



# AGENDA

Corporation of the Town of Kirkland Lake  
Regular Meeting of Council  
Council Chambers  
December 1, 2020  
4:40 p.m.

1. **Call to Order and Moment of Silence**

2. **Swearing In of Newly Appointed Councillor**

3. **Approval of the Agenda**

***BE IT RESOLVED THAT** the Agenda for the Regular Meeting of Council held on December 1, 2020 beginning at 4:40 p.m. be approved as circulated to all Members of Council.*

4. **Declaration of Pecuniary Interest**

5. **Petitions and Delegations**

5.1 **WSCS – Service Delivery Review**

***BE IT RESOLVED THAT** the presentation from WSCS be received.*

6. **Acceptance of Minutes and Recommendations**

***BE IT RESOLVED THAT** Council approve the minutes of the following meetings:*

- *Minutes of the Regular Meeting of Council held November 17, 2020, and*

***THAT** Council accept the minutes from the following committee meetings:*

- *Minutes of the Museum Advisory Committee Meeting held October 28, 2020*

7. **Reports of Municipal Officers and Communications**

7.1 **Team Northern Throttle Drag Races – 2021 Season**  
**Richard Charbonneau, Waste Management Manager**

***BE IT RESOLVED THAT** Report Number 2020-DEV-061 entitled “**Team Northern Throttle Drag Races – 2021 Season**”, be received,*

***THAT** Council approve the request from Team Northern Throttle to utilize the Goodfish snow dump to host two (2) snow drag events on the weekends of January 15<sup>th</sup> to 17<sup>th</sup>, 2021 inclusively and March 5<sup>th</sup> to 7<sup>th</sup>, 2021 inclusively, and*

**PLEASE NOTE:** All items on this Agenda are for Council's consideration and will be voted on at the meeting.

*THAT Council approve the request from Team Northern Throttle to utilize the Airport from June 23<sup>rd</sup> to 28<sup>th</sup>, 2021 inclusively.*

7.2 Draft Consent Application No. 54-C-201411: Bodick, Lebel Township  
Ashley Bilodeau, Director of Development Services

**BE IT RESOLVED THAT** Report Number 2020-DEV-060 entitled “**Draft Consent Application No. 54-C-201411: Bodick, Lebel Township**”, be received,

*THAT staff be directed to respond to the Ministry of Municipal Affairs and Housing on behalf of the Town of Kirkland Lake to advise the Ministry that the Town opposes any new development in unorganized townships as it contravenes the PPS and until such time as the following recommendation is addressed:*

1. *THAT the Province conduct a comprehensive review to determine whether development in the unorganized townships places an undue strain on public service facilities and infrastructure of surrounding municipalities, and*

*THAT staff be directed to and provided with delegated authority to respond in the same manner on all future consent applications forwarded to the Town of Kirkland Lake for comment from the Ministry of Municipal Affairs and Housing, until such time as the Province has conducted a comprehensive review.*

7.3 Request to Purchase – 3 McKelvie  
Ashley Bilodeau, Director of Development Services

**BE IT RESOLVED THAT** Report Number 2020-DEV-059 entitled “**Request to Purchase - 3 McKelvie Avenue**”, be received, and

*THAT Council hereby approves the sale of 3 McKelvie Avenue to Jerome Maritim for a sale price of \$10,000, and*

*THAT an authorizing By-law be presented to Council to permit the Town of Kirkland Lake to enter into an agreement of purchase and sale to sell 3 McKelvie Avenue to Jerome Maritim.*

7.4 Request to Lease a Portion of Laneway Adjacent to 11 Dixon Avenue  
Ashley Bilodeau, Director of Development Services

**BE IT RESOLVED THAT** Report Number 2020-DEV-061 entitled “**Request to Lease a Portion of Laneway Adjacent to 11 Dixon Avenue**”, be received, and

*THAT Council authorize the Town of Kirkland Lake to enter into a lease agreement with the owners of 11 Dixon Avenue.*

- 7.5 RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant  
Michel Riberdy, Director of Public Works

**BE IT RESOLVED THAT** Report Number 2020-PW-010 entitled “**RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant**”, be received,

**THAT** Council hereby cancels RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant Tender that closed on November 5, 2020, and

**THAT** staff be directed to re-tender RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant after an engineering review.

- 7.6 Name of Community Complex  
Bonnie Sackrider, Director of Community Services

**BE IT RESOLVED THAT** Report Number 2020-CS-009 entitled “Name of Community Complex”, be received, and

**THAT** the Community Complex shall hereby, and from this point forward be officially recognized and referred to at all times as the “**Joe Mavrinac Community Complex**”, and

**THAT** staff be directed to place \$20,000.00 in the 2021 Proposed Capital Budget for consideration during budget deliberations to procure and erect a new sign at the Joe Mavrinac Community Complex.

- 7.7 Community Grants Policy  
Bonnie Sackrider, Director of Community Services

**BE IT RESOLVED THAT** Memorandum Number 2020-CS-002 entitled “**Community Grants Policy**”, be received,

**THAT** the Community Grants Policy is hereby approved, and

**THAT** staff be directed to insert the Community Grants Policy into the Corporate Policy Manual.

7.8 Flag, Banner and Announcements Protocols Policy  
Bonnie Sackrider, Director of Community Services

**BE IT RESOLVED THAT** Memorandum Number 2020-CS-001 entitled “**Flag, Banner and Announcements Protocols Policy**”, be received,

*THAT the Flag, Banner and Announcements Protocols Policy is hereby approved, and*

*THAT staff be directed to insert the Flag, Banner and Announcements Protocols Policy into the Corporate Policy Manual.*

7.9 Signing Authority Policy  
Keith Gorman, Director of Corporate Services

**BE IT RESOLVED THAT** Memorandum Number 2020-FIN-009 entitled “**Signing Authority Policy**”, be received,

*THAT the Signing Authority Policy is hereby approved, and*

*THAT staff be directed to insert the updated Signing Authority Policy into the Corporate Policy Manual.*

7.10 Supporting Bill 226 – The Broadband is an Essential Service Act  
Meagan Elliott, Clerk

**BE IT RESOLVED THAT** Memorandum Number 2020-CLK-009 entitled “**Supporting Bill 226 – The Broadband is an Essential Service Act**” be received,

*THAT Council for the Corporation of the Town of Kirkland Lake supports Bill 226 - The Broadband is and Essential Service Act, and*

*THAT staff be directed to forward this motion of support to the Premier of Ontario, MPP John Vanthof and surrounding municipalities.*

8. Consideration of Notices of Motion

9. Introduction, Reading and Consideration of By-Laws

By-Law 20-089            Being a by-law to authorize the Mayor and Clerk to execute documents related to the sale of 3 McKelvie Avenue to Jerome Maritim

**BE IT RESOLVED THAT** the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

***By-law Number 20-089, being a by-law to authorize the Mayor and Clerk to execute documents related to the sale of 3 McKelvie Avenue to Jerome Maritim***

By-Law 20-090            Being a by-law to repeal by-laws enacting policies

***BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;***

***By-law Number 20-090, being a by-law to repeal by-laws enacting policies***

By-Law 20-091            Being a by-law to authorize the Mayor and Clerk to execute an agreement with Call2Recycle Canada Inc. for the collection of used consumer-type portable batteries

***BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;***

***By-law Number 20-091, being a by-law to authorize the Mayor and Clerk to execute an agreement with Call2Recycle Canada Inc. for the collection of used consumer-type portable batteries***

By-Law 20-092            Being a by-law to authorize the Mayor and Clerk to execute documents related to a lease agreement with Michael and Glenna Johnston for a portion of laneway adjacent to 11 Dixon Avenue

***BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;***

***By-law Number 20-092, being a by-law to authorize the Mayor and Clerk to execute documents related to a lease agreement with Michael and Glenna Johnston for a portion of laneway adjacent to 11 Dixon Avenue***

**10. Questions from Council to Staff**

**11. Notice(s) of Motion**

**12. Councillor's Reports**

12.1 Councillor Updates

***BE IT RESOLVED THAT the verbal updates from members of Council be received.***

**13. Additional Information**

**14. Closed Session**

***BE IT RESOLVED THAT*** Council move into a Closed Session pursuant to Section 239(2) to discuss 1 labour relation matter, 1 land disposition matter and 1 matter that involves the security of property, potential litigation, identifiable individuals, a position, plan or procedure to be applied to negotiations carried on behalf of the municipality, pending acquisition or disposition of land, and technical information supplied in confidence to the municipality.

14.1 Minutes of the Closed Session of Council held November 17, 2020

14.2 CUPE 26 Negotiations - Update  
Kassandra Young, Human Resources Supervisor

14.3 Request to Purchase – Heritage North  
Ashley Bilodeau, Director of Development Services

14.4 WSCS Service Delivery Review  
Ric McGee, CAO

**15. Matters from Closed Session**

**16. Confirmation By-Law**

By-law 20-093                      Being a by-law to confirm the proceedings of Council at its meeting held December 1, 2020

***BE IT RESOLVED THAT*** the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

***By-law Number 20-093, being a by-law to confirm the proceedings of Council at its meeting held December 1, 2020.***

**17. Adjournment**

***BE IT RESOLVED THAT*** Council adjourn the December 1, 2020 Regular Meeting of Council.

# Town of Kirkland Lake Service Delivery Reviews

Draft Final Report -November 30, 2020

## Information Technology



## Facilities

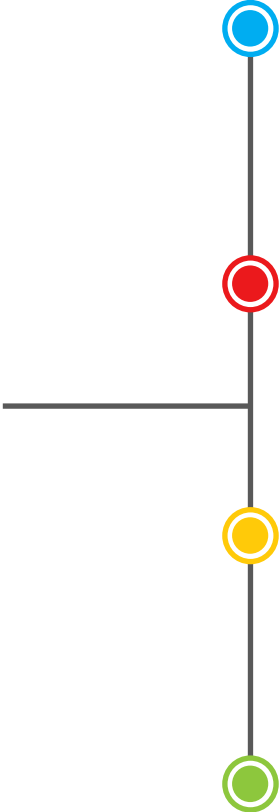


Winter Control & Fleet



Museum of Northern History

# Overview



The Project and our Approach



Findings



Preliminary Recommendations



Next Steps



# Service Delivery Review Objectives and Context

## Service Delivery Review (SDR)

- Answer the 10 Crucial Questions for SDRs as outline in the Guide;
- Improve service and outcomes;
- Meet new or increased demand from customers for services;
- Improve service delivery mechanisms and processes
- Maintain existing service levels in the face of competing priorities or decreasing revenues;
- Reduce costs; and/or improve revenues; and
- Analyze possible alternatives to service delivery model

## Strategic Priorities

- 1. Achieve Sustainable Operational Excellence**
  - Aim for Financial Sustainability
  - Better Management of Capital Assets
  - Find & Implement Efficiencies
  - Improved Communications
  - Policy Development & Implementation
- 2. Build the Team**
  - Eliminate the Gaps
  - Improve Accountability
  - Council Initiatives for Success
  - Improving Staff Accountability to Each Other
- 3. Outstanding Service**
  - Implement Sustainable Service Delivery
  - Develop Better Communications & Enhanced Openness and Transparency
  - Improving Staff Accountability to Each Other
- 4. Promote Economic Growth**
  - Invest in KL
  - Reduce Competition with Private Sector



## Recommendations

10

# CRUCIAL

## Questions

### Service Delivery Review

01



Do we REALLY need to be in this business?

02



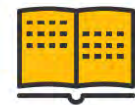
What do Citizens EXPECT of the Services?

03



How Does Current Performance Compare to EXPECTED PERFORMANCE?

04



Do the things we are doing (activities) lead to the RESULTS we are Trying to Achieve?

05



How is the DEMAND for services being managed?

06



Are services and the required assets SUSTAINABLE in the long term?

07



Can the Benefits or OUTCOMES be increased?

08



Can services be delivered more EFFICIENTLY through lower costs or resources?

09



Are there ALTERNATIVE Ways to deliver the service?

10



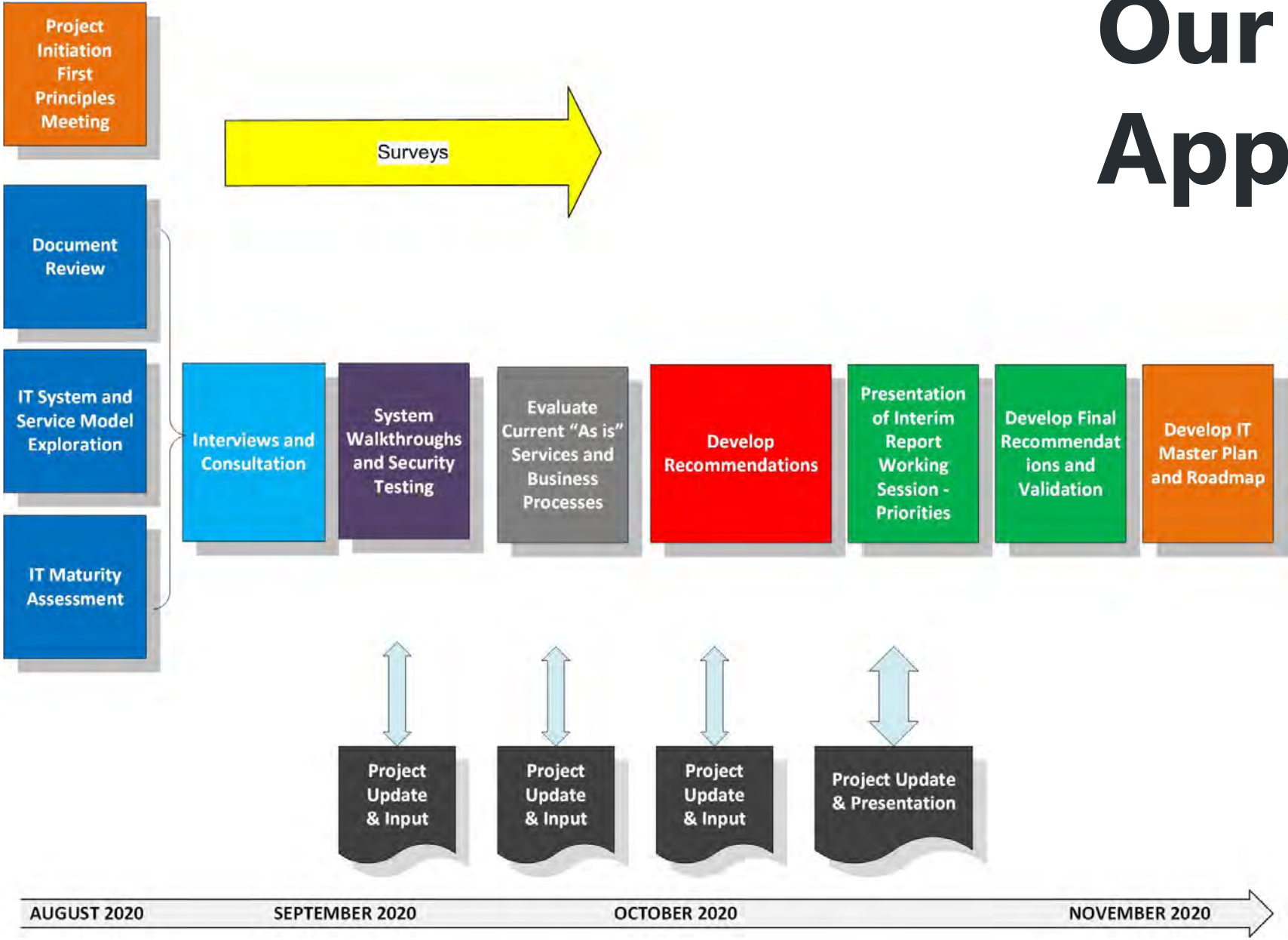
How can a service CHANGE best be managed, implemented and communicated?



<p><b>Improved Services and Outcomes - Customer focused services &amp; delivery</b>          Outcome: Improved Customer Satisfaction, Reduced Costs</p>	<p><b>Improve Service Delivery Mechanisms through Greater operational integration</b>          Outcome: "Better decision Making and management"</p>	<p><b>Reduced Cost - Greater Economy, Alternative Service Delivery Models</b>          Outcome: "Reduced Costs and Improved Services"</p>
<p><b>Improved Processes, efficiency and productivity</b>          Outcome: Reduced Waste and Improved controls = Good Management</p>	<p><b>Meet New or Increased Demand from Customers</b>          Outcome: Economic Development, Immigration, Growth</p>	<p><b>Increased Revenues</b>          Outcome: Fiscal Sustainability, Flexibility and reduced vulnerability</p>

**Service Delivery Reviews – Keys to Success**

# Our Approach

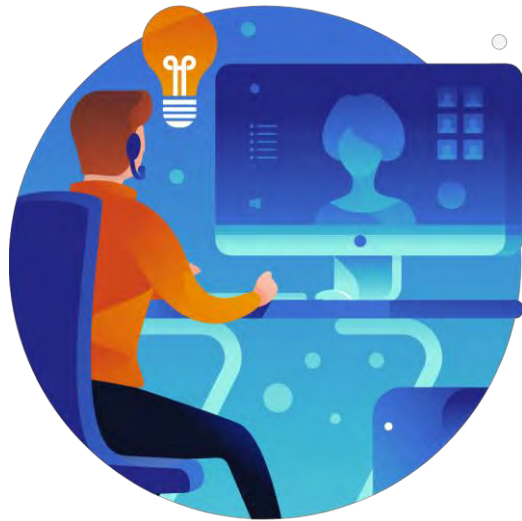


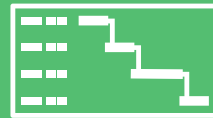
# Service Delivery – Limitations Experienced in these Projects

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While we had difficulty retrieving information we required, we recognize that many managers and staff have not been in their positions for a long period of time. These limitations are likely systemic and not a reflection of the current management. We highlight them due to the inability to make evidence based recommendations that we had planned to provide in these reports. Hence, an overarching recommendation is to develop this information over time and change the way that documentation is gathered and analyzed.

- Traffic counts, speed limits and winter control routes were not available – total number of kilometers including laneways were provided November 29<sup>th</sup>
- Length of time to receive information – which was disjointed, contradictory and inconsistent between departments – likely that it was not available or would take significant time to retrieve
- Interviews provided conflicting information and not supported by data
- Information is primarily paper based or not available and therefore unavailable without significant amount of manual labour on the part of KL staff
- Some information was not received – perhaps not available including labour, equipment hours by job, year and asset
- Square footage of buildings was not available for all buildings. Property information and details was not complete.
- Age and in service dates of buildings and equipment was contradictory between data received from Finance and departments
- Detailed information of repairs, maintenance, jobs, work orders, capital performed on assets and equipment was unavailable – therefore, actual costs of service was not determinable
- Condition of equipment and some buildings was anecdotal and inconsistent with data and interviews
- Assigned equipment and staffing lists were incomplete.
- Ontario Heritage Foundation did not provide information requested
- Key Performance Indicators were not available for many areas.





# The Project

# The Importance of an IT Strategy

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IT is a Key Tool for the Town's Success.

The Questions to consider are:

- Is the Town doing the right things with technology?
- Is the Town making the right technology investments?
- Is the Information technology environment properly managed, maintained, secured, and able to support the clients?
- Is it cost effective?
- What are the Town's future business needs?
- Is our technology environment equipped to meet current and future business needs?



# About the Town's IT Services

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- Information Technology is part of the Corporate Services Department
- 1 IT Coordinator
- Network Managed by Kirkland Lake District Hospital

# Tangible Capital Assets – IT – Initial Cost and Net Book Value

Row Labels	Count of Asset ID	Sum of Initial Value	Sum of Ending Value
<b>IT</b>	<b>111</b>	<b>\$ 1,016,661.00</b>	<b>\$ 122,685.00</b>
AV	1	\$ 34,970.00	\$ -
Camera system	2	\$ 21,559.00	\$ -
Communication System	1	\$ 16,567.00	\$ 3,313.00
Computer	48	\$ 70,438.00	\$ 14,611.00
Firewall	1	\$ 7,255.00	\$ 6,529.00
General	1	\$ 24,632.00	\$ -
Other	8	\$ 171,884.00	\$ 14,792.00
Phone System	5	\$ 87,236.00	\$ 21,941.00
Photocopier	4	\$ 45,504.00	\$ 3,993.00
Printer	12	\$ 15,957.00	\$ -
SCADA	1	\$ 18,216.00	\$ 16,395.00
Server	10	\$ 151,606.00	\$ 20,438.00
Software	9	\$ 242,654.00	\$ 15,520.00
Storage	1	\$ 5,424.00	\$ 5,153.00
Switch	2	\$ 2,546.00	\$ -
WIFI	5	\$ 100,213.00	\$ -
<b>Grand Total</b>	<b>111</b>	<b>\$ 1,016,661.00</b>	<b>\$ 122,685.00</b>

# Quote from the Town's 2020 Budget IT Requirements- Outdated Hardware

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- *"12 workstations are in need of replacement due to their age.*
- *The cost to replace each workstation depends on the position's requirements but ranges between \$980 to \$2430. These workstations vary in age between 7 to 9 years.*
- ***The recommended age to replace computers is typically 3-5 years.***
- *There are also 13 less dated machines running Windows 7 that require an extension in support for security reasons as Windows 7 is no longer supported by Microsoft but can be through the purchase of extended support for \$80/machine." **THIS IS A SECURITY RISK.***

# Town Software Inventory

Software	Web/Local	Department	License or Maintenance	Duration	Supplier
Adobe Acrobat Reader DC	Local	All	No	Free	Adobe
AccuPOS	Local	Museum	Yes	Yearly	AccuPOS
ActiveNet	Web	Complex	Yes	Yearly	ActiveNet
Accuity Controls Sensorview	Local	Complex	No	Perpetual	Wallwin Electric
Avaya IP Office	Local	MIS	Yes	Yearly	NorthernTel
Caseware	Server (APP08)	Treasury	Yes	Yearly	Caseware
CGIS	Web	All	Yes	Yearly	CGIS
Cisco AnyConnect	Local	All	Yes	Yearly	CDW
DeepFreeze	Local	Library	No	Perpetual	
Desktop Authority	Server (SLOGIC)	All	Yes	Yearly	Quest
FirePro II	Server (APP04)	Fire Hall	Yes	Yearly	FirePro
McAfee	Server (EPO01)	All	Yes	Yearly	CDW
MS Exchange	Server (EMAIL05)	All	No	Perpetual	CDW
MS Office	Local	All	Yes	Per PC. Perpetual.	CDW
oneMAR	Web	TPR	Yes	Yearly	Catalyst
PastPerfect	Server (MUSEUM)	Museum	Yes	Yearly	PastPerfect
Point Click Care	Web	TPR	Yes	Yearly	Point Click Care
PDF Architect 7	Local/Web	Treasury	Yes	Yearly	PDF Forge
PDF Fill	Local	All	No	Free	PDF Fill
Symantec Mail Security	Server (EMAIL05)	All	Yes	Yearly	CDW
TightVNC	Local	All	No	Free	TightVNC
Vadim	Server (VADIM/TOHSQL)	All	Yes	Yearly	CentralSquare

# Town Cell Phone Inventory

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Equipments	
Phone type	Number of users
iPhone	8
PDA-Smartphone	6
Phones	67
Sim	2
Turbo Hub	1

Upgrades		
Year	Number of users	EHUG fees
2021	3	\$390.00
2022	3	\$810.00
Eligible	78	\$0.00

# Service Delivery – KDH Contract – 2014

- KDH provides ongoing network and server monitoring

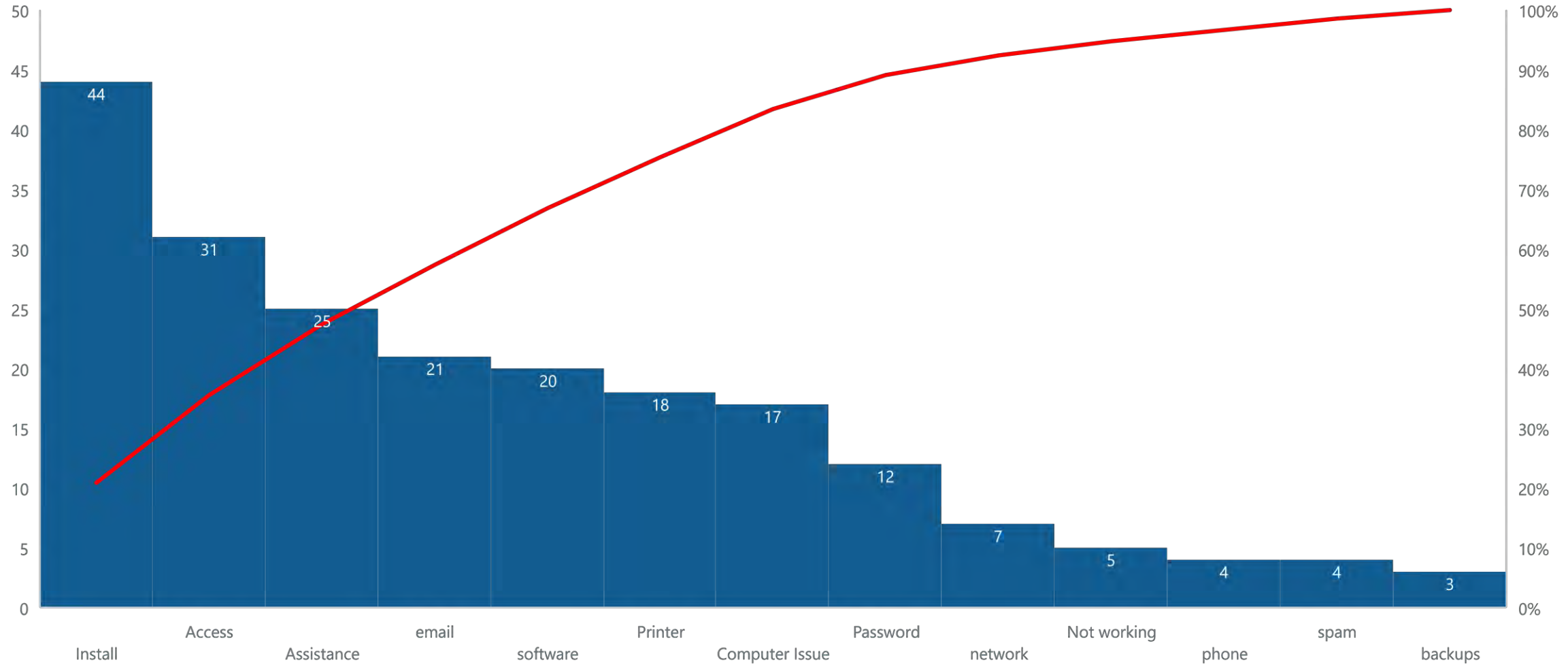
		Estimated	Estimated	Estimated	Estimated	Estimated	Estimated
Year	2014	2015	2016	2017	2018	2019	2020
Estimated COLA Percentage		2%	2%	2%	2%	2%	2%
Estimated COLA rate	\$ 44.00	\$ 44.88	\$ 45.78	\$ 46.69	\$ 47.63	\$ 48.58	\$ 49.55
Hours	960	960	960	960	960	960	960
Yearly Contract price	\$ 42,240.00	\$ 43,084.80	\$ 43,946.50	\$ 44,825.43	\$ 45,721.93	\$ 46,636.37	\$ 47,569.10
<b>CONTRACTUAL SERVICES GL FROM TOWN</b>		\$ 42,671.00	\$ 43,405.00	\$ 43,085.00	\$ 43,548.00	\$ 39,494.00	\$ 54,600.00



# SERVICE DELIVERY INDICATORS

# Number of IT Tickets

IT Tickets  
July-October 2020



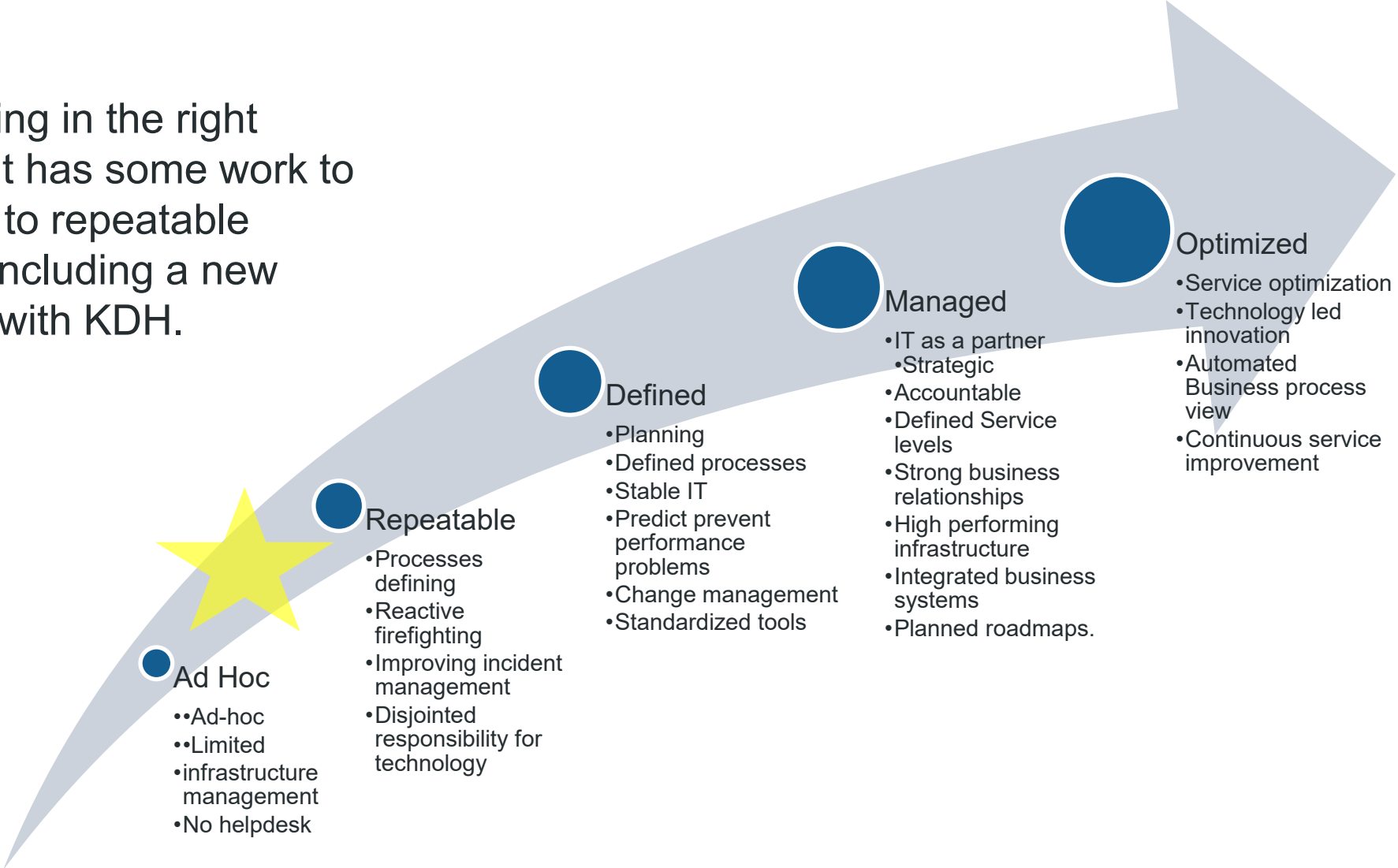




# FINDINGS & OPPORTUNITIES

# Current State Assessment

TKL is moving in the right direction but has some work to do to move to repeatable processes including a new agreement with KDH.



# Key Findings



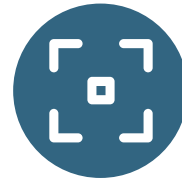
**Technology Software Solutions are significantly behind the sector – not sufficient to meet strategic goals.**



**Governance Model for IT not in place.**



**Contract with needs updating.**



**Policies are not sufficient.**



**Tracking Tickets is a Step in the Right Direction – Illustrates Challenges with Resources.**



**Lack of Integration between systems contributes to inefficiencies and Systems are underutilized.**

# Key Findings - Technology

**Technology Software Solutions are significantly behind the sector – not sufficient to meet strategic goals.**

Witnessed a lack of software in PW, Museum and Facilities as part of other Service Delivery Reviews.

- Software needed for Asset, Fleet and Facilities Management including Work Orders (timesheets, equipment charge out).



# Recommendations - Technology



## Procure New Software Tools to Align with Strategic Priorities

- Procure New Software Tools -Work/Asset/Fleet Management & Budget Software
  - Ensure Integration with Vadim.

# Key Findings – Contract with KDH

## Contract with KDH is Outdated

- Contract expired in 2017.
- Hours are not fully Utilized – hours left on the table – opportunity to better utilize the skill set.

## Recommendation – Contract with KDH



**Negotiate New Contract with KDH including Service Level Agreement & Assigned Resources**



# Key Findings- IT Workload


## Tracking Tickets is a Step in the Right Direction – Illustrates Challenges with Resources.

- Tracking of Tickets in 2020 show that the IT Coordinator is getting approximately 3 Tickets per day
- Many of the requests are for installs, which is part of the KDH contract
  - Second highest is access to systems and software.
    - Risk with only one MIS Manager.





# Recommendations- IT Workload



**Implement Work Order Management System for IT – Same as used for Public Works/Facilities.**

**Consider Outsourcing Imaging of New Hardware.**

**Consider Establishing an IT Backup (outsourced to KDH?)**

# Key Findings – IT Governance



## **Governance Model for IT not in place**

- An IT Governance framework is non-existent (e.g. steering committee, tactical plans, policies, risk management, etc.).
- There is no formal Business Continuity/Disaster Recovery strategy which puts the Town at risk of severe service outages and data loss.

# Recommendations – IT Governance



**Form an IT Steering Committee to guide long term decisions from the IT Strategy and align with Strategic Plan.**

**Provide Training to MIS Manager on COBIT (Control Objectives for Information and Related Technology as set by the Information Systems Audit and Control Association ISACA)**

# Key Findings – IT Policies

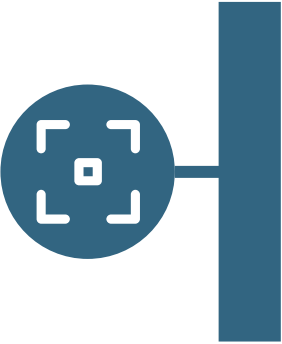
## **Policies are not sufficient.**

- Mix of policy and procedures.
- Insufficient policies for passwords and business continuity.
  - Several
- No specific onboarding and termination policies and processes result in impacted services and risk.

# Recommendations – IT Policies

**Develop a Full Set of IT Policies with Sign offs annually by staff.  
Have “pop up” agree to acceptable use for every log on.**

## IT POLICY FRAMEWORK



Acceptable Use Policy	Password Policy
Backup Policy	Network Access Policy
Incident Response Policy	Remote Access Policy
Email Policy	Guest Access Policy
Wireless Policy	Third Party Connection Policy
Network Security Policy	Encryption Policy
Confidential Data Policy	Data Classification Policy
Mobile Device Policy	Retention Policy
Outsourcing Policy	Physical Security Policy
CyberSecurity Policy and Training	Cloud Computing Policy
Social Media Policy	IT Procurement Policy (Could be part of Town Procurement Policy in a separate section)
Onboarding and Offboarding Policy	Business Continuity Strategy & Link to Risk/Emergency Management

## Key Findings – Integration & Underutilization

**Lack of Integration between systems contributes to inefficiencies and Systems are underutilized.**

No Integration between Active Net, GIS, FirePro and Vadim

Vadim is underutilized – likely due to implementation, training.



## Recommendations – Integration & Underutilization



**Work with Vendors to integrate Vadim with Active Net, FirePro and any new software. Develop an IT Training Plan. Expand ActiveNet to Museum.**

**Re-implement and Train Staff in Vadim.**

# IT Summary Recommendations



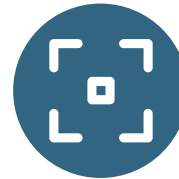
**Procure New Software Tools - Work/Asset/Fleet Management & Budget Software- Ensure Integration with Vadim.**



**Form an IT Steering Committee to guide long term decisions from the IT Strategy and align with Strategic Plan. Adopt & Train on COBIT.**



**Update Contract with KDH.**



**Update Policies. Require annual sign off by staff.**



**Look to Outsource Hardware replacement plan (Greening) and Imaging Installation to the Vendor. Consider Backup for MIS Manager.**



**Work with Vendors to integrate Vadim with Active Net, FirePro and any new software. Develop an IT Training Plan. Expand ActiveNet to Museum. Re-implement Vadim**

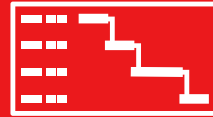




# Town of Kirkland Lake Facilities Service Delivery Review

Draft Final Report- November 30, 2020





# Background

# Kirkland Lake – Observations and Current Reality

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- Wide ranging stock (Facilities & Amenities) with a diversity of interests and users
- Ageing inventory of buildings, no real long-term financial plan to sustain or replace these facilities in the future
- Competing financial demands (Roads, Sewers, Water, Vehicles and Equipment, etc.) – Limited \$ Reserves
- Escalating operating Costs – Utilities, Insurance, Labour , etc.
- Limited opportunities for revenue generation
- Some efforts underway to rationalize the inventory (Heritage North)
- Pressures to address new and evolving regulations along with shifting community expectations (AMP, COVID, etc.)

# Facilities Management (FM) and ISO?

## ISO 41011 Sets Out a Facility Management Standard



International  
Organization for  
Standardization

ISO is an independent non-governmental International organization with membership of 165 national standards bodies.

## WHAT IS ISO?

This organization brings together experts who share knowledge and develop through voluntary consensus-based market relevant international standards to support innovation and provide solutions to global challenges.

# What is Facilities Management (FM)?

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## **ISO 41011 Defines FM as:**

- Improve quality, productivity and financial performance;
- Enhance sustainability and reduce negative environmental impact;
- Develop functional and motivating work environments;
- Maintain regulatory compliance and provide safe workplaces;
- Optimize life cycle performance and costs;
- Improve resilience and relevance;
- Project an organization's identity and image more successfully.

# ISO FM Standards:

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## **ISO 41011 Defines FM Standards as:**

- needs to demonstrate effective and efficient delivery of FM that supports the objectives of the demand organization;
- aims to consistently meet the needs of interested parties and applicable requirements;
- aims to be sustainable in a globally-competitive environment.

# Why is FM so Important?

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Rapid changes in roles and skills sets required, due to the following trends:

- ✓ Emergence of the “Internet of Things”
- ✓ Building Automation/Monitoring
- ✓ Employee Engagement
- ✓ Health, Wellness & Well-Being
- ✓ Evolving IT Infrastructure
- ✓ Evolving Real Estate Models
- ✓ Sustainability & Environmental Impact

Source: International Facility Management Association

# What do Facility Managers Do?

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FMs are professionals that contribute to the Town's strategic objectives in the following ways:

- ✓ Impacting operational efficiencies
- ✓ Supporting productivity of facilities and personnel
- ✓ Managing risks to facilities and personnel
- ✓ Mitigating environmental impact
- ✓ Promoting sustainable tactics for long-term cost management
- ✓ Leveraging technological solutions
- ✓ Reducing or overcoming effects of natural disasters
- ✓ Monitoring compliance
- ✓ Leveraging security



Source: International Facility Management Association



# Asset Management Requirements for Facilities (July 2023)

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O.Reg 588/17 – Jobs & Prosperity Act – by July 1, 2023, Facilities must be included in the AMP

For each asset category the AMP must include:

- i. Summary of the assets in the category,
- ii. Replacement cost of the assets in the category,
- iii. Average age of the assets in the category, determined by assessing the average age of the components of the assets,
- iv. Condition of the assets in the category, and
- v. a description of the municipality's approach to assessing the condition of the assets in the category, based on recognized and generally accepted good engineering practices where appropriate.

# Asset Management Requirements for Facilities (July 2023)

---

O.Reg 588/17 – Requires a **Lifecycle Management** Strategy that includes the activities for each of 10 years:

Cost to maintain Current Levels of Service based upon an assessment of:

- i. Full lifecycle of assets,
- ii. Options for activities to maintain current level of service,
- iii. Risks associated with those options,
- iv. Lowest cost options to maintain current level of service.

# Asset Management Requirements for Facilities (July 2024)

---

O.Reg 588/17 – Requires Proposed Levels of Service over 10 year with Qualitative characteristics and metrics

- i. Options for the proposed levels of service and the risks associated with those options to the long-term sustainability of the municipality.
- ii. How the proposed levels of service differ from the current levels of service
- iii. Whether the proposed levels of service are achievable.
- iv. The municipality's ability to afford the proposed levels of service.

# Asset Management Requirements for Facilities (July 2024)

---

## O.Reg 588/17 – Lifecycle Management and Financial Strategy for Proposed Levels of service

- i. An estimate of the annual costs for each of the 10 years of undertaking the lifecycle activities in the strategy.
- ii. Annual funding projected to be available to undertake lifecycle activities and an explanation of the options examined by the municipality to maximize the funding projected to be available.
- iii. Identifies any funding shortfalls for the lifecycle activities, risks and changes to activities.

# Asset Retirement Obligations (ARO)– PS 3280 (2021)

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PS 3250 defines an ARO as a legal obligation to retire a tangible capital asset.

- i. Must account for the liabilities to retire assets on the financial statements ending in 2021.
  
- ii. Does not need to be associated with contamination.

