Ontario Provincial Police or the Manager of Transportation Services to close a road to traffic, the Supervisor or his/her designate will organize manpower and equipment to place the signs and barricades. The Supervisor or his/her designate will contact the Works Clerk and request that a media release (Appendix E) be sent to the local news and radio stations advising of the road closure.

Roads will be deemed to be closed once the signs and barricades are placed. When it is physically impossible to place signs and barricades to close a road, the Supervisor or his/her designate will advise the Ontario Provincial Police and the Manager of Transportation Services of the situation and arrange to send the media release.

#### **4.7.0 Decommissioning Winter Operations**

After the winter season (identified in 4.3.0) expires Corporation of the City of Temiskaming Shores undertakes the following tasks to decommission winter operations.

##### **4.7.1 Two Weeks After the Winter Season Ends**

Two weeks after the winter season ends;

1. Cease regularly scheduled winter night patrols;
2. Continue monitoring weather forecasts. Assign night patrol shift if forecast indicates an overnight winter event is probable.
3. Decommission 50 % of the fleet.

##### **4.7.2 One Month After the Winter Season Ends**

One month after the winter season ends;

1. Cease all winter highway maintenance operations
2. Decommission the remainder of the equipment providing weather forecasts warrant the decommissioning.

#### **4.8.0 Training**

The Corporation of the City of Temiskaming Shores will maintain a comprehensive winter maintenance training program that demonstrates the purpose and value of new and existing procedures and ensure that personnel are competent to carry out their duties.

All Public Works Department staff directly involved in winter maintenance will be required to participate in courses to provide assurance of the competency level for all operators.

The Winter Operations Training program is comprised of the following modules:

- Equipment Circle Check
- Equipment Calibration
- Record Keeping
- Health and Safety
- Level of Service - policies, practices and procedures
- Identification of Plow Routes - including variations for year to year and issues identified along the route
- De-icing chemicals - application rates, storage and handling
- Identification of road salt vulnerable areas and the procedures to follow in those areas
- Yard and Equipment maintenance

#### **4.9.0 Record Keeping**

Full and accurate completion of the documents listed below, according to the applicable procedures, ensures that the municipality is protected from liability by providing solid documentation that procedures have been followed.

The Public Works Department will maintain an annual log that contains total quantities of sand and salt usage along with weather data reports. Shift reports shall comprise of the following:

The date will be recorded as Day/Month/Year. It will be written in a numerical format (dd/mm/yy). The time shall be documented using the 24-hour clock format, and will be notarized (print and sign name) by the person(s) completing the report.

- (a) Areas maintained;
- (b) Material used (sand and/or salt);

- (c) Quantities of material used;
- (d) Shift hours; and
- (e) Pavement and air temperature

Always retain the original copy of documents regardless of their appearance. Writing must be legible for others to read and written in ink. Stains or dirt on the documents is not an issue. If a document requires correction then a line is to be placed through the incorrect information without making it illegible and continue writing on the original document. Initial corrections or change in the colour of ink in a case where you change writing pens.

Records will be completed daily and forwarded to the Works Clerk upon completion, for retention.

## **5.0 Plan Improvement**

The current winter maintenance policies, practices and procedures form the baseline or benchmark upon which improvements can be made to improve winter operations and/or the use and management of road salt. This list will be reviewed and updated annually.

## **6.0 Monitoring and Updating**

The purpose of monitoring and updating is to provide a basis for continuous improvement of the winter operations plan and the winter maintenance policies, practices and procedures of the Corporation of the City of Temiskaming Shores.

At the end of the winter season, as identified in 4.3.0, a meeting to review winter operations will be held each year with all winter operations staff to itemize all issues that arose during the winter season and discuss how these issues may be resolved. Prior to the start of the next winter season and with sufficient lead time to implement any changes, the Corporation of the City of Temiskaming Shores shall train staff on the changes to equipment and/or winter maintenance policies, practices, and procedures.

The winter season of 2015/16 will be the benchmark year. Year over year achievement using the performance measures listed below will be measured against said benchmark year. Performance measures will be used to determine whether or not the objectives of the Winter Operations Plan and/or winter maintenance policies, practices, and procedures have been met.

Monitoring the severity of the winter season:

- % change (+/-) in the total annual cm of snow accumulation from the benchmark year



- % change (+/-) in the total number of days with measurable snowfall from the benchmark year
- % change (+/-) in the total number of days with freezing rain from the benchmark year
- % change (+/-) in the total number of continuous winter event responses from the benchmark year
- % change (+/-) in the total number of spot winter event response from the benchmark year

Monitoring the salt used:

- % change (+/-) in the total number of winter event hours from the benchmark year
- % change (+/-) in the total tonnes of salt purchased annually from the benchmark year
- % of applications where discharge rates exceeded
- % change (+/-) in the total tonnes of salt applied annually per system km per winter event

Ensuring customer satisfaction:

- % change (+/-) in the total number of winter event responses that meet or exceed the level of service policy from the benchmark year
- % change (+/-) in the total number of complaints received regarding winter operations from the benchmark year

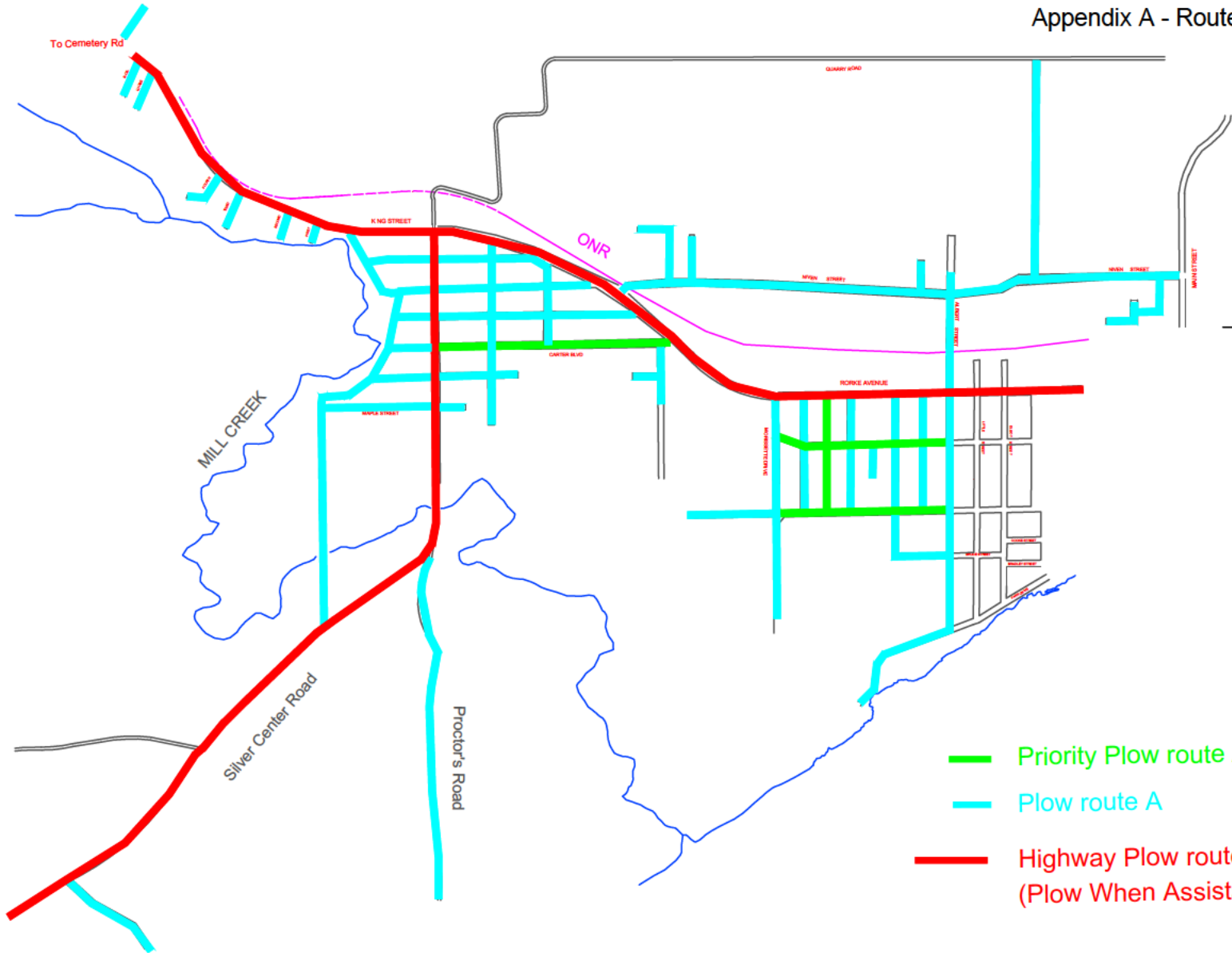
**7.0 Notes**




- It is acknowledged that conditions may occur which temporarily prevent achieving the levels of service as detailed in this document. In such cases, attempts will be made to keep Class 2 & 3 roads as clear as possible by utilizing all maintenance equipment at maximum efficiency.
- Winter operations will continue until the prescribed level of service is achieved where conditions permit. Should conditions not permit accomplishment of the prescribed level of service, operations shall continue as required to maintain as good a driving service as possible.
- The order of priority for winter maintenance operations during a storm is Class 2 through Class 6 roads and Priority 1 then Priority 2 sidewalks. Sidewalks will be plowed at the same time as roads if and whenever possible.

## Appendix A – Plow Routes

# Appendix A - Route A Haileybury South

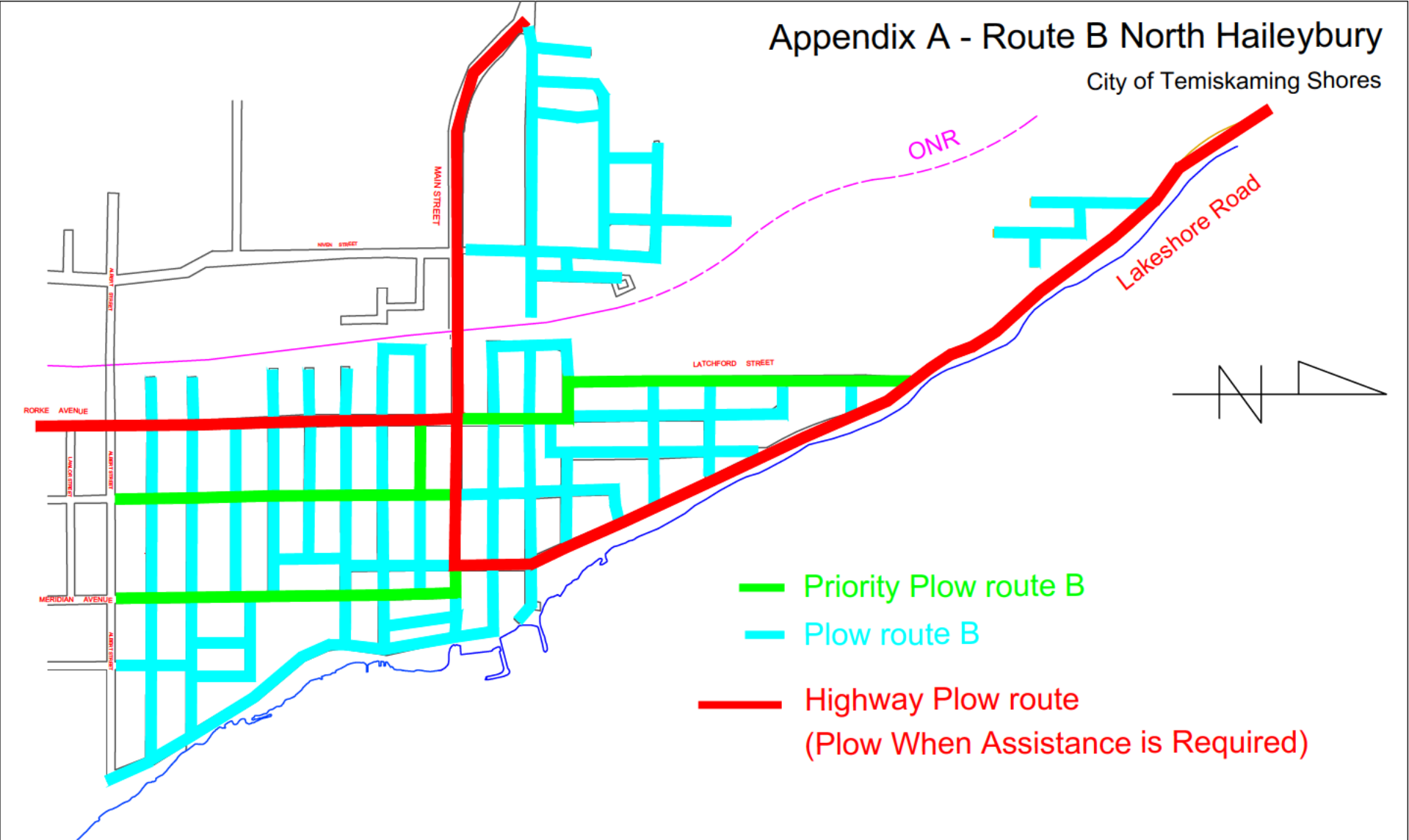
City of Temiskaming Shores



-  Priority Plow route A
-  Plow route A
-  Highway Plow route  
(Plow When Assistance is Required)

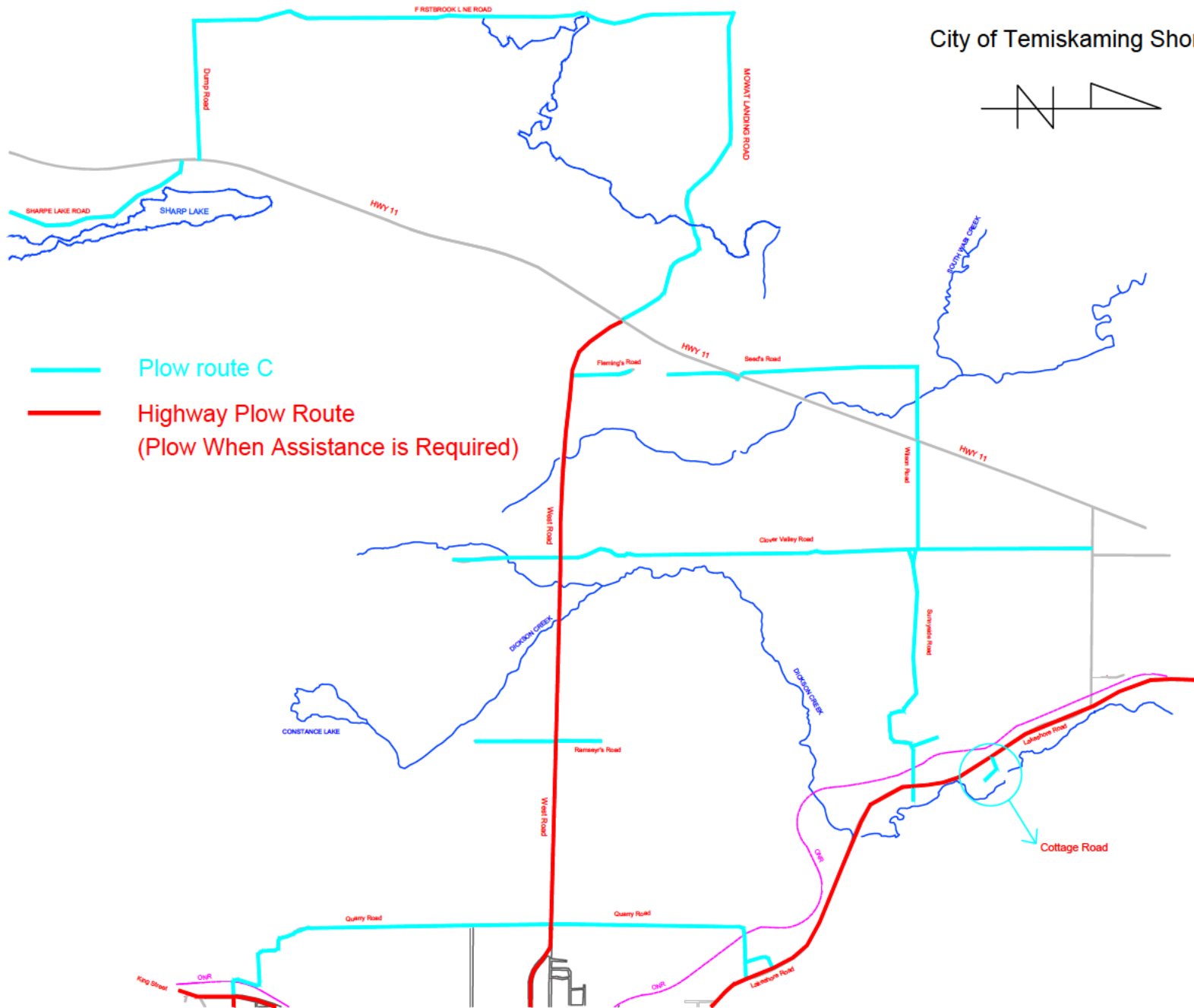
# Appendix A - Route B North Haileybury

City of Temiskaming Shores



# Appendix A - Route C West Haileybury

City of Temiskaming Shores



- Plow route C
- Highway Plow Route  
(Plow When Assistance is Required)



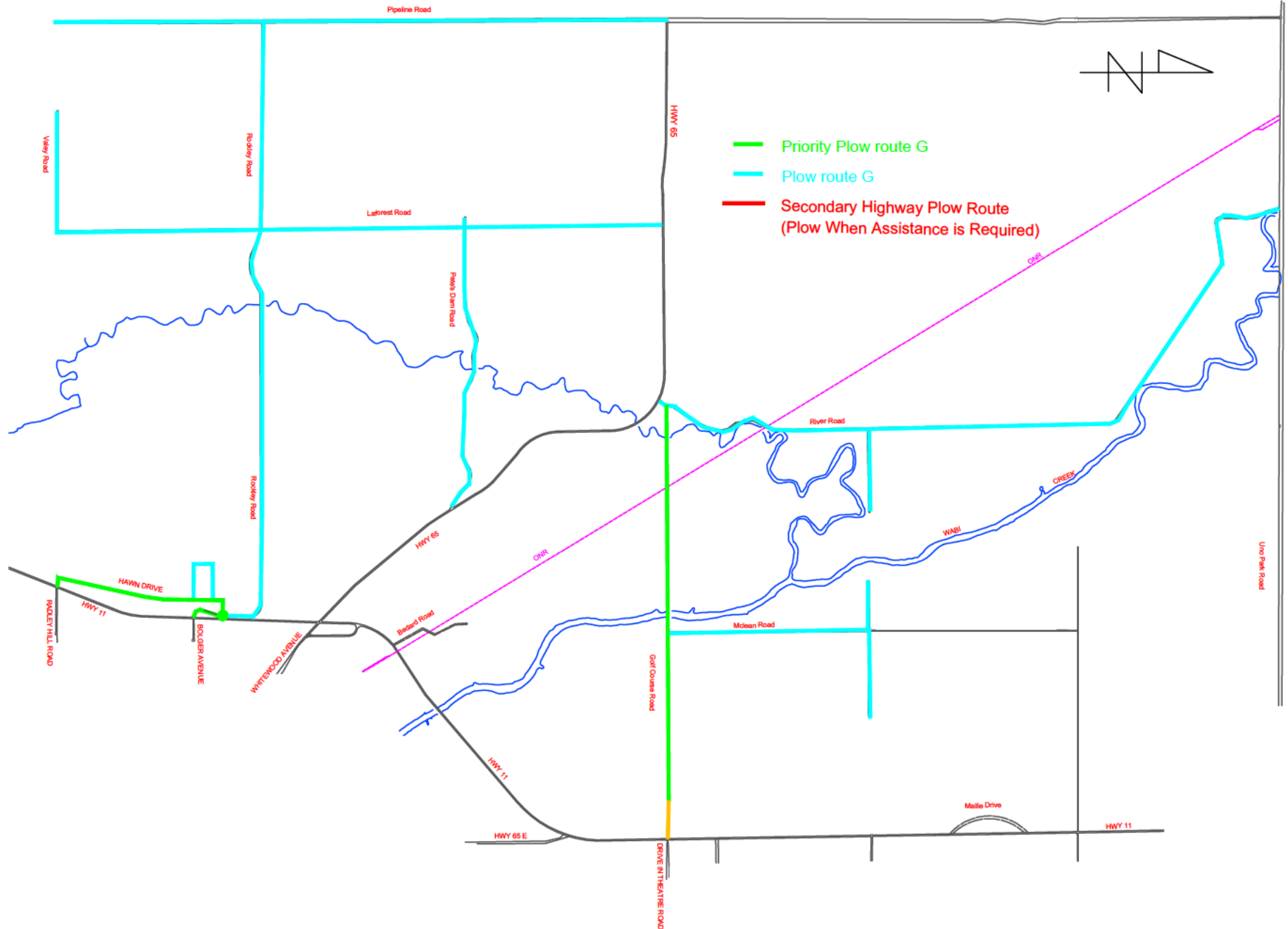






# Appendix A - Route G West Dymond

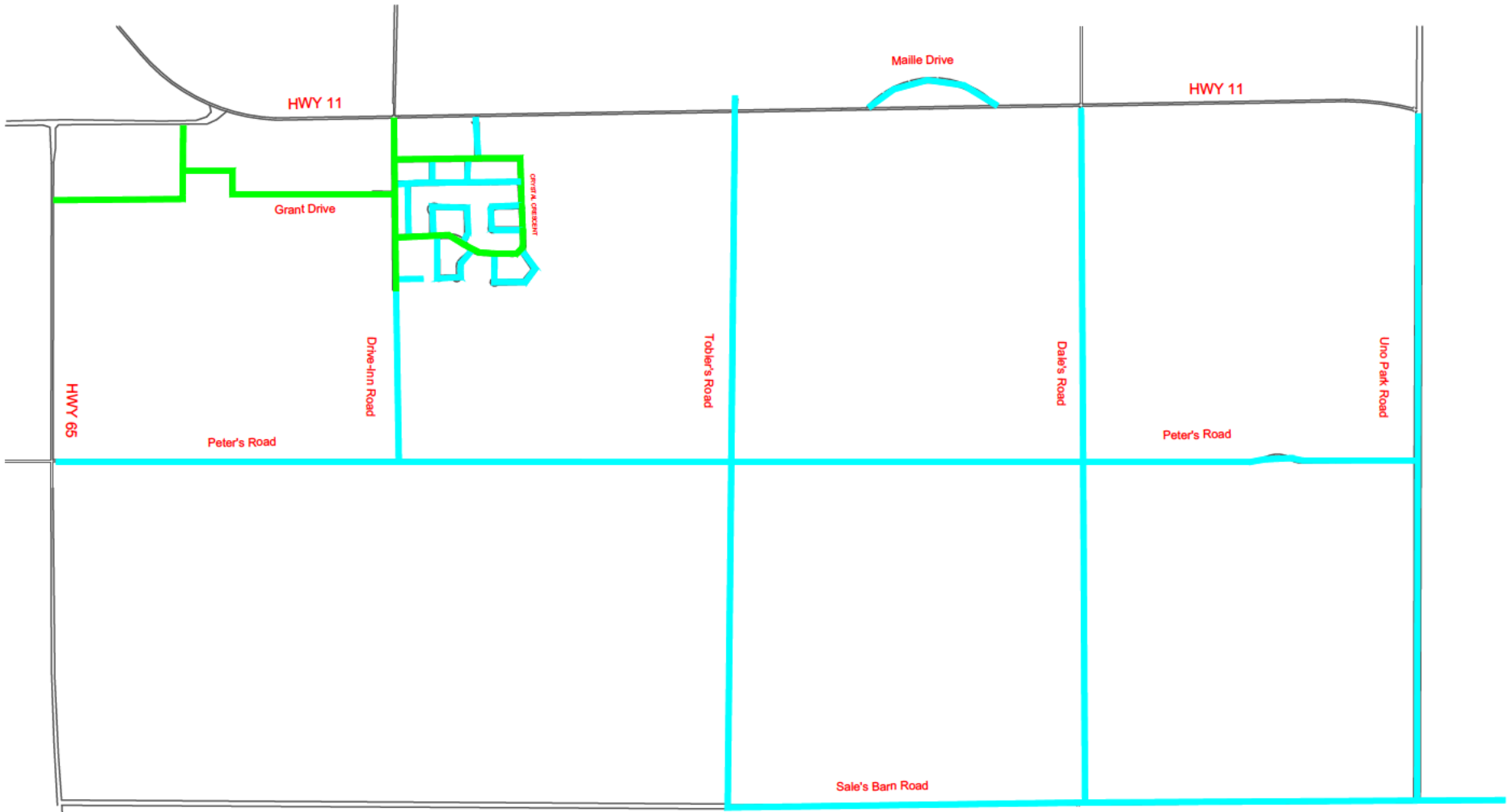
City of Temiskaming Shores



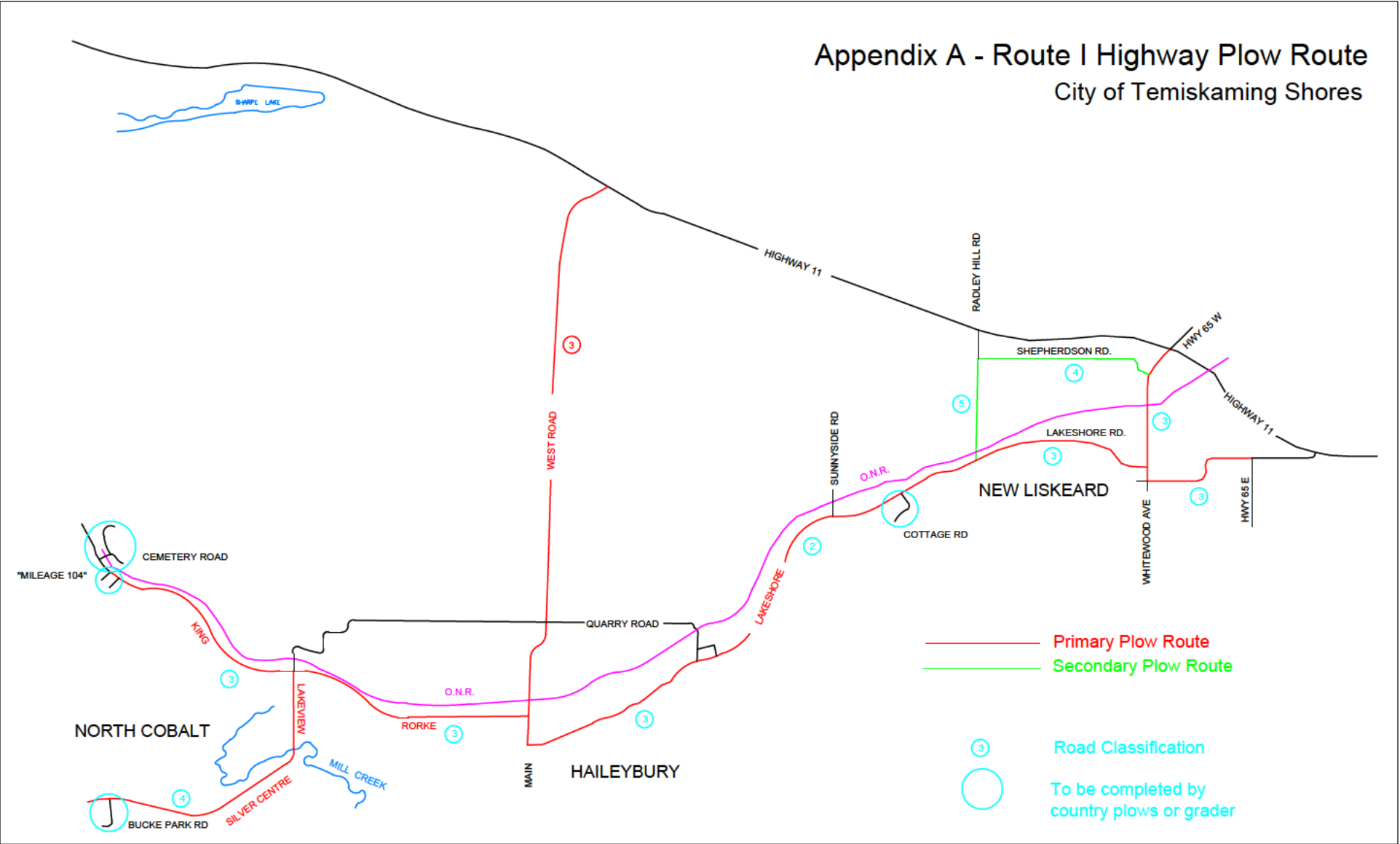
# Appendix A - Route H East Dymond

City of Temiskaming Shores

- Priority Plow route H
- Plow route H

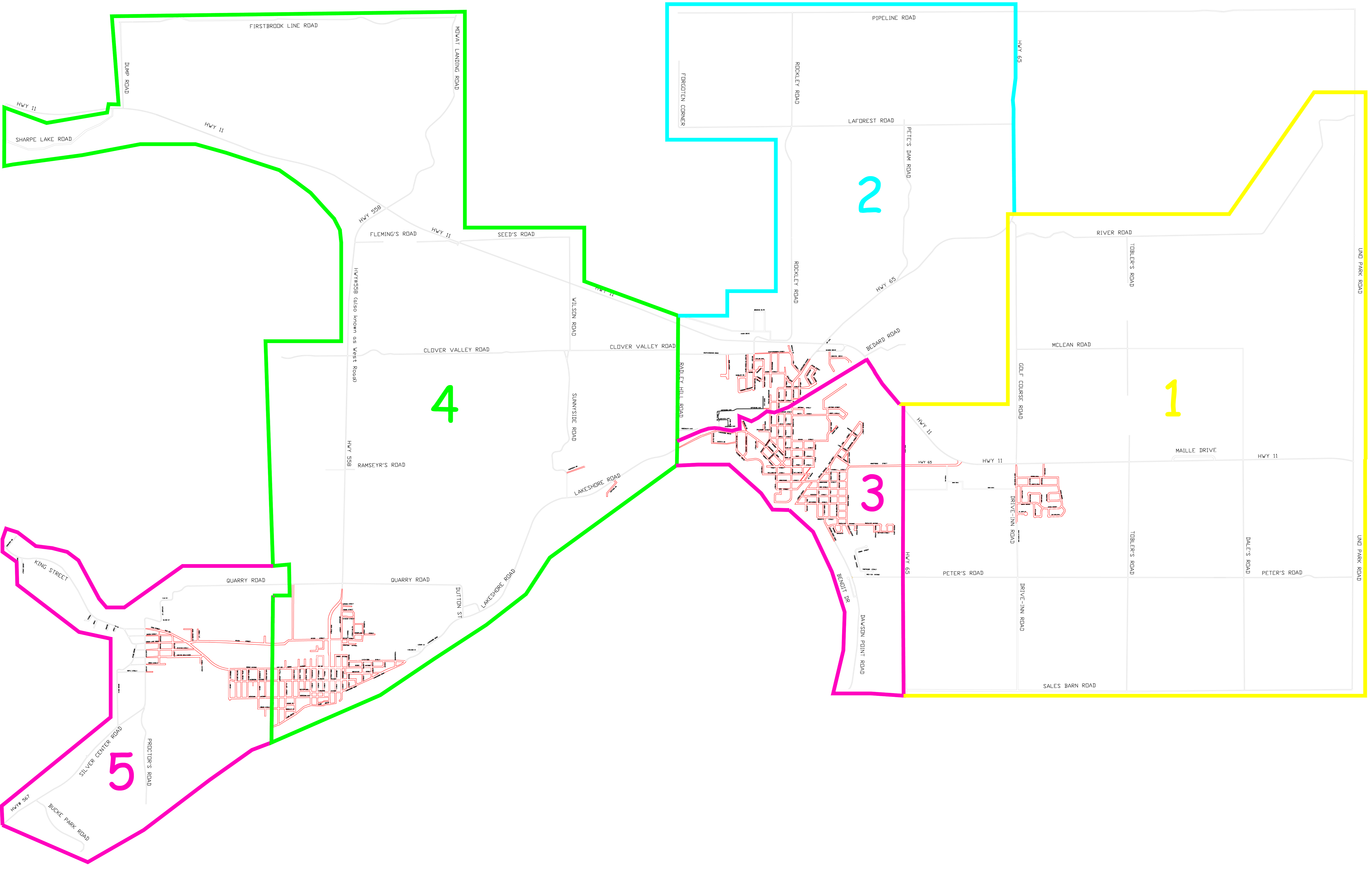


# Appendix A - Route I Highway Plow Route City of Temiskaming Shores



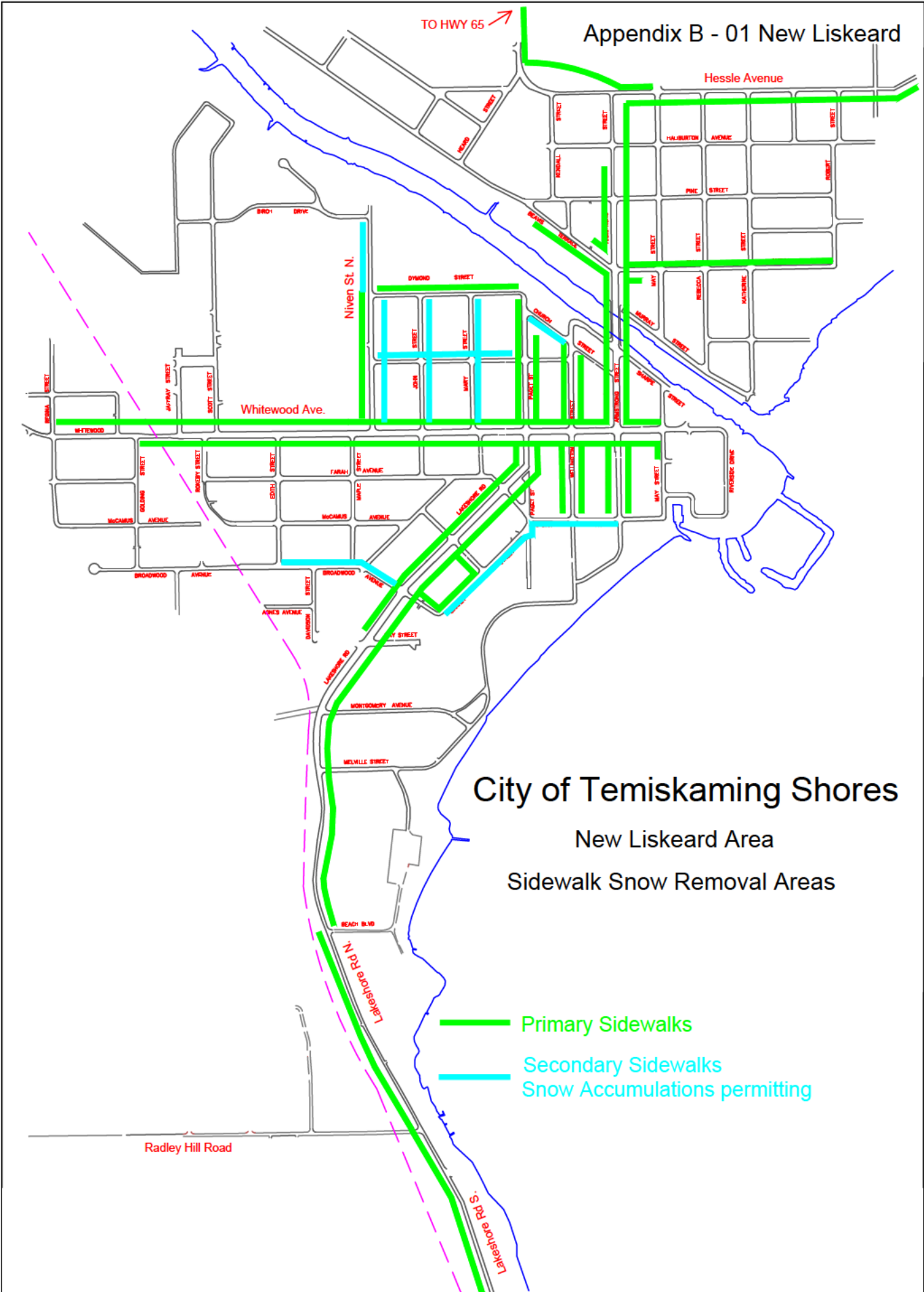
Primary Plow Route  
Secondary Plow Route

