

AGENDA / ORDRE DU JOUR

- A) Declaration of Pecuniary Interest / Déclaration d'intérêts pécuniaires
- B) Addendum and Agenda / Addenda et Ordre du jour
- B-1 Resolution to approve the Addendum
- B-2 Resolution to adopt the Agenda
- C) Delegations & Petitions / Délégations et pétitions *NIL*

REGULAR COUNCIL MEETING / RÉUNION RÉGULIÈRE

- D) Planning / Planification
- D-1 Resolution to authorize the Mayor and Clerk to sign an Encroachment Agreement with Raymond & Colette Guenette (178 Craig St)
- D-2 Resolution to approve By-Law [2019/58](#) to amend the Zoning By-Law to rezone certain lands on Craig Street from R2 to C1-2 (R & C Guenette)
- D-3 Resolution to approve By-Law [2019/59](#) to amend the Zoning By-Law to rezone certain lands on O'Brien Road from SR to SR-9 (Y & S Shank)
- D-4 Resolution to authorize the Mayor and Clerk to sign an Encroachment Agreement with Algonquin Child & Family Services (Lisgar St)
- D-5 Resolution to authorize the Mayor and Clerk to sign an Encroachment Agreement with Sturgeon Falls Brush & Spraying & Cutting Ltd. (Lisgar St)
- D-6 Resolution to approve the withdrawal of the Draft Subdivision Approval (SUBD 2013/02) on Duck Creek Road made by R. Lemieux
- D-7 Resolution to authorize amendment to draft Plan approval of Subdivision SUBD 2016/03 (Hladke) and to withdraw Draft Common Element Condominium Approval (CEC 2016/01)
- D-8 Resolution to authorize the Mayor and Clerk to sign an Encroachment Agreement with Don Goulet (William St)
- E) Correspondence and Accounts / Comptes et courrier
- E-1 Resolution to adopt the minutes of the meeting of Council held on June 18, 2019.
- E-2 Resolution to receive the minutes of the Au Chateau Board of Management meeting held on May 15, 2019.
- E-3 Resolution to receive the minutes of the West Nipissing Environmental Services Board meetings held on May 6th, 2019 (Public Liaison Mtg. + Regular Mtg.)
- E-4 Resolution to adopt the minutes of the Planning Advisory Committee meeting held on June 10, 2019.
- E-5 Resolution to receive the minutes of the Committee of Adjustment meetings held on June 10th, 2019.
- E-6 Resolution to receive the disbursements of accounts payables.

F) Unfinished Business / Affaires en marche

G) Notice of Motion / Avis de motion

H) New Business / Affaires nouvelles

- H-1** Resolution to Award RFQ for Public Works Pickups (x 2)
- H-2** Resolution to Award for Brushing & Ditching Tender
- H-3** Resolution to support a request from Au Chateau to extend the existing funding agreement with MMAH ... *(from Jun-18th mtg.)*
- H-4** Resolution to adopt a consolidation of the Traffic and Parking By-Law **2019/60**
- H-5** Resolution seeking support a request from NBPSDHU on behalf of the local school Boards re: National Healthy School Food Program
- H-6** Resolution to authorize the use of the municipal parking lot (King & Queen) by the SF Pentecostal Church to hold annual “**We Love Sturgeon Falls Day**” (Aug-24-2019)
- H-7** Resolution to grant an exemption from the municipal Noise By-Law to Joanne & Manfred Koehler in order to host the “Hillman Road BBQ” (Aug-17-2019)

**COMMITTEE OF THE WHOLE MEETING /
COMITÉ PLÉNIER**

I-1) Sewer and Water / Les égouts et l’eau

- I-1(a)** Update – Water & Sewer Upgrades and Options

I-2) Environmental / L’environnement

- I-2(a)** Recycling Update *(Jason Sullivan - verbal)*
- I-2(b)** Draft Garbage & Recycling By-Law

I-3) General Government / Gouvernement général

- I-3(a)** Council Legal Coverage and Fees (sample from Toronto) *(C. Fisher)*
- I-3(b)** Update re: Property Maintenance - Complaint Process & Enforcement Report *(J. Savage)*
- I-3(c)** Draft Stipend - Honorarium Policy for Volunteer Members of Boards and Committees *(C. Fisher)*
- I-3(d)** Request from Le Taxi to amendment to the Taxi By-Law re: drop rate and temporary issuance of taxi driver licenses
- I-3(e)** Request for purchase of vacant municipal land on Floral Street

I-4) Planning / Planification **NIL**

I-5) Emergency Measures and Public Safety / Mesures d’urgence et sécurité publique

- I-5(a)** Request for Emergency Defibrillators from various Community Organizations
- I-5(b)** Correspondence re: Compliance with the Emergency Management and Civil Protection Act (EMCPA)

I-6) Economic Development / Développement économique **NIL**

I-7) Social Services and Health / Services sociaux et santé NIL

I-8) Public Works / Travaux publics

- I-8(a)** Additional Information re: Gas Tax and Options *(Y. Duhaime + J. Savage)*
- I-8(b)** Capital Projects Update [\(1 document for Public Works & Community Services\)](#)

I-9) Community Services / Services communautaires

- I-9(a)** IPM Update *(verbal)*
- I-9(b)** Lighting of the cross on the Verner Church *(J. Seguin)*
- I-9(c)** Verner Daycare Lease Renewal
- I-9(d)** Capital Projects Update [\(1 document for Public Works & Community Services\)](#)

J) Addendum / Addenda

K) Information, Questions & Mayors' Report / Information, questions et rapport du Maire

- K-1** Mayor's Report

L) Closed Meeting / Réunion à huis clos

- L-1** Resolution to proceed into closed meeting as authorized in Section 239 (2) of the Municipal Act, to discuss the following:
 - (B)** personal matters about an identifiable individual, including municipal or local board employees;
 - (i)** Human Resources Matter
- L-2** Resolution to adjourn the closed session

M) Adjournment / Ajournement

- M-1** Resolution to adopt By-law [2019/61](#) confirming proceedings of meeting
- M-2** Resolution to adjourn the meeting



The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS the Procedural By-Law sets out the format of Council agendas;

AND WHEREAS Council wishes to deviate from the approved agenda format for the July 16th meeting;

BE IT THEREFORE RESOLVED THAT the format of the agenda authorized by the Procedural By-Law be amended for July 16th, 2019 only;

BE IT FURTHER RESOLVED THAT the Agenda for the meeting of Council held on July 16, 2019 be adopted, as ☐ presented / ☐ amended.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 11, 2019

RE: **Raymond and Colette Guenette – Encroachment Agreement
And Zoning By-Law Amendment ZBLA2018-04**

In March, 2019, Mr. and Mrs. Guenette acquired the property located at 178 Craig Street (former Gagnon Windows & Doors). They submitted an application to re-zone the property to legalize the existing commercial and rental residential uses. As a condition of the rezoning, the owners were required to determine the setback of the building on the lot and, in so doing, became aware that a portion of the building and its parking areas are encroaching on municipally owned property.

Accordingly, they are requesting to enter into an encroachment agreement with the Municipality to legalize the existing situation. This agreement will be registered on title to the property to protect the future interests of both the municipality and the property owner.

Thank you,

Also attached is the Zoning Amendment By-Law amendment and recommendation of the Planning Advisory Committee..

Melanie

Joie de vivre



www.westnipissingouest.ca

ENCROACHMENT/LICENSE AGREEMENT

THIS AGREEMENT made this _____ day of _____, 2019.

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

(hereinafter called the "Municipality")

- and -

RAYMOND JOHN GUENETTE AND COLETTE IRENE GUENETTE

(hereinafter called the "Licensees")

WHEREAS:

- (1) The Licensees are the registered owner of the Lands described as Lot 10, Plan 17, Plan 35, former Twp. Springer, Municipality of West Nipissing, on which an industrial/commercial building has been constructed.
- (2) It has come to the attention of the Municipality that a portion of the structure and parking areas encroache on the municipal road allowances known as Craig Street and Simcoe Street (unopened portion) (the "Encroachments") and are more particularly shown on Schedule "A" attached.;
- (3) The Licensee has made application to the Municipality for permission to maintain the Encroachments over, under or upon Public Highways which are abutting the Lands; and
- (4) The Municipality has agreed to grant the Licensee permission to maintain the Encroachments, on the terms and conditions set out in this agreement.

IN CONSIDERATION of the mutual covenants contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. DEFINITIONS

In this agreement and the schedules, the following definitions apply:

- (a) "Buildings" means a single storey industrial/commercial building, on the Lands, municipally known as 178 Craig Street, Sturgeon Falls, Ontario;
- (b) "Director" means the Director of Operations for the Municipality or his or her designate;

- (c) "Encroachments" means a portion of the structure and parking areas, located on the the Public Highway(s) known as Craig Street and Simcoe Street (unopened) and refers to all or any of such installations as the context may warrant;
- (d) "Lands" means the lands legally described Lot 10, Block 17, Plan 35, Township of Springer as Municipality of West Nipissing, District of Nipissing, and refers to all or any such lands as the context may warrant;
- (e) "Licence Fee" means an annual fee;
- (f) "Notice Period" means the lesser of (a) the first ten (10) years following the first date written in the agreement, being the deemed execution date of this agreement, and (b) the life of the Buildings benefiting from the Encroachments, as the case may be;
- (g) "Public Highways" mean those portions of the public highways in the Municipality of West Nipissing and shall be taken to refer to all or any of those public highways, including the unopened road allowance, as the context may warrant; and
- (h) "Remedial Work" means, during the course of the relocation or removal of the Encroachments from the Public Highways:
 - (i) the closure and the filling up of the area previously occupied by the Encroachments with earth or other material satisfactory to the Director;
 - (ii) the replacement and restoration to their former condition and location of any drains, conduits, wires, pipes and their appurtenances which may have been removed or displaced for the purpose of constructing the Encroachments;
 - (iii) restoration of the boulevard and pavement to a safe and proper condition; and
 - (iv) in the case of the relocation of the Encroachments, installation and construction of the Encroachments in their new location in a manner satisfactory to the Director.

2. GRANT OF LICENCE

- (1) The Municipality hereby grants to the Licensee permission (the "Licence") to maintain, repair and replace, as the case may be, from time to time the Encroachments, provided that the Licensee shall first obtain all necessary permits and permissions as required.
- (2) Nothing in this agreement shall be construed as giving to the Licensee anything more than a Licence on the terms and conditions set out in this agreement. The Licensee agrees that, in the event that the Encroachments are used by any person other than the Licensee or its affiliates (as defined in the *Business Corporations Act*, R.S.O. 1990, c. B.16, as amended) for the purpose of providing telecommunications services other than directly between the Buildings for the sole internal business purposes of the present occupant of the Buildings, being the Licensee or its affiliates, this Licence may be terminated immediately by the Municipality, without compensation to the Licensee, and the Licensee shall, at its sole cost and expense and to the satisfaction of the Director, remove the Encroachments and complete all required Remedial Work. The Municipality and the Licensee may,

despite this provision, enter into further licence agreements to allow the Encroachments to be connected to other or additional buildings occupied by the Licensee or its affiliates.

- (3) The Municipality shall, acting reasonably, have the right to place pipes, cables, wires, poles or any other equipment in and through the area in which the Encroachments are situate, provided that this is done in coordination with the Licensee to ensure that no damage to the Encroachments occurs.

3. LICENCE FEE

- (1) The Licensee agrees to pay the Licence Fee of One (\$1.00) Dollar, upon execution and on each anniversary of the date of this agreement.
- (2) If, due to the presence of the Encroachments, the Municipality or any public utility company or system incurs any additional costs in the repair, maintenance or construction of its facilities or services, the Licensee agrees to pay all such additional costs to the appropriate party, immediately upon demand. The decision of the Director as to the amount of such additional costs, if any, shall be final and binding.

4. COVENANTS

The Licensee agrees to comply with the following covenants:

- (a) To maintain the Encroachments, at its sole cost and expense, in accordance with the Drawings and in a state of good order, condition and repair, to the satisfaction of the Director, acting reasonably. In maintaining, relocating and removing the Encroachments, the Licensee will comply with all of the requirements of the Director.
- (b) To repair, to the satisfaction of the Director and at its sole cost and expense, any damage caused to the boulevard, pavements, drains, conduits, wires, pipes or their appurtenances by the construction or maintenance of the Encroachments, and indemnify and save harmless the Municipality from any and all losses, costs, charges and expenses which may be paid, incurred or sustained by the Municipality as a result of any such damage.

5. INDEMNIFICATION

- (1) The Licensee will always indemnify and keep indemnified the Municipality from and against all actions, suits, claims and demands which may be brought against or made upon the Municipality and from all losses, costs, charges and expenses which may be incurred, sustained or paid by the Municipality as a result of the Encroachments or the exercise by the Licensee of the Licence granted by the Municipality. The Licensee grants to the Municipality full power and authority to settle any such actions, suits, claims or demands on such terms as the Municipality may deem advisable. The Licensee covenants and agrees to pay to the Municipality, on demand, all moneys expended by the Municipality in pursuance of such settlement, including legal fees and disbursements, provided that the Licensee has given its prior approval in writing (such approval not to be unreasonably withheld) to (a) counsel retained by the Municipality to defend such claim and (b) any settlement of such claim.
- (2) In the alternative, the Licensee shall, at the request of the Municipality, defend in the name of and on behalf of the Municipality, any civil action that may at any time be brought for any claim for which the Licensee may be responsible under this agreement. The Licensee covenants and agrees not to allege

this agreement as a defence by the Licensee in any action by any person or entity for actual damage suffered by reason of the Licence.

- (3) The Licensee shall release and indemnify the Municipality with respect to all actions, suits, claims and demands which the Licensee, its agents, employees or officers may have against the Municipality with respect to any damage or injury caused or allegedly caused to the Encroachments or the Licensee, its agents, employees or officers by any act or omission of the Municipality, its agents, employees or officers.

6. INSURANCE

- (1) The Licensee agrees that it shall, at its own expense, at all times, cause to be maintained a policy of comprehensive general liability insurance in all respects, including deductible levels, satisfactory to the Municipality, with each policy containing \$5,000,000.00 in respect of each occurrence limit of coverage.
- (2) Such comprehensive general liability coverage shall include:
 - (a) the Municipality as an additional named insured; and
 - (b) a cross liability/severability of interest clause.
- (3) If the Municipality, acting reasonably, requires the amount of insurance coverage increased, if it requires the Licensee to obtain other special insurance or if it requires any policy to be extended in respect of this agreement, then the Licensee shall obtain such extended, increased or special insurance.
- (4) The Licensee further agrees that the coverage provided by the policy or policies specified in this agreement will not be changed, amended or cancelled by the Licensee until sixty (60) days after written notice of such intended change, amendment or cancellation has been personally delivered to the Municipality and such change or amendment has been approved.

7. LOCATION OF UTILITIES

- (1) The Municipality shall not be required to make any special effort to determine or confirm the location of the Encroachments. The Licensee shall provide upon request on-site locates satisfactory to the Director.
- (2) The Licensee shall, upon the request of the Municipality, a public utility company or any person engaging or intending to engage in construction in the Public Highways, provide the Municipality or any other body formed to coordinate the construction of underground facilities within the Public Highways with details as to the location of the Encroachments.

8. REMOVAL OR RELOCATION

- (1) In the event the Municipality requires that the Encroachments be relocated or removed for any reason, it may give the Licensee notice requesting removal or relocation of any or all of the Encroachments within a reasonable time frame, as more particularly specified in the notice. The Municipality covenants and agrees that so long as the Licensee is not in default under this agreement, it will not give notice to the Licensee to remove the Encroachments during the Notice Period.

- (2) Upon receipt of a notice, the Licensee shall relocate or remove the Encroachments. The Licensee agrees not to make any claim against the Municipality on account of the relocation or removal, including with respect to any disruption of telecommunication services, and will complete the Remedial Work to the satisfaction of the Director. If the Licensee neglects, refuses or fails to relocate or remove the Encroachments and complete the Remedial Work within the time specified in the notice, then the Municipality may relocate or remove the Encroachments, complete the Remedial Work and charge the costs to the Licensee. With respect to any such costs incurred by the Municipality, the certificate of the Director shall be final and the Municipality may recover such costs from the Licensee in any court of competent jurisdiction as a debt owing by the Licensee to the Municipality.
- (3) Should any or all of the Encroachments be destroyed by fire, flood or other natural disaster or should the Licensee voluntarily demolish the Encroachments, the Licensee shall be required to re-construct any replacement structure wholly within his or her property boundaries.

9. LIEN

All costs, charges and expenses paid or incurred by the Municipality as set out in this agreement shall form and constitute a charge or lien on the Lands until fully discharged by payment. The Municipality shall, upon the receipt of a request from a lender of the Licensee, provide confirmation as to the amount of any moneys owed under the lien created pursuant to this agreement.

10. ASSUMPTION OF OBLIGATIONS

- (1) The Licensee shall not transfer or convey or enter into an agreement of purchase and sale for the Lands, or any part of the Lands, or enter into any other agreement or lease, which has or could have the effect of granting the use of or right in the Lands, or any portion of the Lands, directly or by entitlement to renewal for a period of 21 years or more, without first ensuring that any such proposed transferee, grantee, lessee or such other person who would be entitled to the benefits of such agreements or transactions referred to previously, as the case may be, has first entered into an agreement with the Municipality, in a form satisfactory to the Municipality Solicitor, containing the same or similar terms and conditions as contained in this agreement.
- (2) In the event that the Licensee transfers or conveys all of its interest in the Lands to a new transferee, then upon execution of such an agreement between the Municipality and the new transferee, the Licensee shall be released from the terms of this agreement and shall have no further obligations or liabilities under this agreement. The Municipality shall, upon the receipt of a written request from the Licensee, confirm that the Licensee has been released from its obligations under this agreement.
- (3) Notwithstanding the foregoing paragraph, the Licensee shall continue to be responsible for all of its obligations under this agreement that may have arisen prior to the date of such release or that may later arise in respect of the period prior to such date.

11. REGISTRATION

This agreement shall be registered on title to the Lands of the Licensee and the costs of preparation and registration of same shall be paid by the Licensee.

12. NOTICE

- (1) Any notice required or permitted to be given under this agreement shall be in writing and shall be served personally, or sent by prepaid registered mail addressed as follows:
 - (a) in the case of the Municipality: The Corporation of the Municipality of West Nipissing
101-225 Holditch Street, Sturgeon Falls, ON P2B 1T1
Attention: Director of Operations
 - (b) in the case of the Licensee: Raymond and Colette Guenette
127 William Street,
Sturgeon Falls, ON P1B 2B2
- (2) Any party may from time to time change its address and recipient for service by notice to the other party in the manner previously set out.
- (3) Notices which are served in the manner set out in clause 12(1) shall be deemed sufficiently given for all purposes of this agreement, in the case of those personally served, on the date of such service, and in the case of registered mail, on the third postal delivery day following the mailing of the notice. Should normal mail service be interrupted by strikes, slowdown or other cause, then the party sending the notice shall use any similar service which has not been so interrupted in order to secure prompt receipt of the notice, request or demand and for the purposes of this agreement such service shall be deemed to be personal service.

13. GENERAL

- (1) All obligations of the Licensee and its affiliates under this agreement shall be joint and several.
- (2) Subject to clause 10(2) of this agreement, this agreement and everything contained in this agreement shall respectively enure to the benefit of and be binding upon the parties and their respective heirs, executors, administrators, successors and assigns.

THIS SPACE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF the parties have set their hands and corporate seals attested by the hands of their respective officers duly authorized in that behalf.

LICENSEES:

RAYMOND JOHN GUENETTE

COLETTE IRENE GUENETTE

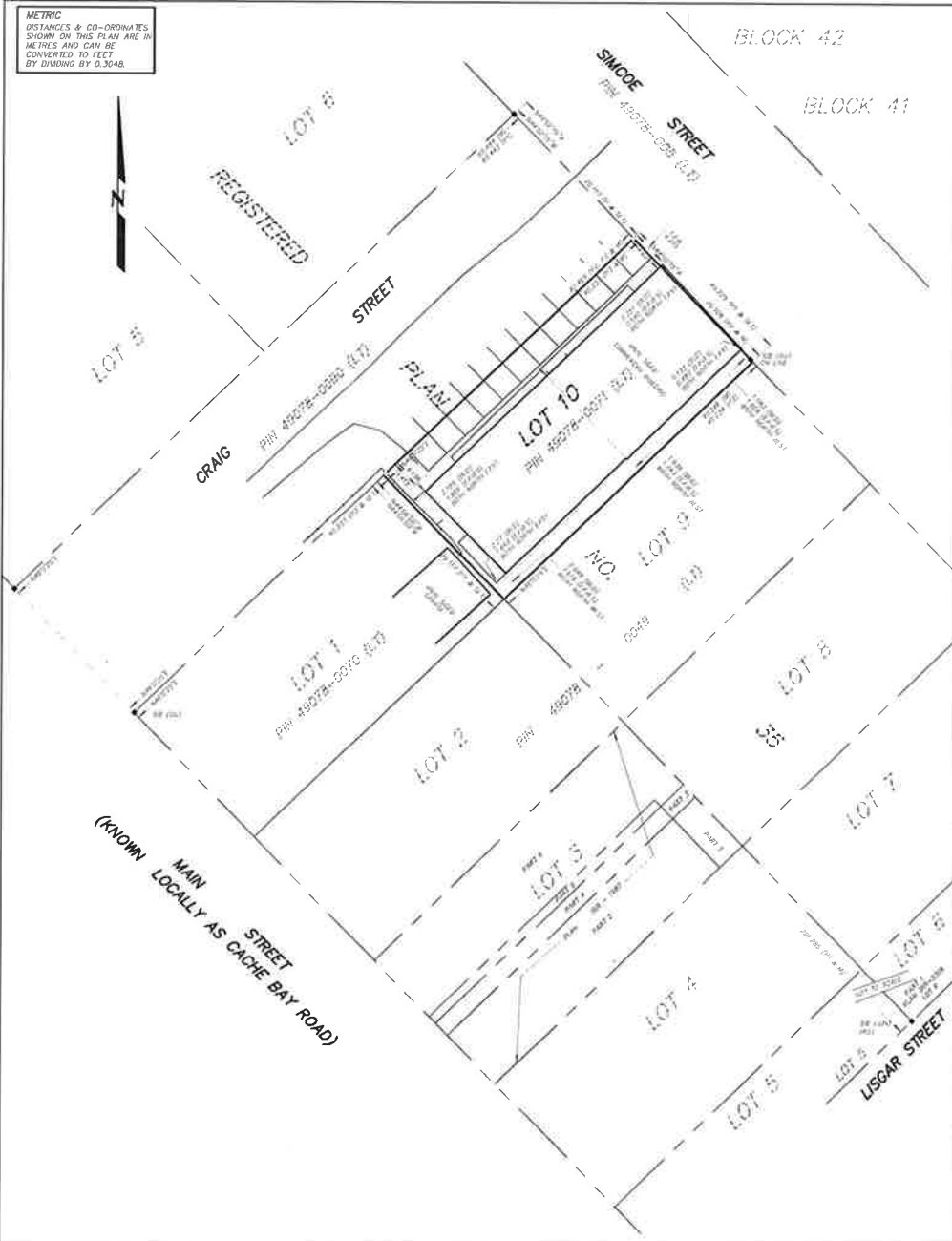
LICENSOR:

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Per: _____
Joanne Savage, Mayor

Per: _____
Melanie Ducharme, Clerk/Planner

METRIC
DISTANCES & CO-ORDINATES
SHOWN ON THIS PLAN ARE IN
METERS AND CAN BE
CONVERTED TO FEET
BY DIVIDING BY 0.3048



DRAFT FOR PRELIMINARY REVIEW OF
LOT 10, REGISTERED PLAN NO. 35
GEOGRAPHIC TOWNSHIP OF SPRINGER
MUNICIPALITY OF WEST NIPISSING
DISTRICT OF NIPISSING

BOUNDARIES
ONLY BOUNDARIES SHOWN IN BOLD LINES HAVE BEEN VERIFIED BY FIELD SURVEY AND DERIVED HEREON.
ALL OTHER BOUNDARIES HAVE BEEN COMPILED FROM LAND REGISTRY OFFICE PLANS AND DOCUMENTS.

LEGEND:

- SURVEY BOUNDARY BOUND
- SURVEY BOUNDARY (PLAN)
- P1** PLAN 350-7387
- P2** PLAN 350-1365
- P3** REGISTERED PLAN NO. 35
- CDM** CLARKE DORLAND & MILLER LIMITED, O.S.
- JM** J.J. NEWMAN, O.S.
- WT** WITNESS TO ACTUAL CORNER
- C** CALCULATED BEARING BASED ON PLAN ANGLES APPLIED TO MEASURED VALUES
- U** UNIDENTIFIED BOUNDARY
- CERTIFIED BOUNDARY

METRIC
DISTANCES, ELEVATIONS AND CO-ORDINATES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

GRID SCALE CONVERSION
DISTANCES ARE GRID AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999954.

NOTE
TOPOGRAPHICAL INFORMATION PROVIDED BY SNC GEOMATICS, CORRECTION APPLIED BY GPS 110 FOR CDS-PPF SHFT IN POSITION AND ELEVATION TO THE UTM SYSTEM, NAD83 (EPSG) 120191 ZONE 17 NORTH.

BEARING NOTE
BEARINGS NOTED ARE GRID BEARINGS DERIVED FROM NAD 83 GPS OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF THE UTM SYSTEM, NAD83 (EPSG) 120191 ZONE 17 NORTH.
A CLOCKWISE ROTATION HAS BEEN APPLIED TO CONVERT ASTROMETRIC BEARINGS ON UNDERLYING PLANS TO UTM GRID BEARINGS AND HAS BEEN CALCULATED IN ACCORDANCE WITH THE FOLLOWING FORMULA:
 $ROTATION = 32.30 \pm$ DISTANCE FROM CENTRAL MERIDIAN (km) \times $(1 \text{ IN } 10^6) \div 3600$
 $= 32.30 \pm 2750.32641 \text{ km} \times 4677.761365'' \div 3600$
 $= -$

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SURVEYOR'S CERTIFICATE
1. I, THE SURVEYOR, AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 26th DAY OF APRIL, 2019.

APRIL 26, 2019 PAUL GOODRIDGE
CHARTERED LAND SURVEYOR

**GOODRIDGE GOULET
PLANNING & SURVEYING LTD.**
CHARTERED LAND SURVEYOR - LAND AND PLANNING - DEVELOPMENT CONSULTANTS
1000-1000 BAYVIEW STREET, SUITE 100, NORTH YORK, ONT. M2N 6L2
416-493-1110 paul.g@goodridgego.com
100-443-7274 paul.g@goodridgego.com

PLAN	DATE	BY	CHK
LOT 10	2019	P. GOODRIDGE	2019



**The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT the Mayor and Municipal Clerk/Planner be authorized to sign an Encroachment / License Agreement with Raymond J. Guenette and Colette I. Guenette.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____



**The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT By-law **2019/58**, being a by-law to amend Zoning By-law 2014/45, as amended, to rezone certain lands located at 178 Craig Street from Residential Two (R2) Zone to General Commercial (C1-2) Special Zone, shall come into force and take effect on the date it is passed

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____



WEST NIPISSING PLANNING ADVISORY COMMITTEE
ZBLA2019/04

Resolution No.

2019 / 012

April 8, 2019

Moved by / Proposé par :

Seconded by / Appuyé par :

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45;

AND WHEREAS written concerns and objections were received: ☐ YES or ☒ NO

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS or ☐ DOES NOT RECOMMEND

that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to rezone the property known as 178 Craig Street, Legally described as Lot 10, Block 17, Plan 35, Township of Springer Municipality of West Nipissing, District of Nipissing, to amend the zoning designation of the lands from R2 (Residential Two Zone) to C1-2 Special (General Commercial) to recognize existing legal non-conforming commercial uses and legal non-complying set-backs and lot coverage.

Defeated:

Deferred/Tabled:

CHAIR

SECRETARY

	Yeas	Nays
Duhaime, Yvon		
Fisher, Christopher		
Pellerin, Fernand		
Roberge, Normand		
Savage, Joanne		
Sénécal, Denis		
Roveda, Dan		



THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

BY-LAW 2019/58

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2014/45 TO REZONE
CERTAIN LANDS ON CRAIG ST FROM RESIDENTIAL TWO (R2) TO
GENERAL COMMERCIAL (C1-2) SPECIAL ZONE

WHEREAS the owner of the subject property has initiated concurrent applications for Consent to Sever and an amendment to Zoning By-Law 2014-45 for the property located at 178 Craig Street, being Lot 10, Block 17, Plan 35, Twp. Springer, Municipality of West Nipissing;

AND WHEREAS the Council of The Corporation of the Municipality of West Nipissing has ensured that adequate information has been made available to the public, and has held at least one (1) public meeting after due notice for the purpose of informing the public of this By-Law;

AND WHEREAS the Planning Advisory Committee of the Municipality of West Nipissing has recommended the property be placed under site plan control pursuant to Site Plan Control By-Law No. 2015-63 in order to further regulate the development

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule 'SF1' of By-Law No. 2014/45 pursuant to Section 34 of the *Planning Act* R.S.O. 1990, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. Schedule 'SF1' of By-Law No. 2014/45 is amended by changing the zoning designation of the property shown on Schedule 'A' attached hereto, which property is more particularly described as Lot 10, Block 17, Plan 35, Springer, Municipality of West Nipissing, shown as hatched on Schedule 'A' attached hereto from Residential Two (R2) Zone to General Commercial (C1-2) Special Zone.
2. Section 7.5.1 of By-law No. 2014/45 is amended by the addition of the following provisions:

Exception	By-law	Location	Schedule	Special Provisions
C1-2	2019/58	Lot 10, Block 17, Plan 35, Geographic Township of Springer	SF1	The lot and yard requirements shall be as follows: <ul style="list-style-type: none">- Minimum front yard set-back: 4.5m- Minimum rear yard set-back 1.6m- Minimum Exterior Side Yard (north) 0m- Minimum Interior Side Yard (south) 1.0m Permitted uses shall be motor vehicle service station and indoor storage. Permitted accessory uses shall be dwelling units in non-residential building

3. Pursuant to Section 41 of the *Planning Act*, and Municipality of West Nipissing By-Law No. 2015/63, as amended, the property *may* be placed under Site Plan Control and the owner shall enter into a Site Plan Control Agreement with the Municipality which agreement shall be registered on title to the subject property pursuant to Section 4(c) thereof.
4. This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the *Planning Act*, RSO 1990, Ch. P 13.

ENACTED AND PASSED THIS 16th DAY OF JULY, 2019 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK



 LANDS TO BE REZONED FROM RESIDENTIAL TWO (R2)
 TO GENERAL COMMERCIAL EXCEPTION TWO (C1-2)

MUNICIPALITY OF WEST NIPISSING OUEST
 TOWN OF STURGEON FALLS - SCHEDULE SF1

PART OF LOT 6, CONCESSION 1
 LOT 10, REGISTERED PLAN NO. 35
 TOWN OF STURGEON FALLS
 GEOGRAPHIC TOWNSHIP OF SPRINGER
 MUNICIPALITY OF WEST NIPISSING OUEST



50 25 0 50
 Metres

THIS IS SCHEDULE 'A' TO
 BY-LAW NO. **2019/58** PASSED THIS
16th DAY OF **JULY** 2019.

JOANNE SAVAGE, MAYOR



**The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT By-law **2019/59**, being a by-law to amend By-Law 2014/45 to rezone certain lands on O'Brien Road from Shoreline Residential (SR) with Hazard Overlay to Shoreline Residential (SR-9) Zone Exception-9, shall come into force and take effect on the date it is passed.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

WEST NIPISSING PLANNING ADVISORY COMMITTEE
ZBLA2019/06

Resolution No.