# About the Town's Facility Management TEAM

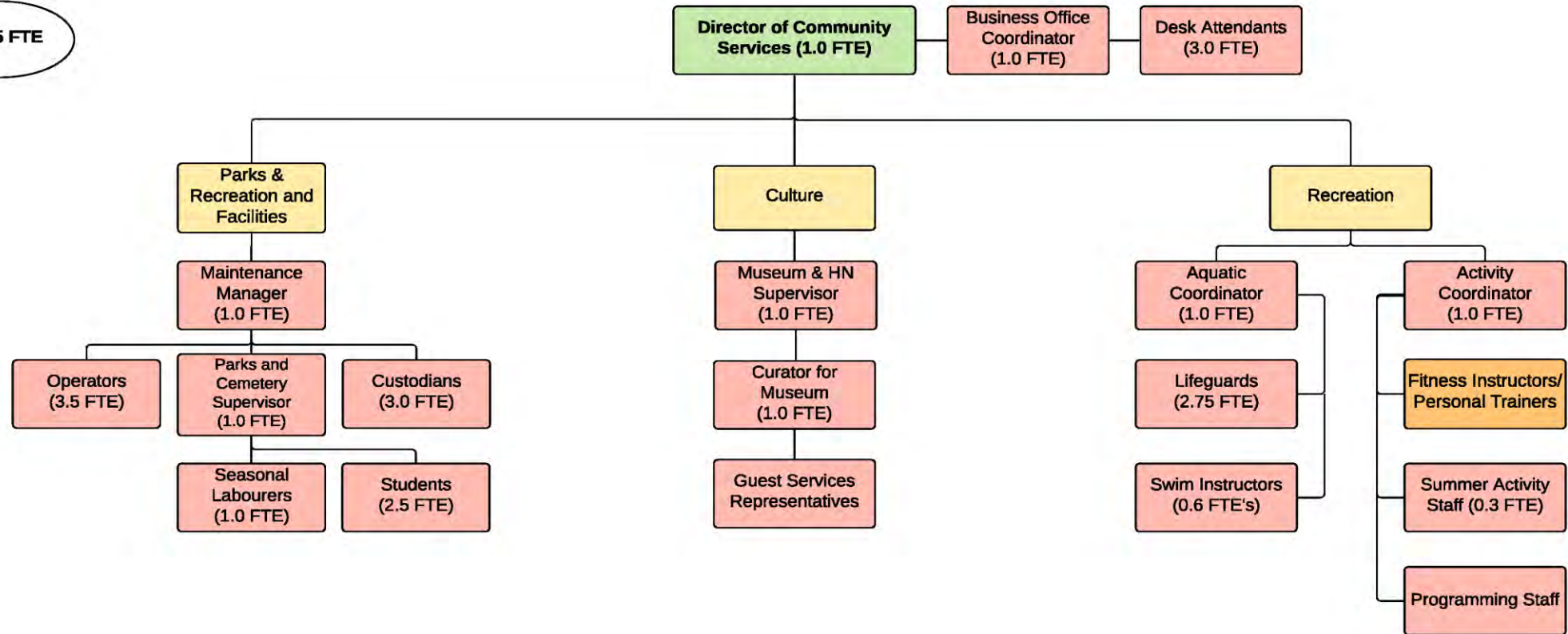
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**Facility Management** is one of three distinct Divisions within the Community Services Department (new alignment)

- Oversight delivered by the Director of Community Services
- Operational TEAM is led by Maintenance Manager (reports to Dir)
- Manager has 7.5 direct reports. They include 3.5 operators, 3 Custodians and 1 Parks and Cemetery Supervisor who in-turn has 1 seasonal labourer and 2.5 students
- In addition, there is a unique working relationship between the TEAM and the TECK Pioneer Residence Environmental Services Maintenance Manager (*however the reporting relationship remains with "TECK"*)

# Community Services

24.65 FTE



# Facilities Management Profile – The Facilities

Building Type	Number	Average Estimated Age
<b>Municipal Building</b>	<b>22</b>	<b>46</b>
Administrative Centre	1	90
Airport Facility	1	47
Airport Hanger	1	47
Airport Terminal/Admin	1	47
Cemetery	1	70
Closed Fire Hall	1	64
Conference Centre	1	16
Day Care	1	45
Fire Station	1	85
Medical	1	58
Museum	1	90
Nursing Home	1	18
Operations	1	54
Police	2	25
Pound Facility	1	48
Public Library	1	53
Recreation Complex	1	44
Recreation Facility	4	19
<b>Toburn</b>	<b>5</b>	<b>100</b>
Historic Mine	5	100
<b>WWS</b>	<b>10</b>	<b>43</b>
Operations	1	96
Waste Water Treatment	5	37
Water Treatment	4	38
<b>Grand Total</b>	<b>37</b>	<b>52</b>



# Facilities Management Portfolio

<u>Location</u>	<u>Address</u>	<u>Year Built</u>	<u>Building Use</u>	<u>Occupied</u>
Town Hall	3 Kirkland Street	Approx. 1930	Administrative centre	Town staff
Public Works Building	1 Dunfield	1966	Operations	Town staff
Old Pump House/ Warehouse/ Roads Garage	1 Dunfield	Approx. 1924	Operations	Town Staff
OPP Station	3 Duncan Avenue North	1987	Police	Leased
OPP Unattached Garage	3 Duncan Avenue North	2003	Police	Leased
Daycare	117 Queen Street	1975	Day Care	Leased
Fire Hall	8 O'Meara	1935	Fire Station	Town staff
Family Health Team Center	2 Water Lane	1962 (complete overhaul 2008)	Medical	co-ownership
Cemetery Chapel Office	1409 Government Road West	Prior to 1950	Cemetery	Town Staff
Airport Terminal	1 Airport Road	1973	Airport Terminal/Admin	Town staff
Airport Hanger	1 Airport Road	1973	Airport Hanger	Town staff
Airport Generator Building	1 Airport Road	1973	Airport Facility	Town staff
<b>Museum of Northern History</b>	2 Chateau Drive	Approx. 1930	Museum	60 year agreement with OHF
Heritage North	400 Government Road West	2004	Conference Centre	Listed for sale
Animal Control Building	1A Dunfield Road	1972	pound facility	leased
Teck Pioneer Residence	145A Government Road East	Approx. 2002	nursing home	Town staff
Community Complex	55 Allen Avenue	1976	recreation complex	Town staff
Civic Service Ball Field Storage Building	20 Tweedsmuir Road	Approx. 2016	recreation facility	vacant
Baird Park Storage Building	53 Allen Avenue	Approx. 1990	recreation facility	vacant
Library	10 Kirkland Street East	1967	Public Library	vacant
Swastika Fire Hall	202 Government Road	1956	closed fire hall	vacant
Culver Park Storage	Culver Park Road	2006	recreation facility	vacant
Soccer Field Storage Building	2 Dunfield Road	1993	recreation facility	vacant



## Municipal Office 3 Kirkland Street

- Built approximately 1930 – likely on or eligible for heritage designation –
- Currently space imposes limitations regarding consolidation of administrative resources –
- Presents certain accessibility limitations

# Fire Station - 8 O'Mera



The current building built 1935. Current deficiencies have been documented in the 2018 Kirkland Lake Fire Master Plan. Due to facility size limitations and apparatus floor space is constrained by load capacity, the current aerial truck is housed at the public works yard.

Part of the garage floor is also the basement ceiling, and the space on which the pumpers are parked is not adequate to support the load of the fire pumpers. An engineering assessment by the Materials Joining Innovation Centre in Kirkland Lake indicates that the floor isn't at immediate risk of collapse but requires reinforcement. The 2018 estimate for the floor reinforcement was approximately \$18K

# Fire Station - 8 O'Mera



# Museum of Northern History

## 2 Chateau Drive circa 1930

**STATUS:** Ownership with Ontario Heritage Trust

- Long term lease (2041) in effect obligating municipality to significant ongoing capital and maintenance expenditures
- Pending capital expenditures (roof) + \$400k plus fire code issues plus electrical issues will add significantly to the costs in the near term
- OHT requested to provide additional information – information is pending





## Mavrinac Community Centre

55 Allen Ave

Community Recreation Complex includes 25m pool, recreational water slide, complete co-ed gym, women's gym, squash courts fitness classes and ice surface arena. Arena complex hosts hockey games, events and concerts



# Original Swimming Pool - Mavrillac Community Centre

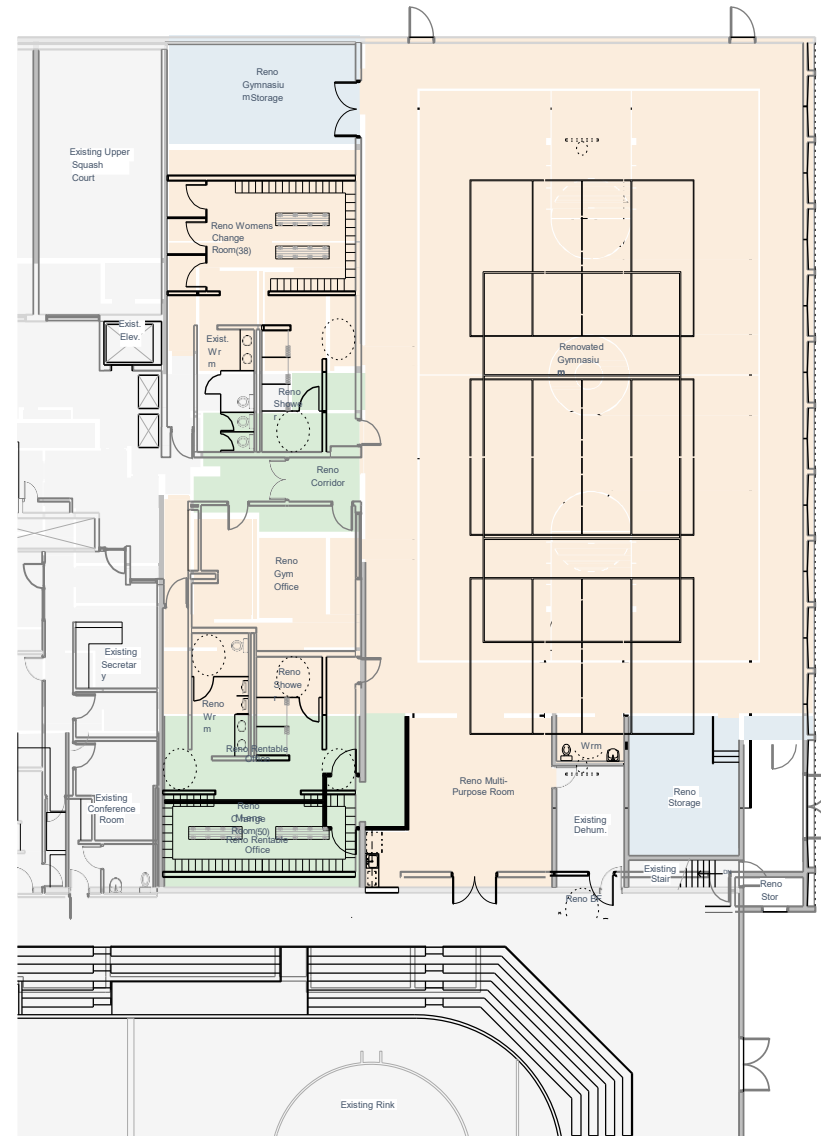
STATUS: Aug. 14/18 – Marshall & Murray Inc. complete a Building Condition Assessment:

1. Decommission the pool \$2.6M
2. Remove Part of Bldg. \$4.99M
3. Renovation \$5.05M

Currently presents a significant risk and liability – implications under PS3250 – Asset Retirement Obligation for 2021.

# OPTION 1

Renovate for other municipal uses - future loss of Heritage North may require community meeting room/ museum option/ municipal records/ archive/ relocate public works administration.



APPROXIMATE RENOVATED AREA = 1044.5 M<sup>2</sup> (11,243 FT<sup>2</sup>)

SCALE = 1:150

# OPTION 2

Decommission and demolish building.





# Public Works Administrative Offices

1 Dunfield Rd / Built 1966



**Public Works Garage Warehouse and Old Pump House - Built around 1924**



## Sand and Salt Storage



Outdoor equipment salt and sand storage



# Garage – space limitations



# Space and Facility challenges



# Insufficient Storage

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# Airport Hanger 1973

Retractable fabric door –  
requires replacement







# Library

Preliminary review suggests limited potential for some museum related activities – Genealogical Research



# FACILITY FINANCIAL CONDITION INDICATORS AND BENCHMARKS

# Why Do Financial Condition Assessment of your facilities?

- ✓ Understand Where You've Been and Where You're Headed
- ✓ Assesses the Financial Environment and Sustainability Indicators for the Future
- ✓ Assesses the Socio-Economic Environment
- ✓ Helps Identify the Key Financial Challenges and Emerging Trends and Where Decisions Will Need to be Made
- ✓ Present Objective Picture of Strengths/Weaknesses Before Developing Policies
- ✓ Province also use these indicators for Financial Sustainability including funding decisions



# Facilities Operating Expenses by year

\$1,200,000

\$1,000,000

\$800,000

\$600,000

\$400,000

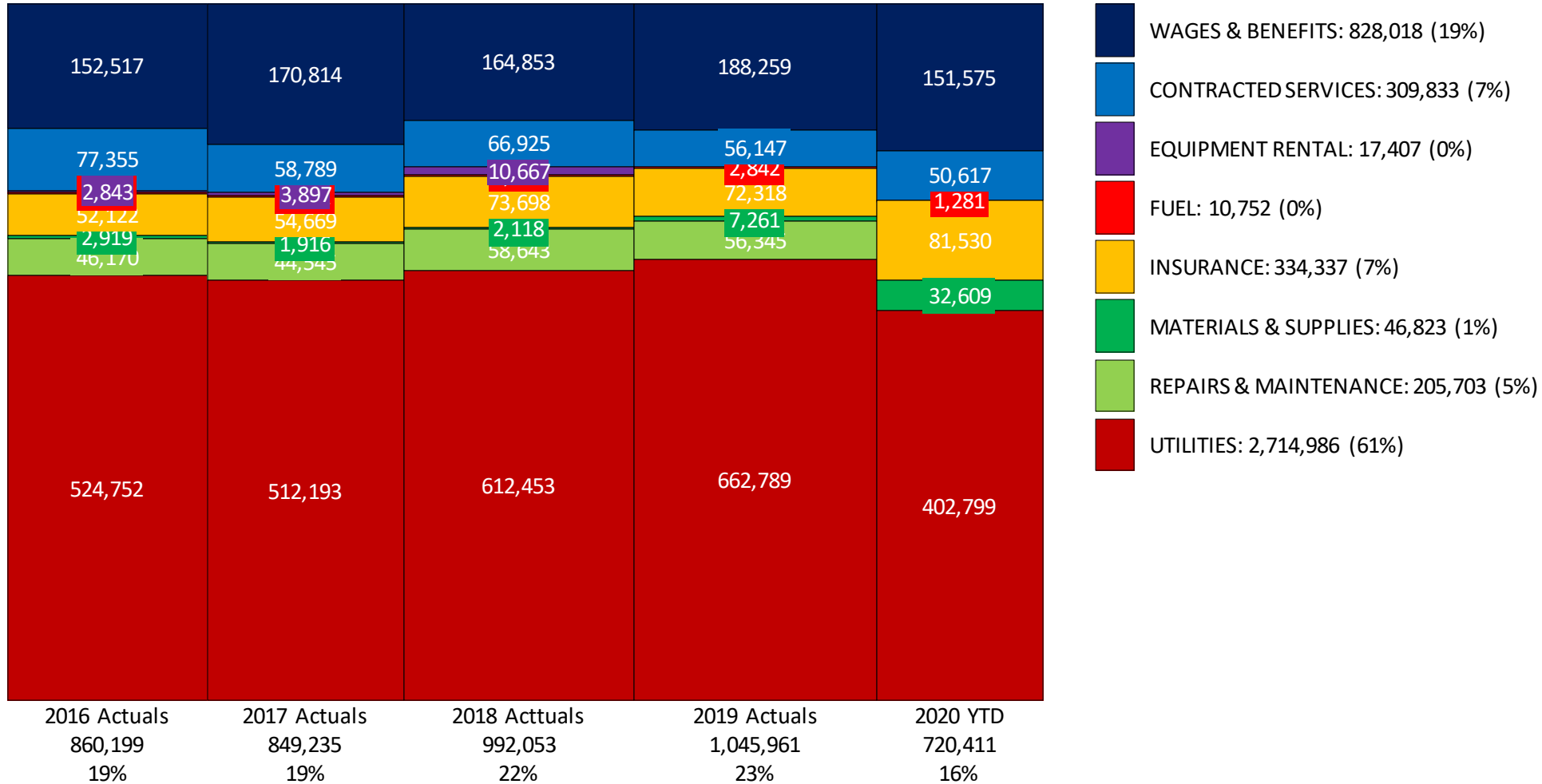
\$200,000

\$0



# Facilities Operating Expenses by Object

Total = 4,467,859





# SERVICE DELIVERY INDICATORS

SERVICE DELIVERY ELEMENTS

# Kirkland Lake Facilities Service Profile

# KL Facility Management Service Profile

Function	Description
<b>Facilities, Operations and Maintenance</b>	<ul style="list-style-type: none"><li>• Regular activities and inspections (eg. HVAC, building automation, filtration, refrigeration, fire and safety, plumbing, electrical)</li></ul>
<b>Direct Programming and Community Development</b>	<ul style="list-style-type: none"><li>• Community Complex</li><li>• Museum of Northern History</li><li>• Heritage North</li><li>• Teck Centennial Library</li></ul>
<b>Capital Planning, Project Management and Construction</b>	<ul style="list-style-type: none"><li>• Management and development of long-term capital plans based on Facility Condition Index/assessments</li><li>• Project management for renovations and construction</li></ul>



# KL Facility Management Service Profile

Function	• Description
<b>Business Management</b>	<ul style="list-style-type: none"><li>• Management of leases and contracts</li><li>• Vendor/contractors oversight</li></ul>
<b>Custodial Services</b>	<ul style="list-style-type: none"><li>• Manage to ensure staff meet appropriate standards of care (including COVID)</li></ul>
<b>Risk Management</b>	<ul style="list-style-type: none"><li>• Develop and monitor Risk Management Plan with Risk Register and Responses</li><li>• Maintain a risk checklist to help guide staff to identify issues that may not be obvious.</li></ul>

# Facilities Management Processes

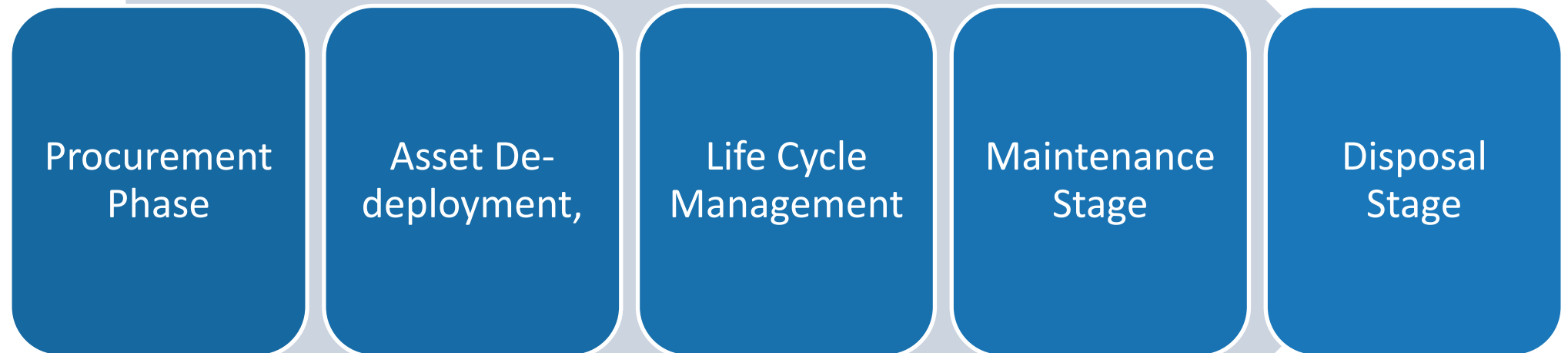
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Key to the developing the facility management mindset will be the organization's ability to meet/address the following:

1. Align the organizational resources with the Strategic Plan.
2. Address current and future facility requirements.
3. Prepare and maintain documentation as part of the ongoing facility management service delivery to capture true cost of services.
4. Develop multi-year budget approach and life cycle costing.
5. Improve performance by tracking performance measures and taking corrective action as necessary.
6. Apply the PDCA model (Plan- Do- Check- Act). This will require the periodic re-assessment of outputs and targets.

# Life Cycle Asset Management

Facility Management will need to focus its efforts on Asset Life Cycle Management.

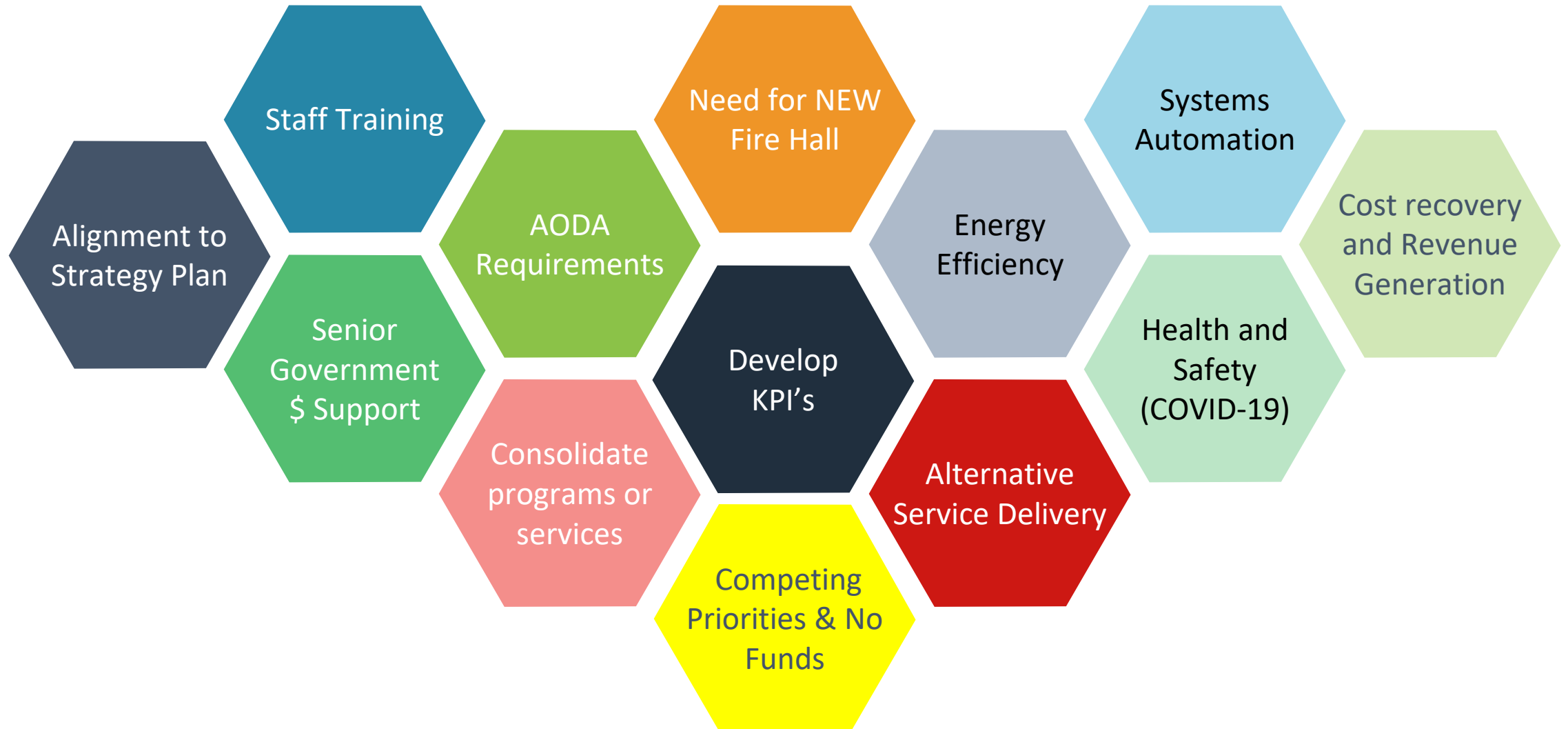


# Facilities Master Plan - Recommendations

A properly developed Facilities Master Plan will provide the municipality with a series of recommendations;

1. FACILITY Recommendations: which will offer up strategic direction and help to build and optimize the facilities by responding to the specific needs by facility type.
2. POLICY and IMPLEMENTATION Recommendations: These will assist in addressing a wide range of matters including asset management, facility operations, partnership potential etc. In short these recommendations should help to build internal capacity to assist your organization to best manage the facility through a variety of challenges. These recommendations should look to the future to help the organization to anticipate and respond to changing circumstances. These recommendations should form the building block for an implementation plan.
3. FINANCIAL Recommendations will likely be the most challenging but certainly the most important for sustaining the assets and ensuring investments made to the facilities continue to deliver good value to the users and the community at large.

# Vision for the FUTURE – What we heard





# Key Themes - Interviews



SOCIAL MEDIA - NEGATIVE RESPONSES

STRATEGIC PLAN SEEING BENEFITS

MUSEUM AGREEMENT - BAD DEAL FOR KL

SALT/SAND DOME NEEDED

WORK MANAGEMENT IS REACTIVE

LIMITED CAPACITY FOR NEW TAXES

AIRPORT UPGRADES NEEDED

LACK OF RESERVES

NEED TO BUILD TRUST

DON'T COMPETE WITH PRIVATE SECTOR

NEGATIVITY SURROUNDING REC CENTER

OLD POOL NEEDS TO BE DEALT WITH

IT - COUNCIL HAND ME DOWNS

SHARE HR - TEAR DOWN SILOS

GET BACK TO BASICS - REPAIR ROADS

COUNCIL TRAINING

DESIRE TO CONSOLIDATE FACILITIES BUT NO MONEY



# KEY CHALLENGES - Considerations

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- ✓ Resolving competing service level expectations
- ✓ Working together to find solutions
- ✓ Rationalizing facilities (right time to consider selling)
- ✓ Attempting to develop sustainable partnership models
- ✓ Enhancing accessibility to meet meet the needs of an aging population
- ✓ Finding the financial capacity to continue to maintain the existing assets
- ✓ Ensuring fairness and inter-generational equity (borrowing against the grand children's future)
- ✓ Raising user fees, establishing reasonable internal chargebacks, eliminating cross subsidization
- ✓ Setting performance targets and reporting on them (good or bad)
- ✓ Setting priorities and working to achieve them
- ✓ People resources – developing staff through specialized training
- ✓ Deployment of technology to enhance efficiency



# FINDINGS & OPPORTUNITIES



# Links to the Strategic Plan

---

## ACHIEVING SUSTAINABLE OPERATIONAL EXCELLENCE

### **Aim for Financial Sustainability:**

- OE-8: Prepare and evaluate a long-term capital spend/replacement strategy
- OE-10/11/12: Review affordability of legacy assets and Evaluate opportunities for disposal/monetization
- OE-13: Introduce a gradual increase in capital levy to build reserves/reserve funds
- OE-14: Review and establish dedicated reserves/reserve funds
- OE-20: Implement Energy Conservation and Demand Plan

### **Better Management of Capital Assets**

- OE-36: Analyze benefit of introducing a Facility Management Department

### **Find and Implement Efficiencies**

- OE-43 through 49: Assess Contracted Services/Leases/Rentals Prior to Expiry to Ensure Maximum Efficiency and Best Use of Taxpayers Dollars
- OE-52: Review and implement software to assist with Work Schedule Management that will work for all departments
- OE-54: Create and Monitor Annual Business Plans for each department
- OE-56: Review software choices for facility booking software
- OE-63: Complete Fire Master Plan Recommendations – Conduct Risk Assessment on Town building stock

# Links to the Strategic Plan

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## BUILD THE TEAM

- **Improve Accountability**

- BT-1: Develop KPI's template and report on quarterly basis

- **Improving Staff Accountability to Each Other**




- BT-10: Establish opportunities for cross training staff to reduce gaps in service when individuals are away
- BT-11: Develop and implement Training Plan and Policy

## **Eliminating the Gaps**






- BT-20: Update Job Descriptions, Evaluations, Pay Equity, Updated Salary Grid
- BT-21: Develop Professional Development Plan
- BT-22: Develop Training Plan
- BT-25: Analyze need for Facility Management Position
- OS-14 and 15: Improving Accessibility – review facilities and programs with an aim toward barrier free - age friendly plan implementation
- ED-17 and 18: Analyze existing areas where TKL may be competing, find efficient ways to reduce or eliminate competition with private sector - i.e. rated for fitness and events at complex.

# OBSERVATIONS: PROS AND CONS

## POSITIVE POINTS

-  The individual members of the Facility Team are dedicated to the success of the organization.
-  The Team members have a variety of skills and training which will be beneficial to the organization on a number of levels.
-  New Senior Leadership along with Council's support are pursuing modernizing of the organization.
-  The Town has recently updated its Strategic Plan setting out priorities linked to the facility management.
-  Teck Residence is shining example of a well-managed facility with committed staff who are collaborating with the Hospital to harness opportunity to drive efficiency.

## NEGATIVE POINTS

-  The individuals/team moving into a new organizational structure in the absence of a blueprint setting out a path to success.
-  The success of the new Team will depend upon organization wide commitment – without the buy-in of the organization success may be limited. (Change Management)
-  Deferred decision making is no longer an option. Several facilities (Public Works Garage and Fire) are nearing end of useful life. Time to act!
-  Maintenance activities are manually tracked (if at all). Lack of proper work order system.
-  Facility management historically has not been a proactive discipline in the organization. Past practice has been largely reactive, which typically is more costlier approach.

# Key Findings - Facilities



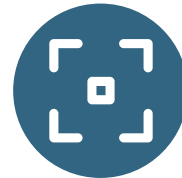
**Limited building assessments have been undertaken  
O Reg 577/18**



**Historic practices suggest that the organization has lacked progressive management practices – Times are changing!**



**Technology Use is Low/Limited–  
Lifecycle costs are unknown/undocumented**



**Facilities are not sustainable in their current form**



**Facility Management Team concept recently established - will need time, training and support to adapt to the new expectations**



**Timing is (NOW) Urgent to decide the future of some facilities.**

# Key Findings – Asset Management



**Limited building assessments have been undertaken**

**O Reg 577/18**

Most records are paper based or Excel based resulting in redundancy in current processes

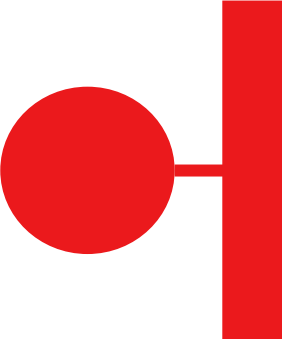
# Recommendations– Asset Management



## **Building Condition Assessments for the purpose of meeting O Reg 577/18**

Establish complete list of capital assets - potential asset retirement obligations (PSAB 3280) (e.g. old pool)  
**(First Phase of Facility Master Plan)**

## Key Findings – Technology & Lifecycle Costs



**Technology Use is Low/Limited– Lifecycle costs are unknown/undocumented**

**Limited documentation to track maintenance management activities or to formulate a facility systems perspective**

# Recommendations – Technology & Lifecycle Costs

## **Technology Use is Low – Lifecycle costs are not known.**

- Very few of the facilities are well documented from a maintenance management or a facility systems perspective
- Start with implementation of a work order system, asset management system or similar system that will capture lifecycle costs.

**(Key component for FM Decision making)**



# Key Findings-Facilities Management



**Facility Management Team concept recently established - will need time, training and support to adapt to the new expectations**

- Team training will be required and need to develop a team lead – patience will be key

# Recommendations -Facilities Management Team

## Confirm the TEAM – New Roles and Responsibilities

Develop new-updated position descriptions. Ensure clarity and accountability. Determine the future role for TECK Environmental Maintenance Manager for clarity and accountability.

- Identify skills and knowledge gap and establish a commitment (money and time) to ensure training for the staff in their new roles
- Premature to make staffing recommendations until decisions are made related to divestment of facilities
- Consider hiring external consultant to assist transformation and training.



# Key Findings – Facilities Management



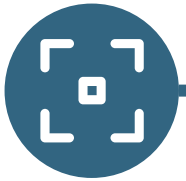
**Historic practices suggest that the organization has lacked progressive management practices – Times are changing!**

# Recommendations– Change Management



**Establish a change management program to ensure the integration of Facility Management across the organization. Identify a Champion in the organization who will support the integration and development of the “Team” and to ensure the TEAM’S success**

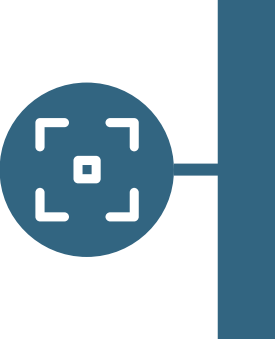
# Key Findings – Sustainability



## **Facilities are not sustainable in their current form**

- No long-term plan - financial challenges obvious


## Recommendations – Sustainability



**Utilizing the principles of FM, undertake a five-year review of existing energy consumption for each facility. Then identify 3-5 opportunities to reduce costs. Consider the development of a strategy to fund the opportunities through energy savings**  
**Track and report on progress.**

**Divestment of limited or unused facilities**  
**Think strategic – think long term.**

# Key Findings – Facilities Rationalization



**Timing is (NOW) Urgent to decide the future of some facilities.**

## Recommendations– Facilities Rationalization

**Urgent need to decide the fate (investment requirements) of some facilities**

**Undertake facilitated senior management workshop – establish decision matrix/tree to guide**

**Facility decisions**

**(FM Roadmap – internal stakeholders)**





## Recommendations– Facility Top 5 Priorities

Sequence/ Priority	Location	Year (TCAs)	Estimated Financial Investment	2021	2022	2023	2024
1	Public Works Garage	1924	\$ 600,000	\$ 600,000			
2	Salt Sand Dome & Outdoor		\$ 1,150,000	\$ 1,150,000			
3	Museum of Northern History	1930	\$ 1,600,000	\$ 616,000	\$ 328,000	\$ 328,000	\$ 328,000
4	Fire Hall	1935	\$ 4,500,000		\$ 4,500,000		
5	Public Works Office	1966	\$ 700,000		\$ 700,000		
			\$ 8,550,000	\$ 2,366,000	\$ 5,528,000	\$ 328,000	\$ 328,000

# Recommendations– Facility Asset Retirement Obligations & Other Costs

Location	Year (TCAs)	Financial Implications	2021	2022
Old Pool (Asset Retirement Obligation)	1976	\$ 5,000,000	\$ 5,000,000	
Swastika Fire Hall (ARO – cost unknown)	1956	\$ 100,000	\$ 100,000	
Heritage North (Sale loss)	2006	\$ 1,822,000		
Kirkland Lake Airport Hanger (Determine next steps/fabric)	1973	\$ 70,000		\$ 70,000
		\$ 6,992,000	\$ 5,100,000	\$ 70,000

# Facilities Master Plan - Roadmap

Developing the Facilities Master Plan will require four project phases;

1. Conduct Condition Assessment of all existing facilities (Required for O.Reg 577/18)
2. Develop FM Capacity with Manager assigned to oversee all Facilities.
3. Rationalize Investments – Consider Consolidation Options – may be the most financially sound decision. Divest from Museum and other long term obligations.
4. Develop the Financing Strategy. Likely will require debt financing.



# Town of Kirkland Lake Service Delivery Review of the Museum of Northern History

Final Draft Report - November 27, 2020



# About The Museum of Northern History

- ❑ Opened to Public on July 4, 1983 at the Sir Harry Oakes Château
- ❑ Heritage building - significant artifact with its connection to local gold mining.
- ❑ 12,000 square feet of basement, first and second floors, and attic
- ❑ 1.7 acres
- ❑ 5,000 northern Ontario artifacts and an archive, regional in scope, with some 20,000 records
- ❑ Temporary exhibitions by local, regional and international artists - art and heritage of the community
- ❑ Event Rental space
- ❑ Research service to respond to requests from citizens of Kirkland Lake interested in their genealogical history



# The Museum's Mission

*To Celebrate the spirit of Kirkland Lake through collection, research, conservation, education, and exhibition.*

## Objectives:

- ❑ Ensure the integrity of the Sir Harry Oakes Chateau (Designated heritage site) as an artifact and building
- ❑ Provide education, cultural programs and facilities.
- ❑ Celebrate and reflect the community recognizing its personality and ethnic diversity.
- ❑ Foster pride in the community by educating the community about itself.
- ❑ Contribute to the ***economic***, social, cultural, and educational life of Kirkland Lake.



# Strategic Plan 2019-23 Key Objectives

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- Develop more technology-based interactive components for displays
- Promote the Museum as a 'Cultural Hub' of the community
- Survey the community
- Increase communication with OHT regarding building maintenance
- Partner with other community organizations to increase events, programming, and granting opportunities or fundraising

## Museum Strategic Plan



# Ontario Heritage Foundation (OHF) Agreement

The Ontario Heritage Trust owns the Sir Harry Oakes Château.

Some key Articles of the Agreement stipulate:

- Agreement between the Town and OHF commenced March 12, 1981: **60-year lease (2041) with 40-year extension**
- \$2.00 consideration
- Town must pay all costs and expenses for development, maintenance, preservation, administration of building
- Must get Written permission from the OHF for construction, alteration, remodelling to exterior of the building.
- Insurance costs borne by the Town
- Town will indemnify the OHF officers and employees ...
- Divestiture requires written approval of OHT
- Disputes arbitrated under the *Arbitrations Act* at Town's own cost
- Altering Agreement needs written agreement of Town and OHT

THE LAND TITLES ACT  
DATED March 12th, 1981

---

**DUPLICATE**

215548  
MAR 13 10 24 AM '81

REGISTRY DIVISION OF TIMISKAMING  
(No. 54) THIS INSTRUMENT RECEIVED  
at the Land Registry Office at Halleybury,  
Ontario under above number and date.