3 Road Classification  
To be completed by country plows or grader



## Appendix B – Sidewalk Routes



# Appendix B - 01 New Liskeard



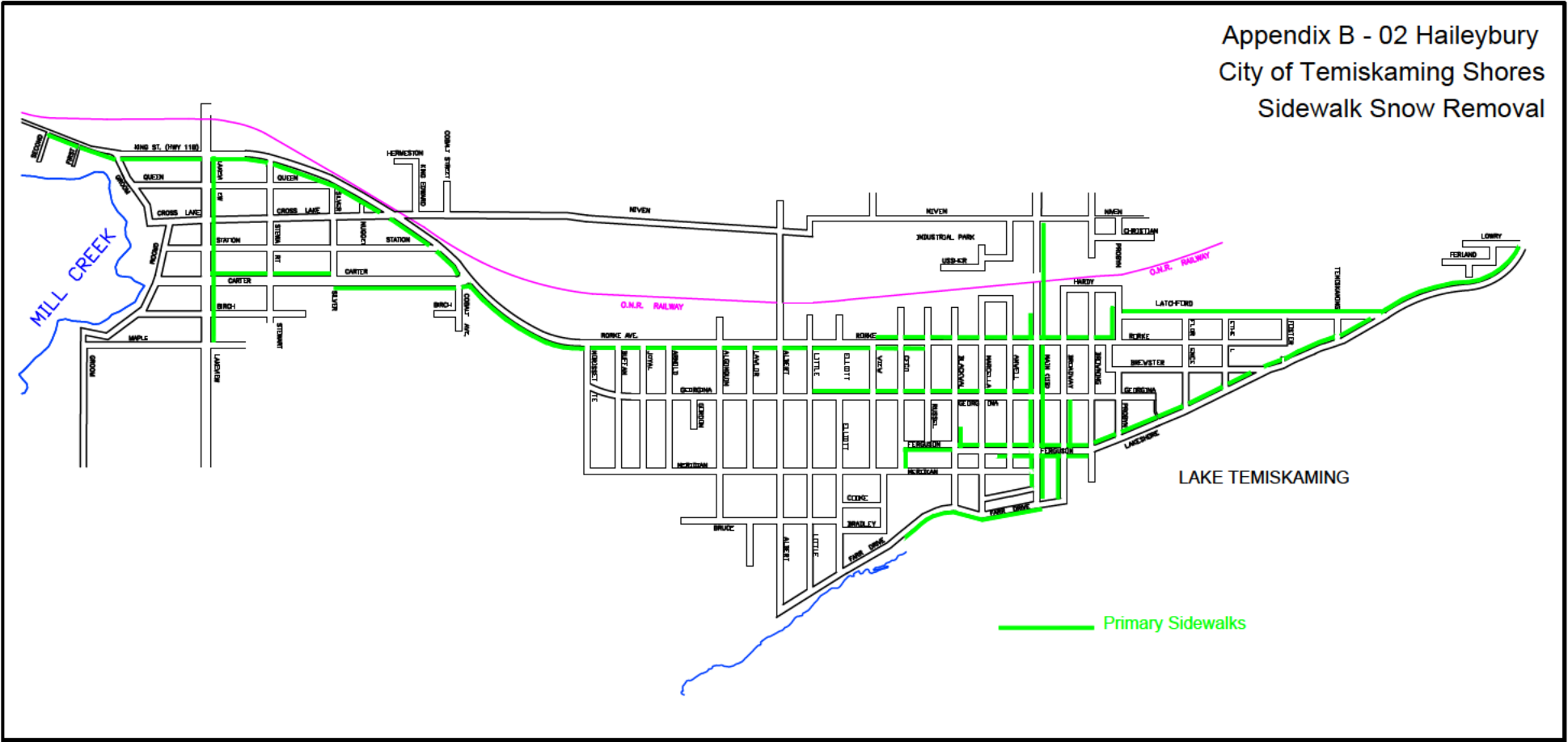
## City of Temiskaming Shores

New Liskeard Area

Sidewalk Snow Removal Areas

-  Primary Sidewalks
-  Secondary Sidewalks  
Snow Accumulations permitting

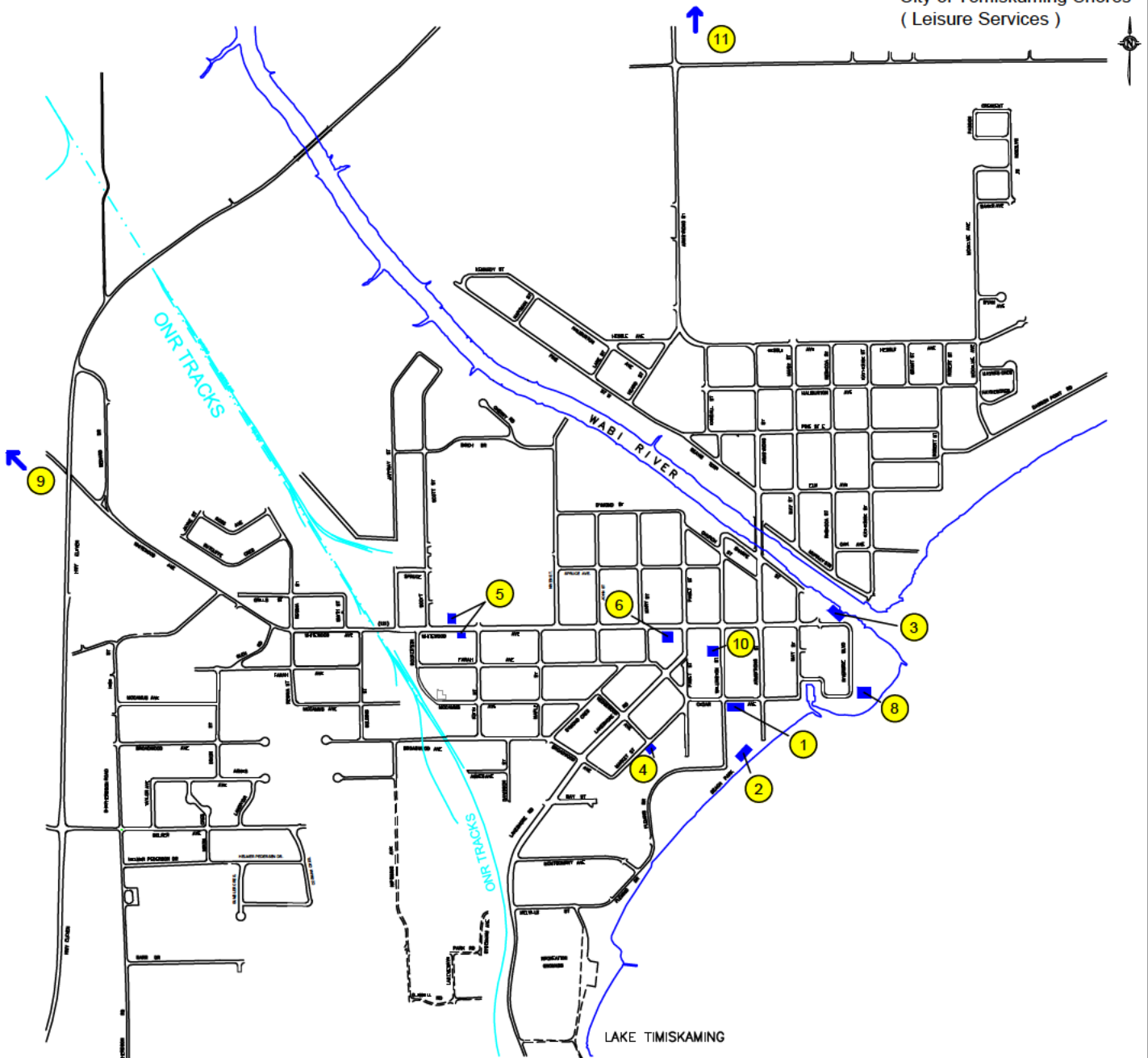
Appendix B - 02 Haileybury  
City of Temiskaming Shores  
Sidewalk Snow Removal



## Appendix C – Lots & Lanes



Appendix C - 02 New Liskeard 4 x 4 Plow Truck  
 City of Temiskaming Shores  
 ( Leisure Services )

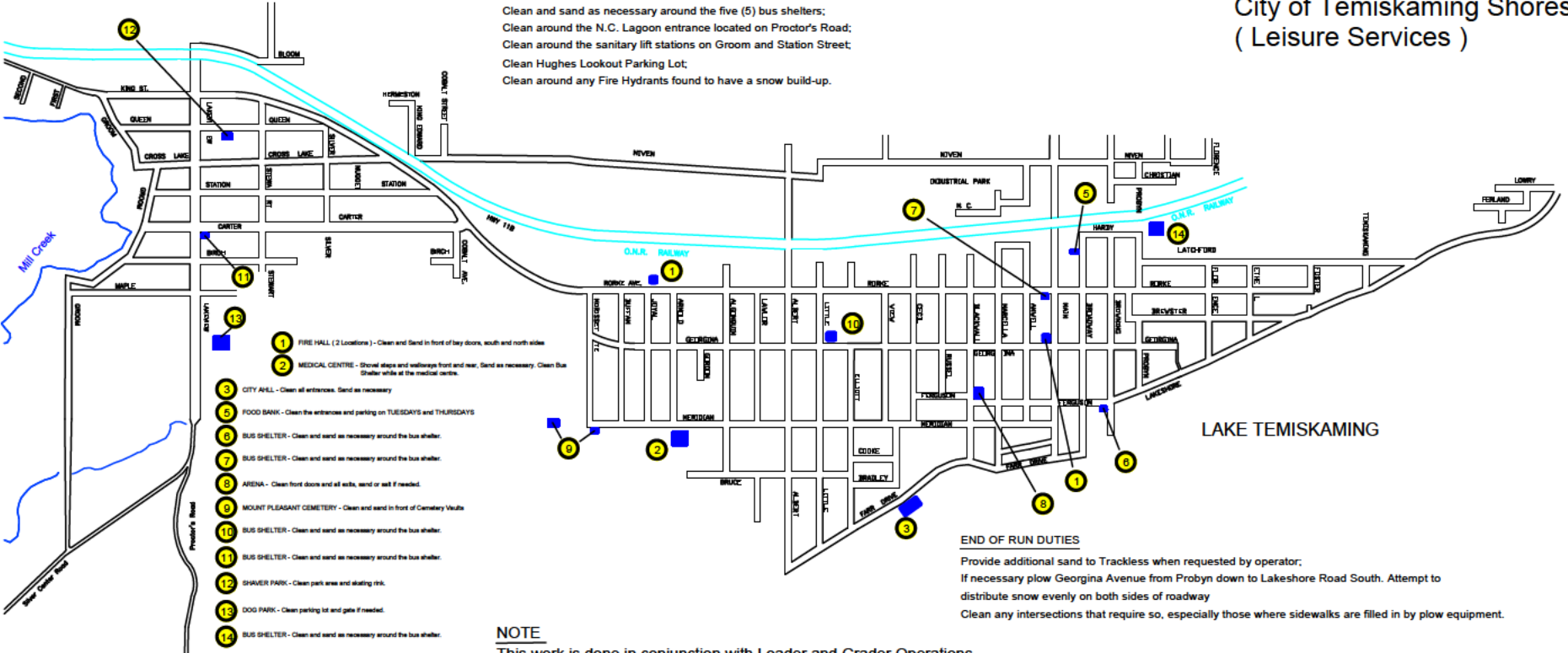


- ① ARENA - Clean front doors and all exits, sand or salt if needed.
- ② POOL FITNESS - Clean front steps and all exits from back deck over to restaurant, sand or salt front steps.
- ③ RIVERSIDE PLACE - Clean front of entire length of building, all exists and turn around. Sand or salt if needed.
- ④ BUS SHELTER - Clean and sand if necessary around bus shelter.
- ⑤ LIBRARY/BUS SHELTER - Clean all exists, sand or salt if needed and around bus shelter.
- ⑥ COMMUNITY HALL - Clean all exits and fire routes, boiler room and Cancer Care door at south end, Legion sidewalk on east side, sand or salt if needed.
- ⑧ NL MARINA - Clean front doors and parking lot. Sand and salt as needed.
- ⑨ PETE'S DAM PARK - Clean parking lot.
- ⑩ FIRE HALL - Clean all exits, overhead doors, sand or salt if needed.
- ⑪ DYMOND - Drive In Theatre Rd  
 COMMUNITY HALL / FIRE HALL - Clean all exits, overhead doors, sand or salt if needed.  
 WALMART/BUS SHELTER - Clean and sand if necessary around bus shelter.

# Appendix C - 03 Haileybury 4 x 4 Plow Truck City of Temiskaming Shores ( Leisure Services )

**AREAS THAT CAN BE DONE A DAY OR TWO FOLLOWING A STORM**

- Clean and sand as necessary around the five (5) bus shelters;
- Clean around the N.C. Lagoon entrance located on Proctor's Road;
- Clean around the sanitary lift stations on Groom and Station Street;
- Clean Hughes Lookout Parking Lot;
- Clean around any Fire Hydrants found to have a snow build-up.

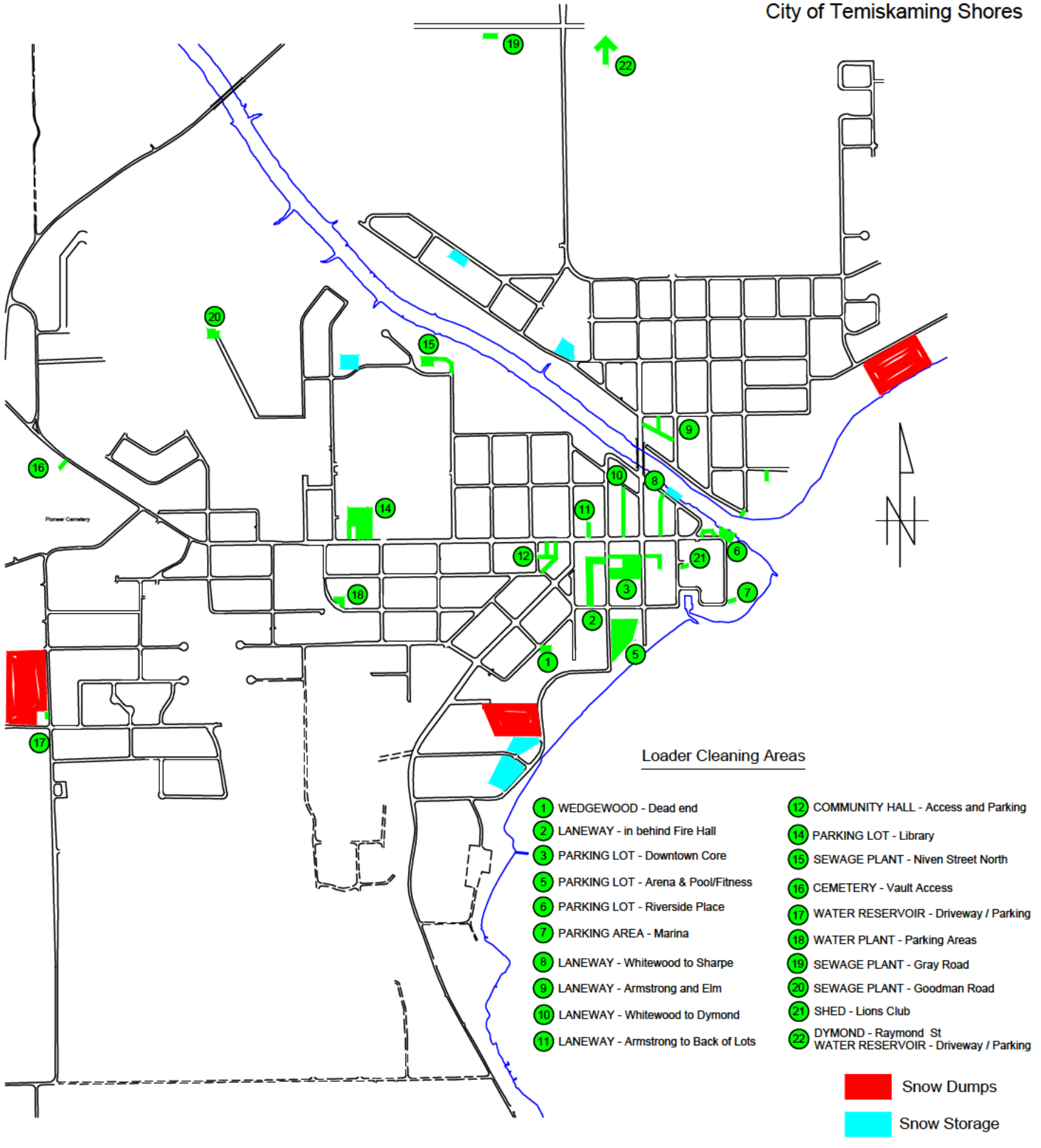


- 1 FIRE HALL (2 Locations) - Clean and Sand in front of bay doors, south and north sides
- 2 MEDICAL CENTRE - Shovel steps and walkways front and rear, Sand as necessary. Clean Bus Shelter while at the medical centre.
- 3 CITY HALL - Clean all entrances. Sand as necessary
- 4 FOOD BANK - Clean the entrances and parking on TUESDAYS and THURSDAYS
- 5 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 6 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 7 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 8 ARENA - Clean front doors and all exits, sand or seal if needed.
- 9 MOUNT PLEASANT CEMETERY - Clean and sand in front of Cemetery Vault
- 10 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 11 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 12 SHAVER PARK - Clean park area and skating rink.
- 13 DOG PARK - Clean parking lot and gate if needed.
- 14 BUS SHELTER - Clean and sand as necessary around the bus shelter.
- 15 BUS SHELTER - Clean and sand as necessary around the bus shelter.

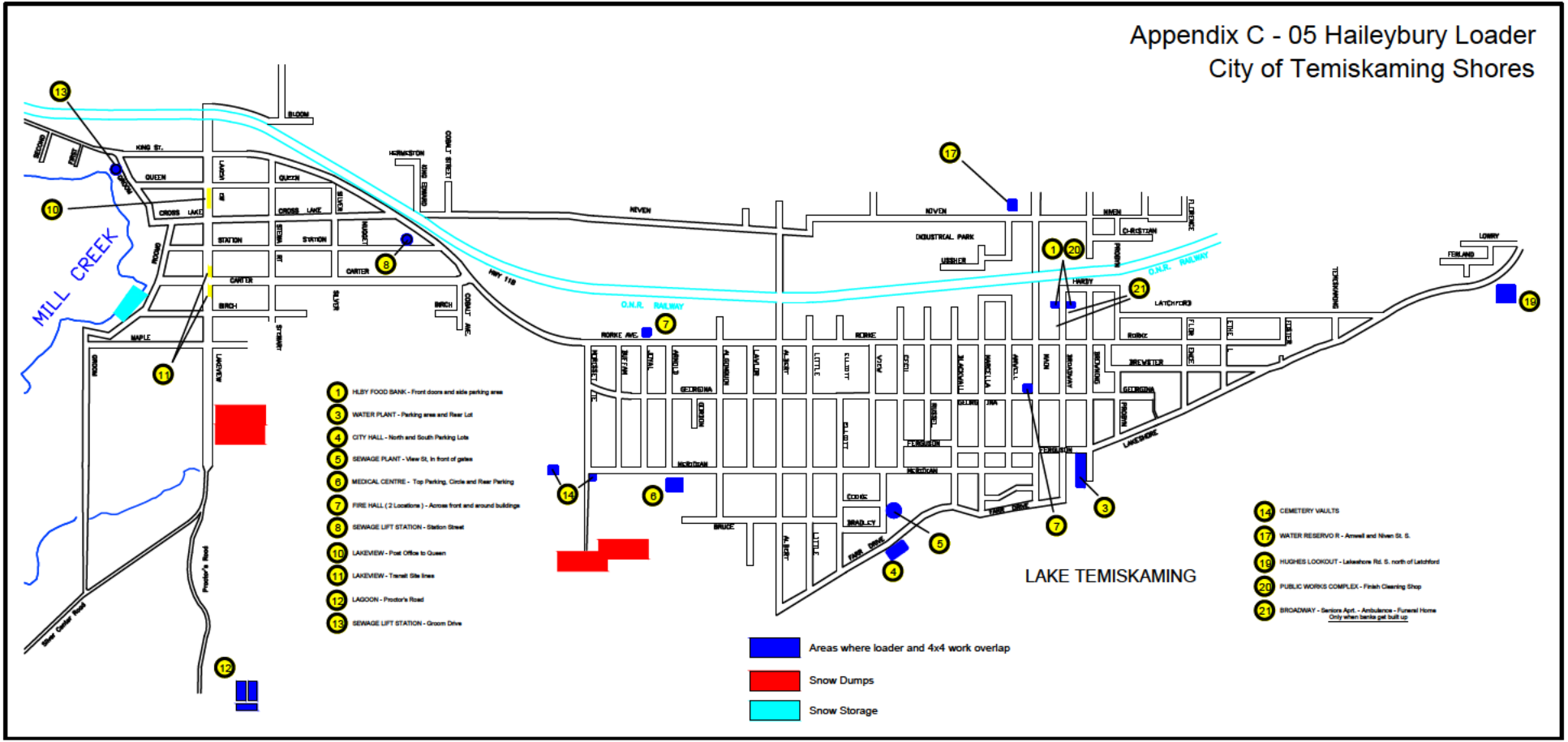
**END OF RUN DUTIES**  
Provide additional sand to Trackless when requested by operator;  
If necessary plow Georgina Avenue from Probyn down to Lakeshore Road South. Attempt to distribute snow evenly on both sides of roadway  
Clean any intersections that require so, especially those where sidewalks are filled in by plow equipment.

**NOTE**  
This work is done in conjunction with Loader and Grader Operations.

Appendix C - 04 New Liskeard Loader / Snow Dumps  
 City of Temiskaming Shores



# Appendix C - 05 Haileybury Loader City of Temiskaming Shores



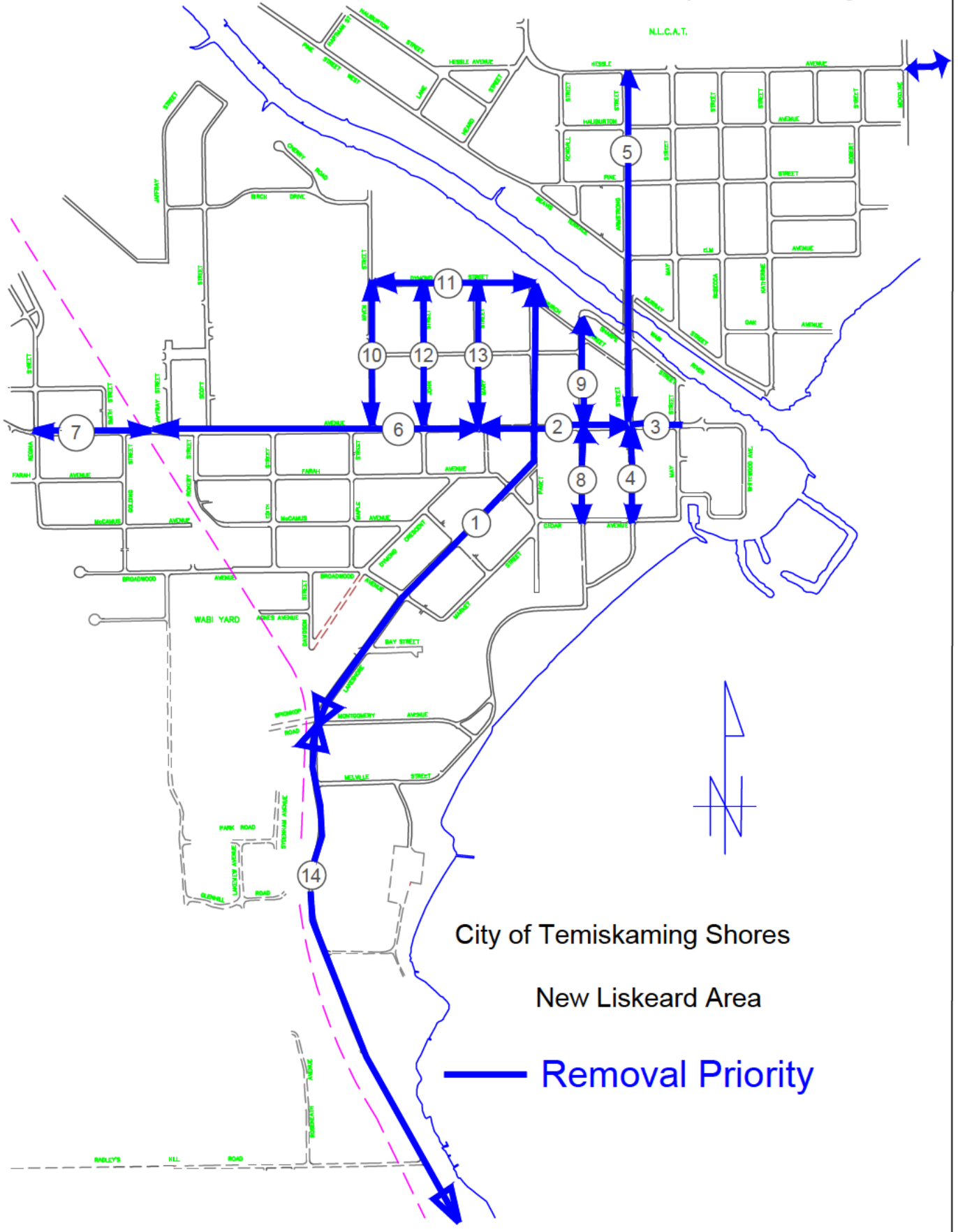
- 1 HLBV FOOD BANK - Front doors and side parking area
- 2 WATER PLANT - Parking area and Rear Lot
- 3 CITY HALL - North and South Parking Lots
- 4 SEWAGE PLANT - View 50, in front of gates
- 5 MEDICAL CENTRE - Top Parking, Circle and Rear Parking
- 6 FIRE HALL (2 Locations) - Access front and around buildings
- 7 SEWAGE LIFT STATION - Station Street
- 8 LAKEVIEW - Post Office to Queen
- 9 LAKEVIEW - Transit Site lines
- 10 LAGOON - Proctor's Road
- 11 SEWAGE LIFT STATION - Gosson Drive

- 14 CEMETERY VAULTS
- 17 WATER RESERVOIR - Arwell and Niven St. S.
- 18 HUGHES LOOKOUT - Lakeshore Rd. S. north of Latchford
- 20 PUBLIC WORKS COMPLEX - Fresh Clearing Shop
- 21 BROADWAY - Seniors Apt. - Ambulance - Funeral Home  
Only when barrels get built up

- Areas where loader and 4x4 work overlap
- Snow Dumps
- Snow Storage

## Appendix D – Snow Removal

Appendix D - 01 New Liskeard Snow Removal Program  
City of Temiskaming Shores

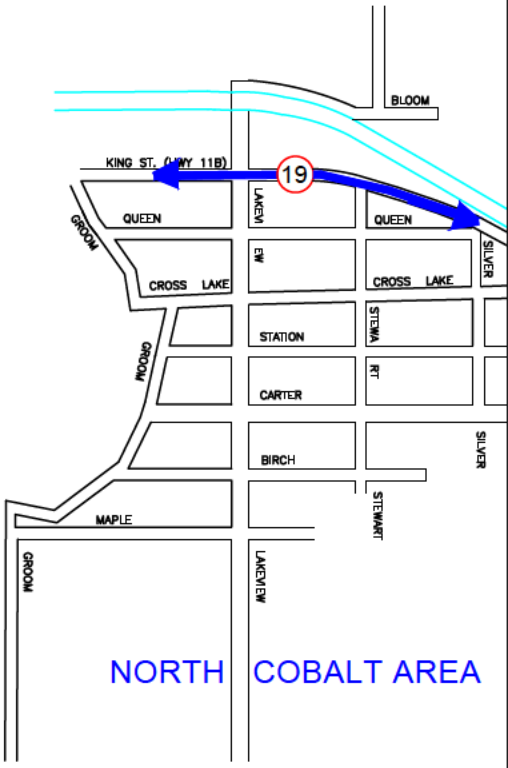


City of Temiskaming Shores  
New Liskeard Area  
— Removal Priority

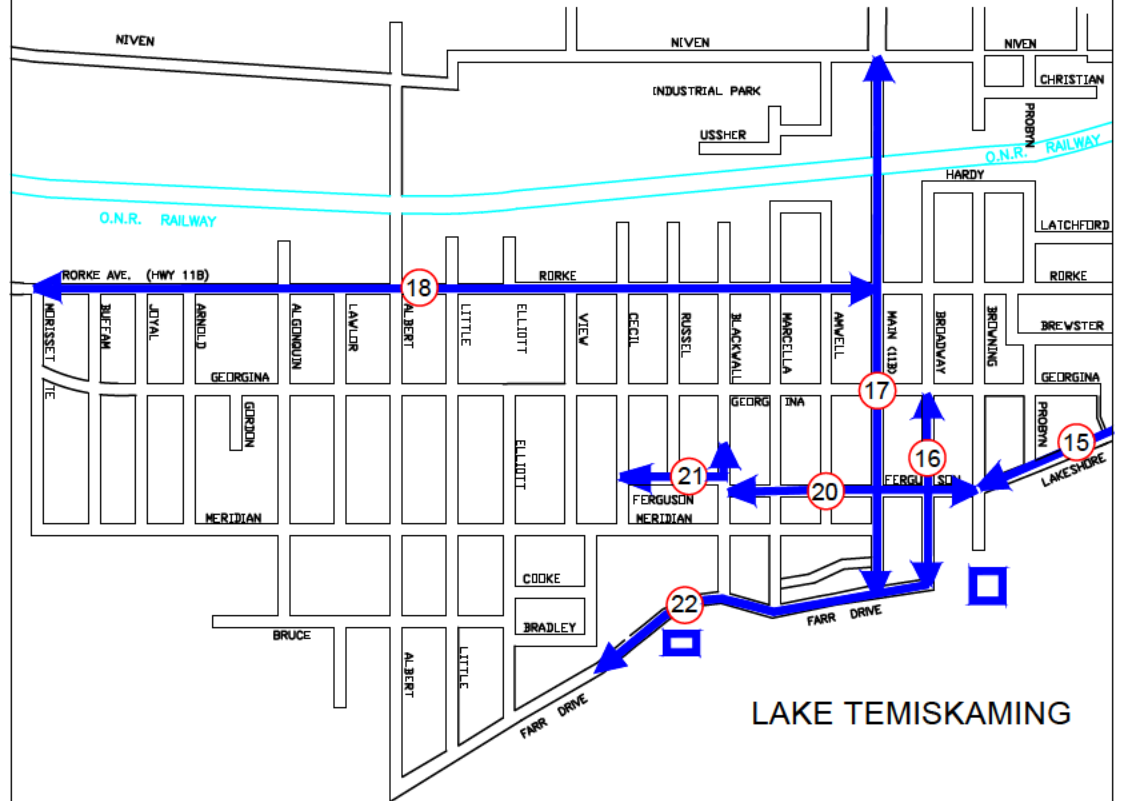
TO 1444 LAKESHORE RD S

Appendix D - 02 Haileybury Snow Removal Program  
City of Temiskaming Shores

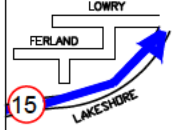
REMOVAL PRIORITY  
HAILEYBURY AREA



NORTH COBALT AREA

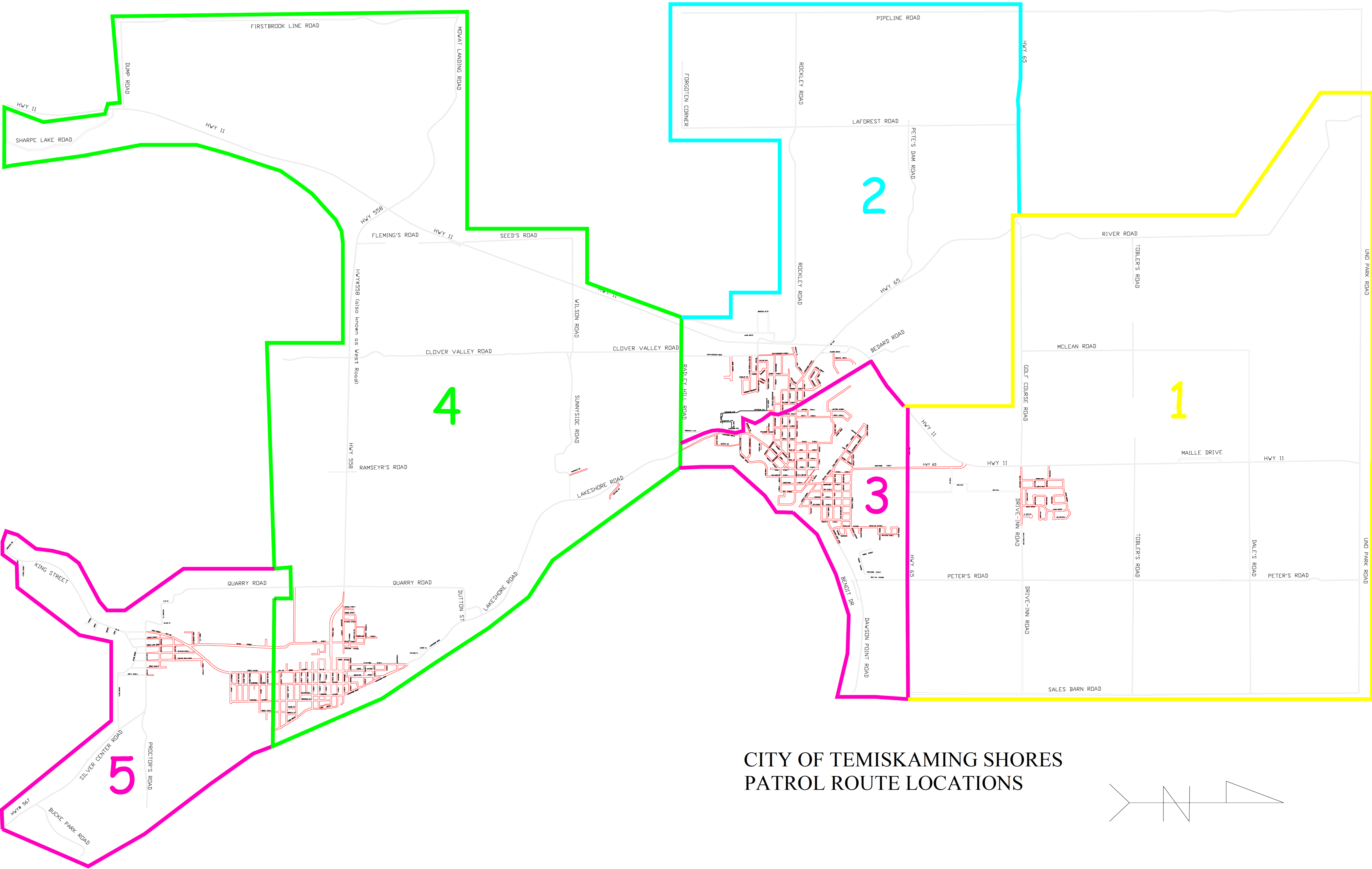


LAKE TEMISKAMING

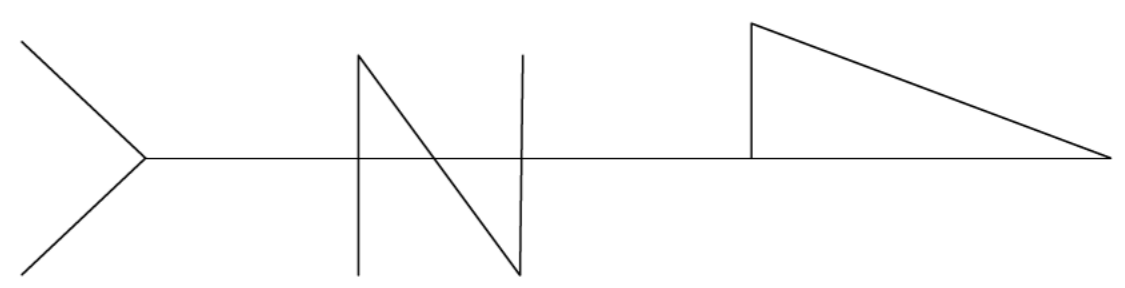


## Appendix E – Patrols

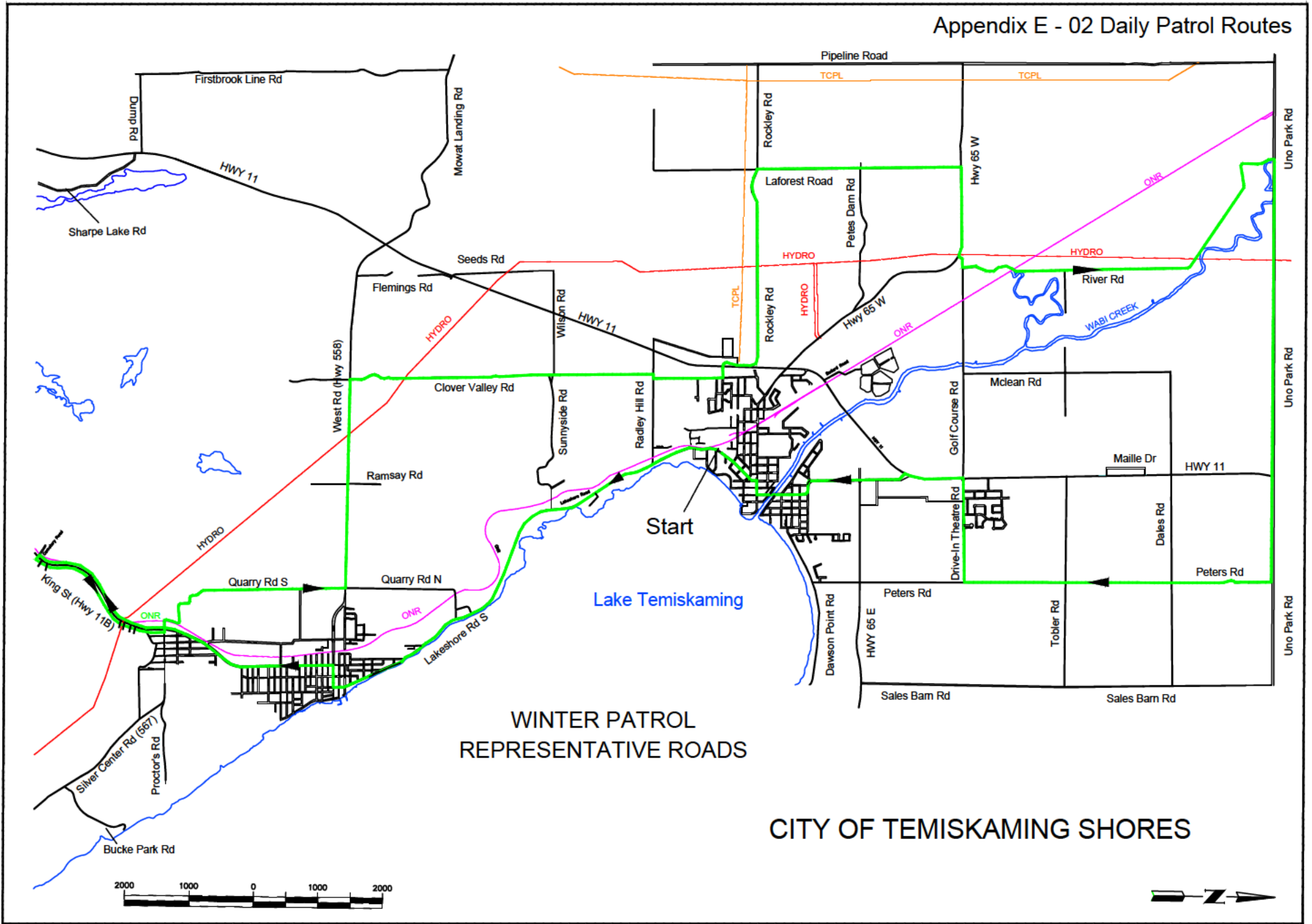




CITY OF TEMISKAMING SHORES  
PATROL ROUTE LOCATIONS



# Appendix E - 02 Daily Patrol Routes







# Work Order Request

City of Temiskaming Shores  
Public Works Department  
325 Farr Drive – City Hall  
P.O. Box 2050  
Haileybury, ON P0J 1K0

Work Order No.: **WO-(YEAR) - \_\_\_\_\_**

To: \_\_\_\_\_

From: \_\_\_\_\_

Date: \_\_\_\_\_

### Description of Work Requested

How Identified:	Date:	Time:

**Special Considerations**

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

Deadline for completion: \_\_\_\_\_

### Description of Work Performed

Repairs Performed by:		<input type="checkbox"/> As Noted Above
		<input type="checkbox"/> As Described Below
Supervisor (print):	Signature:	Completion Date:



## Media Release - Road Closed

Date: \_\_\_\_\_ Time: \_\_\_\_\_

### For Immediate Release

Due to a severe winter storm Ontario Provincial Police advise that the following roads in Corporation of the City of Temiskaming Shores are impassable due to drifting and blowing snow and have been closed to traffic.

Road Name	From	To

The Ontario Provincial Police advise that these roads will remain closed until the storm subsides and driving conditions improve.

For further Information, contact the City of Temiskaming Shores Public Works Department at 705-647-6220.

## Appendix F – By-laws





The Corporation of the City of Temiskaming Shores

**Excerpt from By-law No. 2012-101**

**Being a by-law to Regulate Traffic and Parking of  
vehicles in the City of Temiskaming Shores**

---

Section 5.9 of Schedule "A" to By-law No. 2012-101

**Prohibition - Overnight Parking – Offence**

No *person* shall *stop, stand or park* a *vehicle* on any *street* or *City* owned *parking lot* between the hours of 12:00 a.m. to 7:00 a.m. during the period of November 1<sup>st</sup> in one year to March 31<sup>st</sup> of the next year.

Certified True Copy  
City of Temiskaming Shores

Logan Belanger  
Municipal Clerk

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**

**BY-LAW NO. 2009-159**

**BEING A BY-LAW TO REGULATE THE REMOVAL AND RELOCATION OF SNOW  
WITHIN THE CITY OF TEMISKAMING SHORES**

**WHEREAS** the Council of the Corporation of the City of Temiskaming Shores deems it necessary and expedient to pass a By-law to regulate the removal and relocation of snow within the City of Temiskaming Shores;

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

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

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

**AND WHEREAS** Section 10(2) 6 of the Municipal Act, S.O. 2001, c. 25, as amended, authorizes Council to pass bylaws respecting the health, safety and well-being of persons;

**AND WHEREAS** Section 27 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides a municipality may pass by-laws with respect to highways over which it has jurisdiction;

**AND WHEREAS** Section 128 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may prohibit with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

**AND WHEREAS** Section 425(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality passed under the Act is guilty of an offence;

**AND WHEREAS** Section 429(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides a municipality may establish a system of fines for offences under a by-law of the municipality passed under the Act ;



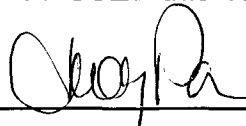
**AND WHEREAS** Section 446(1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that if a municipality has the authority under any Act or under a by-law under any Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

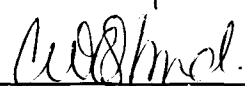
**AND WHEREAS** Section 446(3) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that a municipality may recover costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as taxes.