2019 / 027

July 8, 2019

Moved by / Proposé par :

Seconded by / Appuyé par :

WHEREAS a public meeting was held for the purpose of amending Zoning By-Law 2014-45 for the property located at 110 O'Brien Road, Verner, Ontario;

AND WHEREAS written concerns and objections were received:

☐ YES or

☒ NO

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒ RECOMMENDS

or

☐ DOES NOT RECOMMEND

that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to rezone the property located at 110 O'Brien Road, as follows:

1. Schedule **H3-4** of By-Law No. 2014/45 shall be amended by changing the zoning designation of the properties shown on Schedule 'A' attached hereto, which properties are more particularly described as Part of Lot 3, Concession C, Former Township of Caldwell, Municipality of West Nipissing, shown as hatched on Schedule 'A', attached hereto from SR (Shoreline Residential) with Hazard Overlay to Shoreline Residential (SR-9) exception zone 9.
2. Section 4.1(a) shall be amended to permit an accessory dwelling within an accessory building;
3. Section 6.5.5 of By-law No. 2014/45 shall include the following provisions:

By-law	Location	Schedule	Special Provisions
2019/___	Part of Lot 3, Concession C, Township of Caldwell Municipality of West Nipissing	H3-4	<ul style="list-style-type: none"> To reduce the minimum front-yard set back from 18m to 14m (flank yard abutting water)

Defeated:

Deferred/Tabled:

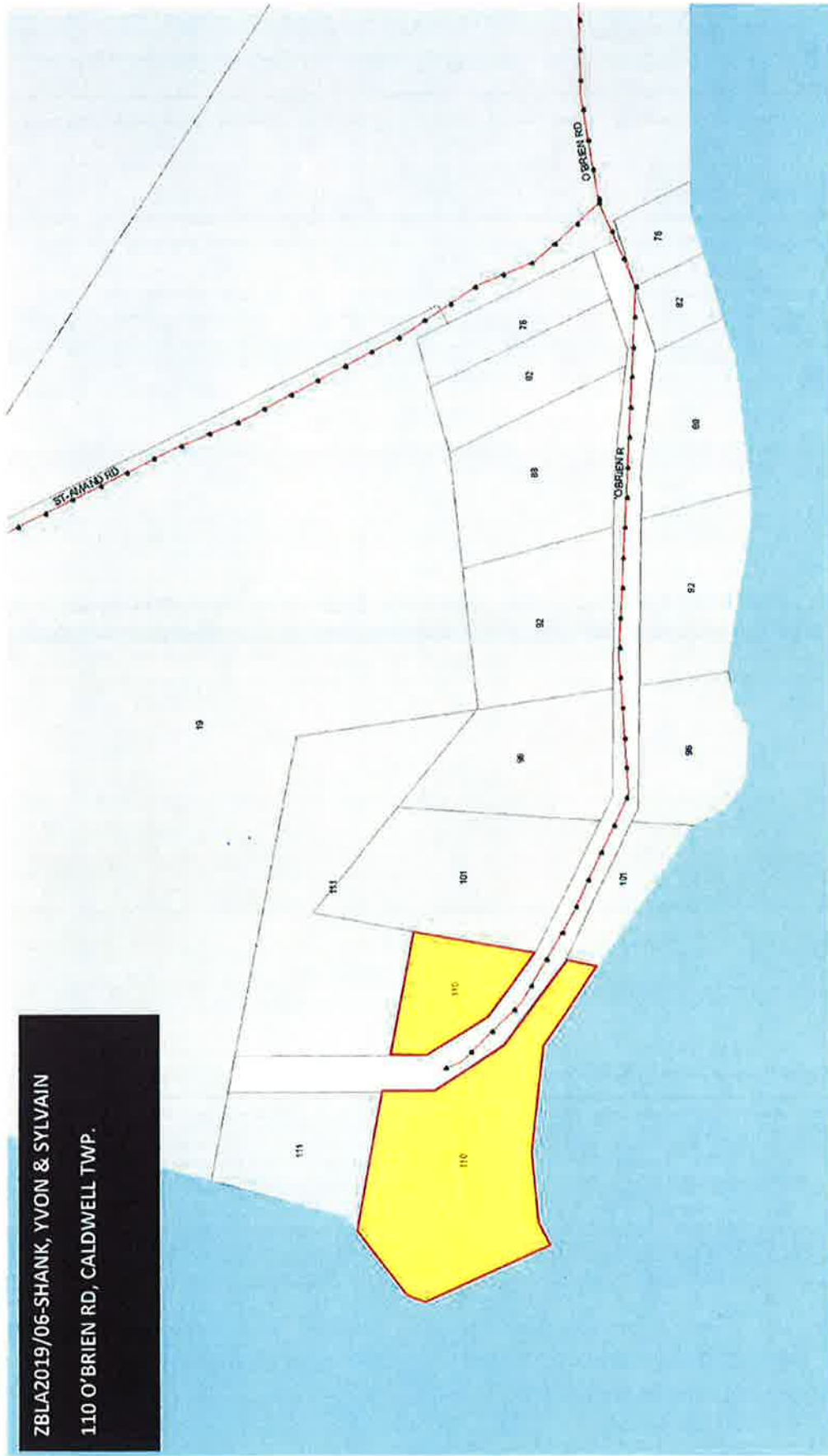
CHAIR

SECRETARY

Yeas Nays

	Yeas	Nays
Duhaime, Yvon		
Fisher, Christopher		
Pellerin, Fernand		
Roberge, Normand		
Savage, Joanne		
Sénécal, Denis		
Roveda, Dan		

ZBLA2019/06-SHANK, YVON & SYLVAIN
110 O'BRIEN RD, CALDWELL TWP.





BY-LAW 2019/59

BEING A BY-LAW TO AMEND ZONING BY-LAW NO. 2014/45 TO REZONE CERTAIN LANDS ON O'BRIEN ROAD FROM SHORELINE RESIDENTIAL (SR) WITH HAZARD OVERLAY TO SHORELINE RESIDENTIAL (SR-9) ZONE EXCEPTION-9

WHEREAS the owner of the subject property has initiated concurrent applications for Consent to Sever and an amendment to Zoning By-Law 2014-45 for the property located on O'Brien Road, being Part of Lot 3, Concession C, Twp. Caldwell, Municipality of West Nipissing;

AND WHEREAS the Council of The Corporation of the Municipality of West Nipissing has ensured that adequate information has been made available to the public, and has held at least one (1) public meeting after due notice for the purpose of informing the public of this By-Law;

AND WHEREAS the Planning Advisory Committee of the Municipality of West Nipissing has recommended the property be placed under site plan control pursuant to Site Plan Control By-Law No. 2015-63 in order to further regulate the development

AND WHEREAS it is deemed desirable to amend the zone designation shown on Schedule 'H3-4' of By-Law No. 2014/45 pursuant to Section 34 of the *Planning Act* R.S.O. 1990, as amended;

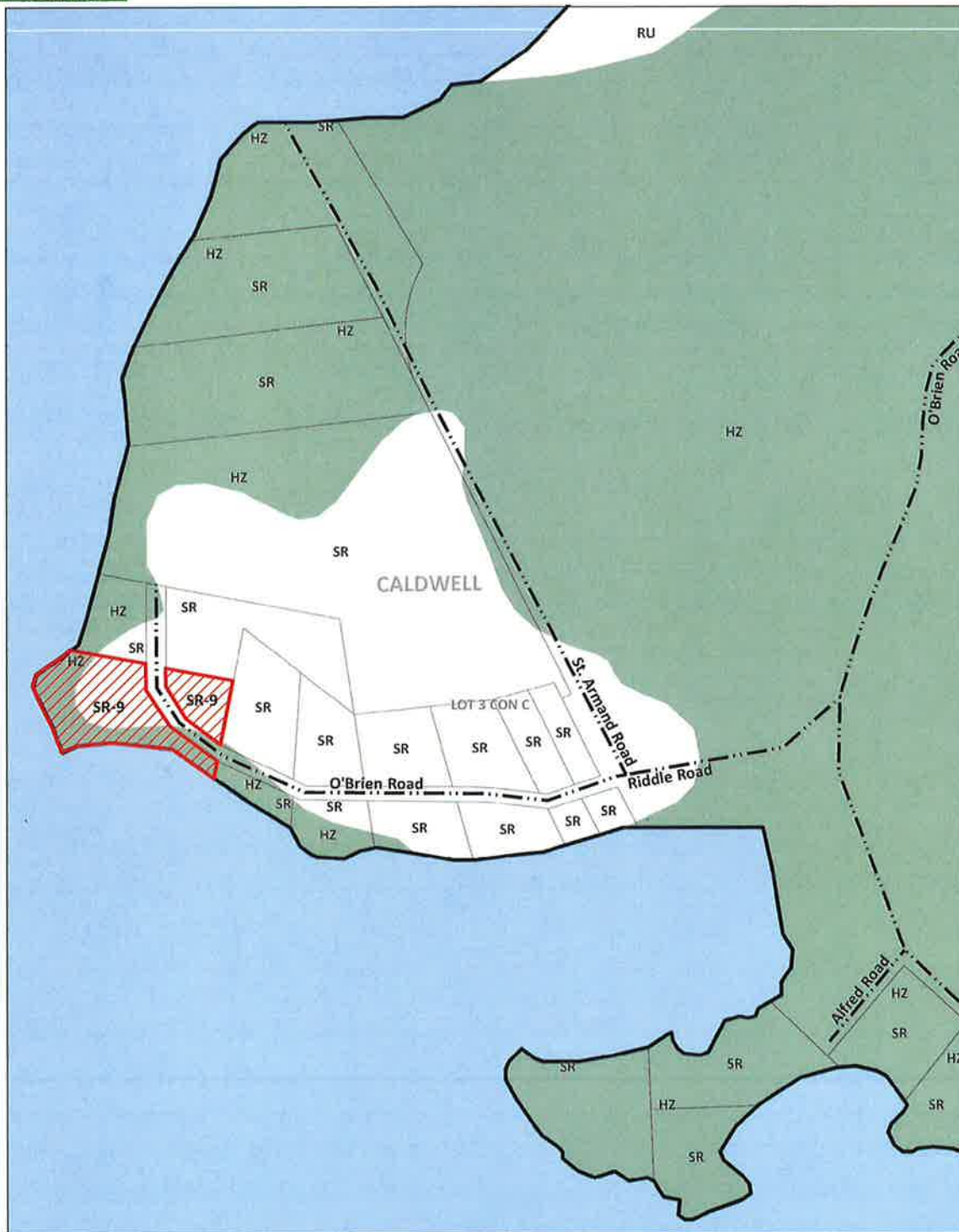
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING ENACTS AS FOLLOWS:

1. Schedule 'E3-4' of By-Law No. 2014/45 is amended by changing the zoning designation of the property shown on Schedule 'A' attached hereto, which property is more particularly described as Part of Lot 3, Concession C, Caldwell Twp., Municipality of West Nipissing, shown on Schedule 'A' attached hereto from Shoreline Residential (SR) Zone with Hazard Overlay to Shoreline Residential (SR-9) Zone exception-9.
2. Pursuant to Section 41 of the *Planning Act*, and Municipality of West Nipissing By-Law No. 2015/63, as amended, the property shall be placed under Site Plan Control and the owner shall enter into a Site Plan Control Agreement with the Municipality which agreement shall be registered on title to the subject property pursuant to Section 4(c) thereof.
3. This By-law shall take effect on the date of passage and come into force in accordance with Section 34 of the *Planning Act*, RSO 1990, Ch. P 13.

ENACTED AND PASSED THIS 16TH DAY OF JULY, 2019 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK



 LANDS TO BE REZONED FROM SHORELINE RESIDENTIAL (SR) WITH HAZARD LAND OVERLAY (HZ)
TO SHORELINE RESIDENTIAL EXCEPTION NINE (SR-9) WITH HAZARD LAND OVERLAY (HZ)

MUNICIPALITY OF WEST NIPISSING OUEST
GEOGRAPHIC TOWNSHIP OF CALDWELL - SCHEDULE H3-4

PART OF LOT 3, CONESSION C
GEOGRAPHIC TOWNSHIP OF CALDWELL
MUNICIPALITY OF WEST NIPISSING OUEST



50 25 0 50 Metres

THIS IS SCHEDULE 'A' TO
BY-LAW NO. 2019- **59** PASSED THIS
16th DAY OF **JULY** 2019.

JOANNE SAVAGE, MAYOR

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 11, 2019

RE: **STURGEON FALLS BRUSH CUTTING & SPRAYING &
ALGONQUIN CHILD AND FAMILY SERVICES – ENCROACHMENTS ON MUNICIPAL ROAD
ALLOWANCE AND EASEMENT**

1. STURGEON FALLS BRUSH CUTTING & SPRAYING LTD.

In 2016 Sturgeon Falls Brush (sfb) split the property known as 125 Lisgar Street and sold the building to Algonquin Child and Family Services. As part of the conditions of the transaction, the Municipality of West Nipissing was granted an easement over a portion of the parking lot of SFB in order to turn around snow removal equipment.

Recently, the owners of SFB have requested to erect a gate on the municipality's easement, which has been inspected and approved by the Manager of Public Works. Accordingly, attached hereto is a short encroachment Agreement pertaining to the gate being erected on the Municipality's easement property.

ALGONQUIN CHILD AND FAMILY SERVICES

- 2.** Algonquin Child and Family Services purchased the office building from SFB; however the alignment of Lisgar Street from Cache Bay Road prohibits any signage installed by ACFS from being seen. Accordingly, ACFS is asking to place their signage on the Lisgar Street road allowance in order that it can be seen from the intersection of Cache Bay Road. The Public Works Manager has met with the owner to confirm that the proposed site will not interfere with any municipal road activities.

The Municipality of West Nipissing Signage By-Law requires Council permission to place any signage on municipally owned property. Accordingly, attached hereto is a short encroachment agreement to permit a 3m encroachment on the Lisgar Street road allowance for a 6x12' sign.

Melanie

Joie de vivre



www.westnipissingouest.ca



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT the Mayor and Municipal Clerk/Planner be authorized to sign an Encroachment Agreement for an easement with Algonquin Child and Family Services.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

ENCROACHMENT AGREEMENT

THIS AGREEMENT made the day of July, 2019

BETWEEN:

ALGONQUIN CHILD AND FAMILY SERVICES

(the "Owner")

AND

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

(the "Municipality")

WHEREAS The Owner owns the land more particularly described in Schedule "A" attached (the "Land")

AND WHEREAS the Owner wishes to construct a sign (the "Sign") in the approximate size of six feet by twelve feet (6' x 12'), being five (5) feet above grade which will encroach by no more than 3.5m metres onto the municipally owned and maintained road known as Lisgar Street;

AND WHEREAS the Owner of the Land has requested the Municipality to enter into an agreement to permit the encroachment to continue for the lifetime of the said Sign;

AND WHEREAS the Municipality has conducted an inspection of the proposed encroachment and has agreed with the Owner to enter into this agreement;

IN CONSIDERATION OF the permission granted by the Municipality to the Owner to encroach and the mutual covenants and agreements contained herein, the parties agree as follows:

1. The encroachments authorized by the Municipality are as shown on a sketch attached hereto as Schedule "A" and consists of a portion of Lisgar Street road allowance.
2. The encroachment is permitted to remain for the lifetime of the Sign or until the said lands are required for municipal purposes.
3. The Owner will indemnify and save the Municipality harmless from all claims for damages sustained by any person, by reason of the permission granted in respect of the above encroachment.

4. The Owner waives any claim against the Municipality for damages to the encroachment resulting from the Municipality's activities within the Lisgar Street road allowance.
5. The encroachment shall be maintained by the Owner in a sound, neat and safe condition, to the satisfaction of the Municipality's Manager of Public Works.
6. The Owner hereby consents to the registration of this agreement against title to the land which, as set out in the first recital, is the land described in Schedule "A" to this agreement, for which the Owner agrees to pay any and all costs of registration;
7. This agreement shall be read with such changes of gender and number as the context requires and shall be binding upon the parties, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties have set their hands and corporate seals attested by the hands of their respective officers duly authorized in that behalf.

ALGONQUIN CHILD AND FAMILY SERVICES

Per: _____
Authorized Signatory

**THE CORPORATION OF THE MUNICIPALITY OF
WEST NIPISSING**

Per: _____
Joanne Savage (Mayor)

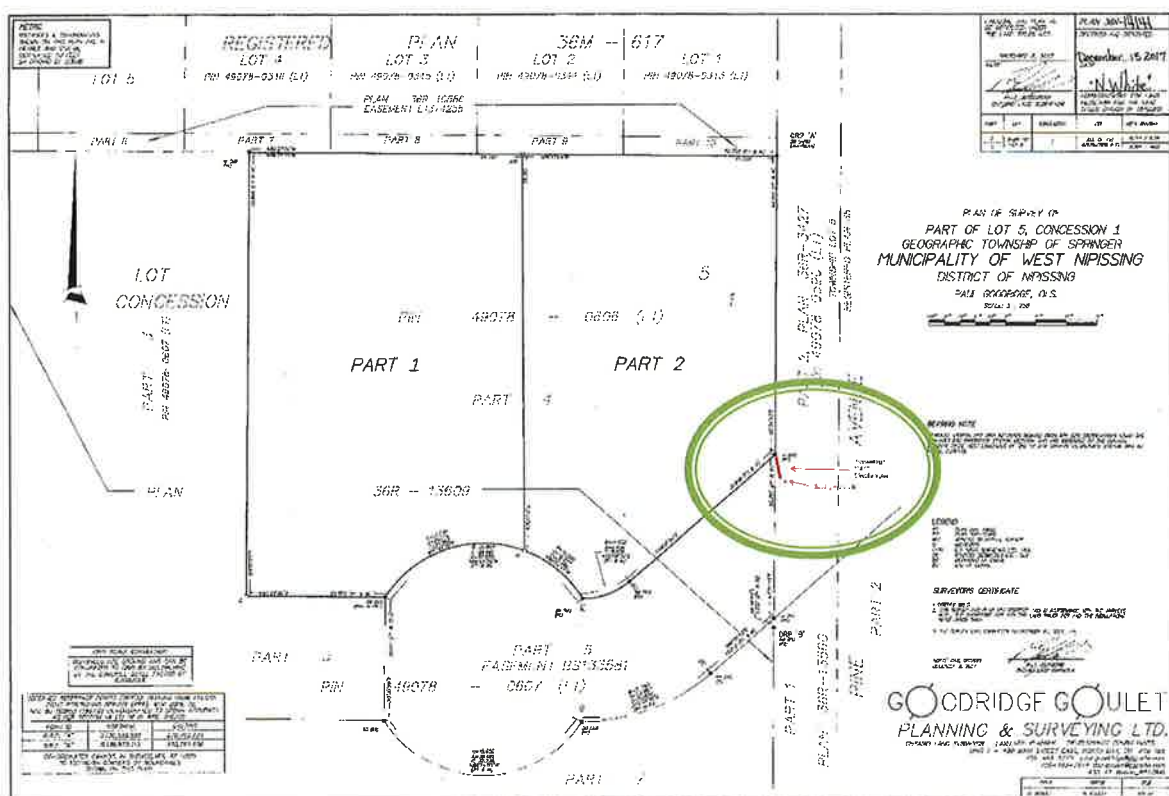
Per: _____
Melanie Ducharme (Clerk)

SCHEDULE "A"

Address: 125 Lisgar Street, Sturgeon Falls, Ontario

Legal: Part of Lot 5, Concession 1, Part 4, 36R-13609, Springer, Municipality of West Nipissing
T/W ROW over Part 5, 36R-13609

PIN: .49078-0606





The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT the Mayor and Municipal Clerk/Planner be authorized to sign an Encroachment Agreement for an easement with Sturgeon Falls Brush Spraying & Cutting Limited.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

ENCROACHMENT AGREEMENT (EASEMENT)

THIS AGREEMENT made the day of July, 2019

BETWEEN:

STURGEON FALLS BRUSH SPRAYING & CUTTING LIMITED

(the "Owner")

AND

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

(the "Municipality")

WHEREAS The Owner owns the land more particularly described in Schedule "A" attached (the "Land") over which the Municipality has an easement for the turning of snow removal equipment which is more particularly described in Instrument No. BS133577 (the "Easement") which is attached hereto as Schedule "B";

AND WHEREAS the Owner wishes to construct a fence on the Easement for the purpose of limiting access to its' property by the public;

AND WHEREAS the Owner of the Land has requested the Municipality to enter into an agreement to permit the encroachment on the Easement;

AND WHEREAS the Municipality has conducted an inspection of the proposed encroachment and has agreed with the Owner to enter into this agreement;

IN CONSIDERATION OF the permission granted by the Municipality to the Owner to encroach and the mutual covenants and agreements contained herein, the parties agree as follows:

1. The encroachments authorized by the Municipality are as shown on a sketch attached hereto as Schedule "A".
2. The encroachment is permitted to remain until the said lands are required for municipal purposes.
3. The Owner will indemnify and save the Municipality harmless from all claims for damages sustained by any person, by reason of the permission granted in respect of the above encroachment.

4. The Owner waives any claim against the Municipality for damages to the encroachment resulting from the Municipality's activities within the Easement.
5. The encroachment shall be maintained by the Owner in a sound, neat and safe condition, to the satisfaction of the Municipality's Manager of Public Works.
6. The Owner hereby consents to the registration of this agreement against title to the land which, as set out in the first recital, is the land described in Schedule "A" to this agreement, for which the Owner agrees to pay any and all costs of registration;
7. This agreement shall be read with such changes of gender and number as the context requires and shall be binding upon the parties, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties have set their hands and corporate seals attested by the hands of their respective officers duly authorized in that behalf.

**STURGEON FALLS BRUSH SPRAYING
& CUTTING LIMITED**

**THE CORPORATION OF THE MUNICIPALITY OF
WEST NIPISSING**

Per: _____
Authorized Signatory

Per: _____
Joanne Savage (Mayor)

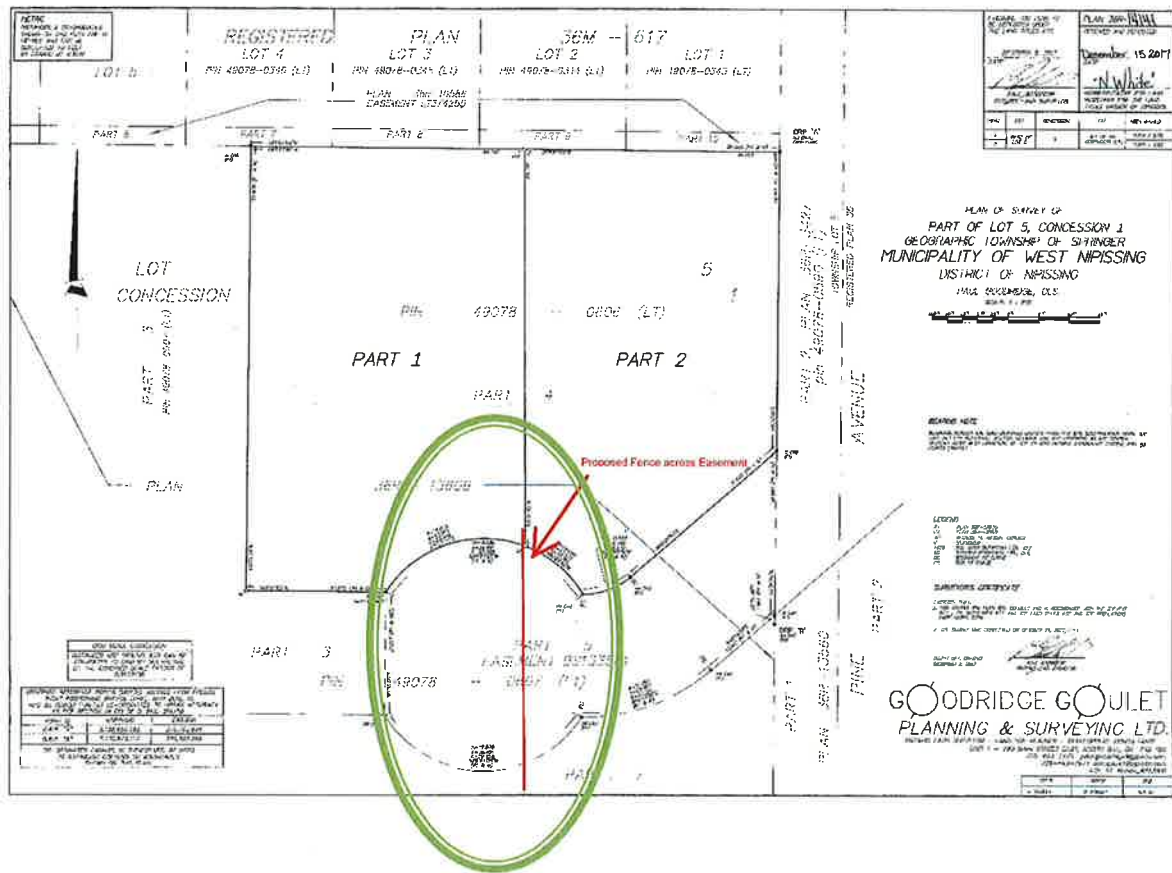
Per: _____
Melanie Ducharme (Clerk)

SCHEDULE "A"

Address: 126 Lisgar Street, Sturgeon Falls, Ontario

Legal: Part of Lot 5, Concession 1, Parts 1, 2, 3, 5, 6, 7, 36R-13609, Springer, Municipality of West Nipissing S/W ROW over Part 5, 36R-13609

PIN: .49078-0607



Schedule "B"

The applicant(s) hereby applies to the Land Registrar.

yyyy mm dd Page 1 of 3

Properties

PLN 49078 - 0401 LT Interest/Estate Fee Simple ☒ Add Easement
Description PT LOT 5, CON 1, PT 5, 36R-13609; SPRINGER, WEST NIPISSING, DISTRICT OF NIPISSING
Address STURGEON FALLS

Consideration

Consideration \$2.00

Transferor(s)

The transferor(s) hereby transfers the easement to the transferee(s).

Name STURGEON FALLS BRUSH AND CONTRACTING LIMITED
Address for Service 145 Main Street, Unit 415, Sturgeon Falls, ON P2B 1N8

I, GERARD LARCHER, have the authority to bind the corporation.
This document is not authorized under Power of Attorney by this party.

Transferee(s)

Capacity

Share

Name THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING
Address for Service 101-225 Holditch Street, Sturgeon Falls, ON P2B 1T1

Statements

Schedule: See Schedules

Signed By

David Thomas Stewart 38 Queen St., P.O. Box 1959 acting for Signed 2015 03 20
Sturgeon Falls
P2B 2C6 Transferor(s)

Tel 705-753-3000
Fax 705-753-3968

I have the authority to sign and register the document on behalf of the Transferor(s).

Melanie Dawn Ducharme 101-225 Holditch St. acting for Signed 2015 03 20
Sturgeon Falls
P2B 1T1 Transferee(s)

Tel 7057532250
Fax 7057533950

I have the authority to sign and register the document on behalf of the Transferee(s).

Submitted By

THE CORPORATION OF THE MUNICIPALITY OF 101-225 Holditch St. 2015 03 20
WEST NIPISSING Sturgeon Falls
P2B 1T1

Tel 7057532250
Fax 7057533950

Fees/Taxes/Payment

Statutory Registration Fee \$60.00
Provincial Land Transfer Tax \$0.00
Total Paid \$60.00

LAND TRANSFER TAX STATEMENTS

In the matter of the conveyance of: 49078 - 0401 PT LOT 5, CON 1, PT 5, 36R-13609; SPRINGER, WEST NIPISSING,
DISTRICT OF NIPISSING

BY: STURGEON FALLS BRUSH AND CONTRACTING LIMITED

TO: THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

1. JOANE SAVAGE (MAYOR) AND MELANIE DUCHARME (CLERK)

I am

- ☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;
- ☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;
- ☐ (c) A transferee named in the above-described conveyance;
- ☐ (d) The authorized agent or solicitor acting in this transaction for _____ described in paragraph(s) () above.
- ☒ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING described in paragraph(s) (C) above.
- ☐ (f) A transferee described in paragraph () and am making these statements on my own behalf and on behalf of _____ who is my spouse described in paragraph () and as such, I have personal knowledge of the facts herein deposited to.

3. The total consideration for this transaction is allocated as follows:

(a) Monies paid or to be paid in cash	2.00
(b) Mortgages (i) assumed (show principal and interest to be credited against purchase price)	0.00
(ii) Given Back to Vendor	0.00
(c) Property transferred in exchange (detail below)	0.00
(d) Fair market value of the land(s)	0.00
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	0.00
(f) Other valuable consideration subject to land transfer tax (detail below)	0.00
(g) Value of land, building, fixtures and goodwill subject to land transfer tax (total of (a) to (f))	2.00
(h) VALUE OF ALL CHATTELS - Items of tangible personal property	0.00
(i) Other considerations for transaction not included in (g) or (h) above	0.00
(j) Total consideration	2.00

4.

Explanation for nominal considerations:

g) Transfer to a municipality pursuant to subdivision or development agreement, condominium approval or other municipal purposes: EASEMENT

5. The land is subject to encumbrance

PROPERTY Information Record

A. Nature of Instrument: Transfer Easement
LRO 36 Registration No. BS133577 Date: 2015/03/20

B. Property(s): PIN 49078 - 0401 Address STURGEON FALLS Assessment Roll No

C. Address for Service: 101-225 Holditch Street, Sturgeon Falls, ON P2B 1T1

D. (i) Last Conveyance(s): PIN 49078 - 0401 Registration No. LT246167
(ii) Legal Description for Property Conveyed: Same as in last conveyance? Yes ☐ No ☒ Not known ☐

E. Tax Statements Prepared By: Melanie Dawn Ducharme
101-225 Holditch St.
Sturgeon Falls P2B 1T1

Schedule to Grant of Easement

(1) The Transferor hereby transfers to the Transferee, its successors and assigns an easement or right and licence in the nature of an easement at any time to enter upon the Lands of the Transferor described as Part of Lot 5, Concession 1, being Part 5, 36R-13609 (the "Lands"), for the purpose of Ingress and egress and more particularly for the purpose of safely turning around municipal road maintenance equipment, over, along, upon and through the Lands, and for such purpose the Transferee shall have access to the Lands at all times by its servants, employees, workers, agents, contractors and sub-contractors, along with necessary vehicles and equipment.

(2) The Lands are to remain clear of and unencumbered by buildings, structures, improvements or expensive landscaping (other than approved in writing by the Transferee), and no fill shall be deposited on the Lands without the written approval of the Transferee, nor shall any other thing be done which might hinder the Transferee's access over, along, upon and through the lands.

(3) This is an easement in gross.

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 11, 2019

RE: **RICHARD AND DANIELLE LEMIEUX – SUBD2013-02**

In 2013, Richard and Danielle Lemieux made application for and received draft approval for the creation of 10 water access lots in the Township of Loudon.

The Applicant(s) have since decided not to proceed with the Subdivision and will be proceeding with the creation of two (2) lots only by way of an Application for Consent. In order to put closure to the Draft Plan Approval, a resolution acknowledging the withdrawal of the draft plan is attached.