*A. Arnes*  
A/Deputy Land Registrar

B E T W E E N :

THE CORPORATION OF THE TOWN  
OF KIRKLAND LAKE

- and -

THE ONTARIO HERITAGE FOUNDATION

---

APPLICATION TO REGISTER  
NOTICE OF AN AGREEMENT

---

Messrs. Parry & Elliot,  
Barristers, etc.,  
P.O. Box 250,  
6 Government Road West,  
Kirkland Lake, Ontario  
P2N 3H7

*Landlord - Tenant  
Responsibilities re  
repairs etc*



# MUSEUM UPSTAIRS, SERVERY & ARTIFACTS STORAGE



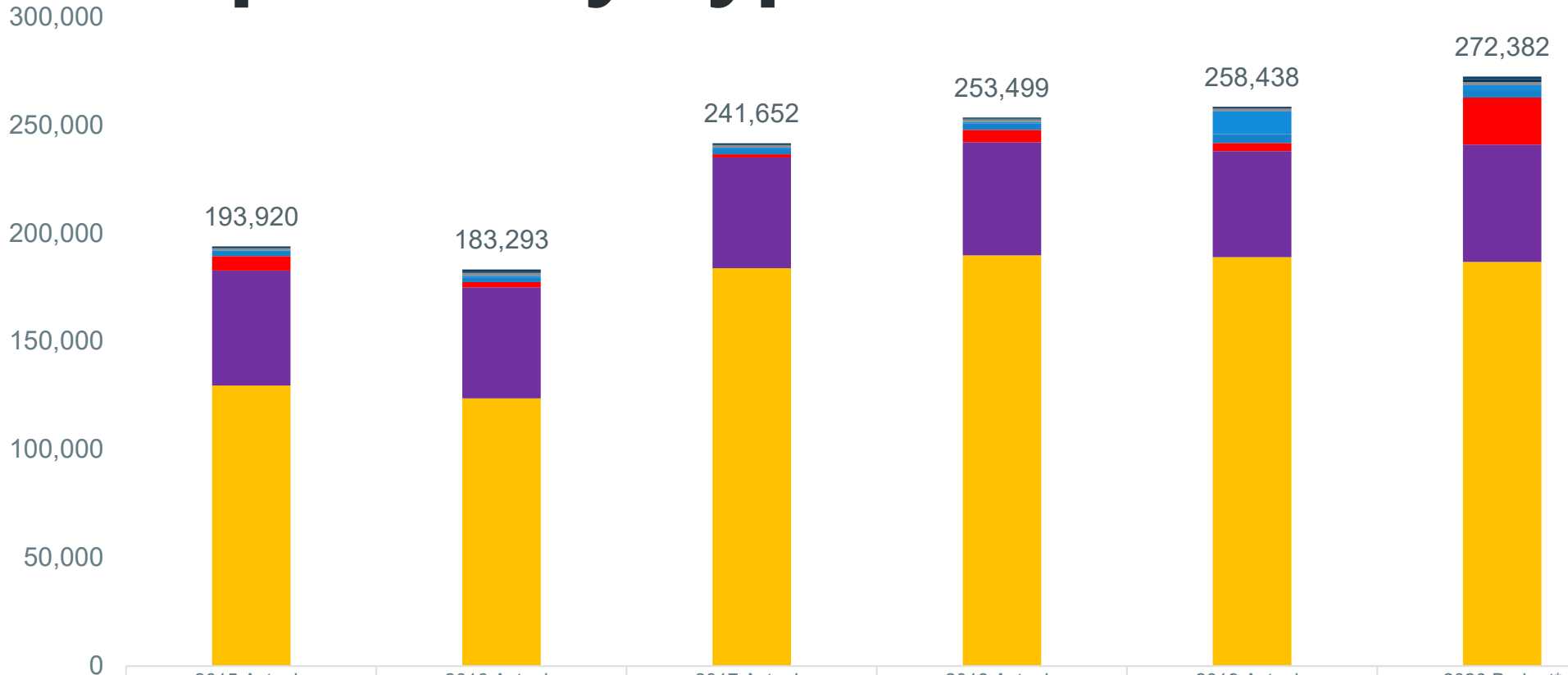


# FINANCIAL CONDITION INDICATORS AND BENCHMARKS

# Sustainability

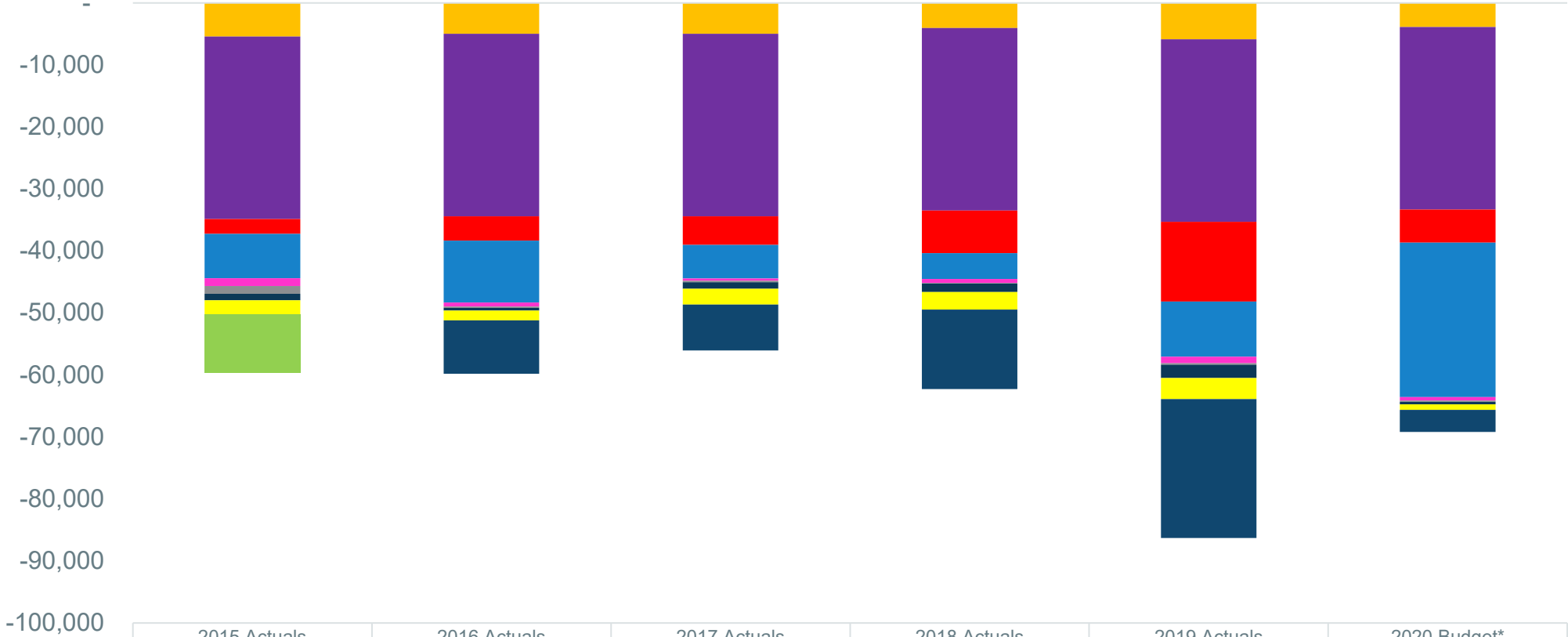
	2020 Budget	2019 Actual	2018 Actual	2017 Actual	2016 Actual	2015 Actual	2015-20 TOTAL
Revenue	\$ 69,212	\$ 86,323	\$ 62,268	\$ 56,058	\$ 59,839	\$ 59,671	\$ 393,371
Expenditures	\$ 272,382	\$ 258,438	\$ 301,374	\$ 253,530	\$ 195,171	\$ 205,601	\$ 1,486,496
Profit/Loss	\$ 203,170	\$ 172,115	\$ 239,106	\$ 197,472	\$ 135,332	\$ 145,930	\$ 1,093,125

# Museum Expenses by Type 2016- 2020



	2015 Actuals	2016 Actuals	2017 Actuals	2018 Actuals	2019 Actuals	2020 Budget*
■ PROMOTION	683	994	611	407	654	1,200
■ CURATORIAL	90	592	386	488	107	1,320
■ CONSERVATION	1,015	1,321	1,176	1,182	1,387	1,400
■ EVENTS AND ACTIVITIES	256	719	629	664	10,431	2,400
■ HALL RENTAL	2,459	2,234	2,377	2,940	4,117	3,330
■ EXHIBITION	6,654	2,451	1,433	5,732	3,800	21,737
■ BUILDING - BUILDING OP. & M	53,076	51,296	51,230	52,234	48,958	54,237
■ ADMINISTRATION	129,687	123,686	183,810	189,852	188,984	186,758
Grand Total	193,920	183,293	241,652	253,499	258,438	272,382

# Museum Revenues by Type 2016- 2020



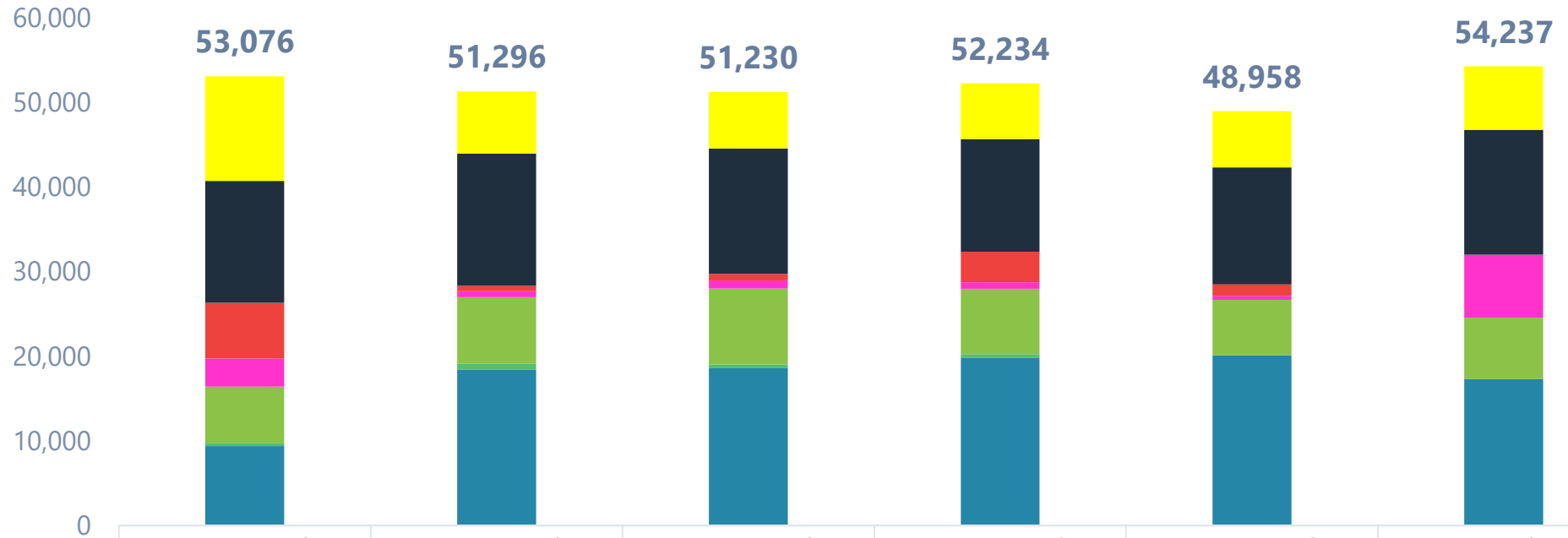
	2015 Actuals	2016 Actuals	2017 Actuals	2018 Actuals	2019 Actuals	2020 Budget*
SALES	-9,429	-8,638	-7,388	-12,785	-22,399	-3,550
RENTALS	-2,260	-1,589	-2,565	-2,857	-3,409	-900
RENTAL OF OWN EQUIPMENT	-1,080	-406	-1,036	-1,342	-2,143	-400
RECOVERIES	-1,231	-240	-249	-119	-259	-200
MEMBERSHIPS	-1,255	-615	-375	-630	-1,060	-600
FEDERAL GRANTS	-7,138	-10,000	-5,398	-4,153	-8,897	-24,900
DONATIONS	-2,405	-3,934	-4,606	-6,901	-12,843	-5,325
CULTURE & CITIZENSHIP	-29,437	-29,437	-29,437	-29,437	-29,437	-29,437
ADMISSION FEES	-5,436	-4,980	-5,004	-4,044	-5,876	-3,900

# OHT Building Assessment and Deterioration

- 2007 OHT structural review of the Sir Harry Oakes Chateau
- \$1 MILLION capital expenditures Identified IN 2007 Dollars, now \$1.4 Million (2020 Dollars)
- 2007-2020: **\$224,000** spent on capital improvements
- **Roof replacement & Elevator modernization now estimated at \$617,000**
- Capital grants and other sources of funds have not materialized
- 2020 Building Audit by KL identified water damage compromising electrical functions.
- 2020 KL Fire Services identified 5 contraventions of the Fire Code - combustible material and fire separation
- OHT requested to provide information on how other municipalities manage heritage capital costs –not received

		2007 DOLLARS			2020 DOLLARS	
ELEMENT #	ELEMENT	URGENT (2007)	1-5 Years (2008-2012)	6-10 Years (2013-2017)	Total Estimated Costs	TOTAL COSTS IN 2020 DOLLARS (239.1/169.4)
322	HARDSCAPE	\$ 30,000	\$ 130,000	\$ 1,500	\$ 161,500	\$ 227,950
324	LANDSCAPE	\$ 2,500	\$ 5,000		\$ 7,500	\$ 10,586
331	FOUNDATION	\$ 5,000	\$ 66,500		\$ 71,500	\$ 100,919
332	WALLS ABOVE FOUNDATION	\$ 9,000	\$ 18,500		\$ 27,500	\$ 38,815
334	DOORS AND WINDOWS	\$ -	\$ 10,000		\$ 10,000	\$ 14,115
335	ROOFING & ROOF DAMAGE		\$ 25,000	\$ 85,000	\$ 110,000	\$ 155,260
340	INTERIOR WORK		\$ 7,500		\$ 7,500	\$ 10,586
352	HEATING SYSTEM		\$ 60,000	\$ 100,000	\$ 160,000	\$ 225,832
353	AIR CONDITIONING SYSTEM		\$ 5,000	\$ 60,000	\$ 65,000	\$ 91,744
354	VENTILATION SYSTEM		\$ 30,000		\$ 30,000	\$ 42,344
355	PLUMBING & DRAINAGE		\$ 3,000		\$ 3,000	\$ 4,234
357	ELECTICAL		\$ 4,000		\$ 4,000	\$ 5,646
990	OVERHEAD	\$ 9,300	\$ 72,900	\$ 49,300	\$ 131,500	\$ 185,606
991	CONTINGENCY	\$ 8,370	\$ 65,610	\$ 44,370	\$ 118,350	\$ 167,045
992	DESIGN FEES	\$ 5,580	\$ 43,740	\$ 29,580	\$ 78,900	\$ 111,364
<b>Grand Total</b>		<b>\$ 69,750</b>	<b>\$ 546,750</b>	<b>\$ 369,750</b>	<b>\$ 986,250</b>	<b>\$ 1,392,045</b>

# Museum Facility Expenses (2015-2020 (Budget))

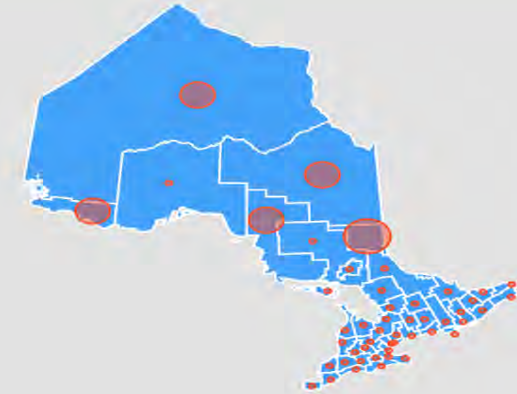
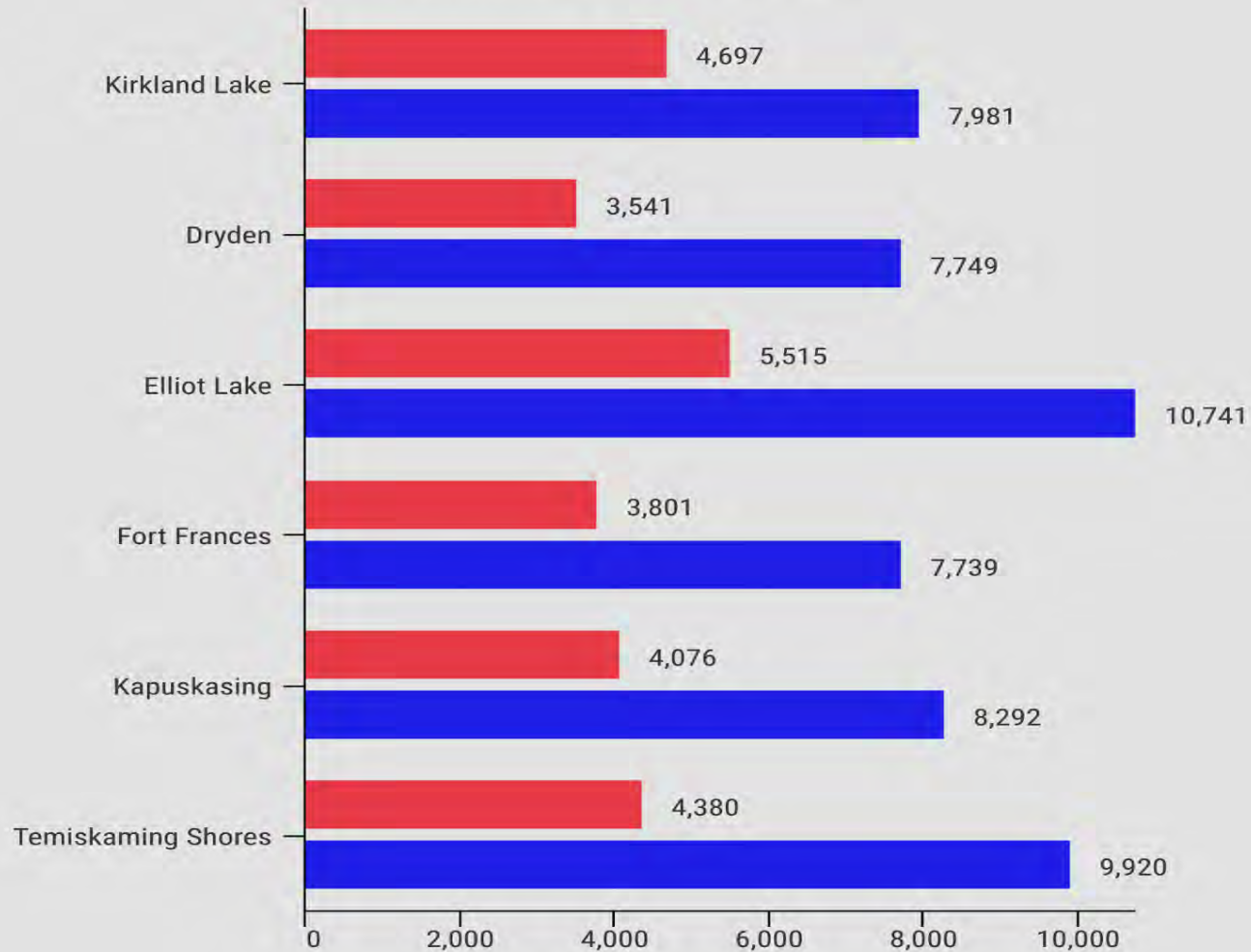


	2015 Actuals	2016 Actuals	2017 Actuals	2018 Actuals	2019 Actuals	2020 Budget*
■ CONTRACTED SERVICES	12,360	7,348	6,670	6,557	6,638	7,500
■ UTILITIES	14,391	15,641	14,835	13,322	13,845	14,750
■ REPAIRS & MAINTENANCE	6,588	620	753	3,617	1,339	0
■ MATERIALS & SUPPLIES	3,334	697	957	753	477	7,450
■ INSURANCE	6,636	7,876	8,995	7,757	6,553	7,237
■ EQUIPMENT/VEHICLE RENTAL	388	699	438	413	0	0
■ COMPENSATION	9,379	18,415	18,582	19,815	20,106	17,300
TOTAL	53,076	51,296	51,230	52,234	48,958	54,237



# KL BENCHMARKS

## Population & Households



Municipality	ABBR	District	Change	Population density (KM2)
Kirkland Lake	TKL	Timiskaming	-6.03%	30.45
Dryden	DRY	Kenora	1.73%	117.07
Elliot Lake	ELL	Algoma	-5.35%	15.03
Fort Frances	FFR	Rainy River	-2.68%	303.37
Kapuskasing	KAP	Cochrane	1.17%	98.28
Temiskaming Shores	TSH	Timiskaming	-4.62%	55.70

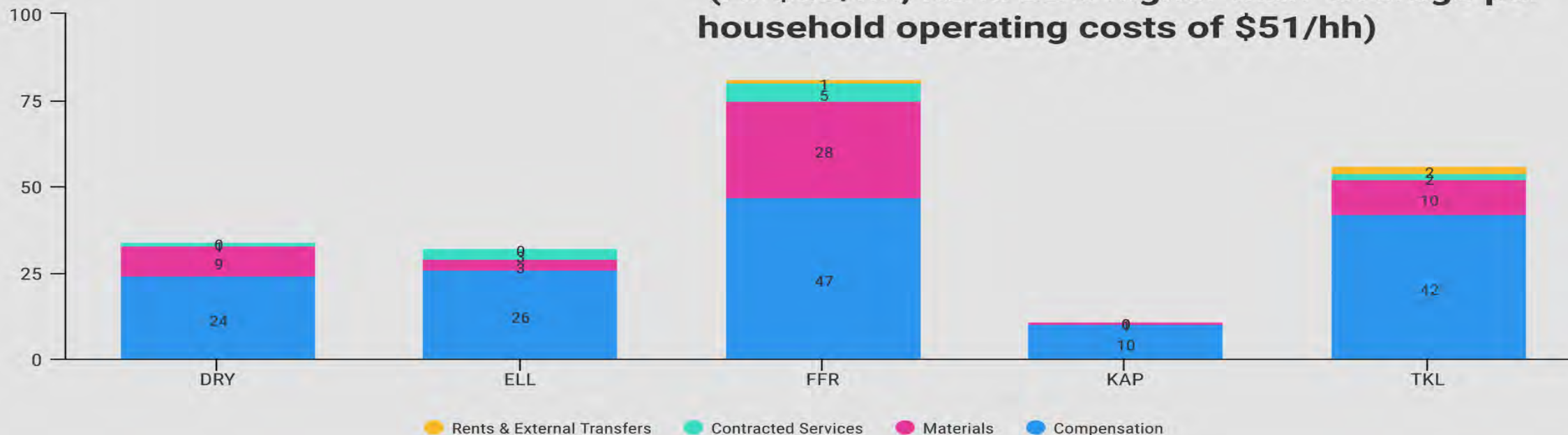




# KL BENCHMARKS - Museum Expenses by Object

## Expenses by object per household ...2019

(At \$62/hh, KL is 22% higher than average per household operating costs of \$51/hh)



## Expenses by object total...2019 (FIR)

(At \$265k, KL is 50% higher than average per household operating costs of \$182k)

	Dryden C	Elliot Lake C	Fort Frances T	Kapuskasing T	Kirkland Lake T	Average
Compensation	83,324	143,643	177,847	39,891	195,381	128,017
Materials	32,967	19,202	105,473	2,565	47,924	41,626
Contracts	2,700	15,741	20,002	794	11,662	10,180
Rents		754	2,189		10,612	4,518
<b>Total</b>	<b>118,991</b>	<b>179,340</b>	<b>305,511</b>	<b>43,250</b>	<b>265,579</b>	<b>182,534</b>

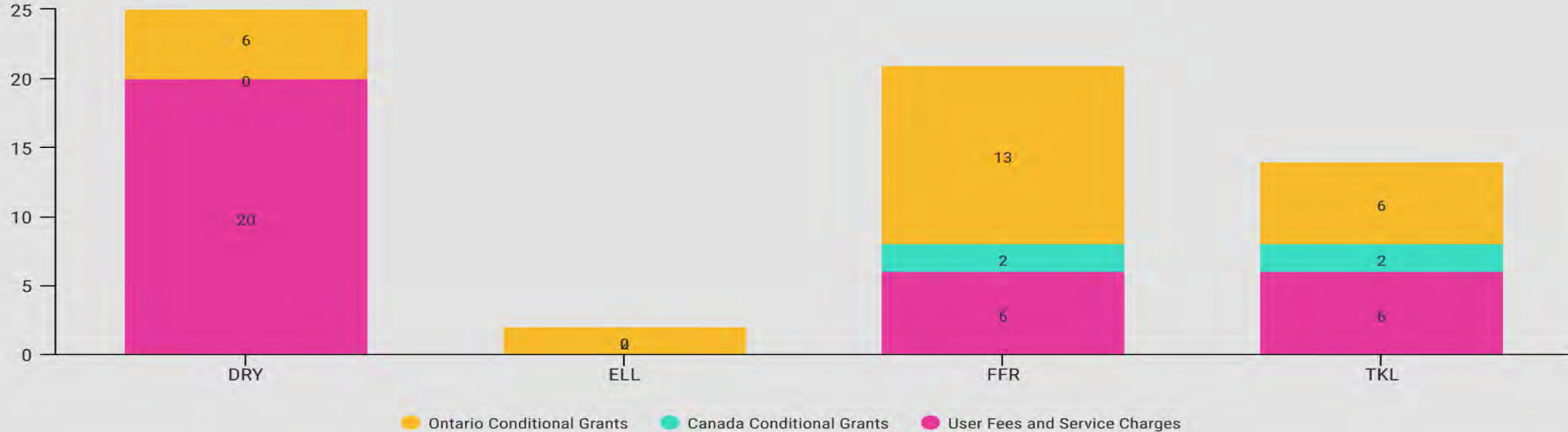
Total includes amortization



# KL BENCHMARKS - Museum Revenues by Type

## Revenues by type per household ...2019

(At \$5/hh, KL is at average revenue per hh)



## Expenses by object total...2019 (FIR)

(At \$67k, KL is at the average revenue but below the median at \$74k)

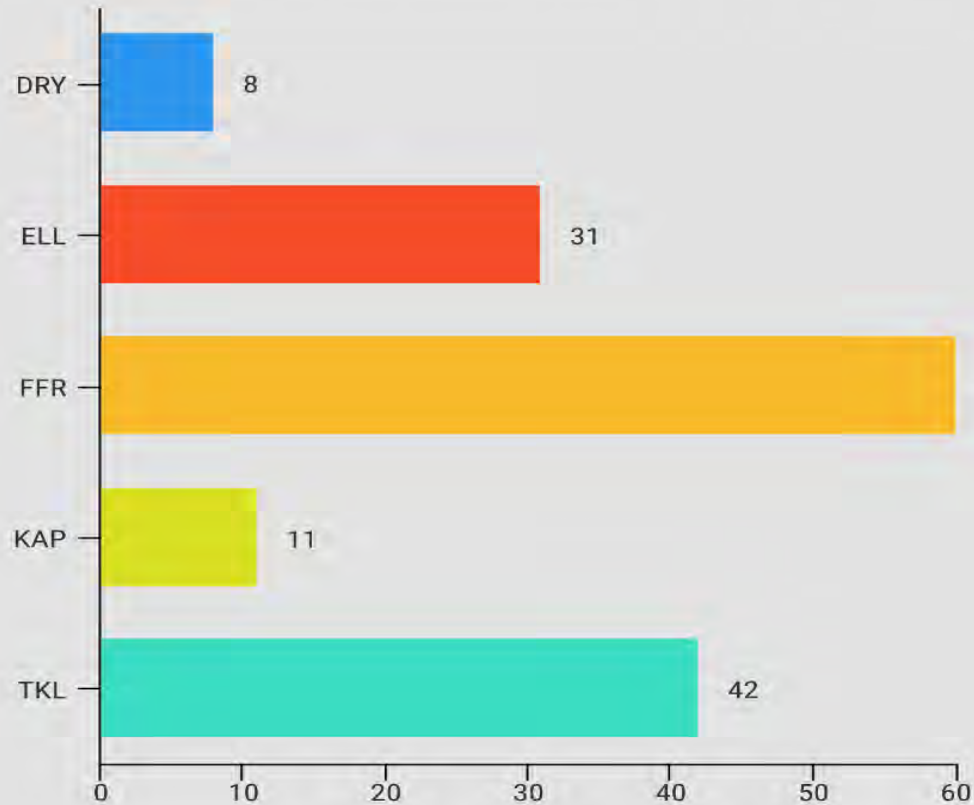
	Dryden C	Elliot Lake C	Fort Frances T	Kirkland Lake T	Average
Ontario Conditional Grants	20,701	9,450	47,938	29,437	26,882
Canada Conditional Grants			7,253	8,897	8,075
User Fees and Service Charges	70,040	161	23,967	29,594	30,941
<b>Total</b>	<b>90,741</b>	<b>9,611</b>	<b>79,158</b>	<b>67,928</b>	<b>61,860</b>



# KL RESULTS- Net Levy & Recover Rates - Museum

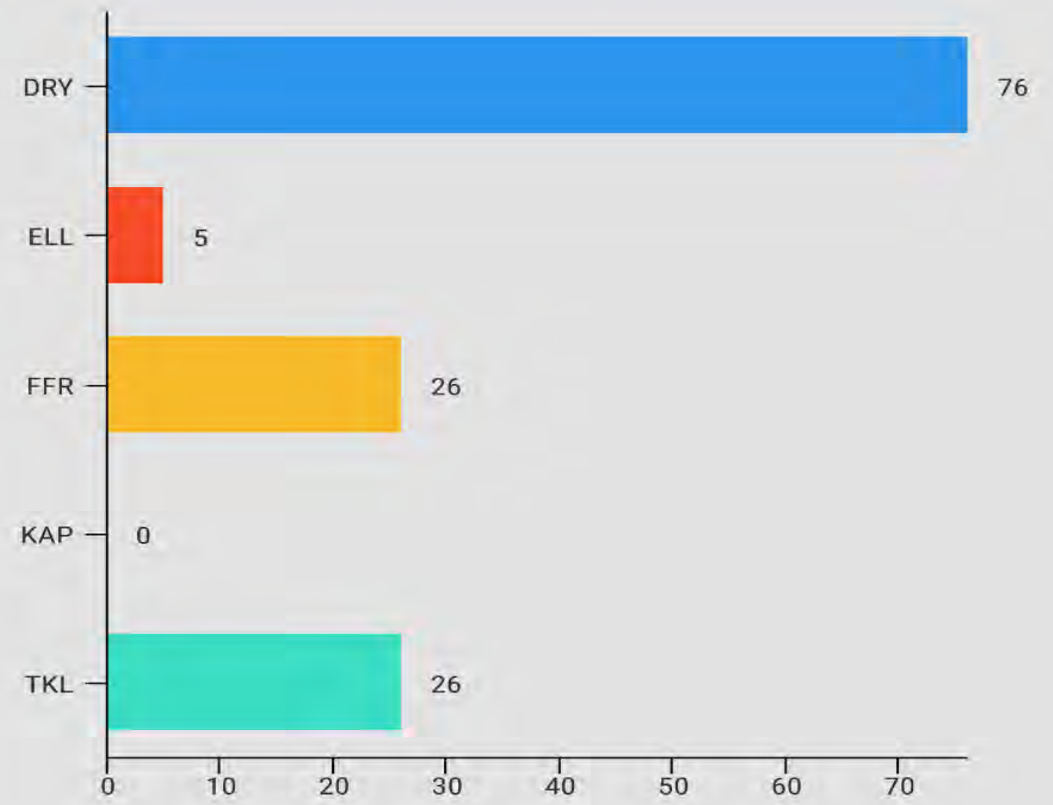
## Net Levy per household...2018

(KL is above the benchmark average of \$30 by 40%)



## Recovery Rate %...2018

(KL is close to the benchmark average of 27%)



# MUSEUM BENCHMARKS - OPERATIONS

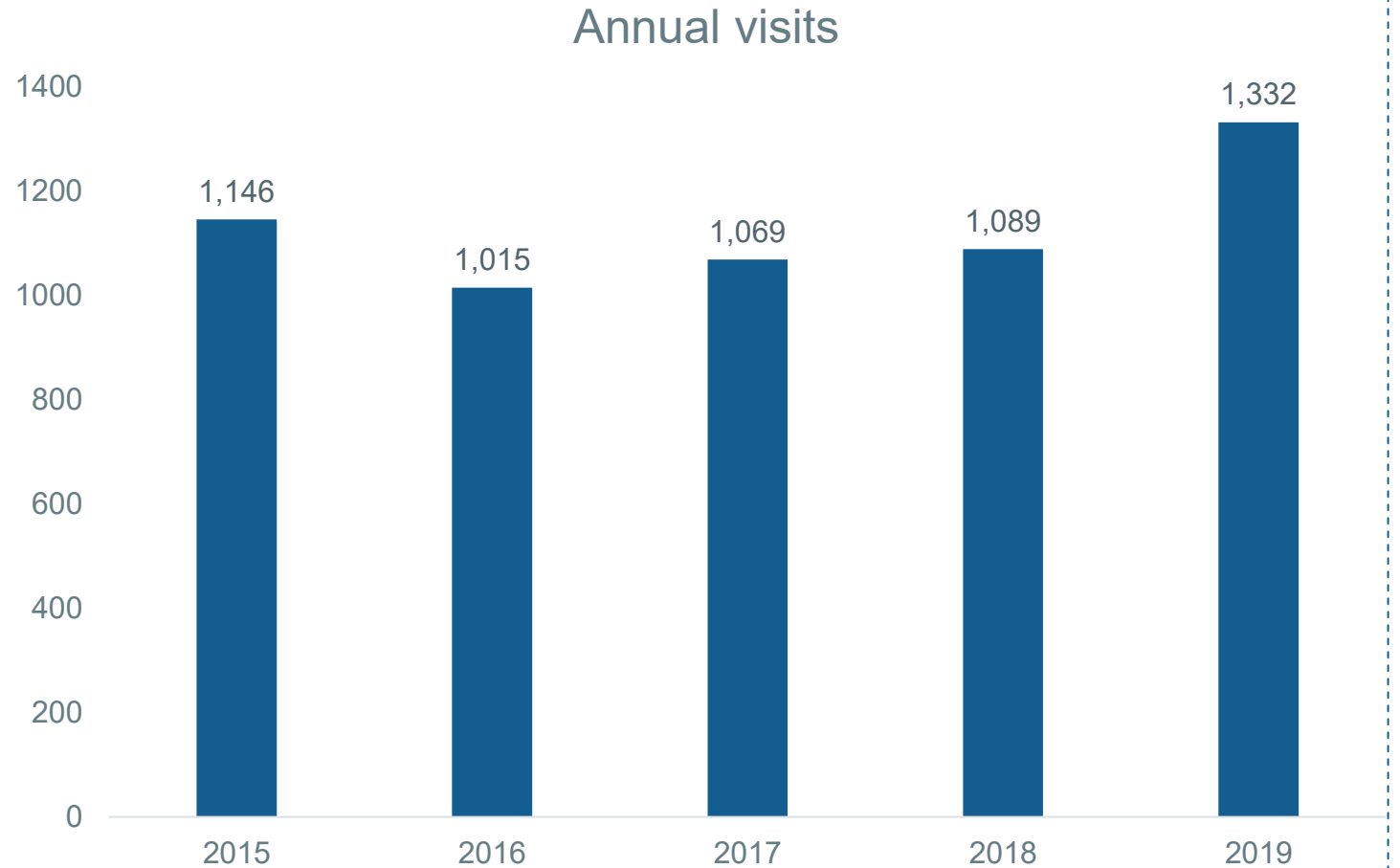
	Dryden (Hambleton House)	Elliot Lake (Nuclear Mining)	Fort Francis	Kapuskasing (Ron Morel Locomotive 5107)	Kirkland Lake (Harry Oakes Chateau)	Temiskaming Shores (Haileybury Heritage)
Admission Adults	\$3 for non-members		Summer Adults: \$5.00 Seniors & Children (6-12): \$4.00 Family: \$15.00 Winter - Donations	Free - donation	Adult: \$6.10 Senior & Student \$4.10 Family \$15.30 Special \$4.10	\$2 per adult \$1.50 seniors/students \$5 family rate
Memberships	\$25 Individual, \$30 Family \$30-55 Patrons \$56-105 Sustaining \$105 Corporate				Single : \$35.00 Family : \$50.00 Student : \$25.00 Group : \$85.00 Business :\$145.00	
Hours of Operation	9-5 pm Tues-Fri 9-5pm One Saturday per month	Summer M-F 9-5 pm	Summer 10-5 p.m. Winter 11:00 a.m. to 4:00 p.m. Tue-Sat	Summer Daily 9:30 a.m. to 4:30 p.m. Winter Closed	Summer: Tue- Fri – 10am to 5pm Sat – 12pm to 4pm Winter:Tue- Fri – 12pm to 5pm Sat - 12pm to 4pm	Summer Daily :10 am to 5 pm Winter Mon- Fri 10 am to 4 pm
Seasons	All Year	Summer only	All Year	Summer only	All Year	All Year
Building Ownership	Town		Town	Town	Ontario Heritage Trust	Town
Staffing	1 Museum/Heritage Coordinator				1 Manager, 1 Curator 1 PT 2 Students	



# SERVICE DELIVERY INDICATORS

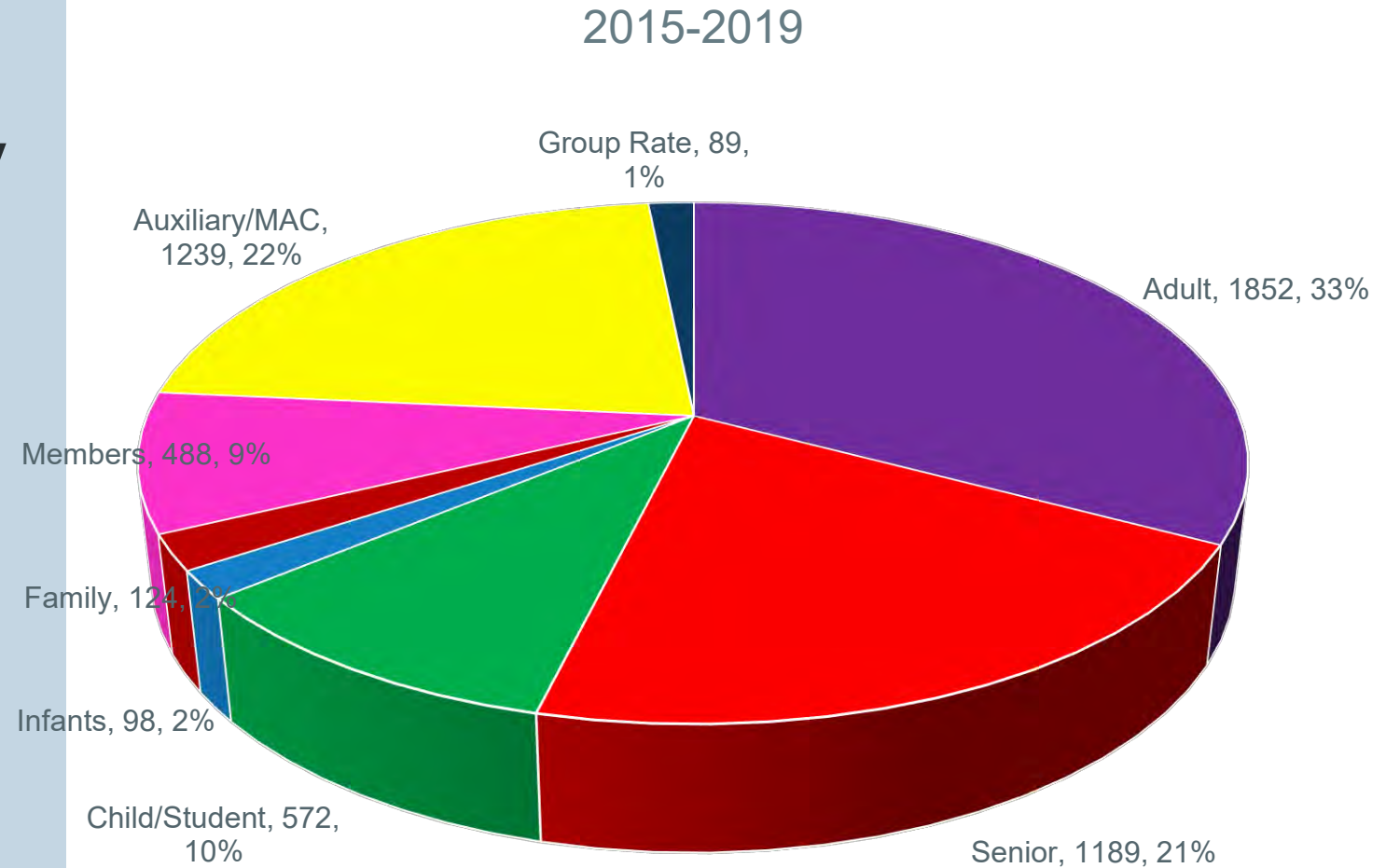
# Total Museum Attendance

Museum attendance over the last five years has been relatively stable with a bump in 2019 likely attributable to the Town's 100<sup>th</sup> Anniversary. On average, 1,100 people attend the Museum annually.



# Museum Attendance by Category

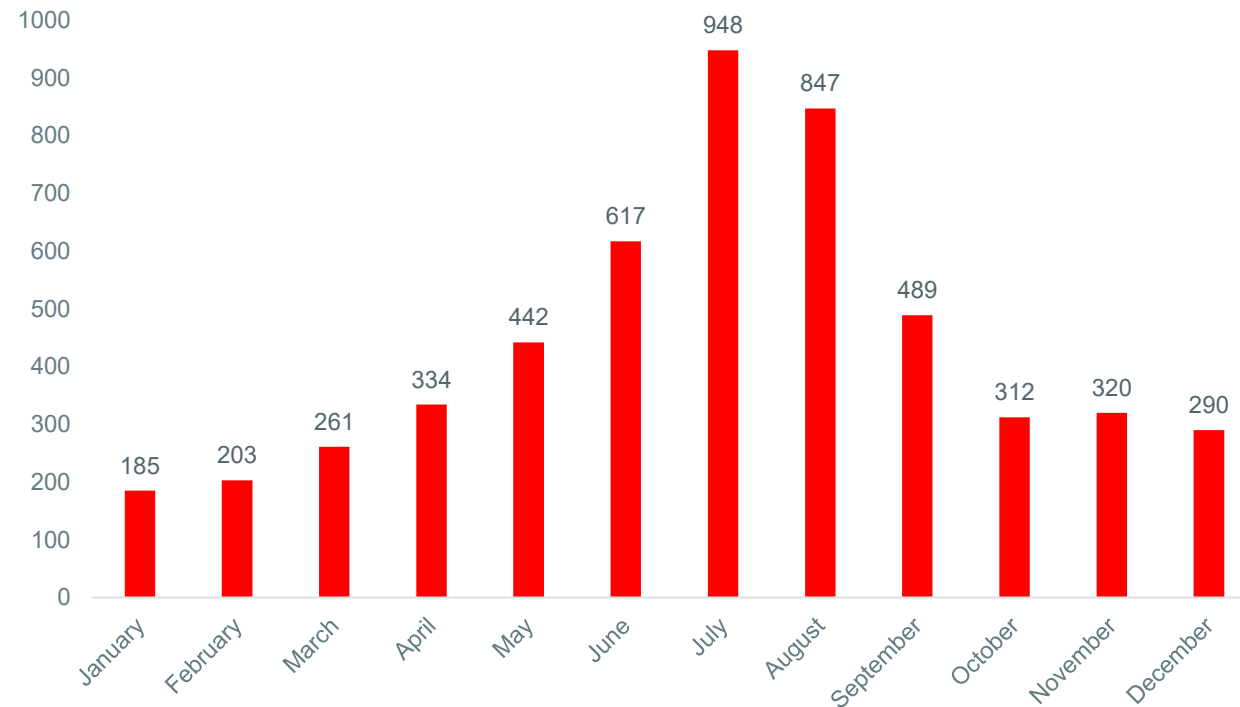
Adult attendance makes up the largest category annually(33%), followed by the Auxiliary/MAC (22%) and seniors (21%). Child/student, Members and Group Rate categories are substantially lower.



# Museum Attendance by Month

Museum attendance is highest in the summer, and lowest in winter, in particular January, February and March.