**NOW THEREFORE** the Council of the Corporation of the City of Temiskaming Shores hereby enacts as follows:

1. That Council adopts a by-law to regulate the removal and relocation of snow within the City identified as Schedule "A", attached hereto and forming part of this by-law;
2. That all by-laws respecting the removal, relocation and disposal of snow enacted by the former Town of Haileybury (more specifically By-law 94-6), the former Town of New Liskeard (more specifically By-law 1319), the former Township of Dymond (more specifically By-law 1355) and amendments thereto, are hereby repealed.
3. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the By-law and schedule, after the passage of this By-law, where such modifications or corrections do not alter the intent of the By-law.
4. That this By-Law shall come into force and take effect on the date of its final passing.

Read a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 15<sup>th</sup> day of December, 2009.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**CORPORATION OF THE CITY OF TEMISKAMING SHORES**

**SCHEDULE "A" TO BY-LAW NO. 2009-159**

**BEING A BY-LAW TO REGULATE REMOVAL AND RELOCATION OF SNOW IN THE  
CITY OF TEMISKAMING SHORES**

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**PART 1  
GENERAL PROVISIONS**

**SECTION**

**1.1 Short Title**

This By-Law shall be cited as the "Snow Removal By-law".

**1.2 Scope**

The provisions of this By-law shall apply to all property within the geographic limits of the City of Temiskaming Shores, except where otherwise provided.

**1.3 Enforcement**

This By-law shall be enforced by a *By-law Enforcement Officer* or a *Police Officer*.

**1.4 Conflicts with other by-law**

Where a provision of this By-law conflicts with a provision of another by-law in force in the City of Temiskaming Shores, the provisions that establishes the higher standard in terms of protecting the health, safety and welfare of the general public and the environmental well-being of the *municipality*, shall prevail to the extent of the conflict.

**PART 2  
DEFINITIONS**

Definitions of words, phrases and terms used in this By-law that are not included in the list of definitions in this section shall have the meanings which are commonly assigned to them in the context in which they are used in this By-law.

The words, phrases and terms defined in this section have the following meaning for the purposes of this By-law.

**SECTION**

**2.1 "By-law Enforcement Officer"** means the *person* or *persons* duly appointed by *Council* as Municipal Law Enforcement Officers for the purpose of enforcing regulatory by-laws of the *City*.

**2.2 "City"** means the Corporation of the City of Temiskaming Shores.

**2.3 "City Property"** means any land situated within the City which is owned by the City or controlled by the City by lease or otherwise.

**2.4 "Council"** means the *Municipal Council* of the *City* of Temiskaming Shores.

**2.5 "Municipality"** means the land within the geographic limit of the City of Temiskaming Shores.

**2.6 "Person"** means an individual, firm or corporation.

## SECTION

- 2.7** “**Police Officer**” means a member of the Ontario Provincial Police service.
- 2.8** “**Private Property**” means property which is privately owned and is not *City* property.
- 2.9** “**Provincial Offences Act**” means the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.
- 2.10** “**Sidewalk**” means any municipal walkway, or that portion of a *street* between *curb* lines or the lateral lines of a roadway, and the adjacent property line, primarily intended for use by *pedestrians*.
- 2.11** “**Street**” means a common and public highway, *street*, *roadway*, *crescent*, *avenue*, *parkway*, *driveway*, *square*, *place*, *bridge*, *viaduct*, *trestle* or other such place designated and intended for, or used by the general public for the passage or *parking* of *vehicles* and includes the area of land between the lateral property lines thereof.

## PART 3 REGULATIONS

### SECTION

- 3.1** **Deposit of Snow**  
No *person* shall deposit, or cause to be deposited, any snow, ice, or other debris, on any *City property* or *street* from off of his or her property or any other *private property*.
- 3.2** **Re-Deposit of Snow**
- 3.2.1** No *person* shall move snow within a *street* or allow snow to be moved from one side of the cleared portion of the *street* intended for vehicular and pedestrian traffic, to the other side of the *street*.
- 3.2.2** No *person* shall relocate snow within a *street* or allow snow to be relocated in such a manner as to encroach on the cleared portion of the *street* intended for vehicular and pedestrian traffic.
- 3.2.3** No *person* shall relocate snow within a *street* or allow snow to be relocated in such a manner as to obstruct the normal visibility or the safe movement of vehicular and pedestrian traffic on the *street*.

**PART 4  
PENALTIES**

**SECTION**

- 4.1** Any *person* who contravenes, suffers or permits any act or thing to be done in contravention of, or neglects to do or refrains from doing anything required to be done pursuant to any provisions of this By-law or any permit or order issued pursuant thereto, commits an offence and except where specifically provided in Appendix "1", shall be liable to a fine not exceeding \$5,000.00.

Where an offense is a continuing offence, each day that the offence is continued shall constitute a separate and distinct offence.

**PART 5  
VALIDITY**

**SECTION**

**5.1 Validity of By-law**

If any section, clause, or provision of this By-law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of the By-law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

**THE CORPORATION OF THE CITY OF TEMISKAMING SHORES**  
**Appendix "1" OF Schedule "A"**  
**TO BY-LAW NO. 2009-159**

**SET FINES FOR BY-LAW NO. 2009-159**

<b>Item</b>	<b>COLUMN 1 Short form wording</b>	<b>COLUMN 2 Offence creating provision or Defining offence</b>	<b>COLUMN 3 Set fine</b>
1	Deposit snow on <i>City property</i> .	Section 3.1	\$100.00
2	Re-Deposit snow from one side of <i>street</i> to the other.	Section 3.2.1	\$100.00
3	Re-Deposit snow to cleared portion of <i>street</i> .	Section 3.2.2	\$100.00
4	Re-Deposit snow so as to obstruct visibility.	Section 3.2.3	\$100.00

**Note: The general penalty provision for the offences listed above is Schedule A section 4.1 of By-law No. 2009-159, a certified copy of which has been filed.**

## Appendix G – Winter Parking Notice

**NOTICE – OVERNIGHT PARKING**

**Effective November 1, 2024**

**to March 31, 2025**

By-law No. 2012-101 prohibits the parking of vehicles on municipal streets  
or City-owned parking lots between the hours of

**12:00 a.m. to 7:00 a.m.**

Thank you for your cooperation.

For further information contact the By-law Officer at (705) 672-3363.



Appendix H –  
Minimum Maintenance Standards

**Municipal Act, 2001**  
**Loi de 2001 sur les municipalités**

**ONTARIO REGULATION 239/02**  
**MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS**

**Consolidation Period:** From May 3, 2018 to the [e-Laws currency date](#).

Last amendment: 366/18.

Legislative History: 288/03, 613/06, 23/10, 47/13, 366/18.

***This Regulation is made in English only.***

**Definitions**

1. (1) In this Regulation,

“bicycle facility” means the on-road and in-boulevard cycling facilities listed in Book 18 of the Ontario Traffic Manual;

“bicycle lane” means,

- (a) a portion of a roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or
- (b) a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer;

“cm” means centimetres;

“day” means a 24-hour period;

“encroachment” means anything that is placed, installed, constructed or planted within the highway that was not placed, installed, constructed or planted by the municipality;

“ice” means all kinds of ice, however formed;

“motor vehicle” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*, except that it does not include a motor assisted bicycle;

“non-paved surface” means a surface that is not a paved surface;

“Ontario Traffic Manual” means the Ontario Traffic Manual published by the Ministry of Transportation, as amended from time to time;

“paved surface” means a surface with a wearing layer or layers of asphalt, concrete or asphalt emulsion;

“pothole” means a hole in the surface of a roadway caused by any means, including wear or subsidence of the road surface or subsurface;

“roadway” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*;

“shoulder” means the portion of a highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use;

“sidewalk” means the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited;

“significant weather event” means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

“snow accumulation” means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

1. Newly-fallen snow.
2. Wind-blown snow.
3. Slush;

“substantial probability” means a significant likelihood considerably in excess of 51 per cent;

“surface” means the top of a sidewalk, roadway or shoulder;

“utility” includes any air, gas, water, electricity, cable, fiber-optic, telecommunication or traffic control system or subsystem, fire hydrants, sanitary sewers, storm sewers, property bars and survey monuments;

“utility appurtenance” includes maintenance holes and hole covers, water shut-off covers and boxes, valves, fittings, vaults, braces, pipes, pedestals, and any other structures or items that form part of or are an accessory part of any utility;

“weather” means air temperature, wind and precipitation.

“weather hazard” means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program. O. Reg. 239/02, s. 1 (1); O. Reg. 23/10, s. 1 (1); O. Reg. 47/13, s. 1; O. Reg. 366/18, s. 1 (1, 2).

(2) For the purposes of this Regulation, every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified in the Table to this section as a Class 1, Class 2, Class 3, Class 4, Class 5 or Class 6 highway, based on the speed limit applicable to it and the average daily traffic on it. O. Reg. 239/02, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(3) For the purposes of subsection (2) and the Table to this section, the average daily traffic on a highway or part of a highway under municipal jurisdiction shall be determined,

(a) by counting and averaging the daily two-way traffic on the highway or part of the highway; or

(b) by estimating the average daily two-way traffic on the highway or part of the highway. O. Reg. 239/02, s. 1 (3); O. Reg. 23/10, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(4) For the purposes of this Regulation, unless otherwise indicated in a provision of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact. O. Reg. 366/18, s. 1 (4).

TABLE  
CLASSIFICATION OF HIGHWAYS

Column 1 Average Daily Traffic (number of motor vehicles)	Column 2 91 - 100 km/h speed limit	Column 3 81 - 90 km/h speed limit	Column 4 71 - 80 km/h speed limit	Column 5 61 - 70 km/h speed limit	Column 6 51 - 60 km/h speed limit	Column 7 41 - 50 km/h speed limit	Column 8 1 - 40 km/h speed limit
53,000 or more	1	1	1	1	1	1	1
23,000 - 52,999	1	1	1	2	2	2	2
15,000 - 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

O. Reg. 366/18, s. 1 (5).

#### Application

2. (1) This Regulation sets out the minimum standards of repair for highways under municipal jurisdiction for the purpose of clause 44 (3) (c) of the Act. O. Reg. 288/03, s. 1.

(2) REVOKED: O. Reg. 23/10, s. 2.

(3) This Regulation does not apply to Class 6 highways. O. Reg. 239/02, s. 2 (3).

#### Purpose

2.1 The purpose of this Regulation is to clarify the scope of the statutory defence available to a municipality under clause 44 (3) (c) of the Act by establishing maintenance standards which are non-prescriptive as to the methods or materials to be used in complying with the standards but instead describe a desired outcome. O. Reg. 366/18, s. 2.

#### MAINTENANCE STANDARDS

#### Patrolling

3. (1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (2).

(2) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions. O. Reg. 47/13, s. 2; O. Reg. 366/18, s. 3 (2).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (3).

TABLE  
PATROLLING FREQUENCY

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

O. Reg. 239/02, s. 3, Table; O. Reg. 23/10, s. 3 (2).

#### Weather monitoring

3.1 (1) From October 1 to April 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

(2) From May 1 to September 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

#### Snow accumulation, roadways

4. (1) Subject to section 4.1, the standard for addressing snow accumulation on roadways is,

- (a) after becoming aware of the fact that the snow accumulation on a roadway is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
- (b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table within the time set out in the Table,
  - (i) to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or
  - (ii) on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (1).

(2) If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table to this section, the roadway is deemed to be in a state of repair with respect to snow accumulation. O. Reg. 47/13, s. 4.

(3) For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under clause (1) (b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:

- 1. Patrolling highways.
- 2. Performing highway maintenance activities.
- 3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (2).
- (4) The depth of snow accumulation on a roadway and lane width may be determined by,
  - (a) performing an actual measurement;
  - (b) monitoring the weather; or
  - (c) performing a visual estimate. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (3).
- (5) For the purposes of this section, addressing snow accumulation on a roadway includes,
  - (a) plowing the roadway;

- (b) salting the roadway;
- (c) applying abrasive materials to the roadway;
- (d) applying other chemical or organic agents to the roadway;
- (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 5 (4).
- (6) This section does not apply to that portion of the roadway,
  - (a) designated for parking;
  - (b) consisting of a bicycle lane or other bicycle facility; or
  - (d) used by a municipality for snow storage. O. Reg. 366/18, s. 5 (4).

TABLE  
SNOW ACCUMULATION - ROADWAYS

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (5).

**Snow accumulation on roadways, significant weather event**

**4.1** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on roadways in accordance with section 4. O. Reg. 366/18, s. 7.

**Snow accumulation, bicycle lanes**

**4.2** (1) Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,

- (a) after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
- (b) after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width. O. Reg. 366/18, s. 7.

(2) If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 7.

(3) For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications. O. Reg. 366/18, s. 7.

(4) For the purposes of this section, addressing snow accumulation on a bicycle lane includes,

- (a) plowing the bicycle lane;
- (b) salting the bicycle lane;
- (c) applying abrasive materials to the bicycle lane;
- (d) applying other chemical or organic agents to the bicycle lane;
- (e) sweeping the bicycle lane; or

(f) any combination of the methods described in clauses (a) to (e). O. Reg. 366/18, s. 7.

TABLE  
SNOW ACCUMULATION – BICYCLE LANES

Column 1 Class of Highway or Adjacent Highway	Column 2 Depth	Column 3 Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

O. Reg. 366/18, s. 7.

**Snow accumulation on bicycle lanes, significant weather event**

**4.3** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on bicycle lanes until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on bicycle lanes, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all bicycle lanes within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4.2 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on bicycle lanes in accordance with section 4.2. O. Reg. 366/18, s. 7.

**Ice formation on roadways and icy roadways**

**5.** (1) The standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:

- 1. Monitor the weather in accordance with section 3.1.
- 2. Patrol in accordance with section 3.
- 3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 8.

(2) If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.

(3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy. O. Reg. 366/18, s. 8.

(4) For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand. O. Reg. 366/18, s. 8.

(5) For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway, but does not apply to other types of bicycle facilities. O. Reg. 366/18, s. 8.

TABLE 1  
ICE FORMATION PREVENTION

Class of Highway	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

O. Reg. 366/18, s. 8.

TABLE 2  
TREATMENT OF ICY ROADWAYS

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

O. Reg. 366/18, s. 8.

**Icy roadways, significant weather event**

**5.1** (1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to treat icy roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 8.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 8.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) treat icy roadways in accordance with section 5. O. Reg. 366/18, s. 8.

**Potholes**

**6.** (1) If a pothole exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, the standard is to repair the pothole within the time set out in Table 1, 2 or 3, as appropriate, after becoming aware of the fact. O. Reg. 239/02, s. 6 (1); O. Reg. 366/18, s. 8 (1).

(1.1) For the purposes of this section, the surface area and depth of a pothole may be determined in accordance with subsections (1.2) and (1.3), as applicable, by a municipal employee, agent or contractor whose duties or responsibilities include one or more of the following:

- 1. Patrolling highways.
- 2. Performing highway maintenance activities.
- 3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 366/18, s. 8 (2).

(1.2) The depth and surface area of a pothole may be determined by,

- (a) performing an actual measurement; or
- (b) performing a visual estimate. O. Reg. 366/18, s. 8 (2).

(1.3) For the purposes of this section, the surface area of a pothole does not include any area that is merely depressed and not yet broken fully through the surface of the roadway. O. Reg. 366/18, s. 8 (2).

(2) A pothole is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in Table 1, 2 or 3, as appropriate. O. Reg. 239/02, s. 6 (2); O. Reg. 47/13, s. 6.

TABLE 1  
POTHoles ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1000 cm <sup>2</sup>	8 cm	7 days
4	1000 cm <sup>2</sup>	8 cm	14 days
5	1000 cm <sup>2</sup>	8 cm	30 days

O. Reg. 239/02, s. 6, Table 1.

TABLE 2  
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
3	1500 cm <sup>2</sup>	8 cm	7 days
4	1500 cm <sup>2</sup>	10 cm	14 days
5	1500 cm <sup>2</sup>	12 cm	30 days

O. Reg. 239/02, s. 6, Table 2.

TABLE 3  
POTHOLES ON PAVED OR NON-PAVED SURFACE OF SHOULDER

Class of Highway	Surface Area	Depth	Time
1	1500 cm <sup>2</sup>	8 cm	7 days
2	1500 cm <sup>2</sup>	8 cm	7 days
3	1500 cm <sup>2</sup>	8 cm	14 days
4	1500 cm <sup>2</sup>	10 cm	30 days
5	1500 cm <sup>2</sup>	12 cm	60 days

O. Reg. 239/02, s. 6, Table 3.

**Shoulder drop-offs**

7. (1) If a shoulder drop-off is deeper than 8 cm, for a continuous distance of 20 metres or more, the standard is to repair the shoulder drop-off within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 9 (1).

(2) A shoulder drop-off is deemed to be in a state of repair if its depth is less than 8 cm. O. Reg. 366/18, s. 9 (1).

(3) In this section,

“shoulder drop-off” means the vertical differential, where the paved surface of the roadway is higher than the surface of the shoulder, between the paved surface of the roadway and the paved or non-paved surface of the shoulder. O. Reg. 239/02, s. 7 (3).

TABLE  
SHOULDER DROP-OFFS

Class of Highway	Time
1	4 days
2	4 days
3	7 days
4	14 days
5	30 days

O. Reg. 366/18, s. 9 (2).

**Cracks**

8. (1) If a crack on the paved surface of a roadway is greater than 5 cm wide and 5 cm deep for a continuous distance of three metres or more, the standard is to repair the crack within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 10 (1).

(2) A crack is deemed to be in a state of repair if its width or depth is less than or equal to 5 cm. O. Reg. 366/18, s. 10 (1).

TABLE  
CRACKS

Column 1 Class of Highway	Column 2 Time
1	30 days
2	30 days
3	60 days
4	180 days
5	180 days

O. Reg. 366/18, s. 10 (2).



**Debris**

9. (1) If there is debris on a roadway, the standard is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris. O. Reg. 239/02, s. 9 (1); O. Reg. 366/18, s. 11.

(2) In this section,

“debris” means any material (except snow, slush or ice) or object on a roadway,

(a) that is not an integral part of the roadway or has not been intentionally placed on the roadway by a municipality, and

(b) that is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle. O. Reg. 239/02, s. 9 (2); O. Reg. 47/13, s. 9.

**Luminaires**

10. (0.1) REVOKED: O. Reg. 366/18, s. 12.

(1) The standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 12.

(2) For conventional illumination, if three or more consecutive luminaires on the same side of a highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(3) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(4) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles on the same side of a highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(5) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(6) Luminaires are deemed to be in a state of repair,

(a) for the purpose of subsection (2), if the number of non-functioning consecutive luminaires on the same side of a highway does not exceed two;

(b) for the purpose of subsection (3), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (4), if one or more of the luminaires on consecutive poles on the same side of a highway are functioning;

(d) for the purpose of subsection (5), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 366/18, s. 12.

(7) In this section,

“conventional illumination” means lighting, other than high mast illumination, where there are one or more luminaires per pole;

“high mast illumination” means lighting where there are three or more luminaires per pole and the height of the pole exceeds 20 metres;

“luminaire” means a complete lighting unit consisting of,

(a) a lamp, and

(b) parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. O. Reg. 239/02, s. 10 (7).

TABLE  
LUMINAIRES

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

**Signs**

**11.** (0.1) The standard for the frequency of inspecting signs of a type listed in subsection (2) to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 7 (1); O. Reg. 47/13, s. 11 (1); O. Reg. 366/18, s. 13.

(0.2) A sign that has been inspected in accordance with subsection (0.1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 11 (2).

(1) If any sign of a type listed in subsection (2) is illegible, improperly oriented, obscured or missing, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair or replace the sign. O. Reg. 239/02, s. 11 (1); O. Reg. 23/10, s. 7 (2); O. Reg. 366/18, s. 13.

(2) This section applies to the following types of signs:

1. Checkerboard.
2. Curve sign with advisory speed tab.
3. Do not enter.
- 3.1 Load Restricted Bridge.
- 3.2 Low Bridge.
- 3.3 Low Bridge Ahead.
4. One Way.
5. School Zone Speed Limit.
6. Stop.
7. Stop Ahead.
8. Stop Ahead, New.
9. Traffic Signal Ahead, New.
10. Two-Way Traffic Ahead.
11. Wrong Way.
12. Yield.
13. Yield Ahead.
14. Yield Ahead, New. O. Reg. 239/02, s. 11 (2); O. Reg. 23/10, s. 7 (3).

**Regulatory or warning signs**

**12.** (1) The standard for the frequency of inspecting regulatory signs or warning signs to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 8; O. Reg. 47/13, s. 12 (1); O. Reg. 366/18, s. 13.

(1.1) A regulatory sign or warning sign that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 12 (2).

(2) If a regulatory sign or warning sign is illegible, improperly oriented, obscured or missing, the standard is to repair or replace the sign within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 23/10, s. 8; O. Reg. 366/18, s. 13.

(3) In this section,

“regulatory sign” and “warning sign” have the same meanings as in the Ontario Traffic Manual, except that they do not include a sign listed in subsection 11 (2) of this Regulation. O. Reg. 23/10, s. 8.

TABLE  
REGULATORY AND WARNING SIGNS

Class of Highway	Time
1	7 days
2	14 days

3	21 days
4	30 days
5	30 days

O. Reg. 239/02, s. 12, Table.

**Traffic control signal systems**

**13.** (1) If a traffic control signal system is defective in any way described in subsection (2), the standard is to deploy resources as soon as practicable after becoming aware of the defect to repair the defect or replace the defective component of the traffic control signal system. O. Reg. 239/02, s. 13 (1); O. Reg. 366/18, s. 13.

(2) This section applies if a traffic control signal system is defective in any of the following ways:

1. One or more displays show conflicting signal indications.
2. The angle of a traffic control signal or pedestrian control indication has been changed in such a way that the traffic or pedestrian facing it does not have clear visibility of the information conveyed or that it conveys confusing information to traffic or pedestrians facing other directions.
3. A phase required to allow a pedestrian or vehicle to safely travel through an intersection fails to occur.
4. There are phase or cycle timing errors interfering with the ability of a pedestrian or vehicle to safely travel through an intersection.
5. There is a power failure in the traffic control signal system.
6. The traffic control signal system cabinet has been displaced from its proper position.
7. There is a failure of any of the traffic control signal support structures.
8. A signal lamp or a pedestrian control indication is not functioning.
9. Signals are flashing when flashing mode is not a part of the normal signal operation. O. Reg. 239/02, s. 13 (2).

(3) Despite subsection (1) and paragraph 8 of subsection (2), if the posted speed of all approaches to the intersection or location of the non-functioning signal lamp or pedestrian control indication is less than 80 kilometres per hour and the signal that is not functioning is a green or a pedestrian “walk” signal, the standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3); O. Reg. 366/18, s. 13.

(4) In this section and section 14,

“cycle” means a complete sequence of traffic control indications at a location;

“display” means the illuminated and non-illuminated signals facing the traffic;

“indication” has the same meaning as in the *Highway Traffic Act*;

“phase” means a part of a cycle from the time where one or more traffic directions receive a green indication to the time where one or more different traffic directions receive a green indication;

“power failure” means a reduction in power or a loss in power preventing the traffic control signal system from operating as intended;

“traffic control signal” has the same meaning as in the *Highway Traffic Act*;

“traffic control signal system” has the same meaning as in the *Highway Traffic Act*. O. Reg. 239/02, s. 13 (4).

**Traffic control signal system sub-systems**

**14.** (1) The standard is to inspect, test and maintain the following traffic control signal system sub-systems once per calendar year, with each inspection taking place not more than 16 months from the previous inspection:

1. The display sub-system, consisting of traffic signal and pedestrian crossing heads, physical support structures and support cables.
2. The traffic control sub-system, including the traffic control signal cabinet and internal devices such as timer, detection devices and associated hardware, but excluding conflict monitors.
3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push- buttons. O. Reg. 239/02, s. 14 (1); O. Reg. 47/13, s. 13 (1); O. Reg. 366/18, s. 13.

(1.1) A traffic control signal system sub-system that has been inspected, tested and maintained in accordance with subsection (1) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the traffic control signal system sub-system has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (2).

(2) The standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice per calendar year. O. Reg. 239/02, s. 14 (2); O. Reg. 47/13, s. 13 (3); O. Reg. 366/18, s. 13.

(2.1) A conflict monitor that has been inspected, tested and maintained in accordance with subsection (2) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the conflict monitor has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (4).

(3) In this section,

“conflict monitor” means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal. O. Reg. 239/02, s. 14 (3).

**Bridge deck spalls**

**15.** (1) If a bridge deck spall exceeds both the surface area and depth set out in the Table to this section, the standard is to repair the bridge deck spall within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 15 (1); O. Reg. 366/18, s. 13.

(2) A bridge deck spall is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 15 (2); O. Reg. 47/13, s. 14.

(3) In this section,

“bridge deck spall” means a cavity left by one or more fragments detaching from the paved surface of the roadway or shoulder of a bridge. O. Reg. 239/02, s. 15 (3).

TABLE  
BRIDGE DECK SPALLS

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1,000 cm <sup>2</sup>	8 cm	7 days
4	1,000 cm <sup>2</sup>	8 cm	7 days
5	1,000 cm <sup>2</sup>	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

**Roadway surface discontinuities**

**16.** (1) If a surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(1.1) A surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, is deemed to be in a state of repair if its height is less than or equal to the height set out in the Table to this section. O. Reg. 47/13, s. 15.

(2) If a surface discontinuity on a bridge deck exceeds five centimetres, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the surface discontinuity on the bridge deck. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(2.1) A surface discontinuity on a bridge deck is deemed to be in a state of repair if its height is less than or equal to five centimetres. O. Reg. 47/13, s. 15.

(3) In this section,

“surface discontinuity” means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to a bridge. O. Reg. 23/10, s. 9.

TABLE  
SURFACE DISCONTINUITIES

Class of Highway	Height	Time
1	5 cm	2 days
2	5 cm	2 days
3	5 cm	7 days
4	5 cm	21 days
5	5 cm	21 days

O. Reg. 239/02, s. 16, Table.

**Sidewalk surface discontinuities**

**16.1** (1) The standard for the frequency of inspecting sidewalks to check for surface discontinuity is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 10; O. Reg. 47/13, s. 16 (1); O. Reg. 366/18, s. 13.

(1.1) A sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to any surface discontinuity until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge of the presence of a surface discontinuity in excess of two centimetres. O. Reg. 47/13, s. 16 (2).

(2) If a surface discontinuity on or within a sidewalk exceeds two centimetres, the standard is to treat the surface discontinuity within 14 days after acquiring actual knowledge of the fact. O. Reg. 366/18, s. 14.

(2.1) REVOKED: O. Reg. 366/18, s. 14.

(3) A surface discontinuity on or within a sidewalk is deemed to be in a state of repair if it is less than or equal to two centimetres. O. Reg. 366/18, s. 14.

(4) For the purpose of subsection (2), treating a surface discontinuity on or within a sidewalk means taking reasonable measures to protect users of the sidewalk from the discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity. O. Reg. 366/18, s. 14.

(5) In this section,

“surface discontinuity” means a vertical discontinuity creating a step formation at any joint or crack in the surface of the sidewalk or any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk. O. Reg. 366/18, s. 14.

#### **Encroachments, area adjacent to sidewalk**

**16.2** (1) The standard for the frequency of inspecting an area adjacent to a sidewalk to check for encroachments is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 15.

(2) The area adjacent to a sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair in respect of any encroachment present. O. Reg. 366/18, s. 15.

(3) For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45 cm. O. Reg. 366/18, s. 15.

(4) The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians. O. Reg. 366/18, s. 15.

(5) If a municipality determines that an encroachment is highly unusual given its character and location or constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days after making such a determination, and the encroachment is deemed in a state of repair for 28 days from the time of the determination by the municipality. O. Reg. 366/18, s. 15.

(6) For the purpose of subsection (4), treating an encroachment means taking reasonable measures to protect users, including making permanent or temporary repairs, alerting users' attention to the encroachment or preventing access to the area of the encroachment. O. Reg. 366/18, s. 15.

#### **Snow accumulation on sidewalks**

**16.3** (1) Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,

- a) to reduce the snow to a depth less than or equal to 8 centimetres within 48 hours; and
- b) to provide a minimum sidewalk width of 1 metre. O. Reg. 366/18, s. 15.

(2) If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 15.

(3) If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends. O. Reg. 366/18, s. 15.

(4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications. O. Reg. 366/18, s. 15.

(5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,

- (a) plowing the sidewalk;
- (b) salting the sidewalk;
- (c) applying abrasive materials to the sidewalk;
- (d) applying other chemical or organic agents to the sidewalk; or
- (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 15.

#### **Snow accumulation on sidewalks, significant weather event**

**16.4** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on sidewalks until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on sidewalks in accordance with section 16.3. O. Reg. 366/18, s. 15.

#### **Ice formation on sidewalks and icy sidewalks**

**16.5** (1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,

- (a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and
- (b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 15.

(2) If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy. O. Reg. 366/18, s. 15.

(3) The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated. O. Reg. 366/18, s. 15.

(4) For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk. O. Reg. 366/18, s. 15.

#### **Icy sidewalks, significant weather event**

**16.6** (1) If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48 hours after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5. O. Reg. 366/18, s. 15.

#### **Winter sidewalk patrol**

**16.7** (1) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as representative of its sidewalks at intervals deemed necessary by the municipality. O. Reg. 366/18, s. 15.

(2) Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk, and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for performing roadway or sidewalk maintenance activities. O. Reg. 366/18, s. 15.

**Closure of a highway**

**16.8** (1) When a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality. O. Reg. 366/18, s. 15.

(2) For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,

(a) when a municipality passes a by-law to close the highway or part of the highway; and

(b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway. O. Reg. 366/18, s. 15.

**Declaration of significant weather event**

**16.9.** A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the following ways:

1. By posting a notice on the municipality's website.

2. By making an announcement on a social media platform, such as Facebook or Twitter.

3. By sending a press release or similar communication to internet, newspaper, radio or television media.

4. By notification through the municipality's police service.

5. By any other notification method required in a by-law of the municipality. O. Reg. 366/18, s. 15.

REVIEW OF REGULATION

**Review**

**17.** (1) The Minister of Transportation shall conduct a review of this Regulation and Ontario Regulation 612/06 (Minimum Maintenance Standards for Highways in the City of Toronto) made under the *City of Toronto Act, 2006* every five years. O. Reg. 613/06, s. 2.

(2) Despite subsection (1), the first review after the completion of the review started before the end of 2007 shall be started five years after the day Ontario Regulation 23/10 is filed. O. Reg. 23/10, s. 11.

**18.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 239/02, s. 18.

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## Appendix I – Training Records



# Record of Training

This statement certifies that the below named individual has successfully completed the in-house Winter Operations Training program as required by the Corporation of the City of Temiskaming Shores Winter Operations Plan.

The Winter Operations Training program is comprised of the following modules:

- Equipment Circle Check
- Equipment Calibration
- Record Keeping
- Health and Safety
- Level of Service - policies, practices and procedures
- Identification of Plow Routes - including variations for year to year and issues identified along the route
- De-icing chemicals - application rates, storage and handling
- Identification of road salt vulnerable areas and the procedures to follow in those areas
- Yard and Equipment maintenance

Employee Name (Print)\_\_\_\_\_

Employee Signature\_\_\_\_\_

Date\_\_\_\_\_

Trainer Signature\_\_\_\_\_

Supervisor Signature\_\_\_\_\_



## Record of Training – Patrol Person

This certifies that \_\_\_\_\_ (employee name) has successfully completed the in-house Winter Operations - Night Patroller Training as required by the Corporation of the City of Temiskaming Shores Winter Operations Plan.

The Winter Operations - Patroller Training workshop includes the following modules:

- Weather monitoring and forecasting results including: Road Weather Information System, Value Added Meteorological Service, eutectic temperature, pavement temperature, dew point
- Winter Schedules
- Record Keeping
- Health and Safety
- Level of Service - policies, practices and procedures
- Identification of Plow Routes - including variations for year to year and issues identified along the route
- De-icing chemicals - usage, application rates, storage and handling
- Identification of road salt vulnerable areas and the procedures to follow in those areas
- Call-out procedures
- Emergency contacts
- Yard and Equipment maintenance

Employee Name (Print)\_\_\_\_\_

Employee Signature\_\_\_\_\_

Date of Training\_\_\_\_\_

Trainer Signature\_\_\_\_\_

Supervisor Signature\_\_\_\_\_

## Appendix J – Call-out Charts

## Call-out Chart “ROADS”

FORECAST	CALL-OUT RESPONSE			
STORM SEVERITY	CLASS 2	CLASS 3	CLASS 4	CLASS 5
Less than 5 cm	After storm has ended and after becoming aware that the snow accumulation is <b>greater than 5 cm</b> call-out plows and clear the snow <b>within 6 hours</b> .  No call-out of sander unless roads become slippery	No requirement for clearing of snow.  No call-out of sander unless roads become slippery	No requirement for clearing of snow.  No call-out of sander unless roads become slippery	No requirement for clearing of snow.  No call-out of sander unless roads become slippery
More than 5 cm	While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is greater than 5 cm.  After storm has ended, and after becoming aware that the snow accumulation is greater than 5 cm clear the snow within 6 hours  No call-out of sander unless roads become slippery	While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is <b>greater than 8 cm</b> .  After storm has ended, and after becoming aware that the snow accumulation is <b>greater than 8 cm</b> <b>clear the snow within 12 hours</b>  No call-out of sander unless roads become slippery.	While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is <b>greater than 8 cm</b> .  After storm has ended, and after becoming aware that the snow accumulation is <b>greater than 8 cm</b> <b>clear the snow within 16 hours</b>  No call-out of sander unless roads become slippery	While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is <b>greater than 10 cm</b> .  After storm has ended, and after becoming aware that the snow accumulation is <b>greater than 10 cm</b> <b>clear the snow within 24 hours</b>  No call-out of sander unless roads become slippery
Sleet and freezing rain	Call-out sander if road conditions permit	Call-out sander if road conditions permit	Call-out sander if road conditions permit	Call-out sander if road conditions permit

It is understood that conditions may occur which temporarily prevent achieving the level of service specified above.

## Call-out Chart “SIDEWALKS”

FORECAST	CALL-OUT RESPONSE	
Storm Severity	Priority 1 – Downtown Areas	Priority 2 – Side Streets
Up to 10 cm	<p>After storm has ended, and after becoming aware that the snow accumulation is <b>greater than 10 cm call-out plows and clear the snow within 24 hours</b></p> <p>No call-out of sander unless sidewalks become slippery</p>	<p>No requirement for snow clearing operations.</p> <p>Priority 2 sidewalks will not be serviced until the completion of Priority 1 sidewalks have met their service level and may also be delayed by other winter control roads requirements.</p> <p>No call-out of sander unless sidewalks become slippery</p>
More than 10 cm	<p>While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is <b>greater than 10 cm.</b></p> <p>After storm has ended, and after becoming aware that the snow accumulation is <b>greater than 10 cm clear the snow within 24 hours</b></p> <p>No call-out of sander unless sidewalks become slippery</p>	<p>While storm continues, call-out plow operations as soon as practicable after becoming aware that the snow accumulation is <b>greater than 15 cm.</b></p> <p>Priority 2 sidewalks will not be serviced until the completion of Priority 1 sidewalks have met their service level and may also be delayed by other winter control roads requirements.</p> <p>No call-out of sander unless sidewalks become slippery</p>
Sleet and freezing rain	Call-out sander if sidewalk conditions permit	Call-out sander if sidewalk conditions permit

It is understood that conditions may occur which temporarily prevent achieving the level of service specified above.

## Call-out Chart “SNOW REMOVAL”

FORECAST	CALL-OUT RESPONSE	
Snow Accumulation	Priority 1 - Downtown areas	Priority 2 - Side streets
Up to <b>60 cm</b> snow bank	No requirement for snow removal operations	No requirement for snow removal operations
Up to <b>120 cm</b> snow bank	<p>After storm has ended and the city's plowing and sanding requirements have been satisfied, and after becoming aware that the snow bank accumulation is greater than <b>60 cm</b>, removal operations shall begin.</p> <p>The winter control plan indicates a downtown street removal route numbered from 1 to 21 which suggests an importance level and will be used as a guide to operations.</p> <p>Due to traffic and pedestrian congestion, this work may be required to be completed during the night shift. Deviation from this will be approved by the Director or his designate.</p> <p>Snow removal in downtown areas will have priority over side streets.</p> <p>It is understood that conditions may occur which temporarily prevent achieving the level of service specified.</p>	<p>After storm has ended and the city's plowing and sanding requirements have been satisfied, and after becoming aware that the snow bank accumulation is greater than <b>120 cm</b>, removal operations shall begin.</p> <p>Intersections will receive service when it is deemed by the road supervisor to pose a hazard to vehicular traffic.</p>
Sleet and freezing rain	Call-out sander if conditions permit	Call-out sander if conditions permit

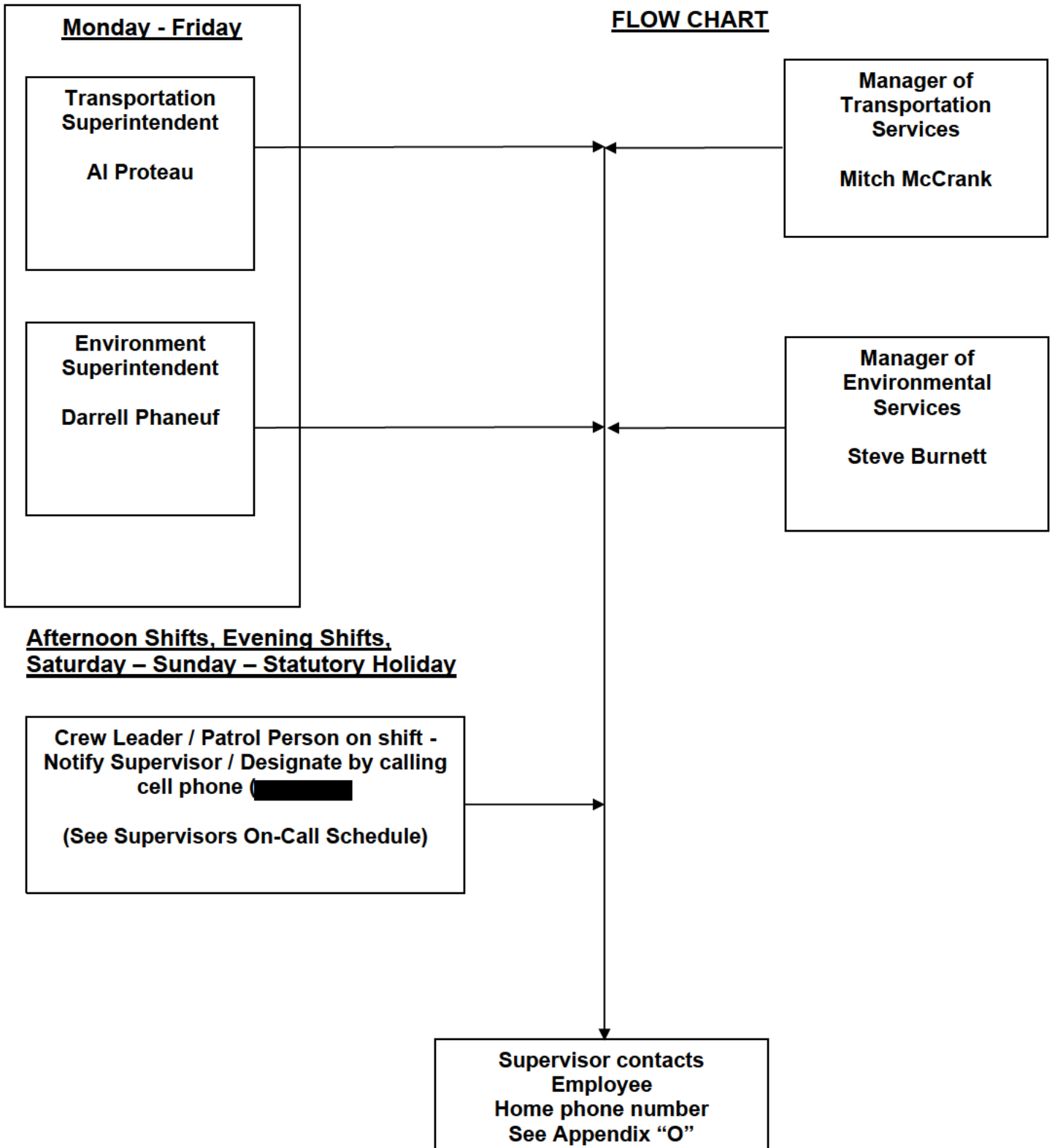
It is understood that conditions may occur which temporarily prevent achieving the level of service specified above.