Melanie

Joie de vivre



www.westnipissingouest.ca



The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS the West Nipissing Planning Advisory Committee recommended draft approval of a Subdivision Application (SUBD 2013/02) made by Richard Lemieux on the 8th day of April, 2013 by resolution no. 2013/12;

AND WHEREAS Council for the Municipality of West Nipissing passed resolution no. 2013/131 on the 16th day of April, 2013 granting draft approval to the Subdivision Application (SUBD 2013/02) made by Richard Lemieux;

AND WHEREAS on July 2nd, 2019, the Applicant has submitted a letter to the Municipality of West Nipissing requesting withdrawal of the Draft Subdivision Application Approval (SUBD 2013/02);

NOW THEREFORE BE IT RESOLVED that the Corporation of the Municipality of West Nipissing, pursuant to Section 51 (44) of the *Planning Act* (Ontario), hereby withdraws the draft Subdivision Application approval granted by it on the 16th day of April, 2013;

BE IT FURTHER RESOLVED that notice of the withdrawal for the Draft Subdivision Application approval be given in accordance with Section 51 (45) of the *Planning Act* (Ontario).

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

TO: WEST NIPSSING PLANNING DEPARTMENT


FROM: RICHARD LEMIEUX


The undersigned hereby confirms that the Subdivision Application No. SUBD2013-02 is hereby withdrawn.

Dated at West Nipissing, this 2nd day of July, 2019


Richard Lemieux

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest

Moved by: 
Proposé par:

Seconded by: 
Appuyé par:

April 16, 2013

WHEREAS at a Meeting of the West Nipissing Planning Advisory Committee held on April 8, 2013, a resolution was passed wherein the West Nipissing Planning Advisory Committee recommended a draft plan approval of Subdivision Application No. SUBD 2013/02 made by Richard and Danielle Lemieux for subdivision of 10 lots on Part of Lot 5, Concession 5, Township of Loudon, (Vacant Land Duck Creek Road/Chemin Duck Creek), District of Nipissing, subject to the conditions set out in Appendix "A" of the said Resolution and more particularly set out herein.

SPECIAL CONDITIONS OF DRAFT APPROVAL

The Corporation of the Municipality of West Nipissing's conditions and amendments to final plan of approval, for registration of Subdivision File No. SUBD2013/02 made by Richard and Danielle Lemieux are as follows:

- 1) That this approval expires three (3) years from the date of granting of draft approval by the Council of the Municipality of West Nipissing. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the Planning Act, the three (3) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the appeal or from the date of a notice issued by the Board under section 52(51) of the Planning Act.
- 2) This Draft Approval applies to the Plan of Subdivision prepared by Miller and Urso Surveying Inc, O.L.S, as shown on the attached Schedule A, dated March 13, 2013, which is comprised of 10 water access only lots located on Lake Nipissing, Geographic Township of Loudon, Municipality of West Nipissing, District of Nipissing.
- 3) That prior to signing the Final Plan by the Municipality, the proposed subdivision conform with the Zoning By-law in effect for the Municipality.
- 4) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the Municipality of West Nipissing concerning provision of roads, installation of services, and drainage.
- 5) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 6) That the Subdivision Agreement between the owner and the Municipality be in accordance with the Municipality of West Nipissing By-law No. 2007/35 and contain wording acceptable to the Municipality to ensure that:
 - a) the owner agrees that a Stormwater Management Plan shall be undertaken by a professional engineer with respect to the Subdivision describing best management practices and appropriate measures to maintain quality storm runoff, both during and after construction; and
 - b) The Stormwater Management report shall also address any slope stability or any hydrogeological issues associated with this development

- c) Any recommendations forthcoming from the Stormwater Management Study shall be incorporated into the final Subdivision site design and implemented to the ongoing satisfaction of, and at no expense to, the Municipality.
- 7) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes. Alternatively, the municipality may accept cash in lieu of all or part of this conveyance.
- 8) The owner covenants and agrees to provide the municipality with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) if required by Canada Post Corporation. The owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that home/business mail delivery will be provided via CMB, provided the owner has paid for the activation and equipment installation of the CMBs
- 9) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 10) That the Subdivision Agreement between the owner and the Municipality contain a Special Provision with wording acceptable to Hydro One Networks Inc. to ensure that:
 - a. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to HONI for review and approval.
 - b. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision will be borne by the developer.
 - c. The easement rights of HONI and its legal predecessors are to be protected and maintained.
- 11) The owner shall consult with the North Bay-Mattawa Conservation Authority prior to the installation of any private on-site sanitary facilities to ensure that the site conditions are suitable for the provision of such services.
- 12) The owner shall demonstrate, to the satisfaction of the municipality, as to how parking and boat launching shall be accommodated in order to provide access to the subject lots.

NOTES

- 1) We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.
- 3) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to water bodies.
- 4) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available

within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

- 5) The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with Hydro One Networks Inc. that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure in accordance with Hydro One Networks Inc. policies and the Ontario Distribution System Code.

	YEAS	NAYS
SAVAGE, Joanne MAYOR		
BRISSON, Denise		
FINLEY, Paul		
FORTIER, Guy		
FORTIN, Don		
MALETTE, Leo		
ROBERGE, Normand		
RESTOULE, Jamie		
TESSIER, Guilles		

Carried: Joanne Savage

Defeated: _____

Deferred or tabled: _____

PLANNING REPORT

Request for Amendment to Draft Subdivision File No. SUBD2016/03 and Request for withdrawal of Draft Plan Approval File No. CONDO 2016/01

Applicants: Hladki Family

Date: July 8, 2019



West Nipissing Ouest

Contents

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4. DEVELOPMENT PROPOSAL.....	2
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1. INTRODUCTION

The purpose of this Planning Report is to address a request made by the Consultant for the Hladki family for an amendment to the Draft Plan Approval given under File No. SUBD2016-03 concerning the proposed development of a five (5) lot plan of residential subdivision on Part of Lot 6, Concession 5, Township of Grant, in the Municipality of West Nipissing. The request is being submitted by Goodridge, Goulet Planning & Surveying (Paul Goodridge, OLS) on behalf of the members of the Hladki family.

2. SITE AND BACKGROUND INFORMATION

The subject property is located on Tomiko Road, in Grant Township, in the Municipality of West Nipissing. The entire property owned by the Applicant is approximately 100 hectares. The area proposed to be subdivided into five (5) new residential lots, each of which is proposed to have a lot area in excess of one hectare (1 Ha) and a minimum frontage of 60m.

The subdivision lots were proposed to POTL's (Parcels of Tied Land) to a Common Element Plan of Condominium which was concurrently draft approved under file no. CONDO2016-01.

4. DEVELOPMENT PROPOSAL

Since the date of the Draft Approvals, the applicants have sought legal advice and assistance in order to register the required Plans of Subdivision and Condominium. Recent changes to the Condominium Act and its accompanying regulations have created impediments to the applicants both in terms of being able to find qualified legal representation to assist with the required condominium documents and in terms of making the entire project cost prohibitive with respect to the required legal and accounting fees as the condominium act requires significant accounting studies to be carried out as well. After more than two (2) years of frustration dealing with several legal firms, the applicants and their agents met with me to seek a solution which would assist them in achieving their goals but at a lesser legal cost while at the same time meeting the municipality's policies with respect to private roads.

What is being proposed is to withdraw the previously approved Plan of Condominium Application and to request a Redline Amendment to the originally approved draft plan in order to create a Block on the Subdivision for the road. What is proposed is that the road, instead of being part of a separate Plan of Condominium, will be part of the Plan of Subdivision. The ownership of the Block shall be by each of the lot owners as well as the owners of the retained lands. All of the rights and responsibilities of the road will be included in the Subdivision Agreement which will be registered on title to the lands.

5. SUMMARY AND RECOMMENDATIONS

In accordance with the provisions of the *Planning Act*, the undersigned has reviewed the proposal having regard to matters of provincial interest and for consistency with the Provincial Policy Statement 2014.

In addition, the application has been reviewed within the context of the West Nipissing Official Plan and Zoning by-law No. 2014-45. It is my opinion that the proposed redline amendment with the road being a Block on the Plan of Subdivision, with the rights and responsibilities appurtenant thereto being registered on title to each of the subject lands, will have the identical effect as if the road were a common element condominium without the necessity of the owners being place under an unnecessary financial and legal burden in order to do so.

Respectfully Submitted,



Melanie Ducharme, Planner

Attachments:

Figure 1 – Aerial Imagery of Property



Figure 2 – Proposed Redline Amendment Plan

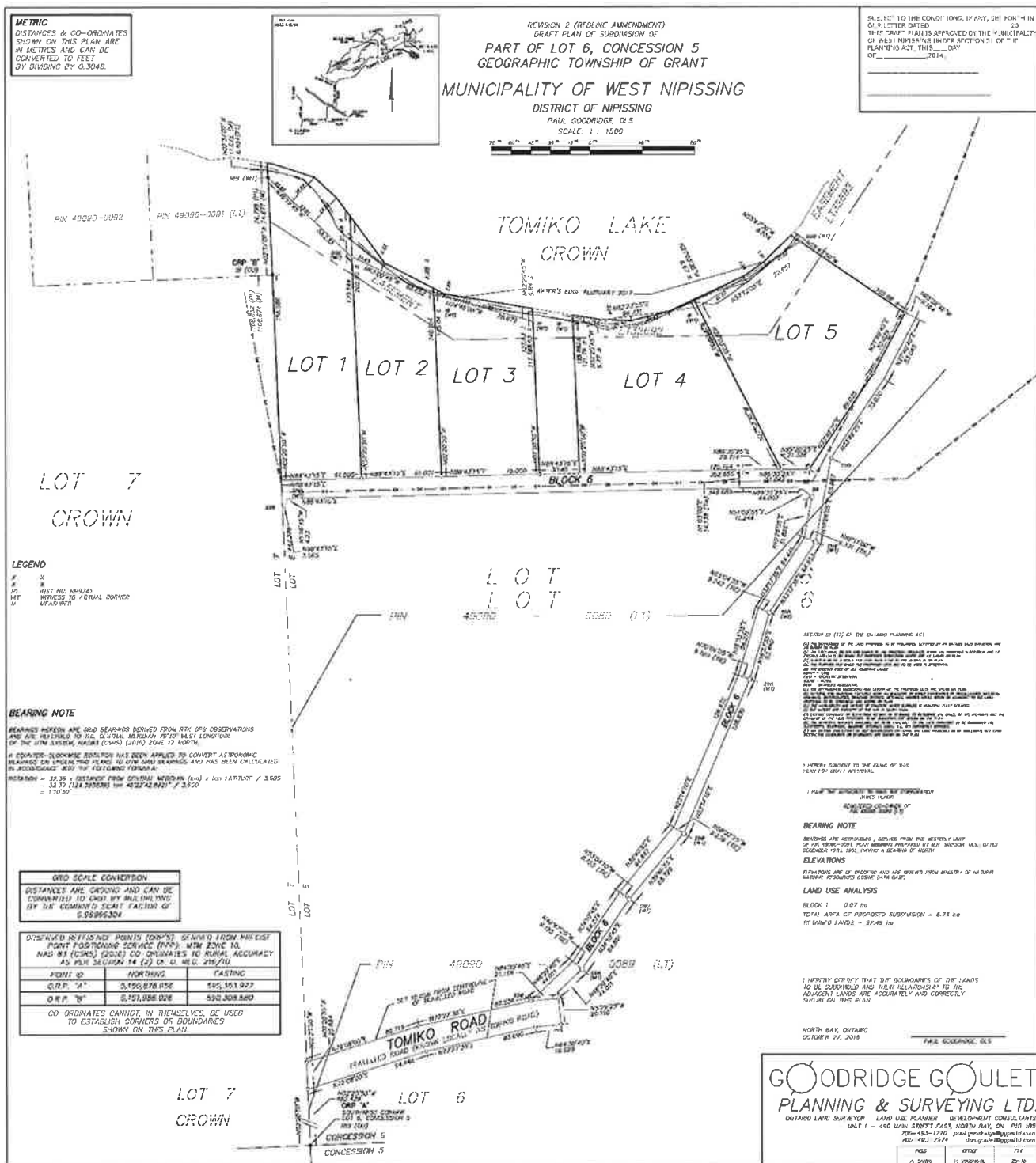


Figure 3 – Redline Amendment Justification Report

Goodridge Goulet Planning & Surveying Ltd.
ONTARIO LAND SURVEYOR
LAND USE PLANNERS & DEVELOPMENT CONSULTANTS

July 5, 2019

Ms. Melanie Ducharme
Planner & Clerk
Municipality of West Nipissing
200 Holditch Street
Sturgeon Falls, Ontario

Dear Melanie,

Reference: Red Line Subdivision Amendment Application
Owners: Hladki Family
Part of Lot 6, Concession 5, Geographic Township of Grant
Municipality of West Nipissing, District of Nipissing
Our file: 264-17

Further to our discussion last week with representatives of the Hladki family, we are requesting consideration of a red line amendment to the draft plan of subdivision. Our proposal is to withdraw the draft plan of condominium application and to replace the proposed common elements condominium for the access road with a block on the plan of subdivision. Block 6 will be essentially centered on the existing access drive providing vehicular access to all five subdivision lots plus the retained lands.

As the driveway is currently in existence to the cottages on the point of the retained lands and there is also an access drive along the existing unregistered hydro corridor (also encompassed within Block 6) at the rear of the proposed five subdivision lots, lot creation can occur without extension of the private road and therefore will be in conformity with the Municipality's Official Plan. The Hladkis have recently made improvements to the access drives but they have always been capable of supporting large vehicles such as Hydro One maintenance trucks.

Final ownership of Block 6 is still being researched by a lawyer with specific expertise in cottage developments. We are considering whether the ownership will be constituted by a one-sixth share of each of the five subdivision lots and the retained lands or whether it will be a one-fifth share each of the subdivision lots with the retained lands having a registered right-of-way over the Block. It is our intent to have whatever access and maintenance agreements necessary for the protection of all parties to be detailed in the Schedule E – Special Provisions section of the Subdivision Agreement.

We are respectfully requesting that this proposal be brought to the Planning Advisory Committee for their review and input and that it then be brought to your Council with any recommendations of the Committee.

Thank you for your consideration,

Paul Goodridge

Unit 1, 490 Main Street East, North Bay, ON P1B 1B5
Paul Goodridge, BSc, OLS, OLIP (705) 493-1770 paul.goodridge@ggpsltd.com
Don Goulet, Survey Consultant (705) 493-7974 don.goulet@ggpsltd.com

Figure 4 – Draft Plan Approval 2016/496



**The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2016 / 4 9 6

DECEMBER 13, 2016

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS at a meeting of the West Nipissing Planning Advisory Committee held on November 21st, 2016, the West Nipissing Planning Advisory Committee recommended draft plan approval of Subdivision Application No. SUBD 2016/03 made by James Hladki, Donna Sevein, Robert Hladki, Jane Hladki, Roger Hladki, Michael Hladki and Karen Hladki for subdivision of 6 lots on lands legally described as Part of Lot 6, Concession 5, Township of Grant, now Municipality of West Nipissing, District of Nipissing, subject to the Imposition of certain conditions set-out on Schedule "A".

BE IT THEREFORE RESOLVED THAT draft plan approval be given for the Subdivision Application No. SUBD 2016/03 made by James Hladki, Donna Sevein, Robert Hladki, Jane Hladki, Roger Hladki, Michael Hladki and Karen Hladki for subdivision of 6 lots on lands legally described as Part of Lot 6, Concession 5, Township of Grant, now Municipality of West Nipissing, District of Nipissing, subject to the imposition of certain conditions set-out on Schedule "A".

	YEAS	NAYS
BRISSON, Denise		
DUHAIME, Yvon		
FORTIER, Guy		
LARABIE, Roland		
MALETTE, Léo		
RESTOULE, Jamie		
ROBERGE, Normand		
TESSIER, Guilles		
SAVAGE, Joanne (MAYOR)		

Carried: _____

Defeated: _____

Deferred or tabled: _____



WEST NIPISSING PLANNING ADVISORY COMMITTEE

Resolution No.

2019 / 028

July 8, 2019

Moved by / Proposé par :

Seconded by / Appuyé par :

WHEREAS a Public meeting was held on November 21, 2016 for a draft plan approval of a Common Element Condominium in the Township of Grant, Municipality of West Nipissing;

AND WHEREAS Council approved the Draft Plan of Condominium at its meeting of December 13, 2016 by Resolution No. 2016-494;

AND WHEREAS the Applicants are seeking to withdraw the draft plan of Condominium, conditional upon the approval of a redline amendment to their Plan of Subdivision made under file no. SUBD2016-03;

BE IT RESOLVED that the Planning Advisory Committee of West Nipissing



RECOMMENDS

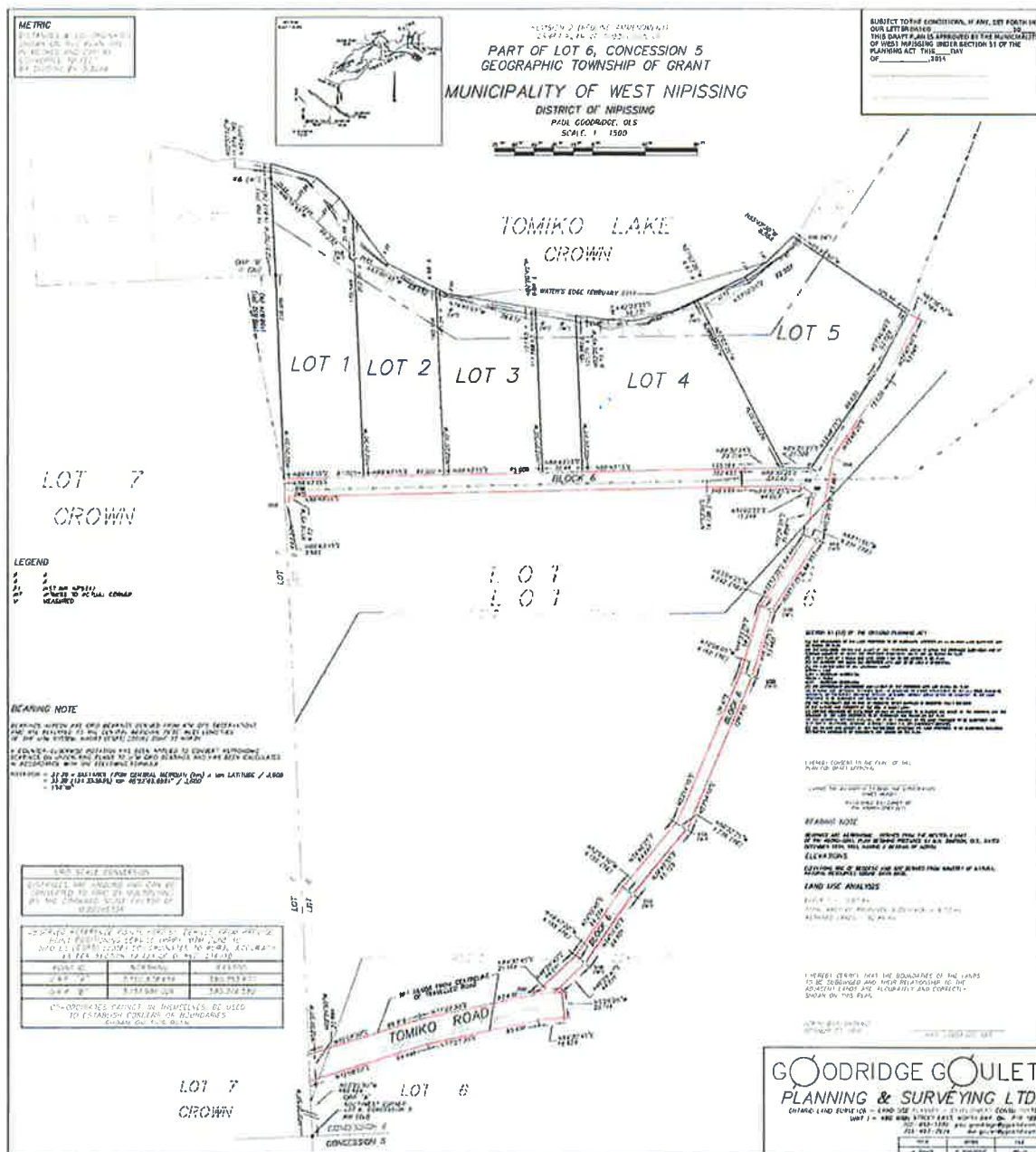
DOES NOT RECOMMEND

Withdrawal of the Draft Plan of Condominium made by James Hladki, Donna Severin, Robert Hladki, Jane Hladki, Roger Hladki, Michael Hladki and Karen Hladki for Common Element Condominium located on Part of Lot 6, Concession 5, Township of Grant, Municipality of West Nipissing.

CHAIR
SECRETARY

Defeated:	
Deferred/Tabled:	

	Yeas	Nays
Duhaime, Yvon		
Fisher, Christopher		
Pellerin, Fernand		
Roveda, Dan		
Roberge, Normand		
Savage, Joanne		
Senecal, Denis		





WEST NIPISSING PLANNING ADVISORY COMMITTEE

Resolution No.

2019 / 029

July 8, 2019

Moved by / Proposé par :

Seconded by / Appuyé par :

WHEREAS a Public meeting was held on November 21, 2016 for a draft plan approval of a Subdivision in the Township of Grant, Municipality of West Nipissing;

AND WHEREAS Council approved the Draft Plan of Subdivision at its meeting of December 13, 2016 by Resolution No. 2016-496;

AND WHEREAS the Applicants are seeking a redline amendment to the draft plan of Subdivision which amendment will replace the former Common Element Condominium Access Road with a Block on the Plan of Subdivision, the rights and privileges of such block to be included in the Subdivision Agreement;

BE IT RESOLVED that the Planning Advisory Committee of West Nipissing



RECOMMENDS



DOES NOT RECOMMEND

approval of the proposed Redline Amendment to the Draft Plan of Subdivision made by James Hladki, Donna Severin, Robert Hladki, Jane Hladki, Roger Hladki, Michael Hladki and Karen Hladki for a Subdivision of five (5) lots located on Part of Lot 6, Concession 5, Township of Grant, Municipality of West Nipissing.

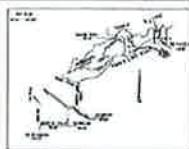
Defeated:	
Deferred/Tabled:	

	Yeas	Nays
Duhaime, Yvon		
Fisher, Christopher		
Pellerin, Fernand		
Roveda, Dan		
Roberge, Normand		
Savage, Joanne		
Senecal, Denis		

CHAIR

SECRETARY

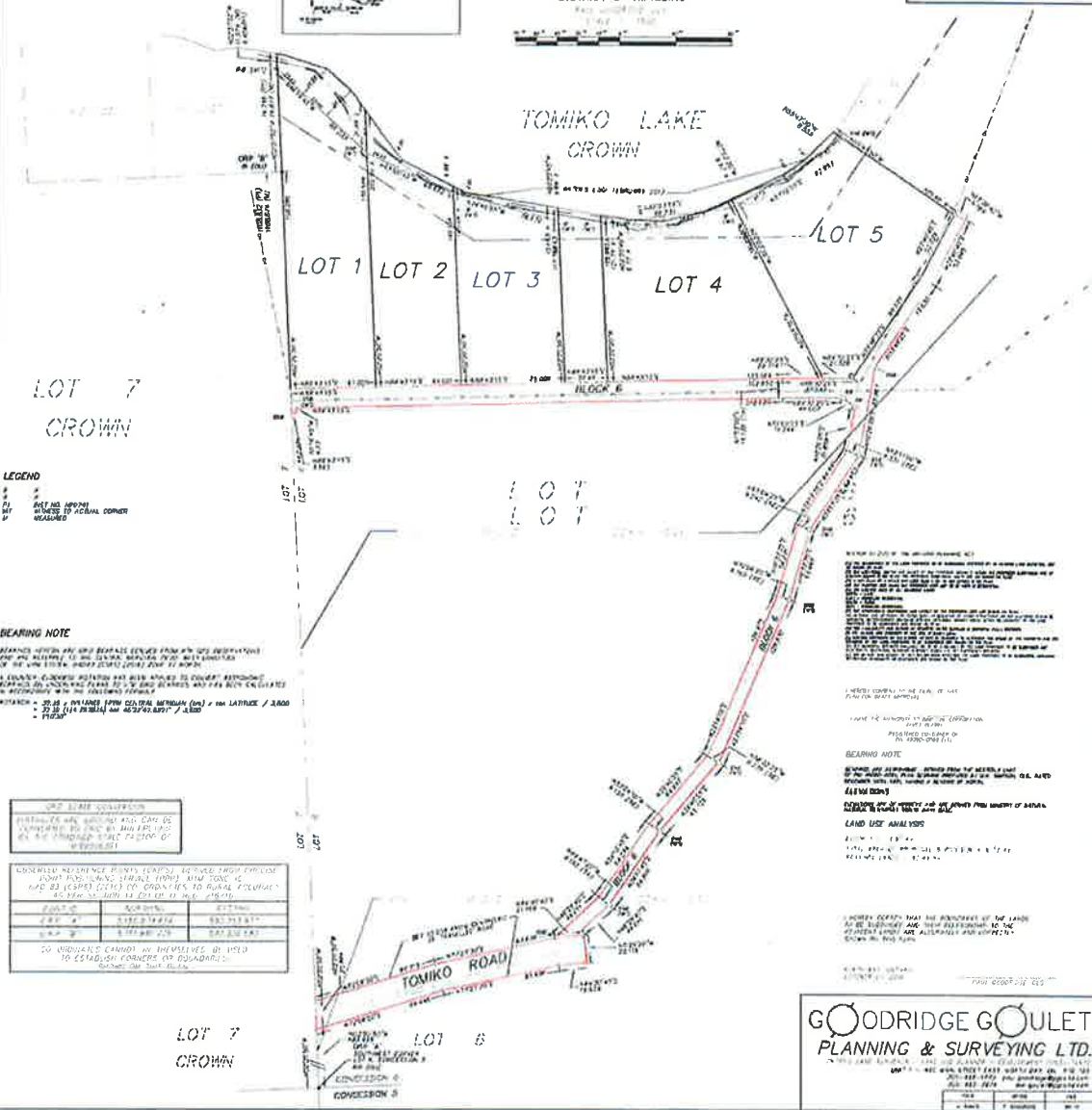
METRIC
 1:10,000 Scale
 1 cm = 100 m
 1 inch = 2.54 cm
 1 foot = 0.3048 m



REVISION 2 (REVISE AMENDMENT)
 DRAFT PLAN OF SUBDIVISION OF
 PART OF LOT 6, CONCESSION 5
 GEOGRAPHIC TOWNSHIP OF GRANT
MUNICIPALITY OF WEST NIPISSING
 DISTRICT OF NIPISSING

Scale: 1:10,000
 1 cm = 100 m
 1 inch = 2.54 cm

SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN
 OUR LETTERS REFERRED TO IN THE DRAFT PLAN OF
 SUBDIVISION, THIS DRAFT PLAN IS APPROVED BY THE MUNICIPALITY
 OF WEST NIPISSING UNDER SECTION 21 OF THE
 PLANNING ACT, 1997, AS AMENDED.



GOODRIDGE GOULET
 PLANNING & SURVEYING LTD.
 1000 10th Avenue, Suite 100
 North York, Ontario M2N 6L1
 Tel: (416) 491-1111
 Fax: (416) 491-1112
 Email: info@goodridgegoulet.com



The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS on December 13, 2014, the Council of the Municipality of West Nipissing passed resolution 2016/496, granting approval for a Draft Subdivision Plan, File No. SUBD 2016/03 for property on Tomiko Lake Road to the Hladki Family;

AND WHEREAS on July 8, 2019 the West Nipissing Planning Advisory Committee recommended a proposed redline amendment of the Approved Draft Subdivision Plan, File No. SUBD 2016/03, legally described as Part of Lot 6, Concession 5, Township of Grant, Municipality of West Nipissing, in the District of Nipissing; which will amend the subdivision to include a Block 6 on the Plan of Subdivision which will replace the requirement for the former Common Element Condominium Access Road, File No. CEC 2016/01;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of West Nipissing hereby approves the proposed redline amendments to the Approved Draft Subdivision Plan, File No SUBD 2016/03, legally described as Part of Lot 6, Concession 5, Township of Grant, Municipality of West Nipissing, in the District of Nipissing to include a Block 6 on the Plan of Subdivision, the rights and privileges of such block to be included in the Subdivision Agreement,

BE IT FURTHER RESOLVED THAT the Council of the Municipality of West Nipissing hereby approves the withdrawal of the Condominium Plan, File No. CEC 2016/01, as the redline amendment of the Approved Draft Subdivision Plan, File No. SUBD 2016/03 will replace the requirement for the former Common Element Condominium Access Road.

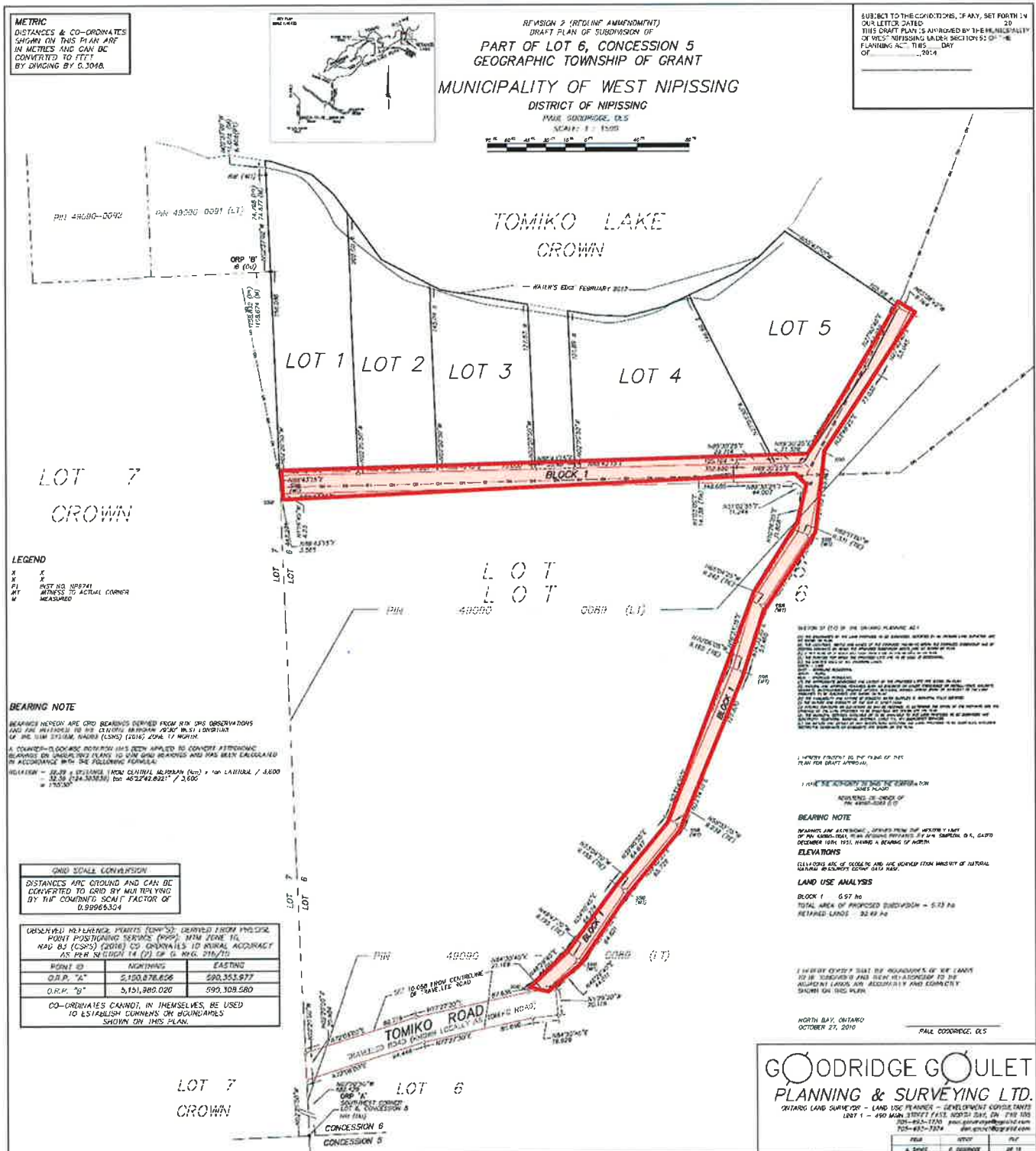
	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

SKETCH



MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 11, 2019

RE: Don Goulet and Madeleine Savard – Encroachment Agreement 91 William Street

Mr. and Mrs. Goulet are the owners of 91 William Street and have entered into an agreement to sell the property. Mr. Goulet, who is a land surveyor, has determined that the front porch of the house is encroaching on the municipal property and has disclosed this to the proposed buyers. The lawyer for the proposed buyer has requested the owner to obtain a written encroachment agreement from the Municipality of West Nipissing in order to legalize the encroachment.