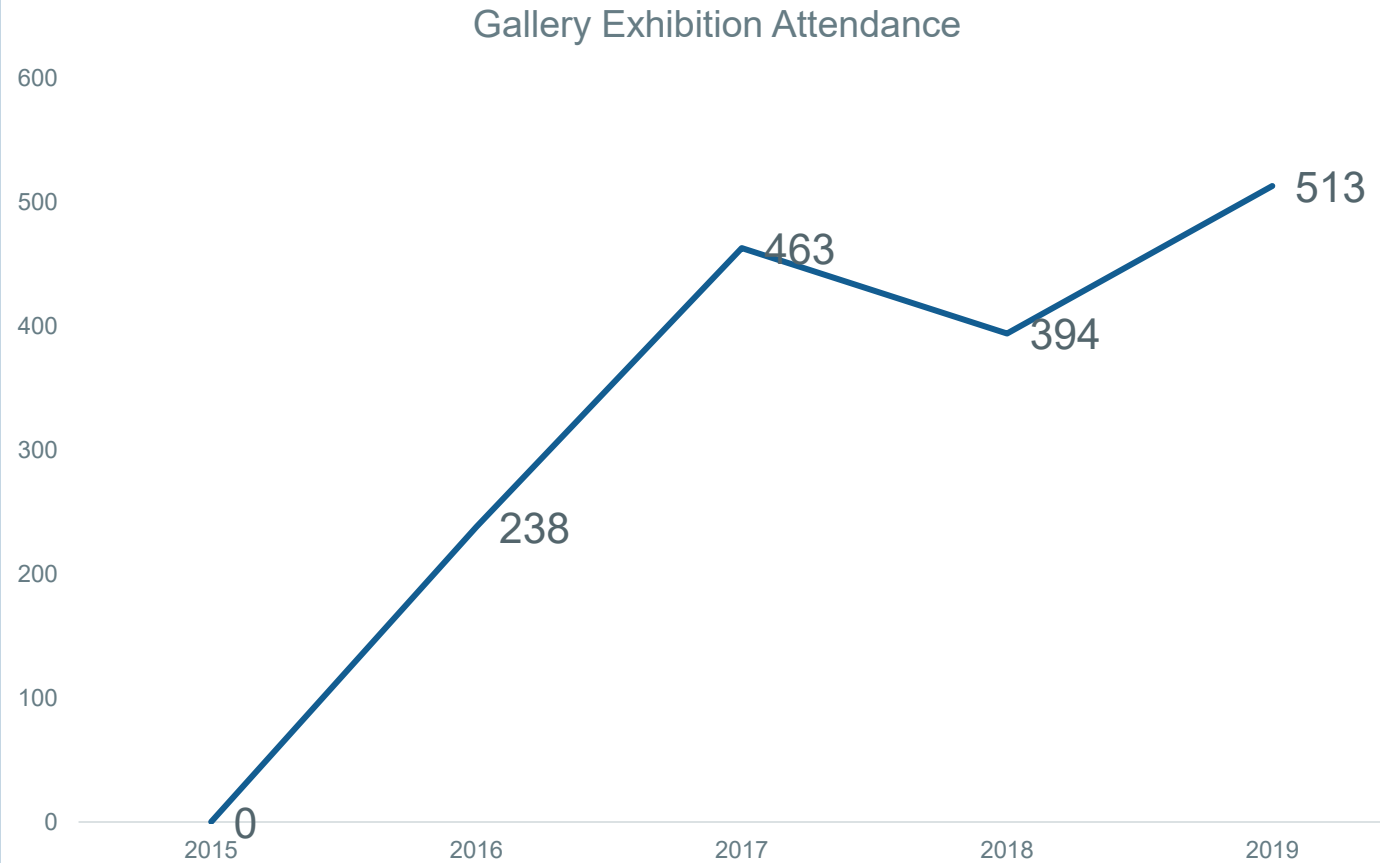
Museum Monthly Attendance  
2015-2019





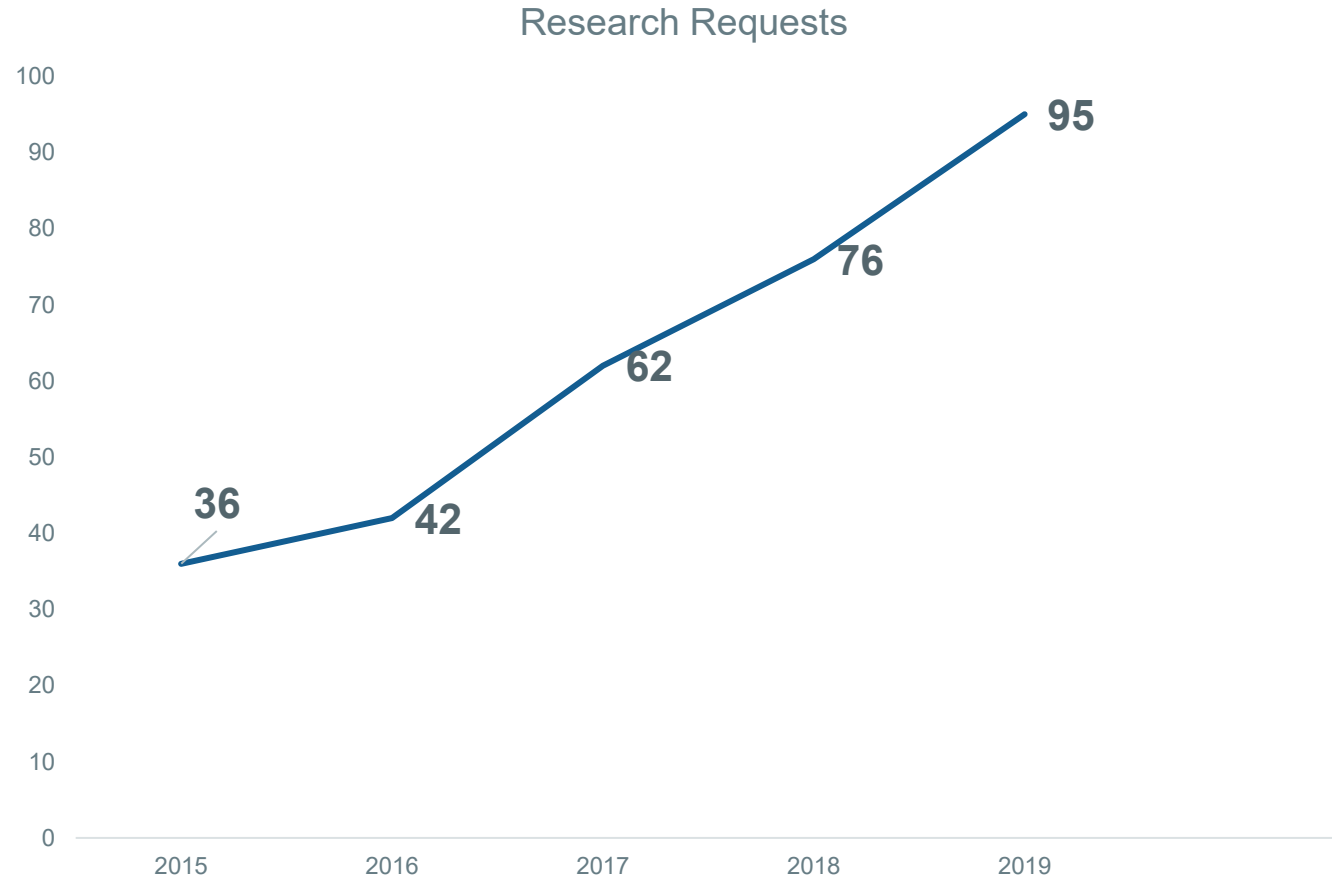
# Gallery Attendance

Gallery exhibition attendance has been on the increase over the last five years, most recently averaging between 400 and 500 attendees annually.



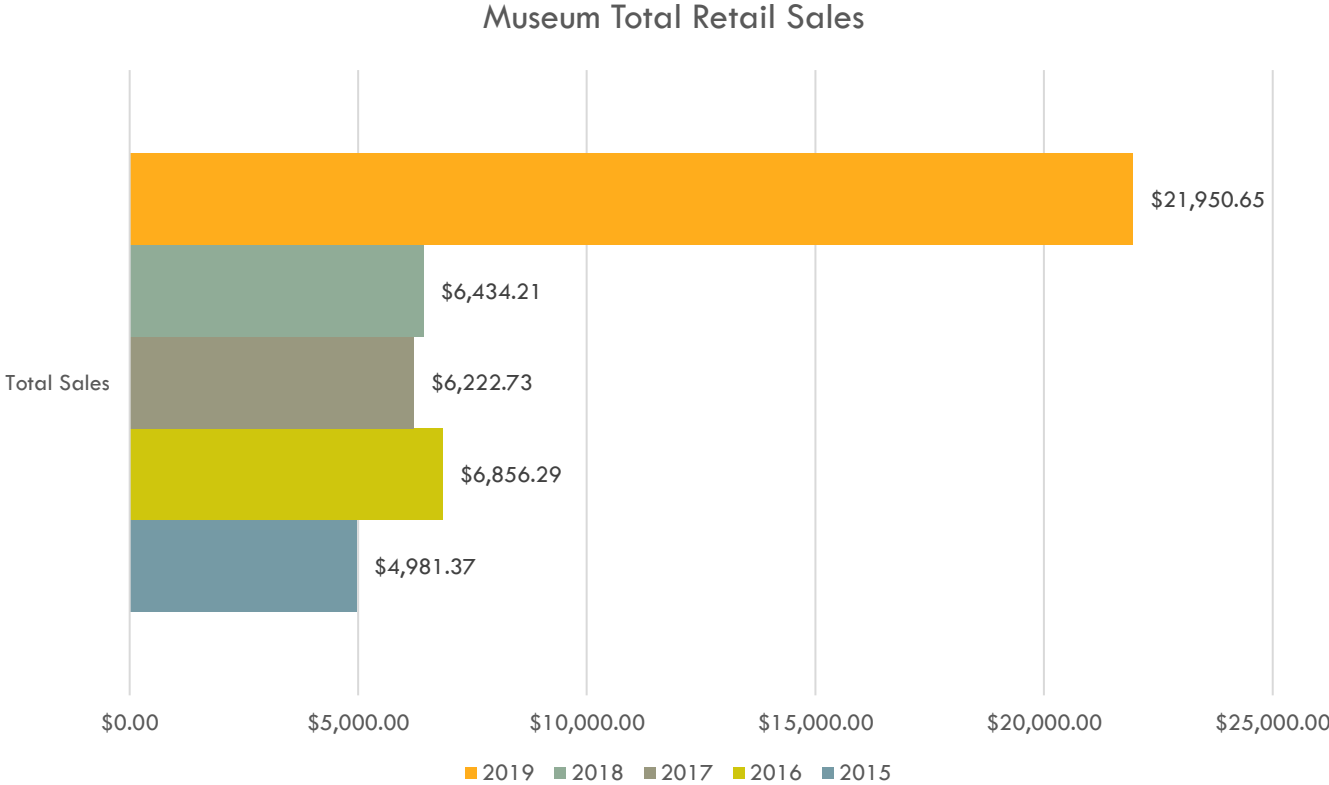
# Research Requests

There has been a significant increase in research requests over the last five years, with the greatest increase in 2019, likely due to the Town's 100<sup>th</sup> Anniversary. On average, 60 research requests are received annually.



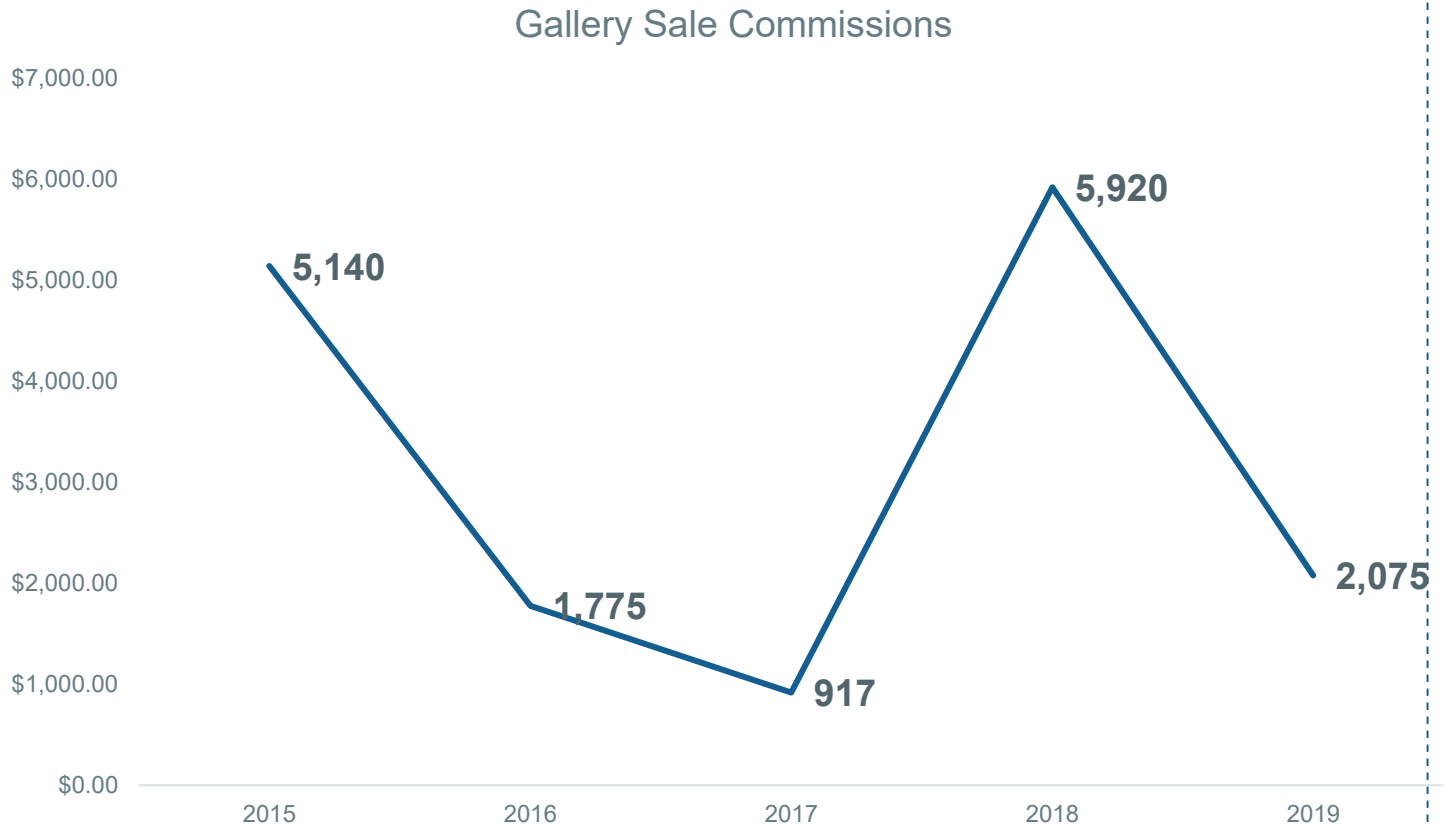
# Museum Total Retail Sales

Total retail sales were significantly higher in 2019, at around \$22,000, likely due to the Town's 100<sup>th</sup> Anniversary. Sales in other years totaled around \$5,000 to \$7,000 annually.



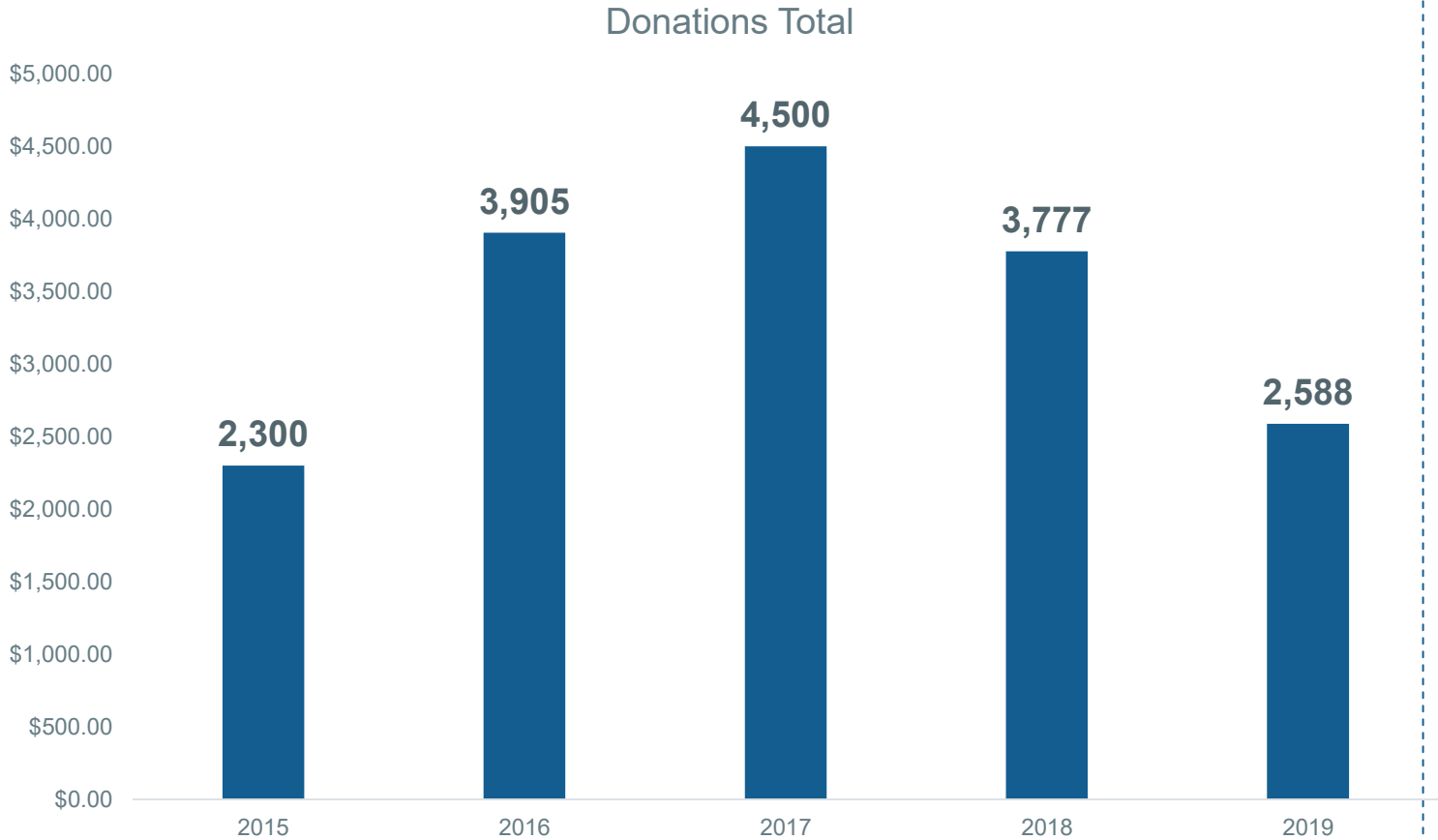
# Gallery Sale Commissions

Gallery sale commissions are variable and likely artist dependent with a high in 2018 of \$6,000, and a low in 2017 of \$1,000.

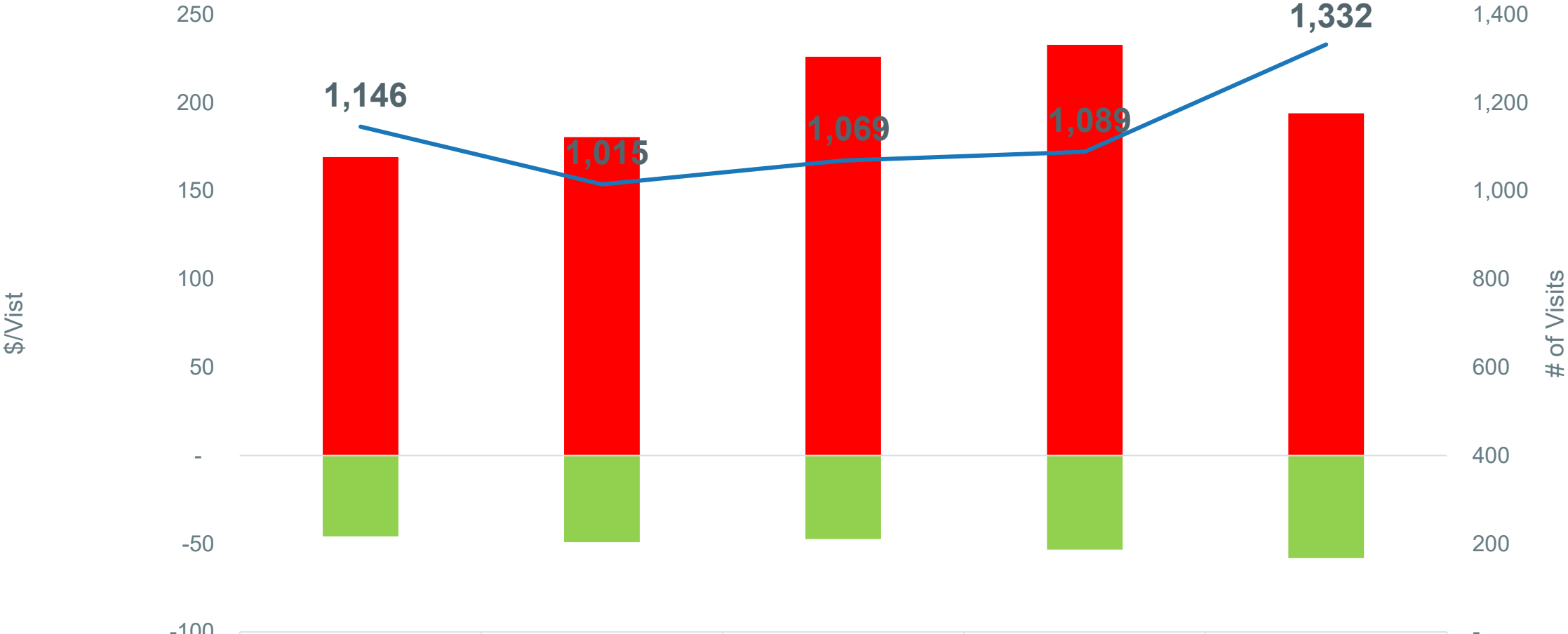


# Monetary Donations

Monetary donations are on the decline, hitting a low in 2019 of \$2,500 from a high of \$4,500 in 2017.



# Museum Revenue and Cost per Visitor (2015-2019)



	2015	2016	2017	2018	2019
Revenue per visit	-46	-49	-47	-53	-58
Expenses per visit	169	181	226	233	194
Visits	1,146	1,015	1,069	1,089	1,332

# Vision for the FUTURE



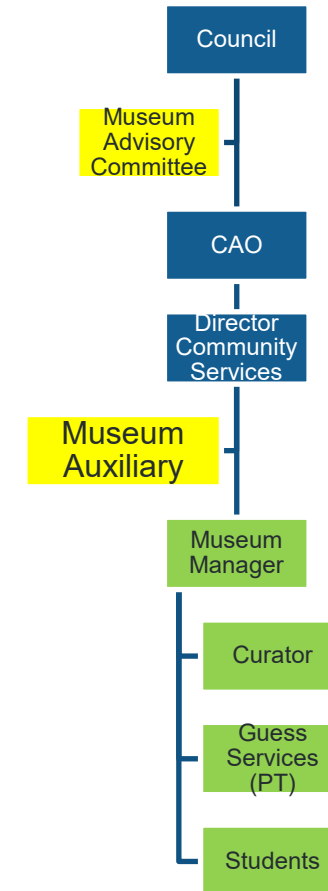


# ORGANIZATION DESIGN



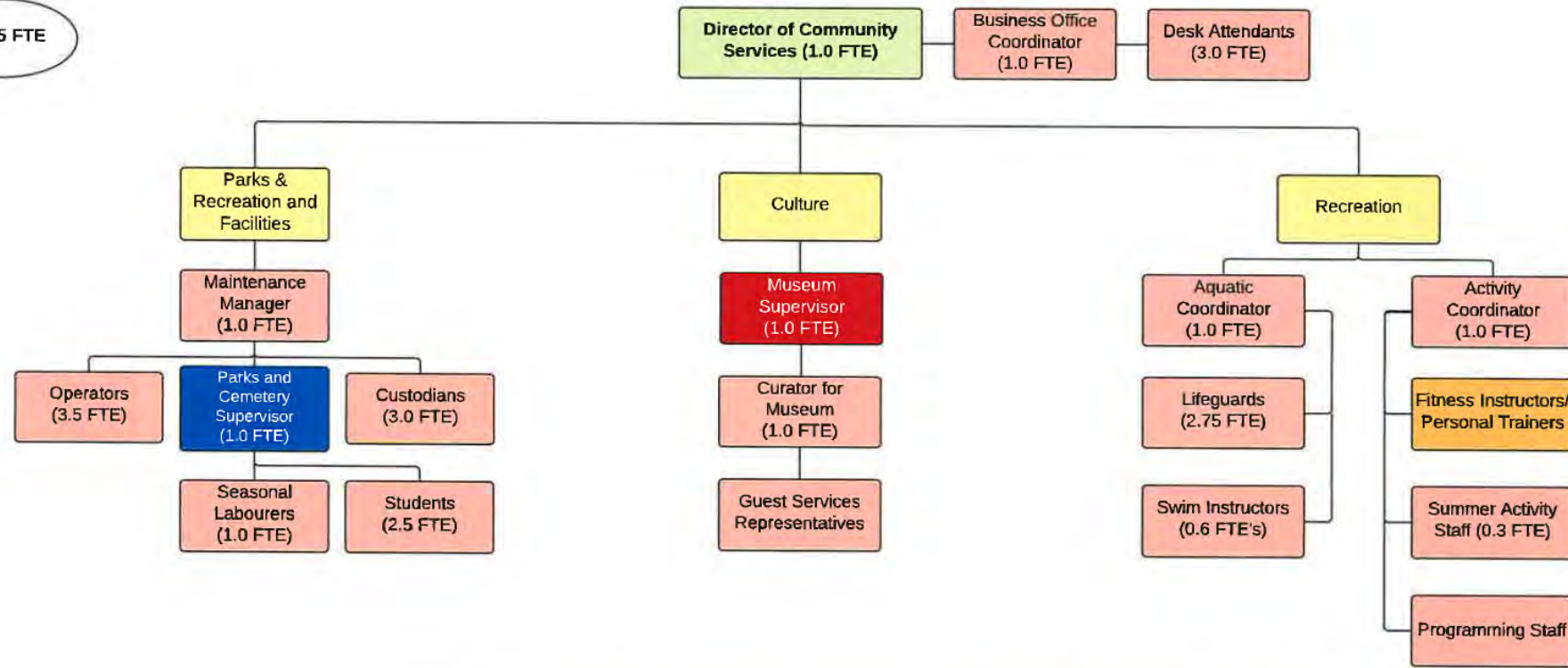
# Structure & Governance

- ❑ 2020 – Change in Director responsible
- ❑ The Museum Advisory Committee has Terms of Reference from Council which include:
  - Making recommendations to Council to benefit the Museum
  - Reviewing/recommending an annual budget to Council
  - Developing/recommending to Council capital works
- ❑ The Museum Auxiliary maintains the Museum's appearance and interpretive capabilities through fundraising and personal commitments, and hosting and assisting with events and activities



# Community Services

24.65 FTE



# Silos

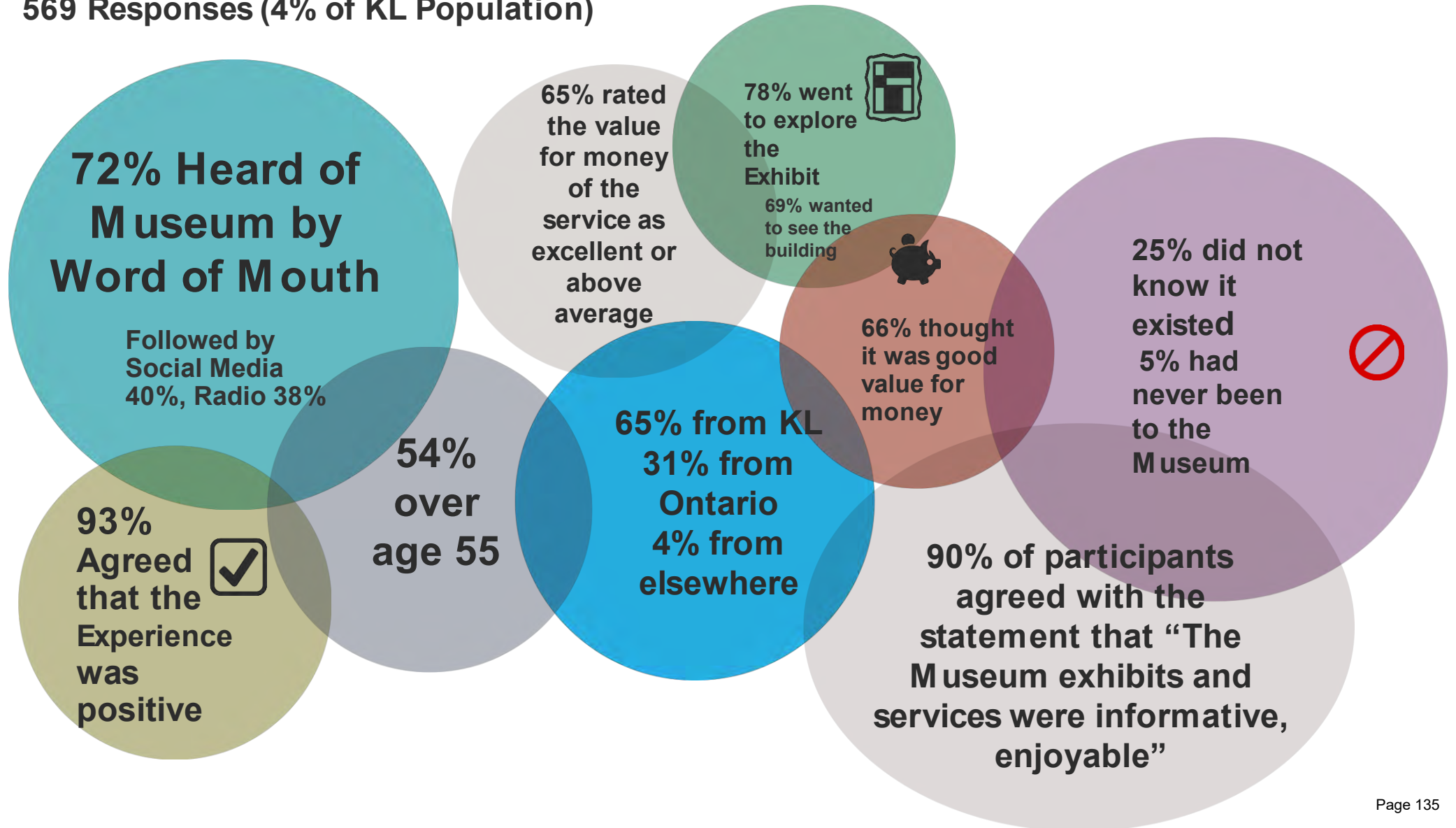
- ❑ Existing reporting structure splitting Culture and Recreation creates siloed functioning
- ❑ Integration of Museum staff within a new department called Culture and Recreation would lead to
  - greater synergies (e.g. events planning)
  - greater access to resources (e.g. Activenet for online bookings)



# FINDINGS & OPPORTUNITIES

# Museum Survey Facts

569 Responses (4% of KL Population)



# Survey Observations

Of the 5% who would not recommend a visit, some of the reasons included:

- Nothing really special
- Old outdated building
- There is no turnover of information
- They need more interaction and less clutter
- As a taxpayer, I don't think the museum is worth keeping open; it's just another building that ends up costing taxpayers

- ✓ Good response to the survey demonstrating community engagement.
- ✓ Some residents have not visited the Museum because they have not heard of it.
- ✓ Exhibits are the main draw for persons in the community, followed by art shows and events.
- ✓ Although the building is a draw, it is not the 'main event'
- ✓ Most heard of Museum via Word of mouth
- ✓ Most found the visit to be a positive experience.
- ✓ Most visitors reside in Kirkland Lake and are 55 plus
- ✓ Most visitors would recommend a Museum visit, indicating appreciation, pride, and value.
- ✓ Visitors have a desire to share the experience with others and can act as ambassadors to increase attendance

# Commendations

Partnerships - Arts Community

Events **Exhibits**

Auxilliary **Art Shows** Strategic Plan

**Cultural Hub Idea** Digitization of artifacts using PastPerfect

**Museum Advisory Committee**



Without continual growth and progress, such words as improvement, achievement, and success have no meaning.

**BENJAMIN FRANKLIN**

# Key Findings



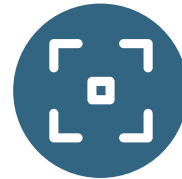
**Museum is not Financially Sustainable**



**Organization structure promotes Siloed Functioning and Inadequate Access to Resources**



**Systems Are Outdated**



**Museum Governance is Ineffective**



**No Business Plan – Work is Unfocused**



**The OHF Chateau Agreement is a Liability**



# Key Findings – Financial Sustainability

## The Museum Is Not Financially Sustainable in its Current Form

- High capital costs, increasing operating expenses, and diminishing revenues make the Museum financial unsustainable in its current form.
- Revenues are generating \$5/household per year. Costs are over \$62/household/year (Net cost to residents = \$57/household/per year. To make this sustainable, memberships and fees need to increase and/or costs decrease.
- **\$150 Net Cost per Visitor**



# Recommendations - Sustainability

## Create a Long Term Financial Sustainability Plan

- **Create a plan to reduce capital expenses, reduce operating expenses, and increase revenues by focusing on Museum relocation, staff rationalization, revenue targets, fundraising and business development.**
- **Consider a KL Resident Card representing their contribution and to encourage visitors.**
- **Negotiate with the Ontario Heritage Foundation – re: the Chateau.**

# Key Findings – Systems

## Systems Are Outdated

- **Most business transactions are manual/paper based – admissions, member tracking, research requests. Retail transactions in the Museum shop are primarily cash based.**
- **There is no online booking or payment transaction capability.**
- **Museum server is 8 years old and past its life cycle**



# Recommendations – Systems

## Modernize Systems

**Implement ActiveNet – already used in Recreation to including online bookings and payments, point of sale and customer relationship management.**



# Key Findings-Business Planning

## **No Business Plan – Work is Unfocused**

The Strategic Plan is not supported with a business plan to implement its strategy.

Programming and Services are Unfocused

Fees and Donations are Under Performing

No User Fee Study completed recently.

No specific targets are included to drive success.

- Team training will be required and need to develop a team lead – patience will be key



# Recommendations – Business Planning

## Create a Multi Year Business Plan with SMART Objectives

- Need a plan with specific actions and measurable objectives to drive operational performance, achieve strategic objectives, targets and transformational change.
- Review programming and services - focus on the key areas intended for the museum.
  - Increase Business Partnership Development



## Key Findings – Organization

### Organization structure promotes Siloed Functioning and Inadequate Access to Resources



- In the past, Museum staff felt isolated from the Town – partly due to location. This has been addressed with new structure but can continue to be enhanced
- Little access to Town resources (skills and knowledge).
- Inadequate performance appraisal of Museum staff by prior management with no clear performance goals/objectives.
- Little collaboration between Museum and Recreation Staff

## Recommendations – Organization

### Redesign Organization Structure to Eliminate Siloed Functioning



- **Redesign organization structure to create opportunities for collaboration/rationalize of staff with Recreation Programming and improve access to Town administration skill/knowledge (e.g. marketing)**
- **Ensure regular and effective staff performance management and achievement of measurable objectives linked to the Town’s strategic plan.**



# Key Findings – Governance

## Museum Governance is Ineffective

- **The working relationship between the Museum Advisory Committee (MAC) and the Museum Auxiliary (MA) is strained.**
- **There is inadequate oversight, few measurable objectives, and little reporting to Council on a regular basis regarding Museum performance.**

# Recommendations – Governance

## Improve Governance Effectiveness

- **Clarify roles /responsibilities related to the Museum Advisory Committee and the Museum Auxiliary.**
- **Strengthen governance among council, town administration, and museum management, including regular reporting on performance and measurable objectives.**

# Key Findings – The Building & OHT

## The OHF Chateau Agreement is a Liability

- The Chateau is costly to maintain and requires significant capital investment
- \$1.4 million (2020 \$) of capital expenses were identified in 2007
- 2007-20, the Town has spent \$224,000 on improvements
- A roof replacement and elevator modernization is currently needed at a cost of \$616,000.
- Grants and other sources of funds have not materialized. The building needs a lot of work.



# Recommendations– The Building & OHF

**Urgent need Explore Options with OHF**

**Renegotiate the Ontario Heritage Foundation  
Chateau Agreement**



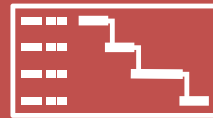


Town of Kirkland Lake  
Service Delivery Review  
of  
Winter Control Services &  
Fleet Management



Draft Final Report - November 30, 2020





# Background

# About the Town's Winter Control Services

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- Service delivery is defined directly or indirectly and how it is delivered by Ontario Regulation(s)
  - The Municipal Act Section 44
  - O.Reg 239/02 Minimum Maintenance Standards
  - O.Reg 555/06 Hours of Service
  - Environmental Protection Act
- Winter Control Services provides by Town staff supplemented by contracted services
  - Approximately 66km of roads
  - Approximately 5.5kms of laneways
  - Approximately 15km of sidewalks (not all sidewalks plowed)
  - Municipal Parking lots
  - Facilities Parking lots

# Service Delivery – O.Reg 239/02 MMS and Levels of Service

- O.Reg 239/02 provides a 'due diligence' to municipalities that meet and document the service delivered
- Service levels are dependent on traffic counts and speed limits

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

\*As amended May 3, 2018



# About the Winter Maintenance Plan

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- Plowing, Sanding, Salting, Routes are shown in the plan.
- There are 4 plow routes including the grader's route
- The grader route appears to be overlapped by a truck route also
- Salting routes do not apply to all roads
- Sanding does not apply to all roads with each event; some would only be sanded in adverse conditions

# About the Winter Maintenance Plan (WMP) - Issues

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- The WMP is a mix of policy and Standard Operating Procedure – they should be separate
- The WMP indicates compliance with O.Reg 239/02 as the intent

# About the Winter Maintenance Plan - Issues

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- Salt routes are identified but generally occurs infrequently and only on the main road, not on the side streets.
- Maintained sidewalks are identified
- Unmaintained sidewalks are not closed by by-law per O.Reg 239/02 16.8

# Winter Control Service Delivery – Materials Management

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- There are no facilities to house the winter control materials – sand and salt – both are stored outside
- The winter materials piles are on third party lands through agreement
- The Town applies less than 500t per year to avoid a salt management plan.
- Avoidance of a Salt Management Plan may contribute to other winter control service delivery issues.

# Winter Control Service Delivery – Facilities

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- The PW Garage and office have identified improvement needs of over \$1.3m (2014)
- As noted winter control materials should be housed

# Winter Control Service Delivery – Documentation

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- Documentation for almost everything is paper based
- Paper is limited and not easily retrievable or analyzed
- Documentation that is electronic may exist in several different Excel files with different names
- The fleet software is very limited in its usage and usefulness in its current format (not upgraded, not additional improvements made)



# WINTER CONTROL FINANCIAL CONDITION INDICATORS AND BENCHMARKS

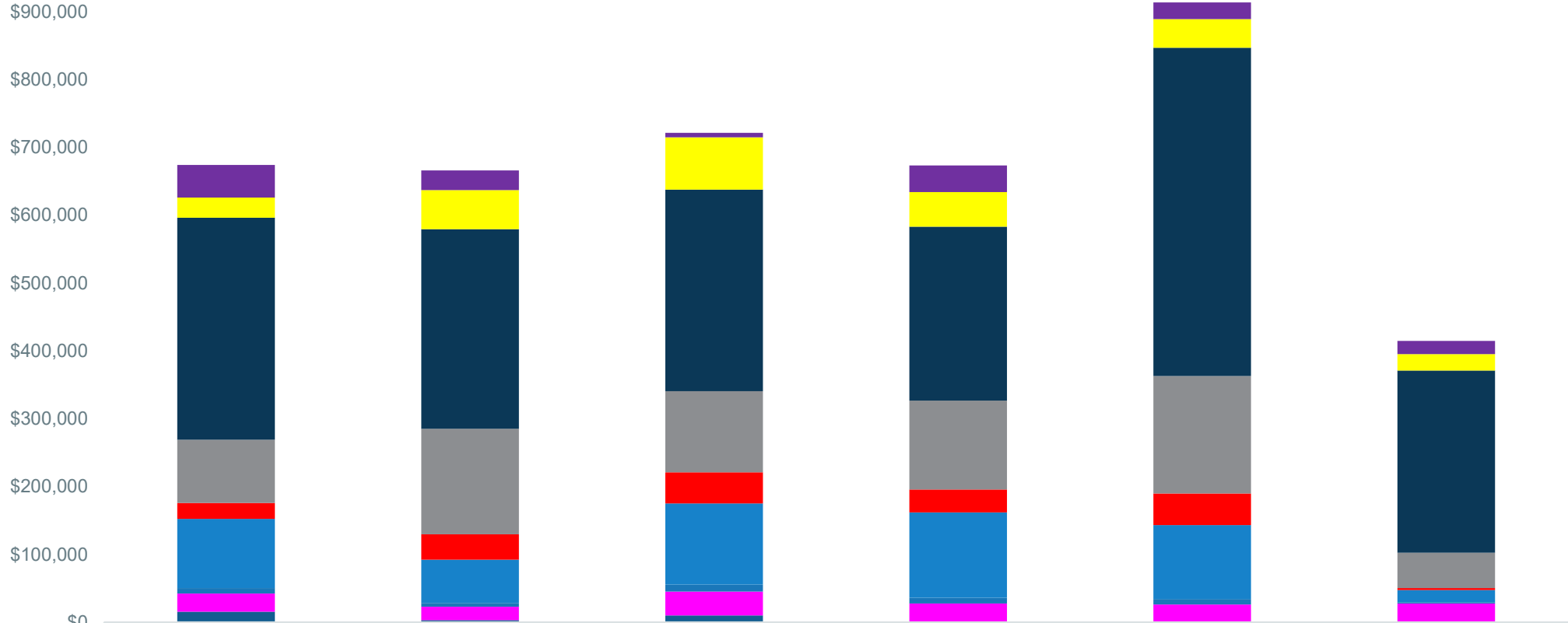
# Why Do Financial Condition Assessment?