**NOTE:** One 8 hour night shift removes +/- 2,700 cubic meters of snow

## Appendix K – PW Notice Charts

# Public Works Department Operations Division

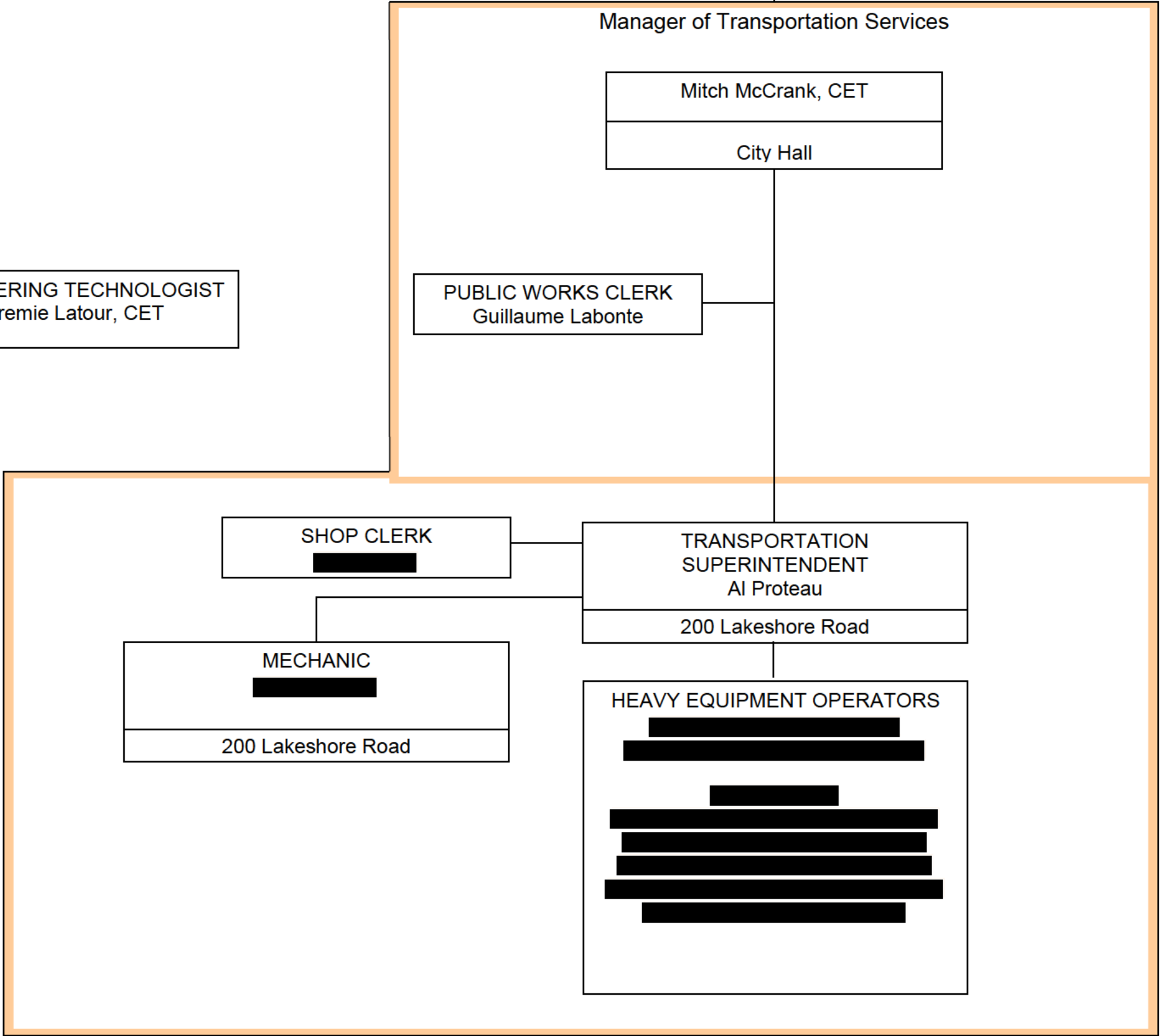
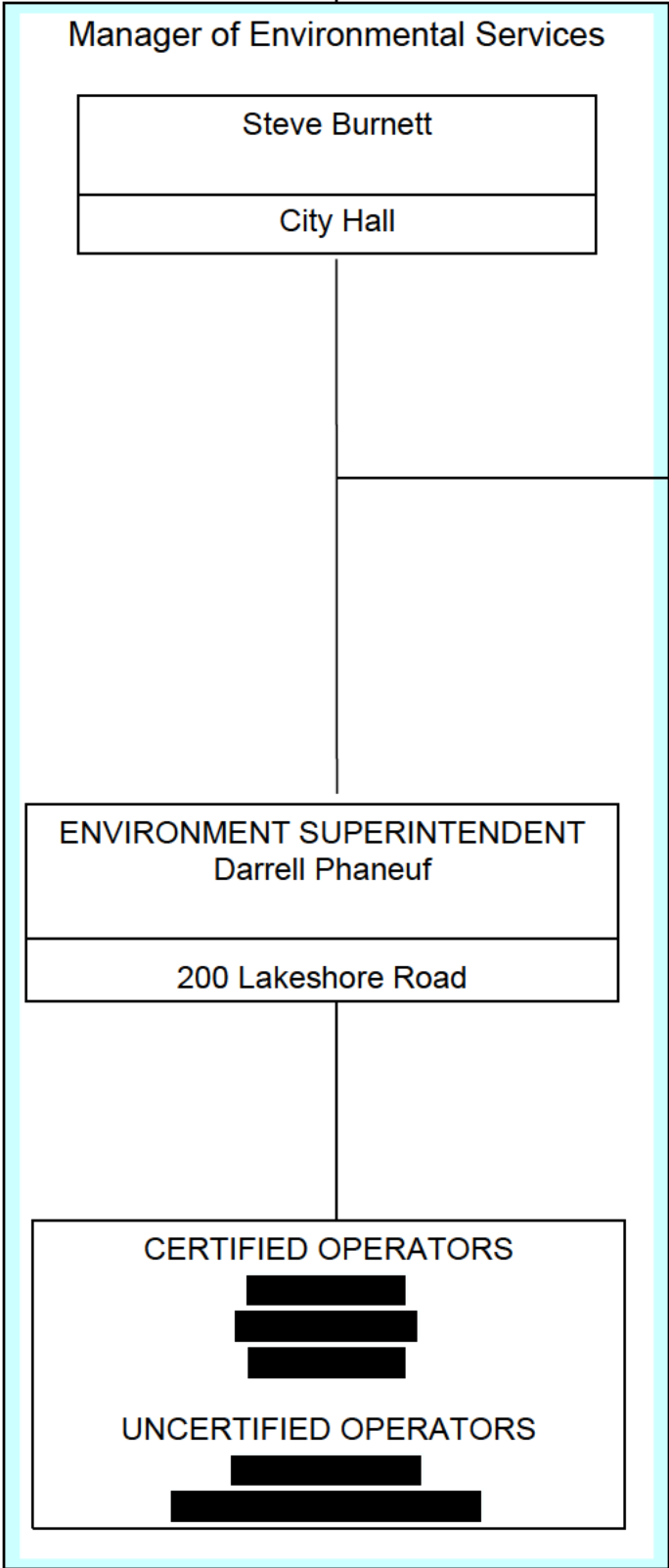
## Winter Control Notification FLOW CHART






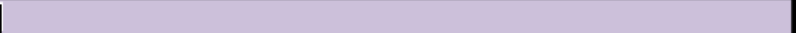







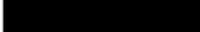



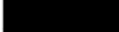







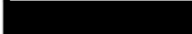

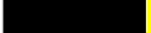

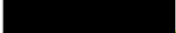

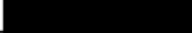



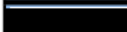
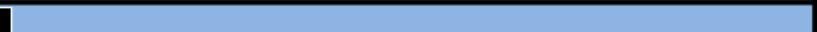




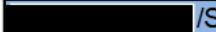










## Appendix L – PW Org. Chart

City Manager  
City Hall



## Appendix M – Shift Partners

# City of Temiskaming Shores

2024 - 25 Winter Operations Plan	
Shift Partners	
Crew One	 
	 
	 
	
	 
Crew Two	 
	 
	 
	 
	 S 
Crew Three	 
	 
	 
	 
	 
Crew Four	 
	 
	 
	 
	 /S 
Dayshift	 
	
	
	
	
	
	
	

## Appendix N – Shift Schedule

November											OFF										Sat										
	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			3	3	3	3	3	2E	2E		4	4	4	4	3E	3E	1	1	1	1	1	4E	4E	2	2	2	2	2	2	1E	1E
6:30 - 15:00			1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	2B	2B		1,2,3	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		
15:00 - 23:30			AP	AP	AP	AP	AP	2A	2A		AP	AP	AP	AP	3A	3A	AP	AP	AP	AP	AP	4A	4A	AP	AP	AP	AP	AP	1A		
	Steve							Mitch							Darrell							Al					Steve				

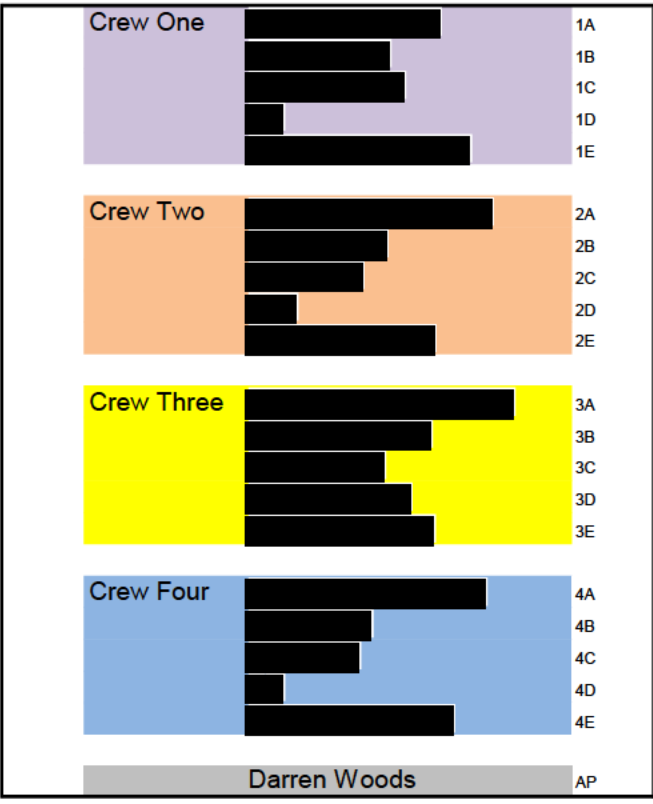
December											Sun.	SAT											SUN	MON	TUES	STAT	FRI	SAT	SUN	MON	TUES
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
22:00 - 6:30	3	3	3	3	3	2D	2D	4	4	4	4	4	3D	3D	1	1	1	1	1	4D	4D	2	2			1D	1D	3	3		
6:30 - 15:00	1B	1,2,4	1,2,4	1,2,4	1,2,4	2C	2C	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	3C	3C	2,3,4	2,3,4	2,3,4	2,3,4	2,3,4	4C	4C	1,3,4	1,3,4			1,2,3,4	1C	1C	1,2,4	1,2,4	
15:00 - 23:30	1A	AP	AP	AP	AP	2E	2E	AP	AP	AP	AP	AP	3E	3E	AP	AP	AP	AP	AP	4E	4E	AP	AP			AP	1E	1E	AP	AP	
	Steve					Mitch										Darrell							Al					Steve			

January											STAT	THURS	FRI																		
	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	AP Phone	2B	2B	4	4	4	4	4	4	3B	3B	1	1	1	1	1	4B	4B	2	2	2	2	2	1B	1B	3	3	3	3	3	2C
6:30 - 15:00	1,2,3,4	1,2,3,4	2E	2E	1,2,3	1,2,3	1,2,3	1,2,3	1,2,3	3E	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	
15:00 - 23:30	AP	AP	2D	2D	AP	AP	AP	AP	AP	3D	3D	AP	AP	AP	AP	AP	4D	4D	AP	AP	AP	AP	AP	1D	1D	AP	AP	AP	AP	AP	
	Steve	Mitch							Darrell							Al					Steve				M						

February											STAT																	
	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
22:00 - 6:30	2C	4	4	4	4	4	3C	3C	1	1	1	1	1	4C	4C	2	2	2	2	2	1C	1C	3	3	3	3	3	2A
6:30 - 15:00	2A	2A	1,2,3	1,2,3	1,2,3	1,2,3	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	1A	1A	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	
15:00 - 23:30	2B	2B	AP	AP	AP	AP	3B	3B	AP	AP	AP	AP	AP	4B	4B		AP	AP	AP	AP	AP	1B	1B	AP	AP	AP	AP	
	Mitch					Darrell							Al					Steve				M						

March											SAT	SUN																	MON		
	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	2A	4	4	4	4	4	3A	3A	1	1	1	1	1	4A	4A	2	2	2	2	2	1A	1A	3	3	3	3	3	2D	2D	4	4
6:30 - 15:00	2D	2D	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	1D	1D	1,2,4	1,2,4	1,2,4	1,2,4	1,2,4	2B	2B	1,2,3	
15:00 - 23:30	2C	2C	AP	AP	AP	AP	3C	3C	AP	AP	AP	AP	AP	4C	4C	AP	AP	AP	AP	AP	1C	1C	AP	AP	AP	AP	AP	2A	2A	AP	
	Mitch					Darrell							Al					Steve				M									

April											If Needed	STAT	STAT																			
	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	4	4	4	3D	3D																											
6:30 - 15:00	1,2,3	1,2,3	1,2,3	1,2,3	3B	3B	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4	1,2,3,4																					
15:00 - 23:30	AP	AP	AP	AP	3A	3A																										
	Mitch																															



**Remembrance Day - Nov 11**  
 Everyone gets a day off.  
 Crew 4 will have the Sunday night shift off.  
 Crew 1,2,3 will have the Monday the 11th off.

**Family Day - Feb 17**  
 4B works Afternoon Sunday Feb 16th.  
 AP carries phone and patrols as required 17  
 Gives phone to Crew 2 coming in on nights

Appendix O – Staff Contact  
Information (Private & Confidential  
Information to be available through  
Clerks office)

## Appendix P – Telephone System



## City of Temiskaming Shores

Telephone System - Winter Operations 2024 - 2025						
Item	Day	Time	Action		Comments	
			Roads	W/S		
1	First point of Contact is 705-647-6220 if busy or after hours will prompt to Press "3" or transfer automatically to 705-648-5575					
2	Sunday 11:01 p.m. to Friday 3:00 p.m.	6:31 am to 3:00 pm	705-647-6220	705-647-6220	When main line is busy General voice mail Leave a message or press #3 should direct to 648-5575	705-647-6220 with a message
		3:01 pm to 11:30 pm	705-647-6220 705-648-5575		General message system Landfill hours, roads, water to On call "person" Phone voice mails Leave a message or press #3 should direct to 648-5575	message in phone
		11:01 pm to 7:30 am	705-647-6220 705-648-5575		General message system to On Duty "Night" phone Phone voice mail Leave a message or press #3 should direct to 648-5575	message in phone
3	Friday 3:01 p.m. to Sunday 11:00 p.m.	3:01 pm to 11:30 pm	705-647-6220 705-648-5575		General message system to On Duty "Day" phone Phone voice mail Leave a message or press #3 should direct to 648-5575	message in phone
		11:00 pm to 7:30 am	705-647-6220 705-648-5575		General message system to On Duty "Night" phone Phone voice mail Leave a message or press #3 should direct to 648-5575	message in phone
		7:00 am to 3:30 pm	705-647-6220 705-648-5575		General message system to On Duty "Day" phone Phone voice mail Leave a message or press #3 should direct to 648-5575	message in phone
4	Secondary Contact	24 Hours per day			Manager of Environmental Services Manager of Transportation Services Leave a message or text if no response	

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**Subject:** Solid Waste Management Services Agreement

**Report No.:** PW-026-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

N/A

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-026-2024; and
2. That Council agrees to utilize the negotiated pricing and directs staff to prepare the necessary by-law to enter into a 7-year agreement with Phippen Waste Management for the collection, removal and disposal of refuse, and the operation and maintenance of the landfill site, to be presented to Council for consideration at the October 15, 2024 Regular Council meeting.

### **Background**

Ontario Regulation 391/21 made under the Resource Recovery and Circular Economy Act, 2016, makes producers responsible for the Blue Box Program, including meeting regulated outcomes for providing collection services to local communities, managing blue box materials, and achieving diversion targets to improve diversion, address plastic waste, and recover resources for use in the economy. Under this regulation, the City of Temiskaming Shores is scheduled to transition on January 1, 2025.

This transition will result in a significant change to how the City's Solid Waste Management Program is currently operated.

As a result, PW-RFP-004-2024 – Solid Waste Management Services was prepared, released and closed on August 22, 2024, with the intent to enter into a seven (7) year agreement for the collection, removal and disposal of refuse and the operation and maintenance of the landfill site. Pricing associated with the RFP was for the first year (2025).

One submission from Phippen Waste Management was received in response to the RFP and is summarized in the table below.

Year 1 – 2025 Pricing	
<b>Curbside Collection of Refuse – Carts and Dumpsters</b>	\$ 418,369.90
<b>Landfill Operation/Maintenance</b>	\$ 565,681.40

At the Committee of the Whole Meeting held on September 3, 2024, Council approved the following resolution:

Resolution No. 2024-309

*Moved by: Councillor Pelletier-Lavigne*

*Seconded by: Councillor Ducharme*

*Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-023-2024; and*

*That Council directs staff to negotiate the final pricing with Phippen Waste Management for the collection, removal and disposal of refuse; and for the operation and maintenance of the Landfill Site, and report back to Council at a future date.*

**Carried**

**Analysis**

To finalize the pricing for the agreement, staff entered into negotiations with Phippen Waste Management to define the costing terms associated with the annual price adjustment, pricing for the New Liskeard downtown core collection and assisted waste collection. During negotiations, it was agreed upon by both parties that as a result of the new landfill operations, 2 additional items should be defined in the agreement. These items include the rental and cleaning of the portable toilet on site and the rental of the scrap metal bin, including transportation of the scrap metal to Mid North Recycling.

The full scope of the collection, removal and disposal of refuse and the operation and maintenance of the landfill site are summarized in the two tables below.

Curbside Collection and Transportation of Refuse		
Number of Carts	Cost/Tip	Total for Year based on 26 Tips/collections
<b>4522 – Based on number as of Aug. 31, 2024</b>	\$ 3.40	\$ 399,744.80

<b>Downtown Core Collection</b>		\$ 2,034.15	\$ 24,409.80
<b>Assisted Waste Collection – 4 assisted waste collection sites as of Aug. 31, 2024</b>		\$ 17.50	\$ 1,820.00
<b>Size of Dumpster</b>	<b>Number of Dumpsters</b>	<b>Cost/Tip</b>	<b>Total for Year based on 26 Tips</b>
<b>2 Cubic Yard</b>	14	\$ 34.45	\$ 12,539.80
<b>4 Cubic Yard</b>	4	\$ 46.95	\$ 4,882.80
<b>6 Cubic yard</b>	4	\$ 66.65	\$ 6,931.60
		<b>Total Cost for 2025</b>	<b>\$ 450,328.80</b>

<b>Municipal Landfill Operation and Maintenance</b>		
<b>Category</b>	<b>Cost/Month</b>	<b>Yearly Cost</b>
<b>Operation and Maintenance Cost for 2025</b>	\$ 47,140.12	\$ 565,681.40
<b>Toilet Rental and Cleaning</b>	\$ 240.00	\$ 2,880.00
<b>Scrap Bin Rental and Transportation – Based on 2 Loads/Month</b>	\$ 704.60	\$ 8,455.20
	<b>Total Cost for 2025</b>	<b>\$ 577,016.60</b>

In addition, it is being recommended that a Fuel Surcharge clause be included in the agreement. The surcharge recommended is a 0.2% increase for every \$0.01 over \$2.00/litre.

If applicable, this increase would be applied to 100% of the monthly invoice for curbside collection and transportation of refuse and 85% of the monthly invoice for landfill operation and maintenance. The increase would be based off the average Northern Ontario diesel fuel prices published weekly on the Ontario Governments website. The current average diesel fuel price in Northern Ontario is \$ 1.58/litre.

For example, should the price of diesel fuel reach \$ 2.01/litre in any given month, that month's collection invoice would increase by \$ 75.05, and the landfill invoice would increase by \$ 81.74.

With the implementation of the fuel surcharge clause, it was also agreed that the annual price adjustment would be based on the Consumer Price Index (CPI), Ontario all items excluding energy, as published from September to September of the previous year.

It is staff's recommendation that Council approves the negotiated pricing above to finalize the 7-year agreement with Phippen Waste Management for the collection, removal and disposal of refuse and the operation and maintenance of the landfill site. The by-law and agreement will be presented for council review and consideration at the October 15, 2024 Regular Council meeting.

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

- By-Law No. 2017-015, Procurement Policy
- Solid Waste Management By-law 2015-128
- PW-RFP-004-2024 - Solid Waste Management

**Consultation / Communication**

- PW-RFP-004-2024 - Solid Waste Management
- Negotiation with Phippen Waste Management
- Consultation with the Senior Management Team
- Administrative Report No. PW-023-2024

**Financial / Staffing Implications**

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

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

The cost associated with the collection, removal and disposal of refuse and the operation and maintenance of the Landfill Site will be included in the 2025 Solid Waste Operating Budget.

**Climate Considerations**

There are no related climate implications.

**Alternatives**

No alternatives were considered.

**Submission**

Prepared by:

Reviewed and submitted for Council's  
consideration by:

*"Original signed by"*

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*"Original signed by"*

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Steve Burnett  
Manager of Environmental Services

Mathew Bahm  
Director of Recreation

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**Subject:** Disposal of Recycling Carts

**Report No.:** PW-027-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

N/A

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report PW-027-2024;
2. That Council declares surplus the 95-gallon recycling carts currently utilized for curbside collection effective January 1, 2025;
3. That Council directs staff to enter into negotiations with GFL Environmental Inc. (GFL) for the sale of 4684, 95-gallon recycling carts; and
4. That Council directs staff to prepare the necessary by-law to enter into an agreement with GFL Environmental Inc, for the sale of 4,684, 95-gallon recycling carts, for consideration at the October 15, 2024 Regular Council meeting.

### **Background**

As Council is aware, the City of Temiskaming Shores is scheduled to transition the Blue Box Program (recycling collection, transportation and processing) to Full Producer Responsibility on January 1, 2025.

As a result of this transition, all of the 95-gallon recycling carts will become stranded assets for the City. Our records indicate that there are currently 4684 of these carts in use for curbside collection.

In 2014 the City commenced the enhanced curbside collection program in where 4499 recycling carts were purchased for a total of \$ 297,518.87 plus HST. Since that time, the City has purchased 240 additional carts for a total of \$ 19,345.20 plus HST. The total cost over this 10-year period equals \$ 316,864.07 plus HST.

On August 26, 2024, Circular Materials Ontario provided notification that GFL has been chosen as the preferred proponent to provide collection services in our area.

**Analysis**

Since the announcement, GFL and Staff have met on many occasions to discuss various topics to ensure a smooth transition. One of these topics was the 95-gallon recycling carts which, effective January 1, 2025, will become stranded assets for the City.

GFL have indicated to Staff that in other municipalities where they have been awarded recycling collection, they negotiated the purchase of the carts and would be interested in doing the same.

As a result, and in accordance with section 3 of the Disposal of Surplus and Obsolete Assets Policy, By-law No. 2012-157, Staff is recommending that Council declares surplus the 4684, 95-gallon recycling carts currently in service effective January 1, 2025, and direct Staff to enter into negotiations with GFL for the sale of the carts.

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

- Disposal of Surplus and Obsolete Assets Policy, By-law No. 2012-157
- Ontario Regulation 391/21

**Consultation / Communication**

- Consultation with the Senior Management Team
- Consultation with the Treasurer

**Financial / Staffing Implications**

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

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

**Climate Considerations**

There are no related climate implications.

**Alternatives**

No alternatives were considered.



**Submission**

Prepared by:

Reviewed and submitted for Council's  
consideration by:

*"Original signed by"*

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*"Original signed by"*

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Steve Burnett  
Manager of Environmental Services

Mathew Bahm  
Director of Recreation

# Memo

**To:** Mayor and Council  
**From:** Mathew Bahm, Director of Recreation  
**Date:** October 1, 2024  
**Subject:** Sponsorship of Frogs Breath Grant Application  
**Attachments:** Appendix 01 – Letter from Isaac Walker-Dupont Foundation

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Mayor and Council:

The City has received a request from the Isaac Walker-Dupont Foundation to sponsor an application for funding support to the Frog's Breath Foundation. The application is to assist their fundraising efforts to install a fence on Dymond B ball field in support of the City's Minor Ball program. If successful, they would turn over funds totalling 100% of the project costs, estimated at \$24,000, for the City to install the fence as part of its 2025 capital program.

The Frog's Breath Foundation and other community funding organizations often require that applicants who are not a registered charity partner with a community agency who can accept charitable donations and provide tax receipts.

The City has sponsored applications for other community organizations in the past under the City's Charitable Sponsorship Policy, By-law 2018-039.

It is recommended that the City agree to sponsor this application to the Frog's Breath Foundation in support of the Isaac Walker-Dupont Foundation.

Submitted for Council's  
consideration by:

*"Original signed by"*

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Mathew Bahm

Director of Recreation

# ISAAC WALKER DUPONT FOUNDATION

September 23 2024

**City of Temiskaming Shores**

**Matt Bahm, Director of Recreation**

**Haileybury, Ont. P0J 1K0**

Dear Dave & Council,

The Isaac Walker Dupont Foundation would like to request the city's support of our application for funding with the Frog's Breath Foundation. We are in the process of fundraising to install a fence at the Dymond baseball field in memory of our son Isaac. One of the requirements is to provide a charitable receipt and the Isaac Walker Dupont Foundation is requesting the city's support for this receipt.

Thanks for your past support of our foundation.

Please feel free to call me if you have any questions.

Regards,

*Katherine & Remi Walker Dupont*

Isaac Walker Dupont Foundation Executive Members

# Memo

**To:** Mayor and Council  
**From:** Mathew Bahm, Director of Recreation  
**Date:** October 1, 2024  
**Subject:** Recreation Operations Update (October)  
**Attachments:** Appendix 01 - Recreation Department Projects Tracking Sheet  
Appendix 02 - PFC Monthly Statistics

---

Mayor and Council:

Below is the monthly operational update from the Recreation department:

## **Parks and Facilities:**

### DSMA/SHSMA

- The SHSMA Arena officially opened for the hockey season on Monday September 16th. Staff installed the ice with no issues until an ammonia leak occurred Saturday September 14th, on one of the compressors. Northland Refrigeration were called to do an emergency repair, saving the slab from melting during the September heat wave.

### Parks/Sports Fields

- Now that the ball leagues are done for the season, Miller Maintenance put away the protective safety netting for the winter.
- Staff applied a surface rebinder treatment to the playground surfaces at the Mini-Putt and Pirate ship playgrounds.

### Special Events

- Staff did a setup/takedown of the trailer stage for the Haileybury Block Party, which was held on Saturday, September 7th. The event was held in the Haileybury Legion parking lot.

## **Building Maintenance:**

- Maintenance was done in the PFC chemical room as the filter bags were replaced in the pool filter tank. A valve was also repaired as there were two plastic fittings lodged in the valve assembly.
- Staff rented a tow behind genie lift and installed new flags on the SHSMA ice surface. A platform of old speakers was also removed from the center ice area of the ice surface.

- Robin replaced the bearings on the dressing room roof top fans and he also replaced the filters in the dehumidifier.
- The gas pump at the Haileybury Service Marina was not operating, and staff found a fuel leak on the main line under the dispenser. The fuel spill was contained and safely pumped out. Waggs Petroleum was called to do the repairs.
- BM and Recreation staff recently removed the beach fountain and brought it to the Building Maintenance shop. The fountain will need extensive repairs before being installed next spring.
- GRL Electric replaced a square D breaker that had failed in the beach pumphouse building which runs the pump that pushes water to the beach fountain.

## **Programming:**

### Aquatics

- The pool was recently shut down for maintenance for 1 week. The pool was drained and a grate at the bottom of the pool was replaced. Jets in the hot tub and 14 filters in the filter tank were also replaced. One of the drain pipes that had an obstruction was cleaned out and now properly drains. Some minor painting and a cleanup of the pool deck was also scheduled for this time. A new PH probe has been ordered for the chlorine controller and will be calibrated at time of installation.
- LSI/EX course was completed Sept 5<sup>th</sup> – 8<sup>th</sup>, Certifying 13 staff members and giving them ability to teach Rookie, Ranger, Star, Bronze Star, Bronze Med, Bronze Cross & Emergency First Aid. They are all eligible to be co-signed off as an examiner and achieve examiner status.
- Makinna has also submitted and achieved LSI Trainer status and will be able to offer the course every year without the need to invite outside Trainers.
- Registration for the Fall Swim for Life program went well, with very full registrations! There were only a few blocks that were rescheduled with waitlisted levels, and we started off with a great season of lessons.
- To maximize swim to survive rentals we have turned the 10am Friday Rec Swim time into a school use rental period. During this swim we typically had a very low volume, and thought this was the best way to maximize the program and reduce the hectic rush at the end of the year. We also use this slot to book in TLC, Early years, etc.

- To reduce yearly costs, we have taken off 1 guard from the Rec Swim periods during the weekdays, new charts are being created for the guardroom to reflect this change.

#### All Age Friendly

- Regular fall programming has begun with classes taking place throughout the City including women's exercise class, beginner line dancing, intermediate line dancing, women's mobility class, indoor pickleball, chair yoga and bowling.
- Age Friendly skates are returning to the Don Shepherdson Memorial Arena on Wednesdays and Fridays at 12:30pm
- Dymond Court exercise class returned on September 23<sup>rd</sup>

#### Healthy Kids

- Working with Planet Youth Temiskaming on their back-to-school event September 26<sup>th</sup> at the Beach Park.
- Healthy Kids is hosting a free trip to the pumpkin patch in October for City residents and an upcoming Halloween dance for kids.

#### **Administration:**

- Work continues on the 2025 Capital and Operations Budget as well as completing 2024 capital projects.
- The City's strategic plan project continues with our consultants working through the information provided at the recent working group sessions.
- Jacob Saulnier officially started with the Recreation team on Tuesday, September 3<sup>rd</sup>. Jacob and Liam Dunn will be taking the Basic Refrigeration Course that is being offered in North Bay in early October. We are also working through the hiring process for two full-time openings in the department.

Prepared and submitted for  
Council's consideration by:

*"Original signed by"*

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Mathew Bahm  
Director of Recreation





Figure 1 - City staff installed new flags at the SHSMA and removed an old speaker stand above center ice.



Figure 2 - City staff installed the ice in Haileybury for use beginning on September 16<sup>th</sup>. Each rink now has in-ice advertising



Figure 3 – Damage on the Haileybury Beach fountain which will need to be repaired over winter. The issue appears to stem from some broken floats.



Figure 4 – An Ammonia leak on the head cooling line of one compressor necessitated an emergency repair the weekend prior to opening at the SHSMA. Leak circled in red.

## 2024 Budgeted Recreation Department Projects

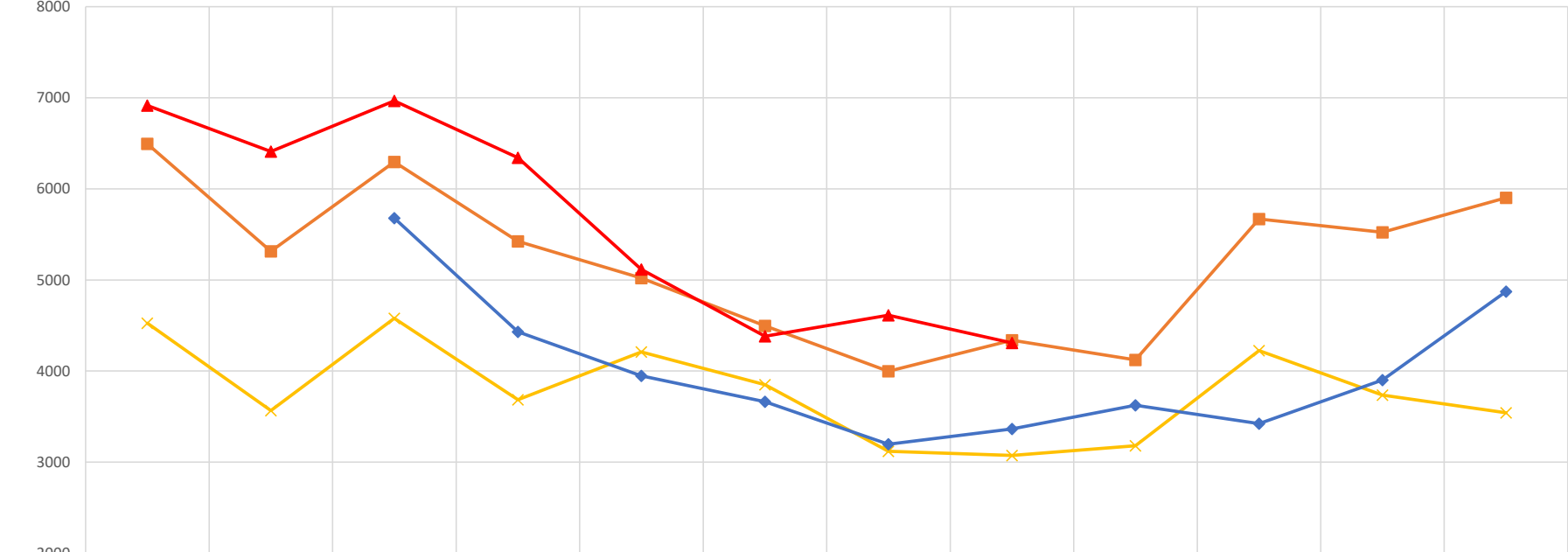
No.	Project	Rec/B M	Budgeted Cost	Project Lead	Project Method	Year	Capital /Operating	August 8, 2024	September 25, 2024
1	NL Arena Accessibility Project	BM	\$ 1,000,000	Matt	RFT / PM	2022	Capital	No update	Final project manual was provided to consultant for review.
2	Energy Audits (PW, PFC, CH, DSMA, RP)	BM	\$ 200,000	Kristen	Canoe	2023	Capital	The consultant is putting the finishing touches on the City Hall case study after presenting their interim report on the building to the project team. They are targetting the end of September to complete the remaining modelling work.	No Update
3	Kickplate Replacement (Hlby and NL)	Rec	\$ 18,000	Paul	Canoe	2023	Operating	No change	No change
4	Gym Equipment (Hack Squat, Treadmill)	Rec	\$ 25,000	Jeff	Quotes	2024	Capital	Remaining equipment has been on order for multiple months.	Remaining equipment has been on order for multiple months.
5	Farr Park Project	Rec	\$ 480,000	Matt	RFP	2024	Capital	Phase 2 application has been submitted and City staff have been working on procuring some parts of the project.	Phase 2 application was submitted. The City has procured contractors to complete all the fencing work and paving work at Shaver Park among other items.
6	Shaver Park Rehab Project	Rec	\$ 95,000	Matt	RFQ	2024	Capital	A RFT for the paving work has been released and the fencing repair portion of the project is to be awarded on August 13th.	Demora Construction is slated to begin this work in October.
7	Dymond Sports Park Fence	Rec	\$ 25,000	Matt	RFQ	2024	Capital	The RFQ is to be awarded on August 13th	M&G Fencing is slated to begin this work in October.
8	Hlby WTP Security Fence	ES	\$ 6,000	Matt	RFQ	2024	Capital	The RFQ is to be awarded on August 13th	M&G Fencing is slated to begin this work in October.
9	Library Roof Repair	BM	\$ 35,000	Matt	RFQ	2024	Capital	No Update	No Update
10	EV Charger (New Liskeard)	CS	\$ 100,000	Kristen	RFP	2024	Capital	Staff are awaiting a response to our grant application	Funds have been reallocated to purchase 3, Level 2 EV chargers. Equipment to arrive in late October. Currently receiving quotations for installation.
11	Dymond Hall Door Replacement	BM	\$ 13,000	Matt	Quotes	2024	Capital	No Update	No Update



12	Bandstand Roof Replacement	BM	\$ 10,000	Paul	Quotes	2024	Capital	No Update	No Update
13	Harbourplace Deck Repair	BM	\$ 15,000	Paul	Quotes	2024	Operating	No Update	No Update
14	Hlby Marina Redecking	Rec	\$ 15,000	Paul	Quotes	2024	Operating	No update	No update
15	Playground Surfacing	Rec	\$ 25,000	Paul	Quotes	2024	Operating	No update	Rebinder has been installed on the Pirate Ship park and Whittle Park
16	PFC Window Replacement	BM	\$ 5,000	Jeff	Quotes	2024	Operating	No update	Still awaiting glass panels
17	NL Community Hall Feasibility Study	BM	\$ 15,000	Matt	RFP	2024	Operating	No Update	No Update
<u>18</u>	<u>St Michel AT Path</u>	<u>Rec</u>	<u>\$ 85,000</u>	<u>Matt</u>	<u>RFQ</u>	<u>2024</u>	<u>Capital</u>	<u>No update</u>	<u>Completed</u>
<u>19</u>	<u>Spurline Concrete</u>	<u>Rec</u>	<u>\$ 45,000</u>	<u>Matt</u>	<u>RFQ</u>	<u>2024</u>	<u>Capital</u>	<u>Project has been postponed due to expected busy June/July/August season. Contractor will now complete the work in September</u>	<u>Completed</u>
<u>20</u>	<u>Ball Diamond Groomer</u>	<u>Rec</u>	<u>\$ 23,000</u>	<u>Matt</u>	<u>Canoe</u>	<u>2024</u>	<u>Capital</u>	<u>Completed</u>	<u>Completed</u>
<u>21</u>	<u>Haileybury Arena AODA Engineering</u>	<u>BM</u>	<u>\$ 31,500</u>	<u>Matt</u>	<u>RFP</u>	<u>2024</u>	<u>Capital</u>	<u>Completed</u>	<u>Completed</u>
<u>22</u>	<u>Niven St Reservoir Roof Replacement</u>		<u>\$ 75,000</u>	<u>Matt</u>	<u>RFT</u>	<u>2024</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>23</u>	<u>Dymond Apartment Bathroom Reno</u>	<u>BM</u>	<u>\$ 15,000</u>	<u>Paul</u>	<u>Quotes</u>	<u>2024</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>24</u>	<u>Hlby Beach Mushroom Conversion</u>	<u>Rec</u>	<u>\$ 25,000</u>	<u>Matt</u>	<u>Quotations</u>	<u>2023</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>25</u>	<u>McCamus WTP Roof Replacement</u>		<u>\$ 45,000</u>	<u>Matt</u>	<u>RFQ</u>	<u>2024</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>26</u>	<u>Albert Street (STATO)</u>	<u>Rec</u>	<u>\$ 176,210</u>	<u>Mitch</u>	<u>RFT</u>	<u>2023</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>27</u>	<u>Animal Pound Renovation</u>	<u>BM</u>	<u>\$ 75,000</u>	<u>Matt</u>	<u>RFQ</u>	<u>2024</u>	<u>Capital</u>	<u>Project is completed</u>	<u>Project is completed</u>
<u>28</u>	<u>Recreation Parks Equipment</u>	<u>Rec</u>	<u>\$ 20,000</u>	<u>Matt</u>	<u>Quotes</u>	<u>2024</u>	<u>Operating</u>	<u>Completed</u>	<u>Completed</u>
<u>29</u>	<u>Olympia Replacement</u>	<u>Rec</u>	<u>\$ 170,000</u>	<u>Matt</u>	<u>RFT</u>	<u>2022</u>	<u>Capital</u>		
<u>30</u>	<u>NL Arena Side Door Replacement</u>	<u>BM</u>	<u>\$ 7,000</u>	<u>Paul</u>	<u>Quotes</u>	<u>2024</u>	<u>Operating</u>		
<u>31</u>	<u>City Hall Floor Scrubber</u>	<u>BM</u>	<u>\$ 4,000</u>	<u>Jeff</u>	<u>Quotes</u>	<u>2024</u>	<u>Operating</u>		
<u>32</u>	<u>Floor Machine - Hlby Arena</u>	<u>BM</u>	<u>\$ 6,000</u>	<u>Paul</u>	<u>Quotes</u>	<u>2024</u>	<u>Capital</u>		

### PFC ATTENDANCE 2019, 2022-2024

2019 2022 2023 2024



	January	February	March	April	May	June	July	August	September	October	November	December
2019	4525	3567	4579	3685	4211	3850	3119	3074	3181	4224	3736	3543
2022			5678	4430	3947	3664	3197	3366	3624	3424	3901	4873
2023	6494	5314	6295	5424	5020	4497	3998	4338	4122	5669	5524	5903
2024	6915	6409	6966	6341	5116	4383	4613	4309				

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**Subject:** Rockin' On Canada 2025  
Request for Assistance

**Report No.:** RS-020-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

**Appendix 01:** New Liskeard Bikers Reunion Committee - Request for Assistance

**Appendix 02:** Aerial Imagery of Requested Municipal Spaces

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-020-2024;
2. That Council approves, in principle, the following requests from the New Liskeard Biker's Reunion/Rockin' On Canada Day Event Committee:
  - a. Use of the Don Shepherdson Memorial Arena and associated Parking Lot
  - b. Use of the Fall Fairgrounds
  - c. Land for RV Parking
  - d. Small Stage and Fencing
  - e. "Canada Parade" Approval
3. That Council directs staff to prepare a Strategic Alliance Agreement between the City and the New Liskeard Biker's Reunion/Rockin' On Canada Day Event Committee for the 2025 Rockin' On Canada Day Event, to be presented to Council for consideration at a future meeting.