Accordingly, Mr. Goulet and Ms. Savard are requesting to enter into an encroachment agreement with the Municipality to legalize the existing front porch situation. This agreement will be registered on title to the property to protect the future interests of both the municipality and the property owner.

The agreement does contain language that should the property be reconstructed in the future, that the encroachment will not be permitted to continue.

Thank you,

Melanie

Joie de vivre



www.westnipissingoust.ca



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

BE IT RESOLVED THAT the Mayor and Municipal Clerk/Planner be authorized to sign an Encroachment Agreement for an easement with Donald Goulet and Madeleine Savard.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

ENCROACHMENT/LICENSE AGREEMENT

THIS AGREEMENT made this 16th day of July, 2019.

BETWEEN:

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

(hereinafter called the "Municipality")

- and -

DONALD GOULET and MADELEINE SAVARD

(hereinafter called the "Licensees")

WHEREAS:

1. The Licensees are the registered owner of the Lands and buildings located at 91 William Street and legally described as Part Lot 15, Plan 11, Town of Sturgeon Falls, Municipality of West Nipissing, on which a dwelling has been constructed since on or about 1910.
2. It has come to the attention of the Municipality that a portion of the structure encroaches on the municipal road allowances known as William Street (the "Encroachment") is more particularly shown on Schedule "A" attached;
2. The Licensee has made application to the Municipality for permission to maintain the Encroachments over, under or upon Public Highways which are abutting the Lands; and
3. The Municipality has agreed to grant the Licensee permission to maintain the Encroachments, on the terms and conditions set out in this agreement.

IN CONSIDERATION of the mutual covenants contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. DEFINITIONS

In this agreement and the schedules, the following definitions apply:

- (a) "Buildings" means a single storey industrial/commercial building, on the Lands, municipally known as 91 William Street, Sturgeon Falls, Ontario;
- (b) "Director" means the Director of Operations for the Municipality or his or her designate;
- (c) "Encroachments" means a portion of the structure and parking areas, located on the the Public Highway known as William Street and refers to all or any of such installations as the context may warrant;

- (d) "Lands" means the lands legally described Part of Lot 15, Plan 11, Town of Sturgeon Falls as Municipality of West Nipissing, District of Nipissing, and refers to all or any such lands as the context may warrant;
- (e) "Licence Fee" means an annual fee;
- (f) "Notice Period" means the lesser of (a) the first ten (10) years following the first date written in the agreement, being the deemed execution date of this agreement, and (b) the life of the Buildings benefiting from the Encroachments, as the case may be;
- (g) "Public Highways" mean those portions of the public highways in the Municipality of West Nipissing and shall be taken to refer to all or any of those public highways, including the unopened road allowance, as the context may warrant; and
- (h) "Remedial Work" means, during the course of the relocation or removal of the Encroachments from the Public Highways:
 - (i) the closure and the filling up of the area previously occupied by the Encroachments with earth or other material satisfactory to the Director;
 - (ii) the replacement and restoration to their former condition and location of any drains, conduits, wires, pipes and their appurtenances which may have been removed or displaced for the purpose of constructing the Encroachments;
 - (iii) restoration of the boulevard and pavement to a safe and proper condition; and
 - (iv) in the case of the relocation of the Encroachments, installation and construction of the Encroachments in their new location in a manner satisfactory to the Director.

2. GRANT OF LICENCE

- (1) The Municipality hereby grants to the Licensee permission (the "Licence") to maintain, repair and replace, as the case may be, from time to time the Encroachments, provided that the Licensee shall first obtain all necessary permits and permissions as required.
- (2) Nothing in this agreement shall be construed as giving to the Licensee anything more than a Licence on the terms and conditions set out in this agreement. The Licensee agrees that, in the event that the Encroachments are used by any person other than the Licensee or its affiliates (as defined in the *Business Corporations Act*, R.S.O. 1990, c. B.16, as amended) for the purpose of providing telecommunications services other than directly between the Buildings for the sole internal business purposes of the present occupant of the Buildings, being the Licensee or its affiliates, this Licence may be terminated immediately by the Municipality, without compensation to the Licensee, and the Licensee shall, at its sole cost and expense and to the satisfaction of the Director, remove the Encroachments and complete all required Remedial Work. The Municipality and the Licensee may, despite this provision, enter into further licence agreements to allow the Encroachments to be connected to other or additional buildings occupied by the Licensee or its affiliates.

- (3) The Municipality shall, acting reasonably, have the right to place pipes, cables, wires, poles or any other equipment in and through the area in which the Encroachments are situate, provided that this is done in coordination with the Licensee to ensure that no damage to the Encroachments occurs.

3. LICENCE FEE

- (1) The Licensee agrees to pay the Licence Fee of One (\$1.00) Dollar, upon execution and on each anniversary of the date of this agreement.
- (2) If, due to the presence of the Encroachments, the Municipality or any public utility company or system incurs any additional costs in the repair, maintenance or construction of its facilities or services, the Licensee agrees to pay all such additional costs to the appropriate party, immediately upon demand. The decision of the Director as to the amount of such additional costs, if any, shall be final and binding.

4. COVENANTS

The Licensee agrees to comply with the following covenants:

- (a) To maintain the Encroachments, at its sole cost and expense, in accordance with the Drawings and in a state of good order, condition and repair, to the satisfaction of the Director, acting reasonably. In maintaining, relocating and removing the Encroachments, the Licensee will comply with all of the requirements of the Director.
- (b) To repair, to the satisfaction of the Director and at its sole cost and expense, any damage caused to the boulevard, pavements, drains, conduits, wires, pipes or their appurtenances by the construction or maintenance of the Encroachments, and indemnify and save harmless the Municipality from any and all losses, costs, charges and expenses which may be paid, incurred or sustained by the Municipality as a result of any such damage.

5. INDEMNIFICATION

- (1) The Licensee will always indemnify and keep indemnified the Municipality from and against all actions, suits, claims and demands which may be brought against or made upon the Municipality and from all losses, costs, charges and expenses which may be incurred, sustained or paid by the Municipality as a result of the Encroachments or the exercise by the Licensee of the Licence granted by the Municipality. The Licensee grants to the Municipality full power and authority to settle any such actions, suits, claims or demands on such terms as the Municipality may deem advisable. The Licensee covenants and agrees to pay to the Municipality, on demand, all moneys expended by the Municipality in pursuance of such settlement, including legal fees and disbursements, provided that the Licensee has given its prior approval in writing (such approval not to be unreasonably withheld) to (a) counsel retained by the Municipality to defend such claim and (b) any settlement of such claim.
- (2) In the alternative, the Licensee shall, at the request of the Municipality, defend in the name of and on behalf of the Municipality, any civil action that may at any time be brought for any claim for which the Licensee may be responsible under this agreement. The Licensee covenants and agrees not to allege this agreement as a defence by the Licensee in any action by any person or entity for actual damage suffered by reason of the Licence.

- (3) The Licensee shall release and indemnify the Municipality with respect to all actions, suits, claims and demands which the Licensee, its agents, employees or officers may have against the Municipality with respect to any damage or injury caused or allegedly caused to the Encroachments or the Licensee, its agents, employees or officers by any act or omission of the Municipality, its agents, employees or officers.

6. INSURANCE

- (1) The Licensee agrees that it shall, at its own expense, at all times, cause to be maintained a policy of comprehensive general liability insurance in all respects, including deductible levels, satisfactory to the Municipality, with each policy containing \$5,000,000.00 in respect of each occurrence limit of coverage.
- (2) Such comprehensive general liability coverage shall include:
 - (a) the Municipality as an additional named insured; and
 - (b) a cross liability/severability of interest clause.
- (3) If the Municipality, acting reasonably, requires the amount of insurance coverage increased, if it requires the Licensee to obtain other special insurance or if it requires any policy to be extended in respect of this agreement, then the Licensee shall obtain such extended, increased or special insurance.
- (4) The Licensee further agrees that the coverage provided by the policy or policies specified in this agreement will not be changed, amended or cancelled by the Licensee until sixty (60) days after written notice of such intended change, amendment or cancellation has been personally delivered to the Municipality and such change or amendment has been approved.

7. LOCATION OF UTILITIES

- (1) The Municipality shall not be required to make any special effort to determine or confirm the location of the Encroachments. The Licensee shall provide upon request on-site locates satisfactory to the Director.
- (2) The Licensee shall, upon the request of the Municipality, a public utility company or any person engaging or intending to engage in construction in the Public Highways, provide the Municipality or any other body formed to coordinate the construction of underground facilities within the Public Highways with details as to the location of the Encroachments.

8. REMOVAL OR RELOCATION

- (1) In the event the Municipality requires that the Encroachments be relocated or removed for any reason, it may give the Licensee notice requesting removal or relocation of any or all of the Encroachments within a reasonable time frame, as more particularly specified in the notice. The Municipality covenants and agrees that so long as the Licensee is not in default under this agreement, it will not give notice to the Licensee to remove the Encroachments during the Notice Period.
- (2) Upon receipt of a notice, the Licensee shall relocate or remove the Encroachments. The Licensee agrees not to make any claim against the Municipality on account of the relocation or removal, including with respect to any disruption of telecommunication services, and will complete the Remedial Work to the satisfaction of the Director. If the Licensee neglects, refuses or fails to relocate or remove the Encroachments and complete the Remedial Work within the time specified in the notice, then the

Municipality may relocate or remove the Encroachments, complete the Remedial Work and charge the costs to the Licensee. With respect to any such costs incurred by the Municipality, the certificate of the Director shall be final and the Municipality may recover such costs from the Licensee in any court of competent jurisdiction as a debt owing by the Licensee to the Municipality.

- (3) Should any or all of the Encroachments be destroyed by fire, flood or other natural disaster or should the Licensee voluntarily demolish the Encroachments, the Licensee shall be required to re-construct any replacement structure wholly within his or her property boundaries.

9. LIEN

All costs, charges and expenses paid or incurred by the Municipality as set out in this agreement shall form and constitute a charge or lien on the Lands until fully discharged by payment. The Municipality shall, upon the receipt of a request from a lender of the Licensee, provide confirmation as to the amount of any moneys owed under the lien created pursuant to this agreement.

10. ASSUMPTION OF OBLIGATIONS

- (1) The Licensee shall not transfer or convey or enter into an agreement of purchase and sale for the Lands, or any part of the Lands, or enter into any other agreement or lease, which has or could have the effect of granting the use of or right in the Lands, or any portion of the Lands, directly or by entitlement to renewal for a period of 21 years or more, without first ensuring that any such proposed transferee, grantee, lessee or such other person who would be entitled to the benefits of such agreements or transactions referred to previously, as the case may be, has first entered into an agreement with the Municipality, in a form satisfactory to the Municipality Solicitor, containing the same or similar terms and conditions as contained in this agreement.
- (2) In the event that the Licensee transfers or conveys all of its interest in the Lands to a new transferee, then upon execution of such an agreement between the Municipality and the new transferee, the Licensee shall be released from the terms of this agreement and shall have no further obligations or liabilities under this agreement. The Municipality shall, upon the receipt of a written request from the Licensee, confirm that the Licensee has been released from its obligations under this agreement.
- (3) Notwithstanding the foregoing paragraph, the Licensee shall continue to be responsible for all of its obligations under this agreement that may have arisen prior to the date of such release or that may later arise in respect of the period prior to such date.

11. REGISTRATION

This agreement shall be registered on title to the Lands of the Licensee and the costs of preparation and registration of same shall be paid by the Licensee.

12. NOTICE

- (1) Any notice required or permitted to be given under this agreement shall be in writing and shall be served personally, or sent by prepaid registered mail addressed as follows:
 - (a) in the case of the Municipality: The Corporation of the Municipality of West Nipissing
101-225 Holditch Street, Sturgeon Falls, ON P2B 1T1

Attention: Director of Operations

(b) in the case of the Licensee: Donald Goulet and Madeleine Savard
91 William Street, Unit 1,
Sturgeon Falls, ON P1B 2A9

- (2) Any party may from time to time change its address and recipient for service by notice to the other party in the manner previously set out.
- (3) Notices which are served in the manner set out in clause 12(1) shall be deemed sufficiently given for all purposes of this agreement, in the case of those personally served, on the date of such service, and in the case of registered mail, on the third postal delivery day following the mailing of the notice. Should normal mail service be interrupted by strikes, slowdown or other cause, then the party sending the notice shall use any similar service which has not been so interrupted in order to secure prompt receipt of the notice, request or demand and for the purposes of this agreement such service shall be deemed to be personal service.

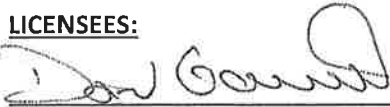
13. GENERAL

- (1) All obligations of the Licensee and its affiliates under this agreement shall be joint and several.
- (2) Subject to clause 10(2) of this agreement, this agreement and everything contained in this agreement shall respectively enure to the benefit of and be binding upon the parties and their respective heirs, executors, administrators, successors and assigns.

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IN WITNESS WHEREOF the parties have set their hands and corporate seals attested by the hands of their respective officers duly authorized in that behalf.

LICENSEES:



DONALD GOULET



MADELEINE SAVARD

LICENSOR:

THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING

Per: _____
Joanne Savage (Mayor)

Per: _____
Melanie Ducharme Clerk/Planner



CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING /
LA CORPORATION DE LA MUNICIPALITÉ DE NIPISSING OUEST

**MINUTES OF THE REGULAR COUNCIL MEETING
HELD IN COUNCIL CHAMBERS
ON TUESDAY, JUNE 18, 2019 AT 6:30 PM**

PRESENT: MAYOR JOANNE SAVAGE
COUNCILLOR YVON DUHAIME
COUNCILLOR CHRISTOPHER FISHER
COUNCILLOR ROLAND LARABIE
COUNCILLOR LÉO MALETTE
COUNCILLOR DAN ROVEDA
COUNCILLOR JEREMY SÉGUIN
COUNCILLOR DENIS SÉNÉCAL
COUNCILLOR LISE SÉNÉCAL

ABSENT:

A) DECLARATION OF PECUNIARY INTEREST / DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES

No pecuniary interest declared.

B) AGENDA and ADDENDUM / ORDRE DU JOUR et ADDENDA

B-1 A resolution was passed adopting the agenda as presented.

No. 2019/204 Moved by: Councillor Larabie
Seconded by: Councillor Malette

BE IT RESOLVED THAT the Agenda for the meeting of Council held on June 18, 2019 be adopted, as
☒ presented / ☐ amended. **CARRIED**

C) DELEGATIONS & PETITIONS / DÉLÉGATIONS ET PÉTITIONS

C-1 Chamber of Commerce – Update on Programs and Events (Presenter: Joanne Vallière, Sylvain Bilodeau)

Joanne Vallière and Sylvain Bilodeau made a presentation to Council. The presenters highlighted the benefits of becoming a member of the Chamber and summarized all of the annual events which the chamber hosts. The presentation also highlighted the new and expanded website and social media platforms, in particular, the new Instagram Account.

D) PLANNING / PLANIFICATION

D-1 A resolution was passed to authorize By-Law **2019/52** to accept, assume and dedicate lands for public highway purposes (Pt of Piquette Road in Verner)

No. 2019/205 Moved by: Councillor Larabie
Seconded by: Councillor Malette

BE IT RESOLVED THAT By-law **2019/52**, being a by-law to accept, assume and dedicate lands for public highway purposes, shall come into force and take effect on the date it is passed.

S ¾ of E ¼ Lot 9, Concession 2,
Part 2, Plan 36R-14303
Geographic Township of Kirkpatrick
Municipality of West Nipissing
District of Nipissing

Being parts of the travelled roads known as chemin Piquette Road, Verner, Ontario.

CARRIED

D-2 A resolution was passed to authorize By-Law **2019/53** to accept, assume and dedicate lands for public highway purposes (Pt of Carmen Road in Verner)

No. 2019/206 Moved by: Councillor Malette
Seconded by: Councillor Larabie

BE IT RESOLVED THAT By-law **2019/53**, being a by-law to accept, assume and dedicate lands for public highway purposes, shall come into force and take effect on the date it is passed.

W ½ of Lot 8, Concession 2,
Part 4, Plan 36R-14303
Geographic Township of Kirkpatrick
Municipality of West Nipissing
District of Nipissing

Being parts of the travelled roads known as chemin Carmen Road, Verner, Ontario.

CARRIED

- D-3** A resolution was passed to authorize By-Law **2019/54** to accept, assume and dedicate lands for public highway purposes (Pt of Piquette Road in Verner)

No. 2019/207 Moved by: Councillor Larabie
Seconded by: Councillor Malette

BE IT RESOLVED THAT By-law **2019/54**, being a by-law to accept, assume and dedicate lands for public highway purposes, shall come into force and take effect on the date it is passed.

Part of W 1/3 Lot 3, Concession 2,
Part 9, Plan 36R-14330
Geographic Township of Field
Municipality of West Nipissing
District of Nipissing

Being parts of the travelled roads known as chemin Lapointe Road, Field, Ontario.

CARRIED

- D-4** Resolution to approve a draft subdivision plan (SUBD 2019/03) made by S. Niedzwieski on Island 14 in Lake Nipissing (Betrum Twp)

No. 2019/208 Moved by: Councillor Malette
Seconded by: Councillor Larabie

WHEREAS a public meeting of the West Nipissing Planning Advisory Committee was held on June 10, 2019, to consider draft approval of a Plan of Subdivision Application No. SUBD 2019/03 made by STEVE NIEDZWIESKI for a subdivision of six (6) lots on lands legally described as Part of Lot 9, Con. 3, Geographic Township of Bertram, now Municipality of West Nipissing, District of Nipissing;

AND WHEREAS written and public submissions were made and considered by the West Nipissing Planning Advisory Committee;

AND WHEREAS the West Nipissing Planning Advisory Committee has recommended to Council for the Municipality of West Nipissing that the Draft Plan, be approved, subject to certain conditions;

BE IT THEREFORE RESOLVED THAT draft plan of Subdivision, be granted for Subdivision Application No. SUBD 2019/03 made by STEVE NIEDZWIESKI for subdivision of six (6) lots on lands legally described as Part of Lot 9, Con. 3, Geographic Township of Bertram, now Municipality of West Nipissing, District of Nipissing, subject to the recommendation of the West Nipissing Planning Advisory Committee, attached hereto, including Schedule "A" thereto.

SCHEDULE A

SPECIAL CONDITIONS OF DRAFT APPROVAL

If an approval is forthcoming by the West Nipissing Planning Advisory Committee, it is recommended that the following conditions be imposed on the Owner along with the Conditions of Draft Approval included in Schedule "A" hereto:

- 1) The Corporation of the Municipality of West Nipissing's conditions and amendments to final plan of approval, for registration of Subdivision File No. SUBD 2019/03 made by STEVE NIEDZWIESKI are as follows:
- 2) That this approval expires three (3) years from the date of approval shown by the "Draft Plan Approval Stamp" on the face of the draft plan. If there is an appeal to the Ontario Municipal Board under section 51 (39) of the *Planning Act*, the three (3) year expiration period does not begin until the date of the order of the Ontario Municipal Board issued in respect of the

appeal or from the date of a notice issued by the Board under section 52(51) of the *Planning Act*.

- 3) This Draft Approval applies to the Plan of Subdivision prepared by MILLER & USRO SURVEYING INC. dated April 15, 2019 which is comprised of 6.6 hectares.
- 4) That prior to signing the Final Plan by the Municipality, the proposed subdivision conforms to the Zoning By-law in effect for the Municipality or with respect to any zoning conditions contained herein;
- 5) That the owner agrees in writing to satisfy all requirements, financial and otherwise of the Municipality of West Nipissing concerning provision of roads, installation of services, and drainage.
- 6) That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
- 7) That the owner agrees to convey up to 5% of the land included in the plan or cash-in-lieu to the Municipality for park or other public recreational purposes.
- 8) The owner covenants and agrees to provide the municipality with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB) as required by Canada Post Corporation. The owner further agrees to provide notice to prospective purchaser of the locations of the CMB and that home/business mail delivery will be provided by CMBs provided by the owner, provided that the owner has paid for the activation and equipment installation of the CMB's.
- 9) That the Subdivision Agreement between the owner and the Municipality be registered by the Municipality against lands to which it applies once the Plan of Subdivision has been registered prior to any encumbrances.
- 10) That the Subdivision Agreement between the owner and the Municipality contain a Special Provision with wording acceptable to Greater Sudbury Hydro Utilities (GSU) or Hydro One to ensure that:
 - a) Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to GSU or Hydro One for review and approval.
 - b) Any development in conjunction with the subdivision must not block vehicular access to any GSU/Hydro One facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth or other debris on the right-of-way.
 - c) The costs of any relocations or revisions to GSU/Hydro One facilities which are necessary to accommodate this subdivision will be borne by the developer.
 - d) The easement rights of GSU/Hydro One and its legal predecessors are to be protected and maintained.
- 11) That before Municipal Council's Final Approval is given, the Council shall be advised in writing by the Director of Community Services how Condition No. 8 has been satisfied.
- 12) That before City Council's Final Approval is given, the Council shall be advised in writing by Canada Post Corporation how Condition No. 9 has been satisfied.

NOTES

- 1) We suggest you make yourself aware of the following:
 - a) Section 143(1) of The Land Titles Act, R.S.O. 1980 as amended, which requires all new plans to be registered in a land titles system.
 - b) Section 143(2) allows certain exceptions.
- 2) ~~Prior to any construction, a Fill, Construction and Alteration to Waterways Permit is required from the North Bay Mattawa Conservation Authority. The subject lands are within an area regulated by the North Bay Mattawa Conservation Authority under Ontario Regulation 162/90. This regulation is pursuant to Section 28 of the Conservation Authorities Act of Ontario.~~

- 3) ~~Private water supply and sewage disposal facilities must be approved by the Ministry of the Environment, or its agent in certain areas, in accordance with Ontario Regulations 229/74 as amended, made under the Environmental Protection Act, 1971, as amended.~~
- 4) We recommend you make yourself aware of applicable Federal and Provincial laws regarding construction in proximity to waterbodies.
- 5) The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).
- 6) The Owner/Developer is hereby advised that prior to commencing any work within the Plan, the Owner/Developer must confirm with Greater Sudbury Hydro or Hydro One that appropriate electrical services infrastructure is currently available along the proposed development to provide delivery of electrical energy to the proposed development. In the event that such infrastructure is not available, the Owner/Developer is hereby advised that the Owner/Developer may be required to pay for the connection to and/or extension of the existing electrical distribution infrastructure, in accordance with Greater Sudbury Hydro policies or Hydro One and the Ontario Distribution System Code.

CARRIED

E) CORRESPONDENCE AND ACCOUNTS / COMPTES ET COURRIER

E-1 CORRESPONDENCE :

(i) Request from Au Chateau Home for the Aged

A letter from the Administrator of the Au Chateau Board was discussed. The letter highlighted an agreement made in 1984 between CMHC, MMAH and the West Nipissing Non-Profit Housing Corporation which provides financial assistance to the Au Chateau. The agreement will expire in 2021 resulting on a significant shortfall in funding. Mr. Dupuis requested that the partners continue to work toward securing an agreement to extend the current financial arrangement. It was suggested that a delegation be made to the MMAH by DNSSAB at the upcoming AMO conference. Council agreed to prepare a letter of support and to adopt a resolution at the next meeting of Council seeking support from CMHC and MMAH.

(ii) AMO Delegation Requests

Same list as provided in memorandum and include MMAH for the Au Chateau Agreement.

(iii) Update re: Rural and Northern Immigration Pilot Program

The Mayor provided an update on recent announcements concerning the award of the Rural and Northern Immigration Pilot Program. As of yet, details are limited; however there appear to be opportunities with both Sudbury and North Bay and additional information will be relayed as it is received.

(iv) Bill 108 Update (separate document)

The Municipal Clerk provided a brief summary of Bill 108. Following discussion, it was agreed that despite the fact that the legislation has been adopted, that Council adopt a resolution supporting the concerns of other municipalities at the next meeting of Council. It was

suggested that the Planning Board review it at the next meeting with a view of providing a recommendation to Council.

- E-2** A resolution was passed to adopt the minutes of the meeting of Council held on May 21, 2019.
No. 2019/209 Moved by: Councillor Larabie
Seconded by: Councillor Malette
BE IT RESOLVED THAT the minutes of the meeting of Council held on May 21, 2019 be adopted, as ☒ presented / ☐ amended. **CARRIED**
- E-3** A resolution was passed to adopt the minutes of the meeting of Council held on June 4, 2019.
No. 2019/210 Moved by: Councillor Séguin
Seconded by: Councillor Roveda
BE IT RESOLVED THAT the minutes of the meeting of Council held on June 4, 2019 be adopted, as ☒ presented / ☐ amended. **CARRIED**
- E-4** A resolution was passed to adopt the minutes of the CLOSED meeting of Council held on June 4, 2019.
No. 2019/211 Moved by: Councillor Roveda
Seconded by: Councillor Séguin
BE IT RESOLVED THAT the minutes of the CLOSED meeting of Council held on June 4, 2019 be adopted, as ☒ presented / ☐ amended. **CARRIED**
- E-5** A resolution was passed to adopt the minutes of the meeting of Council held on June 11, 2019.
No. 2019/212 Moved by: Councillor Séguin
Seconded by: Councillor Roveda
BE IT RESOLVED THAT the minutes of the meeting of Council held on June 11, 2019 be adopted, as ☒ presented / ☐ amended. **CARRIED**
- E-6** A resolution was passed to receive the minutes of the Committee of Adjustment meetings.
No. 2019/213 Moved by: Councillor Roveda
Seconded by: Councillor Séguin
BE IT RESOLVED THAT the minutes of the West Nipissing Committee of Adjustment meetings held on April 8th, and May, 11th, 2019, 2019 be received. **CARRIED**
- E-7** A resolution was passed to adopt the minutes of the Planning Advisory Committee meeting.
No. 2019/214 Moved by: Councillor Séguin
Seconded by: Councillor Roveda
BE IT RESOLVED THAT the minutes of the West Nipissing Planning Advisory Committee meeting held on March 11th, April 8th, May 13, 2019 be adopted. **CARRIED**
- E-8** A resolution was passed to receive the minutes of the West Nipissing Police Services Board meeting.
No. 2019/215 Moved by: Councillor Roveda
Seconded by: Councillor Séguin
BE IT RESOLVED THAT the minutes of the West Nipissing Police Services Board meeting held on April 17, 2019 be received. **CARRIED**
- E-9** A resolution was passed to receive the minutes of the West Nipissing Public Library Board meeting.
No. 2019/216 Moved by: Councillor Séguin
Seconded by: Councillor Roveda
BE IT RESOLVED THAT the minutes of the West Nipissing Library Board meeting held on May 9, 2019, 2019 be received. **CARRIED**

- E-10 A resolution was passed to receive the minutes of the District of Nipissing Social Services Administration Board (DNSSAB) meeting.

No. 2019/217 Moved by: Councillor Roveda
 Seconded by: Councillor Séguin

BE IT RESOLVED THAT the minutes of the District of Nipissing Social Services Administration Board (DNSSAB) meeting held on April 24, 2019 be received. **CARRIED**

- E-11 A resolution was passed to receive the disbursement sheets.

No. 2019/218 Moved by: Councillor Séguin
 Seconded by: Councillor Roveda

BE IT RESOLVED THAT the accounts payables disbursement sheets be received as presented.

CARRIED

F) UNFINISHED BUSINESS / AFFAIRES EN MARCHE

F-1 Ministry of Municipal Affairs and Housing Information Session

Updated agenda content was shared with Council pertaining to the proposed Ministry of Municipal Housing and Affairs information session. If possible it was requested that the session be scheduled for the fall, during an evening or on a weekend preferably.

- (i) A resolution was passed to authorize a MMAH Information / Training Session.

No. 2019/219 Moved by: Councillor Roveda
 Seconded by: Councillor Séguin

WHEREAS at a meeting of Council held on the 7th day of May, 2019 the matter of additional governance training/information session by the Ministry of Municipal Affairs and Housing (MMAH) was raised;

AND WHEREAS MMAH has agreed to provide an information/training session to the Municipality of West Nipissing to include the following information:

1. Role of Council, Councillors and Staff
 - Discussion of roles of council and staff, how they differ and suggestions and leading practices for improving the relationships between and among council and staff. Also include some discussion of policies the municipality might consider to formalize and improve those relationships.
2. Accountability and Transparency
 - Discussion of codes of conduct, conflict of interest and protection of privacy
3. Meetings
 - Discussion of conduct of meetings, including associated leading practices
4. Municipal Government
 - Discussion of sources of local government authority and limitations on those powers
5. Exercising Municipal Powers
 - Discussion of considerations for municipalities in the exercise of powers
6. Well Managed Municipalities
 - Discussion of general comments from Munk School of Business and other municipal studies identifying practices that are hall marks of well managed municipalities.
7. Resources & Questions
 - List of web-resources and opportunity to respond to questions not addressed during the presentation.

AND WHEREAS the MMAH requires a Resolution of Council prior to scheduling such an information/training session;

BE IT RESOLVED THAT the Council for the Municipality of West Nipissing is agreeable to hosting the MMAH to provide governance training/information at a date to be mutually agreed upon.

BE IT RESOLVED THAT the accounts payables disbursement sheets be received as presented.

CARRIED

G) NOTICE OF MOTION / AVIS DE MOTIONS

H) NEW BUSINESS / AFFAIRES NOUVELLES

- H-1** A resolution was passed to requesting that ROMA return to the combined ROMA/OGRA Annual Conference

No. 2019/220 Moved by: Councillor Duhaime

Seconded by: Councillor Fisher

WHEREAS since the separation of the ROMA / OGRA annual combined conference in 2017 attending both events separately has become costly and unattainable to smaller communities;

AND WHEREAS the OGRA Board was previously directed by its members to approach the ROMA Board to establish a working relationship to organize the Annual ROMA / OGRA Combined Conference;

AND WHEREAS a response from ROMA, dated March 22, 2019, cites that its Board was not prepared to enter into discussions with OGRA for the purpose of returning to a combined ROMA/OGRA Conference;

BE IT THEREFORE RESOLVED that the ROMA Board reconsider its decision and continue to dialogue with the OGRA Board with a view of reaching a mutually agreeable solution; which will benefit each organization's collective membership.

CARRIED

- H-2** A resolution was passed to authorize the Mayor and CAO to enter into an agreement for the operation of the Verner Canteen – Lease Renewal Agreement

No. 2019/221 Moved by: Councillor Fisher

Seconded by: Councillor Duhaime

WHEREAS Council discussed the renewal of Verner Canteen Lease Renewal Agreement at the Committee of Whole meeting held on June 11th, 2019;

BE IT RESOLVED THAT the ~~Deputy Mayor and Director of Corporate Services/Treasurer~~ Chief Administrative Officer be authorized to sign a Concession Agreement with **LOUISE RIBERDY** for the operation of the Verner Arena Canteen for the Municipality of West Nipissing.