- Understand Where You've Been And Where You're Headed
- Assesses The Financial Environment And Sustainability Indicators For The Future
- Assesses The Socio Economic Environment
- Helps Identify The Key Financial Challenges And Emerging Trends And Where Decisions Will Need To Be Made
- Present Objective Picture Of Strengths/Weaknesses Before Developing Policies
- Province Also Use These Indicators For Financial Sustainability including funding decisions



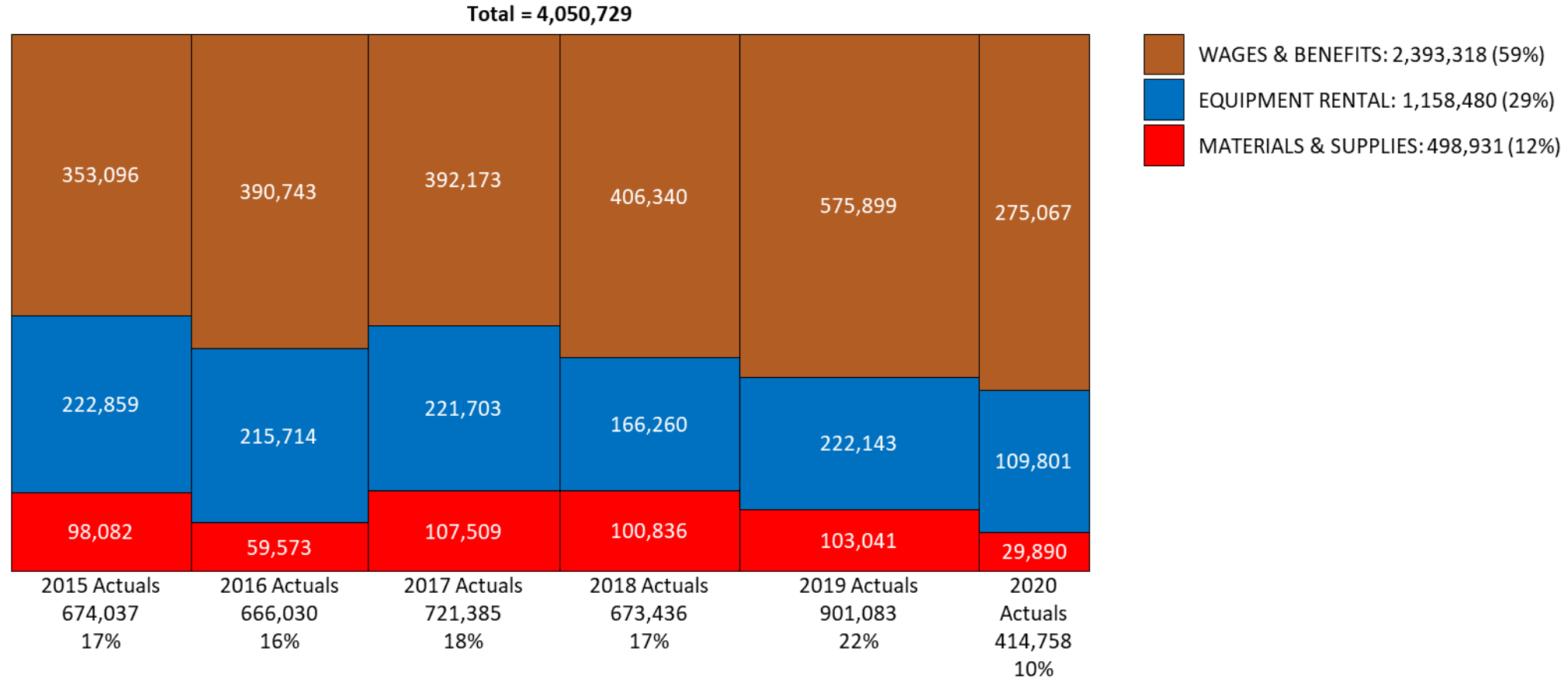


# Winter Control Operating Expenses by year

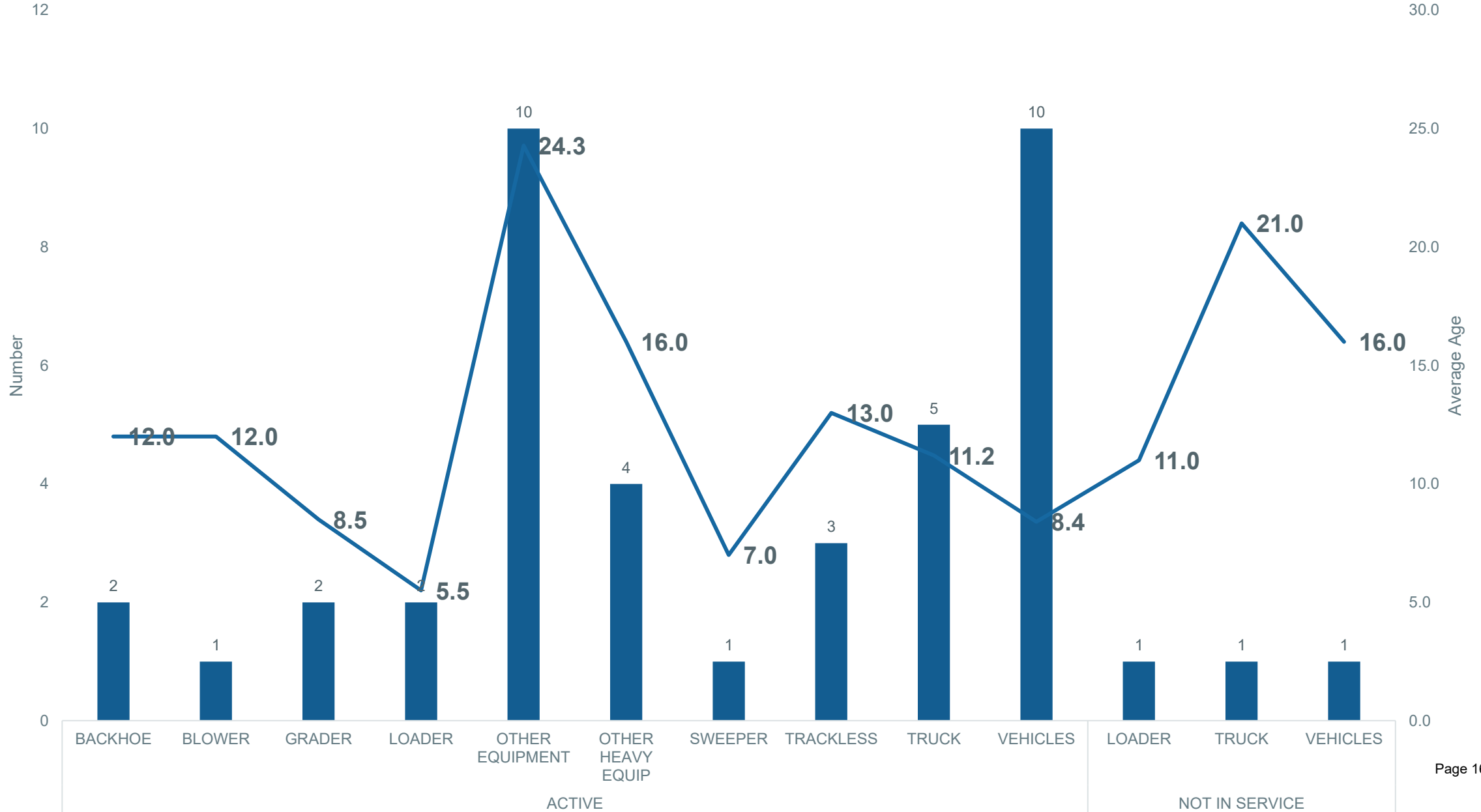


	2015 Actuals	2016 Actuals	2017 Actuals	2018 Actuals	2019 Actuals	2020 Actuals
■ SIDEWALKS - SNOW REMOVAL & PLOWING	\$47,912	\$28,886	\$6,462	\$39,351	\$24,835	\$19,485
■ SIDEWALKS - SANDING	\$29,792	\$57,620	\$77,204	\$51,008	\$42,161	\$24,298
■ ROADS - SNOW REMOVAL	\$327,379	\$294,257	\$297,130	\$256,504	\$483,771	\$268,535
■ ROADS - SNOW PLOWING	\$93,096	\$155,768	\$119,659	\$130,829	\$173,409	\$52,166
■ ROADS - SNOW DUMP OPERATION	\$23,502	\$37,505	\$45,787	\$34,015	\$46,369	\$2,900
■ ROADS - SANDING	\$101,974	\$63,743	\$119,643	\$125,848	\$109,133	\$18,077
■ ROADS - SAND BOXES	\$8,293	\$5,435	\$10,456	\$8,468	\$7,861	\$1,633
■ ROADS - SALTING	\$26,802	\$19,916	\$34,999	\$27,413	\$26,157	\$27,664
■ ROADS - CULVERT THAWING	\$15,287	\$2,900	\$10,045	\$0	\$67	\$0

# Winter Control Operating Expenses by Object



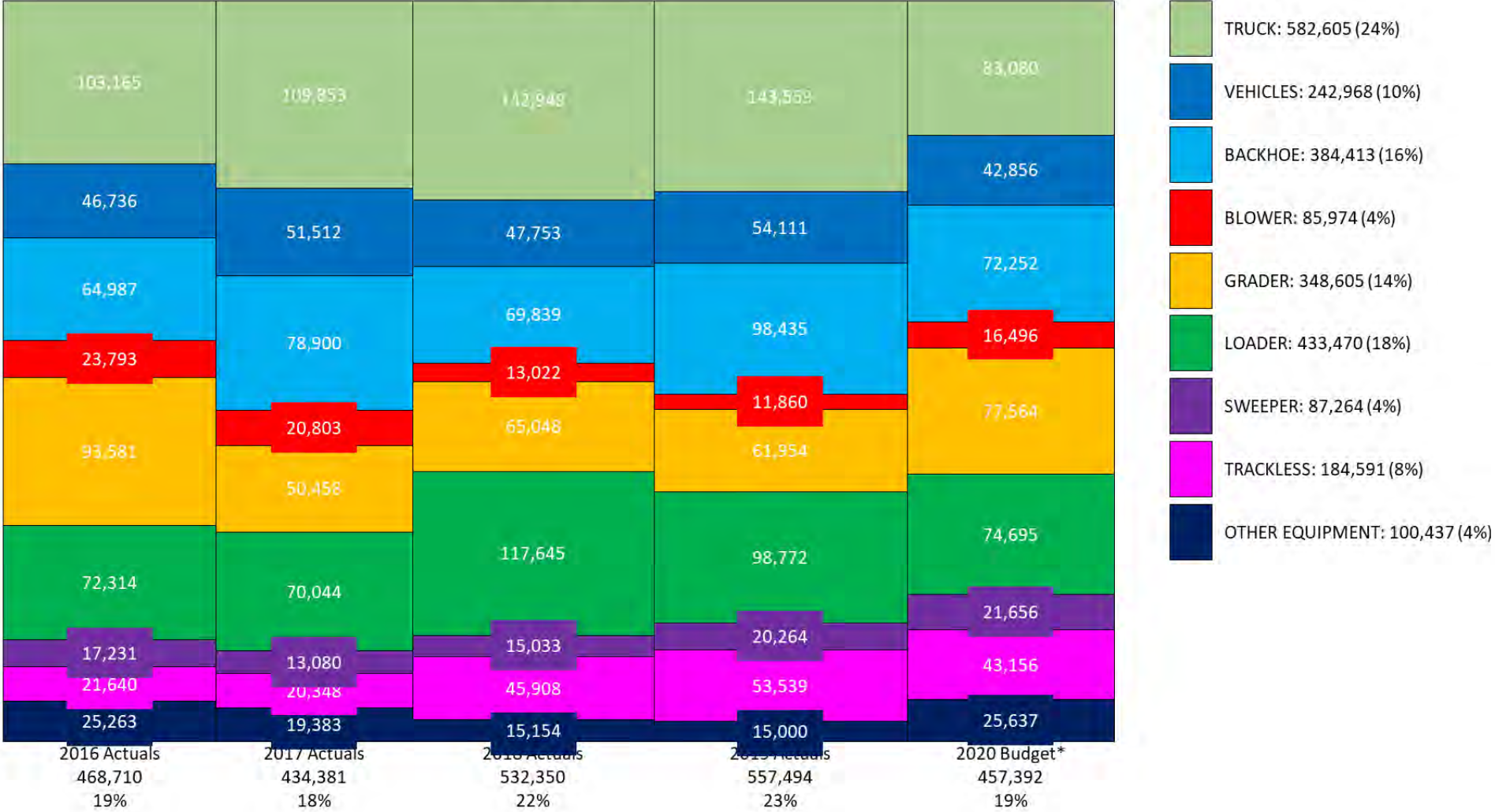
### KL PW Equipment and Average Age (FROM TOWN)



# Fleet Operating Expenses by Category

(2016-2020)

Total = 2,450,327

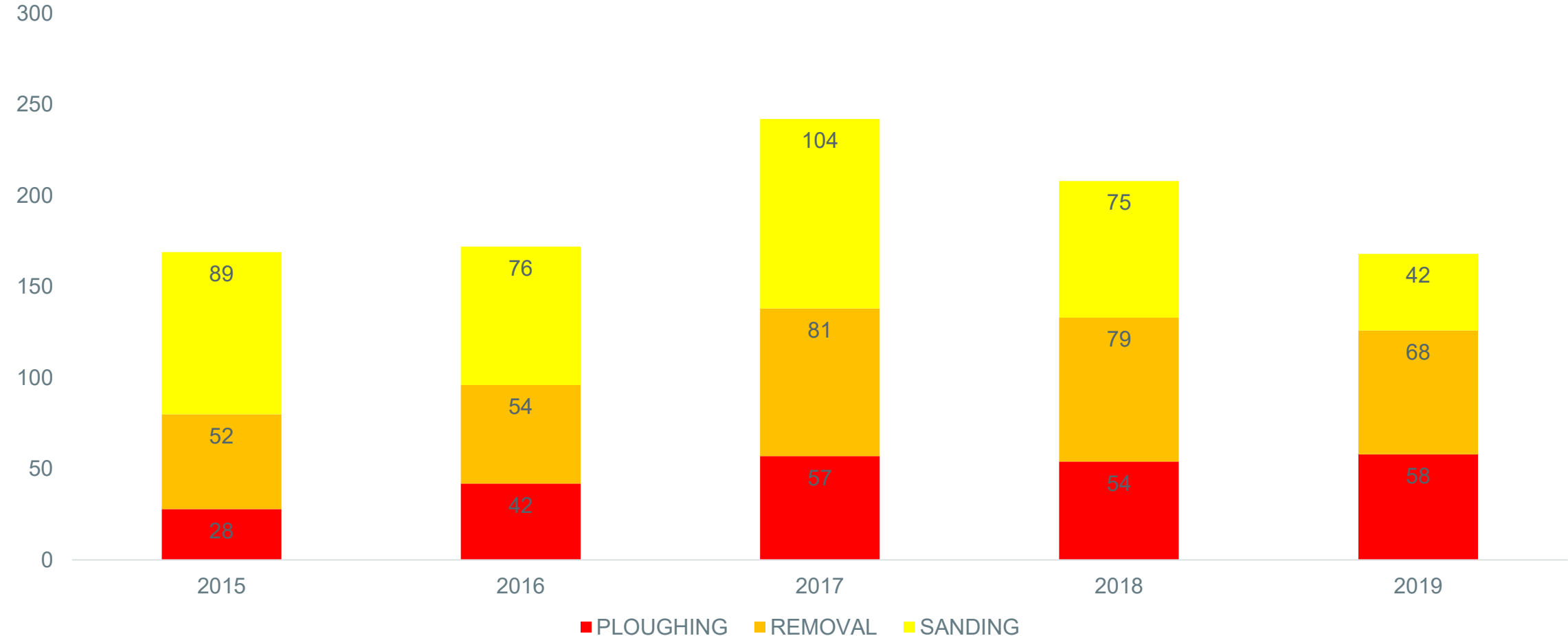




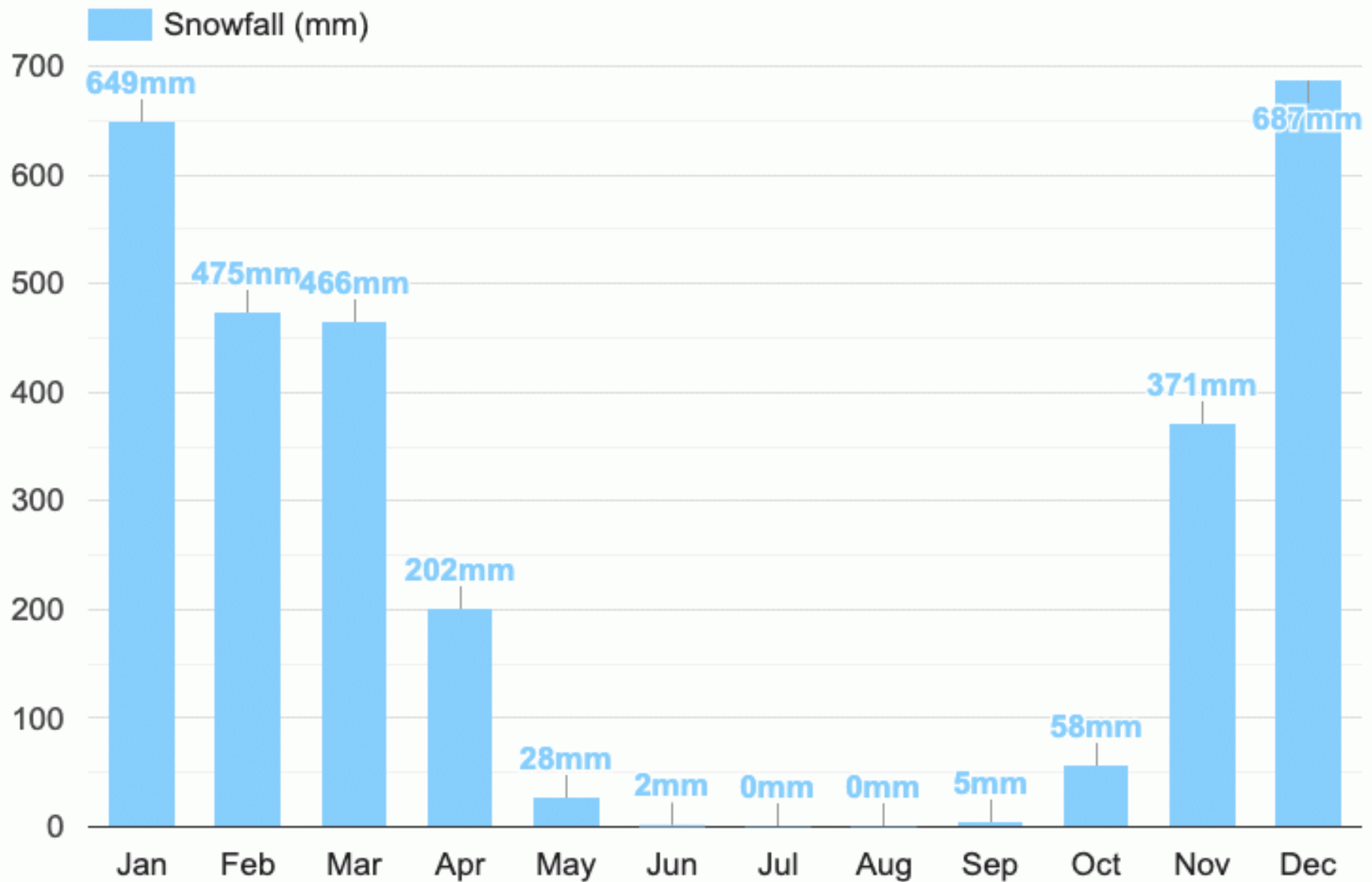
# SERVICE DELIVERY INDICATORS

# Number of Winter Events

KL Snow Events  
2015-2019



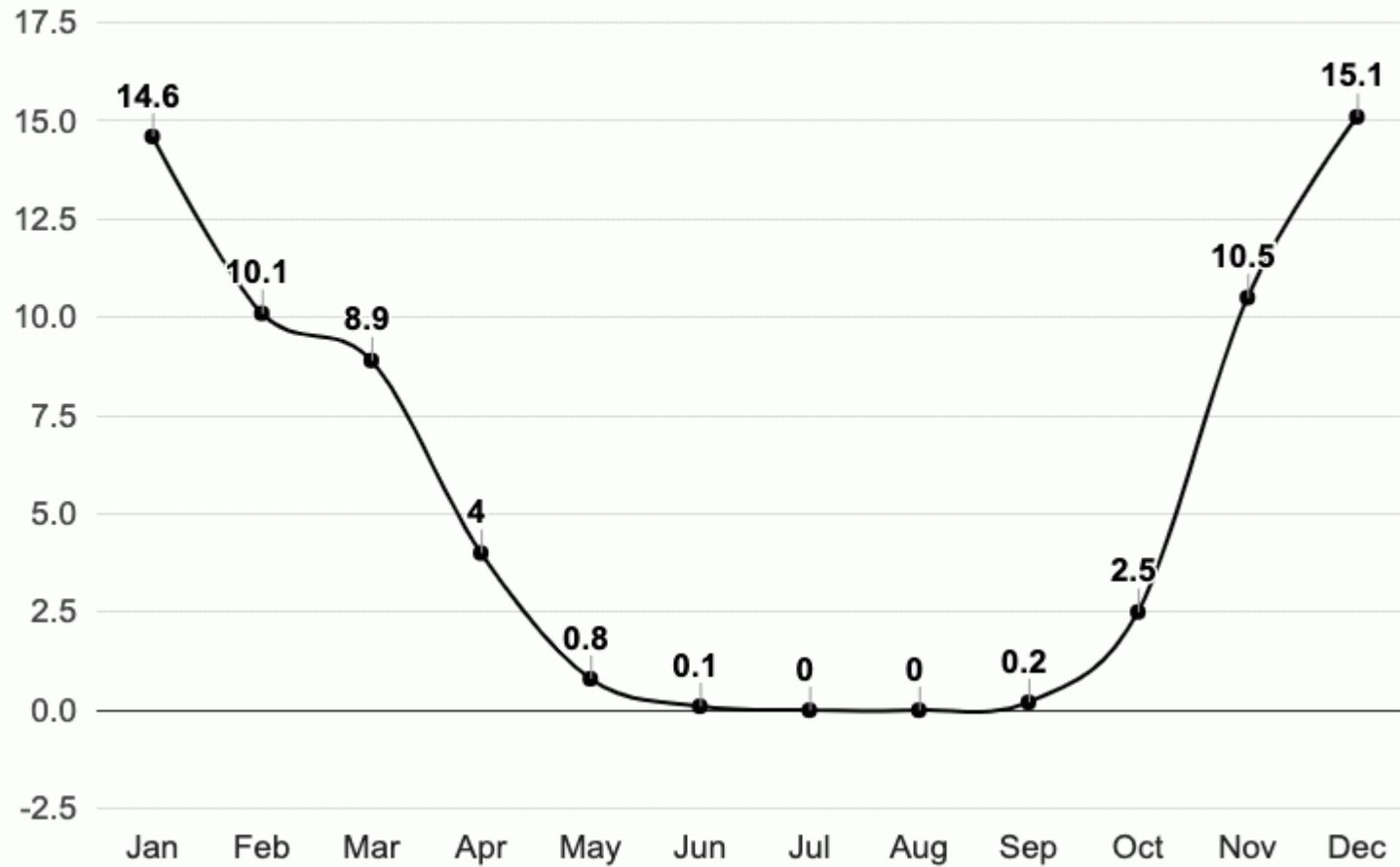
## Snowfall - Kirkland Lake, Canada



Source: weather-ca.com

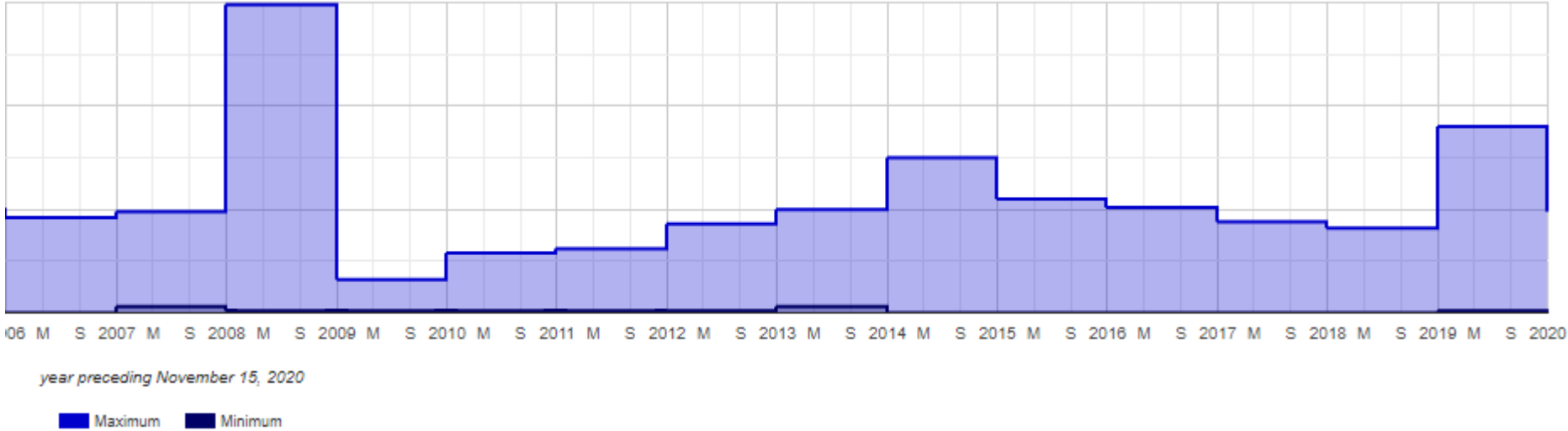
### Snowfall days - Kirkland Lake, Canada

—●— Snowfall days

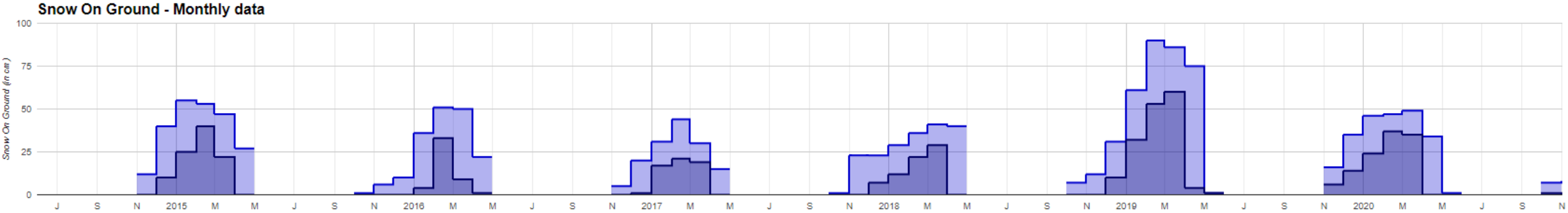




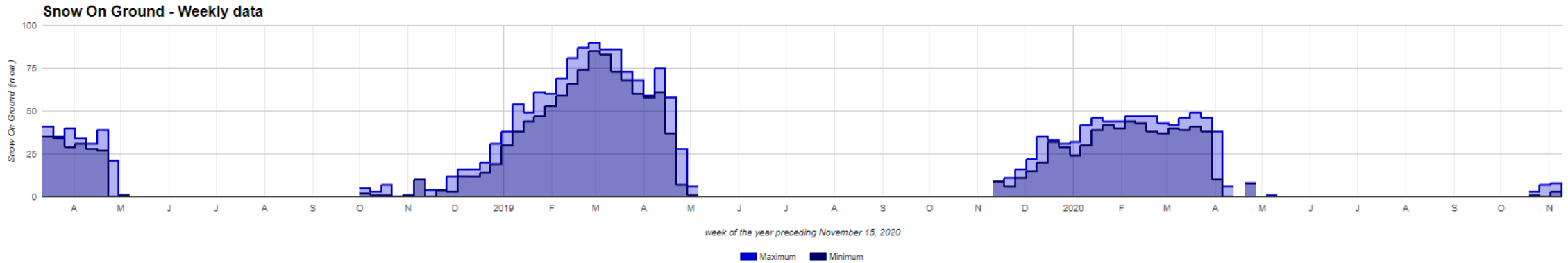
# KL Yearly Snowfall (2007-2020)



# KL Monthly Snowfall (2015-2020)



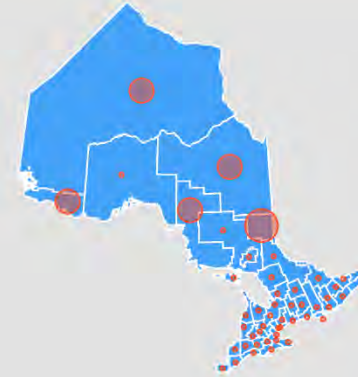
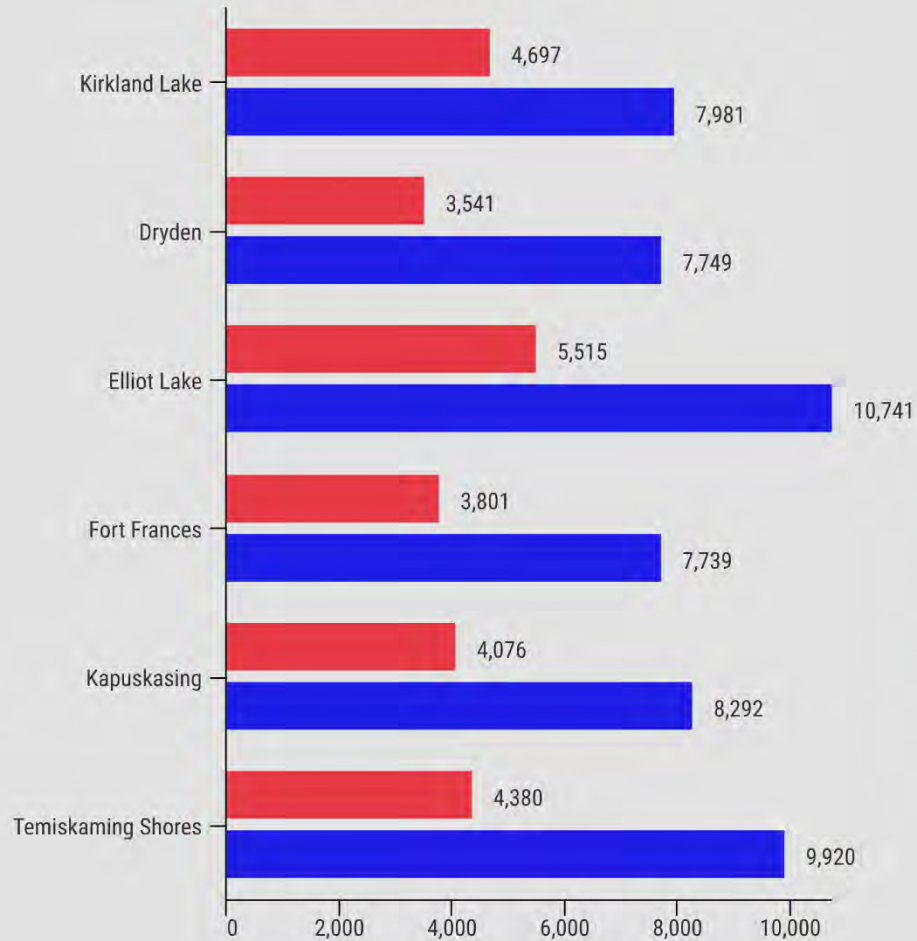
# KL Weekly Snowfall (2019-2020)





# KL BENCHMARKS

## Population & Households



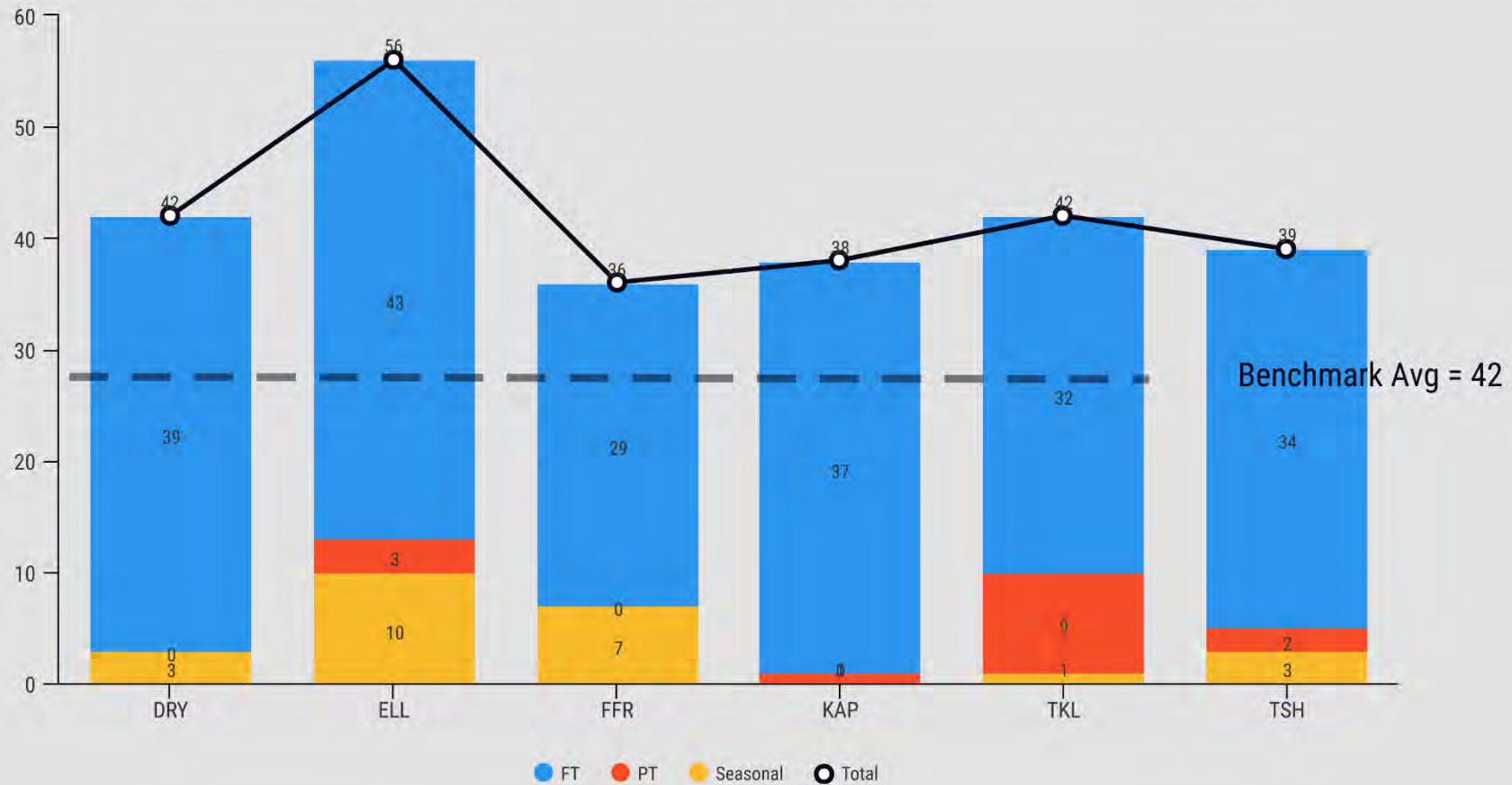
Municipality	ABRR	District	Change	Population density (KM2)
Kirkland Lake	TKL	Timiskaming	-6.03%	30.45
Dryden	DRY	Kenora	1.73%	117.07
Elliot Lake	ELL	Algoma	-5.35%	15.03
Fort Frances	FFR	Rainy River	-2.68%	303.37
Kapuskasing	KAP	Cochrane	1.17%	98.28
Temiskaming Shores	TSH	Timiskaming	-4.62%	55.70



# KL BENCHMARKS - Public Works Workforce

Workforce Population...FIR 2019

(KL has the same size workforce as the Average of Benchmarks = 42 but fewer seasonal)

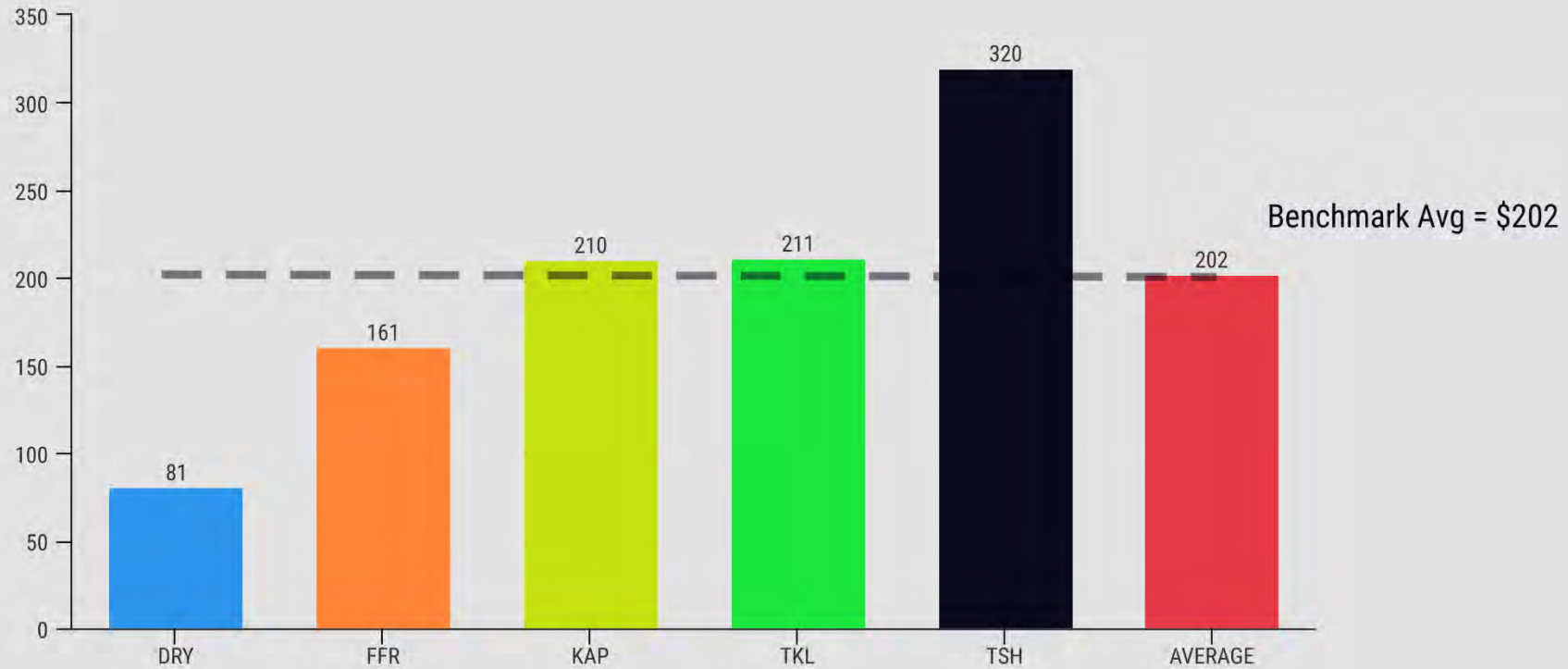




# KL BENCHMARKS - PW Winter Control Expenses

Winter Control Operating Costs per household...2019

(KL is above benchmark average of \$202 by \$9/hh)

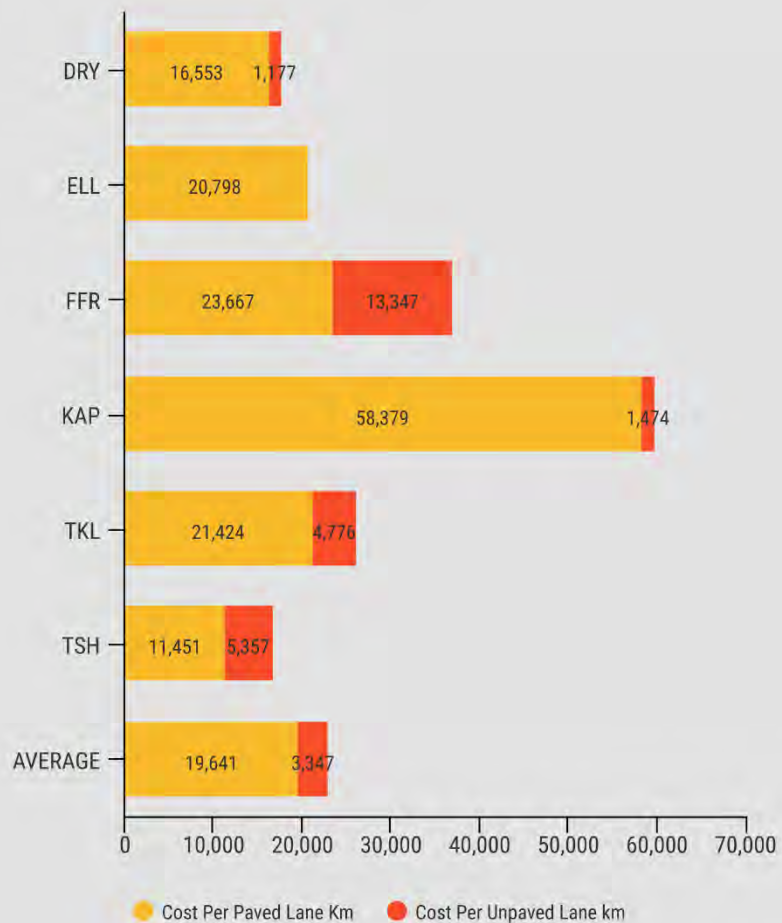




# KL RESULTS- Public Works Indicators

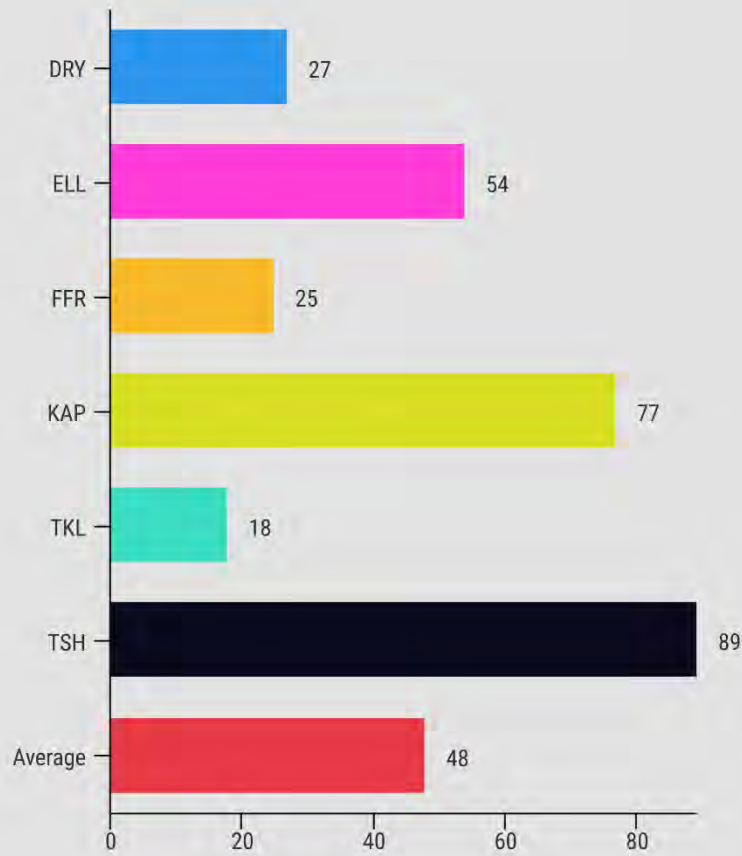
## Cost Per Paved Lane Km...2019

(KL is above the benchmark average for paved of \$19,600 by 9% and 43% above the average for unpaved of \$3,347 - Note: Equipment Costs are not properly reflected for KL )



## Condition of Roads - Good to Very Good %...2019

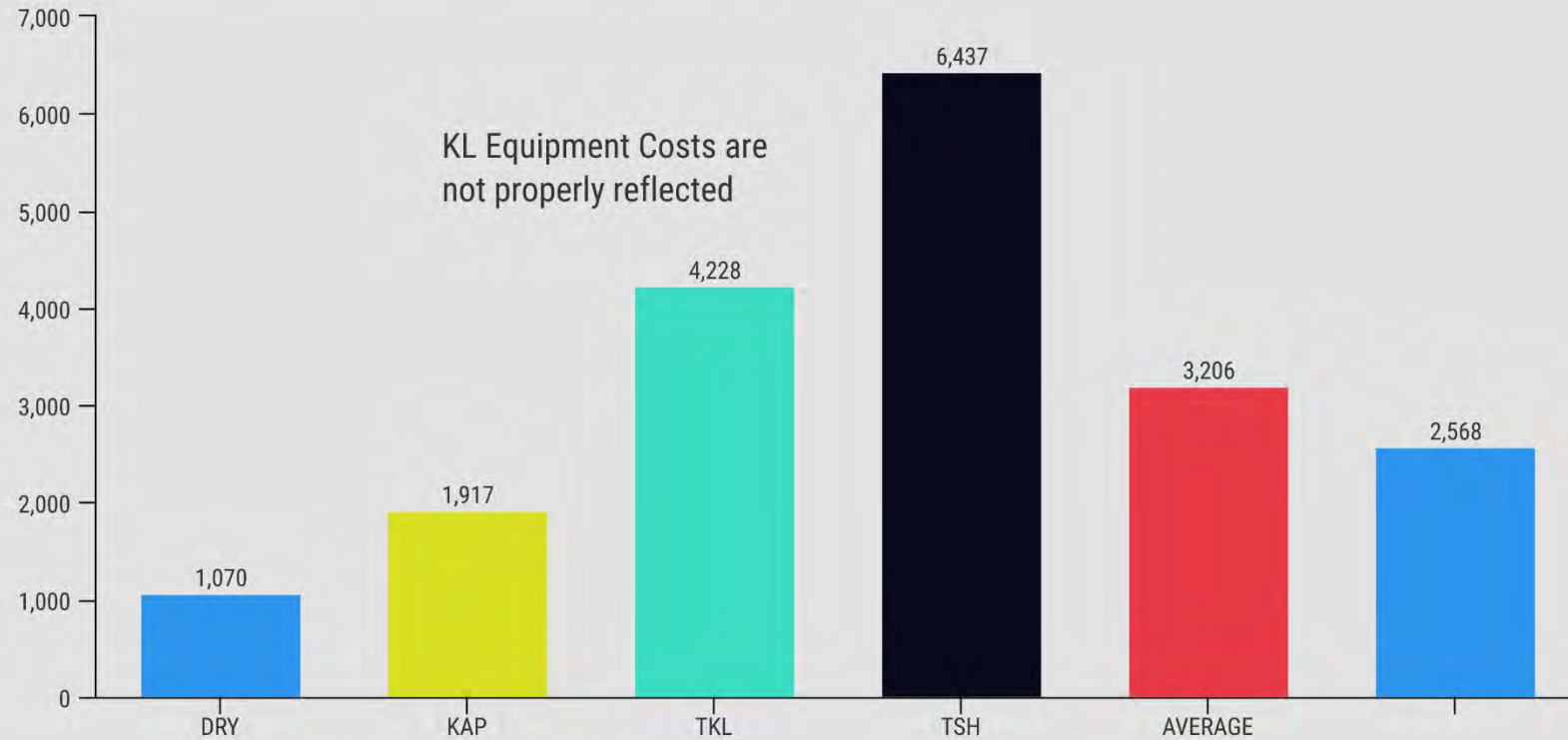
(KL is below the benchmark average of 48%)





## Winter Cost Per Maintained Lane Km...2019 (FIR)

(KL is above the benchmark average for paved of \$2,568 by 151% )



**Fort Frances did not report WC costs on FIR**





# FINDINGS & OPPORTUNITIES

# Key Findings – Public Works Service Review

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- The winter control service delivery review cannot be dealt with in isolation of the other PW services
- Cross-service integration and multiple issues to be considered
  - Staffing
  - Equipment
  - Lack of data on many levels
    - Assets – length of roads and lanes, surface materials, roadside
    - Equipment – rates, mix of hours and kilometres for usage
    - Facilities
    - Materials usage
  - A decision specific to winter control may have an effect on the other services

# Key Findings



**Technology Utilization is Low**



**Equipment Maintenance and Asset Management Planning is Deficient**



**Service Delivery Complaints are Likely Warranted**  
**Public Works Services and Fleet impact all Services – Need for PW Wide Review**  
**Winter Management Plan (WMP) , Policies and Procedures are mixed. Decisions are not evidence based.**



**Public Works Facilities Need Upgrades**  
**– Inventory Policies and Processes are Required**



**Public Works Services and Fleet impact all Services – Need for PW Wide Review**

## Key Findings - Technology

### Technology Utilization is Low

- Most records are paper or Excel based and there is redundancy in the current processes.
- There is no work order system, asset management system or any mechanism to ensure that Minimum Maintenance Standards are maintained without resorting to paper.
  - Paper documentation of MMS patrols is recently introduced
- Documentation was difficult to retrieve or did not exist



# Recommendations - Technology

## Implement Work Management/Patrol and Asset Management System

- Increase technology utilization with Computerized Maintenance Management System (CMMS), Equipment Management, Patrols, AVL / GPS.
- Provide Mobile Technological Solutions. Move to Electronic Regulatory Requirements Reporting
- Provide training for regulations relative to the service delivery and improve documentation (i.e. O.Reg 239/02, O.Reg 555/06)
- Will improve documentation of other elements of the O.Reg - not just winter control



# Key Findings – Service Delivery

## Service Delivery Complaints are Likely Warranted

- External and internal clients expressed dissatisfaction with the services delivered.
- Turnover at leadership has had a major impact on progress.
  - Many changes in service delivery concepts
  - Town roads have suffered in favour of “nice to haves”

# Findings – Service Delivery

**Winter Management Plan (WMP) is not Evidence Based, Policies and Procedures are mixed.**

- **Mix of policy and Standard Operating Procedure (SOP) and includes services that are not delivered.**
- **Time to complete routes appears to be excessive for the length.**
- **Equipment Charges are not “real” and rates are not current so it is difficult to determine the true cost of service delivery and potential for contracting.**



# Key Findings – Service Delivery

## **Organization Structure /Management issues may be impacting service delivery.**

- Previous decision making may have been predicated on the quickest, lowest cost solution
  - Decisions may not have been evidenced based
- Accumulation of these decisions is affecting many aspects of the service delivery; equipment, materials and material usage, documentation



# Recommendations – Service Delivery

## Improve Service Delivery by analyzing results, implementing SOPs and training

- Service Delivery Should be Reviewed including policy surrounding scheduling.
- Requests and Complaints should be collected, electronically, by Route.