### **Background**

In 2007, the City began entering into agreements with the group known as the New Liskeard Bikers Reunion for the "Biker's Reunion" annual event, hosted on municipal property. The Bikers Reunion was a significant community event and raised a generous sum of money for the local community cancer care program.

In 2024, the New Liskeard Biker's Reunion/ROCD Event Committee hosted "Rockin' On Canada Day" at the former New Liskeard Agricultural School. The City assisted the group with the requirements of the third-party special event, as well as in kind support and subsidy for equipment, supplies, marketing support and staffing.

The Rockin' On Canada Day event took place on June 29-30, 2024 and was enjoyed by the many people who attended.

Subsequently, the City received a letter of request (**Appendix 01**), addressed to Council from Mr. Barry Phippen, President of the New Liskeard Bikers Reunion/ROCD Event, on August 27, 2024, requesting use of various municipal spaces to host the 2025 Rockin' On Canada Day event.

### **Analysis**

This event is considered a Third-Party Event organized by the New Liskeard Biker's Reunion/ROCD to be hosted on Municipal property.

It is recognized that special events improve the quality of life for our residents and bring visitors to the community. While considering these benefits, the City and event organizers also consider safety, the municipality's regular operations, all levels of applicable legislation and approval authorities, as well as communication to the public.

It is important to note: In and around 2010, following a service delivery review, the City stepped away from leading and organizing special events and activities to concentrate on core services. Since that time, Council has committed to assisting organizations through the provision of in-kind equipment, facilities, and staffing where possible and within operational budgets.

The process to request in-kind support from the City for large community events, including for the 2024 Rockin' On Canada Day event and the 2024 North On Tap event, is to submit a detailed list of requested items by the event organizers. City staff review and clarify the requests with organizers, then prepare a report for Council on the estimated subsidy to be provided, along with operational items to note. Council ultimately approves the subsidy and level of support for the event.

As this proposed event is expected to take place within multiple municipal facilities and other municipal property, staff are recommending that a negotiated Strategic Alliance Agreement between both the City and the Committee be drafted. This will follow the same practice that was in place when the Biker's Reunion was hosted previously by the same organizing committee, and would ensure that both parties have a clear understanding of their obligations to each other.

## **Request for Support:**

The City of Temiskaming Shores has been requested to provide five (5) items to the Rockin' On Canada Day Event:

1. Use of the Don Shepherdson Arena and Associated Parking Lot
2. Use of the Fall Fairgrounds
3. Land for RV Parking
4. Small Stage and Fencing
5. "Canada Parade" Approval

City staff circulated the letter of request to all departments for comment.

### **1. Use of the Don Shepherdson Arena and Associated Parking Lot**

The Don Shepherdson Memorial Arena and its associated parking lot has hosted numerous large-scale events and would be a suitable venue for the 2025 Rockin' On Canada Day Event. The venue is also not currently rented for any other purposes over the period requested.

Recommended items for the City and Committee to consider during the two-week period include:

- a. Arrangements for the City's Recreation Department as the DSMA is used as the base of operations during the Summer.
- b. Continued public access to the Waterfront Pool and Fitness Centre including accessible parking spaces.
- c. Continued access and parking for the Timiskaming Tumblers Gymnastics Club to their leased space in the DSMA.
- d. Council approved exemption to the City's Noise By-law (2012-019).

### **2. Use of the Fall Fairgrounds**

The Fall Fairgrounds have also hosted large scale events, including the past Biker's Reunions.

Recommended items for the City and Committee to consider are:

- a. Coordination between the Committee and the New Liskeard Agricultural Society for the use of power and water hookups within the grounds.
- b. Recommendations from the City's Insurer including items such as fencing, washroom facilities, lighting, waste removal, security, traffic management and emergency plan, along with proof of insurance coverage naming the City as an additional insured.
- c. Communication to regular users of the riding ring, such as, the Temiskaming Pleasure Horse Club.

- d. Potential road closure of Riverside Drive, if required, and associated traffic plan to address use of the public boat launch and access to the business located at the New Liskeard Marina.

### **3. Land for RV Parking**

The lands requested for RV parking are indicated in blue in the map attached as **Appendix 02**.

Recommended items for the City and Committee to consider are:

- a. Maintain Recreation Department's access to vehicles and equipment within the Quonset Hut.
- b. Maintain public access to the City's RV dumping station.
- c. Council approved exemption to the City's Traffic By-law (2012-101) to allow camping.

### **4. Small Stage and Fencing**

The City provides usage of its temporary stage to various events upon request including at the 2024 Rockin' On Canada Day event. Further, the City has some sections of temporary construction fencing which it uses for regular operations and has previously been loaned for use.

Recommended items for the City and Committee to consider are:

- a. Impact of operations for the set up and take down of items.
- b. Fencing is readily available to rent from local suppliers.

### **5. "Canada Parade" Approval**

The City has hosted numerous parades including the regular Fall Fair Parade, and Santa Clause Parade.

Recommended item(s) for the City and Committee to consider are:

- a. Submission of a Road Closure Request to City staff with the parade route.

Based on the importance to the community, the expected scale of the event, and the assumption that further requests of the City will be forthcoming (including requests like support for equipment, support for services, assistance with AGCO licensing, requests for marketing support, etc.) staff are recommending the five (5) requests submitted to the City be approved in principle, and a Strategic Alliance Agreement be entered into by the City and the Committee.

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

- [Traffic and Parking By-law – By-law 2012-101](#)
- [Recreation Master Plan – By-law 2020-088](#)
- [Municipal Alcohol Policy – By-law 2019-068](#)
- [Noise By-law – By-law 2012-019](#)

**Consultation / Communication**

- Consultation with the City’s Management Team
- Consultation with the City’s Insurance provider

**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 estimated direct and indirect costs to the City would be provided to Council upon completion of the final agreement with the Rockin’ On Canada Day committee. Direct costs would need to be included within the City’s 2025 operations Budget.

**Alternatives**

Council could approve individual requests from those submitted by the event organizers.

Alternatively, Council could choose to approve the requests in principle with final approval to be provided once a more concrete event plan is provided to the City.

**Submission**

Prepared on behalf of all departments and submitted for Council’s consideration by:

<i>Original signed by”</i>	<i>Original signed by”</i>
Mathew Bahm	Shelly Zubyck
Director of Recreation	Director of Corporate Services

**Appendix 01**



August 26, 2024.

Subject: Request for Support for Rockin' On Canada Day 2025

Dear Mayor Laferriere and Members of the Council,

I hope this letter finds you well. I am writing on behalf of the New Liskeard Bikers Reunion committee for Rockin' On Canada Day 2025, a community celebration designed to honor our nation's special day while welcoming visitors from near and far.

To ensure the success of this event, we kindly request the following support from the City Council:

1. **Use of the Don Shepherdson Arena and Associated Parking Lot:** We request permission to use this space free of charge for the event, as well as 12-14 days for setup and tear down (before and after event).
2. **Use of the Fall Fairgrounds:** We would like to utilize these grounds for various activities, concessions, and our tent city, also at no charge.
3. **Land for RV Parking:** Specifically, we are requesting land at the end of Montgomery Street and behind the Quonset hut for RV parking.



4. **Small Stage and Fencing:** We would appreciate the provision of a small stage and fencing for designated areas, free of charge.
5. **“Canada Parade” Approval:** We would like to hold a parade through town to honour our seniors by involving them in the celebration. We will manage traffic control to ensure safety and smooth operations.

The goals of Rockin’ On Canada Day 2025 are to foster community spirit, provide economic benefits to small businesses and the broader community, and raise funds for Temiskaming Hospital. Timely approval of these requests is crucial to avoid delays in planning, which could otherwise result in lost opportunities and revenue for the event. We sincerely hope the Council will consider our requests favorably and look forward to your prompt response to facilitate our planning process.

Thank you for your attention and support.

Yours sincerely,

Barry Phippen  
President  
New Liskeard Bikers Reunion/ROCD Event

**Appendix 02**

**Don Shepherdson Memorial Arena & Parking Lot**

Proposed area (in green) for: event

Proposed area (in blue) for: RV parking (camping)



Figure 1 - DSMA

## New Liskeard Fairgrounds

Proposed area (in red) for: various activities, concessions, and tent city



Figure 2 - Fairgrounds



## Montgomery Ave/Fleming Dr Parking Lot

Proposed area for: RV parking (camping)



Figure 3 - Montgomery/Fleming Parking Lot

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**Subject:** Recreation Department Fee Update 2025-2027      **Report No.:** RS-021-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

**Appendix 01:** Draft By-law Proposed Recreation Department User Fees 2025-2027

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report RS-021-2024; and
2. That Council directs staff to amend By-law 2012-039 (Departmental User Fees) to update Recreational Fees for 2025-2027, for consideration at the October 15, 2024, Regular Council meeting.

### **Background**

The City of Temiskaming Shores last completed a wholesale update of fees for Recreation facilities and programs in November 2021. Fees were set at that time until the end of 2024 necessitating the update of fees by January 1, 2025.

City staff have considered how fees have been utilized by members of the public and areas where they are lacking or could improve efficiencies.

Staff have also considered the impact that Non-Resident User Fees have in relation to the subsidy provided by taxpayers to the operation of the Recreation Department.

### **Analysis**

Proposed fees have, in general, been increased to match inflationary increases and are set to follow estimated inflation of 3% per year from 2024 to 2025 and 2% per year for each of the remaining two years of the proposed 3-year time period. Some fees have seen increases of 5% to account for the previous 3 years of flat fees and others have been raised to reflect current comparable municipalities rather than matched percentage increases.

Staff have also removed some fees which were either not utilized, under-utilized or were redundant.

Since there are a large number of fees at the PFC, fees have been set to change every two years. The last time that fees at the PFC were changed was January 1, 2024, and therefore fees are set to remain the same in 2025 before changing for 2026. This minimizes the amount of staff time required to update systems with fee changes.

Added to the fee schedule is a page of definitions to provide better clarity to the public and staff on how fees are applied.

Additional comments, where necessary, are provided below based on heading.

### Arenas

The fee structure for arenas is unchanged from 2022-2024 and follows the 3%/2%/2% schedule outlined earlier in the report. Ice rates do not include an update for spring ice as was utilized in May 2024. Should the City decide to continue to offer spring ice in the future these fees could be added to the fee schedule.

### Outdoor Facilities and Sport Programs

New within this category are fees for usage of the Fairgrounds and Riding Ring to account for City costs associated with administration of these spaces.

### Halls and Event Spaces

Halls and event spaces have had their proposed fees increased by 3%/2%/2% schedule outlined prior except for Riverside Place fees which have been increased approximately 10% each. For example, the 2024 “Private Rental” rate for Riverside Place was \$525.40 and is proposed to increase to \$581.16 for 2025. The reason for these increases is to better align this space with the costs to rent similar hall spaces in Northeastern Ontario and to hopefully reallocate some demand for hall rentals to other halls such as Dymond Hall and the Haileybury Arena Hall which both have capacity for more usage. Demand for use of Riverside Place remains very strong with some rentals being turned away due to lack of available dates and times.

### Outdoor Leisure Facilities

Fees for use of Bucke Park have been removed as the City is currently leasing this space until 2029 to a private operator. Fees at the City marina have been increased to match the 3%/2%/2% schedule except for how the City bills for use of electricity at the marina.

Previously, electricity usage was only billed to boaters based on those who requested it. As electricity is available to certain slips regardless of whether or not a boater requests it, we have noticed numerous times where boaters are using electricity without paying for it. Therefore, it is proposed to charge a flat rate of \$76.80 for all slip rentals which have electricity at their slips.

### Waterfront Pool and Fitness Centre

Fees at the PFC are proposed to maintain at their 2024 levels due to the large amount of staff time required to update them. Instead, staff have proposed to increase by 6% on January 1, 2026, and maintain at that level for two years. The 6% increase after 2025 is to incorporate both the new union pay rate which increased by 4% this year and 3% next year along with regular inflationary costs.

We have also added more fees for aquatic leadership courses and clarified some discrepancies with per-class fees.

### Non-Resident User Fees

Non-resident user fees are an important tool for the municipality to capture additional fees from those who do not contribute through taxation to the operations of City managed recreational amenities. Staff have proposed to maintain the current fee rates from 2024 to 2025 as the fee was aggressively raised the prior 3 years to better account for the costs subsidized by residents. Rates would then increase in 2025 and remain the same for 2026.

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

- Proposed 2025 Recreation Services Operations Budget
- [By-Law No. 2019-082, Non-Resident User Fee Policy](#)
- [By-Law No. 2022-146, Recreation Facility User Liability Insurance Policy](#)

### Consultation / Communication

- Consultation with the Treasurer
- Consultation with the Superintendent of Parks and Facilities
- Consultation with the Aquatics-Youth Programmer

### 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 proposed fees will help ensure that City revenues tied to recreation will follow any inflationary increases during the same time period. Setting fees for a three-year time period will also provide some cost certainty to user groups who can adequately plan their programs and activities over the same time period.

### **Alternatives**

No alternatives are proposed at this time.

### **Submission**

Prepared by and submitted for  
Council's consideration by:

*"Original signed by"*

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Mathew Bahm  
Director of Recreation



## The Corporation of The City of Temiskaming Shores

### By-law No. 2024-000

#### Being a by-law to amend By-law No. 2012-039, as amended, to adopt Schedules of Departmental User Fees and Services for the City of Temiskaming Shores – Schedule “D” Recreation Services Fees

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

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

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

**Whereas** Section 391(1) of the Municipal Act, S.O. 2001 c. 25, as amended, authorizes the Council of a local municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of any other municipality or local board; and for the use of its property including property under its control; and

**Whereas** 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 Use Fees and Service Charges for the City of Temiskaming Shores, which has been amended from time-to-time through by-law; and

**Whereas** Council considered Administrative Report No. RS-021-2024 at the Committee of the Whole meeting held on October 1, 2024, and directed staff to prepare the necessary by-law to amend By-law No. 2012-039 (Departmental User Fees) as amended, to update Recreational Fees for 2025-2027, for consideration at the October 15, 2024 Regular Council meeting; and

**Whereas** the Council of the Corporation of the City of Temiskaming Shores deems it advisable to amend By-law No. 2012-039 as hereinafter set forth.

**Now therefore be it resolved that** the Council of the Corporation of the City of Temiskaming Shores enacts as follows:

1. That Schedule “D” to Fees By-law No. 2012-039, as amended, Recreation Department Fees be deleted in its entirety and replaced with Schedule “A”, a copy attached hereto and forming part of this by-law.
2. 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 the by-law, where such modifications or corrections do not alter the intent of the by-law.

3. This By-law shall come into full force and effect on January 1, 2025.

**Read a first, second and third time and finally passed** this 15<sup>th</sup> day of October, 2024.

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Mayor

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Clerk

DRAFT



Schedule “A” to

**By-law No. 2024-000**

**to adopt Schedules of Departmental User Fees and Services for the City of  
Temiskaming Shores: Schedule “D” Recreation Department Fees**

## Recreation Department Fees

Prices plus HST (where applicable)

### 1. Definitions

Disclaimer: The Recreation Department may offer programs, lessons, demonstrations, workshops, or other initiatives during the year that are not listed in these User Fees. Those associated fees will be published on the City of Temiskaming Shores' Official Website, and/or social media platforms in advance of the program/programming.

- 1.1 **"Family"** means a group of people made up of up to two primary caregivers and their children who all live in the same household.
- 1.2 **"Seniors"** means any individual who is 55 years of age or older.
- 1.3 **"Student"** means any individual who is currently attending a secondary or post-secondary institution and is able to provide a valid, current student card upon request.
- 1.4 **"New Liskeard Cubs U18 Rate"** shall apply only to ice rentals made by the New Liskeard Cubs U18 AAA hockey club.
- 1.5 **"Non-Profit"** shall be any registered not-for-profit organization or registered charity. Individuals and for-profit businesses shall not be considered "Non-Profit".
- 1.6 **"Non-Profit Rental"** shall be applied to any facility rental (where applicable) for any organization which is a registered not-for-profit organization or registered charity. Individuals shall not be eligible to receive the Non-Profit Rental rate
- 1.7 **"Non-Resident"** means an individual or family who does not pay property taxes directly to the City of Temiskaming Shores or who does not maintain their primary residence within the City of Temiskaming Shores. Further details outlined in by-law 2019-082
- 1.8 **"Prime Time Rate"** shall be applied to any ice rental for any individual or organization who does not qualify for another rate.
- 1.9 **"Private Rental"** shall be applied to any facility rental (where applicable) which is made by an individual or a for-profit business.
- 1.10 **"Proof-of-Insurance"** is required for all rentals of City of Temiskaming Shores facilities. Renters may either show proof of insurance, naming the City as an additional insured or purchase insurance through the City of Temiskaming Shores. Further details outlined in by-law 2022-034
- 1.11 **"School Rate"** shall be applied to any facility rental for a registered educational institution which receives public funding only.
- 1.12 **"Youth Non-Profit Rate"** shall be applied to any ice rental for any organization which is a registered not-for-profit organization or registered charity who primarily provides programming to youth, defined as individuals under the age of 18 years old. Individuals shall not be eligible to receive the Youth Non-Profit Rate.

## 2. Arenas

<b>Don Shepherdson Memorial Arena Shelley Herbert-Shea Memorial Arena Ice Rates</b>			
<b>Category</b>	<b>Year</b>		
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Youth Non-Profit Rate	\$ 107.16	\$ 109.30	\$ 111.49
Prime Time Rate	\$ 150.03	\$ 153.03	\$ 156.09
Non-Prime Ice Rate	\$ 87.87	\$ 89.63	\$ 91.42
New Liskeard Cubs U18 Rate	\$ 120.02	\$ 122.42	\$ 124.87
School Rate	\$ 75.01	\$ 76.51	\$ 78.04
<p><b>Note:</b> Non-Prime Ice is available from September 1<sup>st</sup> to April 30<sup>th</sup>, Monday to Friday from 6am to 4pm excluding holidays, and school breaks.</p>			

<b>Don Shepherdson Memorial Arena Shelley Herbert-Shea Memorial Arena Floor Surface Rates</b>			
<b>Category</b>	<b>Year</b>		
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Floor – Per Hour (Maximum of 4 Hours)	\$ 48.22	\$ 49.19	\$ 50.17
Non-Profit per day	\$ 375.06	\$ 382.57	\$ 390.22
Private Rental per day	\$ 712.63	\$ 726.88	\$ 741.42
Non-Resident Private Rental per day	\$ 997.67	\$ 1,017.62	\$ 1,037.97
<p><b>Note:</b> Second day of a daily rental will be charged at 60% of the regular rate.</p>			

### 3. Outdoor Facilities and Sport Programs

<b>Minor Sports Program</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Minor Ball	\$ 55.00	\$ 56.65	\$ 58.35

<b>Ball Fields</b>			
<b>Category</b>	<b>New Liskeard / Haileybury / Dymond</b>		
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Per Game / Practice*	\$ 37.51	\$ 38.26	\$ 39.02
Tournament / Day	\$ 139.31	\$ 142.10	\$ 144.94
Minor Ball / Game*	\$ 30.01	\$ 30.61	\$ 31.22
*Up to 2-hours per booking			

<b>Soccer Fields</b>			
<b>Category</b>	<b>New Liskeard / Haileybury / Dymond</b>		
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Per Hour	\$ 32.15	\$ 32.79	\$ 33.45

<b>Tennis Courts</b>			
<b>Category</b>	<b>New Liskeard / Haileybury</b>		
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Daily Rental	\$ 21.43	\$ 21.86	\$ 22.30

<b>Fairgrounds</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Riding Ring - Daily Rental	\$ 75.00	\$ 76.50	\$ 78.03
Greenspace – Daily Rental	\$ 75.00	\$ 76.50	\$ 78.03

#### 4. Municipal Halls and Event Spaces

<b>New Liskeard Riverside Place: 55 Riverside Drive</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Private Rental	\$ 581.16	\$ 592.79	\$ 604.64
Second Day Rental	\$ 293.26	\$ 299.13	\$ 305.11
Non-Profit Daily Rental	\$ 293.26	\$ 299.13	\$ 305.11
Private Weekly Rental (M-F)	\$ 1,412.91	\$ 1,441.17	\$ 1,469.99
Non-Profit Weekly Rental (M-F)	\$ 713.15	\$ 727.42	\$ 741.96
3 Hour Rental	\$ 80.37	\$ 81.98	\$ 83.62
<b>Note:</b> \$200.00 damage/cleaning deposit is required for all hall rentals over 3 hours.			
<b>Details of Hall</b>			
Seating Capacity	Chairs Only	375	
	Banquet & Dance	270	
Size of Hall	75' x 37'		
Tables (available in hall)	38 tables - 6' x 23 7/8" (rectangular)		
	25 – 5' round tables (seats 8)		
Chairs	227 Dark blue		
Dishes	Available to rent - \$120 +HST		

<b>Bun Eckensviller Community Hall: 90 Whitewood Avenue</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Private Rental	\$ 438.83	\$ 447.60	\$ 456.55
Second Day Rental	\$ 219.68	\$ 224.07	\$ 228.56
Non-Profit Daily Rental	\$ 219.68	\$ 224.07	\$ 228.56
Private Weekly Rental (M-F)	\$ 1,097.06	\$ 1,119.00	\$ 1,141.38
Non-Profit Weekly Rental (M-F)	\$ 549.20	\$ 560.19	\$ 571.39
3 Hour Rental	\$ 80.37	\$ 81.98	\$ 83.62
3 Hour Rental – Upstairs Meeting Room	\$ 53.58	\$ 54.65	\$ 55.75
<b>Note:</b>			
\$200.00 damage/cleaning deposit is required for all rentals over 3 hours.			
<b>Details of Hall</b>			
Seating Capacity	Chairs Only	500	
	Banquet & Dance	278	
Size of Hall	45' x 65'		
Available Chairs	102		
Available Tables	25 rectangular		
Stage	Large stage in hall		
Dishes	Not available		



<b>Dymond Community Hall: 181 Drive-in Theatre Road</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Private Rental	\$ 273.26	\$ 278.73	\$ 284.30
Second Day Rental	\$ 135.02	\$ 137.72	\$ 140.48
Non-Profit Daily Rental	\$ 135.02	\$ 137.72	\$ 140.48
Private Weekly Rental (M-F)	\$ 683.15	\$ 696.82	\$ 710.75
Non-Profit Weekly Rental (M-F)	\$ 337.56	\$ 344.31	\$ 351.20
3 Hour Rental	\$ 53.58	\$ 54.65	\$ 55.75
<b>Note:</b> \$200.00 damage/cleaning deposit is required for all hall rentals over 3 hours.			
Details of Hall			
Seating Capacity	175		
Size of Hall	42' x 63'		
Tables	29 – 6' x 34"		
Chairs	175 – Orange and brown plastic		
Stage (in hall)	In corner of hall – 2' x 6' x 2' diagonal		

<b>Harbourfront Pavilion: 451 Farr Drive</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Per Hour	\$ 33.76	\$ 34.43	\$ 35.12
Per Day	\$ 171.46	\$ 174.89	\$ 178.38
Not-for-Profit Daily Rental	\$ 85.73	\$ 87.44	\$ 89.19
Capacity			
Standing Space	902		
Dining or alcohol	328		
Details			
Small prep area with fridge and freezer only			
40 Chairs and 20 Tables Available			

<b>Shelley Herbert-Shea Memorial Arena Hall: 400 Ferguson Avenue</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Private Rental (includes bar & kitchen)	\$ 380.42	\$ 388.03	\$ 395.79
Second Day Rental	\$ 192.89	\$ 196.75	\$ 200.68
Non-Profit Daily Rental	\$ 192.89	\$ 196.75	\$ 200.68
Private Weekly Rental (M-F)	\$ 951.06	\$ 970.08	\$ 989.48
Non-Profit Weekly Rental (M-F)	\$ 482.23	\$ 491.87	\$ 501.71
3 Hour Rental	\$ 80.37	\$ 81.98	\$ 83.62
<b>Note:</b> \$200.00 damage/cleaning deposit is required for all hall rentals over 3 hours.			
Details of Hall			
Seating Capacity (alcohol)	270		
Seating Capacity Dining Only	231		
Seating Capacity Dining & Dancing	190		
Tables	17 – 8' rectangular tables 25 – 5' round tables		
Chairs	200		
Dishes	Not available		

<b>Haileybury Lion's Den: 400 Ferguson Avenue</b>			
<b>Category</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
Per Hour	\$ 30.01	\$ 30.61	\$ 31.22
Per Day	\$ 139.52	\$ 142.31	\$ 145.16
Non-Profit Daily Rental	\$ 69.76	\$ 71.16	\$ 72.58
Capacity			
Seating Capacity (dining/alcohol/seating)	80		
Tables	17 – 8' rectangular tables		
Chairs	24 yellow and 36 red		
Size of Hall	42' x 25'		

**Notes:**  
City staff setup fee for all Municipal Hall and Event Spaces is \$ 95.04 +HST. Setup includes, table, chair and podium setup only.

Any staff required on an hourly basis are charged to the renter at \$ 47.52 per hour for regular time and \$ 71.28 per hour for overtime +HST.

## 5. Outdoor Leisure Facilities

<b>Municipal Marinas</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Seasonal (per foot)	\$ 37.13	\$ 37.87	\$ 38.63
One Boat Utilizing Two Slips (per foot)	\$ 46.41	\$ 47.34	\$ 48.29
Seasonal Electrical (Flat rate, per slip)	\$ 76.80	\$ 78.34	\$ 79.90
Monthly (23ft Length or Under)	\$ 257.19	\$ 262.33	\$ 267.58
Monthly (24ft Length or Over)	\$ 300.05	\$ 306.05	\$ 312.17
Seasonal Rate for Personal Watercraft	\$ 191.28	\$ 195.11	\$ 199.01
Monthly Rate for Personal Watercraft	\$ 74.48	\$ 75.97	\$ 77.49
Winter Boat Storage on Municipal Property	\$ 286.92	\$ 292.66	\$ 298.52
Transient (per night)	\$ 36.66	\$ 37.39	\$ 38.14

## 6. Waterfront Pool and Fitness Centre

Waterfront Pool and Fitness Centre: 77 Wellington Street South						
Rates Per Visit						
Facility	2025		2026		2027	
	Adult	Senior/ Student	Adult	Senior/ Student	Adult	Senior/ Student
Pool	\$ 4.87	\$ 3.98	\$ 5.10	\$ 4.22	\$ 5.10	\$ 4.22
Pool - Family	\$ 12.17		\$ 12.90		\$ 12.90	
Fitness Rooms	\$ 7.30	\$ 6.20	\$ 7.74	\$ 6.57	\$ 7.74	\$ 6.57
Squash Racquet Rental	\$ 3.45	\$ 3.45	\$ 3.66	\$ 3.66	\$ 3.66	\$ 3.66
Book of 5 passes for Gym	\$ 30.56	\$ 25.77	\$ 32.39	\$ 27.31	\$ 32.39	\$ 27.31
Book of 5 passes for Pool	\$ 20.07	\$ 16.23	\$ 21.27	\$ 17.20	\$ 21.27	\$ 17.20
Book of 5 passes for Full Facility	\$ 33.80	\$ 28.05	\$ 35.83	\$ 29.74	\$ 35.83	\$ 29.74
Arthritic Program	\$ 4.20		\$ 4.45		\$ 4.45	
Aquafit	\$ 6.20		\$ 6.57		\$ 6.57	
Cardiopulmonary Program	\$ 4.60		\$ 4.87		\$ 4.87	
<b>Note:</b> All children aged 2 years of age and under permitted to swim in the pool at no cost (must be accompanied by a paid individual)						

Membership Rates									
	2025			2026			2027		
	Adult	Student Senior	Family	Adult	Student Senior	Family	Adult	Student Senior	Family
<b>Fitness</b>									
1 month	\$60.75	\$50.42	\$146.64	\$64.39	\$53.44	\$155.44	\$64.39	\$53.44	\$155.44
3 months	\$151.26	\$121.01	\$365.15	\$160.33	\$128.27	\$387.05	\$160.33	\$128.27	\$387.05
1 year	\$484.03	\$363.02	\$1,212.28	\$513.07	\$384.80	\$1,285.02	\$513.07	\$384.80	\$1,285.02
<b>Pool</b>									
1 month	\$43.00	\$37.55	\$96.76	\$45.58	\$39.81	\$102.56	\$45.58	\$39.81	\$102.56
3 months	\$107.08	\$87.87	\$240.92	\$113.50	\$93.14	\$255.38	\$113.50	\$93.14	\$255.38
1 year	\$355.50	\$246.04	\$751.68	\$376.83	\$260.81	\$796.78	\$376.83	\$260.81	\$796.78
<b>Full</b>									
1 month	\$91.80	\$71.61	\$229.51	\$97.31	\$75.90	\$243.28	\$97.31	\$75.90	\$243.28
3 months	\$228.59	\$171.44	\$571.48	\$242.31	\$181.73	\$605.77	\$242.31	\$181.73	\$605.77
1 year	\$758.93	\$534.91	\$1,897.32	\$804.46	\$567.00	\$2,011.16	\$804.46	\$567.00	\$2,011.16

<b>Aquatic Programs</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>Arthritic Program</b>			
Per Class	\$ 4.20	\$ 4.45	\$ 4.45
8 classes	\$ 30.78	\$ 32.63	\$ 32.63
16 classes	\$ 58.24	\$ 61.73	\$ 61.73
24 classes	\$ 82.37	\$ 87.31	\$ 87.31
<b>Aquafit</b>			
Per Class	\$ 6.20	\$ 6.57	\$ 6.57
8 drop-in classes	\$ 37.44	\$ 39.69	\$ 39.69
16 drop-in classes	\$ 69.89	\$ 74.08	\$ 74.08
24 drop-in classes	\$ 97.34	\$ 103.18	\$ 103.18
5 Class Evening Session	\$ 31.00	\$ 32.85	\$ 32.85
6 Class Evening Session	\$ 37.20	\$ 39.42	\$ 39.42
8 Class Evening Session	\$ 49.60	\$ 52.56	\$ 52.56
Swimming Lessons ½ hour class (8 classes)	\$ 47.20	\$ 50.00	\$ 50.00
Swimming Lessons ¾ hour class (8 classes)	\$ 54.64	\$ 57.84	\$ 57.84
Swimming Lessons 1 hour class (8 classes)	\$ 70.40	\$ 74.56	\$ 74.56
Swimming Lessons ½ hour class (9 classes)	\$ 53.07	\$ 56.26	\$ 56.26
Swimming Lessons ¾ hour class (9 classes)	\$ 61.43	\$ 65.11	\$ 65.11
Swimming Lessons 1 hour class (9 classes)	\$ 79.17	\$ 83.92	\$ 83.92
Swimming Lessons ½ hour class (10 classes)	\$ 58.97	\$ 62.51	\$ 62.51
Swimming Lessons ¾ hour class (10 classes)	\$ 68.25	\$ 72.35	\$ 72.35
Swimming Lessons 1 hour class (10 classes)	\$ 87.91	\$ 93.18	\$ 93.18
Swimming Lessons (Private) – (9 Classes)	\$ 234.00	\$ 248.04	\$ 248.04
Swimming Lessons (Private) – (10 Classes)	\$ 260.00	\$ 275.60	\$ 275.60
Rookie/Ranger/Star (9 classes)	\$ 79.17	\$ 83.63	\$ 83.63
Rookie/Ranger/Star (10 classes)	\$ 87.91	\$ 93.18	\$ 93.18
Haileybury Beach Swimming Lessons	50% of regular rate		
Adult Swim Lessons (8 Classes)	\$ 78.18	\$ 82.88	\$ 82.88
Adult Swim Lessons (9 Classes)	\$ 87.96	\$ 93.24	\$ 93.24
Adult Swim Lessons (10 Classes)	\$ 97.73	\$ 103.60	\$ 103.60
Timiskaming Northern Loons (per hour)	\$ 40.17	\$ 41.38	\$ 42.62

<b>Aquatic Leadership Programs*</b>			
Emergency First Aid	\$ 60.06	\$ 63.66	\$ 63.66
Standard First Aid Course	\$ 120.12	\$ 127.33	\$ 127.33
Bronze Star (BS)	\$ 87.91	\$ 93.19	\$ 93.19
Bronze Medallion (BMED)	\$ 68.25	\$ 72.35	\$ 72.35
Bronze Medallion & Emergency First Aid (BM/EFA)	\$ 81.90	\$ 86.81	\$ 86.81
Bronze Cross (BC)	\$ 68.25	\$ 72.35	\$ 72.35
Bronze Cross & Standard First Aid (BC/SFA)	\$ 81.90	\$ 86.81	\$ 86.81
National Lifeguard Course (NL)	\$ -	\$ -	\$ -
National Lifeguard Course (Non-Resident)	\$ 163.80	\$ 173.63	\$ 173.63
National Lifeguard Recertification (NLR)	\$ 65.52	\$ 69.45	\$ 69.45
Swim Instructors Course (SI)	\$ 174.47	\$ 184.94	\$ 184.94
Lifesaving Instructors (LSI)	\$ 135.68	\$ 143.82	\$ 143.82
Swim & Lifesaving Instructors (SI/LSI)	\$ 261.71	\$ 277.41	\$ 277.41
Examiners (EX)	\$ 65.52	\$ 69.45	\$ 69.45
Lifesaving Instructors & Examiners (LSI/EX)	\$ 153.32	\$ 162.52	\$ 162.52
First Aid Instructors (FAI)	\$ 141.50	\$ 149.99	\$ 149.99
National Lifeguard Instructors (NLI)	\$ 120.12	\$ 127.33	\$ 127.33
Junior Lifeguard Club (JLC)	\$ 117.39	\$ 124.43	\$ 124.43
*Course materials for aquatic leadership programs are charged in addition to the program registration fee.			

<b>Pool Rentals</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
1 hour Pool Rental without the slide	\$ 130.00	\$ 137.80	\$ 137.80
1 hour Pool Rental with the slide	\$ 186.73	\$ 197.93	\$ 197.93
Birthday Party – 1-hour pool rental and 1-hour viewing room rental	\$ 247.10	\$ 261.93	\$ 261.93
1 hour Pool Rental for use by School	75% of Regular Rate		

<b>Waterfront Pool &amp; Fitness Centre - Rental of Lounge</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
1 hour	\$ 54.62	\$ 57.90	\$ 57.90
3 hours	\$ 147.48	\$ 156.33	\$ 156.33
Full Day	\$ 368.69	\$ 390.81	\$ 390.81
1 hour Fitness Class	\$ 28.40	\$ 30.11	\$ 30.11

<b>Cardiopulmonary Fitness Class</b>			
Per Class	\$ 4.60	\$ 4.87	\$ 4.87
8 classes	\$ 34.94	\$ 37.04	\$ 37.04
16 classes	\$ 66.56	\$ 70.55	\$ 70.55
24 classes	\$ 94.85	\$ 100.54	\$ 100.54

<b>Waterfront Pool &amp; Fitness Centre - Other Fees</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Membership Card Replacement Fee	\$ 10.00	\$ 10.60	\$ 10.60
Monthly Locker Rental	\$ 12.00	\$ 12.72	\$ 12.72

## 7. Non-Resident User Fees

<b>Non-Resident User Fees</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Municipal Arenas (Per Family)	\$ 200.00	\$ 225.00	\$ 225.00
Municipal Marinas (Per Vessel)	\$ 200.00	\$ 225.00	\$ 225.00
City Hosted Programs, Activities and Memberships (Surcharge on Regular Fee)	30%	30%	30%
Northern Loons Swim Club (Per Family)	\$ 200.00	\$ 225.00	\$ 225.00
Temiskaming Shores Soccer Club (Surcharge on Regular Fee)	30%	30%	30%

## 8. Other Fees

<b>City Supplied General Liability Insurance</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
Facility bookings without user-supplied liability insurance: Per booking, per day	\$ 5.00	\$ 5.00	\$ 5.00
Facility bookings without user-supplied liability insurance (with alcohol): Per booking	\$ 275.00	\$ 280.00	\$ 285.00

<b>Recreation Facility Advertisement Fees</b>			
	<b>2025</b>	<b>2026</b>	<b>2027</b>
DSMA or SHSMA Rink Board Advertisement	\$ 425.00	\$ 425.00	\$ 425.00
DSMA or SHSMA Wall Board Advertisement	\$ 425.00	\$ 425.00	\$ 425.00
DSMA Bulletin Board Advertisement	\$ 1,000.00	\$ 1,020.00	\$ 1,020.00
WPFC Squash Court Advertisement Fee	\$ 150.00	\$ 150.00	\$ 150.00
Ball Diamond Fence Advertisement Fee	\$ 200.00	\$ 200.00	\$ 200.00

**Note:**

All advertisements are subject to additional terms and conditions.