CARRIED

- H-3** A resolution was passed to deviate from the usual scheduling of Council meetings for the summer months (July & August)

No. 2019/222 Moved by: Councillor Duhaime

Seconded by: Councillor Fisher

WHEREAS during the meeting held on June 4th, 2019; Council considered the proposed dates for the summer Council meetings for July and August 2019;

BE IT RESOLVED THAT the following dates be set for the Combined Committee of the Whole and Regular meetings of Council to be held on:

- Tuesday, **JULY 16th, 2019** at 6:30 PM in Council Chambers
- Tuesday, **AUGUST 13th, 2019** at 6:30 PM in Council Chambers

CARRIED

- H-4** A resolution was passed to amend the municipal Travelling Expenses Policy

No. 2019/223 Moved by: Councillor Fisher

Seconded by: Councillor Duhaime

WHEREAS at the Committee of the Whole meeting held on June 4th, 2019; Council of the Municipality of West Nipissing reviewed the Travelling Expenses for Conferences and Seminars Policy (Policy 1999/131);

BE IT THEREFORE RESOLVED THAT Council of the Municipality of West Nipissing approves the amendments to the Travelling Expenses for Conferences and Seminars Policy No. 1999/131 as presented, which shall come into force and take effect on the date it is passed.

CARRIED

- H-5** A resolution was passed to approve By-Law **2019/55** to adopt a municipal Accountability and Transparency Policy

No. 2019/224 Moved by: Councillor Duhaime
Seconded by: Councillor Fisher

WHEREAS at the Committee of the Whole meeting held on June 4th, 2019; Council of the Municipality of West Nipissing reviewed the Accountability and Transparency Policy;

BE IT RESOLVED THAT Council of the Municipality of West Nipissing approves By-Law **2019/55** being a by-law to adopt an Accountability and Transparency Policy for the Corporation of the Municipality of West Nipissing

BE IT FURTHER RESOLVED THAT the Accountability and Transparency Policy shall become part of the Municipality of West Nipissing's Policy Manual.

CARRIED

- H-6** A resolution was passed to approve By-Law **2019/56** to amend the municipal Noise By-Law 1999/75, as it relates to enforcement thereof

No. 2019/225 Moved by: Councillor Fisher
Seconded by: Councillor Duhaime

BE IT RESOLVED THAT By-law **2019/56**, being a by-law to amend By-Law 1999/75, being a by-law to control noise in the Municipality of West Nipissing, shall come into force and take effect on the date it is passed.

CARRIED

- H-7** A resolution was passed to adopt the Employee Code of Conduct

No. 2019/226 Moved by: Councillor Duhaime
Seconded by: Councillor Fisher

WHEREAS at the Committee of the Whole meeting held on June 11, 2019; Council of the Municipality of West Nipissing reviewed the Employee Code of Conduct Policy;

BE IT THEREFORE RESOLVED THAT Council of the Municipality of West Nipissing adopts the Employee Code of Conduct Policy, which shall come into force and take effect on the date it is passed.

BE IT FURTHER RESOLVED THAT the Employee Code of Conduct Policy shall become part of the Municipality of West Nipissing's Policy Manual.

A recorded vote was requested:

	YEAS	NAYS
DUHAIME, Yvon	✓	
FISHER, Christopher	✓	
LARABIE, Roland	✓	
MALETTE, Léo	✓	
ROVEDA, Dan	✓	
SÉGUIN, Jeremy	✓	
SÉNÉCAL, Denis		✓
SÉNÉCAL, Lise	✓	
SAVAGE, Joanne (MAYOR)	✓	

CARRIED

- H-8** A resolution was passed to award the tender for Playground Equipment Upgrades.

No. 2019/227 Moved by: Councillor Fisher
Seconded by: Councillor Duhaime

WHEREAS a Request for Proposal was submitted for the installation of new playground equipment at France Gareau Park in Verner, in addition to completing repairs and required maintenance work at various playgrounds within our community;

AND WHEREAS one (1) RFP was received;

AND WHEREAS the RFP has been reviewed by the Project Manager of Community Services and the award being recommended herein consists of the best price meeting all of the specifications;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the tender for the for the installation of new playground equipment at France Gareau Park in Verner, in addition to completing repairs and required maintenance work at various playgrounds within our community be awarded to **CRCS RECREATION**, having submitted a quotation of \$76,513 meeting all the specifications.

CARRIED

H-9 A resolution was passed to award the tender for Asphalt Sheeting

No. 2019/228 Moved by: Councillor Duhaime

Seconded by: Councillor Fisher

WHEREAS quotations for Asphalt Sheeting Projects were opened on May 30, 2019 by the Director of Corporate Services and the Deputy Clerk;

AND WHEREAS two (2) quotations were received;

AND WHEREAS the quotation have been reviewed and the award being recommended herein consists of the best price meeting all of the specifications;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the quotation for the Asphalt Sheeting Projects be awarded to **MILLER PAVING**, having submitted the lowest quotation of \$264,455.00 meeting all the specifications.

CARRIED

H-10 A resolution was passed to award the tender for purchase of a new backhoe.

No. 2019/229 Moved by: Councillor Fisher

Seconded by: Councillor Duhaime

WHEREAS quotes for the purchase of a new backhoe loader were requested;

AND WHEREAS two (2) quotations were received;

AND WHEREAS the quotations have been reviewed and the award being recommended herein consists of the best price meeting all of the specifications;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the quotation for the purchase of a new backhoe loader be awarded to **TOROMONT CAT**, having submitted the lowest quotation of \$147,304.00 meeting all the specifications.

CARRIED

H-11 A resolution was passed to support a request from City of North Bay seeking the designation of Highway 11 to Highway 411 in order to identify the north as a GTA accessible destination and promote business growth

No. 2019/230 Moved by: Councillor Fisher

Seconded by: Councillor Duhaime

WHEREAS the Municipality of West Nipissing received resolution no. 2019-250(b) from the City of North Bay on June 11, 2019, attached hereto, seeking support in their request to have Highway 11 added as part of the Highway 400 series and be designated as Highway 411;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing supports the City of North Bay's request to have Highway 11 added as part of the Highway 400 series and be designated as Highway 411; which will benefit and expand northern growth;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Ontario, Minister of Transportation, John Vanthof - MPP Timiskaming-Cochrane, Marc Serré - MP Nickel Belt, Federation of Northern Ontario Municipalities (FONOM) and the Association of Municipalities of Ontario (AMO).

DEFEATED

H-12 A resolution was passed to support a request from New Tecumseth (Alliston, Beeton, Tottenham) seeking that the Public Libraries funding be restored to 2018 level.

No. 2019/231 Moved by: Councillor Duhaime

Seconded by: Councillor Fisher

WHEREAS public libraries provide safe, inclusive, and vibrant community spaces where everyone is welcome to learn, work, connect, and have fun; and,

WHEREAS the West Nipissing Public Library actively partners with the community to deliver valued services and contribute to a culture of social good by sharing knowledge and resources; and,

WHEREAS the West Nipissing Public Library continues to deliver services that support provincial initiatives such as lifelong learning and skill development, local economic development, health literacy, and provides equitable access to government websites and services; and

WHEREAS the West Nipissing Public Library continues to manage public resources with the utmost care and are committed to the sustainability of their services; and

WHEREAS the West Nipissing Public Library requests that the West Nipissing Municipal Council urge the Province of Ontario to recognize the importance of services provided by Ontario Library Service - North and the Southern Ontario Library Service including the administration of bulk purchasing agreements, technology consultation, strategic planning and policy development consultation, the provincial Interlibrary Loan system, board and staff training opportunities, collection development support, support for First Nations libraries and the administration of the Joint Automation Server Initiative; and

WHEREAS the West Nipissing Public Library requests that the West Nipissing Municipal Council urge the Province of Ontario to restore funding to Ontario Library Service - North in recognition of the unfair and disproportionate impact of these cuts on Northern Ontario public libraries,

THEREFORE, BE IT RESOLVED THAT the West Nipissing Municipal Council supports the West Nipissing Public Library's request for the Government of Ontario to restore funding to Ontario Library Service-North; and

BE IT FURTHER RESOLVED that the Municipality of West Nipissing urges the Province of Ontario to support sustainable long term funding for Ontario's Public Libraries; and,

BE IT FINALLY RESOLVED that a copy of this resolution be sent to the Office of the Premier, to the Minister of Tourism, Culture, and Sport, to the Ontario Minister of Municipal Affairs, to the local MPP, to the Association of Municipalities Ontario, to the Ontario Library Association, and to the Federation of Ontario Public Libraries.

CARRIED

- H-13** A resolution was passed to support a request from the Twp. of Bonnechere Valley requesting that the government remove the proposed changes to Bill C-68, Section 2(2) of the *Fisheries Act*.

No. 2019/232 Moved by: Councillor Fisher

Seconded by: Councillor Duhaime

WHEREAS the Municipality of West Nipissing received resolution no. 19.083 from the Township of Bonnechere Valley on May 23, 2019, attached hereto, calling upon the Federal Government to remove the proposed changes to Section 2(2) of the *Fisheries Act*, as proposed under Bill C-68;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing supports the the Township of Bonnechere Valley's request calling upon the Federal Government to remove proposed changes to Section 2(2) of the *Fisheries Act*; which would threaten the future viability of family farming in Canada;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Canada, Minister of Fisheries, Oceans and the Canadian Coast Guard, John Vanthof - MPP Timiskaming-Cochrane, Marc Serré - MP Nickel Belt and the Federation of Canadian Municipalities (FCM).

CARRIED

- H-14** A resolution was passed to support a request from the Twp. of Tudor and Cashel seeking a review of the hydro delivery service plans to ensure fair delivery costs to everyone

No. 2019/233 Moved by: Councillor Duhaime

Seconded by: Councillor Fisher

WHEREAS the Municipality of West Nipissing received resolution no. 2019-090 from the Township of Tudor and Cashel on April 11, 2019, attached hereto, calling upon Hydro One and Ontario Energy Board to review its plans regarding delivery service to ensure that the cost of service delivery fair to everyone;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing supports the Township of Tudor and Cashel's request calling upon Hydro One and Ontario Energy Board to review its plans regarding delivery service to ensure that the cost of service delivery fair to everyone;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to Premier of Ontario, Hydro One, Ontario Energy Board, John Vanthof - MPP Timiskaming-Cochrane, Marc Serré - MP Nickel Belt, Association of Municipalities of Ontario (AMO) and the Federation of Northern Ontario Municipalities (FONOM).

CARRIED

- H-15** A resolution was passed to support a request for the North Bay Parry-Sound District Health Unit regarding the proposed changes to boundaries

No. 2019/234 Moved by: Councillor Fisher
 Seconded by: Councillor Duhaime

WHEREAS the province of Ontario is proposing to amend the boundaries of certain public health units and, in particular, is proposing that the District of Muskoka will be provided by a regional public health entity which will also serve Sudbury, North Bay, Parry Sound, Algoma, Porcupine, Timiskaming and part of Renfrew with the Simcoe District forming part of a new entity which will serve the York Region.

AND WHEREAS the Provincial Government has indicated that it is willing to consider feedback on the proposed boundary changes for public health units;

AND WHEREAS the North Bay Parry Sound District Health unit has provided a letter of Support for the Simcoe Muskoka District Health Unit urging the Province to leave their health unity intact and to join with the York Region Public health Unit.

THEREFORE BE IT RESOLVED that the Municipality of West Nipissing supports the North Bay Parry Sound District Health Unit in its request for the Province to reconsider the proposed boundary change of the Simcoe Muskoka District Health Unit and to keep the Simcoe Muskoka District Health Unit intact and join as a whole with the York Region Public Health.

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Premier of Ontario, The Minister of Health and Long Term Care and MPPs for the Districts of Nipissing, Parry Sound, Timiskaming Cochrane.

CARRIED

I) ADDENDUM / ADDENDA

J) INFORMATION & QUESTIONS / INFORMATION ET QUESTIONS

- J-1** Mayor Savage gave her report.

K) CLOSED MEETING / RÉUNION À HUIS CLOS NIL

L) ADJOURNMENT / AJOURNEMENT

- L-1** A resolution was passed to adopt By-law **2019/57** to confirm the proceedings of Council at its meeting of June 18, 2019.

No. 2019/235 Moved by: Councillor Duhaime
 Seconded by: Councillor Fisher

BE IT RESOLVED THAT By-law No. **2019/57**, being a By-law of the Municipality of West Nipissing to confirm the proceedings of Council at its meeting held on the 18th day of June 2019, shall come into force and take effect on the date it is passed.

CARRIED

- L-2** A resolution was passed to adjourn the meeting.

No. 2019/236 Moved by: Councillor Fisher
 Seconded by: Councillor Duhaime

BE IT RESOLVED THAT the meeting of Council held on June 18, 2019 be adjourned.

CARRIED

**Minutes of the Regular Meeting
of the Board of Management of Au Château
held in Au Château's Boardroom
on May 15, 2019 at 12:00 noon**

PRESENT: MEMBERS :	Yvon Duhaime	
	Guy Éthier	Vice-Chair
	Jacques Dupuis	Administrator / Secretary
	Léo Malette	
	Dan O'Mara	
	Joanne Savage	
	Nicole Janson	Recording Secretary
REGRETS:	Lise Senécal	Chair

The Vice-Chair presided the meeting in the absence of the Chair.

01. Meeting called to order

Meeting was called to order.

02. Declaration of Conflict of Interest

No declaration of conflict of interest declared.

03. Adoption of Agenda

Resolution No. 29

Moved by : Léo Malette

Seconded by : Joanne Savage

BE IT RESOLVED THAT the Agenda of the Regular Meeting on May 15, 2019 be approved as amended at 12:00 pm.

Carried

04. Adoption of Minutes

Resolution No. 30

Moved by : Dan O'Mara

Seconded by : Léo Malette

BE IT RESOLVED THAT the Minutes of the Regular Meeting held April 24, 2019 be approved as presented.

Carried

05. New Business:

a) Health & Safety Committee Meeting Minutes

The Health and Safety Committee Meeting Minutes were accepted as presented and the following resolution was adopted:

Resolution No. 31

Moved by : Léo Malette

Seconded by : Joanne Savage

BE IT RESOLVED THAT the Minutes of the Joint Health and Safety Committee have been received.

Carried

b) Quality Management Team Meeting Minutes

The Quality Management Team Meeting Minutes were accepted as presented and the following resolution was adopted:

Resolution No. 32

Moved by : Dan O'Mara

Seconded by : Léo Malette

BE IT RESOLVED THAT the Minutes of the Quality Management Team have been received.

Carried

c) **LHIN's Declaration of Compliance - MSSA**

Board approval was required to authorize the Chair to sign the Declaration of Compliance and therefore the following resolution was passed:

Resolution No. 33

Moved by : Yvon Duhaime

Seconded by : Léo Malette

BE IT RESOLVED THAT the Board authorizes the Chair to sign the Declaration of Compliance with respect to Au Château's Multi-Sector Service Accountability Agreement.

Carried

d) **Ontario Health Teams**

Administrator summarized the purpose of the Ontario Health Teams and the process involved to qualify. After a lengthy discussion it was agreed that the Board sign-off on the Ontario Health Team Self-Assessment Form as the first stage of a multi-stage approval process to become an Ontario Health Team candidate for the Nipissing region. The Board will be updated as new developments occur. The following resolution was then passed as presented:

Resolution No. 34

Moved by : Léo Malette

Seconded by : Yvon Duhaime

WHEREBY at a meeting held on May 6th with many partners from the Nipissing geographical area, a presentation was made regarding the application for an Ontario Health Team, and

WHEREBY subsequently, a conceptual model, as per attached, for the proposed Corporation name of Near North Health and Wellness was agreed upon which consists of Cross Sectional Leadership Team, and

WHEREBY the next step in the process is the completion of the Self-Assessment which is the first stage of a multi-stage approval process to become an Ontario Health Team Candidate, and

WHEREBY each participating organization must endorse and sign-off by May 15th,

THEREFORE BE IT RESOLVED that the Board of Directors gives the Board Chair the approval to endorse and sign-off on the Ontario Health Team Self-Assessment Form, on behalf of Au Château as per attached.

Carried

e) **Strategic Plan – Discussion on Planning Exercise**

Discussion was held regarding the current strategic plan and whether to continue with this plan or start a new plan due to the Ontario Health Teams. It was agreed to maintain the current plan until redevelopment after which is to be reviewed. Due to its critical situation related to the Special Agreement for the 102 Shelter it was recommended that a letter be sent from the Board to DNSSAB requesting their support and cooperation in securing the funds. This letter will also be sent to John Vanthof, Marc Serré, and the municipalities of West Nipissing and Temagami.

f) **MOH Inspection Update**

Administrator informed the Board on the recent Ministry inspection which brought positive results whereas all previous orders from annual and complaint inspections were lifted. Two new orders were issued, one on documentation related to our Falls Prevention Program and the other being staffing concerns with respect to Physiotherapy. The Board praised Administrator and staff on their great efforts in meeting compliancy.

06. **Unfinished Business:**

a) **Financial Report**

After clarification of a few items, the Financial Report was accepted as presented and the following resolution was adopted:

Resolution No. 35

Moved by : Yvon Duhaime

Seconded by : Joanne Savage

BE IT RESOLVED THAT the Financial Report be accepted as presented.

Carried

b) **Administrative Report**

There being no further discussion other than what was presented on the report, the Administrative report was adopted as presented and the following resolution was passed:

Resolution No. 36

Moved by : Joanne Savage
Seconded by : Yvon Duhaime

BE IT RESOLVED THAT the Administrator's Report be accepted as presented.

Carried

07. **In-Camera Session**

None

08. **Other Business / Information Items**

a) **Next Meeting**

The next meeting is scheduled for June 19th, 2019 at 12:00 noon.

b) **Information Items**

None

09. **Adjournment**

Resolution No. 37

Moved by : Yvon Duhaime
Seconded by : Dan O'Mara

BE IT RESOLVED THAT the meeting now adjourn at 12:55 pm.

Carried

Chairperson

Administrator / Secretary

**MINUTES OF THE PUBLIC LIAISON
MEETING OF THE
WEST NIPISSING ENVIRONMENTAL SERVICES
HELD ON MAY 6th, 2019
IN COUNCIL CHAMBERS**

DIRECTORS PRESENT: ALLAIRE, Louise
MARLEAU, Raymond
BIZIER, Bertrand
SEGUIN, JEREMY
ROCHON, Ginette
LARABIE, Roland

ABSENT : OLIVIER, Dan

STAFF: SULLIVAN, Jason (Recycling Coordinator)

RECORDING SECRETARY: LEVAC, Chantale

Meeting was called to order at 8:14 p.m.

1. **DECLARATION OF PECUNIARY INTEREST:** None

2. **ADOPTION OF THE AGENDA**

Resolution number 2019-05-10

Moved by: Louise Allaire

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the agenda for the Public Liaison Committee held on May 6th, 2019 be adopted as presented.

-CARRIED

3. **APPROVAL OF MINUTES**

Resolution number 2018-05-11

Moved by: Bertrand Bizier

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the minutes of the April 23rd, 2018 Public Liaison Committee be adopted as presented.

-CARRIED

Minutes of the Public Liaison Committee held May 6th, 2019

4. ITEMS OF DISCUSSION

Mr. Sullivan proceeded to read the items of discussion required at Public Liaison meeting.

The Manager informed the members that the meeting was advertised by way of providing a Notice of consideration which allows the residents to review and exchange information pertaining to the monitoring, operations and maintenance of the landfill site. The date of this meeting was advertised on the website and the Tribune. No comments and response was received from the residents. Mr. Sullivan is to check with the MOE if we are still obligated to hold this meeting on yearly basis.

5. NEXT MEETING:

- i) To be held in 2020

6. ADJOURNMENT:

Resolution number 2018-05-12


Moved by: Roland Larabie

Seconded by: Ray Marleau

BE IT RESOLVED THAT this meeting be adjourned at 8:25 p.m.

-CARRIED

Chairperson


Recording Secretary

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE WEST NIPISSING ENVIRONMENTAL SERVICES
HELD ON MAY 6th , 2019
IN COUNCIL CHAMBERS**

DIRECTORS PRESENT: ROCHON, Ginette
SEGUIN, Jeremy
LARABIE, Roland
ALLAIRE, Louise
MARLEAU, Ray
BIZIER, Bertrand

ABSENT: OLIVIER, Dan

STAFF: CRADDOCK, Alisa (Director of Corporate Services)
SULLIVAN, Jason (Acting Manager / Recycling Coordinator)

GUEST: LONGLADE, Dan (Baker Tilly)

RECORDING SECRETARY: LEVAC, Chantale

Meeting was called to order at 5:58 p.m.

1. **DECLARATION OF PECUNIARY INTEREST** None

2. **ADOPTION OF THE AGENDA**

Resolution number 2019-05-01

Moved by: Marleau Ray

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the agenda for the Regular Meeting held May 6th, 2019 be adopted as amended.

-CARRIED

3. **DELEGATIONS**

Mr. Dan Longlade started off by mentioning to the board members that Collins Barrow has changed name to Baker Tilly. This change is for International affiliation only it does not affect in any way WNES he did also mention that the format of the report has changed slightly. He then proceeded to go through the reports and highlighted some of the key items.

- Financial assets are comparable to the previous year
- A/R is also comparable to the previous year
- Explained increase in Liabilities
- Amortization increase due to purchase of new truck

Minutes of the Special meeting held May 6th , 2019

Revenues:

- Decrease in tipping fees but slight increase in contaminated soil
- Sold scrap metal in 2018

Expenses

- Amortization increase due to new truck
- Increase in gas and oil
- Salaries and benefit increase due to part time hours to cover full time
- The deficit amount is not unreasonable

Mr. Longlade proceeded to answer questions and comments from the Board members and also thanked them. He gave a special thank you to Brigitte, Alisa, and Jason for their help during the audit. The Chairperson also thanked Mr. Longlade for his presentation.

Resolution number 2019-05-02

Moved by: Ray Marleau

Seconded by: Jeremy Seguin

BE IT RESOLVED THAT the Financial Statements for the year ended December 31st, 2018 be adopted as presented.

-CARRIED

In order to allow the Director of Corporate Services to share the information on the Capital Reserve we proceeded to item 9 b.

Capital Reserve: Following a short discussion on capital reserve and amortization it was suggested that a line be added on the income statement indicating the amount. An equipment replacement plan was discussed briefly in order to maintain the fleet to a standard.

4. APPROVAL OF MINUTES

Resolution number 2019-05-03

Moved by: Louise Allaire

Seconded by: Bertrand Bizier

BE IT RESOLVED THAT the minutes of the Special meeting held on February 25th, 2019 be adopted as presented.

-CARRIED

Minutes of the Special meeting held May 6th , 2019

5. FINANCIAL MATTERS

a) Disbursements

Resolution number 2019-05-04

Moved by: Bertrand Bizier

Seconded by: Jeremy Seguin

THAT the following West Nipissing Environmental Services expenditures be received as printed and that same be attached to form part of this resolution

February 2019	\$141,500.05
March 2019	\$140,382.38

-CARRIED

Mr. Sullivan proceeded to answer questions and comments regarding the disbursements list.

Pricing of the bin rental was discussed for the outside areas. Ex: Verner, Field. It was suggested that the price be uniform for all of West Nipissing. Also the purchase of more bins was brought up since we do not have enough to service the calls coming in for rental. Mr. Sullivan to get prices for next year's budget and also the costing of servicing the outside area. This matter to be brought back at future meeting.

b) Budget& Reports

Mr. Sullivan proceeded to go through the income statement and highlighted the key item lines.

- Increase in tipping fees compared to last year
- Increase in site/shop item line- repairs on landfill structures
- Work being done on road
- High maintenance repairs on 2012 truck

The Acting Manager is to follow up on the following issues

- Members would like a report of total expenditure per vehicle (one line total)
- Mr. Sullivan is to verify the salary variance with Brigitte
- Reallocate interest since municipality is not charging WNES
- Send revised Income Statement to members
- Does clothing allowance fall in safety and compliance line item

6. MANAGER'S REPORT

- Spring clean up- Week of May 21 & May 27/19 up to June 1/19
- New gravel added to road
- Free Saturday- over 250 cars – 3 employees is not enough to accommodate all of the disposal of the garbage- it was suggested to bring in more employees for the summer months only – bring back for next year's budget deliberations
- Spring environmental monitoring to be done next week

Minutes of the Special meeting held May 6th, 2019

Human Resources

- Sub foreman is on indefinite sick leave
- Job to be posted
- Would like to be able to have this position mobile for pickup of materials and parts instead of the Acting Manager
- Would like to establish a job description similar to the PW sub foreman position
- Field landfill attendant is now in Sturgeon Falls- replacement posted for Field

7. RECYCLING COORDINATOR'S REPORT

- Recycling advertisement is being done with the help of the communications employee
- Combine Manager and Recycling Coordinator into 1 title on future agendas

8. NEW BUSINESS

a) Televised Board meeting

After discussion the following resolution was passed 6 directors declined that the meetings be televised.

Resolution number 2019-05-05

Moved by: Roland Larabie

Seconded by: Ray Marleau

WHEREAS that the West Nipissing Environmental Services DECLINED that all meeting be made available for viewing on the Municipality's website, via LiveStream or such other technology.

-CARRIED

b) Surplus equipment

The Acting Manager explained to the members that some of the equipment on site is considered surplus therefore can either be sold or scrapped. After discussion the following resolution was passed.

Resolution number 2019-05-06

Moved by: Louise Allaire

Seconded by: Bertrand Bizier

BE IT RESOLVED THAT the equipment described herein be declared as surplus for West Nipissing Environmental Services and that the board authorizes the Manager to dispose of the said surplus equipment.

1. 1997 Freightliner
2. 1998 International Garbage
3. 2000 Ford F 150 (gate pick up)
4. 1977 Allis Chalmers Forklift
5. Loadlifter
6. 1975 Dozer Case 450
7. 1988 Bobcat skidsteer (white)

-CARRIED

Minutes of the Special meeting held May 6th, 2019

9. UNFINISHED BUSINESS:

- a) Curbside Recycling Truck: The Acting Manager requested 3 quotes from manufacturers. One declined and 2 sent in quotes.
 - i) Joe Johnston \$312,000.00
 - ii) Fanotec \$238,000.00
- Mr. Sullivan mentioned that it is the same chassis but a different box. He is to verify why such a big difference in pricing before placing an order.

Resolution number 2019-05-07

Moved by: Roland Larabie

Seconded by: Jeremy Seguin

BE IT RESOLVED that the Board authorizes the acting Manager to initiate the purchase of a Fanotech Truck in the amount of \$238,630.92 with a 10% allowance for extras.

-CARRIED

- b) Discussed earlier in the meeting
- c) Costing per Residential unit – deferred to next meeting
- d) Terms of Reference - deferred
- e) Roles & Responsibilities –deferred
- f) Corporate Policies – After discussion the following resolution was passed.

Resolution number 2019-05-08

Moved by: Louise Allaire

Seconded by: Ray Marleau

BE IT RESOLVED that the WNES mirror the municipality's corporate policies where applicable.

-CARRIED

- g) By-Law review: The Acting Manager made the suggested changes to the by-law. By-law to be given to the CAO for approval and then forwarded to Council for final approval
- h) Contaminated Soil agreement – Management will finalize draft agreement for future use.
- i) Sharp needle drop off solution
 - Supply clothing, educate and train employees on the safety of handling needles.
 - encourage Health Unit to have depot for disposal of needles
 - Notify DSAAB through the Council member of the problem

10. NEXT MEETING:

Regular Meeting

June 17th /19 6:00 p.m.

Minutes of the Special meeting held May 6th , 2019

11. ADJOURNMENT:

Resolution number 2019-05-09

Moved by: Jeremy Seguin

Seconded by: Bertrand Bizier

BE IT RESOLVED THAT this meeting be adjourned at 8:12p.m.

-CARRIED

Chairperson


Recording Secretary

2019/06/07

**The West Nipissing Environmental Services
La Corporation de la Municipalité de Nipissing Ouest**

Moved by:
Proposé par:

Jeremy Seguin
Roland Larabie

Seconded by:
Appuyé par:

June 17th, 2019

BE IT RESOLVED THAT the following minutes be adopted as presented.

1. May 6th, 2019 Public Liaison Meeting
2. May 6th, 2019 Regular meeting

	YEAS	NAYS
ROCHON, Ginette		
SEGUIN, Jeremy		
LARABIE, Roland		
ALLAIRE, Louise		
MARLEAU, Ray		
OLIVIER, Dan		
BIZIER, Bertrand		

Carried: *[Signature]*

Defeated: _____

Deferred or tabled: _____



MINUTES

**Municipality of West Nipissing
Meeting for the Planning Advisory Committee
On June 10, 2019 at 06:00 PM
Chair: Denis Sénécal**

PRESENT: Chris Fisher
Fernand Pellerin
Normand Roberge
Denis Sénécal
Dan Roveda

ABSENT: Yvon Duhaime
Joanne Savage

1. CALL TO ORDER

2. DECLARATION OF PECUNIARY INTEREST

3. APPROVAL OF AGENDA

RESOLUTION #2019/020

Moved by: Fernand Pellerin

Seconded by: Christopher Fisher

That the Agenda for the meeting of June 10, 2019, be approved, as presented.

CARRIED

4. MINUTES

RESOLUTION #2019/021

Moved by: Christopher Fisher

Seconded by: Fernand Pellerin

That the Minutes of meeting held on May 13, 2019 be adopted, as presented.

CARRIED

5. SUBDIVISION APPLICATION ZBLA 2019-03- NIEDZWIESKI, STEVE

RESOLUTION #2019/022

Moved by: Fernand Pellerin

Seconded by: Christopher Fisher

WHEREAS a public meeting was held on June 10, 2019 for draft plan approval of a plan of Subdivision in the Township of Bertram, Municipality of West Nipissing;

AND WHEREAS written concerns and objections were received:

☐ Yes ☒ No

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒
☐

RECOMMENDS
DOES NOT RECOMMEND

Draft approval of the Application for Subdivision Approval made by Steve Niedzwieski for Plan of Subdivision located on Island 14, Township of Bertram, Municipality of West Nipissing.

CARRIED

6. ZONING AMENDMENT APPLICATION ZBLA 2019-05- ARCAND, GEORGE AND MARIE

RESOLUTION #2019/023

Moved by: Normand Roberge

Seconded by: Christopher Fisher

WHEREAS a public meeting was held for the purpose of amending Zoning By-law 2014-45;

AND WHEREAS written concerns and objections were received: ☐ Yes ☒ No

BE IT RESOLVED THE WEST NIPISSING PLANNING ADVISORY COMMITTEE

☒
☐

RECOMMENDS
DOES NOT RECOMMEND

that the Council for the West Nipissing Municipality adopts the proposed zoning by-law to rezone the property known on Lac Clair Road, Legally described as Part of Lots 11 and 12, Concession 6, Parts 2 and 9, 36R-13788, Township of Springer Municipality of West Nipissing, District of Nipissing, to amend the zoning designation of the lands from RU (Rural) to SR-8 Special (Shoreline Residential).

Lot 1 to recognize the lot area of 0.571 Ha.

Lot 2 to recognize the front yard set-back of the existing cottage being 12.1m instead of the required 18m.

Lot 3 to recognize the front yard set-back to the existing cottage being 12.6m instead of the required 18m.

Lot 4 to recognize the road frontage of 30m instead of the required 60m.