# Recommendations – Service Delivery

## Update WMP Policy – Separate Standard Operating Procedure.

- **Revise the WMP to separate policy and Standard Operating Procedure**
- **Undertake a State of the Infrastructure Study to accurately quantify the details and extent of the road network.**
- **Assess time to complete routes through analysis of time entry and equipment use/downtime.**



# Key Findings-Facilities and Materials

## Public Works Facilities Require Improvement

- PW facilities are dated and in poor condition.
- Winter Control materials are stored outside, are not secured, on leased property.
- Costs indicate significant concerns that there may be other issues at play (such as appropriate allocation of expenses)



# Recommendations-Facilities and Materials

## Upgrade Public Works Facilities, Implement Inventory Policies & Processes

- Upgrade Public Works facilities – current facility required over \$1.3m in improvements in 2014
- Domes required to house winter control materials and improve security
- Inventory Policy and procedures should be put in place (part of finance/work order system)
  - Implement Inventory Policies & Processes
- Standard Operating Procedures should be developed, documented and implemented



# Key Findings – Equipment & Asset Management

## Equipment Maintenance and Asset Management Planning is Deficient

- Equipment management and replacement appears to be suffering from years of underinvestment. There is no comprehensive process, systems, equipment rates, or equipment reserve based upon replacement plan.
- Lifecycle costs for equipment are not fully captured.
- Many pieces of equipment are past their useful life; i.e. the average age of the trucks is beyond typical replacement recommendation.
  - Reserve is only enough for 2 pieces of equipment.



# Recommendations – Equipment & Asset Management


## **Increase the usage of technology for Equipment Management Program, Processes, Update Rates Annually.**

- Develop appropriate systems to cost equipment, including depreciation, replace equipment and charge to activities.
- Undertake an equipment rate study and update rates annually as part of the budget process.
  - Reserve policy should be developed in line with Asset Management Plan – Equipment charges should go to reserve fund for replacement.
  - Implement a Computerized Maintenance Management System (CMMS)



# Findings – Other Public Works Services

## **Public Works Services and Fleet impact all Services – Need for PW Wide Review**



Review of a single element of the and potential resultant recommendations will have an effect on other services  
Other departments provide service to PW to deliver services such as Finance – these have to be well integrated and not duplicated

# Summary - Recommendations

- Evidence based decisions drawn from fuller evaluations
- Purchase CMMS Software / Asset Management Software
- Assign equipment rates, track usage by hours and activity
  - Continue tracking costs
- Undertake a Full Public Works Service Review
- Rationalize Equipment – Reconcile between multiple sources of information, develop policies including reserves and rates
- Public Works Facility Upgrade / Relocation
- Monitor /evaluate/ analyze with each step



# Recommendations – Public Works Services Need Review

## Analyze the Complete Public Work Service Delivery & Change Business Methodology

### Change the Business Methodology

- Business decisions appear to have been reactionary and predicated by short term, lowest cost, solutions
  - Significant issues have been identified and not acted upon
    - KL now faced with the cumulative effect
  - Review of a single element of the and potential resultant recommendations will have an effect on other services
- Other departments provide service to PW to deliver services such as Finance – these have to be well integrated and not duplicated



## Recommendations – Summary

Project	▼ Count of Rec #	Sum of External Cost (3 years)	Sum of Total Cost/Savings _ Internal + External	
1. IT	16	\$ 126,300	-\$	75,529
2. Facilities	8	\$ 8,585,000	\$	8,551,400
3. Museum	11	\$ 3,000	-\$	44,000
4. Winter Control	12	\$ 80,000	\$	55,400
<b>Grand Total</b>	<b>47</b>	<b>\$ 8,794,300</b>	<b>\$</b>	<b>8,487,271</b>

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
1. IT	1.1 Procure Asset/Work/Fleet Management software	1.1.1 Procure and implement asset management/work order/patrolling software solution	Fully implement Work orders management and scheduling in order to capture maintenance, repair and replacement for all assets. This should be incorporated with the capital planning process as well. Regulation O.Reg 588/17 requires AMP for all core assets by 2021 including current levels of service. Data collection and processes need to be in place for all assets by 2023. Levels of service require public consultation. Implement Self Service for Employees - Time and attendance and work order management, CVOR reporting (mobile) Digitize Level of Service, CVOR and MMS and integrate into daily work order management. Minimum Maintenance Standards and CVOR must be tracked. The paper processes would be eliminated and better reporting available for compliance. Ensure it is integrated with Vadim.	2021	\$27,000	-\$27,600	Module purchase, integration and training. Savings of 1 day per week estimated
1. IT	1.1 Procure Asset/Work/Fleet Management software	1.1.2 Move to Mobile Technology	For ease of utilization, mobile technology is best for utilization of any work order/patrolling system. Efficiencies will not be fully realized if the information is not captured at source.	2022	\$10,800	\$10,000	Estimate of Mobile purchases and training. 20 hours per staff. But significant savings and improved MMS.
1. IT	1.1 Procure Asset/Work/Fleet Management software	1.1.3 Purchase new Fuel System, use work order system for fleet including Airport	Inventory Policy and processes for fuel should be developed. New fuel management system would download directly into Vadim and reduce loss.	2023	\$25,000	\$0	Fuel system to eliminate manual tracking and reduce inventory loss. Will likely be cost neutral.
1. IT	1.1 Procure Asset/Work/Fleet Management software	1.1.1 Procure Budget Software and move to multi-year budgeting	Budgeting software allows for development and enhancement of the transparency of the budget process. The current process is highly labour intensive and requires working with excel spreadsheets, powerpoint documents which are not quickly changed. The financial results and reports are not accessible to the department heads. Budget software allow for real time access to detailed data without access to the financial system. As part of 2022 Planning Cycle, develop business plans across departments in line with Term of Council Statagic Plan. Implement Multi- Year Budgeting. Department heads should develop and present their own budgets starting with past achievements, upcoming business plans, performance metrics and funding required.	2022	\$15,000	\$21,000	Module cost \$15k. Savings are currently unknown as it is unclear how much time is spent on reporting. Training and set up time 30 hours for Treasurer, 10 hours per SM

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
1. IT	1.2 Update Contract with KDH	1.2.1 Update Contract with KDH	Current contract expired 2017. Need revitalized contract with service level agreements.	2022		\$25,000	Time for staff and lawyers?
1. IT	1.3 Look to Outsource Hardware replacement plan	1.3.1 Outsource Imaging for new hardware.	In developing the 'greening' of the hardware (recycling every 3 years) with a Vendor of Record who will image new technology based upon a profile and dispose technology upon retirement.	2022		-\$22,500	Will save internal time
1. IT	1.3 Look to Outsource Hardware replacement plan	1.3.1 Consider Back up for MIS Manager.	Consider a back up for the MIS Manager. Perhaps as part of the partnership with KDH?	2022	\$15,000	\$15,000	Possible add on to contract
1. IT	1.4 Form an IT Steering Committee	1.4.1 Create an IT Steering Committee	Create an IT Steering Committee to guide long term decisions using a decision priority matrix against the Strategic Plan. IT governance provides a structure for aligning IT strategy with business strategy. By following a formal framework, organizations can produce measurable results toward achieving their strategies and goals. A formal program also takes stakeholders' interests into account, as well as the needs of staff and the processes they follow. In the big picture, IT governance is an integral part of overall enterprise governance.	2022		\$18,000	Internal cost
1. IT	1.4 Form an IT Steering Committee	1.4.1 Move to COBIT & Train MIS Manager.	To support IT Governance framework, provide in house expertise with training for the MIS Manager and others as appropriate.	2022	\$6,000	\$12,000	Internal cost plus training
1. IT	1.5 Update Policies. Require annual sign off by staff.	1.5.1 Update IT Policy Framework and require annual sign off.	To support the IT Governance Framework, a full set of IT policies is needed including acceptable use, security and procurement.	2022		\$6,000	Internal cost

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
1. IT	1.6 Work with Vendors to integrate Vadim with other software	1.6.1 Integrate Fire Pro with Vadim	Integrate Fire pro and eliminate duplication.	2022	\$5,000	-\$15,000	Savings realized
1. IT	1.6 Work with Vendors to integrate Vadim with other software	1.6.2 Integrate Active Net with Vadim - deploy use to Museum and Other services for appointment booking.	Active Net is utilized by Recreation for programming and facility management but it is currently not integrated with Vadim adding risk, time and cost to transactions. Active Net could be used as an online booking system for all Town services including front counter (marriage licenses, commissioner of oaths etc). It should be deployed with a Point of Sale for the Museum.	2022	\$2,500	-\$15,500	Estimated time to implement - time saved from duplication
1. IT	1.6 Work with Vendors to integrate Vadim with other software	1.6.3 Update Website and implement online applications and payments	Many light/online solutions can be integrated into the ICity application including permits, animal licensings. This would make it easier to develop workflow, encourage building, development from outside the area and allow for better instruction.	2021	\$10,000	-\$9,000	Savings realized in 2 years
1. IT	1.6 Implement Additional Financial System Features	1.6.4 Re-implement Vadim and ICity to allow for improved services and utilization.	Re-implement Vadim and ICity to allow for improved services and utilization. This should start with an update to the General Ledger Structure. Moving to e-billing I City will eliminate the requirement to produce, print, fold, mail tax bills twice a year as well as reminder notices. Online payments and credit cards may reduce the number of notices as well. For the paper bills, change to include a bar code and implement bar code reader. This will eliminate the need to key in roll numbers and reduce errors.	2021	\$10,000	-\$48,929	Module Set up Cost = \$500. 30 minutes per setup + issuance x 5000 properties x 50% uptake. Savings calculated at \$10 x (5000 tax bills x 2 annual billings + 300 (arrears letters) x 50% uptake
1. IT	1.6 Implement Additional Financial System Features	1.6.5 Work with Financial Institution and Utilities to create files for download transactions from the bank into Vadim	Currently, online transactions are manually entered into the financial system where taxes are paid online. This can be automated through a bank download file. This is similar for hydro/phone bills - could be automated.	2021		-\$30,000	Savings to be realized Estimated time saved = 1 hour per day.
1. IT	1.6 Implement Additional Financial System Features	1.6.6 Implement Purchase Orders, document management and workflow as well as online bidding system .	Purchasing policies and processes centralized. Implement Vadim purchase orders modules, procurement, 3 way matching and training. Paperless workflow processes. Include encumbrances and commitments Implement an Electronic Vendor Bid Submission that would allow vendors to submit their bids electronically. For tenders and quotations the pricing would be input directly into the system.	2022		-\$14,000	Savings to be realized in procurement processes - Estimated time saved = 7 hours per procurement.

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
2. Facilities	2.1 Undertake Building Condition Assessments for a complete inventory of all buildings - Required by O.Reg 588/17 and Asset Retirement Obligations	2.1.4 Undertake building condition assessments of remaining buildings	Given the state of some buildings, condition assessments are required to make long term evidence based decisions. Hire a consultant to finish the remaining buildings for the Asset Management Plan required in 2023 and Asset Retirement Obligations in 2021.	2021	\$60,000	\$60,000	Outside consultant
2. Facilities	2.2 Procure Asset/Work Management software for facilities - this can be the same as for Public Works	2.2.4 Implement Asset/Work Management Software	Implementing work order systems will allow for better prioritization, an understanding of the true costs and gaps in service.	2021		\$0	Already included
2. Facilities	2.3 Confirm Team Roles and assess workload - may need to hire a Facility Management professional	2.3.2 Confirm Job Specs and Roles for Facilities	Confirm Job Specs and Roles for Facilities Management - Develop Key Performance Indicators for Facilities based upon best practice (ISO). Develop new-updated position descriptions. Ensure clarity and accountability. Determine the future role for TECK Environmental Maintenance Manager for clarity and accountability. Identify skills and knowledge gap and establish a commitment (money and time) to ensure training for the staff in their new roles. Premature to make staffing recommendations until decisions are made related to divestment of facilities. However, the work management system will assist. May need to hire a temporary Facility Professional. Develop Key Performance Indicators for Facilities based upon best practice (ISO)	2021	\$25,000	\$49,000	Internal time to complete - consultant to assist.
2. Facilities	2.2 Establish a change management program.	2.4.3 Develop a Change Management Program and Champion	The new Team needs to develop some synergies and start to work together for positive change. Identify a Champion in the organization who will support the integration and development of the "Team" and to ensure the TEAM'S success	2021		\$0	
2. Facilities	3.6 Undertake a five-year review of existing energy consumption for each facility.	2.5.4 Develop energy management program for facilities.	Utilizing the principles of FM, undertake a five-year review of existing energy consumption for each facility. Then identify 3-5 opportunities to reduce costs. Consider the development of a strategy to fund the opportunities through energy savings. Track and report on progress. Divestment of limited or unused facilities - long term.	2022		-\$57,600	Savings of 2 minutes per transaction (\$2). Assume 80% additional uptake on 24,000 payments

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
2. Facilities	2.6 Urgent need to decide the fate (investment requirements) of some facilities	2.6.1 Make urgent decisions regarding specific facilities and long term vision in line with strategic plan.	Estimated that \$8.5 million are needed in "NOW" needs with respect to facilities. Rationalize the Fire, Public Works office/garage and look at alternatives for the Museum.	2021	\$8,500,000	\$8,500,000	Current estimates for new buildings and renovations.
2. Facilities	2.6 Urgent need to decide the fate (investment requirements) of some facilities	2.6.2 Undertake Asset Retirement analysis and Heritage North sale	Asset Retirement obligations will have to be put on the books as a liability in 2021. Consider that Heritage North sale, if sold at current listing, will result in a \$1.8 million loss.	2021		\$0	Price included above
2. Facilities	2.6 Urgent need to decide the fate (investment requirements) of some facilities	2.6.3 Suggest rationalization may be most financially sustainable	Consider consolidation before making long term decisions or sale of assets.	2022		\$0	Once information gathered, internal review for rationalization

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
3. Museum	3.1 Create a Long Term Financial Sustainability Plan	3.1.1 Create a Long Term Financial Sustainability Plan - Increase revenues, reduce costs through better shared resources, develop targets	Town has recreation programming and communications staff as well as systems that can assist rebuild the museum's operations. Reconsider the mechanisms for raising funds including donations with online campaigns.	2021		-\$15,000	Staff time, increase revenues by \$5k per year
3. Museum	3.1 Create a Long Term Financial Sustainability Plan	3.1.1 Enter negotiations with OHF	Agreement with OHF is not sustainable in its current form. Need new deal.	2021		\$0	Unknown
3. Museum	3.2 Modernize Systems	3.2.1 Implement ActiveNet and point of sale at the Museum and online for Facility bookings, sales and payments.	Active Net is utilized by Recreation for programming and facility management and could be used as an online booking system for museum services and point of sale as well as tours at the Museum.	2021	\$3,000	-\$29,000	Estimated software and implementation Offset by savings in time.
3. Museum	3.3 Redesign Organization Structure to Eliminate Siloed Functioning	3.3.1 Redesign organization structure to create opportunities for collaboration/rationalize of staff with Recreation.	Redesign organization structure to create opportunities for collaboration/rationalize of staff with Recreation Programming and improve access to Town administration skill/knowledge (e.g. marketing). Currently, staff at the museum do not have access to the same tools as recreation including marketing. A collaborative approach with staff working together to market all programming, culture and recreation will create synergies. These could include "packages" such as visit the museum and get a discount at the pool.	2022		\$0	Internal staff time.
3. Museum	3.3 Redesign Organization Structure to Eliminate Siloed Functioning	3.3.2 Develop Performance agreements for staff with targets and measureable outcomes.	Currently, there are no specific performance agreements with Museum staff nor targets/expectations. Redevelop and ensure that the Museum Strategic Plan is aligned with the Town's. All performance agreements should link to the strategic plan with a business plan.	2021		\$0	Internal staff time.



**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
3. Museum	3.3 Create a Multi-Year Business Plan with SMART Objectives	3.4.1 Develop Performance agreements for staff with targets and measureable outcomes.	Targets for reduction in expenses, increase in revenues, attendance and satisfaction levels should be included Need concrete actionable plan to increase revenue - donations and sponsorships starting with an online auction, facebook donations and "save" for the Museum.	2021		\$0	Internal staff time.
3. Museum	3.3 Create a Multi-Year Business Plan with SMART Objectives	3.4.2 Review programming and services - focus on the key areas intended for the museum.	Review programming and services - focus on the key areas intended for the museum. The Museum is currently trying to be all things to all people ... exhibits, art shows, research, rentals, events, concerts, workshops. Refine the focus and spend time to attract more people and seek donations.	2021		\$0	Internal staff time.
3. Museum	3.3 Create a Multi-Year Business Plan with SMART Objectives	3.4.3 Carry-out a user fee study to determine appropriateness of fee structure	Create a concrete actionable plan to increase revenue with measurable targets related to donations and sponsorships starting with an online auction, facebook donations and "save" for the Museum.	2022		\$0	Internal staff time.
3. Museum	3.3 Create a Multi-Year Business Plan with SMART Objectives	3.4.4 Build stronger, effective business relationships.	Build stronger, effective business relationships with Chamber of Commerce, KL Gold, local business with quarterly meetings to determine how the Museum can display what is important to KL and attract people.. Hold a business summit to develop next Strategic Plan for the Museum and build in partnership roles.	2021		\$0	Internal staff time.
3. Museum	3.5 Improve Governance Effectiveness	3.5.1 Clarify roles /responsibilities related to the Museum Advisory Committee and the Museum Auxiliary.	Strengthen governance among council, town administration, and museum management, including regular reporting on performance and measurable objectives.	2021		\$0	Internal staff time.
3. Museum	3.7 Explore Options with OHF	3.6.1 Renegotiate the Ontario Heritage Foundation Chateau Agreement	The Agreement is not sustainable. Seek options. Capital investment \$1.4 million (2020 \$) of capital expenses were identified in 2007. The Town has spent \$224,000 on improvements. A roof replacement and elevator modernization is currently needed at a cost of \$616,000. Grants and other sources of funds have not materialized. The building poses health and safety risks	2021		\$0	Internal staff time.

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
4. Winter Control	1.1 Procure Asset/Work/Fleet Management software	4.1.1 Procure and implement asset management/work order/patrolling software solution	Increase technology utilization with Computerized Maintenance Management System (CMMS), Equipment Management, Patrols, AVL / GPS.  Provide Mobile Technological Solutions	2021		-\$54,600	Included above - savings in staff time
4. Winter Control	1.1 Procure Asset/Work/Fleet Management software	4.1.1 Provide training for regulations relative to the service delivery and improve documentation (i.e. O.Reg 239/02, O.Reg 555/06)	Paper documentation of MMS patrols is recently introduced  Documentation was difficult to retrieve or did not exist. Move to mobile, online reporting for regulatory compliance.	2021			Included above - savings in staff time
4. Winter Control	4.2 Improve Service Delivery by analyzing results, implementing SOPs and training	4.2.1 Improve Service Delivery by analyzing results, implementing SOPs and training	Service Delivery Should be Reviewed including policy surrounding scheduling. Requests and Complaints should be collected, electronically, by Route.	2021	\$15,000	\$15,000	Consider assistance to transform processes and systems.
4. Winter Control	4.2 Improve Service Delivery by analyzing results, implementing SOPs and training	4.2.1 Assign appropriate MMS Classifications	Update the MMS Classifications for proper road service levels.	2021		\$0	
4. Winter Control	4.2 Improve Service Delivery by analyzing results, implementing SOPs and training	4.2.1 Determine staffing and shifts required to deliver service and have regulatory compliance with O.Reg 239/02 and O.Reg 555/06 Including snow removal	Scheduling must be reviewed to ensure CVOR is complied with.	2021		\$0	
4. Winter Control	4.2 Improve Service Delivery by analyzing results, implementing SOPs and training	4.2.1 Review Salting/Sanding Practices and Plan	Revise the WMP to separate policy and Standard Operating Procedure. Undertake a State of the Infrastructure Study to accurately quantify the details and extent of the road network. Assess time to complete routes through analysis of time entry and equipment use/downtime.	2021		\$0	
4. Winter Control	4.2 Improve Service Delivery by analyzing results, implementing SOPs and training	4.2.1 Update WMP Policy – Separate Standard Operating Procedure.	Salt and other anti-icing / de-icing materials usage is low to avoid a Salt Management Plan Likely has an effect on service delivery such as the amount of ice buildup. Further study required on climate and appropriate materials for winter control – this may resolve some of the ice build-up problems	2021		\$0	

**KL SDR IMPLEMENTATION PLAN BY PROJECT**

Project	Category	Recommendation	Opportunity Detailed Description	Year Start	External Cost (3 years)	Total Cost/Savings _Internal + External	Comments/ Assumptions
4. Winter Control	4.3 Upgrade Public Works Facilities, Implement Inventory Policies & Processes.	4.3.2 Upgrade Public Works facilities	PW facilities are dated and in poor condition. Need to address short and long term solutions. Winter Control materials are stored outside, are not secured, on leased property.current facility required over \$1.3m in improvements in 2014 Domes required to house winter control materials and improve security	2022		\$0	Included Above
4. Winter Control	4.3 Upgrade Public Works Facilities, Implement Inventory Policies & Processes.	4.3.2 Implement Inventory Policies & Processes	Inventory Policy and procedures should be put in place (part of finance/work order system) Implement Inventory Policies & Processes Standard Operating Procedures should be developed, documented and implemented	2022		\$0	Internal staff time offset by savings in inventory.
4. Winter Control	4.3 Upgrade Public Works Facilities, Implement Inventory Policies & Processes.	4.4.1 Implement Equipment management work orders and condition assessments.	Fleet is aging but information is lacking in terms of costs and condition. Need to look at a holistic approach and new processes to capture real costs and build appropriate reserves and replacement plan.	2021		\$0	Included above
4. Winter Control	4.4 Undertake fee and equipment rate study and change processes to recognize true costs	4.4.2 Undertake an equipment rate study	Equipment rates are not reflective of costs. With cost accounting, the Town could use one project for each piece of equipment, update rates and ensure equipment is charged to jobs. Rates should be updated each year.	2022		\$30,000	Could be done in house or by a consultant.
4. Winter Control	4.5 Analyze the Complete Public Work Service Delivery & Change Business Methodology	4.5.1 Undertake a complete PW review.	Business decisions appear to have been reactionary and predicated by short term, lowest cost, solutions Significant issues have been identified and not acted upon KL now faced with the cumulative effect Review of a single element of the and potential resultant recommendations will have an effect on other services Other departments provide service to PW to deliver services such as Finance – these have to be well integrated and not duplicated.	2022	\$65,000	\$65,000	Could be done in house or by a consultant.



**WSCS**  
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**Tammy Carruthers**

*Principal & CEO*

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# MINUTES

Corporation of the Town of Kirkland Lake  
Regular Meeting of Council  
Council Chambers  
November 17, 2020  
4:40 p.m.

## Attendance

Mayor: Pat Kiely  
Councillors: Casey Owens  
Stacy Wight  
Eugene Ivanov  
Rick Owen  
Absent: Patrick Adams  
Vacant: Dennis Perrier  
Staff: Chief Administrative Officer: Ric McGee  
Clerk: Meagan Elliott  
Director of Corporate Services: Keith Gorman  
Director of Development Services: Ashley Bilodeau  
Director of Community Services: Bonnie Sackrider  
Director of Public Works: Michel Riberdy  
Director of Care: Nancy Loach / Tanya Schumacher  
Fire Chief: Rob Adair  
Human Resources Supervisor: Kassandra Young  
Waste Management Manager: Richard Charbonneau  
Planning Administrator/Recycling Coordinator/Data Manager: Jenna McNaughton

### 1. Call to Order and Moment of Silence

Mayor Pat Kiely requested a moment of silence.

### 2. Approval of the Agenda

Moved by: Rick Owen

Seconded by: Eugene Ivanov

**BE IT RESOLVED THAT** the Agenda for the Regular Meeting of Council held on November 17, 2020 beginning at 4:40 p.m. be approved as circulated to all Members of Council.

**CARRIED**

### 3. Declaration of Pecuniary Interest

Mayor Pat Kiely requested those present to declare any pecuniary interest with matters appearing on the agenda. Councillor Rick Owen declared a pecuniary interest on items 12.3 and 13.4.

4. **Petitions and Delegations**

None noted.

5. **Acceptance of Minutes and Recommendations**

Moved by: Casey Owens

Seconded by: Eugene Ivanov

**BE IT RESOLVED THAT** Council accept the minutes of the following meetings:

- Minutes of the Regular Meeting of Council held November 3, 2020

**CARRIED**

6. **Reports of Municipal Officers and Communications**

6.1 COVID-19 Update, Verbal  
Ric McGee, CAO

Moved by: Stacy Wight

Seconded by: Rick Owen

**BE IT RESOLVED THAT** the verbal update titled "**COVID-19 Update**" be received.

**CARRIED**

6.2 Vacant Seat  
Meagan Elliott, Clerk

Moved by: Eugene Ivanov

Seconded by: Casey Owens

**BE IT RESOLVED THAT** Lad Shaba be appointed to fill the vacant seat of Council as the next highest receiver of votes from the 2018 Municipal Election.

**CARRIED**

6.3 Award of RFQ-560-20 Sale and Disposal of Scrap Metal at Landfill  
Richard Charbonneau, Waste Management Manager

Moved by: Eugene Ivanov

Seconded by: Casey Owens

**BE IT RESOLVED THAT** Report Number 2020-DEV-057 entitled "**Award of RFQ-560-20 Sale and Disposal of Scrap Metal at Landfill**", be received,

**THAT** Council hereby awards RFQ-560-20 Sale and Disposal of Scrap Metal at Landfill to Premier Recycling Timmins in the amount of \$75.00/tonne, and

**THAT** staff is hereby authorized to execute the necessary documents to complete the terms of RFQ-560-20.

**CARRIED**

6.4 Agreement for the Collection of Used Consumer-Type Portable Batteries  
Jenna McNaughton, Planning Administrator/Recycling Coordinator/Data Manager

Moved by: Rick Owen

Seconded by: Stacy Wight

**BE IT RESOLVED THAT** Report Number 2020-DEV-059 entitled “**Agreement for the Collection of Used Consumer-Type Portable Batteries**”, be received, and **THAT** staff be directed to prepare and present a By-law to authorize the Mayor and Clerk to execute an agreement with Call2Recycle Canada Inc., for the collection of used consumer-type portable batteries.

**CARRIED**

6.5 Letter of Intent to Commit Funding to the Central Ortho - Photography Project 2021  
Ashley Bilodeau, Director of Development Services

Moved by: Eugene Ivanov

Seconded by: Rick Owen

**BE IT RESOLVED THAT** Report Number 2020-DEV-060 entitled “**Letter of Intent to Commit Funding to the Central Ortho - Photography Project 2021**”, be received, **THAT** Council for the Corporation of the Town of Kirkland Lake hereby commits to allocate funding to the Ontario Ministry of Natural Resources and Forestry for the Central Ontario Ortho - Photography Project (COOP) 2021 in an amount not to exceed \$2,000.00 to be placed in the 2022 Budget, and **THAT** the Mayor is hereby authorized to sign the Letter of Intent.

**CARRIED**

6.6 Code of Conduct – Building Officials Policy Review  
Ashley Bilodeau, Director of Development Services

Moved by: Casey Owens

Seconded by: Stacy Wight

**BE IT RESOLVED THAT** Report Number 2020-DEV-058 entitled “**Code of Conduct - Building Officials Policy Review**”, be received, **THAT** Council for the Corporation of the Town of Kirkland Lake hereby approves the revised Code of Conduct for Building Officials as presented, and **THAT** staff be directed to insert the approved policy into the Corporate Policy Manual and upload the Code of Conduct for Building Officials to the Town’s website.

**CARRIED**

7. Consideration of Notices of Motion

None noted.

8. Introduction, Reading and Consideration of By-Laws

Moved by: Rick Owen

Seconded by: Eugene Ivanov

**BE IT RESOLVED THAT** the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

**By-law Number 20-072**, being a by-law to authorize the Mayor and Clerk to execute documents related to the sale of Part 1 54R-6159, a property located adjacent to 26 Dixon Avenue to Theodore and Brenda Bukowski

**CARRIED**

**9. Questions from Council to Staff**

None noted.

**10. Notice(s) of Motion**

None noted.

**11. Councillor's Reports**

11.1 Councillor Updates

Moved by: Eugene Ivanov

Seconded by: Rick Owen

**BE IT RESOLVED THAT** the verbal updates from members of Council be received.

**CARRIED**

**12. Additional Information**

12.1 Broadband, MPP John Vanthof

Moved by: Stacy Wight

Seconded by: Eugene Ivanov

**BE IT RESOLVED THAT** the correspondence from MPP John Vanthof be received, and **THAT** staff be directed to present a resolution to support Bill 226 broadband as an essential service.

**CARRIED**

12.2 AMO Conference Follow-Up, Solicitor General Sylvia Jones

Moved by: Stacy Wight

Seconded by: Casey Owens

**BE IT RESOLVED THAT** the correspondence from Solicitor General Sylvia Jones be received.

**CARRIED**



12.3 Integrity Commissioner Report

*Councillor Rick Owen left Council Chambers at 5:12pm*

Moved by: Stacy Wight

Seconded by: Eugene Ivanov

**BE IT RESOLVED THAT** item 12.3 be deferred until after Closed Session

**CARRIED**

*Councillor Rick Owen returned to Council Chambers at 5:14pm*

**13. Closed Session**

Moved by: Casey Owens

Seconded by: Stacy Wight

**BE IT RESOLVED THAT** Council move into a Closed Session pursuant to Section 239(2) to discuss 1 land disposition matter, 1 labour relation matter, and 1 matter that is subject to client solicitor privilege.

**CARRIED**

*Council moved into Closed Session at 5:14pm*

13.1 Minutes of the Closed Session of Council held November 3, 2020

13.2 Request to Purchase – McKelvie Ave.  
Ashley Bilodeau, Director of Development Services

13.3 ONA Negotiations – Mandate  
Kassandra Young, Human Resources Supervisor

13.4 Legal Opinion  
Ric McGee, CAO

*Council rose from Closed Session at 5:31pm*

**14. Matters from Closed Session**

*Mayor Pat Kiely stepped down as Chair and Councillor Casey Owen stepped in as Acting Mayor at 5:32pm for discussions of item 12.3 as noted to be discussed after Closed Session.*

*Councillor Rick Owen left Council Chambers at 5:32pm*

Moved by: Pat Kiely

Seconded by: Eugene Ivanov

**BE IT RESOLVED** that Councillor Rick Owen's remuneration in accordance with by-law 20-005 be suspended for 30 days as a penalty for being found to have contravened multiple

sections of the Town of Kirkland Lake's Council Code of Conduct as outlined in the Integrity Commissioner report as presented at the October 20, 2020 Regular Meeting of Council, and  
**THAT** the 30-day remuneration suspension occur from November 18, 2020 – December 17, 2020

**CARRIED**

*Councillor Rick Owen returned to Council Chambers at 5:35pm*

**15. Confirmation By-Law**

Moved by: Eugene Ivanov  
Seconded by: Stacy Wight

**BE IT RESOLVED THAT** the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

**By-law Number 20-088**, being a by-law to confirm the proceedings of Council at its meeting held November 17, 2020.

**CARRIED**

**16. Adjournment**

Moved by: Stacy Wight  
Seconded by: Rick Owen

**BE IT RESOLVED THAT** Council adjourn the November 17, 2020 Regular Meeting of Council.

**CARRIED**

*The meeting adjourned at: 5:36pm*

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Pat Kiely, Mayor

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Meagan Elliott, Clerk

# MINUTES

Corporation of the Town of Kirkland Lake  
Museum Advisory Committee  
Electronically via Zoom  
Wednesday, October 28, 2020  
4:45pm



## Attendance

Chair: Stacy Wight, Councillor  
Members: Ann Black, Auxiliary Representative  
Meghan Howe  
Monica Haase  
Secretary: Kaitlyn McKay, Facility Administrator  
Absent: Kelly Gallagher, Municipal Curator

### 1. Call to Order

Chair Stacy Wight called the meeting to order at 4:45pm

### 2. Approval of the Agenda

Moved by: Monica Haase  
Seconded by: Ann Black

**BE IT RESOLVED THAT** the Agenda for the Museum Advisory Committee held on October 28<sup>th</sup>, 2020 beginning at 4:45pm be approved as circulated to all Committee Members.

**CARRIED**

### 3. Declaration of Pecuniary Interest

None declared.

### 4. Acceptance of Minutes and Recommendations

4.1 Minutes of the MAC meeting held September 23, 2020

Moved by: Ann Black  
Seconded by: Monica Haase

**BE IT RESOLVED THAT** the Museum Advisory Committee accept the minutes of the Museum Advisory Committee meeting held September 23<sup>rd</sup>, 2020.

**CARRIED**

**5. Business Arising from Previous Meetings**

5.1 Museum Winter Programs

Moved by: Meghan Howe  
Seconded by: Ann Black

**BE IT RESOLVED THAT** verbal discussion regarding Winter Programs at the Museum be received.

**CARRIED**

5.2 Museum Gift Shop

Moved by: Monica Haase  
Seconded by: Ann Black

**BE IT RESOLVED THAT** verbal discussion regarding the Museum Gift Shop be received.

**CARRIED**

5.3 September Attendance Statistics

Moved by: Ann Black  
Seconded by: Meghan Howe

**BE IT RESOLVED THAT** the September Attendance statistics report be received.

**CARRIED**

**6. New Business**

6.1 Service Delivery Review – Museum Survey

Moved by: Meghan Howe  
Seconded by: Monica Haase

**BE IT RESOLVED THAT** the verbal report regarding the Museum Survey as part of the Town of Kirkland Lake's Service Delivery Review be received.

**CARRIED**

6.2 2021 User Fees

Moved by: Monica Haase  
Seconded by: Ann Black

**BE IT RESOLVED THAT** the verbal report regarding 2021 User Fees for the Museum be received.

**CARRIED**

6.3 Museum Memberships

Moved by: Meghan Howe  
Seconded by: Monica Haase

**BE IT RESOLVED THAT** the verbal report regarding Museum Memberships be received.

**CARRIED**

6.4 "I Dig KL" event/exhibition

Moved by: Ann Black  
Seconded by: Meghan Howe

**BE IT RESOLVED THAT** the verbal report regarding the "I Dig KL" contest and exhibition be received.

**CARRIED**

6.5 Information Booth

Moved by: Monica Haase  
Seconded by: Ann Black

**BE IT RESOLVED THAT** the verbal report regarding Museum Memberships be received.

**CARRIED**

7. Reports from Auxiliary, Curator

Moved by: Meghan Howe  
Seconded by: Monica Haase

**BE IT RESOLVED THAT** the verbal report from Auxiliary Representative Ann Black be received.

**CARRIED**

Moved by: Ann Black  
Seconded by: Monica Haase

**BE IT RESOLVED THAT** the October 2020 Curator's Report be received.

**CARRIED**

8. **Additional Information**

9. **Date of Next Meeting**

9.1 November 18, 2020

10. **Adjournment**


Moved by: Meghan Howe


Seconded by: Ann Black

**BE IT RESOLVED THAT** Members adjourn the October 28<sup>th</sup>, 2020 Museum Advisory Committee Meeting.

**CARRIED**

*The meeting adjourned at 5:54pm*

  
\_\_\_\_\_  
Stacy Wight, Chair

  
\_\_\_\_\_  
Kaitlyn McKay, Secretary



# REPORT TO COUNCIL

Meeting Date: 12/1/2020

Report Number: 2020-DEV-061

Presented by: Richard Charbonneau

Department: Development Services

## REPORT TITLE

Team Northern Throttle Drag Races – 2021 Season

## RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-DEV-061 entitled “**Team Northern Throttle Drag Races – 2021 Season**”, be received,

**THAT** Council approve the request from Team Northern Throttle to utilize the Goodfish snow dump to host two (2) snow drag events on the weekends of January 15<sup>th</sup> to 17<sup>th</sup>, 2021 inclusively and March 5<sup>th</sup> to 7<sup>th</sup>, 2021 inclusively, and

**THAT** Council approve the request from Team Northern Throttle to utilize the Airport from June 23<sup>rd</sup> to 28<sup>th</sup>, 2021 inclusively.

## BACKGROUND

Team Northern Throttle has been hosting the event for several years, expanding it more recently to include two snow drag events at the Goodfish snow dump. Team Northern Throttle is requesting the use of the Goodfish Snow Dump and the Airport this season to host three separate events; two snow drags on January 15<sup>th</sup> to 17<sup>th</sup> and March 5<sup>th</sup> to 7<sup>th</sup>, and one drag race event on June 23<sup>rd</sup> to 28<sup>th</sup>. TNT requires Council’s approval to begin the planning preparations for another season of racing.

## RATIONALE

Team Northern Throttle hosts two snow drag races at the Kirkland Lake snow dump and one drag race at the Kirkland Lake Airport on an annual basis. These events bring tourists from various areas to Kirkland Lake for three weekends a year.

All public health guidelines shall be observed and followed. TNT will require approval from the Timiskaming Health Unit prior to the event proceeding. Should Emergency Orders related to the COVID-19 pandemic be issued, these events may be cancelled, depending upon TNT's ability to comply with the regulations. TNT may return to Council with a request to reschedule the event(s) or the event(s) will be cancelled indefinitely for 2021.

## **OTHER ALTERNATIVES CONSIDERED**

Council can decide to deny the request from TNT to host the scheduled events.

## **FINANCIAL CONSIDERATIONS**

There are daily revenues associated with renting the Airport in accordance with the user fee schedule. The Airport is considered closed during this event, which results in an inability to service flights, including medivacs.