# Memo

**To:** Mayor and Council  
**From:** Logan Belanger, Municipal Clerk  
**Date:** October 1, 2024  
**Subject:** Approval of Council Meeting Schedule – January 2025 to July 2025  
**Attachments:** N/A

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Mayor and Council:

The Council meeting schedule is established on a biannual basis, in accordance with the City’s Procedural By-law No. 2023-022. Section 5 of the By-law outlines that:

- Committee of the Whole Meetings shall be held on the first Tuesday of each month commencing at 3:00 p.m. unless otherwise decided by Council (5.1);
- Regular Council Meetings shall be held on the third Tuesday of each month commencing at 6:00 p.m. unless otherwise decided by Council (5.2); and
- For the months of July and August, Committee of the Whole shall be held on the 2<sup>nd</sup> Tuesday of the month commencing at 3:00 p.m., followed by a Regular meeting, unless otherwise decided by Council (5.3).

As such, it is recommended that Council confirms the following schedule of meetings for the months of January 2025 to July 2025 in the table below. Note: As the City Hall Holiday schedule has been approved to include an office closure from December 24, 2024 to December 27, 2024, the agenda content would be minimal should a Committee of the Whole meeting be scheduled on Tuesday, January 7, 2025.

Tuesday, January 21, 2025	Committee of the Whole Meeting followed immediately by the Regular Meeting
Tuesday, February 4, 2025	Committee of the Whole Meeting
Tuesday, February 18, 2025	Regular Meeting
Tuesday, March 4, 2025	Committee of the Whole Meeting
Tuesday, March 18, 2025	Regular Meeting
Tuesday, April 1, 2025	Committee of the Whole Meeting
Tuesday, April 15, 2025	Regular Meeting
Tuesday, May 6, 2025	Committee of the Whole Meeting
Tuesday, May 20, 2025	Regular Meeting

Tuesday, June 3, 2025	Committee of the Whole Meeting
Tuesday, June 17, 2025	Regular Meeting

Prepared by:

Reviewed by:

Reviewed and submitted for  
 Council's consideration by:

"Original signed by"

"Original signed by"

"Original signed by"

Logan Belanger  
 Municipal Clerk

Shelly Zubyck  
 Director of Corporate  
 Services

Mathew Bahm  
 Director of Recreation

# Memo

**To:** Mayor and Council  
**From:** Stephanie Leveille  
**Date:** October 1, 2024  
**Subject:** Frog's Breath Application Sponsorship – Branch 54 Royal Canadian Legion - Haileybury

**Attachments:**

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Mayor and Council:

The City has received a request from the Branch 54 Royal Canadian Legion - Haileybury to sponsor a request for funding support to the Frog's Breath Foundation, to help fund the Haileybury Branch 54 Kitchen Renovation - Equipment. If successful, the Legion would receive \$50,000 to put towards this renovation project. The Frog's Breath Foundation and other community funding organizations often require that applicants who are not a registered charity partner with a community agency who can accept charitable donations and provide tax receipts.

The City has sponsored applications for other community organizations in the past under the City's Charitable Sponsorship Policy, By-law 2018-039.

It is recommended that the City agree to sponsor this application to the Frog's Breath Foundation in support of the Branch 54 – Royal Canadian Legion - Haileybury.

Prepared by:

Reviewed and submitted for  
Council's consideration by:

"Original signed by"

"Original signed by"

Stephanie Leveille  
Treasurer

Shelly Zubyck  
Director of Corporate  
Services



# FROG'S BREATH FOUNDATION FUNDING APPLICATION

(deadline September 30)

## Executive Summary

Name of Organization: Branch 54 of the Royal Canadian Legion (Haileybury)		
Sponsoring Organization (if applicable): City of Temiskaming Shores		Note: If using a sponsoring organization a resolution or letter of support must be attached to the application.
Address: 373 Broadway St. Haileybury, Ont. P0J 1K0		
Contact Person: [REDACTED]		
Tel: [REDACTED]	Fax: N/A	Email: [REDACTED]
Charitable Registration Number (required):		
Total Organization Budget	Total Cost of Project	Amount Requested
\$	\$ 150,000	\$ 50,000
Project Title: <b>Haileybury Branch 54 Kitchen Renovation Project - Equipment</b>		
<p><i>Brief Description of Program:</i></p> <p>The Royal Canadian Legion is an organization that has transitioned from its beginnings as a place for war veterans to gather and be supported, to an important community social hub. Although the Legion's primary purpose is to be "the Guardians of Remembrance", our facilities – and especially Branch 54 Haileybury – host a variety of programs, services and special events.</p> <p>One such event that specifically pertains to this funding application, is our Breakfast Program. Branch 54 puts on a breakfast meal every Saturday and Sunday from 8:00 am to 12:00 pm. The breakfast consists of eggs, bacon or sausage, home fries, toast, juice and coffee. Pancakes are also an option. The breakfasts have been priced at \$10 over the past year, and will go to \$12 this November to help cover the increase in costs of supplies and taxes. Over the past year the success of the breakfast program has grown, to the point where we serve over 200 breakfasts each weekend.</p> <p>In order for the Breakfast Program, and other programs involving food, to continue serving the community, our kitchen is in desperate need of upgrades. Both in terms of a more efficient flow, and new equipment. Our gas stove is an old Moffat range that has long outlived its useful life. The handle for one of the two oven doors has fallen off and cannot be replaced. Control knobs have broken over the years and cannot be replaced due to a non-universal stem. Our dishwasher, although functional, is too small and inefficient for our needs. These are just two specific examples of equipment in need of replacement. Add to that, equipment for refrigeration, deep-frying, mixing, hand washing, and a variety of pots, pans, and utensils. As with most kitchens in not-for-profit organizations, pots, pans and utensils are generously donated by organization members. Although appreciated, they are often not of the best quality.</p>		

Attached to this application is a list of equipment and utensils we need, with associated costs, provided by one supplier.

Although this funding application is for kitchen equipment, the kitchen renovation project is much broader in scope. We have retained the services of a consultant to redesign the kitchen layout, and have architectural drawings of what is proposed. The entire project involves electrical, venting, and air conditioning upgrades, as well as new flooring, ceiling, lighting, storage, and counters.

Attach to this application:

- List of Officers and Members of the governing board; their business or other affiliations; the committees that are in place.
- Current operating budget and project budget
- Most recent financial statements (audited preferred)  Other pertinent material

## Evaluation Information

### Impact On Community

*Briefly state the purpose and structure of your organization. Include the following information: history; founding date; volunteer base; staff; location; achievements; whom it serves; goals; principles.*

The Legion and our members honour and support Veterans including military and RCMP members and their families, to promote Remembrance and to support and serve our communities and our country. Our Branch 54 has been in existence since 1926, the same year that the Royal Canadian Legion was established. In fact, we have a locked vault embedded in our basement wall with the dates and an expectation that it will be unsealed and contents and messages revealed in 2026. We are planning a big celebration and these renovations will permit us to open the doors of our main Hall to the entire community. The kitchen, of course, will be an important aspect of all this.

Our membership has been standing firm at about 130 for several decades. However this past year we increased our membership by more than 120% by welcoming new members. Our membership now stands at 317. The Breakfast Program has been a very effective community outreach and is largely responsible for the increase in membership.

Our primary fund raising and visibility in the community is during the “poppy season” and Remembrance Day Parade at the Haileybury Cenotaph and related activities. We also attend veteran’s funeral services along with our Pipe Band to provide a token of our appreciation for

their service. We attend the local nursing homes on Remembrance Day as well as local cemeteries.

We provide financial educational bursaries for all local high schools, we sponsor annual public speaking competitions, organize annual sporting activities for youths, we host two different dart leagues twice a week, weekly cribbage card games open to all on Sunday afternoons, host musical sign-along and dances as well as viewing parties for the Rotary TV Bingo on Sunday nights. Our building has people coming and going most days of the week with a wide range of local and district visitors and members alike.

The core values of the Royal Canadian Legion are justice, honour and freedom. We serve best by fostering these principals in ourselves and in our work in our communities.

*Please also provide your Mission Statement or similar guiding statements (i.e., mandate, goals and operating principle).*

The Legion and our members honour and support Veterans including military and RCMP members and their families, to promote remembrance by honouring those that have served and to serve our communities and our country. We are a democratic, non-partisan, member-based organization, here to always remember the men and women who made the ultimate sacrifice for our country.

*What will the project specifically accomplish and how does this relate to the overall goals of your organization?*

This project will be the single largest investment into our building since it's inauguration in 1926, with the possible exception of renovations that occurred in the 1970s. This initiative promises to revitalize our facilities, and will make the building safe, clean and current with modern electric and plumbing standards and building codes. With an updated kitchen, new flooring windows and and lighting, our main Hall will be able to operate for decades into the future. Our organization will be able to continue weekly breakfasts, host special events including dances, weddings and family reunions.

What specific population will benefit from your project (i.e., how will it work to strengthen and enhance the quality of life in our community)?

Veterans and their families will always be our first priority. We support them by regular visits to their homes, hospital rooms or nursing homes. We also host an annual dinner with the current executive and by offering a wide variety of activities including folk music afternoons and singing carols in our lounge over the Christmas holidays.

Everyone is welcome to the Legion and membership is not required to attend nearly all of our events or activities. Our pool table is popular and may be the only one left in Haileybury that is open to the public. Our monthly meetings are open to all members and we have a well attended informed membership who are quick to get involved or to help making sandwiches or selling poppies. Not all of our supporters have money to donate, but those who do have been generous. \$15,000 or the \$20,000 raised last Sept. '22 for new lounge flooring, was donated in a matter of weeks. Those who cannot support us financially, have given their time and skills to help us repaint the entire basement last summer, with volunteers bringing their own paint and brushes to help out. Last year in our submission to the North on Tap Festival, we had estimated we could find 50 volunteers to each come for three (3) days to help set-up, work a shift and then dismantle the tents the next day. In one month over 70 members volunteered! There are few organizations that enjoy greater community support than our Haileybury Legion Branch 54.

Timing

*Briefly describe the timing of your project, including the projected start-up and completion dates?*

We expect to sequence the kitchen renovations within the scope of the overall renovation project for the Branch. Other targeted renovations include work on the west foundation wall, accessible bathrooms, a lift, electrical upgrades, hall floor/ceiling, window replacement, and outside siding.

Our plan is to acquire the kitchen equipment as soon as possible, if this funding application is approved. The equipment will be held in storage until full kitchen renovations are underway.

Costs

*Please outline your project costs and sources of revenues.*

<b>Estimated Expenses</b>	<b>Amount</b>	<b>Comment</b>
Salaries/Fees/Honoraria	\$	
Printing	\$	
Materials/Supplies	\$ 50,000	See attached list of equipment
Advertising/Promotion	\$	
Office Expenses	\$	
Other Expenses	\$	

Total Expenses	\$	
<b>Estimated Revenue</b>	<b>Amount</b>	<b>Comments</b>
Fees	\$ N/A	
Donations	\$	
Earned Revenue	\$	
Fundraising	\$	
Other Grants	\$	
Funding from Frog's Breath	\$ 50,000	
Other Revenue	\$	
Total Revenue	\$	

*In relation to your start up and completion dates, please outline any impact timing may have on your funding requirements.*

Kitchen equipment that is the subject of this funding application is part of the larger kitchen renovation project. The acquisition of the equipment can be carried out before the full kitchen renovation project takes place. Plans are in the works to apply to other funding sources, and our own earnings, in order for the work to get underway.

Other Money Raised

*What other fund raising programs have been considered and/or approached for part of the initial funding requirement? Are there any Government funding programs, such as FedNor, Ontario Heritage Fund, Ontario Trillium Fund, municipal programs, etc., that your organization is potentially eligible for? (Include a current list of supporters and the amounts of financial help they have provided)*

For the overall Branch renovation project, funding has been received from Frog's Breath Foundation, (\$40K) North on Tap (\$30K), NOHFC (\$500K – pending official announcement), Branch earnings (\$120K)



## Sustainability

*Why do you think this project will be successful? What strengths does your organization possess that will ensure a positive outcome? If appropriate, how have you planned to continue this initiative in the future?*

This project will be successful because of the community that supports it. Haileybury is a community that has not forgotten it's roots and our popular November 11 events are witness to that community support.

We also have an engaged and dedicated executive committee. Several new members have brought new ideas and momentum is growing. As mentioned earlier, once these renovations are completed, our ability to support our building and our community projects will be on solid ground for decades to come. At a time when other Legions are closing, our Legion is growing, in membership and in community support.

*If the application is for start-up funding, how will the project be financed in the future?*

Once the main Hall and kitchen are renovated and reopened for business, we anticipate that our revenues from rentals and events will bring much-needed financial support for the building and our activities alike. The majority of this building has not been updated so with a re-opening of the main Hall and kitchen, funding for projects in the future will be self-generated.

## Leadership

*What will you do that is different from or better than existing programs? How will you build on existing programs or services?*

Our Breakfast Program, and all other events throughout the year that involve the preparation and serving of food, are carried out by volunteers. Our volunteer base is strong. This is in large part due to the leadership of our President and the Executive members. The Breakfast Program, in particular, is an initiative born out of that leadership. It is different from other programs or services in the community because of the price of the meal, and the opportunity for social interaction. The Breakfast Program, and the many other events hosted by Branch 54 contribute significantly to the well-being of our community.

## Community Support

*Who in the community or elsewhere is working on this project? If it is appropriate, how will you coordinate with them? What makes your organization unique?*

No other entity in Haileybury provides our services to the community. We are members of a larger Legion community and can always ask our neighboring comrades in New Liskeard, Cobalt and Latchford Branches for assistance and support as required.

## Recognition For Frog's Breath

*How will you acknowledge the contribution of the Frog's Breath Foundation?*

We will post a public thank you to the Frog's Breath Foundation in a huge add in the Temiskaming Speaker and also on our local radio broadcaster, CJTT. All our contributors to the renovation projects will also be listed on our Legion Bulletin Board, announced in our monthly newsletter along with progress updates, and on our Social Media pages. Our Branch President will follow up with a personal letter of appreciation to the Frog's Breath Foundation.

## Volunteer Base

*Briefly describe how you will establish your volunteer base.*

Our membership is our volunteer base. With our present strength of 319 members, we have a significant and solid volunteer base ready to take this project on to its completion.

## Other Factors

*Is there anything else you would like us to know about this project?*

Please note that this submission has been forwarded to the City of Temiskaming Shores Secretary and Treasurer. The City advises that our request for sponsorship will be added to the next Council agenda. We will update when confirmation is received.

*Will a tax receipt be issued?*

Yes, once the City of Temiskaming Shores confirms sponsorship.

FROG'S BREATH FOUNDATION  
P.O. Box 130, New Liskeard, Ontario POJ IPO  
Tel: (705) 647-1000 Fax: (705) 647-8888 Email:  
[info@frogsbreathfoundation.org](mailto:info@frogsbreathfoundation.org)

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

**Report No.:** CS-033-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

- Appendix 01:** Application to Purchase Land
- Appendix 02:** Notice of Public Meeting
- Appendix 03:** Administrative Report No. CS-011-2023 (March 21, 2023)
- Appendix 04:** Reference Plan No. 54R-6453
- Appendix 05:** Draft By-law to Stop Up and Close a Highway – Part 1 on Plan 54R
- Appendix 06:** Notice to Stop Up and Close a Highway
- Appendix 07:** Draft By-law Offer of Purchase and Agreement

### **Recommendations**

It is recommended:

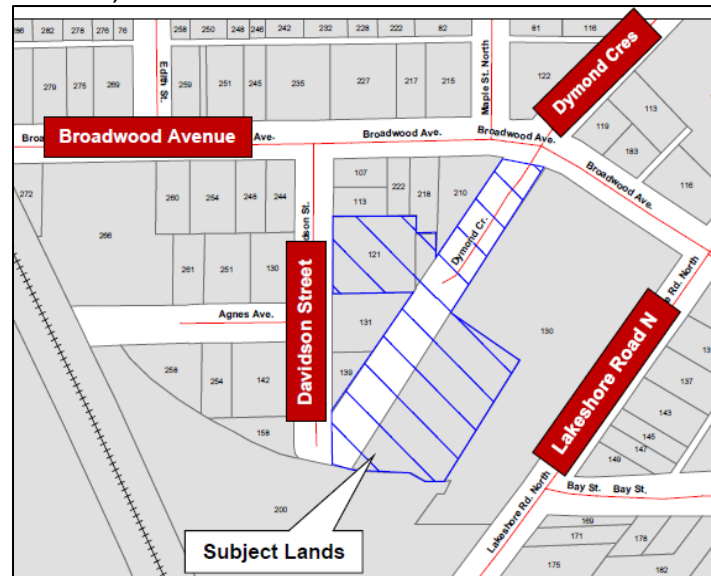
1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-033-2024;
2. That Council directs staff to continue with the disposition of the municipal road allowance, being a portion of Dymond Crescent, described as Part 1 on Plan 54R-6453, in accordance with By-law No. 2015-160; and
3. That Council directs staff to prepare the necessary by-laws to Stop and Close the above-described road allowance, and to enter into an Offer of Purchase and Sale Agreement between the City of Temiskaming Shores as Vendor, and 2844371 Ontario Inc., as Purchaser, for the above-described road allowance, conditional upon the registration of any easements required by the municipality and applicable external agencies, and upon registration of an approved Site Plan Agreement, in the amount of \$1,000 plus taxes (if applicable) plus all associated costs (legal, registration, survey, administration, etc.), in accordance with By-law No. 2015-160, for consideration at the October 15, 2024 Regular Council meeting.

### **Background**

On March 13, 2024, a letter was received from John Knifton, Managing Partner with JK Development GP<sup>2</sup> Limited, to purchase a portion of unopened road allowance (Dymond

Crescent) between Broadwood Avenue and Davidson Street (**Appendix 1**), for their Client Abdul Khaliq, 2844371 Ontario Inc.

The Applicant currently owns two parcels of land on either side of the road allowance, one on Davidson Street and one on the portion of Dymond Crescent; identified on **Appendix 2** (Public Notice) and is seeking to purchase the land to join two individually owned properties for the development of a two-phase residential apartment complex (proposal: total of 59 units).



In 2022/ 2023, an application was made to acquire the southerly portion of the Dymond Crescent road allowance, to join the properties and to accommodate parking requirements of the project. A public meeting was held at the February 21, 2023 Regular Council meeting, and a report was presented at the March 21, 2023 Regular Council meeting (CS-011-2023 – **Appendix 3**), authorizing staff to proceed with the sale, conditional upon:

- Approval of a Zoning By-Law Amendment application;
- Approval of a Site Plan Agreement; and
- Registration of any easements required by the municipality and applicable external agencies.
- The purchase and sale agreement was to include a clause allowing ownership to revert to the City should the development not proceed within a determined timeframe.

Note: The purchase and sale agreement was not completed for the initial request, and the site plan agreement is pending approval.

On December 19, 2023, a Zoning By-law Amendment by-law was adopted (By-law No. 2023-137) to change the property from Community Facility (CF) to High-Density

Residential, Exception 20 (R4-20). The purpose of the exception was to include a special provision that the maximum number of dwelling units would be 59.

Note: the Applicant advised that during this process they agreed to provide access to the site from Broadwood Ave (subject to acquiring Dymond Crescent), as well as accommodating a request from Northdale Manor with a driveway for its shuttle bus service and providing pathway for future residents to a transit stop at the corner of Dymond Crescent and Maple Street, to satisfy concerns identified through the first application process.

During the past year, changes to the project have been completed from a planning and development perspective:

- A new site plan to move the building back from the top of the slope; and
- Moving the parking to the front of the building (closer to Davidson Street), to create a gradual grassed sloped area, instead of a steep retaining wall.

The change would result in a smaller, more compact 4-story building with increased landscaped area. Please refer to the Application letter in **Appendix 1** to view the site plan originally submitted and the proposed plan moving forward.

In accordance with the Land Disposition By-law (No. 2015-160), notice regarding the Public Meeting for the proposed disposition, was publicized via the City's Website and the City Bulletin (Speaker and Weekender Editions) (**Appendix 2**). The notice was also circulated to utility companies (Hydro, Enbridge, Bell, Eastlink, Telebec), and mailed to adjacent landowners. No objections were received prior to the public meeting; however, comments were received by municipal staff, and two comments from external agencies:

- **Director of Recreation:** The developers proposed site plan is completely missing outdoor or indoor bicycle parking areas. It is also missing adequate pedestrian walkways or sidewalks on the portion of Dymond Cres. they wish to purchase. Pedestrians originating from the proposed development have no designated pathways to access existing pedestrian infrastructure on Broadwood Avenue. The City's official plan includes numerous mentions about incorporating pedestrian friendly and cycling friendly elements into developments. In my opinion, the inclusion of a sidewalk between building B and Broadwood Ave and a space for safe bicycle storage is the minimum that should be included.
- **Manager of Transportation:** It would be a requirement of the applicant to maintain their property and any purchased roadway year-round. It should also be noted that any proposed development of this property may require a Traffic Impact Study.

- **Ontario Northland:** Ontario Northland is not aware of any infrastructure of the subject lands, and we have no concerns over the potential sale; however, provided guidelines for residential development.
- **Enbridge Gas Inc.:** Enbridge will require an easement prior to the proposed sale as they have infrastructure in the laneway with service lines to homes. Please note that there can be no structures built on the easement and access must remain available at all times.

The Public Meeting was held during the May 21, 2024 regular Council meeting, and Mr. James Schlegel, resident, expressed that he had an interest in purchasing the lands, and had questions related to the project related to the intended use of the lane, privacy considerations, trees, access, along with an inquiry for an alternate access (specific questions detailed in the Analysis section of this report).

The next steps were identified to include obtaining a reference plan, the adoption of a stop-up and closure by-law for the section of road allowance, an Administrative Report to Council recommending a Purchase and Sale Agreement.

Following the closure of the public meeting, Council adopted the resolution below:

Resolution No. 2024-192

Moved by: Councillor Whalen

Seconded by: Councillor Graydon

Be it resolved that the Council of the City of Temiskaming Shores hereby acknowledges the presentation regarding the potential disposition of land from the Municipal Clerk; and

That Council directs staff to proceed with the survey of the portion of Dymond Crescent, and to prepare an administrative report related to the potential disposition of land, for consideration at a future Council meeting.

**Carried**

Per Council direction, a survey was commissioned from Surveyors On Site, which was registered on September 9, 2024 (**Appendix 04**).

Following the Public Meeting, Hydro One advised that they had an interest regarding the land and were seeking as many as four (4) easements to protect lines and access for their services. Hydro also noted that they can draft an offer to grant easement agreement for "ALL NECESSARY POLE AND ANCHORS", complete a survey for the areas of interest and register easements on title. The associated costs to register the easement would be assumed by Hydro One.

## **Analysis**

The Developer's current adjacent properties on either side of this road allowance are designated Residential Neighbourhood in the City of Temiskaming Shores Official Plan, and were recently subject to a By-law Amendment to zoned High Density Residential, exception 20 (R4-20) in the City of Temiskaming Shores Zoning By-law.

The Dymond Crescent road allowance currently separates the two pieces of property, and the purchase of the road allowance would allow the property to be treated as one piece for future development, and would allow access to the rear portion of the property. The road allowance would also be required to allow for the installation of the required services to support the proposed development. As the subject land is a portion of an unopened road allowance, there is no impact on municipal road operations, as the purchaser would be responsible to maintain the property and any purchased roadway year-round. For these reasons, the proposed sale is recommended.

A building permit would be necessary for each of the proposed buildings, to ensure the Ontario Building Code, zoning requirements, and other building standards are met. In addition, the approval of a site plan control agreement (i.e. an application on the development of the site, such as lighting, landscaping, walkways, parking, lot grading, and other such items), is required. Note: the Applicant requested that the purchase of the land be contingent upon receiving Site Plan Approval from the City for the proposed project.

Following the public meeting, the comments received were provided to the Applicant for information, and the responses are outlined below. Note: A letter was mailed to Mr. Schlegel to provide answers to his questions, and to provide an update that Council would be considering the proposed sale on October 1, 2024.

**Question No. 1:** Will the lane be used for two-way or one-way traffic. If one-way, what direction will traffic travel?

**Answer:** The proposed traffic is two-way traffic.

**Question No. 2:** Will the lane be used temporarily during construction for construction vehicles only, or on a permanent basis for tenants?

**Answer:** The lane is proposed as a two-way entrance and exit to the property permanently.

**Question No. 3:** Are there plans to remove trees from the laneway during construction?



Answer: Trees that need to be removed will be removed. As illustrated on the site plan there is a vegetative buffer along the lane. In this area trees are to be maintained where possible and trees are proposed to be added as per the site plan. The proposed lane is located in a similar position as the existing to reduce the number of trees that need to be removed.

**Question No. 4:** Will there be through access from Broadwood Avenue to the end of Davidson Street?

Answer: There is proposed access on Davidson and Broadwood.

**Question No. 5:** What was the result of the study/consideration for having an access from Lakeshore Road?

Answer: Lakeshore was looked at in the beginning of the design process. Firstly the subject lands do not abut Lakeshore Drive and secondly there is a significant elevation difference.

As such, it is recommended that Council consider a by-law for the Stopping Up and Closing for the section Dymond Crescent at the October 15, 2024 Regular meeting, which would be registered on title (**Appendix 5**). The public notice regarding the proposed closure will be advertised (Temiskaming Speaker/ Weekender and City Website), in accordance with the City's Notice By-law No. 2004-022, following the October 1, 2024 Committee of the Whole meeting (**Appendix 6**).

In addition, it is recommended that Council consider an Offer of Purchase and Sale Agreement for the sale of the subject road allowance to 2844371 Ontario Inc. (**Appendix 7**), for consideration at the October 15, 2024 Regular Council meeting, conditional upon registration of required easements, and upon approval of the Applicant's site plan control.

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

- By-law No. 2004-022 – Establish Procedures for Public Notice
- By-law No. 2015-160, Procedural Policy for the Disposal of Real Property

### **Consultation / Communication**

- Regular Council Meeting – Public Meeting – May 21, 2024
- Notices in accordance with By-law No. 2004-022 & By-law No. 2015-160
- Circulated to Staff, Utility Companies and Neighbouring properties for comment.



### **Financial / Staffing Implications**

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

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

After comparing recent sales for road allowances, it is recommended that if Council agrees to the conditional sale, for a price of \$1,000.00, plus all related costs and applicable taxes, i.e., survey costs, all registration fees, easement fees, all legal costs (City and Purchaser), and any fees associated with Stop up and Closure/ registration.

The Purchase and Sale agreement, if approved, would include a statement that the subject property would be sold on an “as is” and “where is” basis, and the purchaser would need to satisfy themselves as to the suitability of the property for their purpose. The City of Temiskaming Shores provides no representations or warranties of any kind whatsoever.

Staffing implications are limited to normal administrative functions of staff.

### **Alternatives**

No alternatives are being proposed by staff; however, the disposal of Municipally owned property is governed through By-law No. 2015-160 (Disposal By-law), and outlines a variety of methods for disposal and for determining fair market value. The relevant options for this proposed sale have been identified below.

#### **Section 3: Disposal Methods**

One or more of the following disposal methods may be utilized:

1. Direct sale by the City
2. Public Tender or Request for Proposals
3. Public Auction
4. Listing land with a broker and/or real estate firm at a negotiated commission
5. Posting on the proposed land to be sold a “For Sale” sign which will include contact information for inquiries
6. Funding agreements
7. Direct negotiation
8. Direct advertising
9. Property exchange

#### **Section 4: Determining Fair Market Value**

One or more of the following methods may be utilized to determine the fair market value:

1. Obtaining an appraisal
2. Using the assessed value
3. Comparing recent sales of similar properties based on willing buyer / willing seller
4. Using recent appraisals for similar properties

**Submission**

Prepared by:

Reviewed by:

Reviewed and submitted for Council's consideration

*"Original signed by"*

*"Original signed by"*

*"Original signed by"*

---

Logan Belanger  
 Municipal Clerk

Shelly Zubyck,  
 Director of Corporate  
 Service

Mathew Bahm  
 Director of Recreation

March 13, 2024

Ms. Shelly Zubyck  
Director of Corporate Services/CEMC  
City of Temiskaming Shores  
Temiskaming Shores Ontario

Re; 129 Davidson Drive, former Public School project, New Liskeard, ON, Application to acquire Municipal Lands, Dymond Crescent, New Liskeard, ON

Dear Ms. Zubyck

Thank you for the support and information that you have provided us so far to date on our proposed apartment building project located at 129 Davidson Drive, in New Liskeard.

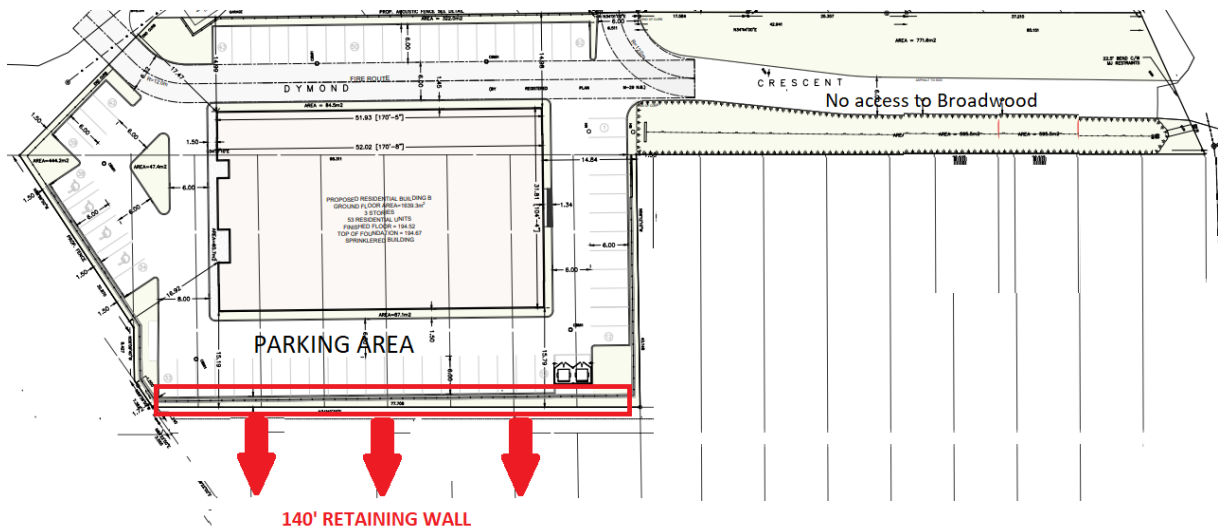
Pursuant to our Teams application for Site Plan Approval submitted to your attention on March 9, 2024, please be advised of the following.

On March 21, 2023, we made an application to the Municipality to purchase lands known as the Dymond portion of Dymond Crescent, which is the area of land between the former Catholic School École Catholique Paradis-des-Petits and the former playground area of the same school, in relation to our proposed development of a 53 unit apartment complex on the same lands. The application to acquire the southerly portion of the Dymond Crescent road allowance was necessary to accommodate the parking requirements of the project in order to join the Davidson school site and the apartment site on the former playground area of the property.

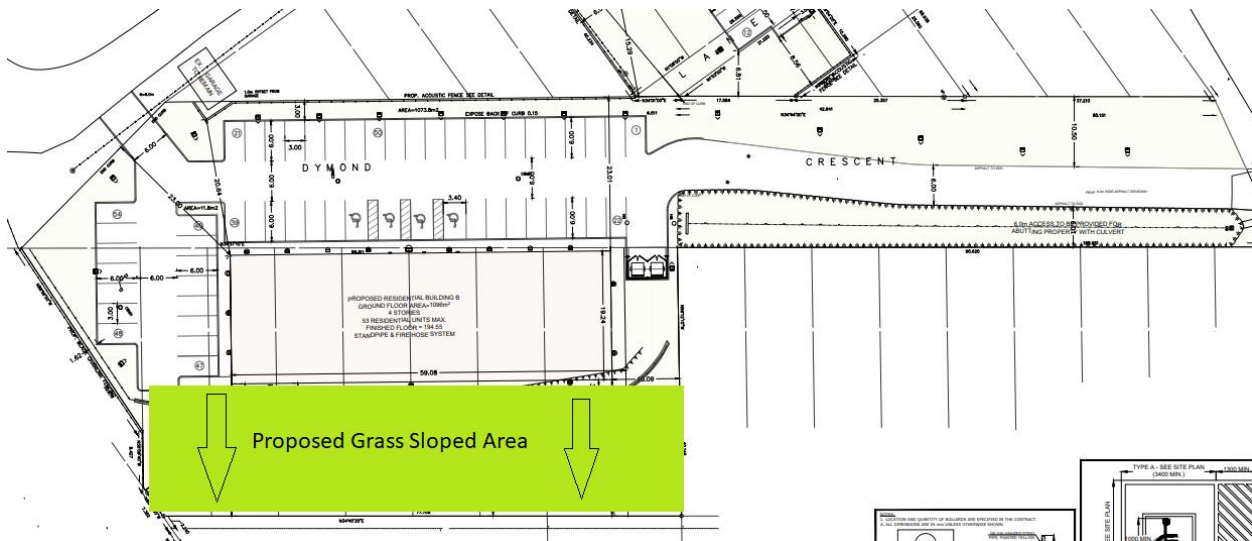
In the past year, much has happened to improve the project to help make it work from a planning and development perspective. After conducting a civil engineering study, of our original plan, it was determined that a significant slope that exists to the south east of the property adjacent to Northdale Manor and rising up to meet the elevation point of the proposed project on the former playground posed a significant challenge of having to construct a massive retaining wall directly east of the proposed building. The retaining wall, which would have had a significant height to it of possibly up to 20 feet, could have been a hazard, and would have needed a safety railing on top, and could have posed a dangerous situation for vehicles and pedestrians that could potentially be near it, as the wall was holding up the parking lot of the proposed building, and our civil engineering company told us that it would have a very significant cost associated with its design and construction. Additionally, the wall would have been esthetically not pleasing from Lakeshore Rd, the Towns main approach to downtown New Liskeard.

At the same time, on December 19 of 2023, we made an application to the Municipality for a zoning bylaw amendment to change the Zoning of the site from CF to R4, with some conditions. During the ZBA process we agreed to provide access to the site from Broadwood Ave (subject to acquiring Dymond Crescent) as well as accommodating request from Northdale Manor with a driveway for its shuttle bus service and providing pathway for future residents to a transit stop at the corner of Dymond Crescent and Maple Street, just to the north.

Original Plan below (March 2023) shows parking behind the building with Retaining Wall down to Northdale Manor. The Red Arrows show the potential area of the steep retaining wall.



As an alternative to having to construct this retaining wall, a new site plan was created to move the building back from the top of the slope, move the parking to the front of the building, closer to Davidson Drive, that resulted in our Engineers being able to eliminate the retaining wall and create a gentle slope of a grassed area, to the east of the proposed building as shown in the plan below.

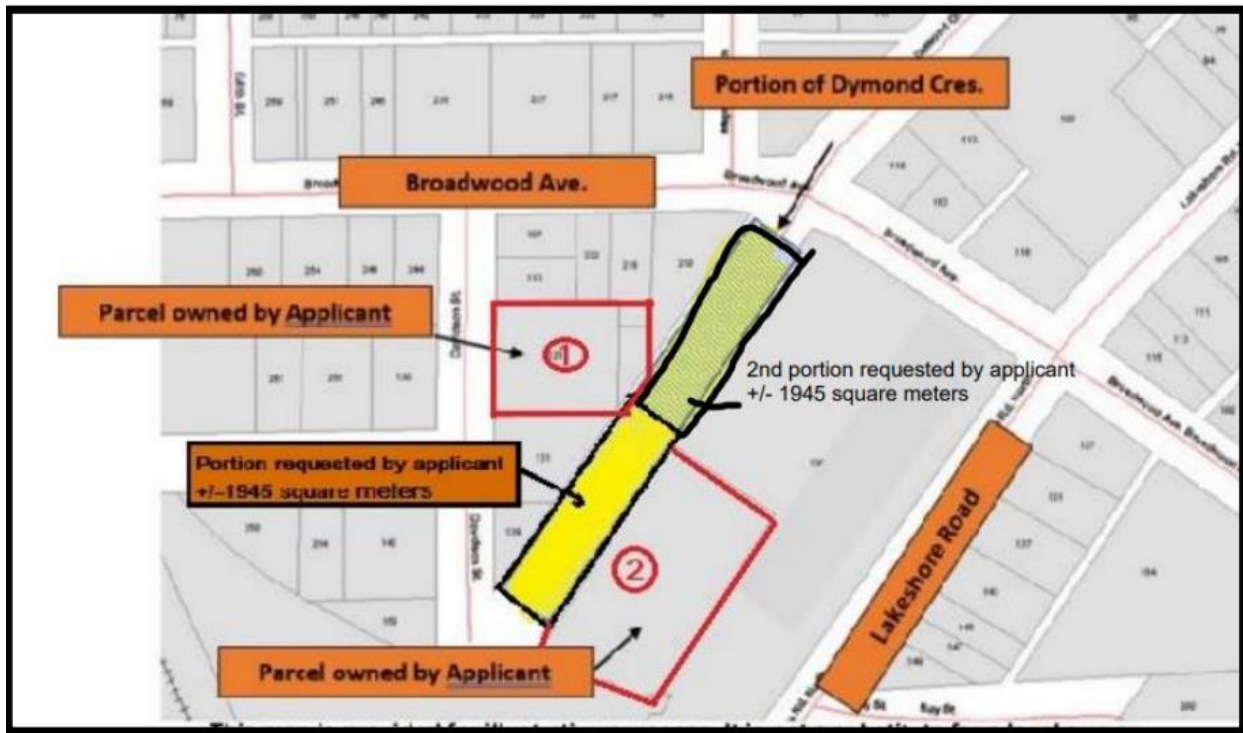


The net result of the proposed change is a smaller, more compact 4 story building with more of a green footprint of increased landscaped area with a gentle slope.

We believe the result of the adoption of the Zoning Bylaw amendment application will result in a better project, by providing vehicle access to the project from Broadwood and also from Davidson Drive for the

smaller 6 unit building, it became necessary for us to acquire the balance (in green) of Dymond Crescent as shown below in APPENDIX 1.

APPENDIX 1



Ms. Zubyk, in summary, we would formally request that Council consider our request to purchase for the sum of \$1000.00 approves the Application to purchase Municipal Land from Abdul Khaliq for a portion of Dymond Crescent as identified in Appendix 1, conditional on the approval of a Site Plan Agreement; and registration of any easements required by the municipality and applicable external agencies.

Thank you.