Lot 5 to recognize the road frontage of 32.06m instead of the required 60m, the interior side yard of the existing cottage of 1.65m instead of the required 3m and the existing front yard set-back of 9.9m instead of the required 18m.

Lot 6 to recognize the road frontage of 30m instead of the required 60m. **CARRIED**

7. DISCUSSION RE: PROPOSED LICENCE BY-LAW TO REGULATE CAMPING TRAILERS

The Municipal Clerk/Planner provided member of the Committee with a Draft Licensing By-Law concerning the regulation of camping trailers in the Municipality of West Nipissing. The Committee considered the document and subsequently agreed to receive comments from members of the public who were present.

Public comments were as follows:

- Marcel Rivest – does not agree with proposed set-backs from water's edge;
- Paul Legault – stated that proposed by-law will impede camping with family and friends which is a way of life;

- Pierre Leblanc – disagrees that licenses be required for family members camping on residential lots;
- Robin Frazer & Thea Sebastiany – new to the area; purchased their property with no trailers in sight and now living next to a trailer park; also asks what are the lines differentiating storing of trailers and active camping;
- Shelby Van Nood – stated that all of these trailers are having a harmful effect on the environment and that actively protecting the lakes and the natural environment should be a priority;
- Denis Laferriere – paid for property, did construction with permits and required inspections and now pays significant taxes; lake water quality is deteriorating rapidly; blue-green algae blooms; municipality needs to take care of the air and water;
- Councillor Larabie – mentioned that the province has agencies responsible for policing environmental issues; can't blame all environmental issues on campers;
- Mme. Nicole Laferriere; reiterated comments made by Mr. Laferriere concerning deterioration of lake quality and responsibility of the municipality to ensure development proceeds with a view of protecting the environment;
- Linda Hutchinson – mentioned that several lots in direct proximity to her property have between 3 and 5 trailers on each; have cleared the entire shorelines and are improperly disposing of septage;
- Jeff Van Nood – has been watching the problem increase for a long time; has brought illegal trailer park issues to the municipality; feels that provincial ministries are "passing the buck" with regard to the issue; irresponsible people are spoiling it for those who are using their land responsibly;
- Heather Robertson – stated that the Municipality is not getting fair value for the assessment on lands which are assessed as vacant but on which structures, trailers, etc., are being built and properties are being used as "cottages"; need to protect water quality from development;
- Denis Laferriere stated that the North Bay Mattawa Conservation Authority and the MOE do not care about septs in West Nipissing;
- John Robertson questioned why West Nipissing is less restrictive than other communities which strictly limit trailers; stated he has no difficulty with weekend camping but objects to trailers being set up year-round and used as cottages

8. ADJOURNMENT

RESOLUTION #2019/024


Moved by: Normand Roberge

Seconded by: Christopher Fisher

That the West Nipissing Planning Advisory Committee meeting be adjourned to July 8, 2019 in the Library Auditorium (Lower Level) of the West Nipissing Municipal Building. **CARRIED**



Chair



Secretary-Treasurer

MINUTES

Municipality of West Nipissing
Meeting of the Committee of Adjustment
On June 10, 2019 at 7:30 PM
Chair: Normand Roberge



PRESENT: Christopher Fisher
Roger Gagnon
Fernand Pellerin
Normand Roberge
Denis Senecal

ABSENT:

CALL TO ORDER

RESOLUTION #2019/039

Moved by: Roger Gagnon

Seconded by: Fernand Pellerin

That the Agenda for the meeting of June 10, 2019 be approved, as presented.

CARRIED

MINUTES

RESOLUTION #2019/040

Moved by: Fernand Pellerin

Seconded by: Roger Gagnon

That the Minutes of the Committee of Adjustment meeting held on May 13, 2019, be adopted, as presented.

CARRIED

APPLICATIONS FOR MINOR VARIANCE AND CONSENT

Application for Minor Variance MV2019/07 by Brad and Lynn Bean-Owners

A Minor Variance application made by Brad and Lynn Bean to change permitted maximum projection from main wall from 6.0m to 7.31m for the construction of a deck (Table 4.1) at 34 Maurice Road, Legally described as Part of Lot 1, Concession C, Part 2, NR-213, Parts 7 and 8, 36R-8770, Township of Springer, Municipality of West Nipissing.

RESOLUTION #2019/041

Moved by: Roger Gagnon

Seconded by: Fernand Pellerin

CARRIED

Application for Consent C19/2019 by Lynn Amyot-Owner

A consent application made by Lynn Amyot for the creation of a new lot on De L'Etang Road, Legally described as Lot 2, Concession 2, Parts 4, 5 and 6, 36R-12848, Township of Springer, Municipality of West Nipissing.

RESOLUTION #2019/042

Moved by: Fernand Pellerin

Seconded by: Roger Gagnon

CONDITIONS:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;
2. Confirmation that all property taxes are paid up to date;
3. That all conditions be met on or before June 11, 2020 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing.

CARRIED

Application for Consent C20/2019 by Jean-Paul and Constance Baribeau-Owners

A consent application made by Jean-Paul and Constance Baribeau for an easement on Highway 17, Legally described as Unit 1, Condo Plan No. 56, Parts 1 and 2, 36R-13333, Township of Beauceage, Municipality of West Nipissing.

RESOLUTION #2019/043

Moved by: Fernand Pellerin

Seconded by: Denis Senecal

CONDITIONS:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;
2. Confirmation that all property taxes are paid up to date;
3. That all conditions be met on or before June 11, 2020 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.

CARRIED

Application for Consent C21/2019 by Patrick Lalonde-Owner

A consent application made by Patrick Lalonde for an easement on Highway 17, Legally described as Unit 2, Condo Plan No. 56, Parts 3 and 4, 36R-13333, Township of Beauceage, Municipality of West Nipissing.

RESOLUTION #2019/044

Moved by: Roger Gagnon

Seconded by: Fernand Pellerin

CONDITIONS:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;
2. Confirmation that all property taxes are paid up to date;
3. That all conditions be met on or before June 11, 2020 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.

4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.

CARRIED

Application for Consent C22/2019 by Monique Ladouceur-Owner

A consent application made by Monique Ladouceur for a lot addition at 600 Dutrisac Road, legally described as Part of W1/3 of Lot 1, Concession 1, Part 2, 36R-11617, Township of Springer, Municipality of West Nipissing.

RESOLUTION #2019/045

Moved by: Fernand Pellerin

Seconded by: Roger Gagnon

CONDITIONS:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;
2. Confirmation that all property taxes are paid up to date;
3. That all conditions be met on or before June 11, 2020 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. That a Pin Consolidation be filed in the Land Registry Office in order to consolidate the lot addition.
6. That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing.

CARRIED

Application for Consent C23/2019 by John Jr. and Monique Vis-Owners

A consent application made by John Jr. and Monique Vis for an addition to a lot on Norland Road, legally described as Lot 4, Concession 3, Parts 3 and 4, 36R-13609, Township of Hugel, Municipality of West Nipissing.

RESOLUTION #2019/046

Moved by: Roger Gagnon

Seconded by: Denis Senecal

CONDITIONS:

1. That a Reference Plan be prepared and deposited in the Land Registry Office and a copy of the new survey be filed with the Municipality;
2. Confirmation that all property taxes are paid up to date;
3. That all conditions be met on or before June 11, 2020 being one year from the date of giving of notice or the consent shall be deemed not to have been given as per Section 53(20) of the Planning Act, R.S.O., as amended.
4. That a Transfer/Deed of Land be submitted to the Secretary-Treasurer for the issuance of a Certificate of Consent.
5. That a Pin Consolidation be filed in the Land Registry Office in order to consolidate the lot addition.
6. That any portion municipally maintained and travelled road located on the subject land be conveyed to the Municipality of West Nipissing.

CARRIED

ADJOURNMENT

RESOLUTION #2019/047

Moved by: Denis Senecal

Seconded by: Fernand Pellerin

That the West Nipissing Committee of Adjustment meeting be adjourned to July 8, 2019 in the Library Auditorium of the West Nipissing Municipal Building.

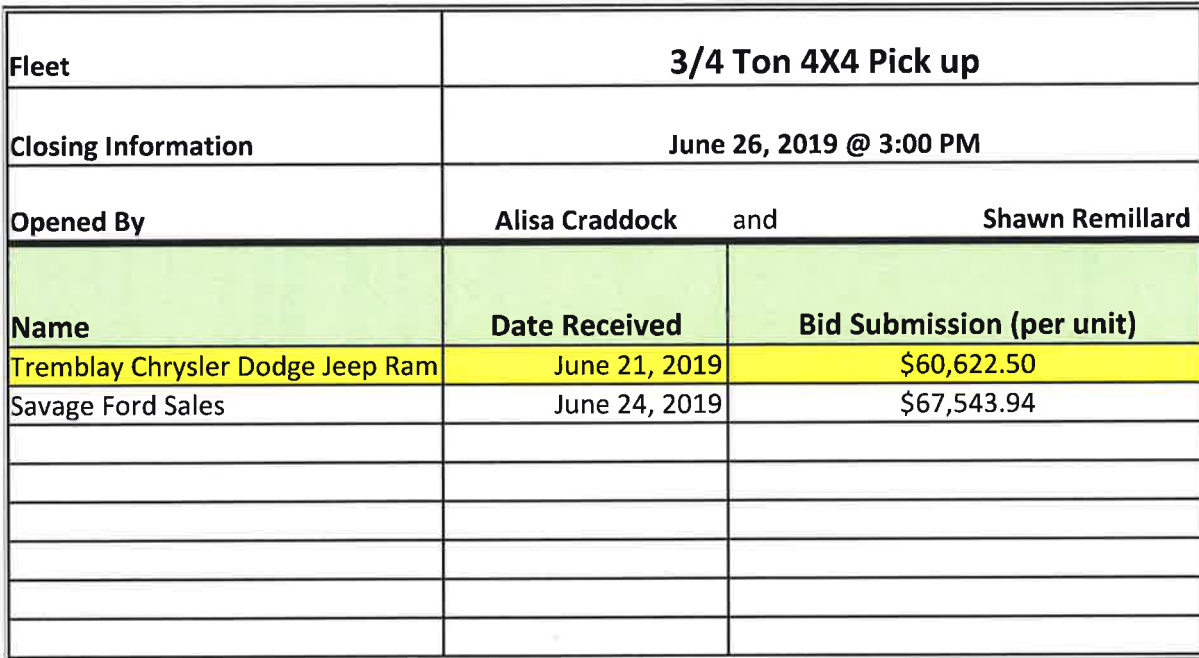
CARRIED



Chair



Secretary-Treasurer





**The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS quotes for the purchase of two (2) new $\frac{3}{4}$ Ton 4x4 Pick Up were requested;

AND WHEREAS two (2) quotations were received;

AND WHEREAS the quotations have been reviewed and the award being recommended herein consists of the best price meeting all of the specifications;

AND WHEREAS Council concurs with the recommendation received;

BE IT THEREFORE RESOLVED THAT the quotation for the purchase of two (2) $\frac{3}{4}$ Ton 4x4 Pick Up for Public Works be awarded to **TREMBLAY CHRYSLER DODGE JEEP RAM**, having submitted the lowest quotation of \$60,622.50 meeting all the specifications.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

Project	2019 BRUSHING & DITCHING			
Closing Information	July 4, 2019 @ 4:00 PM			
Opened By	Shawn Remillard and Alisa Craddock			
Road	Labelle Bros Excavating	Yveroy Enterprise	Ed Seguin & Sons	Gaudette Contracting
Dubuc	NA	NA	\$ 119,968.00	NA
Kipling West	NA	NA	\$ 250,200.00	\$ 127,104.
Lac Deux Milles	\$ 78,200.00	NA	\$ 80,270.00	NA
Marleau	\$ 57,120.00	NA	\$ 58,632.00	NA
Rainville	NA	\$ 90,000.00	\$ 156,600.00	NA



**The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS quotations for the 2019 Brushing and Ditching Projects for municipal roads were opened publicly on July 4th, 2019 by the Director of Corporate Services and Manager of Public Works;

AND WHEREAS multiple quotations that met all specifications were received;

AND WHEREAS the Manager of Public Works has reviewed the quotations and is satisfied that the award being recommended herein consists of the best prices received;

AND WHEREAS Council concurs with the recommendation received;

BE IT RESOLVED THAT the quotations for the 2019 Brushing and Ditching Projects for municipal roads in the Municipality be awarded as follows, having submitted the lowest quotation meeting all the specifications for these projects:

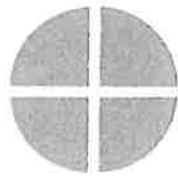
AWARDED TO:	ROAD	TOTAL COST PER ROAD
ED SEGUIN & SONS	DUBUC ROAD	\$119,968.00
GAUDETTE CONTRACTING	KIPLING WEST ROAD	\$127,104.00
LABELLE BROS EXCAVATING	LAC DEUX MILLES ROAD	\$78,200.00
LABELLE BROS EXCAVATING	MARLEAU ROAD	\$57,120.00
PRO-X	RAINVILLE ROAD	\$59,625.00

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____



AU CHÂTEAU

Une résidence de choix • A residence of choice

May 28, 2019

**FOYER POUR
PERSONNES ÂGÉES**

**HOME FOR
THE AGED**

APPARTEMENTS

APARTMENTS

- Villa du Loisir
- Villa des Pignons
- Domaine Leclair
- Villa Joie de Vivre

**LOGEMENT
À PERPÉTUITÉ**

LEASE FOR LIFE

- Terrasse d'Or

Mr. Joseph Bradbury, CAO
District of Nipissing Social Services Administration Board (DNSSAB)
200 McIntyre Street East
P.O. Box 750
North Bay ON P1B 8J8

Dear Mr. Bradbury:

Re: Municipal Non-Profit Agreement

An Agreement was made August 24, 1984 between Canada Mortgage and Housing Corporation, Province of Ontario/Municipal Affairs and Housing and West Nipissing Non-Profit Housing Corporation whereby one building to house 40 Senior units and a Special Care facility comprising of 102 hostel beds were constructed.

Under this agreement, Federal Assistance is being provided to both with the most significant portion for the 102 Hostel beds operated by Au Château Home for the Aged of West Nipissing. The current net Assistance, Federal and Provincial for the 102 Hostel beds is \$637,977. This fact is extremely important because it could have an adverse effect on the future of Au Château Home for the Aged at the end of the Agreement.

As such, the Home requests that negotiations begin as soon as possible with the end goal of extending this current arrangement. Significant efforts must be made to continue to support the Home in these difficult and trying times, and to ensure that Francophone seniors' services continue to be provided in our community.

We thank you for your understanding in this important matter.

Yours truly

Jacques Dupuis, CPA, CA
Administrator
jd:nj

✓ c.c. Joanne Savage, Mayor, Municipality of West Nipissing

- c.c. Dan O'Mara, Mayor, Municipality of Temagami
- c.c. Yvon Duhaime, Board Chair, West Nipissing Non-Profit Housing Corporation
- c.c. Mark King, Board Chair, DNSSAB
- c.c. Marc Serré, MP
- c.c. John Vanthof, MPP



**The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS in 1984 our agreement was signed with Canada Mortgage and Housing Corporation, the Provincial government's Municipal Affairs and Housing and the West Nipissing Non-Profit Housing Corporation, and

AND WHEREAS West Nipissing Non-Profit Housing Corporation had undertaken the construction of rental housing comprising of one building to house 40 Senior units and a special care facility comprising of 102 hostel beds, and

AND WHEREAS Au Château was assigned as the operator of the 102 Hostel beds and in return would receive assistance to do so, and

AND WHEREAS the agreement ends December 31, 2020, and if not renewed, Au Château would lose approximately \$640,000 of annual assistance, and

AND WHEREAS such loss in assistance, without any other support or funding, would lead to reduced services and/or potential bed closures, and

AND WHEREAS the Home represents a significant economic development organization in our community and a great facility for our valued seniors,

THEREFORE BE IT RESOLVED that the Municipality of West Nipissing requests that, through the West Nipissing Non-Profit Housing Corporation, the Provincial Government's Municipal Affairs and Housing and the Canada Mortgage and Housing Corporation, the agreement be renewed under the same terms and conditions.

BE IT FURTHER RESOLVED that a copy of the resolution be forwarded to the Minister of Long-Term Care & Health, John Vanthof - MPP Timiskaming-Cochrane and Marc Serré - MP Nickel Belt.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

MEMORANDUM

TO: Mayor and Council
FROM: Melanie Ducharme, Clerk
DATE: July 16, 2019
RE: **WEST NIPISSING TRAFFIC AND PARKING BY-LAW**

Periodically, when the number of amendments become cumbersome, it is prudent to simply re-do a By-Law such that all recent amendments are incorporated into a single document. Given that the Traffic and Parking By-Law has undergone many amendments since 2015, the attached Updated Traffic & Parking By-Law is being proposed in order to:

- (1) Incorporate all of the 9 amending by-laws; which include 2015/62, 2016/18, 2017/67, 2018/02, 2018/15, 2018/74, 2018/89, 2019/39, 2019/49;
- (2) Address the enforcement language (remove references to West Nipissing Police Service) of the by-law and to make any required housekeeping corrections which includes the addition of an **“Administration”** section;
- (3) That **“Item 5.3(a) – Parking Restricted”**, be added to prohibit commercial motor vehicles from parking on municipally owned property where signage to that effect is displayed. This is being included to address an ongoing issue of heavy vehicles parking and/or using the Complex parking lot for parking while at local restaurants and “short-cutting”. Both of these activities are causing significant damage to the Complex parking lot;
- (4) That Schedule **“A - Parking Prohibited at any Time”**, be amended to strictly prohibit parking on the westerly side of Holditch Street between Front Street and William Street. This is being included as the new curbing and sidewalk does will not allow parking on both sides of the street as in the past; and
- (5) That Schedule **“E – Truck Routes”**, be amended to reflect the updated list of Truck Routes in the Municipality. This schedule has not been updated in many years and was due to be re-visited. The Public Works Manager has approved these amendments.

Thank you,

Joie de vivre



West Nipissing Ovest

Joie de vivre

www.westnipissingouest.ca

June 27, 2019

SENT ELECTRONICALLY

The Right Honourable Justin Trudeau
Prime Minister of Canada
justin.trudeau@parl.gc.ca

The Honourable Andrew Scheer
Leader of the Opposition
andrew.scheer@parl.gc.ca

The Honourable Elizabeth May
Member of Parliament
elizabeth.may@parl.gc.ca

The Honourable Jagmeet Singh
Member of Parliament
jagmeet.singh@parl.gc.ca

Dear Prime Minister and Party Leaders:

Re: Support for a National Healthy School Food Program

On behalf of Community Living North Bay, Conseil scolaire catholique Franco-Nord, Near North District School Board, Nipissing-Parry Sound Catholic District School Board, and the North Bay Parry Sound District Health Unit, we request your support in the creation of a cost-shared national healthy school food program.

School food programs are increasingly seen as vital contributors to students' physical and mental health. Growing research demonstrates the potential of school food programs to improve food choices and support academic success, including increased academic performance, reduced tardiness, and improved student behaviourⁱ.

School food programs also:

- support student health and wellness;
- increase the consumption of vegetables, fruit, and other healthy foods;
- assist with student learning and success at school;
- contribute to improved productivity due to the health benefits and increased scholastic success attributed to such programs; and,
- may support local economies by increasing jobs and the market for fresh local food.ⁱⁱ

In the Nipissing and Parry Sound districts, 73 schools offer Student Nutrition Programs (SNPs) accessed by 10,204 students daily. Currently, SNPs in Ontario are funded up to 15% from the province, with the

remainder coming from fundraising, grants, and corporate and community donations. Canada is the only G7 country that does not provide federal funding to support school food programs. Dedicated, annualized funding from the federal government could help to:

- ensure adequate budget for nutritionally appropriate food and supplies;
- ensure adequate infrastructure and equipment for safe food preparation and storage; and,
- provide a stipend for school coordinators to help reduce coordinator turn-over.

We fully support continued consultations to develop an adequately funded national cost-shared universal healthy school food program. We urge that a program include appropriate nutrition education and food safety training of staff and volunteers, provide an optional and culturally appropriate daily meal, use best practices in service and delivery, function in inspected and adequately equipped spaces, and provide students the opportunity to eat more vegetables and fruit, whole grains, and protein foods in a positive environment.

A well-designed national healthy school food program has the potential to enable children to develop food and nutrition habits they need, to support their health and wellness, and to succeed at school.

Yours sincerely,



Jim Chirico, H.BSc., M.D., F.R.C.P. (C), MPH
Medical Officer of Health/Executive Officer



Jackie Young, Director of Education,
Near North District School Board



Monique Méhard, Director of Education
Conseil scolaire catholique Franco-Nord



Chris Guillemette, Director of Support Services
Community Living North Bay



Anna Marie Bitonti, Director of Education
Nipissing-Parry Sound CDS

Copy to:

Mr. Anthony Rota, MP Nipissing-Timiskaming

Mr. Marc Serré, MP Nickel Belt

The Honourable Tony Clement, MP Parry Sound-Muskoka

The Honourable Victor Fedeli, MPP Nipissing

Mr. John Vanthof, MPP New Liskeard-Temiskaming South

Mr. Norm Miller, MPP Parry Sound-Muskoka

District Municipalities

Association of Local Public Health Agencies

¹ Ministry of Child and Youth Services. *Ontario's student nutrition program guidelines*. Accessed June 11, 2019 at https://studentnutritionontario.ca/wp-content/uploads/2018/03/2018_SNP_Program_Guidelines_ENG.pdf

² Food Secure Canada: Coalition for healthy school food. *For a universal healthy school food program*. Accessed June 11, 2019 at https://foodsecurecanada.org/sites/foodsecurecanada.org/files/coalition_document_en.compressed.pdf

Le 27 juin 2019

PAR COURRIEL

Le très honorable Justin Trudeau
Premier ministre du Canada
justin.trudeau@parl.gc.ca

L'honorable Andrew Scheer
Chef de l'Opposition
andrew.scheer@parl.gc.ca

L'honorable Elizabeth May
Députée
elizabeth.may@parl.gc.ca

L'honorable Jagmeet Singh
Député
jagmeet.singh@parl.gc.ca

Monsieur le Premier ministre et Chefs de partis politiques,

Objet : Soutien pour un programme de saine alimentation scolaire d'envergure nationale

Au nom d'Intégration communautaire North Bay, du Conseil scolaire catholique Franco-Nord, du Near North District School Board, du Nipissing-Parry Sound Catholic District School Board et du Bureau de santé du district de North Bay-Parry Sound, nous vous demandons d'appuyer la création d'un programme de saine alimentation scolaire d'envergure nationale à frais partagés.

Les programmes d'alimentation scolaires sont de plus en plus considérés comme un élément crucial pour la santé physique et mentale des élèves. Un nombre croissant d'études indiquent que ce genre de programme peut favoriser de meilleurs choix alimentaires et soutenir la réussite scolaire, notamment en améliorant le rendement scolaire, la ponctualité et le comportement des élèvesⁱ.

De plus, les programmes d'alimentation scolaires :

- contribuent à la santé et au bien-être des élèves;
- accroissent la consommation de légumes, de fruits et d'autres aliments sains;
- favorisent l'apprentissage et la réussite des élèves à l'école;
- contribuent à améliorer la productivité en raison des bienfaits pour la santé et du taux de réussite scolaire qui leur sont attribués;
- peuvent stimuler l'économie locale en améliorant l'accès aux emplois et en soutenant le marché des aliments frais locauxⁱⁱ.

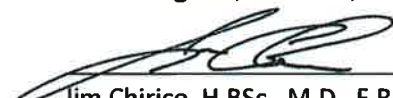
Dans les districts de Nipissing et de Parry Sound, 73 écoles offrent des programmes de bonne nutrition auxquels 10 204 élèves ont accès chaque jour. À l'heure actuelle, en Ontario, la province verse un maximum de 15 % du financement nécessaire à ces programmes, tandis que le reste des fonds sont réunis grâce à des activités de financement, des subventions et des dons provenant d'entreprises et de collectivités. Le Canada est le seul pays du G7 qui ne fournit pas de financement fédéral pour appuyer les programmes d'alimentation scolaires. Or, avec un financement réservé annualisé du gouvernement fédéral, il serait possible de réaliser les objectifs suivants :


- prévoir un budget suffisant pour des aliments nutritifs et des fournitures appropriées;
- disposer d'une infrastructure et de matériel adéquats pour la préparation et l'entreposage sécuritaires des aliments;
- verser une rémunération pour aider à réduire le roulement de personnel parmi les coordonnateurs dans les écoles.


Nous préconisons des consultations continues visant à créer un programme universel de saine alimentation scolaire à frais partagés et bénéficiant d'un financement suffisant. Ce programme devrait comporter une formation pertinente sur la nutrition et la salubrité alimentaire à l'intention du personnel et des bénévoles, offrir un repas quotidien facultatif et adapté sur le plan culturel, être conforme aux pratiques optimales en matière de service et de prestation, se dérouler dans des locaux inspectés et correctement équipés, et donner aux élèves la possibilité de manger plus de fruits et de légumes, des grains entiers et des protéines alimentaires dans un milieu positif.

S'il est bien conçu, le programme d'alimentation scolaire d'envergure nationale pourra permettre aux enfants d'acquérir des habitudes alimentaires et nutritionnelles susceptibles de promouvoir leur santé, leur bien-être et leur réussite à l'école.

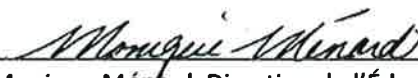
Veuillez agréer, Madame, Messieurs, nos salutations distinguées.


Jim Chirico, H.BSc., M.D., F.R.C.P. (C), MPH
Medical Officer of Health/Executive Officer


Chris Guillemette, Director of Support Services
Community Living North Bay


Jackie Young, Director of Education,
Near North District School Board


Anna Marie Bitonti, Director of Education
Nipissing-Parry Sound CDSB


Monique Ménard, Direction de l'Éducation
Conseil scolaire catholique Franco-Nord

Copies :

M. Anthony Rota, député de Nipissing-Timiskaming

M. Marc Serré, député de Nickel Belt

L'honorable Tony Clement, député de Parry Sound-Muskoka

L'honorable Victor Fedeli, député provincial de Nipissing

M. John Vanthof, député provincial de New Liskeard-Temiskaming Sud

M. Norm Miller, député provincial de Parry Sound-Muskoka

Municipalités de district

Association des agences locales de santé publique

ⁱ Ministère des Services à l'enfance et à la jeunesse. *Lignes directrices du Programme ontarien d'alimentation saine pour les élèves*, 2018.

ⁱⁱ Réseau pour une alimentation durable : Coalition pour une saine alimentation scolaire. *Pour un programme universel de saine alimentation scolaire*. Consulté le 11 juin 2019 à

https://foodsecurecanada.org/sites/foodsecurecanada.org/files/coalition_document_fr.compressed.pdf



**The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS the Municipality of West Nipissing received a request from the North Bay Parry Sound District Health Unit (NBPSDHU) on behalf of Community Living North Bay, Conseil scolaire Franco-Nord, Near North District School Board and the Nipissing-Parry Sound Catholic District School Board seeking federal funding for the creation of a cost-shared national healthy school food program;

AND WHEREAS federal funding to support school food programs could help to:

- ensure adequate budget for nutritionally appropriate food and supplies;
- ensure adequate infrastructure and equipment for safe food preparation and storage; and;
- provide a stipend for school coordinators to help reduce coordinator turn-over;

BE IT RESOLVED THAT Council for the Municipality of West Nipissing supports the NBPSDHU request seeking federal funding for the of creation of a cost-shared national healthy school food program; which has the potential to enable children to develop good food and nutrition habits, to support their health and wellness and to contribute to their success at school;

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Premier of Canada, Minister of Education and Training, Minister of Food and Agriculture, John Vanthof - MPP Timiskaming-Cochrane, Marc Serré - MP Nickel Belt.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____



The Corporation of the Municipality of West Nipissing /
La Corporation de la Municipalité de Nipissing Ouest

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS a request was received from the Sturgeon Falls Pentecostal Church to use the municipal parking lot located at the corner of King Street and Queen Street to host their annual “We Love Sturgeon Falls Day” on Saturday, August 24th, 2019 and to have the entrances blocked off starting on Friday evening to allow for set up;

BE IT RESOLVED THAT the Sturgeon Falls Pentecostal Church be permitted the use of the municipal parking lot at the corner of King Street and Queen Street on Saturday, August 24th, 2019, from 9:00 AM to 4:00 PM, to host their annual “We Love Sturgeon Falls Day”;

BE IT ALSO RESOLVED THAT the Municipality of West Nipissing shall have the parking lot entrances blocked off Friday evening, August 23rd, 2019, to allow for the set up prior to the event.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

Janice Dupuis

From: Henning, Elizabeth
Sent: May-23-19 8:09 AM
To: Melanie Ducharme; Janice Dupuis
Cc: Richard Henning
Subject: Use of Parking Lot at Corner of King and Queen Street for Special Event

Good Morning,

Every year Sturgeon Falls Pentecostal Church likes to give back to our community with our We Love Sturgeon Falls Day.

This event is held in the parking lot located at the corner of King and Queen Street (beside Pet Value). We provide a free bbq, and give away free clothing for anyone who would like it. The event is open to the general public.

We would like to hold this event again this year on Saturday August 24th. Can you please book the parking lot for our use that day.

Thank you so much for your help with this, and please let me know if there is any further information you will require.

Sincerely,

Liz Henning
705-753-3809



**The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ouest**

Resolution No.

2019 /

JULY 16, 2019

Moved by / *Proposé par* :

Seconded by / *Appuyé par* :

WHEREAS a request was received from Joanne and Manfred Koehler seeking Council's authorization for an exemption of the municipal Noise By-Law in order to host a "Hillman Road BBQ";

BE IT RESOLVED THAT Council authorizes an exemption of the Municipality of West Nipissing Noise By-Law **1999/75**, for a "Hillman Road BBQ", as requested by Joanne and Manfred Koehler, which will take place at 41 Hillman Road in Lavigne, on Saturday, August 17, 2019 from 8:00 PM until 1:00 AM.

	YEAS	NAYS
DUHAIME, Yvon		
FISHER, Christopher		
LARABIE, Roland		
MALETTE, Léo		
ROVEDA, Dan		
SÉGUIN, Jeremy		
SÉNÉCAL, Denis		
SÉNÉCAL, Lise		
SAVAGE, Joanne (MAYOR)		

CARRIED: _____

DEFEATED: _____

DEFERRED OR TABLED: _____

March 19, 2019

Municipality of West Nipissing
101-225 Holditch Street
Sturgeon Falls, ON, P2B 1T1

Re: Noise By-Law Exemption

Dear Madame Mayor and Council,

We are residents of Lavigne and live at 41 Hillman Road. We are planning on having a "Hillman Road BBQ" on August 17, 2019. We will be having a 3 person band playing in our back yard from 8 p.m. -1 a.m. and are requesting the support of the Mayor's office and council to be exempted from the municipal noise by-law.

We can be contacted for further queries at 705 303 8402.

Sincerely

Joanne Koehler

Joanne and Manfred Koehler
41 Hillman Road
Lavigne, ON, P0H 1R0

MEMORANDUM

TO: Mayor and Council

AND TO: Jean-Pierre Barbeau (CAO)

FROM: Peter Ming, Manager Water/Wastewater Operations

DATE: July 12, 2019

RE: Funding for Feasibility Study for Sturgeon Falls to Supply Verner Drinking Water

The Municipality of West Nipissing, Water and Sewer Department requires a study to investigate the feasibility of the Sturgeon Falls Water Treatment Plant supplying the drinking water to the Town of Verner. In order to expedite the study and maximize efficiency in engineering services, a recommendation is being made to appoint the engineering firm, AECOM, which is already engaged in a number of related projects which are outlined below.