The deterioration of the runway is of utmost concern for staff. In 2017, Council expensed \$60,000 in runway crack filling to extend the life of the runway.

The drag races do result in deterioration of the runway. Burnouts form indents on the runway surface, potentially causing instability to arriving and departing aircraft. The start line of the drag race has been moved over the years to avoid creating larger indents. Burnouts at the start line also result in rubber adhering to the surface. There are safety concerns associated as the surface gets slippery when wet. The rubber also peels off during winter maintenance which could result in loose rubber on the runway. This would be detrimental to an aircraft if the rubber was caught in an aircraft engine.

## **RELATIONSHIP TO STRATEGIC PRIORITIES**

The request from Team Northern Throttle to host the winter and summer drag racing events is consistent with the following strategic priorities that would be relevant to this decision:

- To review opportunities to increase tourism in and around Kirkland Lake.
- To be fiscally responsible and to properly manage infrastructure for extending the life of an asset.

## **ACCESSIBILITY CONSIDERATIONS**

Not applicable.



## **C O N S U L T A T I O N S**

Ashley Bilodeau – Director of Development Services  
Michel Riberdy – Director of Public Works

## **A T T A C H M E N T S**

Attachment 1 – Request from Team Northern Throttle



Kirkland Lake Airport

## TEAM NORTHERN THROTTLE

Oct 29 2020

The Corporation of the Town of Kirkland Lake  
Postal Bag 1757  
Kirkland Lake, Ontario. P2N 3P4

**Attention:** Mayor Pat Kiely and Town Council

Dear Mayor Pat Kiely and Council,

Team Northern Throttle is interested in hosting two snow drag race events as well as our annual summer drag race event next year. Please consider this letter our request for the use of the Kirkland Lake Airport for our drag race event June 25-27th, 2021 as well as our request for the Kirkland Lake Snow Dump for our event January 16th, 2021 and again March 6th 2021.

Snow Dump use would be required from January 15<sup>th</sup> to 17<sup>th</sup> inclusively as well as March 5<sup>th</sup> to 7<sup>th</sup> inclusively.

Airport use would be required from June 23<sup>rd</sup> to June 28<sup>th</sup> 2021 inclusively to enable set-up and tear down. The help of town staff during this transition as in years past will be very much appreciated.

Team Northern Throttle looks forward to hosting the 8th Annual Snow Event and 23rd Annual Summer event and trust Mayor and Council will continue to support this huge community endeavour.

We wish to thank you for your generous contributions of time and your commitment to Kirkland Lake's community, which make it possible for this Committee to host these annual events.

We look forward to an answer at your earliest convenience.

Sincerely,

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

Team Northern Throttle

2019 Team Northern Throttle Committee members are:

**President:** Blair Preston (705)668-0909

**Vice President:** Michael Romain (705)668-1245

Cc: Ashley Bilodeau  
Megan Elliott  
Richard Charbonneau

## REPORT TO COUNCIL

Meeting Date: 12/1/2020

Report Number: 2020-DEV-060

Presented by: Ashley Bilodeau

Department: Development Services

### REPORT TITLE

Draft Consent Application No. 54-C-201411: Bodick, Lebel Township

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-DEV-060 entitled “**Draft Consent Application No. 54-C-201411: Bodick, Lebel Township**”, be received,

**THAT** staff be directed to respond to the Ministry of Municipal Affairs and Housing on behalf of the Town of Kirkland Lake to advise the Ministry that the Town opposes any new development in unorganized townships as it contravenes the PPS and until such time as the following recommendation is addressed:

1. **THAT** the Province conduct a comprehensive review to determine whether development in the unorganized townships places an undue strain on public service facilities and infrastructure of surrounding municipalities, and

**THAT** staff be directed to and provided with delegated authority to respond in the same manner on all future consent applications forwarded to the Town of Kirkland Lake for comment from the Ministry of Municipal Affairs and Housing, until such time as the Province has conducted a comprehensive review.

### BACKGROUND

Correspondence was received from the Ministry of Municipal Affairs and Housing identifying that a consent application has been submitted for a new lot in Lebel Township (Attachment 1). The land is accessible by an unnamed road (locally known as Jordan Lake Cottage Road) maintained year-round by the King-Lebel Roads Board. This road is accessed from another unnamed road (locally known as Kirkland Lake Dump Road) which is accessed from Highway 66. The Ministry has requested the Corporation’s comments regarding the application, to assist them in evaluating the application with the Provincial Policy Statement 2020.

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In September of 2020, Council reviewed a similar consent application in Grenfell Township. The following motion was passed by Council at that meeting:

**BE IT RESOLVED THAT** Report Number 2020-DEV-048 entitled “**Draft Consent Application No. 54-C-209966: Jamieson, Grenfell Road**”, be received, and

**THAT** staff be directed to respond to the Ministry of Municipal Affairs and Housing on behalf of the Town of Kirkland Lake to advise the Ministry that the Town opposes any new development in unorganized townships as it contravenes the PPS and until such time as the following recommendations are addressed:

1. **THAT** the Province conduct a comprehensive review to determine whether development in the unorganized townships places an undue strain on public service facilities and infrastructure of surrounding municipalities; and
2. **THAT** the Province meet with Local Roads Boards and the Town of Kirkland Lake to determine the potential of developing a “Planning Area”.

**CARRIED.**

## **R A T I O N A L E**

New lot creation in an unorganized township, especially when a large number of new lots are proposed, can be looked at as benefiting and challenging to the neighbouring municipality. From a benefits perspective, the new lots would result in added support for the local businesses and programs available in Kirkland Lake. These new residents however, utilize public infrastructure such as roads, recreation facilities, etc., and do not contribute to the costs nor the municipal tax base. In fact, this practice led by the Province and the Ministry of Municipal Affairs and Housing flies entirely in the face of the Provincial Policy Statement, Places to Grow and Smart Growth.

Staff recommend that the Province conduct a comprehensive review to determine whether development in an unorganized township places undue financial strain on public service facilities in a neighbouring municipality.

In September, staff recommended that the Province, local services boards and the Town of Kirkland Lake meet to discuss the potential for developing a “Planning Area”. In October 2020, staff met and discussed this opportunity with the Ministry of Municipal Affairs and Housing staff. From staff’s perspective, this is not a viable route for controlling development and would likely result in added cost to the municipality, with little benefit. The Ministry assured staff that very few consent applications are approved in unorganized townships, which implies that a strong level of control is currently present. Staff recommend that no “planning area” be developed and Council continue to request a

comprehensive review related to the impacts of development in the unorganized townships surrounding neighbouring municipalities.

Staff further recommend that Council provide staff with delegated authority to respond to requests for comments for draft consent applications, until the issues of development in unorganized townships is addressed. This will eliminate the need for Council direction when draft consent applications are circulated to the Town of Kirkland Lake.

## **OTHER ALTERNATIVES CONSIDERED**

Council could provide no comment. This is discouraged as the Ministry looks to the municipality for comment to ensure consistency with the Provincial Policy Statement (PPS 2020).

## **FINANCIAL CONSIDERATIONS**

By permitting the consent, there may be a minimal amount of added costs associated with the use of public infrastructure. There will likely be added value in the economic catchment area as a result of a new lot being created. There are no direct financial considerations to bring forward to Council's attention without quantification of the impact of new development in unorganized territories. The reality is that more people in smaller area create economies of scale allowing local government to provide more cost effective services, which is the impetus behind Smart Growth and the Provincial Policy Statement. Staff will request a delegation with the Minister of Municipal Affairs and Housing on this matter at the upcoming ROMA Conference in January.

## **RELATIONSHIP TO STRATEGIC PRIORITIES**

This recommendation is in line with the objective of "achieving sustainable operational excellence" and "finding and implementing efficiencies".

## **ACCESSIBILITY CONSIDERATIONS**

Not applicable.

## **CONSULTATIONS**

Richard McGee, Chief Administrative Officer

## **ATTACHMENTS**

Attachment 1 – Correspondence from MMAH

Attachment 2 – Consent Application  
Attachment 3 – Map

**Ministry of  
Municipal Affairs  
and Housing**

Municipal Services Office  
North (Sudbury)

159 Cedar Street, 4<sup>th</sup> Floor  
Sudbury ON P3E 6A5  
Tel.: 705 564-0120  
Toll-free: 1 800 461-1193

**Ministère des  
Affaires municipales  
et du Logement**

Bureau des services aux  
municipalités du Nord (Sudbury)

159, rue Cedar, 4<sup>e</sup> étage  
Sudbury ON P3E 6A5  
Tél.: 705 564-0120  
Sans frais: 1 800 461-1193



November 10, 2020

**via e-mail only**

Meagan Elliott  
Clerk  
Town of Kirkland Lake  
3 Kirkland Street West, Postal Bag 1757  
Kirkland Lake ON P2N 3P4  
E-mail: [Meagan.elliott@tkl.ca](mailto:Meagan.elliott@tkl.ca)

**Subject:** Draft Consent Application  
**MMAH File:** 54-C-201411  
**Owner:** Peter Bodick (93547 Ontario Ltd.)  
**Agent:** Robert A. Dinnen (The Professional Corporation of the Law Office of Robert A. Dinnen)  
**Location:** PIN 61227-0495 (LT) and PIN 61227-0497 (LT) Lebel unincorporated township, Timiskaming District.

Dear Meagan Elliott,

The Ministry of Municipal Affairs and Housing (MMAH) has received one draft application for consent on lands in Lebel unincorporated township, Timiskaming District.

MMAH determined that the Town of Kirkland Lake, as a nearby municipality, may have an interest in this draft consent application. We would be grateful for correspondence from you indicating whether you have any concerns about this proposal. Your responses to the questions below will help to inform our feedback to the applicant.

**Summary of Draft Application Proposal**

This application was submitted for early consultation review on September 21, 2020.

The purpose of this draft application is to separate two PINs (61227-0495 and 61227-0497) which, according to the agent, merged on title in 1972.

The draft application proposes to sever PIN 61227-0495. The lot is approximately 17.85 hectares in size and roughly rectangular in shape. The lands include most of the east shore of Jordan Lake. There are sixteen cottages on the lot along the shore of the lake, the cottages were built at different times between 1940 and 2020. Each cottage has a privy and one or more accessory structures such as sheds and gazebos. Water for each cottage is drawn from the lake. No new buildings or structures are proposed.

The draft application proposes to retain PIN 61227-0497. The lot is approximately 16 hectares in size and roughly rectangular in shape. The draft application indicates that the property is currently a vacant wood lot and would continue to be a vacant wood lot. According to the agent, the lot was recently logged.

The lands are accessed by an unnamed road (locally known as Jordan Lake Cottage Road) maintained year-round by the King-Lebel Local Roads Board and owned by 935470 Ontario Ltd. (the proponent) and Agnico Eagle Mines Limited (per the application). Mapping appears to show that the road is located at least partially on Crown Land. The road is accessed from another unnamed road (locally known as Kirkland Lake Dump Road) which is accessed from Highway 66.

Cottage development on Jordan Lake appears to be concentrated in the location of the subject property. Most of the surrounding lands appear to be vacant. There is an aggregate pit approximately 450 metres southeast of the subject property, the Kirkland Lake Landfill Site is located south of the aggregate operation. The subject lands are approximately 450 metres west of the boundary of the Township of Gauthier and about 13 kilometres by car from the Town of Kirkland Lake.

The Provincial Policy Statement, 2020 (PPS) guides land use planning decisions in unincorporated townships. Pursuant to section 1.1.6.4 of the PPS, development adjacent to and surrounding municipalities is limited to sustainable management or use of resources or resource-based recreational uses, including recreational dwellings. Other types of development, such as residential development, are not permitted unless criteria set out in section 1.1.6.4 of the PPS are met.

### **Questions**

Your answers to the following questions will assist MMAH in its formal review of this consent application, with respect to PPS policies:

- Based on your knowledge of the area, what is the likelihood that the proposed retained lot would ultimately be used as a permanent residence?
- Do you have any concerns that the proposed new lot for resource-based recreational use in Lebel unincorporated township could place an undue strain on your public service facilities and infrastructure?
- Do you have any other general land use planning concerns or comments about the proposed development?

We would appreciate your feedback by December 10, 2020. Please feel free to contact me at [michelle.lawrence@ontario.ca](mailto:michelle.lawrence@ontario.ca) if you have any questions. Thank you very much for your assistance in this matter.

Sincerely,

Michelle Lawrence, A/Assistant Planner

Attachments: Draft Application, Map



Fields marked with an asterisk (\*) are required under Ontario Regulation 547/06.

**1. Application Information**

**1.1 Owner Information**

First Name of Owner 1*		Last Name of Owner 1*	
Peter		Bodick	
First Name of Owner 2		Last Name of Owner 2	
Company Name (if applicable)			
935740 Ontario Ltd.			
Home Telephone Number*	Business Telephone Number	Fax Number	
	705-568-8696	705-568-8671	
Email Address			

**Address**

Unit Number	Street Number*	Street Name*	PO Box
	174	Main Street	324
City/Town*		Province*	Postal/Zip Code*
Kirkland Lake		Ontario	P2N 3H7

**1.2 Agent/Applicant: Name of the person who is to be contacted about the application, if different than the owner.**  
(This may be a person or firm acting on behalf of the owner.)

First Name of Contact Person		Last Name of Contact Person	
Robert A.		Dinnen	
Company Name (if applicable)			
The Professional Corporation of the Law Office of Robert A. Dinnen			
Home Telephone Number	Business Telephone Number	Fax Number	
	705-567-7979	705-567-7980	
Email Address			
radinnen@nt.net			

**Address**

Unit Number	Street Number	Street Name	PO Box
	4	Government Road East	
City/Town		Province	Postal/Zip Code
Kirkland Lake		Ontario	P2N 1A2

**1.3 Name of owner(s) of the sub-surface rights if different from the surface right owner(s)**

First Name	Last Name
Agnico Eagle Mines Limited	

**2. Type and Purpose of Application/Transaction (highlight appropriate dropdown box)**

**2.1 Is this application for:\***

Transfer	Other purpose	Other Purpose to separate properties merged on title
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**2.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged.**

First Name	Last Name
Jordan Lake Inc.	

**2.3 If a lot addition, provide the legal description of the lands to which the parcel will be added.**

What is the existing land use of the receiving parcel?  
n/a

NOTE:

What is the purpose of the ~~lot addition~~ request?  
Not a lot addition, but a separation of properties that are merged on title. Pins 61227-0497 and 61227-0495 are historically separate and distinct properties. 61227-0497 was patented on Dec.16, 1927, whereas 61227-0495 was patented on Jan.31, 1928. Subsequently, by separate transfers, they merged in the same owner.

### 3. Description/Location of the Subject Land (complete applicable boxes)

3.1 District Timiskaming		Municipality (in an area without municipal organization, select District)* District		
Former Municipality		Geographic Township in Territory without Municipal Organization Label	Section or Mining Location No. Mining Claim L9772	
Concession Number(s)		Lot Number(s)	Registered Plan Number	Lot(s)/Block(s)
Reference Plan No.	Part Number(s)	Property Identification Number 61227-0495 (LT)	Name of Street/Road	Street Number
3.2 Description				
	Severed	Retained	Lot Addition (if applicable)	
Frontage (m)				
Depth (m)				
Area (ha)	17.85	16.03		
3.3 Buildings and Structures				
	Severed		Retained	
Existing (construction date)	see cottages map and legend attached		none	
Proposed	same as existing		none	
3.4 Are there any easements or restrictive covenants affecting the subject land?*				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
If yes, describe each easement or covenant and its effect. Use a separate page, if necessary.				

### 4. Designation of Subject Lands / Current and Proposed Land Use

4.1 Name of the official plan There is no official plan
4.2 What is the current designation(s), if any, of the subject land in the applicable official plan?*
There is no official plan
4.3 What is the present zoning, if any, of the subject land? none

4.4 If the land is covered by a Minister's Zoning Order (MZO), what is the regulation number?  
n/a

4.5 If the land is covered by a Minister's Zoning Order (MZO), what uses are permitted by the order?  
n/a

4.6 Use of Property	Severed	Retained
Existing use(s)	seasonal residential	vacant wood lot
Proposed use(s)	same as existing	same as existing

4.7 What are the surrounding land uses?

East  
vacant wood lot

West  
lake, mining lease, vacant wood lot

North  
vacant wood lot

South  
mining lease, vacant wood lot

## 5. Former Uses of Site and Adjacent Land (History)

5.1 Has there been an industrial or commercial use, or an orchard, on the subject land or adjacent lands?

Yes  No  Unknown

If yes, specify the uses.

5.2 Has the grading of the subject land been changed by adding earth or other material(s)?

Yes  No  Unknown

5.3 Has a gas station been located on the subject land or adjacent land at any time?

Yes  No  Unknown

Has there been petroleum or other fuel stored on the subject land or adjacent land?

Yes  No  Unknown

5.4 Is there reason to believe the subject land may have been contaminated by former uses on the site or adjacent site?

Yes  No  Unknown

5.5 What information did you use to determine the answers to the above questions on former uses?

Personal knowledge of long-term seasonal cottagers on the subject property.

5.6 If yes to any of (5.1), (5.2), (5.3) or (5.4) an inventory of previous uses of the subject land or, if appropriate, of the adjacent land(s), is needed.

Is the inventory of previous uses attached?

Yes  No

If the inventory is not attached, why not?

---

5.7 If yes to any of (5.1), (5.2), (5.3) or (5.4) was an Environmental Site Assessment (ESA) conducted under the *Environmental Assessment Act* or has a Record of Site Condition (RSC) been filed? Refer to Appendix A

Yes  No  Unknown

If no, why not? Explain on a separate page, if necessary.

---

## 6. Consultation with the Planning Approval Authority (check boxes where applicable)

---

6.1 Has there been consultation with the Ministry of Municipal Affairs prior to submitting this application?

Yes  No

If yes, and if known, indicate the file number.  
to be entered upon receipt of early consultation results.

---

6.2 Have you consulted with the municipality/planning board on the application's conformity to the official plan?

Yes  No

If yes, attach a letter/documentation from the municipality/planning board on the proposal's conformity to the official plan.

Attached

---

6.3 Have you discussed with the municipality/planning board the official plan submission requirements for a consent?

Yes  No

---

6.4 Have you provided with this application a list, accompanied by the related materials, identified in the official plan as submission requirements for development applications?

Yes  No  Attached

If no, why not? Please explain.

There is no official plan.

---

**Note:** All materials required in the official plan for complete application must be provided at the time of submitting an application.

---

## 7. Status of Current and Other Applications under the *Planning Act*

---

### 7.1 Current

Is this application a re-submission of a previous consent application?

Yes  No  Unknown

If yes, and if known, describe how it has been changed from the original application:

---

7.2 Has the subject land ever been severed from the parcel originally acquired by the owner of the subject land?\*

Yes  No  Unknown

If yes, provide (below) the date of transfer, the name of the transferee and the land use. (for multiple transfers attach a separate sheet)

Severed parcel	Date of transfer (yyyy/mm/dd)	Name of transferee	Use of severed parcel

### Other Planning Applications

Has the subject land ever been the subject of any other planning application, including applications before the Ontario Municipal Board (OMB), for approval of either:

(For each if yes and if known, indicate i) file number ii) status of the application iii) OMB file number, if applicable and iv) OMB status)

#### 7.3 Official Plan Amendment\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.4 Plan of Subdivision\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.5 Consent\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.6 Site Plan\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.7 Minor Variance\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.8 Zoning By-law Amendment\*

Yes  No

i) File Number	ii) Status	iii) OMB File Number	iv) OMB Status

#### 7.9 Minister's Zoning Order Amendment\*

Yes  No

If yes and if known, what is the Ontario Regulation number? \_\_\_\_\_

**Note:** Please provide list(s) of the relevant applications on a separate page and attach to this form

### 8. Provincial Policy

8.1 Is the proposal consistent with the **Provincial Policy Statement (PPS)** issued under subsection 3(1) of the *Planning Act*?\*

Yes  No

8.2 Explain how the application is consistent with the PPS. Attach a separate page if necessary.

The application is for the purpose of severing properties that are merged on title.

This is an area with no municipal organization.

The current and historic use of the subject property is for recreational seasonal dwellings and this current use will not change, therefore there would be no effect to available infrastructure, if any.

The property is not adjacent to, and does not surround, a municipality.

- 8.3** **Table A** is a checklist (not a substitute for the Provincial Policy Statement) to assist in identifying areas of provincial interest that may apply to your application.  
Please fill in the appropriate rows in **Table A**, if any apply.

**Table A - Features Checklist**

Use or Feature	On the Subject Land	Within 500 Metres of subject land, unless otherwise specified (indicate approximate distance)
An agricultural operation including livestock facility or stockyard	<input type="checkbox"/>	
An industrial or commercial use {specify the use(s)}		
A landfill site (closed or active)	<input type="checkbox"/> Closed <input type="checkbox"/> Active	
A sewage treatment plant or waste stabilization pond	<input type="checkbox"/>	
A provincially significant wetland within 120 metres of the subject land	<input type="checkbox"/>	
Significant coastal wetlands	<input type="checkbox"/>	
Significant wildlife habitat and significant habitat of endangered species and threatened species	<input type="checkbox"/>	
Fish habitat	<input type="checkbox"/>	
Flood plain	<input type="checkbox"/>	
A rehabilitated mine site, abandoned mine site or mine hazards	<input type="checkbox"/>	
An operating or a non-operating mine site within 1000 metres of the subject land	<input type="checkbox"/>	
An active mine site or aggregates operation site within 1000 metres of the subject land	<input type="checkbox"/>	
A contaminated site	<input type="checkbox"/>	
Provincial highway	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	
Utility corridors	<input type="checkbox"/>	
Electricity generating station, hydro transformer, railway yard, etc.	<input type="checkbox"/>	
Crown land (identified by the Ministry of Natural Resources and Forestry as being of special interests, such as lake access points)	<input type="checkbox"/>	

**9. Provincial Plans**

- 9.1** Is the subject land for the proposed development located within an area of land designated in any provincial plan?\*

Yes     No

- 9.2** If yes, identify which provincial plan(s) and explain the current designation(s) of the subject land(s).

- 9.3** If yes, does the proposal conform/not conflict with the policies contained in the provincial plan(s)?\*

Yes     No

If yes, please explain. Attach a separate page, if necessary. Submit a copy of the planning report, if applicable.

---

## 10. Archaeology

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10.1 Does the subject land contain any known archaeological resources or areas of archaeological potential?

Yes  No  Unknown

If yes, does the plan propose to develop lands within the subject lands that contain:

- Known archaeological resources?  Yes  No
  - Areas of archaeological potential?  Yes  No
- 

10.2 If yes, contact the regional Municipal Services Office-MMA staff to discuss whether any reports may be needed.

---

## 11. Servicing

---

11.1 Indicate in a) and b) the proposed type of servicing for the subject land. Select the appropriate type of servicing from Table B.

11.1 a) Indicate the proposed type of sewage disposal system - whether sewage disposal will be provided to the subject land by a publicly owned and operated sanitary sewage system, a privately owned and operated individual or communal septic system or other means?\*

Private Services Privies - see cottages sketch and attached legend

---

11.1 b) Indicate the proposed type of water supply system - whether water will be provided to the subject land by a publicly owned and operated piped water system, a privately owned and operated individual or communal well, a lake or other water body or other means?\*

Private Services Lake - the cottagers use less than the 50,000L per day threshold

---

11.2 Hauled Sewage

If development is proposed on privately owned and operated individual or communal septic system, provide confirmation that there is adequate reserve sewage treatment capacity for hauled sewage (septage) resulting from the proposed development. See Table B below.

**Table B - Sewage Disposal and Water Supply**

	Type of Servicing	Reports/Information Needed
<b>Sewage Disposal</b>	a) Publicly owned and operated sanitary sewage system	Applicants must provide evidence in their application that there is municipal confirmation of sufficient uncommitted reserve sewage system capacity to service the development at the time of conditional consent.
	b) Public communal septic	Development generating effluent of more than 4,500 litres per day may need a servicing options study and hydrogeological report.
	c) Privately owned and operated individual septic system	If the requested change would permit development on individual or communal septic system and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed.  If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed.
	d) Privately owned and operated communal septic system	If the requested change would permit development on individual or communal septic system and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, a servicing options report and a hydrogeological report may be needed.  If proposal would produce effluent less than 4,500 litres per day, a hydrogeological report may be needed.
	e) Privy	Provide details on location and size of out-houses. See attached sketch and legend
	f) Other	Please describe
<b>Hauled Sewage</b>		If development is proposed on privately owned and operated individual or communal septic systems, applicant must provide evidence in the application showing either:  i) municipal confirmation of sufficient uncommitted reserve sewage system capacity for treatment of septage resulting from the proposed development; OR  ii) confirmation (i.e., letter) from a commercial enterprise (private provider) for hauled sewage (septage) indicating that capacity is available to accommodate the specific proposal.
<b>Water Supply</b>	a) Publicly owned and operated piped water system	Applicants must provide evidence in their application that there is municipal confirmation of sufficient reserve water system capacity to service the development at the time of conditional consent.
	b) Privately owned and operated individual well	Development on communal or individual well system may need a servicing options report and a hydrogeological report.  Non-residential development on communal well system may need a hydrogeological report.
	c) Privately owned and operated communal well	Development on communal or individual well system may need a servicing options report and a hydrogeological report.  Non-residential development on communal well system may need a hydrogeological report.
	d) Lake	A Permit to Take Water may be required. Contact your regional Municipal Services Office and the Ministry of the Environment and Climate Change office for guidance. Less than 50,000L per day
	e) Other water body	Please describe
	f) Other means	Please describe

**Notes:**

1. To facilitate review of the application, submit a letter from the municipality to show concurrence (or not) with the recommendations in the servicing options report.
2. Before undertaking a hydrogeological report, consult MMA for advice given the location of the subject land.
3. Where communal services are proposed (water and/or sewage), ownership of these services must be assumed by the municipality or a public body through a signed letter of acceptance.
4. To facilitate review of the application, submit a letter from the local health unit indicating that the site is developable and could accommodate the proposal.
5. A building permit is required for septic systems under Part 8 of the Building Code. See Appendix A.



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**12. Access**

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12.1 The proposed road access would be by:

Other public road

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**Note:** (See Appendix A for information on MTO Access Permits)  
Certain type of development is not permitted on seasonally maintained roads.  
Early consultation with your regional MSO is recommended.

---

12.2 Additional details on "other public road" and "right-of-way"

Would proposed road access be by:

Crown road  Local roads board  Private road

---

12.3 If access to the subject land is by "other public road" or "right-of-way", or private road, indicate:

i) The owner of the land or road

935740 Ontario Ltd. and Agnico Eagle Mines Limited

---

ii) Who is responsible for maintenance

King-Lebel Roads Board

---

iii) Whether maintenance is seasonal or year round  
year round

---

**Note:** Access by right-of-ways and/or private roads are not usually permitted, except as part of a condominium.

---

12.4 Is water access ONLY proposed?\*

Yes  No

If yes, on a separate page, describe i) the parking and ii) docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road access.

Attached

You may be required to provide a letter from the owner(s) of a commercially operated parking and docking facility indicating that capacity is available to accommodate your specific proposal.

---

**13. Proposal Waste Disposal**

---

13.1 Garbage disposal is proposed to be by:

Garbage collection  Municipal dump  Crown landfill  Other Garbage is ported home by cottagers.

---

13.2 Other Services Please check the other services available and the provider(s) of these services.

Services	Provider
<input type="checkbox"/> Electricity	
<input type="checkbox"/> School bussing	
<input type="checkbox"/> Other	

---

13.3 a) The proposed stormwater drainage would be by:

Natural topographic drainage

---

---

**14. Sketch: Use the attached sketch sheet. To help you prepare the sketch, refer to the attached sample sketch.**

---

**14.1** The application shall be accompanied by a sketch showing, in **metric units**, the following:

- The boundaries and dimensions of the subject land, the part that is intended to be severed and the part that is intended to be retained;
  - The location, size and type of all existing and proposed buildings and structures on the subject land, including their setback from the front yard, rear yard, side yard and opposite side yard;
  - The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;
  - The approximate distance between the subject land and the nearest township lot line or landmark, such as a railway crossing or bridge;
  - The location of all lands previously severed from the parcel originally acquired by the current owner of the subject land;
  - The approximate location of all natural and artificial features on the subject land and adjacent lands that, in the opinion of the applicant, may affect the application, such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks;
  - The current use(s) on land that is adjacent to the subject land;
  - The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way;
  - If access to the subject land is by water only, the location of the parking and boat docking facilities to be used;
  - The location and nature of any easement affecting the subject land;
  - The severed parcel, the date of transfer, the name of the transferee and the use of the land.
- 

**15. Other Information**

---

**15.1** Is there any other information that may be useful to the ministry in reviewing this application (e.g., information relating to the requirements and policies in the municipal official plan or efforts made to resolve outstanding objections or concerns by area resident(s), the municipality, other)?

If so, explain below or attach a separate page with this information.

Sewage disposal is privies. Water supply to each cottage is by lake. The cottages use less than 50,000 litres/day.

---

**15.2** The original or certified copy of any other information and materials, as required by the official plan of the municipality/planning board, must be provided with this application.

---

**15.3** Where applicable and relevant information is available in a planning report submitted to council, or in a technical study/report(s) prepared for the proposal, please provide the name, section and page number if you have referenced the study/report(s) in any of the questions above.

61226

TRAVELLED RD

Township  
Line to  
Gauthier

LEBEL TOWNSHIP

4.9m width  
PUBLIC RD.

distance to township line  
900m

HIGHWAY 66

VACANT WOOD LOTS

VACANT WOOD LOTS

PIN 61227-0497 (LT)  
to be retained

MINING CLAIM L 9690

250m  
from  
HWY 66

402m

Subject

PIN 61227-0495 (LT)  
to be severed

MINING CLAIM  
L 9772

400m

61227

cottages  
see attached map and legend

395m

VACANT WOODS LOTS and MINING LEASE

VACANT WOOD LOTS. 543m

JORDON LAKE

CLAIMS

06 (L 403198)

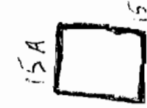
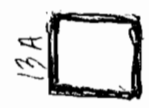
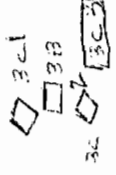
0493

80

7

台 118

11B



JORDAN LAKE

## JORDAN LAKE

### LEGEND

- A Cottage
- B Latrine
- C Sheds
- D Gazebos

#### Cottage 1 Belisle 1990

- A 7.9m x 7.3 m
- B 1.22m x 1.22m
- C 3.7m x 2.1m

#### Cottage 4 Callin 1940

- A 5.79m x 14.02m
- B 1.22m x 1.22m
- C 1 1.22m x 1.22m
- C2 4.88m x 9.75m
- D 4.88m x 7.31m

#### Cottage 2 Kennedy 1960

- A 12.2m x 4.87m
- B 1.22m x 1.22m
- C 1 1.22 x 2.43m
- C2 2.43m x 1.83m

#### Cottage 5 Chliszczyk 1940

- A 7.01m x 7.32m
- B 1.52m x 1.52m
- C 1 3.66m x 6.10m
- C2 1.82m x 2.44m

#### Cottage 3 Belise 1960

- A 10.97m x 6.096m
- B 1.22 x 1.22m
- C1 1.22m x 1.83
- C2 2.44m x 2.44m
- C3 4.27m x 4.27m

#### Cottage 6 Widdifield 1940

- A 5.18m x 10.67m
- B 1.22m x 1.22m
- C1 2.44m x 1.83m
- C2 3.66m x 5.18m
- C3 6.10m x 2.44m
- C4 2.44m x 3.05

Cottage 7 Wilson- Fox 2020

- A 4.88 m x 12.19m
- B 2.44m x 2.44m
- C 2.44m x 1.83m

Cottage 9 Brown 1985

- A 10.06m x 6.10m
- B 1.22m x 1.83m
- C1 1.83m x 1.83m
- C2 4.88m x 2.44m

Cottage 10 Barre 1940

- A 6.10m x 10.97m
- B 2.44m x 1.83m
- C1 3.66m x 4.27m
- C2 3.66m x 2.44m

Cottage 11 Crouse 2003

- A 10.36m x 10.97m
- B 2.44m x 2.44m
- C1 2.44m x 1.83m
- C2 6.10m x 6.10m

Cottage 12 Burns 2020

- A 9.75m x 10.97m
- B 1.22m x 1.22m
- C1 3.05m x 3.66m

Cottage 12 M Connolly 2014

- A 7.62m x 9.75m
- B 1.22m x 1.22m
- C 2.44m x 7.32m

Cottage 14 K Connolly 1965

- A 7.321m x 8.84m
- B 1.22m x 1.52m
- C1 3.66m x 6.71m
- C2 3.05m x 2.44m
- D 4.27m x 5.18m

Cottage 15 Stewart 2012

- A 7.92m x 7.92m
- B 1.22m x 1.22m
- C1 1.83m x 2.13m
- C2 3.05m x 3.66m
- C3 4.27m x 5.18m

Cottage 16 Paquette 2010

- A 9.14m x 9.14m
- B 1.22m x 1.22m
- C1 3.05m x 3.05m
- C2 3.96m x 4.27m



This map should not be relied on as a precise indicator of routes or locations, nor as a guide to navigation. The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) shall not be liable in any way for the use or any information on this map. of, or reliance upon, this map.

## REPORT TO COUNCIL

Meeting Date: 12/1/2020

Report Number: 2020-DEV-059

Presented by: Ashley Bilodeau

Department: Development Services

### REPORT TITLE

Request to Purchase - 3 McKelvie Avenue

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-DEV-059 entitled “**Request to Purchase - 3 McKelvie Avenue**”, be received, and

**THAT** Council hereby approves the sale of 3 McKelvie Avenue to Jerome Maritim for a sale price of \$10,000, and

**THAT** an authorizing By-law be presented to Council to permit the Town of Kirkland Lake to enter into an agreement of purchase and sale to sell 3 McKelvie Avenue to Jerome Maritim.

### BACKGROUND

The lands municipally known as 3 McKelvie Avenue were processed for tax sale in November of 2019 at a total price of \$11,036.42. There were no successful bids received and the municipality has since vested the property, with the intent to sell the property as surplus land.

### RATIONALE

The property is a half lot with a building that has been vacant for several years. The building remains structurally sound; however, major interior renovations will be required to bring the structure up to a habitable condition. By selling this property, there is an opportunity for the building to be rehabilitated and contribute to the residential tax base.



## **OTHER ALTERNATIVES CONSIDERED**

Council may choose not to sell the property and to advertise the land for sale. Removing the property from municipal inventory and collecting building permit fees, taxes, etc. will be a positive step forward. It is important to note that no other interested parties have come forward with an offer for consideration.

## **FINANCIAL CONSIDERATIONS**

If the Town proceeds with the sale of this property, the revenue will recover the majority of the unpaid taxes. The Town will also realize annual taxes on the land.

## **RELATIONSHIP TO STRATEGIC PRIORITIES**

The Strategic Plan identifies a need to be fiscally responsible. Proceeding with the sale of surplus municipal land is fiscally responsible.

## **ACCESSIBILITY CONSIDERATIONS**

Not applicable.

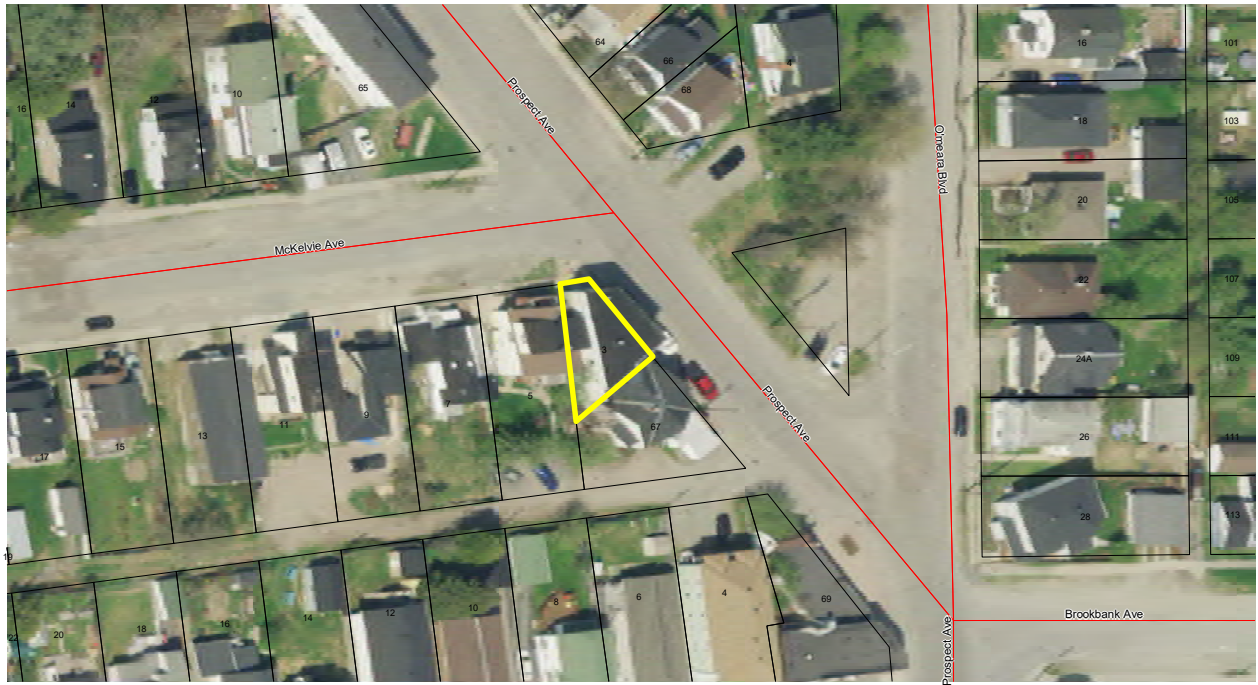
## **CONSULTATIONS**

Courtney Nylund, Building Inspector/Property Standards Officer  
Steve Ranta, Roads Supervisor  
Michael Riberdy, Director of Public Works

## **ATTACHMENTS**

Attachment 1 – Aerial Imagery of Site

# Attachment 1 – Aerial Imagery of Site



## REPORT TO COUNCIL

Meeting Date: 12/1/2020

Report Number: 2020-DEV-061

Presented by: Ashley Bilodeau

Department: Development Services

### REPORT TITLE

Request to Lease a Portion of Laneway Adjacent to 11 Dixon Avenue

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-DEV-061 entitled “**Request to Lease a Portion of Laneway Adjacent to 11 Dixon Avenue**”, be received, and

**THAT** Council authorize the Town of Kirkland Lake to enter into a lease agreement with the owners of 11 Dixon Avenue.

### BACKGROUND

As a result of a laneway investigation by By-law Enforcement personnel, it was determined that the owner of 11 Dixon Avenue has been parking in the laneway adjacent to his dwelling since 1990. He was informed that in order to continue with the use of municipal land, a lease agreement would be required. A request to lease has been submitted for Council's consideration.

### RATIONALE

The laneway has been used for parking since 1990 as the property does not have a driveway established on the property. The laneway is unused by neighbouring property owners.

Section 4.5 of the Leasing and Encroachments onto Municipal Property Policy states that:

“based on the Town’s preference for property ownership, all reports to Council must clearly identify why a lease interest should be pursued, as opposed to purchase. There are many variables which can affect whether a property should be leased, including ...

municipal and/or public services exist and the Town must retain ownership of the land.” In this instance, it is in the Town’s best interest to lease rather than sell.

## **OTHER ALTERNATIVES CONSIDERED**

Staff considered the sale of the laneway, however services (gas and telephone) are present. Due to the encumbrances, staff does not support the sale of the land unless easements are registered.

## **FINANCIAL CONSIDERATIONS**

There is a \$205.00 application fee for a lease agreement and an additional fee of \$355.00 to draft the lease agreement. There is annual revenue of approximately \$159.00 associated with this lease request, subject to annual increases in accordance with the User Fee By-law.

## **RELATIONSHIP TO STRATEGIC PRIORITIES**

The property owner has been parking on the property without permission. It is in the Town’s best interest to reduce liability and improve fiscal responsibility. The use of this land will be recognized through an active lease agreement.

## **ACCESSIBILITY CONSIDERATIONS**

Not applicable.

## **CONSULTATIONS**

Keith Gorman, Treasurer  
Michel Riberdy, Manager of Public Works

## **ATTACHMENTS**

Attachment 1 – Subject Property

Attachment 1



## REPORT TO COUNCIL

Meeting Date: 11/17/2020

Report Number: 2020-PW-010

Presented by: Michel Riberdy

Department: Public Works

### REPORT TITLE

RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-PW-010 entitled “**RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant**”, be received,

**THAT** Council hereby cancels RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant Tender that closed on November 5, 2020, and

**THAT** staff be directed to re-tender RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant after an engineering review.

### BACKGROUND

The Swastika Project was initiated in 2016 when funding was secured through the Provincial and Federal governments. At that time, OCWA Engineering was retained to perform the project management for the project while Stantec was retained to perform the engineering for the project leading into the contract management of the project. The engineering design process was extensive with approvals through various agencies to satisfy their requirements, policies and guidelines. The project team consists of OCWA, Stantec and Town of Kirkland Lake staff.

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The scope of work includes, but is not limited to the items described in this section. Bidders were advised to review the complete RFB document for the comprehensive scope of service required for this project.

Decommissioning of the Swastika WPCP including the following components: cut and cap all liquid piping to and from the WPCP; de-energize and make safe all electrical devices with the exception of area lighting, receptacles, and building HVAC; remove and safely dispose of all chemicals and fuels present in the facility, remove all equipment noted in the Contract Drawings.

Construction of the Culver Park PS includes the following components, as specified herein and shown on the Contract Drawings, including, but not limited to:

1. New Sewage Pumping Station to receive influent sewage and direct it to the gravity sanitary sewer system south of the Swastika bridge via the new 100mm forcemain.
2. Supply and install two (2) new submersible pumps, piping and valves within the wet well and valve chamber, and related electrical instrumentation as indicated in the Contract Drawings;
3. All required yard piping, maintenance chambers, manholes, site grading and other features as described in the Contract Documents and Drawings;
4. Supply and install new outdoor backup generator, sound enclosure, concrete equipment base and related electrical;
5. Construction of new exterior mounted controls complete with all equipment as shown in Contract Drawings;
6. Together with all required electrical, mechanical, instrumentation and controls, structural and site works required to construct a complete sanitary pumping station operating as intended and as per the design contained in the Specifications and Contract Drawings.