Sincerely,

John Knifton,  
Managing Partner.  
JK Development GP<sup>2</sup> Limited.

cc. Mr. Abdul Khaliq  
cc. Mr. Umar Jahangir  
cc. Candice Micucci MCIP, RPP, OALA

## Notice of Public Meeting

### Potential Sale of Municipal Land: Unopened Road Allowance – Portion of Dymond Crescent

Notice is hereby given in accordance with By-law No. 2015-160 in respect to the City considering the sale of a portion of Dymond Crescent (unopened road allowance), identified on Plan M29-NB. This public notice is being given to advise the public that Council is considering the sale of the subject land, as described below and shown in the key map.

Any person may attend the public meeting or provide written comments prior to the public meeting.

#### The Public Meeting will be held:

**Date:** Tuesday, May 21, 2024  
**Time:** 6:00 p.m.  
**Location:** Council Chambers (325 Farr Drive)

#### Further information or written submissions:

Logan Belanger, Municipal Clerk  
Email: [clerk@temiskamingshores.ca](mailto:clerk@temiskamingshores.ca)  
Phone: 705-672-3363 x 4136

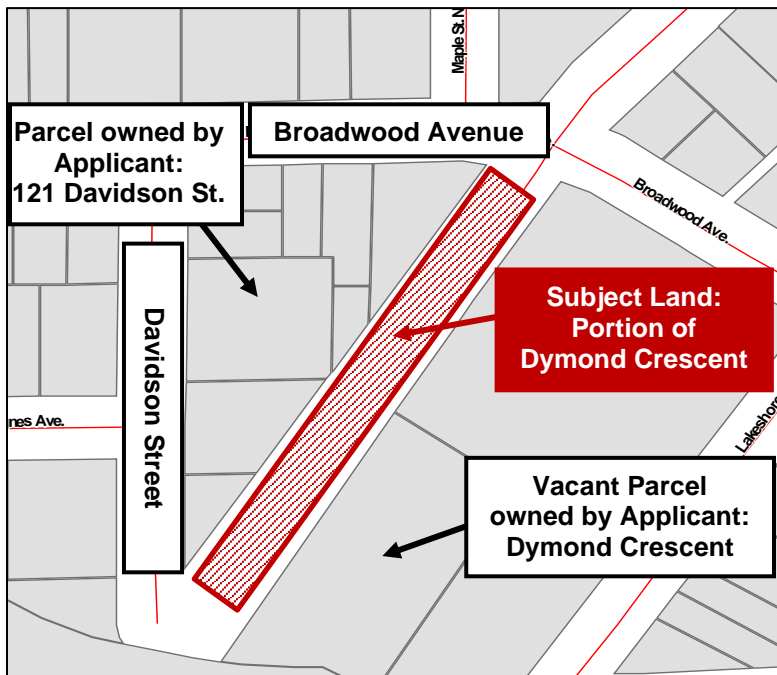
The public can provide input on the proposed sale, as follows:

- **Submit Comments in Writing:** Persons wishing to provide comments may submit in writing, using the email address above, prior to 2:00 p.m. on **Tuesday, May 21, 2024**.
- **Register to Speak at the Meeting:** Persons wishing to speak to Council must register with the Clerk prior to 2:00 p.m. on **Tuesday, May 21, 2024**, using the above-noted email or telephone number.

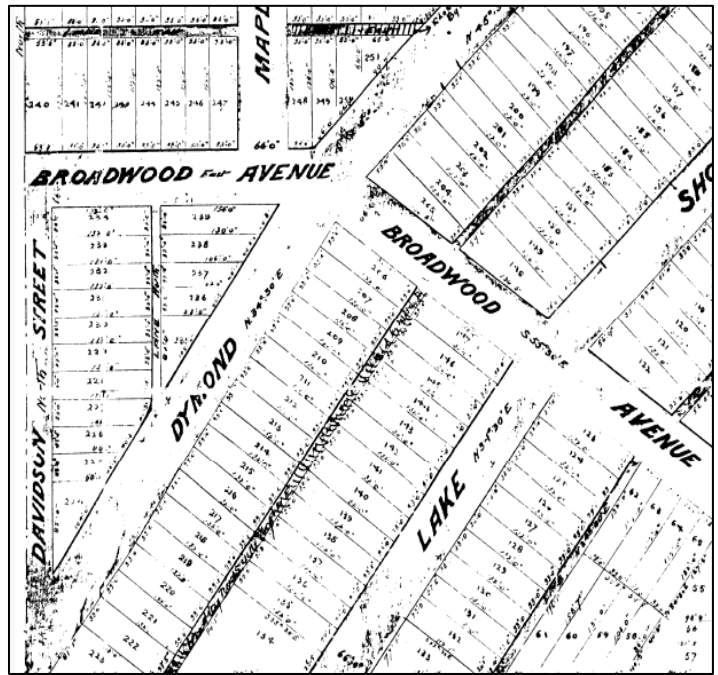
**Proponent / Purpose:** The owner of 121 Davidson Street and a vacant parcel on Dymond Crescent is seeking to purchase a portion of unopened road allowance on Dymond Crescent, to facilitate the future development of the properties for residential purposes. On March 21, 2023, Council provided conditional approval on the sale of a smaller portion on the south-end of Dymond Crescent; however, the Applicant is now seeking to purchase the portion of Dymond Crescent from Davidson Street to Broadwood Avenue, as identified below.

**Description of Land:** Portion of Dymond Crescent (unopened road allowance), identified on Plan M29-NB.

Key Map



Excerpt of Plan M29-NB



This map is provided for illustrative purposes. It is not a substitute for a legal survey.  
Boundaries on aerial photos may be skewed.



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

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

**Agenda Date:** March 21, 2023

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### **Attachments**

**Appendix 01:** Map of Area

**Appendix 02:** Enbridge Gas Information

### **Recommendations**

It is recommended:

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

### **Background**

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

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

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

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

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

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

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

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

### **Analysis**

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

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

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

### **Consultation / Communication**

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



**Financial / Staffing Implications**

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

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

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

**Alternatives**

Council may decide to defer their decision on this Application.

**Submission**

Prepared by:	Reviewed by:	Reviewed and submitted for Council's consideration
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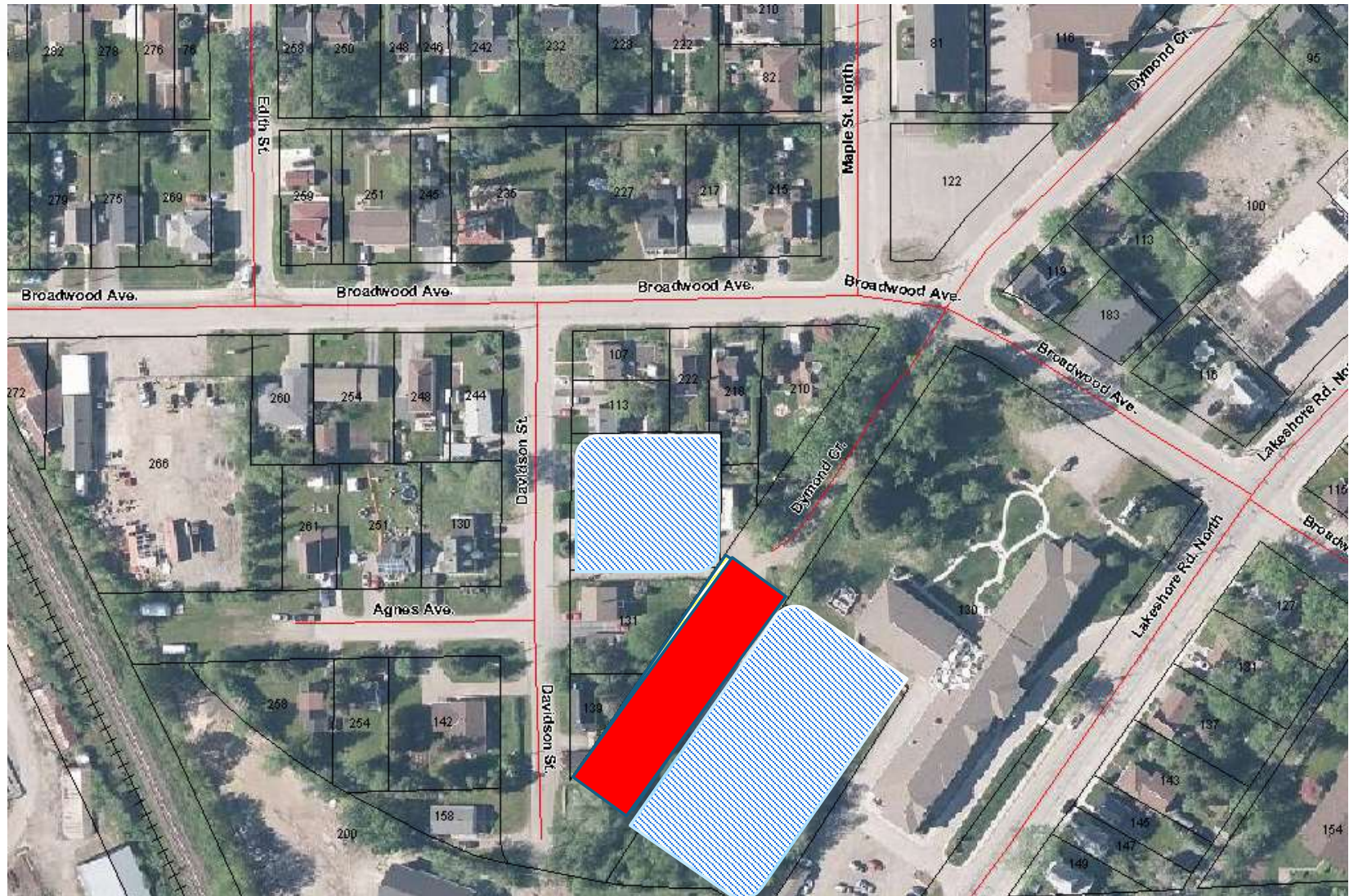
<u>"Original signed by"</u>	<u>"Original signed by"</u>	<u>"Original signed by"</u>
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Kelly Conlin Municipal Clerk	Shelly Zubyck, Director of Corporate Service	Amy Vickery, CMO City Manager
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# Appendix 01

Red portion – Portion requested

Blue Shaded – Applicant owned parcels



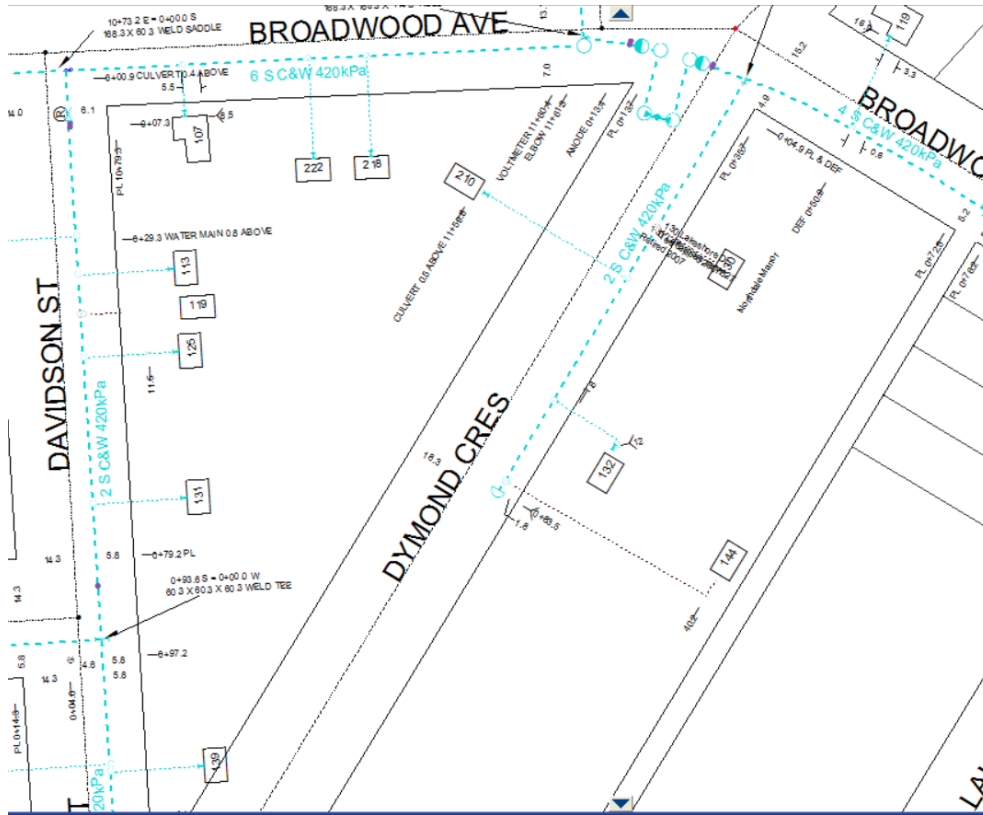


## Appendix 02 – Area Map-Enbridge Gas



The location of Enbridge Gas facilities on the following drawing is approximate and is to be used for information purposes only. Enbridge Gas re-affirms that this drawing should not be relied upon to determine the location of any Enbridge Gas facilities, exact locates can be determined by calling Ontario One Call 1-800-400-2255.

This document is to be used for viewing purposes only. It shall not guarantee gas supply or availability for a specific project. It is for demonstration purposes only indicating Natural Gas infrastructure.



PLAN OF SURVEY OF  
 PART OF DYMOND CRESCENT  
 REGISTERED PLAN M-29 N.B.  
 GEOGRAPHIC TOWNSHIP OF DYMOND  
 CITY OF TEMISKAMING SHORES  
 DISTRICT OF TEMISKAMING



SCALE 1 : 500 METRES

SURVEYORS ON SITE INC.  
 THE INTENDED PLOT SIZE OF THIS PLAN IS 457mm IN WIDTH BY 610mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:500.

SCHEDULE				
PART	LOT/BLOCK	PLAN	PIN	AREA (Ha)
1	DYMOND CRES	PLAN M-29 N.B.	PIN 61339-0600 (LT)	0.42
GEOGRAPHIC TOWNSHIP OF DYMOND				
PART 1 COMPRISE PART OF PIN 61339-0600 (LT).				

**PLAN 54R-6453**  
 Received and deposited  
 September 9<sup>th</sup>, 2024  
 Erin Noble  
 Representative for the  
 Land Registrar for the  
 Land Titles Division of  
 Timiskaming (No.54)



**LEGEND**

■	.....	MONUMENT FOUND
□	.....	MONUMENT PLANTED
IB	.....	IRON BAR
SIB	.....	STANDARD IRON BAR
SSIB	.....	SHORT STANDARD IRON BAR
M	.....	MEASURED
S	.....	SET
P1	.....	PLAN 54R-2717
P2	.....	REGISTERED PLAN M-29 NB
P3	.....	PLAN TER-230
D1	.....	INSTRUMENT LT127816
MTO	.....	MINISTRY OF TRANSPORTATION ONTARIO
SC	.....	H. SUTCLIFFE LTD.
SOS	.....	SURVEYORS ON SITE INC.
OU	.....	ORIGIN UNKNOWN

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE 12th DAY OF JULY, 2023.

AUGUST 30, 2024.

*Ryan W. Seguin*  
 RYAN W. SEGUIN  
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-82309.

**NOTES**

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.  
 DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99967864.  
 BEARINGS ARE UTM GRID AND ARE DERIVED FROM STATIC GPS OBSERVATIONS AND NRCAN PPP SERVICE ON MONUMENTS ORP A & ORP B AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS)(2010).  
 FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:  
 P1, P2 - 0°56'00" COUNTER CLOCKWISE  
 P3 - 1°20'00" COUNTER CLOCKWISE

OBSERVED REFERENCE POINTS (ORPs) ARE DERIVED FROM STATIC AND RTK GPS OBSERVATIONS AND THE NRCAN PPP SERVICE, AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010).

COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14 (2) OF O. REG. 216/10 UNDER THE SURVEYS ACT.

POINT ID	NORTHING	EASTING
ORP A	5262200.670	599446.917
ORP B	5232045.241	599339.614
ORP C	5262077.000	599333.892

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



50 WHITEWOOD AVENUE  
 NEW LISKEARD, ONTARIO  
 POJ 1P0  
 705-622-0872  
 www.surveyorsonsite.com

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

### **By-law No. 2024-000**

#### **Being a by-law to Stop up and Close a Highway – A portion of Dymond Crescent, described as Part 1 on Plan 54R-6453**

**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 provisions of Section 34 (1) of The Municipal Act, 2001, S.O., c. 25 sets out procedures for the closing of Highways; and

**Whereas** Council considered Administrative Report No. CS-033-2024 at the October 1, 2024 Committee of the Whole meeting, and directed staff to prepare the necessary by-law for the Stopping Up and Closing the a portion of Dymond Crescent, described as Part 1 on Plan 54R-6453, for consideration at the October 15, 2024 Regular Council meeting.

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

1. That a portion of Dymond Crescent, described as Part 1 on Plan 54R-6453; is hereby stopped up and closed.
2. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law.
3. That a copy of this by-law be registered at the Land Registry Office in accordance with Section 34 of (1) of the Municipal Act 2001, S.O., c. 25.
4. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law and schedule as may be deemed necessary after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time and finally passed** this 15<sup>th</sup> day of October, 2024.

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Mayor

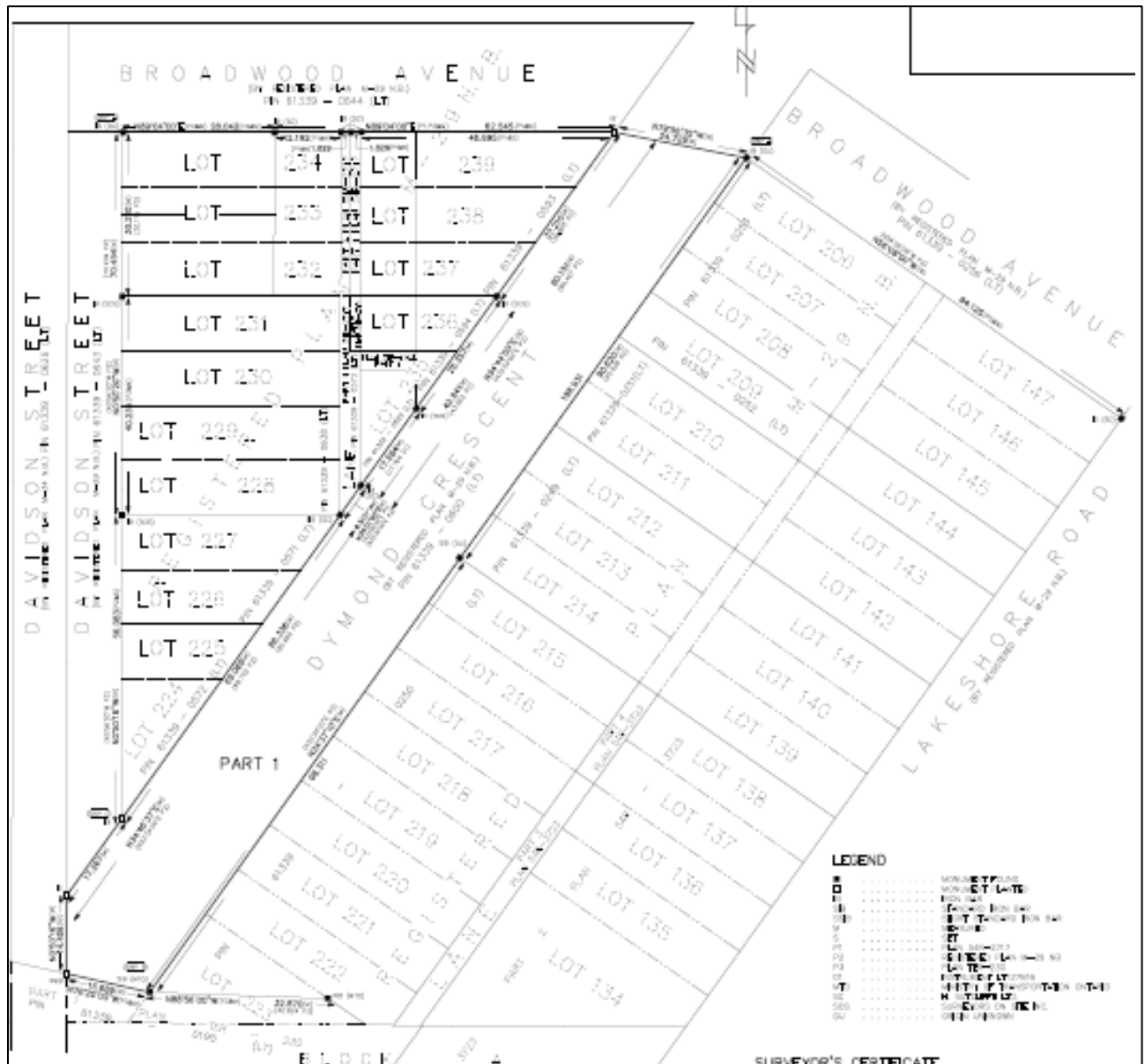
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Clerk

DRAFT

Schedule "A"

City of Temiskaming Shores – Portion of Dymond Crescent, described as Part 1 on  
Plan 54R-6453



Excerpt of Plan 54R-6453



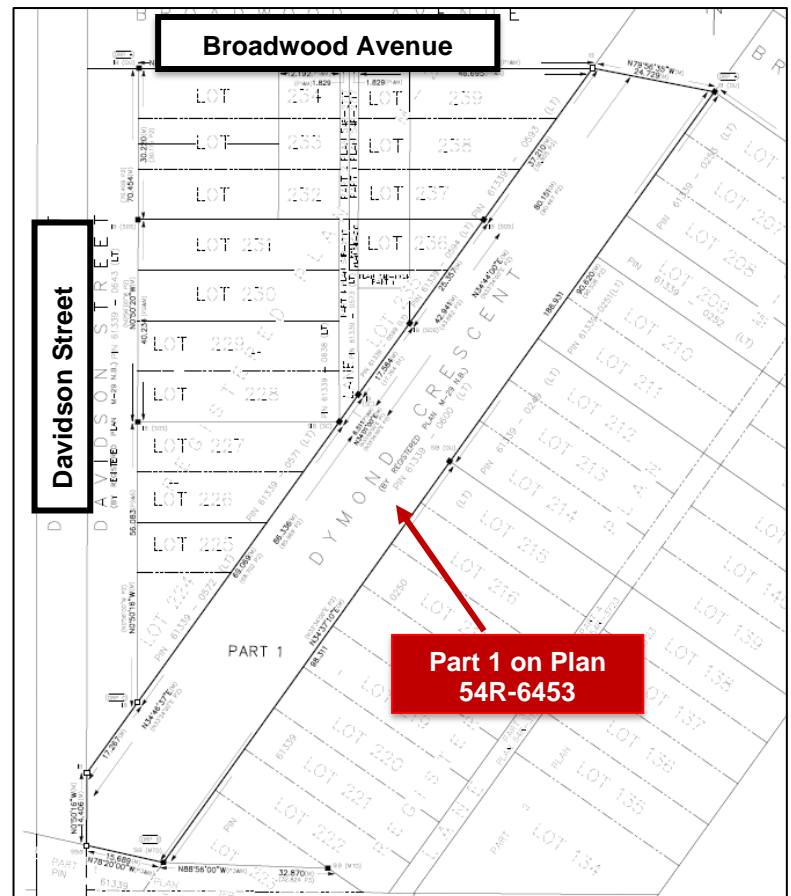
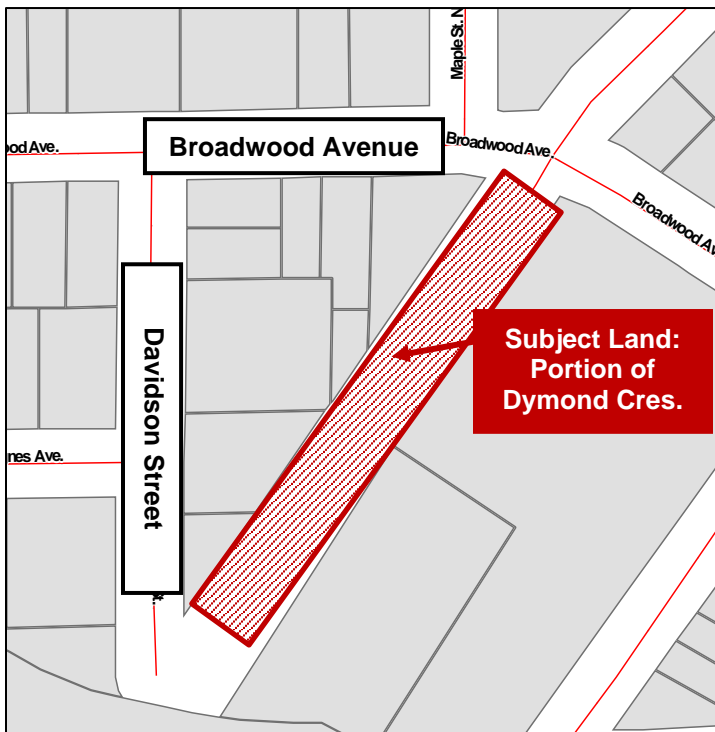
## Notice of Proposed By-law to Stop Up and Close a Highway

Notice is hereby given in accordance with By-law No. 2004-022 in respect to the permanent closure of a highway.

This public notice is being given to advise the public that Council will be considering the adoption of a by-law to Stop up and Close a portion of Dymond Crescent, described as Part 1 on Plan 54R-6453, shown in the key map below.

The By-law will be considered at the **October 15, 2024** Regular Council meeting, held in Council Chambers at City Hall – 325 Farr Drive in Haileybury, commencing at 6:00 p.m.

### Key Map



This map is provided for illustrative purposes.

### Further information:

Logan Belanger, Municipal Clerk  
Email: [clerk@temiskamingshores.ca](mailto:clerk@temiskamingshores.ca)  
Telephone: 705-672-3363 ext. 4136

**Dated:** September 27, 2024

Excerpt of Plan 54R-6453



**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2024-000**  
**Being a by-law to authorize the Sale of Land for a**  
**Portion of Dymond Crescent, described as Part 1 on**  
**Plan 54R-6453 to 2844371 Ontario Inc.**

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

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

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

**Whereas** By-law No. 2015-160 establishes procedures for the disposal of real property, including the giving of notice to the public, governing the sale of land; and

**Whereas** Council considered Administrative Report No. CS-033-2024 at the October 1, 2024 Committee of the Whole meeting, and directed staff to prepare the necessary by-law to enter into an Agreement of Purchase and Sale between the City of Temiskaming Shores as Vendor, and 2844371 Ontario Inc., as Purchaser, for the land described as Part 1 on Plan 54R-6453, conditional on the registration of any easements required by the municipality and applicable external agencies, and upon approval of a Site Plan Agreement, in the amount of \$1,000 plus taxes (if applicable) plus all associated costs (legal, registration, survey, administration, etc.), in accordance with By-law No. 2015-160, for consideration at the October 15, 2024 Regular Council meeting.

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

1. That Council hereby confirms the procedures set forth in By-law No. 2015-160 have been followed by the municipality to allow for the sale of lands herein after referred to in this By-law.
2. That Council authorizes the entering into an Agreement of Purchase and Sale between 2844371 Ontario Inc. as Purchasers and The Corporation of the City of Temiskaming Shores as Vendor, in the form annexed hereto as Schedule "A" and forming part of this by-law.

3. That Council agrees to sell the subject land in the amount of \$1,000.00, plus applicable taxes and other such considerations outlined in the said agreement, for the land described as:

A portion of Dymond Crescent, described as Part 1 on Plan 54R-6453

4. The Mayor and Clerk are authorized to sign all necessary documents in connection to this by-law.
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 15<sup>th</sup> day of October, 2024.

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Mayor

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Clerk

## **Offer to Purchase**

### **2844371 Ontario Inc.**

(as "Purchaser"), having inspected the property, hereby agree to and with

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

(as "Vendor") to purchase the property being:

Portion of Dymond Crescent, described as Part 1 on Plan 54R-6423

(herein called the "Real Property") at the purchase price of one-thousand dollars (\$1,000.00) payable to the Vendor, subject to adjustments, on the closing date hereinafter set forth.

This offer to Purchase shall be conditional upon the Purchaser entering into an agreement with the Vendor on or before closing, failing which this Offer to Purchaser shall be null and void. Only the Vendor may waive this condition at its option.

The Purchaser acknowledges that the land forming part of this transaction is being purchased on an "as is where is" condition without any representations or warranties whatsoever.

### **Legal Fees**

The Parties agree that the Purchaser will pay the Vendor's all reasonable legal fees for the transaction.

### **Costs of Registration**

The Purchaser shall pay all costs of registration and taxes for both parties documents.

### **Road Closing By-Law**

The Purchaser and the Vendor acknowledge and agree that a Stop Up and Road Closing By-Law is required as a condition of this transaction. The Purchaser agrees that he shall be fully responsible for the reasonable legal costs relating to the registration of the said By-Law.

The Purchaser further agrees that he shall be fully responsible for the costs of obtaining the reference plan that shall be required as part of this said By-Law. The Purchaser and Vendor agree that this By-Law must be registered prior to closing and that the Closing Date may be extended as required to permit this.

### **Easement**

The purchaser acknowledges the requirement for an easement prior to Closing, in favour of Enbridge, due to infrastructure on the subject land. The easement agreement and any required surveys to establish the easement shall be negotiated between Enbridge and the Purchaser. The easement shall be registered on title, and all costs associated with

the establishment of the easement shall be negotiated between Enbridge and the Purchaser.

The purchaser acknowledges the requirement for an easement(s) prior to Closing, in favour of Hydro One, due to infrastructure on the subject land. The easement agreement and any required surveys to establish the easement(s) shall be negotiated between Hydro One and the Purchaser. The easement(s) shall be registered on title, and all costs associated with the establishment of the easement(s) shall be negotiated between Hydro One and the Purchaser.

### **Site Plan Control**

The purchaser acknowledges the requirement for an approved and registered Site Plan Control Agreement with The Corporation of the City of Temiskaming Shores, prior to Closing. The Site Plan Control Agreement process (application, registration, etc.), and any materials required to establish the agreement shall be borne by the Purchaser.

### **Release of Information**

**Vendor authorizes the release of any information relating to the Real Property to the Purchaser and the Purchaser's solicitor by any governmental body or authority and appoints the Purchaser and the Purchaser's solicitor as its agent for the purpose. Without limiting the generality of the foregoing the Vendor consents to the disclosure to the Purchaser and the Purchaser's solicitor of any information relating to the Real Property or the use thereof pursuant to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990. C.F. 31 and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, C. M. 56.**

### **Deficiency Notices and Work Orders**

The Vendor represents that as at the date of acceptance hereof the Vendor has not received from any municipal or other governmental authority any deficiency notice or work order affecting the Real Property pursuant to which any deficiencies are required to be remedied or any demolition, repairs or replacements are required to be carried out. If the Vendor receives any such deficiency notice or work order after the date of acceptance hereof, the Vendor shall forthwith produce same to the Purchaser for inspection. If by the date of closing the Vendor has not either (a) complied with such deficiency notice or work order, or (b) settled with the Purchaser any question of an abatement of the purchase price arising out of such deficiency notice or work order, the Purchaser may at his option either (a) accept the Real Property subject to such deficiency notice or work order or (b) terminate this Agreement. In the event of termination as aforesaid, all moneys paid hereunder shall be returned to the Purchaser without interest or deductions.

### **Adoption of LSUC – OBA Document Registration Agreement**

Provided the solicitors for each of the Vendor and the Purchaser are able to complete transactions using electronic registration, the parties agree to complete this transaction using electronic registration, to adopt the LSUC-OBA Document Registration Agreement

in use on the Closing Date, and to abide by, and instruct their solicitors to abide by, the closing procedures set forth therein for electronic registration.

### **Acceptance**

This Offer shall be irrevocable by the Purchaser until **11:59 P.M. on the 15<sup>th</sup> day after the date of signing the offer**, after which time, if not accepted, this Offer shall be null and void.

### **Title**

Title to the Real Property shall be good and free from all encumbrances, except as set out in this Agreement, and except local rates, and except as to any registered restrictions or covenants that run with the land, and subdivision agreements with the municipality, provided the same have been complied with, and except for minor easements for hydro, gas, telephone or like services. Purchaser shall accept the Real Property subject to municipal and other governmental requirements, including building and zoning by-laws, regulations and orders, provided same have been complied with.

### **Requisitions**

Purchaser shall be allowed until closing to investigate the title at his own expense and to satisfy himself that there is no breach of municipal or other governmental requirements affecting the Real Property, that its present use may be lawfully continued and that the principal buildings may be insured against risk of fire. If within that time any valid objection to title or to any breach of municipal or other governmental requirements, or to the fact that the present use may not be lawfully continued, or that the principal buildings may not be insured against risk of fire, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement shall notwithstanding any intermediate acts or negotiations, be null and void and the deposit money returned to the Purchaser, without interest or deduction, and the Vendor shall not be liable for any costs or damages whatever. Save as to any valid objection so made within such time the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the Real Property.

### **Surveys and Documents**

The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except such as are in the possession or control of the Vendor. The Vendor agrees that he will deliver any existing survey to the Purchaser as soon as possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a Chartered Bank, Trust Company, Credit Union or Insurance Company which is not to be assumed by the Purchaser on completion, is not available in registrable form on completion, the Purchaser agrees to accept the Vendor's solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out

the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge out of the balance due on completion.

### **Closing**

**This Agreement shall be completed on or before five (5) business days following the registration of the required Easements with Enbridge and Hydro One (as described herein), and registration of an approved Site Plan Control Agreement with the City of Temiskaming Shores (as described herein), on which date vacant possession of the Real Property shall be given to the Purchaser unless otherwise provided for herein.**

### **Inspection of Property**

The Purchaser acknowledges having inspected the Real Property prior to submitting this Offer and understands that upon the Vendor accepting this offer there shall be a binding Agreement of Purchase and Sale between the Purchaser and the Vendor. The Purchaser shall be entitled to inspect the Real Property immediately prior to the date for completion.

### **Adjustments**

Unearned fire insurance premiums, fuel, taxes, rentals and all local improvements and water rates and other charges for municipal improvements to be apportioned and allowed to the date of completion of sale (the day itself to be apportioned to the Purchaser). Provided Purchaser may elect not to accept assignment of fire insurance in which case no adjustment for insurance premiums.

### **Costs**

The deed or transfer, save for Land Transfer Tax Affidavit, to be prepared at the expense of the Vendor in a form acceptable to the Purchaser and if a mortgage or charge is to be given back, it shall be prepared at the expense of the Purchaser in a form acceptable to the Vendor.

### **Planning Act Compliance**

This Agreement shall be effective only if the provisions of Section 50 of the *Planning Act*, R.S.O. 1990, C.P. 13 as amended, are complied with, and the Vendor agrees, at his expense, to comply with such provisions and to proceed diligently with the application for such compliance, if necessary.

The Transfer/Deed of Land to be given to the Purchaser shall contain a statement of the Vendor and the Vendor's solicitor pursuant to section 50(22) of the Planning Act, R.S.O. 1990, C.P. 13 as amended.

### **Spousal Consent**

The Vendor represents and warrants that no consent to this transaction is required

pursuant to s.21(1) of the *Family Law Act*, R.S.O. 1990, C.F. 3 unless the Vendor's spouse has executed this agreement to consent thereto, and that the Transfer/Deed shall contain a statement by the Vendor as required by section 21(3) of the *Family Law Act*, R.S.O. 1990, C.F. 13 or the spouse of the Vendor shall execute the Transfer/Deed to consent thereto.

### **Residency of Vendor**

Vendor further agrees to produce evidence that he is not now and that on closing he will not be a non-resident of Canada within the meaning of s.116 of the *Income Tax Act* of Canada, or in the alternative, evidence that the provisions of s.116 regarding disposition of property by a non-resident person have been complied with at or before closing, failing which the Purchaser will be credited towards the purchase price with the amount, if any, which shall be necessary for the Purchaser to pay to the Minister of Revenue in order to satisfy the Purchaser's liability in respect of tax payable by the Vendor under S. 116 of the *Income Tax Act* of Canada by reason of the sale.

### **Facsimile**

Either party may execute this document by signing a facsimile thereof. The parties agree that execution by any party of a facsimile shall be in all respects identical to execution of an original or photocopy. The parties agree to accept a facsimile of the signature of any party as evidence of the fact that the agreement has been executed by that party. In all respects a facsimile signature may be accepted as having the same effect as an original signature.

### **Counterpart**

This agreement may but need not be executed in counterpart.

### **Time of Essence**

This Offer, when accepted, shall constitute a binding contract of purchase and sale, and time in all respects shall be of the essence in this Agreement.

### **H.S.T.**

If this transaction is subject to Harmonized Sales Tax (HST) pursuant to the Excise Tax Act (Canada) as amended (the "Act") then such HST shall be in addition to and not included in the purchase price, and:

- (a) HST shall be collected and remitted by the Vendor in accordance with the applicable legislation; or
- (b) If applicable, the parties shall jointly execute an election pursuant to Act, such election to be filed by the Purchaser as required under the Act; or
- (c) If the Purchaser is registered under the Act, the Purchaser shall provide the Vendor and its solicitor with proof of his/her HST registration number in a form reasonably satisfactory to the Vendor and its solicitor.

If this transaction is not subject to HST pursuant to the Act, the Vendor agrees to provide on or before closing to the Purchase or Purchaser's solicitor a certificate in the form prescribed by the Act, if so prescribed, or otherwise in a form reasonably satisfactory to the Purchase and his/her solicitor certifying that the transaction is not subject to HST.

### **Representations and Warranties**

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or the Real Property or supported hereby other than as expressed herein in writing.

### **Tender**

**Any tender of documents or money hereunder may be made upon the Vendor or Purchaser or upon the solicitor acting for the party on whom tender is desired, and it shall be sufficient that a cheque certified by a chartered bank or a trust company or the trust cheque of the law firm acting for the party desiring such tender be tendered instead of cash.**

### **Gender**

This Offer and the resulting Agreement to be read with all changes of gender or number required by the context.

**Remainder of this page left blank intentionally**



**Signed, Sealed and Delivered** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

in the presence of:

**Purchaser: 2844371 Ontario Inc**

Purchaser's Address:

\_\_\_\_\_  
Abdul Khaliq – Director

\_\_\_\_\_  
Name:  
Title:

The Vendor hereby accepts the above offer.

Dated at the \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

\_\_\_\_\_  
Mayor – Jeff Laferriere

\_\_\_\_\_  
Clerk – Logan Belanger

Vendor's Address:  
City of Temiskaming Shores  
P.O. Box 2050 / 325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

Attn.: Logan Belanger, Clerk

We have authority to bind the Corporation.

Purchaser's Solicitor:

**Dawood's Law Office**  
Muhammad Dawood Khan Sahi  
Barrister, Solicitor & Notary  
116-2550 ARGENTIA RD. Ground Floor  
Mississauga, ON L5N 5R1  
Phone Number: (647) 962-9112

Vendor's Solicitor:

**Kemp Pirie Crombeen**  
P.O. Box 1540  
22 Armstrong Street  
New Liskeard, ON P0J 1P0  
Phone Number: (705) 647-7353

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**Subject:** Council Seat Vacancy

**Report No.:** CS-034-2024

**Agenda Date:** October 1, 2024

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### **Attachments**

**Appendix 01:** Certificate of Election Results for the 2022 Election

**Appendix 02:** Draft Council Vacancy Policy

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report CS-034-2024;
2. That in accordance with section 262 of the Municipal Act, 2001, Council of the City of Temiskaming Shores does hereby declare the office of Councillor to be vacant;
3. That Council directs staff to proceed with:
  - Option 1a (Direct Appointment of Election Candidate);
  - Option 1b (Direct Appointment by Application);
  - Option 1c (Appointment by the Call for Nominees); or
  - Option 2 – By-election;to fill the vacant seat of a member of Council;
4. That Council approves the draft Council Vacancy Policy in principle, and directs staff to prepare the necessary By-law to confirm the adoption of the Policy, at the October 15, 2024 Regular Council Meeting; and
5. Further directs the Clerk to release a Public Notice of the Municipal Seat Vacancy based on the above-noted selected option and timeline outlined within the Administrative Report.