The feasibility study will:

- update the Sturgeon Falls water model to include Cache Bay and Verner with proposed feeder main routing
- review and update water demand for Sturgeon Falls, Cache Bay and Verner
- simulate current and future conditions and determine infrastructure requirements
- prepare a technical memorandum and maps of options

AECOM is currently undertaking related projects including the sewage treatment capacity of the Verner lagoons, sludge handling alternatives for the Sturgeon Falls Wastewater Plant, and has already conducted the water modelling for Sturgeon Falls. With AECOM investigating the drinking water feasibility, they will be able to better review the Verner lagoon alternative option of having the Sturgeon Falls Wastewater Treatment Plant treat Verner wastewater.

AECOM is proposing a \$35,000 budget to conduct the feasibility study. Council has already approved \$200,000 in the 2019 budget for engineering designs to be ready to upgrade Nipissing Street and Ethel Street in multi-year phases when funding and grants become available. A request is being made to Council to reallocate the approved budget to include the feasibility study, and if necessary, scale back on the engineering designs to maintain budget.

Joie de vivre



www.westnipissingouest.ca

MEMORANDUM

TO: Mayor and Council

FROM: Jason Sullivan, Acting Manager, Solid Waste

DATE: July 12, 2019

SUBJECT: Curbside procedure and community education update

West Nipissing Environmental Services collects, at the curbside, garbage and recycling for roughly 5000 households in West Nipissing. Between 900 to 1000 metric tonnes of blue box material is collected annually and sent for processing. Through our 2-box sorting system, recycling is collected in an efficient and commonly used method throughout the province.

As part of operations, public education is required on an ongoing basis, be it to new residents or the re-education of our existing ones, with an emphasis on the 2-box sorting system and curbside procedure (how residents sort and set their waste out for collection). Through continuous commitment, we can ensure waste is collected in a safe, efficient and environmentally acceptable manner.

Some of the main educational objectives and key messages are:

- Community awareness and understanding of the 2-box sorting program and curbside procedure
- Acceptable items for collection
- Increase waste diversion efforts, extending the life of our landfills

Some current public education initiatives include:

Facebook –Social Media “Did you know” campaign is ongoing. Responding to inquiries and service requests via social media and directing them to the proper information on the website.

Website Ongoing. Updating information and directing residents on our program.

Local Radio and newsprint Ads on proper sorting and scheduling (holidays, cardboard boxes, etc.)

Still to come Oops Stickers and Recycle Coach.

Thank you,
Jason Sullivan

Joie de vivre



www.westnipissingouest.ca

MEMORANDUM

TO: Mayor and Council
FROM: Jason Sullivan, Acting Manager, Solid Waste
DATE: July 12, 2019
RE: **WASTE COLLECTION BY-LAW**

A working draft document has been developed to modernize our by-law requirements for the curbside collection of Solid Waste. The content was developed through common practices in the industry and as per the operational requirements of our collection process.

The Environmental Services Board of Directors has reviewed the document and accepted it as presented.

Some of the key topics of note in the by-law are:

- Reduction of bag limit from 6 to 4
- Updated weight restrictions and receptacle definitions
- Cardboard size placed for collection

Attached you will find the proposed Waste Collection by-law, for discussion.

Thank you
Jason Sullivan

Joie de vivre



West Nipissing Ouest

Joie de vivre

www.westnipissingouest.ca

BY-LAW 2019/

A BY-LAW TO ESTABLISH, REGULATE AND PROVIDE A SYSTEM FOR THE HANDLING, REMOVAL AND DISPOSAL OF GARBAGE, RUBBISH, ASHES, RECYCLABLE MATERIAL AND OTHER WASTE MATERIAL AT THE CURBSIDE IN THE MUNICIPALITY OF WEST NIPISSING

WHEREAS the *Municipal Act, S.O.2001, c.25* as amended, Section 11(1), states that a single-tier municipality may pass by-laws respecting waste management;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST NIPISSING HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

For the purposes of this by-law, the following words shall have the meaning given herein:

- 1.1. **"Ashes"** shall mean the solid residue of any fuel for heating or cooking purposes and soot or other residue/cleanings from chimneys.
- 1.2. **"Bulky Items"** shall refer to household items other than those for which special collection services are provided, which are larger than 1.2 meters in any one dimension or weigh in excess of 20 kilograms, including furniture and appliances of whatever size and weight as may be determined by the Municipal Solid Waste Manager.
- 1.3. **"By-Law Enforcement Officer"** means any officer appointed by the Municipality for the enforcement of its by-laws
- 1.4. **"Commercial Solid Waste"** shall refer to all solid waste materials discarded from commercial enterprises engaged in buying and selling of goods and services. Commercial solid waste is commonly categorized as similar in nature to that of residential solid waste and would include mixed recyclables separated for the purposes of processing and preparation for recycling.
- 1.5. **"Container Recyclables"** shall refer to all recycled materials that fall under the category of plastics, glass and metals and consist of all aluminum cans, plastic containers with symbols (#1-7 – subject to be changed from time to time), cans, glass bottles and jars (lids removed), plastic bags, steel cans, and empty dry paint cans with lids removed. All recycled materials that do not fall under the category of paper recyclables.
- 1.6. **"Contamination"** refers to the mixing of an item referred to in the list below with a different item described in the list below:
 - (i) Recyclable materials
 - (ii) Garbage
 - (iii) Yard Waste
 - (iv) Prohibited
- 1.7. **"Curbside Collection"** refers to the collection of garbage, recyclable materials and yard waste in the appropriate containers as described in this by-law.
- 1.8. **"Dwelling"** shall mean any building or place of abode, other than a hotel, restaurant, apartment, house, tenement or building which accommodates more than two separate dwelling units.
- 1.9. **"Garbage"** shall mean all rejected, abandoned or discarded household waste, including accumulation of animal, fruit or vegetable matter used or intended for food or that intended for the preparation, use, cooking, dealing in or sorting of meat, fish, fowl, fruit or vegetable; wearing apparel, broken crockery, but shall **NOT** include weighty or bulky articles such as stoves, furnaces, bed springs, furniture, manufacturers' waste, gasoline or oil-soaked rags or highly combustible material of any nature whatsoever, broken plaster, lumber or other waste or residue resulting from the construction, alteration, repair of any buildings or structure, saw-dust and/or shavings, swill or other organic material not properly drained or wrapped, liquid waste, carcass of any animal, wholesale or retail trade

waste, any material which has become frozen to the receptacle and cannot be removed by shaking, discarded truck and automobile tires. In lay terms, garbage is the equivalent of solid waste after separation of recyclables or other components.

- 1.10. **"Household Hazardous Waste"** means household hazardous waste such as paint, aerosol cans, batteries, chemicals, propane tanks and other items not deemed appropriate to be land-filled.
- 1.11. **"Industrial Solid Waste"** shall refer to solid waste materials discarded from the manufacturing process and production of goods and products and non related non-manufacturing activities.
- 1.12. **"Institutional Solid Waste"** shall refer to solid waste materials discarded from institutional enterprises such as social, charitable, educational and government services
- 1.13. **"Municipal Solid Waste"** shall mean all garbage, refuse and similar solid waste materials discarded from residential, commercial, institutional and industrial sources and community activities, including recyclables that are to be separated. The term does not include any household hazardous waste or hazardous waste accumulated from any source.
- 1.14. **"Municipality"** shall mean the Corporation of the Municipality of West Nipissing.
- 1.15. **"Owner"** shall mean any owner, occupant, lessee, tenant or other person in charge of any dwelling, hotel, restaurant, apartment house, office building, public institution or other premises.
- 1.16. **"Paper Recyclables"** shall refer to all recycled materials that fall under the category of paper fibers and consist of broken down corrugated cardboard (no bigger than 60cmx60cm), newspaper and flyers, boxboard (cereal, tissue, cracker, boxes), catalogues and magazines, hard and soft cover books, writing paper, greeting cards, paper egg cartons and trays.
- 1.17. **"Prohibited Waste"** shall refer to items prohibited for the purpose of disposal into Municipal Landfill, consisting of items including acute hazardous waste chemicals, hazardous waste chemicals, corrosive waste, hazardous industrial waste, ignitable waste, PCP waste, radioactive waste, severely toxic waste, leachate toxic waste, pathological waste including biomedical waste, whether solid or liquid, as well as the above mentioned household hazardous waste products, including but not limited to pool or photographic chemicals, laundry bleach, drain, oven, toilet and carpet cleaning solutions, paint thinner and paint remover, rat and mouse poison, insect killers, weed killers, fungicides, wood preservatives, oil-based and latex paints, engine oil, brake and transmission fluid, antifreeze, automotive batteries, and such other matters as may be added in the future.
- 1.18. **"Recyclables"** shall refer to solid waste materials removed from the municipal garbage stream and separated by the generator, or owner of the solid waste for the purpose of recycling.
- 1.19. **"Recycling Blue Box"** refers to the designated, portable containerized unit, used for the collection as well as curbside placement of recycled materials.
- 1.20. **"Recycling Collection Services"** refers to the services provided by the Municipality for the removal of recyclable materials from designated areas within the Municipality.
- 1.21. **"Recycling Drop Off Box"** refers to a situated receptacle used by municipal residents for the purpose of discarding their separated recycled materials.
- 1.22. **"Residential Solid Waste"** shall refer to solid waste materials discarded from single and multi-family dwellings and individuals. Most commonly categorized by paper, plastics, glass, metal (ferrous and non-ferrous), rubber and leather textiles, food wastes, yard and wood waste, inorganic materials, including mixed recyclables separated for the purposes of processing and preparation for recycling.
- 1.23. **"Solid Waste Manager"** shall mean the person in charge of managing, administrating and overlooking all activities and operations resulting in the use of the municipal landfills, including the diversion of waste from the mentioned landfills in the form of recycling.
- 1.24. **"Street"** shall mean any public road, street, lane, alley, square, place, thoroughfare or way within the limits of the Municipality of West Nipissing.

2. ADMINISTRATION

- 2.1 The Municipality shall establish and provide a system for the collection, removal and disposal of garbage, ashes, recycled materials and other refuse in accordance with the terms of this by-law within the garbage area as defined from time to time by by-law of the Council of the Municipality of West Nipissing.
- i) It shall be the duty of the Solid Waste Manager or approved delegate of the Municipality to administer and to enforce the provisions of this by-law.
- ii) The Municipality will remove and dispose of garbage, ashes, recyclable items and other refuse from all residential property in the following areas:
- Sturgeon Falls, Cache Bay, Verner, Springer Township, Field Township, Grant Township and Falconer Township.

3. ELIGIBILITY OF SERVICES

- 3.1 Subject to the terms and conditions contained in this by-law and any directives issued by Municipal Council from time to time, the Municipality shall collect garbage and recyclable materials, yard waste and items eligible for special collection services from designated properties.
- 3.2 No owner shall be eligible to receive services unless the owner complies with all relevant requirements contained in the by-law established to regulate and provide a system for the handling, collection, removal and disposal of garbage, rubbish, ashes, recyclable materials and other waste materials in the Municipality of West Nipissing.
- 3.3 Every owner of a multiple household residence shall ensure that specific recycling instructions for residents are posted in locations at the multiple household residences as designated by the Solid Waste Manager.
- 3.4 The Solid Waste Manager may determine that owners who do not participate fully in the Municipality's collection of recycled materials are not eligible for any services.
- 3.5 No owner shall be eligible to receive or to continue to receive services unless the owner sets out for collection all waste in respect of which the Municipality provides services to the owner.
- 3.6 Newly constructed dwelling shall not receive curbside services until final Occupancy Permit has been issued by the Chief Building Inspector.

4. COLLECTION PROCEDURE

- 4.1 Except as herein otherwise provided, garbage, and ashes will be removed from all premises in the approved garbage areas of the Municipality of West Nipissing once each week.
- 4.2 The Municipality shall collect recyclable materials once every two weeks from designated household residences and multiple household residences that receive curbside collection of garbage. Schedules are subject to change.
- 4.3 Collection from any dwelling shall consist of a total of not more than four (4) receptacles or bundles per collection. Limits are subject to change.
- 4.4 Collection from any multi-dwelling or apartment shall consist of not more than **twelve (12)** receptacles or bundles **per unit**, per collection
- 4.5 There shall be no limit on the amount of recyclable materials or yard waste which may be set out by an owner of a household residence, provided that the owner of the household residence complies with all relevant provisions of this by-law.
- 4.6 The collector shall follow such routes as laid out by the Solid Waste Manager and shall conform to all instructions from him.
- 4.7 Recyclable items for collection shall be separated as follows by the householder:

- i) All paper fibers including corrugated cardboard, newspaper and flyers, boxboard (cereal, tissue, cracker etc... boxes), catalogues and magazines, hard and soft cover books, phone books, writing paper, greeting cards, paper egg cartons and trays.
- ii) All container recyclables including cans, glass bottles and jars and plastics (#1-7 – subject to change from time to time)
- iii) All large, oversize cardboard boxes must be broken down to size no larger than 60cm by 60cm and must be free from all non-cardboard items such as shrink and bubble wrap, Styrofoam and wood pieces.

5. RECEPTACLES

5.1 For Garbage and Recycling

- i) Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of garbage, a sufficient number of covered metal containers or polyethylene plastic bags or containers, of design approved by the Solid Waste Manager.
- ii) Every such metal or polyethylene plastic container shall have proper handles and a water-tight cover, which cover shall at all times remain in position. No container shall be greater than **100cm** in height or have a diameter larger than **45cm** or weigh more than 18 kilograms including contents.
- iii) Two free Blue Box for recycling purposes shall be made available to householders new to the program at the Municipal Office in Sturgeon Falls and in Verner; additional Blue Boxes are also available at a fee pre-determined by the Municipality of West Nipissing. Such fees may be varied from time to time.

5.2 For Ashes:

- i) Every householder shall provide and constantly maintain in proper order and repair for the purpose of putting out for collection of ashes, a sufficient number of metal containers having a capacity of not greater than **1 ½ cubic feet**.

6. PREPARATION OF GARBAGE, ASHES, RECYCLING, ETC. FOR COLLECTION

- 6.1 Garbage shall be drained of all liquids and be securely wrapped and then placed in a receptacle conforming to the requirements of this by-law.
- 6.2 Ashes shall be cold and placed in proper receptacles.
- 6.3 Materials classified as “non-collectable” of this by-law or placed for collection in such manner or in such containers as to be in variance with the terms and conditions set forth in this by-law shall be refused by the collector and shall be removed from the roadside and disposed of by the owner at his own expense on the same day that the garbage is collected or the material refused.
- 6.4 Materials classified as “recyclable” shall be placed in the desired at curbside situation as follows: two streams clearly separated, with all dry paper recyclables, broken down and neatly placed in a Blue Box, cardboard box, paper bag or tightly tied bundle. Placed right next shall be a second stream consisting of a co-mingle of container recyclables, placed in either a second Blue Box or clear plastic bag(s).
- 6.5 The Municipality shall not collect prohibited waste.
- 6.6 No owner shall set out prohibited waste for collection by the Municipality, either on its own or mixed with any waste with respect to which the Municipality provides service.

7. PLACING RECEPTACLES FOR COLLECTION

- 7.1 Receptacles set out for collection shall be placed as close as possible to the edge of the roadway without obstructing the roadway, sidewalk or footpath and shall be placed in a position easily accessible to the collector, and in any case, the Solid Waste Manager shall

have the power to designate the precise point at which the receptacles or bundles of refuse shall be placed for collection. It is urged that on applicable days, blue boxes of recycled material accompany garbage receptacles.

- 7.2 Material for collection shall not be placed at the curbside before eight (8) p.m. on the day preceding collection and shall be placed at the prescribed location for collection not later than seven (7) a.m. on the collection day.
- 7.3 No single family household shall store garbage at the curbside before 8pm of the day preceding collection.
- 7.4 Empty receptacles as well as all material which the collector refuses must be removed from the highway or from public property by the householder of the premises from which they came before eight (8) p.m. on the same day that the garbage is collected or the material refused.

8. GENERAL NUISANCE

- 8.1 No person shall permit garbage, ashes or other refuse including paper of any description to be blown or dropped from the premises occupied by that person or from a vehicle owned or operated by that person onto a lane, street, creek, roadway or other public property in the Municipality of West Nipissing.
- 8.2 No person shall convey through the streets within the Municipal limits any garbage, ashes or other refuse or any non-collectable waste except in properly covered containers or otherwise in carts, wagons or vehicles totally enclosed or covered with canvas or tarpaulins so fastened down around the edges as to prevent any of the contents falling upon the streets and to protect the same from flies and to control, as far as possible, the escape of any offensive odors there from.
- 8.3 No person shall pick over, interfere with, disturb, remove or scatter any recycling or waste disposal items which have been so placed for removal whether contained in any receptacles or otherwise, except and until the same is removed by the collector.
- 8.4 No person shall allow garbage, ashes or other refuse to accumulate upon any premises nor keep a garbage dump or receptacle for waste material on his or hers premises in such condition or in such location that the same is a nuisance or emits foul or offensive odors or harbors or attracts rats/rodents or other vermin or insects. The body of a dead animal shall be properly disposed of by the owner thereof, so that the same shall not become a nuisance.
- 8.5 All recyclable material once placed on municipal property at the curbside becomes the property of the municipality. No person shall take material from blue boxes placed at curbside.

9. DISPOSAL OF NON-COLLECTABLE WASTE

- 9.1 Any person wishing to dispose of non-collectable waste shall bring such waste to the Municipal landfill site at his own expense and shall deposit the same in accordance with the directions of the Solid Waste Manager or of the employee in charge of the disposal site acting under his direction. The person is also responsible to pay the applicable landfill site fees.

10. HAZARDOUS WASTE MATERIAL

- 10.1 The Municipality or Solid Waste Manager may be contacted when the matters of Hazardous Waste Materials are to be dealt with. See definitions for full explanation of Hazardous Waste Materials.
- 10.2 All hazardous waste shall be brought to the Hazardous Waste Depot located in North Bay.

11. ENFORCEMENT

- 11.1 The provisions of this by-law shall be enforced by any Police Officer or By-Law Enforcement

Officer as appointed, from time to time, by the Municipality of West Nipissing.

12. PENALTY

- 12.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act.

13. GENERAL

- 13.1 The provisions of this by-law shall not relieve any person from compliance with any provision of the Public Health Act for regulation prescribed by the Medical Office of Health.

ENACTED AND PASSED THIS th DAY OF , 2019 AS WITNESSED BY THE SEAL OF THE CORPORATION AND THE HANDS OF ITS PROPER OFFICERS.

JOANNE SAVAGE
MAYOR

MELANIE DUCHARME
CLERK

SCHEDULE "B" OF BY-LAW 2019/24

AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:	June 17th		
Name of Requestor:	Chris Fisher	Date submitted: June 7th	
Address:	Full mailing address: 3636B Hwy 539 Field		
Phone:	Home: 705-758-1632	Business / Cell:	Fax:
E-Mail:	Cfisher@westnipissing.ca		
Requested Agenda Item/Subject:	Legal Fees to be Paid by individual Councillors unless they are acquitted etc.		
Additional details / background information: <div style="display: inline-block; vertical-align: top; margin-left: 20px;"> <input checked="" type="checkbox"/> see below <input checked="" type="checkbox"/> Supporting documents attached separately </div> <p style="font-size: small; margin-top: 10px;">Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</p> <p style="color: blue; margin-top: 10px;">See Toronto's policy on this, seems to be like this for most places that has a policy around this.</p>			
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:	June 10 th 2019	Received from:	CAO
Meeting Date Requested:	JULY MEETING	Mode of Notification:	<input type="checkbox"/> in person <input type="checkbox"/> by telephone <input checked="" type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input checked="" type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):			<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			

➤➤➤ HERE IS THE SAMPLE FROM TORONTO :

Expenses to provide legal representation for Members of Council are covered where the proceedings relate to activities of the Member while carrying out his or her official duties, and may include both City and ward related matters.

Coverage is provided either by the City's insurance or the City's [Indemnification Policy](#). Coverage extends to civil suits and criminal and regulatory offences including:

- legal costs and damages if sued
- damages or costs where lawsuits are not covered by insurance if Council determines the proceeding resulted from acts or omissions in his or her capacity as a Member
- reimbursement of legal expenses related to criminal or regulatory offences if acquitted or charges are dismissed or withdrawn

The City Solicitor is required to review and report to Council on the reasonableness of Members' legal expenses.

Legal expenses that are not covered include:

- personal matters that are outside the duties of a Member (for example, those arising from activities of a Member while a candidate)
- criminal or regulatory matters where the Member has been found guilty
- conflict of interest proceedings where there has been a finding of a contravention of Section 5 of the [Municipal Conflict of Interest Act](#).

In addition, Members may incur legal expenses that are payable from the [Council General Expense Budget](#).

Legal Fees

Members should always consult with the City Solicitor before incurring any legal expenses (including legal research).

The following legal fees are eligible expenses paid out of the Council General Expense Budget:

- City Council has authorized the retention of an external law firm to provide independent advice and representation from time to time to Members of Council in relation to any proceedings before the Information and Privacy Commissioner of Ontario concerning access to records held by a Member of Council. (City Council, [2011](#) and [2014](#)).
- The City Clerk and the City Solicitor must confirm that the proceedings pertain to the individual interests of the Member of Council prior to counsel being retained to provide advice and representation.
- Fees related to the retained external law firm will be paid from the Council General Expense Budget.
- Legal fees related to Code of Conduct investigations:
 - if the Integrity Commissioner finds that the Member has inadvertently violated the Code or violated the Code in good faith; or
 - if the Integrity Commissioner has found the Member violating the Code and City Council received the Integrity Commissioner's report for information.
- Fees related to informal complaints (part A) and formal complaints (part B) of the Code of Conduct Complaint Protocol for Members of Council. ([City Council, 2012](#)).

- Fees related to judicial reviews related to Code of Conduct investigations.
- Legal fees related to complaints or investigations handled by the Lobbyist Registrar, Ombudsman or Auditor General under Part V of the *City of Toronto Act, 2006* ([City Council, 2014](#)).
- Legal fees related to investigations conducted by the Toronto Police Service related to the Member's duties and responsibilities, excluding criminal investigations. ([City Council, 2014](#)).

Legal fees that are not eligible expenses include:

- Personal conflict of interest opinions
- Legal opinion that the City Solicitor can provide
- Legal opinion that supports a community group against a City position

Legal Expenses Related to Defamation Actions Brought by a Member of Council

City insurance is not available in legal actions related to defamation initiated by Members; however, City insurance is available to defend Members on such matters.

City Council may authorize the reimbursement of legal expenses of Members on a case-by-case basis for actions brought by a Member to address matters of reputational harm where the expenses are incurred in the Member's capacity as a Member. Members should contact the City Solicitor to discuss whether the matter can proceed.

Legal Expenses Related to Compliance Audits

Members must obtain their own legal or other expert advice for compliance audit matters because any compliance audit expenses are incurred in their capacity as candidates, not as Members. *The Municipal Elections Act, 1996* considers compliance audit expenses to be campaign expenses.

See the [Constituency Services and Office Budget Policy](#) (Appendix 1 – Resources available/allocated to Councillors) for more information.

Chris Fisher
705-492-6784
Sent from my iPad

MEMORANDUM

TO: Mayor and Council

AND TO:

FROM: Alisa Craddock CPA, CMA Director of Corporate Services/Treasurer

DATE: July 12, 2019

RE: PROPERTY STANDARDS COMPLAINTS AND PROCESSES

Property standards issues are complaints driven – residents reporting potential violations to the Municipality. Residents can report concerns by calling 705-753-2250 or emailing support@westnipissing.ca. The issue is entered into a request management system and assigned to the appropriate department. Property Standards complaints may be investigated by our bylaw enforcement department, building and planning department, Fire department, or a combination of these departments. Typically, the bylaw department will initiate the investigation and activate the other departments as necessary.

Property standards complaints can be quite varied – from uncut grass and bad smells to serious structural concerns. The progress through the system can also be quite varied. In simple cases, municipal staff will contact the affected property owner and get voluntary compliance (i.e. grass will be cut). Situations that may appear simple however, may become complicated by difficulty in contacting property owners, establishing deadlines and follow up. Further, a simple issue may be just one piece of a more complex underlying issue. Depending on all of these factors, the length of time to compliance can vary from a matter of days to many months.

As every property standard complaint has the potential to develop into a legal situation, feedback to the complainant is usually limited. Progress may become quite prescribed as issues move beyond municipal bylaw and start to move under larger pieces of legislation.

Property standards investigations occur year-round though seasonal fluctuations occur with the majority of complaints occurring over the warmer months. In 2019, the Municipality has so far responded to 48 property standards complaints. Thirty-eight (38) issues have been resolved and 10 investigations are ongoing. Vehicles without plates, yard maintenance, and excess materials in yards are the primary concerns.

Joie de vivre



West Nipissing Ouest

Joie de vivre

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SCHEDULE "B" OF BY-LAW 2019/24



AGENDA ITEM REQUEST FORM

PLEASE PRINT CLEARLY:

Requested Council Meeting Date:	July 5, 2019		
Name of Requestor:	Joanne Savage Mayor		Date submitted: July 16, 2019
Address:	Full mailing address:		
Phone:	Home:	Business / Cell: 705 498 0819	Fax:
E-Mail:			

Requested Agenda Item/Subject:	Property maintenance
Additional details / background information: <input checked="" type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately <i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i> Overview of bylaw Awareness of complaint and enforcement process Statistical report of complaints recd resolved and on going	

ADMINISTRATIVE APPROVAL

STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.

Signature of CAO or designate:	Date:
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MUNICIPAL OFFICE USE

STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.

Date Received:	JULY 5, 2019	Received from:	S. POULIN
Meeting Date Requested:	JULY 16, 2019	Mode of Notification:	<input type="checkbox"/> in person <input type="checkbox"/> by telephone <input checked="" type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		

APPROVED FOR AGENDA:

Scheduled for (date):		<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)	
Action Taken:		
Notes / Comments:		

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner
Janice Dupuis – Deputy Clerk

DATE: July 12, 2019

RE: Draft Policy – Honourarium/Stipend Policy

Pursuant to recent discussions of Council concerning honourariums/stipends to be paid to volunteer members of municipal boards and committees, the attached draft policy is being presented for review and discussion.

Thank you,

Melanie

Joie de vivre



West Nipissing Ouest

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STIPEND-HONORARIUM FOR VOLUNTEER MEMBERS OF BOARDS / COMMITTEES POLICY (Policy 2019/)

Section: S	Policy Number: 2019/
Department: All	Effective Date: , 2019
Subject: STIPEND – HONORARIUM FOR VOLUNTEER MEMBERS OF BOARDS & COMMITTEES	Revision Date:

A Stipend or Honorarium is a fixed amount, agreed upon by Council, which is given to a volunteer member appointed by Council to a municipal board or committee in recognition of the service provided while serving on a board or committee.

STIPEND CALCULATION

- (1) A stipend of \$75.00 is payable to every volunteer member attending a board or committee meeting. In the event that a volunteer is absent from a meeting - no stipend will be paid.
- (2) This policy is not applicable to any board or committee where a stipend – honorarium policy is already in effect for compensation to volunteer members.

PAYMENT STRUCTURE

At the end of each month, the person responsible for meeting attendance (i.e. recording secretary, clerk, municipal staff, etc.) will submit an attendance report to the Accounts Payable Department for payment of the previous month's stipend-honorarium attendance payout.

ACCURACY OF RECORDS

To ensure accurate records, it is imperative that any changes to the volunteer membership (i.e. resignations and/or vacancies) be communicated immediately with the individual responsible for organizing the board or committee meetings.

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 12, 2019

RE: Taxi By-law No. 2016-63, as amended

Attached hereto is a request from the owners of Le Taxi, along with By-Law Officer, Robert Pilon's memorandum. My comments with respect to the matters contained in Le Taxi's letter and the By-Law Officer's memorandum are as follows:

Fare Increases:

The By-Law office is recommending an increase in both the drop rate and the per kilometer rate(s), based on a study of numerous other Municipal Taxi By-laws. His recommendation exceeds the request and I concur.

Vehicle Age Increase.

As indicated by the By-Law Officer, the 10-year requirement in our by-law is standard with other municipalities and this should not be changed. We currently receive numerous complaints regarding the alleged mechanical fitness and general aesthetics of Le Taxi's vehicles and I believe that permitting the vehicles to be older than 10 years will only exacerbate the current situation.

Temporary Driver Licenses

I concur with the By-law Officer; however, any amendment to the By-Law allowing temporary licenses to be issued should include a stipulated time frame in which the Vulnerable Sector search must be produced, failing which the license will be suspended.

Taxi License(s).

The current taxi by-law provides for a fixed number of taxi licenses based on a population ratio (1:1365). This formula was instituted at a time when there were multiple cab companies operating in West Nipissing. Over time, one (1) taxi company has acquired all the issued licenses and further, retains a first right of refusal to obtain any future licenses should they become available if the population increases. While I am in no way wishing to create hardship for anyone, I am requesting Council's permission to explore options to amend the current formula by which taxi licenses are issued. The current language precludes any other person or business from ever opening a new taxi business in West Nipissing, thereby creating a municipally sanctioned monopoly for one specific private sector business, in perpetuity.

Joie de vivre



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45. 1) Every Taxi Owner or Taxi Broker who fails to submit Taxicabs for examination by a mechanic, as required by this By-law, is guilty of an offence.
- 2) The Chief of Police may suspend the Taxicab licence and can issue a notice to have the Taxicab taken out of service, until the Taxicab is tested, inspected, and approved.
46. Subject to Section 42 of this By-law, when a licensed mechanic reports that a Taxicab is mechanically or otherwise defective or due to a major mechanical defect has failed an examination, the licence shall be suspended by the Chief of Police or designate, who can issue a notice to have the Taxicab taken out of service, and the Taxicab shall remain in their possession until such time as an approved and licensed mechanic certifies that all defects are corrected, and the Taxicab is issued a certificate.
47. Where a report is made under Section 46 of this By-law, the Taxi Owner or Taxi Broker shall be required to attend before Council to determine whether or not his licence should be suspended.
48. A copy of any deficiency notice given to a Taxi Owner or Taxi Broker, may be sent by ordinary prepaid mail, and shall be deemed to have been received (5) five days after being mailed.

PART V - FARES

49. Every Taxi Driver shall charge the rate or fare indicated in Schedule "B" of this By-law. The Taxi Driver shall ensure that the Tariff Card is visible to passengers within the Taxi.
50. The tariff in Schedule "B" shall not apply where the Taxi Owner or Taxi Broker is operating under a valid contract between the Taxi Owner or Taxi Broker and a recognized School Board which has been approved by the Chief of Police.
51. Limousines, as defined in 1 j(i), that are not operated under radio dispatch and Limousines engaged for service of a minimum of (4) four hours prior to the start of the trip, are exempt from this By-law.
52. When a passenger first enters a Taxicab, Taxi Drivers shall immediately place the taximeter in a recording position and the taximeter shall remain so throughout the trip. At time and place of discharge, the fare charged shall be as indicated on the taximeter and the taximeter placed in a non-recording position.
53. A Taxi Driver and passenger may, prior to the commencement of a trip, agree to a flat rate in the event a trip extends beyond the limits of the Municipality. In such cases however, the taximeter must be in the recording position for the duration of the trip. The agreed upon flat rate may be collected by the driver prior to the commencement of the trip.
54. No Taxi Owner or Taxi Driver shall make any charge under this By-law for:
- (a) lost time through defect or inefficiency of the Taxicab, or
 - (b) the incompetence of the Taxi Driver thereof, or
 - (c) standing time at a call, when the Taxicab attends in advance of the time requested by the caller.