### **Background**

Councillor Jesse Foley was elected as Councillor for the City of Temiskaming Shores for the 2022-2026 term. On September 19, 2024, the Clerk received a formal notice of resignation from Mr. Jesse Foley, from the position of Councillor with the City of Temiskaming Shores, effective immediately (dated September 18, 2024).

In accordance with the Municipal Act, S.O. 2001, c. 25, when the seat of a Member of Council becomes vacant, Council is required to declare the office seat vacant and determine if the seat will be filled by appointment or by-election.

The Municipal Act requires Council to within sixty (60) days after the day a declaration of vacancy is made, to appoint a person to fill the vacancy, or pass a By-law requiring a By-election to fill the vacancy.

As the seat of Councillor would be declared vacant on October 1, 2024, the deadline will be November 30, 2024. The person appointed or elected to fill a vacancy shall hold the office for the remainder of the term, which ends on November 14, 2026.

### **Analysis**

The Municipal Act, 2001 establishes two (2) ways to fill a vacancy: by appointment or by holding a by-election.

#### **Filling Vacancies**

263 (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section,

1. Fill the vacancy by appointing a person who has consented to accept the office if appointed; or
2. Require a by-election to be held to fill the vacancy in accordance with the Municipal Elections Act, 1996.

Section 256 of the Municipal Act sets out the eligibility requirements for a person qualified to be elected or hold office as a member of a council of a local municipality. In summary, any person who is entitled to be an elector in the City of Temiskaming Shores may be appointed. Section 17 (2) of the Municipal Elections Act, 1996 (MEA), outlines that a person is entitled to be an elector on voting day, if the person:

1. resides in the municipality or be the owner or tenant of land there, or the spouse of such owner or tenant,
2. is a Canadian Citizen,
3. is at least 18 years old; and
4. is not be prohibited from voting.

Section 258 (1) of the Municipal Act, outlines who is not eligible to be elected as a member of a council or to hold office as a member of a council:

1. an employee of the municipality;
2. a person who is not an employee of the municipality but who is the clerk, treasurer, Integrity Commissioner, Auditor General, Ombudsman, registrar, or an investigator of the municipality;
3. a person who is not an employee of the municipality but who holds any administrative position of the municipality;
4. a judge of any court;

5. a member of the Legislative Assembly or of the Senate or House of Commons of Canada; and
6. a public servant, with certain exceptions set out in Part V of the Public Services of Ontario Act, 2006.

### Option 1 – Appoint an Eligible Elector

Council may choose to fill the vacancy of the Councillor by appointment of an eligible Elector, and may choose to fill the vacancy by appointing:

1. Direct Appointment of Election Candidate (i.e. a candidate who ran for the position that is now vacant in the most recent regular election, who received the most votes, but was not elected) – Refer to **Appendix 01** for Certificate of Election Results for the 2022 Election; or
2. Direct Appointment by Application (i.e. invitation to candidates who ran for the position that is now vacant in the most recent regular election but were not elected. Refer to **Appendix 01** for Certificate of Election Results for the 2022 Election. Those who wish to be considered shall advise the clerk and submit the necessary documents for Council consideration); or
3. Appointment by the Call for Nominees (i.e. any eligible elector shall submit the necessary documents for Council consideration.

With either option, staff recommend the development of a policy to provide an open, accountable and transparent process for the appointment. The policy would include provisions related to the Council meetings where Candidates are considered, including the interview, selection and voting process. A draft policy has been included in **Appendix 02** for Council review, outlining each of the options identified in this report. For a fulsome review, the Mayor seat was also considered in the policy. The process would need to be completed within the 60-day timeline, and a tentative schedule is provided below, but is subject to change based on the selected option to fill the vacancy. It would be recommended for Council to consider adopting the draft Policy in-principle at the October 1, 2024 Committee of the Whole meeting, to ensure the timeline below can be met and to provide adequate advertising time leading to the opening of Nominations.

#### Tentative Schedule:

October 1, 2024	The seat of Councillor is declared vacant
October 2-4, 2024	Begin advertising municipal seat vacancy
October 15, 2024	By-law to confirm the Council Vacancy Policy
October 16, 2024	Nominations period opens at 9:00 a.m.
November 4, 2024	Nominations period closes at 2:00 p.m.
November 6, 2024	List of Candidates to be posted by 4:00 p.m.

November 19, 2024	Proposed Council Appointment Meeting (following Regular Council meeting). Appointment By-law and administration of the Declaration of Office for the appointed Candidate.
November 30, 2024	Deadline for when vacant seat must be filled

## **Option 2 – Pass a By-Law Requiring a By-Election to be Held**

Council has the option of passing a by-law authorizing a by-election to fill the vacancy of the Councillor position. The Municipal Elections Act (MEA) states that if such a by-law is passed, that the nomination day would occur a maximum of sixty 60 days from the passing of the By-law, with the voting day occurring forty-five (45) days after nomination day. The MEA states that a By-election must be held “as far as possible” in the same manner as the regular election; meaning that voting would be offered be in an electronic and paper ballot format, similar to the City of Temiskaming Shores 2022 Municipal Election.

The cost of a by-election will be similar to the 2022 Municipal and School Board election which was \$39,346 along with staff workload. The City would also need to obtain a voting provider and follow the new voters list from Elections Ontario, which came into effect on January 1 2024. Prior to this date, MPAC data was used.

Should Council proceed with Option No. 2, staff will prepare an Administrative Report, including budget, timelines and requirements at the October 15, 2024 Regular meeting, and requesting staff training on the new Ontario’s Voters List.

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

- [Municipal Elections Act](#)
- [Municipal Act](#)

### **Consultation / Communication**

- Ministry of Municipal Affairs and Housing (MMAH) – Municipal Representative

**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

Should Council choose:

Option 1: there will be minimal costs for advertising, printing and supplies can be absorbed in the 2024 Operating Budget.

Option 2: approximate election costs would be \$39,346. As this would be an unbudgeted expense, the by-election would be recoverable through the balance in the Election Reserve and working reserve. Should this option be selected, the reserve would be depleted, and the 2025 and 2026 budgets would be adjusted accordingly to ensure funds are available for the 2026 election. By year end, the Election Reserve would have a balance of \$15,500 (Council allocates a budget of \$7,500-\$8,000 annually, to ensure sufficient funds are available for a regular election year.

**Alternatives**

No alternatives are being proposed by staff; as the Municipal Act requires Council to within 60 days after the day a declaration of vacancy is made, to appoint a person to fill the vacancy, or pass a by-law requiring a by-election to fill the vacancy.

**Submission**

Prepared by:                                        Reviewed by:                                        Reviewed and submitted for Council’s consideration

*“Original signed by”*

*“Original signed by”*

*“Original signed by”*

Logan Belanger  
Municipal Clerk

Shelly Zubyck,  
Director of Corporate  
Service

Mathew Bahm  
Director of Recreation

Form EL08

## City of Temiskaming Shores Certificate of Election Results

I hereby certify that during the municipal election held on Monday, October 24, 2022 for the offices listed below, the certified candidates received the votes that follow their respective names:

Office	Candidate	Votes
Mayor	DURRANT, Chuck	672
Mayor	LAFERRIERE, Jeff	1556
Mayor	WOODS, Darren	1088
Mayor	WOODS, Michael	59

Office	Candidate	Votes
Councillor	ANDERSON, Tricia	1282
Councillor	BLANCHARD, Jeremy	260
Councillor	CULL, Theo	1361
Councillor	DAWSON, Dan	1421
Councillor	DUCHARME, Melanie	1798
Councillor	FOLEY, Jesse	1825
Councillor	GRAYDON, Ian	1487
Councillor	HACKETT, Dan	296
Councillor	MARSHALL, Lee	915
Councillor	PELLETIER-LAVIGNE, Nadia	1758
Councillor	WHALEN, Danny	1857
Councillor	WILSON, Mark	1931

Dated this 25<sup>th</sup> day of October, 2022.



Municipal Clerk

**The Corporation of the City of Temiskaming Shores**  
**By-law No. 2024-000**  
**Being a by-law to adopt a Council Vacancy 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** the Municipal Act, 2001, S.O. 2001 c. 25, when the seat of a member of council becomes vacant during the term of office, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed, or requiring that a By-election be held to fill a vacancy in accordance with the Municipal Elections Act, S.O., 1996, c 32.; and

**Whereas** Council considered Administrative Report CS-034-2024 at the October 1, 2024 Committee of the Whole meeting, and directed staff to prepare the necessary By-law to confirm the adoption of the Council Vacancy Policy, at the October 15, 2024 Regular Council Meeting; and

**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 adopts a Council Vacancy Policy for the City of Temiskaming Shores, a copy of which is hereto attached as Schedule A and forms part of this by-law.
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

**Read a first, second and third time** and finally passed this 15<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk





Schedule "A" to

**By-law No. 2024-000**

**Being a By-Law to Adopt a Council Vacancy Policy for the City of Temiskaming Shores**

DRAFT

## 1. Purpose

- 1.1 The purpose of this Policy is to provide for an accountable and transparent process for the filling of any Council vacancies that occur during a Term of Office, and to set out the procedures to be followed.

## 2. Policy Statement

- 2.1 In accordance with the Municipal Act, S.O. 2001, c.25, as amended, when the seat of a member of Council becomes vacant during the Term of Office, Council may fill a Vacancy by appointing a person (eligible elector) who has consented to accept the office if appointed, or requiring a By-election be held to fill a Vacancy, in accordance with the Municipal Elections Act, S.O., 1996, c.32, as amended.

## 3. Definitions

For the purposes of this Policy:

- 3.1 **Act** means the Municipal Act, S.O. 2001, c.25, as amended.
- 3.2 **Appointment** means the appointment of a qualified individual, by majority vote of Council, to fill a Vacancy on Council for the remainder of the current Council term.
- 3.3 **By-election** means an election held to fill any vacancy in accordance with the provisions of Section 65 of the Municipal Elections Act, 1996, as amended.
- 3.4 **Candidate** means an individual seeking to be appointed (Eligible Elector) to fill a Vacancy in the office of Councillor, having met the eligibility requirements and who has completed the requisite documentation as required by this procedure.
- 3.5 **Chair** means the member of Council presiding at the Council meeting to appoint an individual to fill a Council Vacancy.
- 3.6 **Clerk** means the Clerk or the designate of the City of Temiskaming Shores as appointed by Council.
- 3.7 **Council** means the Council of the City of Temiskaming Shores.
- 3.8 **Eligible Elector** has the same meaning as Subsection 17(2) of the Municipal Elections Act, namely a person:
- a) Who is a resident of City of Temiskaming Shores, or an owner or tenant of land in the municipality or the spouse of such an owner or tenant;
  - b) Who is a Canadian Citizen;
  - c) Who is at least 18 years of age; and
  - d) Who is not prohibited from voting under any other Act or from holding municipal office.

- 3.9 **Lot** means a method of determination by placing the names of the Candidates on equal size pieces of paper and placed in an opaque container, with one Candidate name being drawn by the Clerk.
- 3.10 **Municipality** means The Corporation of the City of Temiskaming Shores.
- 3.11 **Municipal Elections Act** means the Municipal Elections Act, S.O., 1996, c. 32, as amended.
- 3.12 **Nominee** means an individual seeking to fill a Vacancy on Council who meets the eligibility requirements and who has completed the requisite documentation as outlined in this policy.
- 3.13 **Procedural By-law** means the By-law adopted by Council for governing the proceedings of its Council, the conduct of its members and the calling of Meetings.
- 3.14 **Term of Office** means the period of time a Candidate is elected to hold office for which they are elected in accordance with the Municipal Elections Act.
- 3.15 **Vacancy** means when a seat on Council has become vacant in a manner described in section 259 of the Act.
- 4. General**
- 4.1 Council is required to declare a seat vacant in accordance with the Act.
- 4.2 In accordance with the Act, the following rules apply to filling vacancies:
- Section 263(5) states:
1. Within 60 days after the day a declaration of Vacancy is made with respect to the Vacancy under Section 262 of the Act, the Municipality shall,
    - i. appoint a person to fill the Vacancy under Subsection (1) or (4), or
    - ii. pass a By-law requiring a By-election be held to fill the Vacancy under Subsection (1).
  2. Despite paragraph 1, if a court declares an office to be vacant, the Council shall act under Subsection (1) or (4) within 60 days after the day the court makes its declaration.
  3. Despite Subsections (1) to (4), if a Vacancy occurs within 90 days before voting day of a regular election, the Municipality is not required to fill the Vacancy.
- 7.1 Section 264 of the Municipal Act, 2001, provides that the person appointed or elected to fill a Vacancy shall hold the office for the remainder of the term of the person they replaced.

## **5. Eligibility Requirements**

- 5.1 Any individual filling a Vacancy must meet the eligibility requirements of office as outlined in the Act and the Municipal Elections Act and as noted below:
- 18 years of age or older;
  - a Canadian citizen;
  - a resident of the City of Temiskaming Shores, or an owner or tenant of land in the City or the spouse of such an owner or tenant; and
  - not prohibited from voting under any other act or from holding municipal office.
- 5.2 If an employee of the City of Temiskaming Shores seeks Appointment to Council, the employee shall give Council written notice, in advance, of their intention to take unpaid leave. If the employee is appointed to office, they will be deemed to have resigned from their position with the City immediately before making the declaration of office.

## **6. Option No. 1 – Filling Vacancy by Direct Appointment**

- 6.1 Within 60 days of declaring a seat vacant, Council shall appoint a new member by resolution, and will be confirmed by by-law.
- 6.2 a) Direct Appointment by Nomination
- 6.2.1 If the Vacancy is in the office of the Mayor, Council may choose to fill the Vacancy by appointing a current Member of Council who is a qualified individual as outlined in Section 256 of the Act.
- 6.2.2 The Appointment of a current member of Council to fill Vacancy in the office of Mayor shall take place at a Regular Meeting of Council, or a Special Meeting of Council called for such purposes, within 60 days of declaring a Vacancy.
- 6.2.3 Only a Member of Council elected for the term in which the Appointment is taking place, will be considered eligible for Appointment.
- 6.2.4 At the Regular or Special Meeting of Council, the Chair may call for nominations from the floor. The Chair will request that any Member of Council interested in being nominated to indicate their interest by raising their hand. Anyone being considered for nomination must be present in Council Chambers.
- 6.2.5 Individuals seeking Appointment to the position of Mayor who are current members of Council (Nominees) shall declare a pecuniary interest.
- 6.2.6 Upon receipt of nomination, the Chair will ask if the Nominee(s) accept the nomination. Nominations shall be confirmed by resolution. If there is only one (1) Nominee, the Clerk then shall declare and confirm the Nominee to be

appointed to the office and a resolution shall be passed, and confirmed by by-law.

- 6.2.7 If there are multiple Nominees, Nominees will be offered a maximum of five (5) minutes each, with no extension, to speak prior to the first round of voting. The order of speakers will be drawn by the Clerk by Lot.
- 6.2.8 If the slate of Nominees includes more than one (1) Nominee, rounds of voting will be conducted as follows:
- i. The Clerk will provide members of Council a voting card on which to indicate their choice of Nominee in writing.
  - ii. The Clerk will read out the names of all the Nominees alphabetically by surname.
  - iii. Each member of Council is entitled to vote for one (1) Nominee in each round of voting.
  - iv. The Clerk will ask members of Council to vote by displaying their voting card with choice of Nominee clearly written on it. Members of Council will display the card at the same time and in a manner that is clearly visible to the Clerk and to the public.
  - v. Once a voting card has been displayed by a member of Council, no changes shall be permitted.
  - vi. The Clerk will record the votes and announce how each member of Council has voted and the results at the end of each round of voting.
  - vii. If, at the end of any round of voting, a Nominee receives the votes of more than one-half (1/2) of the members of Council present, the Clerk will declare the Nominee to be elected and a resolution or by-law will be prepared and submitted to Council for enactment.
  - viii. Rounds of voting shall continue until a Nominee has received more than one-half of the votes of the members of Council present, or until a tie is broken in accordance with this Policy.
  - ix. Where a round of voting does not result in a Nominee receiving more than one-half (1/2) of the votes of the members of Council present:
    1. The Nominee with the fewest number of votes will be automatically excluded from the slate of Nominees in the next round of voting.
    2. In any round of voting, one vote shall be considered the lowest number of possible votes. Where a Nominee receives zero (0) votes they will be automatically excluded from the slate of Nominees in the next round of voting.
    3. If a tie occurs between two (2) or more Nominees for the fewest number of votes received, the Clerk will draw all but one Nominee's name from a container to continue in the subsequent round of voting. The name of the Nominee not pulled by the Clerk will be excluded from the slate of Nominees in the next round of voting.
    4. The Clerk will conduct another round of voting with a revised slate of Nominees.

- x. Where after rounds of voting the votes cast are equal for all the Nominees:
  - 1. If there are three (3) or more Nominees remaining, the Clerk will draw all but one (1) Nominee's name from the container to continue in the slate of Nominees. (The Nominee not pulled by the Clerk is eliminated.)
  - 2. If only two (2) Nominees remain, the Clerk will break the tie by pulling the name of the successful Nominee from the container. The Nominee whose name is pulled by the Clerk will be declared elected and a resolution and/or by-law will be prepared and submitted to Council for enactment.
- xi. Each of the pieces of paper used by the Clerk to draw the names of Nominees will be created by the Clerk and will be equal in size and type and will contain the name of one (1) Nominee only.
- xii. Only the Clerk or the Clerk's designate may handle the pieces of paper or container referenced in this procedure.

6.2.9 The resulting vacant seat of the Councillor shall be filled in accordance with the provisions of this Policy.

### 6.3 b) Direct Appointment of Election Candidate

- 6.3.1 Council may fill the Vacancy by appointing a Candidate who ran for the position that is vacant from the most current Election, who received the most votes but was not elected.
- 6.3.2 The Candidate shall reaffirm that they meet the eligibility requirements of office as outlined in the Act and the Municipal Elections Act.
- 6.3.3 If the individual is no longer qualified to hold office, the Appointment shall be to the next Candidate who ran for the position that is vacant from the most current Municipal Election who received the second most votes but was not elected, and so on.

### 6.4 c) Direct Appointment by Application

- 6.4.1 If the Vacancy is in the office of the Mayor, Council may choose to fill the Vacancy by appointing a current Member of Council or Candidate in the most current Election, who were qualified individuals as outlined in Section 256 of the Act.
- 6.4.2 The Appointment of a current member of Council to fill a Vacancy shall take place at a Regular Meeting of Council, or a Special Meeting of Council called for such purposes, within 60 days of declaring a Vacancy.
- 6.4.3 Any Member of Council or a Candidate in the most current Municipal Election wishing to be considered for Appointment to the Vacancy, shall advise the

Clerk in writing and complete and sign the Nomination form (Appendix 01), the Notice of Consent to Release Personal Information Form (Appendix 04), and the Declaration of Confidentiality Council Vacancy Process Form (Appendix 06) by the date and time established by the Clerk.

6.4.4 Individuals seeking Appointment to the position of Mayor who are current members of Council (Nominees), shall declare a pecuniary interest.

6.4.5 If the Vacancy is in the office of Councillor, Council may choose to fill the Vacancy by appointing any qualified individual as outlined in Section 256 of the Act.

6.5 A vote to fill a Vacancy on Council by Appointment shall occur at an Open Council Meeting.

6.6 Council will pass a resolution and/or by-law for the Appointment of the Candidate to the vacant office.

6.7 The Clerk will administer the Declaration of Office required by Subsection 232 of the Act, at the meeting where the by-law referred to in this Section is enacted, or as directed by Council.

## **7. Option #2 - Filling a Vacancy by Appointment by the Call for Nominees**

7.1 Within 60 days of declaring a seat vacant, Council shall appoint a new member by resolution, to be confirmed by by-law.

7.2 The Clerk shall post a Council Vacancy Notice on the City's website, social media and other platforms following Council's decision to fill a Vacancy by Appointment by a Call for Nominees, for a minimum of two (2) consecutive weeks. The notice shall indicate Council's intention to appoint an individual to fill a Vacancy and shall outline the application process.

7.3 Any individual wishing to be considered for Appointment to the Vacancy shall complete and sign a Council Nomination Form (Appendix 1), a Declaration of Qualifications Form (Appendix 3), a Consent to Release Personal Information Form (Appendix 4), and a Declaration of Confidentiality Council Vacancy Process Form (Appendix 06), signed by the Clerk, and will submit all the forms by the deadline established by the Clerk. Interested individuals shall also be required to provide written endorsement of his or her nomination by at least twenty-five (25) electors, who are eligible to vote in the City (Appendix 2).

7.4 Candidate(s) shall submit to the Clerk a personal statement of qualification for consideration of Council. Personal statements will be typewritten in a 12-point font size on letter size (8 1/2" by 11") paper and shall not exceed two (2) pages in length (single-sided only), and will include the Candidate's name and address.

Statements that do not meet these requirements, shall not be included in any Council meeting agenda or provided to Council by the Clerk. The Clerk will advise the Candidate(s) of the deadline for submission of a personal statement, and that it will appear on the public agenda for the Open Council Meeting in which the Candidate selection occurs.

- 7.5 Any individual wishing to be considered for Appointment to fill the Council Vacancy shall be required to provide government-issued identification to prove their identity and qualifying address to the satisfaction of the Clerk.
- 7.6 The Clerk will create a list of all Qualified Candidates and publicly post the Candidate Listing on the municipal website. The Listing will be updated as eligible applications are received and are deemed complete by the Clerk. All application packages including a personal statement, shall be considered public documents, and will be made available for public viewing, in the same way as a nomination form for a Candidate in a municipal election, and shall be available for viewing in the Clerk's Office. In addition, all application documents will be included as part of the agenda package for the Appointment meeting, and posted in the same manner as a regular or special council agenda.
- 7.7 Withdrawal of an application will be accepted up to the application deadline. (Appendix 5).
- 7.8 It is the Applicant's sole responsibility to meet any deadline or otherwise comply with any requirement of this policy, the Act or the Municipal Elections Act.

## **8. Council Meeting – Interviews and Selection**

- 8.1 A vote to fill a Vacancy on Council by Appointment shall occur at an open Council Meeting. The meeting may be a Regular Council Meeting or a Special Council Meeting called for that purpose.
- 8.2 Notwithstanding the requirement of the City's Procedural By-law, the agenda for the meeting shall be set by the Clerk to allow for the orderly proceeding of selecting a Candidate. The agenda shall include the following:
- 8.2.1 A certified list of all Candidates listed in alphabetical order by last name.
- 8.2.2 Any personal statement of qualifications for consideration of Council.
- 8.3 At the meeting, the following will take place:
- 8.3.1 The Chair will make a short statement of the purpose of the meeting and the general order of proceedings to be followed.
- 8.3.2 Individuals seeking Appointment to the position of Mayor who are also current members of Council (Nominees) shall declare a pecuniary interest.



- 8.3.3 The Clerk will provide to the Chair a list of the names of qualified Candidates, and the Chair shall call for a motion from Council in the following form:
- “THAT the following individuals, who have signified in writing that they are legally qualified to hold office and consented to accept the office if they are appointed to fill the Vacancy, be considered for Appointment to fill such Vacancy.”
- 8.3.4 If the list of Candidates includes only one (1) Candidate, the Clerk will declare that Candidate elected and a resolution and/or by-law confirming the Appointment will be adopted by Council. The Declaration of Oath will take place at the meeting where the by-law referred to in this Section is enacted, or as directed by Council.
- 8.4 Candidates will be sequestered in an adjacent room until it is their time to answer the questions posed by Council. Once the Candidate has answered the questions, they must return to the separate room until all Candidate interviews are complete.
- 8.5 Each of the Candidates shall be provided the opportunity to address Council, for a period of not more than five (5) minutes. The order of speaking will be drawn by the Clerk by Lot.
- 8.6 Each member of Council will be permitted up to two questions (2) to each Candidate. Candidates shall be limited to a maximum of two (2) minutes per question.
- 8.7 Upon hearing all the submissions of the Candidates, Council will proceed to vote as follows:
- 8.7.1 Each Member of Council will be provided with a ballot by the Clerk with their name on it listing all Candidates in alphabetical order.
- 8.7.2 Each Member of Council will cast their vote on the ballot and sign their name.
- 8.7.3 Members of Council will cast their vote for one (1) Candidate only.
- 8.7.4 The Clerk will collect the ballots, place the ballots of all Members of Council in an opaque container and randomly draw the completed ballots.
- 8.7.5 When a ballot is drawn, the Clerk will publicly announce the name of the Member of Council voting and the Candidate voted for.
- 8.7.6 Should the ballot be spoiled or incomplete the Clerk will publicly announce, and the ballot will be rejected and not included in the tally (e.g. illegibly printed, no signature of member of Council).
- 8.7.7 The Clerk will tabulate and announce the results.
- 8.7.8 If the Candidate receiving the greatest number of votes cast does not receive more than one-half (1/2) of the votes of all voting members of Council, the Candidate or Candidates who received the fewest number of

- votes will be excluded from further consideration. The vote will be taken again by the Clerk and, if necessary, more than once, excluding in each successive vote the Candidate or Candidates who receive the fewest number of votes. This process will be repeated until the Candidate receiving the greatest number of votes has also received more than one-half (1/2) of the votes of the voting Members of Council.
- 8.7.9 In any round of voting, one (1) vote shall be considered the lowest number of possible votes. Where nominees receive zero (0) votes, they will be automatically excluded from the nominees in the next round of voting.
- 8.7.10 Where the voters cast are equal for all remaining Candidates, another round of voting will occur, and if another tie occurs, it will be broken by selecting Candidates by Lot to proceed to the next round of voting, as conducted by the Clerk.
- i) If there are more than two (2) Candidates in the tie, the Clerk will draw names by Lot until there is one Candidate remaining in the container.
  - ii) The names that were drawn will move onto the next round of voting.
  - iii) The name remaining in the container is automatically excluded.
- 8.7.11 Should there be a tie between the remaining final two (2) Candidates, another round of voting shall occur, and if another tie occurs, it will be broken by selecting a Candidate by Lot, as conducted by the Clerk. The Candidate selected at this point will be declared the successful Candidate.
- 8.7.12 Upon conclusion of the voting, the Clerk will note the Candidate receiving the votes of more than one-half (1/2) of the number of the voting Members of Council the Candidate selected.
- 8.7.13 The Appointment of the Candidate will be made by resolution and/or by-law at the Appointment Meeting.
- 8.7.14 The Clerk will administer the Declaration of Office required by Subsection 232(1) of the Act, at the Meeting of Council where the by-law referred to in this Section was enacted, or as directed by Council.
- 8.7.15 The minutes of the Council meeting shall include a full disclosure of all voting results.

## **9 Option #3 - Filling a Vacancy by a By-election:**

- 9.1 In accordance with Section 263(5) of the Act, and within 60 days of declaring a seat vacant, Council shall pass a by-law to fill the Vacancy by By-election.
- 9.2 A By-election shall be held in accordance with the Municipal Elections Act.
- 9.3 The Clerk or designate shall be responsible for conducting any By-election in accordance with the Municipal Elections Act and all applicable policies and procedures.

**10 Responsibilities:**

- 10.1 The Clerk shall be responsible for interpreting and where appropriate administering the Council Vacancy Policy and applicable procedures.
- 10.2 The Clerk has the authority to make minor technical amendments to this procedure as may be required from time-to-time, to ensure compliance with legislation.

## **Nomination Paper – Form 1**

<https://forms.mgcs.gov.on.ca/en/dataset/017-9499p>

**Instructions**

It is the responsibility of the person being nominated to file a complete and accurate nomination paper. Please print or type information (except signatures).

Nomination paper of a person to be a candidate at an election to be held in the following municipality

Nominated for the Office of			Ward Name or Number (if any)		
Nominee's name as it is to appear on the ballot paper (subject to agreement of the municipal clerk)					
Last Name or Single Name			Given Name(s)		
Nominee's full qualifying address within municipality					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
Mailing Address <input type="checkbox"/> Same as qualifying address					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
If nominated for school board, full address of residence within its jurisdiction					
Suite/Unit Number	Street Number	Street Name			
Municipality			Province		Postal Code
Email Address			Telephone Number	Telephone Number 2	

**Declaration of Qualification**

I, \_\_\_\_\_, declare that I am presently legally qualified (or would be presently legally qualified if I were not a member of the Legislative Assembly of Ontario or the Senate or House of Commons of Canada) to be elected and to hold the office for which I am nominated.

\_\_\_\_\_  
Signature of Nominee

\_\_\_\_\_  
Date (yyyy/mm/dd)

Date Received (yyyy/mm/dd)	Time Received	Initial of Nominee or Agent (if filed in person)	Signature of Clerk or Designate
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**Certification by Clerk or Designate**

I, the undersigned clerk of this municipality, do hereby certify that I have examined the nomination paper of the aforesaid nominee filed with me and am satisfied that the nominee is qualified to be nominated and that the nomination complies with the Act.

Signature

Date Certified (yyyy/mm/dd)

### Instructions

Il incombe à la personne qui présente sa candidature de déposer une déclaration exacte et complète. Écrire en caractères d'imprimerie ou au clavier (sauf les signatures).

Déclaration de candidature pour une élection dans la municipalité suivante

Déclaré candidat au poste		Nom ou numéro (le cas échéant)	
Nom du candidat devant figurer sur le bulletin de vote (sous réserve de l'approbation du secrétaire municipal)			
Nom de famille ou nom unique		Prénom(s)	
Adresse habitante complète du candidat dans la municipalité			
Bureau/numéro	Numéro municipal	Nom de la rue	
Municipalité		Province	Code postal
Adresse postale <input type="checkbox"/> Même que l'adresse habitante			
Bureau/numéro	Numéro municipal	Nom de la rue	
Municipalité		Province	Code postal
Dans le cas d'une candidature au conseil scolaire, adresse complète de la résidence dans le territoire relevant du conseil			
Bureau/numéro	Numéro municipal	Nom de la rue	
Municipalité		Province	Code postal
Adresse électronique		Numéro de téléphone	2 <sup>e</sup> numéro de téléphone

### Déclaration de qualités requises

Je, \_\_\_\_\_, déclare que j'ai actuellement les qualités requises par la loi pour être élu et occuper le poste auquel je suis candidat (ou que j'aurais actuellement ces qualités si je n'étais pas membre de l'Assemblée législative de l'Ontario ou du Sénat ou de la Chambre des communes du Canada).

\_\_\_\_\_  
Signature du candidat

\_\_\_\_\_  
Date (aaaa/mm/jj)

Date de réception (aaaa/mm/jj)	Heure de réception	Initiales du candidat ou du représentant (si le dépôt est effectué en personne)	Signature du secrétaire ou de la personne désignée
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### Attestation par le secrétaire ou la personne désignée

Je soussigné, secrétaire de la municipalité, certifie par la présente que j'ai examiné la déclaration de candidature du candidat susmentionné, déposée devant moi, que je suis convaincu que le candidat a les qualités requises pour être déclaré candidat et que sa déclaration de candidature est conforme à la loi.

Signature

\_\_\_\_\_  
Date (aaaa/mm/jj)

**Endorsement of Nomination – Form 2**  
*Municipal Elections Act, 1996 (Section 33)*

<https://forms.mgcs.gov.on.ca/en/dataset/017-2233>

**Instructions**

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

Personal information collected on this form is obtained under the authority of sections 33 and 95 of the *Municipal Elections Act, 1996*. Under section 88 of the *Municipal Elections Act, 1996* (and despite anything in the *Municipal Freedom of Information and Protection of Privacy Act*) documents and materials filed with or prepared by the clerk or any other election official under the *Municipal Elections Act, 1996* are public records and, until their destruction, may be inspected by any person at the clerk's office at a time when the office is open.

**Name of person seeking nomination**

Last Name or Single Name

Given Name(s)

Endorsement signatures for the nomination of a person for an office in the municipality of \_\_\_\_\_ in the year \_\_\_\_\_.

**Name of person providing endorsement – 1**

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse \_\_\_\_\_ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)

**Name of person providing endorsement – 2**

Last Name or Single Name

Given Name(s)

Qualifying Address

Suite/Unit Number

Street Number

Street Name

Municipality

Province

Postal Code

I endorse \_\_\_\_\_ as a candidate and declare that I am qualified to be an elector in this municipality.

Signature

Date (yyyy/mm/dd)



## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 3</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 4</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 5</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 6</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 7</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 8</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 9</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 10</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 11</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 12</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 13</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 14</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 15</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 16</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 17</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 18</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 19</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 20</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 21</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 22</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 23</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

## Instructions

- Candidates must obtain 25 original signatures.
- An individual providing an endorsement signature must be a Canadian citizen, aged 18 or older and have a qualifying address in the municipality. An individual may sign an endorsement for more than one person seeking nomination.
- The qualifying address provided must include the postal code.

<b>Name of person providing endorsement – 24</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	

<b>Name of person providing endorsement – 25</b>			
Last Name or Single Name		Given Name(s)	
Qualifying Address			
Suite/Unit Number	Street Number	Street Name	
Municipality		Province	Postal Code
I endorse _____ as a candidate and declare that I am qualified to be an elector in this municipality.			
_____		_____	
Signature		Date (yyyy/mm/dd)	



**City of Temiskaming Shores**  
**Declaration of Qualifications**  
**Municipal Candidates**  
*Municipal Elections Act, 1996*

I, \_\_\_\_\_, a nominated candidate for the office of:

Mayor

Councillor

Do Solemnly Declare That:

1. I am qualified pursuant to the *Municipal Elections Act, 1996* and the *Municipal Act, 2001* to be elected to and to hold the office of:  
  
 Mayor  
  
 Councillor
2. Without limiting the generality of paragraph 1, I am at least eighteen (18) years of age, a Canadian citizen, a resident of the City of Temiskaming Shores or the owner or tenant of land in the City of Temiskaming Shores or the spouse of such owner or tenant.
3. I am not ineligible, disqualified or prohibited under the *Municipal Elections Act, 1996*, the *Municipal Act, 2001*, the *Municipal Conflict of Interest Act* or any other Act to be elected to or hold the above-mentioned office.
4. Without limiting the generality of paragraph 3,
  - I am not an employee of the City of Temiskaming Shores, or if I am an employee of the City of Temiskaming Shores, I am on an unpaid leave of absence as provided for by section 30 of the *Municipal Elections Act, 1996*.
  - I am not a person who is not an employee of the City of Temiskaming Shores but who is the Clerk, Treasurer, Integrity Commissioner, Auditor General, Ombudsman or registrar referred to in section 223.11 of the *Municipal Act, 2001* or an investigator referred to in subsection 239.2 (1) of City of Temiskaming Shores or a person who is not an employee of the City of Temiskaming Shores but who holds an administrative position of the City of Temiskaming Shores.
  - I am not a judge of any court.
  - I am not a member of the Assembly as provided in the *Legislative Assembly Act* or of the Senate or House of Commons of Canada or, if I am such a person, I will provide proof of my resignation in a form satisfactory to the Clerk of the City of Temiskaming Shores prior to 2:00 p.m. on Nomination Day, August 19, 2022. I understand that the Clerk of the City of Temiskaming Shores will reject my nomination for the above-mentioned office if I fail to provide proof of resignation by this deadline.

- I am not a public servant within the meaning of the *Public Service of Ontario Act, 2006*, or if I am a public servant, I have followed and will continue to follow all the relevant provisions of Part V of such *Act*.
  - I am not a Federal employee within the meaning of the *Public Service Employment Act*, or if I am a Federal employee, I have followed and will continue to follow all the relevant provisions of Part 5 of such *Act*.
5. I am not prohibited from voting at the municipal election under section 17 (3) of the *Municipal Elections Act, 1996*.
- I am not a person who is serving a sentence of imprisonment in a penal or correctional institution.
  - I am not a corporation.
  - I am not a person acting as executor or trustee or in any other representative capacity, except as a voting proxy in accordance with section 44.
  - I am not prohibited because of a conviction of a corrupt practice described in subsection 90 (3), if voting day in the current election is less than five years after voting day in the election in respect of which I was convicted
6. I am not a person who was convicted of a corrupt practice under the *Municipal Elections Act, 1996* or of an offence under the *Criminal Code (Canada)* in connection with an act or omission that relates to an election to which this Act applies and I am not a person who is ineligible to be nominated for, any office until the next two regular elections have taken place after the election to which the offence relates (Section 91 (1)).
7. I am not ineligible from being elected to or holding office by reason of any violations of the election campaign financial requirements, violations for not filing the financial statement or any other violations pursuant to the *Municipal Elections Act, 1996*. (Section 88.23)

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

Declared before me at the City of Temiskaming Shores:

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ \_\_\_\_\_  
(Signature of Candidate)

\_\_\_\_\_  
(Signature Commissioner of Oaths / Municipal Clerk or designate)

Personal information on this form is collected under the authority of the *Municipal Elections Act, 1996* and will be used for the nomination process for office in filling a vacancy on Council, and will be available for public inspection in the office of the Clerk, City of Temiskaming Shores until the next municipal election. Questions about this collection of personal information should be directed to the Clerk, 325 Farr Drive P.O. Box 2050, Haileybury, ON, P0J 1K0.

**City of Temiskaming Shores**

**Consent To Release Personal Information**

*(Municipal Freedom of Information and Protection of Privacy Act)*

Personal information on the Nomination Paper is collected under the authority of the *Municipal Elections Act* and will be used to assist the Clerk in the administration of filling the Councillor Vacancy for the remainder of the \_\_\_\_\_ Municipal Council Term. Questions regarding this collection should be forwarded to the Clerk, 325 Farr Drive P.O. Box 2050, Haileybury, ON P0J 1K0 (705) 672-3363.

.....

Name of Candidate: \_\_\_\_\_

Candidate for the office of: Councillor

I acknowledge that the Nomination Form filed by me contains personal information and I am aware that the Clerk will disclose all or part of it to the general public.

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

Municipal Clerk or Designate: \_\_\_\_\_

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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**City of Temiskaming Shores**  
**Withdrawal of Nomination**

I, \_\_\_\_\_, hereby withdraw my name as a candidate  
(Name of Candidate)

for the office of \_\_\_\_\_.  
(Name of Elected Office)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

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This withdrawal delivered to me at \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
(time)

\_\_\_\_\_  
Municipal Clerk or designate

*A person who has been nominated may withdraw his or her nomination by filing a written withdrawal in the Clerk's office by 2:00 p.m. \_\_\_\_\_.*

*Note: The same identification requirements for filing Nomination Papers is required for withdrawing a Nomination.*

**City of Temiskaming Shores**

**Declaration of Confidentiality Council Vacancy  
Process Form**

I, \_\_\_\_\_, a nominated candidate for the  
office of Mayor / Councillor:

Do Solemnly Declare That:

1. I solemnly swear to uphold the integrity of the Council Vacancy interview process for the vacant seat of Mayor/ Councillor by declaring that I, or any agent on my behalf, will not view the Live-Stream feed of the meeting, or receive any messages via email, text or otherwise while the candidate interviews are in progress.

I, \_\_\_\_\_, make this solemn Declaration conscientiously to  
uphold the integrity of the Council Vacancy selection process.

Declared before me at the City of Temiskaming Shores, in the Timiskaming District, in  
the Province of Ontario this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

Municipal Clerk or Designate: \_\_\_\_\_