PART VI - LIMITATIONS

55. 1) A limitation is imposed on the issuance of Taxicab Owner licences in the Municipality of West Nipissing:
- (a) at the ratio of one (1) licence for each 1365 residents of the Municipality; and
 - (b) in addition to the number determined in part (a) above, there shall be an additional 5 Taxicab Owner licences issued for vehicles that are wheelchair accessible, on the understanding that the said licences shall be issued to only an individual or to a corporation who is licensed in accordance with the provisions of this By-law, and who is approved by the Ontario Ministry of Transportation under the Wheelchair Accessible Taxi Demonstration Project.

- 2) The number of Taxicab Vehicle Owner licences shall be determined by the Clerk every four (4) years when official population statistics are provided by the Ontario Property Assessment Corporation during the year of a regular municipal election; and that when such a determination reveals that additional Taxicab Owner licences shall be issued based on the ratio of one licence for every 1365 residents of the Municipality, such additional licences shall be issued by the Clerk.
- 3) In order to regulate the distribution of available Taxicab Owner licences, the Clerk shall issue new Taxicab Owner licences only at such time as the formula referred to in Section 55 (1) permits the issuance of Taxicab Owners licences.
- 4) The Clerk shall maintain a Priority List of applications for Taxicab Owner licences, updated on a regular basis, in the order of the date on which they are received by him/her, and subject to Sub-Section (3), this list shall be used in determining the priorities for the issuance of all new Taxicab Owner licences.
- 5) (a) Only currently licensed Taxicab Owners, Brokers or Drivers may have their names included on the Taxicab Priority List, and they must maintain their qualifications as an owner, broker or driver at all times in order to have their name remain on the priority list and, effective September 30th of the same year, to remain on the Taxicab Owner Priority List:
 - (i) licensed Taxicab Drivers must annually complete and file with the Clerk, a Statutory Declaration stating that they were active in the West Nipissing Taxicab industry (i.e. driver, dispatcher, trainer) for an average or at least 35 hours per week during at least 40 weeks of the previous twelve month period;
 - (ii) licensed Taxicab Owners or Brokers must annually complete and file with the Clerk, a Statutory Declaration stating that they personally managed all of their licensed vehicles and did not give up custody or control of any of their vehicles throughout the previous twelve-month period except to drivers engaged by them on an individual shift basis;

except in those cases where a Taxicab Owner, Broker or Driver or has on account of illness, injury or other medical reasons, been unable to fulfill the obligations in above sub-sections (i) and (ii), in which case the Owner, Broker or Driver shall complete and file with the Clerk, a Statutory Declaration so stating;
- (b) The Clerk shall remove the name of a Taxicab Owner, Broker or Driver from the Taxicab Priority List immediately upon his or her death.
- 6) (a) Each newly licensed Taxicab Owner shall be required to place his or her Taxicab into operation within 30 days from the date of notification from the Clerk that the said licence has been granted.
- (b) Each newly licensed Taxicab Owner shall not lease or give up possession, custody or control of his Taxicab for a period of five years from the date of issuance from the Taxicab Priority List except to drivers engaged by him on an individual shift basis.
- 7) (a) Each and every Taxicab Owner shall maintain his or her Taxicab in operation on a permanent full-time basis.
- (b) Should any Taxicab Owner fail to maintain in operation any Taxicab under his ownership for a period in excess of 120 successive days, such Taxicab Owner licence shall be suspended or revoked by the Clerk.
- 8) Each Taxicab Owner or his designated agent shall maintain his Taxicab in operation for a period of not less than 120 days prior to offering the said Taxicab for transfer, except in the case of the death of a licensed Taxicab owner, in which case his or her Estate may immediately dispose of the Taxicab.
- 9) (a) Subject to the provisions of 9(b) below, in the case of the death of a licensed Taxicab Owner, the Taxicab Owner licence may continue in force under the control of the executors, legatee or residuary beneficiary of the deceased;



West Nipissing Ovest

Joie de vivre

The Corporation of the Municipality of West Nipissing
La Corporation de la Municipalité de Nipissing Ovest
101-225, rue Holditch Street, Sturgeon Falls, ON P2B 1T1

P/T (705) 753-2250 (1-800-263-5359)
F/TC (705) 753-3950

Date: June 18th, 2019

TO: Municipal Council
West Nipissing

Re: Increase to Taxi Rates and Age of Taxis

On June 17th, 2019 Mrs. Deforge (Le Taxi) submitted a request to the Municipality to increase Taxi Rates and to increase the age of taxis. I have completed a study of both issues and my hard data is attached as Appendix "A"

There is no doubt whatsoever that the users of the taxi services here in our community are those that are disadvantaged. Any increase directly affects those users. In addition, my findings contradict the stated rates in Le Taxi's request.

When addressing the age of taxis issue, the 10 year threshold is standard in most jurisdictions. In some places there is also a maximum mileage threshold. For that reason I believe we should maintain the 10 year stipulation in our Bylaw.

I understand that Le Taxi faces increased cost and that is why I recommend an increase to their fares. Additionally, Le Taxi received rate adjustment in June 2018 with the elimination of several Flat Rates.

I agree that Le Taxi could be issued "temporary" driver's certificates pending Vulnerable Sector Checks as long as valid Criminal Records checks are completed. This would, however require a bylaw amendment.

I must also point out that any changes to the taxi bylaw should eliminate the one company monopoly Le Taxi enjoys. Healthy competition would surely benefit our population.

Respectfully,

ROBERT PILON
By-Law Officer
Appendix "A"

Appendix "A"

	Drop Rate	Per KM Rate	Hourly Rate
West Nipissing	\$3.50	\$2.30	\$33.00
North Bay			
U-Need-A-Cab	4.80	2.49	39.40
50 Cab	4.70	2.49	40.13
Sudbury			
Aaron Taxi	4.00	2.63	45.00
City Taxi	4.00	2.63	46.00
Lockerby Taxi	4.00	2.63	40.00
Sault			
Cruz Cab	4.50	2.50	35.00
Elliot Lake			
Taxi Plus	3.25	3.00	30.00
Union Taxi	3.25	4.00	24.00
Kapuskasing			
Five Star Taxi	4.70	2.50	35.00
New Liskeard			
Tem. Shores Taxi	4.00	2.25	35.00
Kirkland Lake			
A1 Taxi	4.25	2.00	40.00
Co-op Taxi	4.25	1.80	40.00
Barrie	3.60	2.50	30.00
London	4.00	2.40	35.00
Toronto	4.00	2.50	34.00
Recommendation	4.00	2.50	35.00

RECEIVED

JUN 17 2019



LE TAXI

62 WILLIAM ST

STURGEON FALLS, ONT

P2B 2S3

To all Councillors, Melanie Ducharm, Mayor Joanne Savage

I'm writing this letter to ask for a meter raise and to review a few things in the Taxi By Law.

Right now as it stands we are at \$3.50 on the drop, \$33.00 an hour and \$2.30 a km and a 10 year By Law on the Vin of the vehicles. This Year we would like to raise only the drop rate from \$3.50 to \$3.90, we don't want to change anything else on the hour rate or the km and we would like to change the 10 years to 12 years on the Vin with this in place it would help us to save some money on Vehicles so that we don't have to increase on the hour rate or the time. We are asking this due to the increase of expenses when the Minimum wage went up \$11.40 to \$14.00 an hour, Insurances, Auto Parts, Hydro, Fuel, Etc. We called around in different city/ town to compare the rates, I have included in this letter a grid of the different prices there is, as you see we are very low in prices.

Once a Year we would like to be able to sit down with you all to see and discuss if we would need a raise or not.

For the Taxi By Law, We use to be regulated by the West Nipissing Police Services for our Criminal check, Vulnerable Sector Check then we would get approved by the Chief of Police then we would get a Certificate from the West Nipissing Municipality to drive this process would take 24 hrs to a week for the process, now that we are now regulated by the West Nipissing Municipality we have to go get our Vulnerable Sector Check at an Ontario Provincial police Department and that can take from 4 to 6 weeks and if the applicant needs to do finger prints it can take another 4 to 6 weeks if not longer. No one is going to wait this long for a Driving Job. We have called around to the Taxi Company's and they used to have the same problem but now they do a Regular Criminal Check if nothing major shows up they get a temporary Taxi Licence until the Vulnerable Sector Check comes in if everything is good a permanent Taxi Licence is issued. We at Le Taxi would like to see this being implemented to the Taxi By Law.

With the summer approaching fast it will be hard to get this all done in a timely manner, but I would like to solve the issue problem we are having with the Taxi Driver licences. We would like this dealt with as soon as possible.

Thank you for your time, for any questions or more information please call 705-753-9998 or my cell phone 705-493-0064

Sincerely Yours,

 Patricia Deforge (June 17/2019)

Patricia Deforge

Owner of

Le Taxi

CITY / TOWN	METER DROP RATE	TIME/ HOUR	DISTANCE
NORTH BAY	\$4.80	\$39.40	\$2.49/ K.M
SUDBURY	\$4.25	\$45.00	\$2.63/ K.M
KIRKLAND	\$4.25	\$40.00	\$3.00/ K.M
SAULT ST-MARIE	\$4.90	\$45.00	\$3.00/ K.M

MEMORANDUM

TO: Mayor and Council

FROM: Melanie Ducharme, Municipal Clerk/Planner

DATE: July 12, 2019

RE: Offer to Purchase Municipally owned property on Floral Street

The Municipality has received an expression of interest to purchase a vacant municipally owned lot on the east side of Floral Street facing the public works yard. The purchaser is offering the sum of \$20,000.00, based on the fact that there are currently no municipal services on the property. The prospective purchaser owns abutting lands and intends to use the lands strictly for storage. The lands are currently assessed at \$37,500.

It is staff's recommendation that should Council agree to declare the said lands surplus to the municipality that the new owner be required, as a condition of the sale, to re-zone the subject property to allow storage and Accessory Structures as Principal Uses. The West Nipissing Zoning By-law currently prohibits storage and accessory structures to be erected on residentially zoned property without an appurtenant dwelling.

Thank you,

Melanie

Joie de vivre

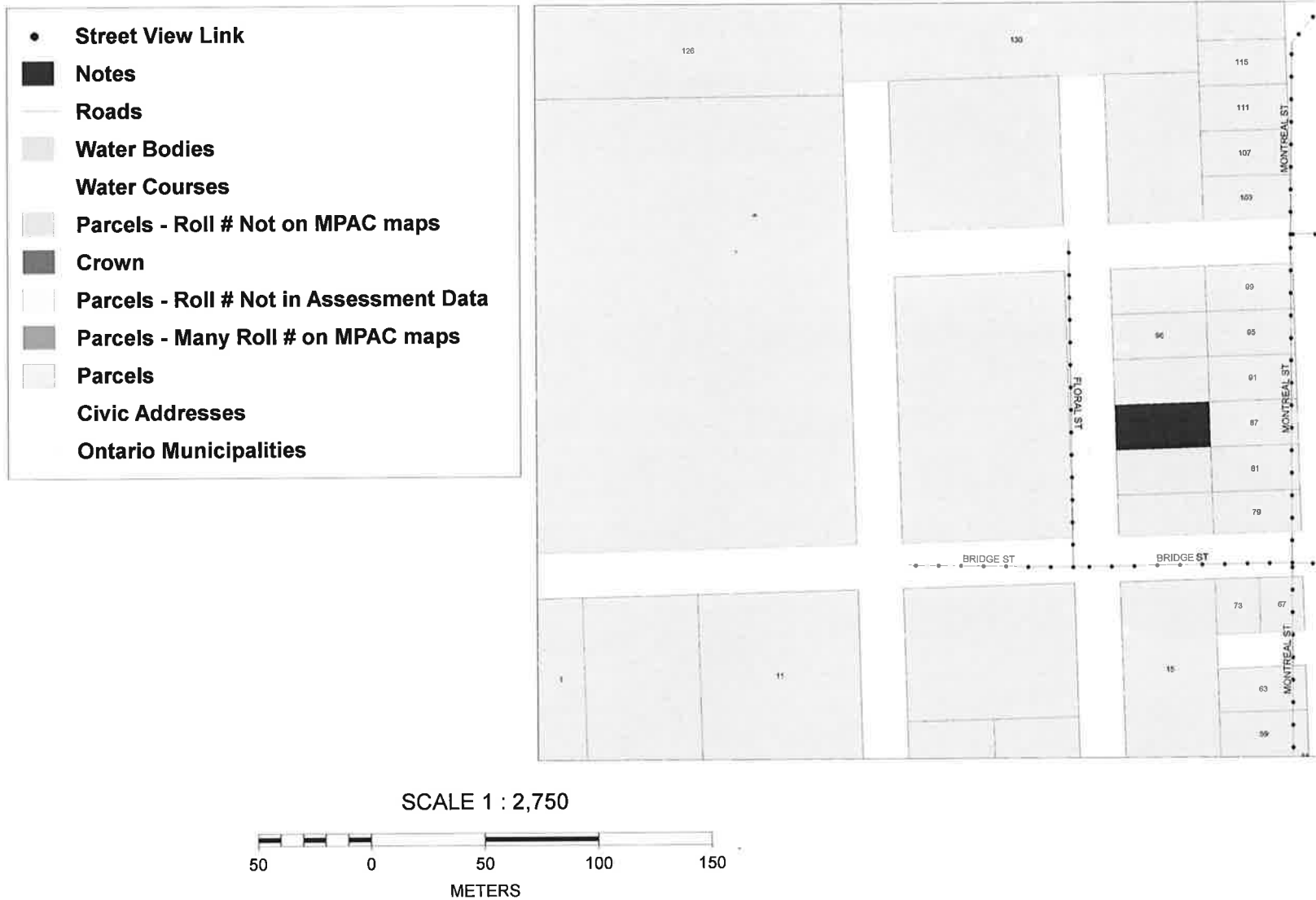


West Nipissing Ouest

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www.westnipissingouest.ca

Lot 20, E/S Floral Street, Sturgeon Falls





Street View of Property From Floral Street

MEMORANDUM

TO: Mayor and Council

FROM: Alisa Craddock CPA, CMA Director of Corporate Services/Treasurer

DATE: July 12, 2019

RE: **AED UNITS FROM WEST NIPISSING POLICE SERVICES**

We have six (6) portable AED units. All units have current batteries and self-diagnostic check is OK. One unit has expired pads.

We have received two separate requests from community groups to acquire a defibrillator from the surplus policing equipment. Additionally, Nipissing Paramedic Services has requested to borrow the defibrillators for the duration of the International Plowing Match.

I am seeking direction on disposal of AED's to community groups, after the International Plowing Match.

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West Nipissing Ouest

Joie de vivre

www.westnipissingouest.ca

Ministry of the Solicitor General

Office of the Fire Marshal and
Emergency Management

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tel: 647-329-1100
Fax: 647-329-1143

Ministère du Solliciteur général

Bureau du commissaire des incendies
et de la gestion des situations
d'urgence

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tél. : 647-329-1100
Télec. : 647-329-1143



June 24, 2019

Your Worship Joanne Savage
Municipality of West Nipissing
101 - 225 Holditch Street
Sturgeon Falls, ON P2B1T1

Dear Mayor:

It is the responsibility of municipalities to ensure they are in compliance with the Emergency Management and Civil Protection Act (EMCPA).

Based on our analysis of the information provided by your Community Emergency Management Coordinator (CEMC), we have determined that your municipality was not fully compliant with the mandatory emergency management program requirements of the EMCPA in 2018 for the following reasons:

- The Annual Exercise for the MCEG was not conducted or all members of the Municipal Emergency Control Group did not participate in the exercise (O.Reg.380/04 s. 12 (6))

The safety of your citizens is important, and one way to ensure that safety is to ensure that your municipality is prepared in case of an emergency. We acknowledge and congratulate you for the efforts you have made in the development of your emergency management program and for meeting a number of the requirements under the EMCPA. We look forward to working with you in 2019 to ensure that the challenges noted above are addressed, so that your municipality can be fully compliant with the requirements of the EMCPA.

If you have any questions or concerns about this letter, please contact your Emergency Management Field Officer.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Pegg", with a long horizontal flourish extending to the right.

Jon Pegg
Chief of Emergency Management

cc: Richard Maranda - CEMC
John Stothers - Field Officer - Lakes Sector

Ministry of the Solicitor General

Office of the Fire Marshal and
Emergency Management

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tel: 647-329-1100
Fax: 647-329-1143

Ministère du Solliciteur général

Bureau du commissaire des incendies
et de la gestion des situations
d'urgence

25 Morton Shulman Avenue
Toronto ON M3M 0B1
Tél. : 647-329-1100
Téléc. : 647-329-1143



Le 24 juin 2019

Son honneur Joanne Savage
Municipalité de West Nipissing
101 - 225, rue Holditch
Sturgeon Falls, ON P2B1T1

Madame la mairesse,
Monsieur le maire,

Il incombe aux municipalités de se conformer à la Loi sur la protection civile et la gestion des situations d'urgence (LPCGSU).

Après analyse des renseignements fournis par votre coordonnatrice ou coordonnateur communautaire de la gestion des situations d'urgence (CCGU), nous avons déterminé qu'en 2018, votre municipalité n'était pas totalement conforme aux exigences du programme de gestion des situations d'urgence de la LPCGSU :

- Le GMMSU n'a pas mené d'exercice annuel, ou celui-ci n'a pas été effectué par tous les membres (Règl. de l'Ont. 380/04, par. 12 (6))

La sécurité de vos résidents est essentielle, et elle sécurité passe notamment par la préparation de votre municipalité aux situations d'urgence. Nous vous félicitons d'avoir progressé dans l'élaboration du programme de gestion des situations d'urgence et respecté plusieurs exigences de la LPCGSU. Nous comptons collaborer avec vous en 2019 pour que les problèmes mentionnés plus haut soient réglés et que votre municipalité soit totalement conforme à la LPCGSU.

Si vous avez des questions, veuillez communiquer avec votre agente ou agent régional de gestion des situations d'urgence.

Veuillez agréer mes plus cordiales salutations.

A handwritten signature in black ink, appearing to read "Jon Pegg".

Jon Pegg
Chef de la gestion des situations d'urgence

c. c. Richard Maranda - CCGSU
John Stothers, agente régionale pour le secteur Lakes

WEST NIPISSING OUEST FIRE & EMERGENCY SERVICE D'INCENDIE & D'URGENCE

MUNICIPALITY OF WEST NIPISSING
225 HOLDITCH STREET, SUITE 104
STURGEON FALLS, ON P2B 1T1

Fire Chief Richard Maranda

(705) 753-1171 (705) 753-6935
(705) 845-0872 rmaranda@wnfs.ca



MUNICIPALITÉ DE NIPISSING OUEST
225 RUE HOLDITCH, UNITÉ 104
STURGEON FALLS, ON P2B 1T1

Chef de Pompier Richard Maranda

(705) 753-1171 (705) 753-6935
(705) 845-0872 rmaranda@wnfs.ca

July 10th, 2019

Council Members of the Municipality of West Nipissing
101 – 225 Holditch St.,
Sturgeon Falls, ON
P2B 1T1

Your Worship Joanne Savage and members of council,

Re: letter from the Office of the Fire Marshal and Emergency Management dated June 24th, 2019

This letter indicates that for 2018 the Municipality of West Nipissing did not meet the requirements of the Emergency Management and Civil Protection Act. The reason for the non-compliance was the Annual Exercise for the Municipal Emergency Control Group was not conducted or not all members of the Municipal Emergency Control Group did not participate in the exercise. Not all 10 members of the Municipal Emergency Control Group did attend at our meetings for last summer's Forest Fire Emergency situation.

Last year's meetings took place during the Forest Fire Emergency situation that were occurring in close proximity to our Municipality. As we were preparing to become a host community for the Municipality of French River, the MECG participated in a number of meetings that were considered as our annual exercise for 2018; unfortunately, not all members of the Municipal Emergency Control Group could participate.

In our newly revised Emergency Plan, the current MECG consists of seven members compared to ten making it attainable for all the members to convene.

Richard Maranda
Fire Chief

MEMORANDUM

TO: Mayor and Council

FROM: Alisa Craddock CPA, CMA Director of Corporate Services/Treasurer

DATE: July 12, 2019

RE: ONE TIME TOP-UP GAS TAX FUNDING

Federal Gas Tax

- Federal Budget 2019 provided for a one time \$2.2 billion top-up to the federal Gas Tax
- Top up is allocated into 3 streams
 - Productivity and economic growth
 - Strong cities and communities
 - Clean environment
- Municipalities were notified that the top-up would be at the 2018 contribution level
- 2019 Federal Budget received Royal Assent on June 21, 2019
- West Nipissing has received notification of an estimated top-up allocation of \$901,318.33
- Top-up funds are anticipated to be distributed on July 15, 2019
- Top-up funds are to be invested in accordance with our existing Gas Tax funding agreement
- There are significant internal and external capacity constraints that impact the ability to undertake new, unplanned infrastructure projects in 2019. However, Gas Tax funds can be carried over for up to 5 years
- There are two projects that have been identified as critical and that are less impacted by internal capacity constraints
 - Expansion of the second phase of Sturgeon Falls landfill site. Investigation and planning is still on-going. Anticipated costs of \$250,000 to \$400,000
 - Rehabilitation of Cache Bay Road from the bridge to Pine Street. Anticipated costs of \$150,000 to \$250,000

Five-year capital plans will be presented to Council at a future Council meeting. I am asking for Council's consideration on the two projects listed above and that the remaining balance of the top-up fund be allocated to future projects and be considered as part of our five year plans.

Joie de vivre



www.westnipissingouest.ca

SCHEDULE "B" OF BY-LAW 2019/24



AGENDA ITEM REQUEST FORM

PLEASE PRINT CLEARLY:

Requested Council Meeting Date:	THE COUNCIL MEETING OF JULY 16 TH 2019		
Name of Requestor:	YUON DUHAINE	Date submitted:	
Address:	Full mailing address: 2-200 Main ST STURGEON FALLS		
Phone:	Home: 705-494-6439	Business / Cell: —	Fax:
E-Mail:	yduhaine@eastlink.ca		
Requested Agenda Item/Subject:	THE EXTRAS GAS TAX HOW MUCH?		
Additional details / background information:	<input type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately WHERE DO WE SPEND IT		
<p>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</p> <p>HOW MUCH DID WE RECEIVED AND TO DISCUSS WITH COUNCIL HOW IT SHOULD BE SPENT & WHERE?</p>			

ADMINISTRATIVE APPROVAL

STEP 1 →

Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.

Signature of CAO or designate:

Date:

MUNICIPAL OFFICE USE

STEP 2 →


This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.

Date Received:	JUNE 18, 2019	Received from:	C.A.O.
Meeting Date Requested:	JULY 16, 2019	Mode of Notification:	<input checked="" type="checkbox"/> in person <input type="checkbox"/> by telephone <input type="checkbox"/> by e-mail <input type="checkbox"/> other:
Processing of request:	<input type="checkbox"/> Information only <input checked="" type="checkbox"/> Report Required <input type="checkbox"/> Action Item <input type="checkbox"/> Public Hearing <input checked="" type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Closed Session		

APPROVED FOR AGENDA:

Scheduled for (date):	<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)
Action Taken:	
Notes / Comments:	

SCHEDULE "B" OF BY-LAW 2019/24

 AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:	July 5, 2019		
Name of Requestor:	Joanne Savage Mayor	Date submitted: July 16, 2019	
Address:	* Full mailing address:		
Phone:	Home:	Business / Cell: 705 498 0819	Fax:
E-Mail:			
Requested Agenda Item/Subject:	Update Capital projects and options of extra gas tax funding		
Additional details / background information: <input checked="" type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately <i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i> Update of projects. Public works and Community Services Project Recommendations / options for the extra gas tax funds			
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:	JULY 5, 2019	Received from:	S. POULIN
Meeting Date Requested:	JULY 16, 2019	Mode of Notification:	<input type="checkbox"/> in person <input type="checkbox"/> by telephone <input checked="" type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):			<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			


Capital Budget · July Update

Public Works · Capital Projects and Infrastructure

Project	Status	Estimated Start	Budget	YTD Costs	Notes
Road Maintenance					
Asphalt Resurfacing	In Progress	August 2019	646,218		Pulverizing completed, ditching and culvert re scheduled to be completed in August
Asphalt Patching	Scheduled	August 2019	45,000		Cache Bay scheduled for August, John & King
Granular Resurfacing	Completed		563,500		Olivier waiting on IPM funding
Brushing & Ditching	Bids received		634,600		Cache Bay Road scheduled to be completed b Road delayed until after tourist season, rema completed by October 1
Rail crossings	Hold	To be determined	40,000		Waiting on OVR schedule
Sidewalks					
Trip Hazards	Scheduled	August 2019	35,000		
Bridges & Culverts					
Large diameter culverts	Scheduled		64,400		Roberts is scheduled, quotes requested for D
Nature's Trail	Hold		400,000		Working with EXP on alternatives and pricing
Champlain Bridge Inspection	Hold		110,000		Applied for Connecting Link Funding, waiting
Traffic Lights					
Highway 17	Hold		20,000		Applied for Connecting Link Funding, waiting
Facilities					
Verner Garage	Hold		250,000		Postponed and scheduled for 2020 capital
Verner Yard Gate	Completed		3,700	3,765	
			2,812,418	3,765	



SCHEDULE "B" OF BY-LAW 2019/24

 AGENDA ITEM REQUEST FORM			
PLEASE PRINT CLEARLY:			
Requested Council Meeting Date:	May 14th 2019		
Name of Requestor:	Jeremy Séguin	Date submitted: May 6th 2019	
Address:	Full mailing address: 3 Laurier Street, Verner, ON		
Phone:	Home: 705-618-1815	Business / Cell:	Fax:
E-Mail:	Jseguin@westnipissing.ca		
Requested Agenda Item/Subject:	Lighting on the church cross - Verner		
Additional details / background information: <input type="checkbox"/> see below <input type="checkbox"/> Supporting documents attached separately <i>Please attach/include pertinent information to support this item. This will assist staff in conducting any research or obtaining background information; which may be required to make an informed decision in the best interest of the municipality.</i> Historically, the cross that sits upon the church in Verner was lit. This ensured that anyone coming into the Verner area was able to see the highest peak of our community from afar. It is proposed that the municipality places two LED lights on posts, pointing towards the cross. Le Club d'Amitié is willing and able to sign a contract to pay for the hydro costs.			
ADMINISTRATIVE APPROVAL			
STEP 1 → Submit your completed form to the CAO or designate for required review and approval. Every effort will be made to accommodate requests however the complexity of subject may require the matter to be heard on another date other than the original date requested and the requestor will be notified.			
Signature of CAO or designate:		Date:	
MUNICIPAL OFFICE USE			
STEP 2 → This form must be returned to the Clerk's office no later than 12 noon on the Wednesday preceding the Council Meeting at which the item is to be considered, subject to CAO approval and scheduling.			
Date Received:	June 10 th , 2019	Received from:	J. Séguin
Meeting Date Requested:	June 18 th , 2019	Mode of Notification:	<input type="checkbox"/> in person <input type="checkbox"/> by telephone <input checked="" type="checkbox"/> by e-mail <input type="checkbox"/> other: _____
Processing of request:	<input type="checkbox"/> Information only <input type="checkbox"/> Action Item <input checked="" type="checkbox"/> Discussion/Action Item <input type="checkbox"/> Report Required <input type="checkbox"/> Public Hearing <input type="checkbox"/> Closed Session		
APPROVED FOR AGENDA:			
Scheduled for (date):			<input type="checkbox"/> Regular meeting <input type="checkbox"/> Committee of Whole meeting
Requestor Notification:	The above requestor _____ was notified on _____ (date)		
Action Taken:			
Notes / Comments:			

MEMORANDUM

TO: Mayor and Council

FROM: Stephan Poulin, Director of Economic Development and Community Services

DATE: July 12, 2019

RE: **WEST NIPISSING CHILD CARE CORPORATION LEASE RENEWAL AT VERNER MUNICIPAL BUILDING**

Since 2004, the West Nipissing Child Care Corporation has occupied space at the Verner Municipal building to offer daytime programs available to the public. The lease needs to be re-negotiated and the tenant is also looking at other options. Part of their decision will be based on operating costs, which includes monthly rent.

The WN Child Care Corporation is funded through DNSSAB. They occupy 780 sq ft in our building and pay a monthly rent of \$300 (incl. HST) or \$265.49 net. This amounts to a lease rate of \$4.09 per sq. ft.

We are seeking direction from council regarding the following lease renewal options based on a 5 year renewal term;

- 1) monthly rent of \$300 per month plus HST (\$4.62 per sq. ft.)
- 2) increase the monthly rent to \$500 per month plus HST (\$7.70 per sq. ft.)
- 3) set rent at market rate to \$975 per month plus HST (\$15 per sq. ft.)

Joie de vivre



www.westnipissingouest.ca

MEMORANDUM

TO: Mayor and Council

FROM: Stephan Poulin, Director of Economic Development and Community Services

DATE: July 12, 2019

RE: **COMMUNITY SERVICES CAPITAL PROJECTS – PROPOSED CHANGES**

Both the Verner municipal administration building repairs and the downtown lamp post projects are projected to be over budget and we are seeking councils approval to amend the approved 2019 list of capital projects and related budget.

For your review, both the approved 2019 list of capital projects and the proposed revised list is includes. A detailed account of each project will be provided to Council on Tuesday as part of the Community Services capital projects update.

Joie de vivre



West Nipissing Ovest

Joie de vivre

www.westnipissingouest.ca

Community Services

REVISED List of 2019 Capital Projects (proposed)

Project	Status	Approved Budget	Variance	Rev Bu
Stats Can Lobby and Washroom Renos	Completed	130,000	-12,278	117
Town Hall Elevator Refurbishment	On-going	110,000		110
Verner Administration Building Repairs	On-going/Modify	225,000	47,000	272
Richelieu Park Bldg Demolition	On-going	22,000		22
Sturgeon Falls Arena Chiller Upgrade	On-going	175,000		175
Rec. Centre Pool Entrance Bldg. Repairs	Cancel/Modify	210,000	-175,000	35
Rec. Centre Laneway Paving	On-going	32,000		32
Building Condition Assessments	On-going	100,000		100
Playground – Verner	On-going	50,000		50
Downtown Lamp Posts	On-going/Modify	95,000	54,000	149
Field Outdoor Rink Cover	On-going	45,000		45
		1,194,000	-86,278	1,107

Capital Budget · July Update

Community Services · Capital Facilities

Project	Status	Estimated Start	Budget	YTD Costs	Notes
Facilities					
Stats Can Lobby and Washroom Renos	Completed		130,000	117,722	
Town Hall Elevator Refurbishment	Proposal Received	August 2019	110,000	3,443	
Verner Administrative Building repairs	In Progress		225,000	32,655	
Richelieu Park Building Demolition	Design/Draft	September 2019	22,000		RFP under review
Sturgeon Falls Arena Chiller Upgrade	In Progress	July 2019	175,000		
Rec. Centre Pool Entrance / Building Repairs	Design/Draft	September 2019	210,000		Design being prepared
Rec. Centre / Coursol Laneway paving	In Progress	August 2019	32,000		
Assessment Review/Design					
Facility Assessment	Design/Draft	August 2019	100,000		RFP under review
Outdoor Space					
Playground Upgrades	In Progress	August 2019	50,000		Equipment ordered
Special Projects					
Downtown Revitalization	Proposal Received	July 2019	95,000	3,317	Project under review
Field Outdoor Rink Cover	Application Submitted	To be determined	45,000		
			1,194,000	157,137	