Construction retrofit to the Swastika Main PS includes the following components, as specified herein and shown on the Contract Drawings, including, but not limited to:

1. Supply and install two (2) new submersible pumps, piping and valves within the wet well and valve chamber, and related electrical instrumentation as indicated in the Contract Drawings;
  2. New 200mm PVC forcemain.
  3. All required yard piping, maintenance chambers, manholes, site grading and other features as described in the Contract Documents and Drawings;
  4. Upgrades to the control room electrical and controls complete with all equipment as shown in the Contract Drawings;
  5. Together with all required electrical, mechanical, instrumentation and controls, structural and site works required to construct a complete sanitary pumping station operating as intended and as per the design contained in the Specifications and Contract Drawings.
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Construction retrofit to the Chaput Hughes PS includes the following components, all as specified herein and shown on the Contract Drawings, including, but not limited to:

1. Supply and install three (3) new submersible pumps, piping and valves within the wet well and valve chamber, and related electrical instrumentation as indicated in the Contract Drawings;
2. New 200mm PVC forcemain.
3. All required yard piping, maintenance chambers, manholes, site grading and other features as described in the Contract Documents and Drawings;
4. Upgrades to the control room electrical and controls complete with all equipment as shown in the Contract Drawings;
5. Supply and install new outdoor backup generator, sound enclosure, concrete equipment base and related electrical.

Together with all required electrical, mechanical, instrumentation and controls, structural and site works required to construct a complete sanitary pumping station operating as intended and as per the design contained in the Specifications and Contract Drawings.

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## RATIONALE

RFB-493-16 Construction Services for the Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant was advertised on the Town's Website and Bidding. Furthermore, a mandatory site meeting for this project was conducted that took place on Tuesday, October 20, 2020. Contractor representatives from Pederson Construction (2013) Inc. and R.M. Bélanger Limited were present at the meeting.

The tender closed on Thursday, November 5, 2020 at 2:00 pm. The lowest tender bid price submitted is \$2,081,438.00 dollars more than the 100% design cost estimate of \$7,356,135.00. This amount assumes that the cash flow and contingency allocated funds would be exhausted during the course of the project. The total tender bid price excludes taxes and are as follows:

Contractor	Total Tender Price (Excluding HST)
R.M. Bélanger Limited	\$9,437,572.70
Pederson Construction (2013) Inc.	\$9,888,652.00

OCWA Engineering and Stantec performed a detailed review on the price breakdown of both tender submissions to ensure compliance, to determine why the extra cost, to find opportunities to reduce costs and for errors and omissions in the submissions.



Furthermore, the engineering component of the project is in addition to the construction cost of the Swastika Project.

Also, staff submitted a project extension request on June 19, 2020 to OMAFRA under the New Building Canada Fund - Small Community Fund (SCF) and were granted approval for an extension on November 17, 2020 to extend the project completion date to October 31, 2022, which provides an additional year to complete the project. This will reduce some of the winter work and reduce costs.

After evaluating all potential opportunities to reduce costs, the project team recommends that Council cancel the current tender bid process, review the specifications and re-tender the Swastika project in a timely fashion. This will avoid any legal issues, reduce the project costs and hopefully attract more bid submissions to the tender closing. Please refer to Attachment 1 – Town of Kirkland Lake Swastika WPCP Decommissioning and Sewer System Upgrade Project Construction Bid Evaluation and Recommendation for additional information.

## **OTHER ALTERNATIVES CONSIDERED**

Council could choose to adopt one of the following alternatives; however, neither of these options is recommended.

- Negotiate with R.M. Bélanger Limited as the low bid, or
- Cancel tender bid process and stop the project.

Advantages and disadvantages of the alternatives are identified in Attachment 1 under “Potential Paths Forward”.

## **FINANCIAL CONSIDERATIONS**

This project was included and approved within the 2020 Capital Budget under project reference B2020-0012. The project was identified as a multi-year project as follows:

2020-21	Engineering and construction	\$8,200,000.00
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Additional funds need to be set aside through the 2021 - 2022 budget process in order to bring the project to completion, if the project cost can't be lowered within the budget constraints.

## **RELATIONSHIP TO STRATEGIC PRIORITIES**

The Town of Kirkland Lake has identified sustainable service delivery of core service as a strategic priority. The Swastika Water Pollution Control Plant Decommissioning and Sewer System Connection to the Kirkland Lake Wastewater Treatment Plant project will improve the wastewater system and promote economic growth.

## **ACCESSIBILITY CONSIDERATIONS**

Not applicable.

## **CONSULTATIONS**

Keith Gorman, Director of Corporate Services  
Richard McGee, CAO

## **ATTACHMENTS**

Attachment 1 – Town of Kirkland Lake Swastika WPCP Decommissioning and Sewer System Upgrade Project Construction Bid Evaluation and Recommendation.



Town of Kirkland Lake  
Swastika WPCP Decommissioning and Sewer  
System Upgrade Project Construction Bid  
Evaluation and Recommendation

November 23, 2020



# Contents

- Project Background
- Project Baseline Budget
- Current Project Budget Allocation
- Cost Estimate Development
- Contractors Bid Prices
- Post-Bid Discussion with Belanger
- Potential Paths Forward
- Recommendation



# Project Background

- Swastika WPCP has been in operation since 1985 without any major upgrade and does not have a back-up power source
- 2014 MOECC Inspection recommendations: Comprehensive condition assessment and schedule for replacement/modernization
- 2015: Compliance challenges of high E. Coli counts in treated effluent, and the water body at Culver Park beach resulting advisory notice of “unsafe for swimming” from Local Medical Officer of Health
- Condition assessment (2014) and preliminary feasibility study (2015) completed:
  - Two options were evaluated and Option 2 was selected.
  - The conceptual scope of Option 2 includes: decommissioning Swastika WPCP, 5 km new forcemain to KL WWTP, and new sewage pumping station.

Option	CAPEX	20 yr OPEX	Total Cost
1. Rehabilitation/Upgrade of Swastika WPCP	~ \$ 8.5M	~ \$ 15.8M	~ \$ 23.8M
2. Decommission Swastika WPCP and Connect Sewer to Kirkland Lake WWTP	~ \$ 8.0M	~ \$ 1.5M	~ \$ 9.5M

- Detailed Municipal Class Environmental Assessment (EA) Study was recommended to refine the project feasibility and concepts



# Baseline Cost Estimate

- Estimated total project cost (2016 value): \$ 9.1 M
  - PM \$0.2M
  - CE \$0.96M
  - Leasing Equipment \$0.11M
  - Misc \$0.12M
  - Construction \$7.7M
- Applicable Tax Rebate **(\$0.9M)**
- SCF approved ~ **\$ 8.2M (2016)** for eligible project cost
  - Federal/provincial contribution of ~ \$5.5M
  - TKL contribution of ~ \$2.7M.
- November 2020 - SCF funding project deadline was extended to October 31, 2022



# Current Budget Allocation

- PM \$0.2M
- CE \$1.14M
- Geotechnical and Topographic Survey \$0.16M
- Swastika PS Backup Generator \$0.13M
- Construction \$6.6M



# Cost Estimate Development

- Phase 1 – Class EA and Preliminary Design (August 2018)
  - Pro-rated estimate of construction cost: \$ 10.2M (Average).
  - Project Team and Stantec held value engineering workshops internally and externally with local contractor to seek cost saving opportunities for bringing estimated project cost back in approved budget limit
- Cost Saving Identified during Value Engineering (removed from scope)
  - Using insulated pipe – shallower pipe bury and less rock removal, potential saving \$500K
  - Shorter forcemain length on Archer Drive, potential saving \$200K
  - Simpler Culver Park PS design, potential saving \$100K
  - **Defer Chaput Hughes PS upgrades, potential saving \$300K ←included in current tender scope**
  - Defer Swastika WPCP demolition, potential saving \$50K
  - Defer Swastika and Chaput Hughes PS building repairs, potential Saving \$200K
  - Defer service to properties near Hwy 66/112, potential Saving \$1600K
  - Defer Swastika I&I improvement, potential saving \$200K
  - Revised contingency, potential Saving \$300K





# Cost Estimate Development (Continued)

- Construction cost estimate at the completion of 60% Detailed Design (**March 2020**):
  - Construction cost estimate: \$6.65M  
(Average, including 10% contingency)
  - Cost saving from Preliminary Design: \$3.55M
- 100% Design(**Tender**) Estimate (**October 2020**):
  - Construction - \$7.36M (Including \$155K cash allowance and \$600K contingency)



# Contractors Bid Prices

- Two bids were received (Belanger and Pederson), and both met all bid qualification criteria. The bid prices are listed below.

Item	Description	Belanger Price	Pederson Price
1	FORCEMAIN AND GRAVITY LINEAR WORKS	\$6,599,422	\$7,028,352
2	VERTICAL WORKS	\$2,083,153	\$2,105,300
3	Sub-Total Bid Price (1+2)	\$8,682,572	\$9,133,652
4	Cash Allowance	\$155,000	\$155,000
5	Contingency	\$600,000	\$600,000
6	Total Bid Price (3+4+5)	\$9,437,572	\$9,888,652

- The two bid prices are close to each other (less than 5% difference)
- Lowest bid price is ~\$2.1M higher than 100% design estimate
- Post bid meeting was held with Belanger to review bid and seek opportunity of price reduction



# Post-Bid Discussion with Belanger

- Meeting was held on November 17, 2020
- Belanger raised the possibility of changing the pipeline specifications
  - Burying the pipe with urecon insulation at less than 2.4 m below grade
  - Removing the Urecon insulation and burying pipe at min, 2.4 m below grade
  - Using DR21 pipe (thinner wall) to replace DR18 pipe
  - Using different type of air release valves
  - This could have a significant reduction in the cost of pipe supply and installation.



# Post-Bid Discussion with Belanger (Continued)

- Belanger proposed following price reduction options:

Option	Price Reduction
1. Using DR21 pipe c/w urecon insulation	\$41,776
2. Using DR18 pipe c/w no insulation	\$658,984
3. Using DR21 pipe c/w no insulation and PVC fittings	\$716,517
<b>4. Using DR21 pipe c/w no insulation and MJ fittings</b>	<b>\$736,956</b>
5. Using Fused IPS DR11 for directional drill pipe	\$25,000
6. Remove Builder Risk Insurance	\$ 20,000
7. ONR Crossing with Directional Drill (Pending on further investigation)	\$100,00
8. ARI Valve Replacement	\$80,000
<b>Total Potential Cost Saving (4+5+6+7+8)</b>	<b>\$961, 956</b>



# Post-bid Discussion with Belanger (continued)

- The changes to pipeline specifications could cause risks to sewer forcemain quality and operations (i.e. less service life, pipeline freezing in winter, etc.)
- The risks and benefits of these suggestions should be carefully reviewed and evaluated



# Potential Paths Forward:

## 1. Cancel Current bid, Review Specifications and Do A Public Bid Again

### Advantage:

- May involve more bidders and have good competition to reduce bid price
- Will be viewed as transparent and fair to all bidders
- Given new schedule extension may this result in cost savings (less winter work)

### Disadvantage:

- Will take additional time to re-bid
- May not result in desired cost savings, budget risk still exists

## 2. Negotiate with Belanger only

### Advantage:

- Will be a quicker process
- Given new schedule extension may this result in cost savings (less winter work)

### Disadvantage:

- Pederson may take issue
- May not result in desired cost savings

## 3. Cancel Bid and Stop

### Advantage:

- Keep from budget overrun and no extra debt

### Disadvantage:

- Risk of losing all funding
- Swastika WPCP is still in non-compliant position – original problem not addressed (unacceptable)



# Recommendation

After evaluating all potential paths forward, the Project Team thinks Option 1 is the optimum one and recommend Town of Kirkland Lake to undertake.

This option will avoid from any legal issues and has more likelihood of resulting in maximum reduction of bid price.

If Town of Kirkland Lake decides to proceed with Option1, Project team will undertake following actions to achieve the best possible result.

- Plan the schedule for re-bidding process to ensure construction starting in spring or summer of 2021 and meeting funding program deadline
- Notify local Construction Associations prior to re-publish the Request for Bid to attract more bidders for competition.
- Promptly extend bid closing duration for better clarification of scope and specifications, and gathering more potential cost saving opportunities.

CONSTRUCTION SERVICES FOR THE SWASTIKA WATER POLLUTION CONTROL PLAN DECOMMISSIONING SEWER SYSTEM CONNECTION TO THE KIRKLAND LAKE WWTP

RATE BID FORM - BASE BID SUMMARY						
ITEM NO.	DESCRIPTION	PRICE				
		BELANGER	PEDERSON	DELTA (P-B)	Stantec Est.	DELTA (S-B)
1	FORCEMAIN AND GRAVITY LINEAR WORKS	\$6,599,422.70	\$7,028,352.00	\$428,929.30	\$ 4,523,135	\$ (2,076,288)
2	SWASTIKA WPCP DECOMMISSIONING, CULVER PARK PS, SWASTIKA MAIN PS, CHAPUT HUGHES PS	\$2,083,150.00	\$2,105,300.00	\$22,150.00	\$ 2,078,000	\$ (5,150)
3	<b>SUB-TOTAL TENDER PRICE (Items 1+2)</b>	<b>\$8,682,572.70</b>	<b>\$9,133,652.00</b>	<b>\$451,079.30</b>	<b>\$6,601,135.00</b>	<b>\$ (2,081,438)</b>
4	CASH ALLOWANCES	\$155,000.00	\$155,000.00		155000	\$ -
5	CONTINGENCY ALLOWANCE	\$600,000.00	\$600,000.00		600000	\$ -
	<b>TOTAL TENDER PRICE (Items 3+4+5)</b>	<b>\$9,437,572.70</b>	<b>\$9,888,652.00</b>	<b>\$451,079.30</b>	<b>\$7,356,135.00</b>	<b>\$ (2,081,438)</b>





# REPORT TO COUNCIL

Meeting Date: 12/1/2020

Report Number: 2020-CS-009

Presented by: Bonnie Sackrider

Department: Community Services

## REPORT TITLE

Name of Community Complex

## RECOMMENDATION(S)

**BE IT RESOLVED THAT** Report Number 2020-CS-009 entitled “Name of Community Complex”, be received, and

**THAT** the Community Complex shall hereby, and from this point forward be officially recognized and referred to at all times as the “**Joe Mavrinc Community Complex**”, and

**THAT** staff be directed to place \$20,000.00 in the 2021 Proposed Capital Budget for consideration during budget deliberations to procure and erect a new sign at the Joe Mavrinc Community Complex.

## BACKGROUND

At the Regular Meeting of Council held on December 3, 2019, Council voted on a recommendation from the Parks and Recreation Advisory Committee (PRAC), recommending that the Community Complex should retain the name “Joe Mavrinc Community Complex”. This motion was defeated by Council.

That Council approves the recommendations from the Parks & Recreation Advisory Committee that the Community Complex should retain the name “Joe Mavrinc Community Complex”

**DEFEATED**

At the Regular Meeting of Council held on November 3, 2020, Ms. Mary Ann Mavrinc delegated to Council regarding the naming of the Community Complex. As a result of the delegation, Council passed the following motion:

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**BE IT RESOLVED THAT** staff be directed to report to Council after receiving recommendations from the Parks and Recreation Advisory Committee for the naming of the Community Complex.

**CARRIED**

At the November 30, 2020 Parks and Recreation Advisory Committee meeting, the following recommendation was approved for Council's subsequent consideration.

**BE IT RESOLVED THAT** the verbal discussion on the naming of the Complex be received, and

**THAT** the Parks and Recreation Advisory Committee recommends to council to retain the name of the Joe Mavrinac Community Complex.

**CARRIED**

### **R A T I O N A L E**

When the Community Complex initially took on the name of former Mayor, Joe Mavrinac, in 2000, a by-law was not passed by Council. If Council agrees to the proposed recommendation, the name of the Community Complex will official become the Joe Mavrinac Community Complex.

### **O T H E R A L T E R N A T I V E S C O N S I D E R E D**

No alternatives to the proposed recommendation are provided.

### **F I N A N C I A L C O N S I D E R A T I O N S**

There are no financial considerations to reinstate the name Joe Mavrinac Community Complex. Costs to procure and erect a new sign at the Community Complex are recommended to be brought forward as part of the Proposed 2021 Capital Budget.

### **R E L A T I O N S H I P T O S T R A T E G I C P R I O R I T I E S**

Consistently referring to a facility in the same manner will improve communications, resulting in operational excellence.

### **A C C E S S I B I L I T Y C O N S I D E R A T I O N S**

Not Applicable

## **CONSULTATIONS**

Parks and Recreation Advisory Committee  
Ms. Mary Ann Mavrinac

## **ATTACHMENTS**

Attachment 1 – Agenda – Committee of the Whole – December 3, 2019  
Attachment 2 – Minutes – Meeting of Council – December 3, 2019



# ***Agenda***

Corporation of the Town of Kirkland Lake  
Committee of the Whole  
Council Chambers, Town Hall  
December 3, 2019  
4:40 p.m.

1. **Approval of the Agenda**
2. **Declaration of Pecuniary Interest**
3. **Petitions and Delegations**
4. **Committee of the Whole Reports**
  - a. Finance – Chair Councillor Eugene Ivanov
  - b. Planning – Chair Rick Owen
  - c. Recreation & Health – Chair Patrick Adams
5. **Adjournment to a Regular Meeting of Council**

***PLEASE NOTE: All items on this Agenda are for Council's consideration and will be voted on at the meeting.***

# AGENDA

## **Parks & Recreation Advisory Committee Community Fitness Providers meeting**

**Tuesday, November 26, 2019**

**6:30 pm, Council Chambers**

### **Approval of the Agenda**

### **Adoption of the Minutes**

Minutes of the Meeting held October 22, 2019

### **Recommendations to Council from the PRAC**

- Community Fitness Programming (Private vs Municipal)
- Naming of the Kirkland Lake Complex

### **Items for Discussion**

1. Affordable Access – Ian Solonias
2. Outdoor Rink – Colin Hudson

### **Additional Information**

### **Adjournment**

# **Parks & Recreation Advisory Committee**

## **Recommendations to Council**

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### **Community Fitness Programming (Private vs Municipal)**

Following the Fitness Forum that took place on Tuesday, September 24, 2019, a discussion was held at the Tuesday, October 22, 2019 Parks and Recreation Advisory Committee Regular Meeting.

Every member had the opportunity to review the notes and to comment. It was determined that the private groups that presented had little in duplication with the Town. They all seem to attract different clients at different times. The constant message was the general public should be able to choose between the Complex and other private providers.

In saying this, the Parks and Recreation Advisory Committee would like to recommend to Council that Parks and Rec staff take a lead role in organizing meetings with the private groups in the Spring and Fall of each year to initiate positive discussion between all partners and minimize any potential conflicts.

We further recommend staff, when possible, to partner with the private groups (i.e. advertising in Seasonal Brochure and forming partnerships on training and instructional opportunities).

By opening the lines of communication and working together the groups will improve fitness opportunities for the entire community.

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Private fitness operators and non-profit recreation and leisure groups, be listed in the program guide and that Council, in consultation with the recreation department, determine advertising rates for profit and not for profits groups in the program guide.

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### **Name of the Complex**

As per section 3.5 on the policy of Naming - the Recreation Advisory Committee recommends that the use of the Community Complex has not changed and it should retain its name - Joe Mavrinac Community Complex.

As in the past few years advertising has referred to it as the Kirkland Lake Community Complex it is further recommend that it now be referred to as the Joe Mavrinac Community Complex.



# Minutes

Corporation of the Town of Kirkland Lake  
Meeting of Council  
Council Chambers, Town Hall  
December 3, 2019  
6:20 p.m.

## Attendance

Mayor: Pat Kiely  
Councillors: Eugene Ivanov  
Rick Owen  
Casey Owens  
Dennis Perrier  
Stacy Wight  
Patrick Adams  
Staff: Acting Chief Administrative Officer: Yves Labelle  
Clerk: Jo Ann Ducharme  
Interim Treasurer: Sheri Matthews  
Interim Deputy Treasurer: Peter Georgeoff  
Manager of Planning and Building: Ashley Bilodeau  
Director of Community Services: Bonnie Sackrider  
Roads Foreman: Steve Ranta  
Airport/Cemetery/Landfill Supervisor: Rick Charbonneau  
Fire Chief: Rob Adair

## Moment of Silence

Mayor Pat Kiely requested a moment of silence.

## Approval of the Agenda

Moved by: Councillor Stacy Wight

Seconded by: Councillor Rick Owen

That Council approves the Agenda for its Regular Meeting of December 3, 2019, with the removal of the Bernhardt Drive Winter Maintenance and the addition of two items Chief Administrative Officer Recruitment Hiring Committee (Item 6.ii.b) and a verbal report from the Interim Chief Administrative Officer (Item 12).

CARRIED.

## Declaration of Pecuniary Interest

Mayor Pat Kiely requested those present to declare any pecuniary interest with matters appearing on the agenda.  
None Declared.

## Petitions and Delegations

There were no petitions or delegations appearing before the committee.

## Acceptance of Minutes and Recommendations

Moved by: Councillor Rick Owen

Seconded by: Councillor Stacy Wight

That Council accepts the Minutes of the following meetings:

- the Teck Pioneer Residence Committee of Management held August 20, 2019
- the 100<sup>th</sup> Anniversary Executive Meeting held October 17, 2019
- the Parks & Recreation Advisory Committee held October 22, 2019
- the Regular Meeting of Council held November 19, 2019

CARRIED.

**Reports of Municipal Officers and Communications**

- i. Approval of Recommendations from the Committee of the Whole
  - a. Recreation & Health
    - i. Community Fitness Programming Recommendation
    - ii. Complex Naming Recommendation
  - b. Finance & Corporate
    - i. Drawn Down from Wastewater Reserve Fund for North Clarifier – ***Amendment to the Capital Budget***
    - ii. Tactile Plates Expenditures to Operating
    - iii. Year End Reserve and Reserve Fund Resolution
- ii. Clerk
  - a. Chamber of Commerce Breakfast with Santa Request for Swim Passes
- iii. Manager of Planning & Land Development
  - a. Community Safety and Well Being Plan – Combined Municipalities
  - b. Modification to Winter Maintenance Plan
  - c. Request to Amend the Traffic and Parking Bylaw

**Reports of Municipal Officers and Communications**

Moved by: Councillor Rick Owen

Seconded by: Councillor Stacy Wight

That Council approves the recommendations from the Parks & Recreation Advisory Committee that Staff take a lead role in organizing meetings with the private groups in the Spring and Fall of each year to initiate a positive discussion between all partners and minimize any potential conflicts;

And that staff, when possible, partner with private groups (i.e. advertising in Seasonal Brochure and forming partnership on training and instructional opportunities).

And that fitness operators and non-profit recreation and leisure groups be listed in the program guide, and that Council, in consultation with the recreation department, determine advertising rates for profit and not for profit groups in the program guide.

CARRIED.

Moved by: Councillor Rick Owen

Seconded by: Councillor Stacy Wight

That Council approves the recommendations from the Parks & Recreation Advisory Committee that the Community Complex should retain the name 'Joe Mavrincac Community Complex';

And that a bylaw be brought forward for consideration at the next meeting of Council.

DEFEATED.

Moved by: Councillor Dennis Perrier

Seconded by: Councillor Stacy Wight

That Council directs staff to investigate possible corporate naming rights opportunities for the Kirkland Lake Complex.

CARRIED.

Moved by: Councillor Dennis Perrier

Seconded by: Councillor Stacy Wight

That Council approves the recommendations from the Finance and Corporate Services Committee to draw down \$5,424 from the Wastewater Reserve Fund to cover the over budget amount of the North Clarifier Rake Gearbox and Core Bas Repair 2019 Capital Project.

CARRIED.



Moved by: Councillor Stacy Wight

Seconded by: Councillor Dennis Perrier

That Council approves the recommendations from the Finance and Corporate Services Committee to draw \$10,909 from the 2019 Operating Budget, Sidewalk Replacement, to fund the incurred expenses related to the tactile plate purchases made under the Main Street Revitalization Initiative prior to change in scope (resolution dated November 5, 2019).

CARRIED.

Moved by: Councillor Dennis Perrier

Seconded by: Councillor Stacy Wight

That the following transactions be recorded, in accordance with the Canadian Public Sector Accounting Standards, in the reserves and the reserve funds for the year ended December 31, 2019:

1. That any net revenues from sundry land sales be directed to the 'Reserve for Working Capital'.
2. That the unspent portion of tax levy dollars for 2019 capital projects be directed to the 'Reserve for Infrastructure-Capital'
3. That the overspent portion of capital projects completed in 2019 that were to be funded by tax levy dollars or by transfers from the 'Reserve for Infrastructure-Capital' be funded from the 'Reserve for Infrastructure-Capital' to the extent that a balance exists in the 'Reserve for Infrastructure-Capital'.
4. That in the event of a 2019 winter control surplus, that the surplus be transferred to a 'Reserve for Winter Control Stabilization'.
5. That in the event of any operating surplus, that the surplus, in its entirety, be allocated to the 'Reserve for Working Capital'.
6. That in the event of a consolidated deficit, the deficit shall be carried forward to the subsequent year's budget in accordance with the provisions of the Municipal Act.

#### RESERVE FUNDS

1. That any surplus resulting in the Waterworks fund be directed into the 'Reserve Fund for Waterworks Capital Projects', the intention of which is to defray the costs of waterworks.
2. That any surplus resulting in the Wastewater fund be directed into the 'Reserve Fund for Wastewater Capital Projects', the intention of which is to defray the costs of wastewater.
3. That any proceeds from the sale or long term lease of land located on Archer Drive be directed in its entirety to the existing 'Reserve Fund for Archer Drive'.

That the Town of Kirkland Lake's share of any 2019 net revenues from The Town of Kirkland Lake Solar Inc. be directed to the existing 'Life Cycle Replacement Reserve Fund'.

CARRIED.

Moved by: Councillor Dennis Perrier

Seconded by: Councillor Stacy Wight

That Council approves the request from the Chamber of Commerce for a donation of 70 swim passes to the Dinner with Santa held on December 4, 2019.

CARRIED.

Moved by: Councillor Stacy Wight

Seconded by: Councillor Dennis Perrier

That Council approves the following members by appointed to the Chief Administrative Officer recruitment committee: Mayor Pat Kiely, Councillor Eugene Ivanov, and Councillor Rick Owen.

CARRIED.

Moved by: Councillor Rick Owen

Seconded by: Councillor Stacy Wight

Whereas The Ministry of the Solicitor General has mandated under Part XI of the current Police Services Act (1990) that municipalities are required to prepare and adopt a Community Safety and Well-Being (CSWB) Plan;

And Whereas The Ministry of the Solicitor General has mandated that the CSWB plan be adopted by municipalities prior to January 31, 2021;

Now therefore, the Council of the Town of Kirkland Lake hereby agree to work as a collective with the surrounding municipalities within the District of Timiskaming to develop a Community Safety and Well-Being (CSWB) Plan.

CARRIED.

#### **Introduction, Reading and Consideration of Bylaws**

Moved by: Councillor Stacy Wight

Seconded by: Councillor Rick Owen

That Bylaw 19-116 being a bylaw to authorize Mayor and Clerk to execute loan documents with Ontario Infrastructure and Lands Corporation for the purchase of a 2019 John Deere 644K Loader, be read a first, second and third time, enacted and passed.

CARRIED.

Moved by: Councillor Rick Owen

Seconded by: Councillor Stacy Wight

That Bylaw 19-117 being a bylaw to authorize Mayor and Clerk to execute all documents related to the purchase of 13 and 15 Calbeck Avenue, be read a first, second and third time, enacted and passed.

CARRIED.

#### **Questions from Council to Staff**

There were no outstanding questions from Council to Staff.

#### **Notice(s) of Motion**

There were no notices of motion presented before Council.

#### **Confirmation Bylaw**

Moved by: Councillor Stacy Wight

Seconded by: Councillor Rick Owen

That Bylaw 19-118 being a bylaw to confirm the proceedings of Council at its meeting held December 3, 2019, be read a first, second and third time, enacted and passed.

CARRIED.

#### **Councillor's Reports**

Council members reported on their activities over the past two weeks.

#### **Additional Information**

There was no additional information added to the agenda.

**Adjournment**

Moved Councillor Rick Owen

Seconded by: Councillor Stacy Wight

That Council adjourn its Regular Meeting of December 3, 2019.

CARRIED.

The meeting adjourned at

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Pat Kiely, Mayor

---

Jo Ann Ducharme, Clerk



# MEMORANDUM TO COUNCIL

Meeting Date: 12/1/2020

Memo Number: 2020-CS-002

Presented by: Bonnie Sackrider

Department: Community Services

## MEMO TITLE

Community Grants Policy

## RECOMMENDATION(S)

**BE IT RESOLVED THAT** Memorandum Number 2020-CS-002 entitled “**Community Grants Policy**”, be received,

**THAT** the Community Grants Policy is hereby approved, and

**THAT** staff be directed to insert the Community Grants Policy into the Corporate Policy Manual.

## BACKGROUND

The Community Grants Policy was passed by Council on October 29, 2019. This policy was not included in the Corporate Policy Manual passed by Council on October 21, 2020. Therefore, it is being presented at this time with one addition for Council’s consideration.

## RATIONALE

Town staff receive requests on occasion from not-for-profit local organizations for donations for events, prizes, fundraisers etc. These opportunities often result in social and/or economic benefits for the municipality. Establishing criteria for small donations will expedite the response to requests and reduce time spent by Council and staff to respond to requests, more properly addressed by staff as part of the day to day responsibilities.

Reporting on Policies at Council is contained within the Strategic Plan in the Sustainable Operational Excellence section. Community Grants and donations fall within the area of

Outstanding Service. The proposed policy is intended to strengthen the community and provide marketing opportunities to promote the Town's facilities and services cooperatively with local organizations.

## **ATTACHMENTS**

Attachment 1 – Community Grants Policy

Attachment 2 – Community Grants Application



POLICY	
Policy Number: CS-	Date Approved: October 29, 2019
Department: Community Services	Date Reviewed: December 1, 2020
Community Grants	

### 1. **Policy Statement**

The Town of Kirkland Lake acknowledges the efforts of the local volunteer community and believes that many services, events and/or projects are better provided through the volunteer efforts of local community organizations. Community Grant funding demonstrates Town's commitment to working with individuals and organizations by providing financial assistance for projects and activities that will benefit the community and enhance the quality of life of Kirkland Lake's citizens.

### 2. **Purpose**

The Community Grant Policy establishes eligibility requirements and ensures that funds are made available, distributed and accounted for in an open, fair and transparent manner.

### 3. **Scope**

The following is the eligibility criteria for a Town of Kirkland Lake Community Grant:

- Not-for-profit incorporated organization;
- For-profit incorporated organization with all proceeds going to local charity;

### 4. **Definitions**

Not Applicable

### 5. **Policy & Procedures**

**Intakes**

There will be two intakes of applications: February 1 and June 1 of each year. Council may, at its discretion, authorize additional intakes if residual funds are available for approval.

## **Contributions**

Council will consider an annual allocation of \$25,000 toward the Community Grants within the Operating Budget dedicated to supporting local community organizations. The maximum allocation per application shall not exceed \$5,000, unless otherwise approved by Council.

SMALL DONATIONS: Staff may approve donations with a value not to exceed \$100.00, requested by local, Not-for-Profit organizations. Staff will report all small donations quarterly with Key Performance Indicators.

## **Types of Contributions**

- Non-dollar in-kind contribution;
  - for use of facilities,
  - for access to programming, facilities, and/or
  - for use of Town staff, equipment, material.
  
- Dollar contribution;
  - **For projects:** One-time funding related to specific project of significant benefit to community in terms of economic impact, community participation and education and or enhancement of image of Town,
  - **For events:** to host events of a celebratory or educational nature, or to host an activity that would not otherwise occur in the community. All events must be open to all members of the community,
  - **For organizational capacity building:** to secure training or equipment, or to conduct travel for professional development that will enable the applicant to expand or enhance fully accessible and not-for-profit services they offer to the community,
  - **For individual:** to assist with the development of new initiative project or event that no group is willing/able to provide, with all proceeds being donated to a local charitable organization, and

- **Travel support:** to contribute to the travel costs associated with an individual or group qualifying at a National, Provincial, or International activity.

### **General Conditions**

- Organizations must operate under the authority of a volunteer board or executive committee. There must be a Single Point of Contact (SPOC) and that person must be an individual with the authority to legally bind the organization or authorized to conduct financial transactions for the organization,
- A minimum of 75% of membership or registrants must be Town of Kirkland Lake residents unless there are insufficient local residents to form a local organization and the addition of non-residents will enable Town of Kirkland Lake residents to participate in an otherwise unavailable activity,
- Applicants must contribute financially to the proposed activity,
- An official grant application must be fully completed and submitted to the Community Grant Program prior to the program deadlines,
- Applications must include an operating budget specifically outlining how grant dollars will be allocated/spent. Within 90 days after the funded activity is complete, the recipient must submit a written report summarizing the activity that took place and its impact on the community. A financial report on the activity must be included. This must be endorsed by the organization's board of directors, governing body or an individual with authority to legally bind the organization or authorized to conduct financial transactions for the organization,
- Contributions must be used within one year (365 calendar days) from receipt of funding, unless a specific exemption was approved by Council at the time of funding approval,
- Activities that align with the strategic priorities of the municipality as determined by the Mayor and Council, or municipal priorities as mandated by Provincial legislation will receive priority, and
- All requests will be assessed with scrutiny on how they contribute to the identified needs, interests and concerns of all residents of Kirkland Lake.

### **General Restrictions**

The following activities will not be eligible for funding:



- Proposed activities that are similar to, or in competition with any service provided by the municipality will not be considered unless the organization can provide the services at a lesser direct cost,
- Flow through funding (where the intent is to redistribute the funds to others),
- Religious or political activities, (religious organizations providing a non-denominational service to the community may be eligible),
- Debt retirements, depreciation, retroactive or deficit funding,
- Colleges, schools or hospitals (groups not directly in the employ or at the direction of these institutions may apply),
- Committees of Council,
- Organizations that receive the majority of their operating budget from the senior levels of government,
- Invitational or discretionary travel,
- Applications for multi-year commitments,
- Temporary, part time or permanent staff positions, and
- Any requests which, if granted, would constitute a future cost burden on the municipality.

### **Application Process**

Applications will be available in digital format on the Town website(s), and in hard copy from the reception area at Town Hall.

All applications must be fully completed and include:

- A list of board members, if applicable, Board approved unaudited financial statements for the preceding three years,
- A statement as to whether the applicant has previously received funding from the municipality and relevant details (i.e. amount, date; brief project description),
- A project budget that identifies any additional sources of confirmed funding; the proponent's contribution; and a description of how municipal funds will be used,
- Requests to purchase equipment or to do facility upgrades will require three written quotations from a supplier or contractor where possible. Requests pertaining to a facility upgrade or improvement to a site not owned by the applicants must include a letter permitting this work to be done from the owner, in addition to a contractor quote.

### **Application Submission**

All applications will be submitted to the Municipal Clerk. Applications will be directed to the Director of Community Services. The Director of Community Services will review applications for completeness and prioritize recommendations based on completeness and adherence to the terms established in the Community Grant Policy. The Director of Community Services will forward recommendations to Council within two regular meetings of Council after the application deadline. Applicants will be notified regarding the status of their application after the Council Meeting. Funds will be distributed after Council approval has been received.

Successful recipients will be required to sign an agreement to provide a written report to the Director detailing the activity, its impact on the community and to provide a financial statement for the event. Successful applicants may be subject to an audit by the Town.

## 6. **Summary**

Not Applicable

### **Information Accessibility**

Information provided by the applicant and contained within the application form and any applicable attachments, is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990 and will be used solely by the Corporation of the Town of Kirkland Lake to evaluate and recommend funding allocations. Applications will be reviewed in an open to the public, meeting of Council.



**Town of Kirkland Lake  
Community Grant Program  
Application Form**

*Application Requirements*

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1. One application form must be submitted for each request for funding.
2. Application forms must be signed and submitted to the address listed below. Submissions may be on paper or submitted by email.
3. Application deadlines are February 1 and June 1, annually. Council may, at its discretion, authorize additional intakes.
4. Incomplete applications will be rejected.
5. Contributions must be used within one year (365 calendar days) from receipt of funding, unless a specific exemption was approved by Council at the time of funding approval.
6. Within 90 days after the funded activity is complete, the recipient must submit a written report to the Director of Community Services summarizing the activity that took place and its impact on the community. A financial report on the activity must be included. This must be endorsed by the organization's board of directors, governing body or an individual with authority to legally bind the organization or authorized to conduct financial transactions for the organization.

Application Submission Address

Municipal Clerk  
Town of Kirkland Lake  
Postal Box 1757  
Kirkland Lake, Ontario, P2N 3P4  
Email: [Clerk@tkl.ca](mailto:Clerk@tkl.ca)  
Tel: 705 567 9361, Extension 238

**Information Accessibility**

Information provided by the applicant and contained within the application form and any attachments, are collected under the authority of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990* and will be used solely by the Corporation of the Town of Kirkland Lake to evaluate and recommend funding allocations. Applications will be reviewed in an open, to the public, meeting of Council.



### *Organization Information*

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Name of Organization:

Address:

Contact Person:

Telephone:

Email:

Briefly state the purpose and structure of your organization. Include the following information: history, founding date, volunteer base, staff, location, achievements, whom it serves, goals, principles. (Attach separate sheet if necessary).

Attach to the application:

- List of officers and members of the board
- Current Year Operating Budget AND Project Budget if different than Operating Budget.
- Most recent audited or board endorsed financial statements
- Other pertinent material

The applicant, if the applicant is an individual, must indicate why an organization cannot submit the application.

### *Project Information*

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Project Title:

Project Description: On a separate sheet, provide summary of your project. This is your opportunity to provide a compelling reason as to why the project deserves to be supported financially by the municipality. Be sure to address the following criteria in your description:

- What is the purpose of the project?
- Why is this project needed?
- Who will benefit?
- Where will the project take place?
- Timelines?
- Partners (if any) and their role and financial contribution?



- How will it work to strengthen and enhance the quality of life in Kirkland Lake?
- Why do you think your project will be successful? If appropriate, how have you planned to continue this initiative in the future?

*Project Budget*

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Total Cost of Project:

Amount Contributed from Applicant's Own Funds:

Amount Requested from Community Grant Program:

How will funds from the Community Grant Program be used?

Has your organization previously received funding from the municipality? If the answer is 'yes', please provide details (i.e. amount, date; brief project description).

Expected Costs Description	\$ Amount	Expected Funding Source	\$ Amount	Confirmed	Requested
<b>Sub-Total</b>		<b>Sub-Total</b>			



NOTE:

1. All budget items listed are **NOT** to include taxes and any other costs eligible for rebates.
2. Please list the amount of funding secured from other sources, and identify sources. If funding from other sources has not been confirmed at the time of this application, please state when approval is anticipated.
3. At least three quotes must be obtained for goods and services. Avoid any direct or indirect Financial Interest. Direct means there is an impact on the individual members' finances, economic prospects or property values. Indirect means the interest of a spouse, child (regardless of age) or parent. Requests pertaining to a facility upgrade or improvement to a site not owned by the applicant must include a letter authorizing this work to be done from the owner, in addition to a contractor quote.



# MEMORANDUM TO COUNCIL

Meeting Date: 12/1/2020

Memo Number: 2020-CS-001

Presented by: Bonnie Sackrider

Department: Community Services

## MEMO TITLE

Flag, Banner and Announcements Protocols Policy

## RECOMMENDATION(S)

**BE IT RESOLVED THAT** Memorandum Number 2020-CS-001 entitled “**Flag, Banner and Announcements Protocols Policy**”, be received,

**THAT** the Flag, Banner and Announcements Protocols Policy is hereby approved, and

**THAT** staff be directed to insert the Flag, Banner and Announcements Protocols Policy into the Corporate Policy Manual.

## BACKGROUND

Clear protocols for flag flying, pole banners and announcements will allow all organizations to be treated equally, fairly and transparently. In addition, with protocols in place, organizations and staff will know the responsibilities each party has responsibility for.

## RATIONALE

The Strategic Plan identifies a need to review 1 - 2 policies per Council Meeting.

## ATTACHMENTS

Attachment 1 – POLICY CORP2020-026 - **Flag, Banner and Announcements Protocols Policy**

POLICY	
Policy Number: CORP2020-026	Date Approved: December 1, 2020
Department: Corporate	Date Reviewed:
Flag, Pole Banner and Announcement Protocols	

### 1. Policy Statement

The Town of Kirkland Lake recognizes the symbolism of displaying flags and banners as a visual statement, recognizing Canada, Ontario, the Town of Kirkland Lake, local groups, special events and activities. The Town of Kirkland Lake holds these entities in high regard and wishes to emphasize the importance of publically recognizing these organizations and their institutions.

### 2. Purpose

This policy will provide a framework to ensure that flags at Municipal facilities are flown and displayed in an appropriate and consistent manner. This policy outlines the circumstances under which the Town will display flags at half-mast, as well as the design, approval, installation and maintenance of Pole Banners to ensure a consistent process for interested community groups. In addition, this policy provides a process to issue announcements, in the place of proclamations.

### 3. Scope

This policy applies to:

- i. Canadian Flag or Town of Kirkland Lake flags flown at municipally owned facilities,
- ii. Half-masting of flags flown at municipally owned facilities,
- iii. The design, approval, installation, maintenance and removal of Pole Banners placed on street poles located in the Town of Kirkland Lake as identified in schedule A to this policy.
- iv. Announcements made by Members of the Town of Kirkland Lake Municipal Council.



#### 4. Definitions

**Canadian Flag:** The National Flag of Canada as approved by Parliament and proclaimed by Her Majesty Queen Elizabeth II, Queen of Canada, on February 15, 1965.

**Half-mast:** The position of the Flag when flying at half-mast will depend on its size, the length of the mast and its location. As a general rule, the centre of the Flag should be exactly half-way to the top of the mast. When raised to or lowered from the half-mast position, a flag should be first raised to the masthead.

**Special Event or Activity:** Defined as a one-time or infrequently occurring event and is an opportunity for a leisure, social or cultural experience outside of the normal range of choices or beyond everyday experience and are those activities that, in the opinion of the Chief Administrative Officer (CAO) or designate, have an identifiable community benefit and are consistent with the values and purpose of the Town of Kirkland Lake.

**Pole Banner:** A sign constructed of a pliable material, which is typically installed on a street pole on a temporary basis.

**Community Organization:** A charitable, not-for-profit, or government organization that wishes to pursue a Banner project.

#### 5. Policy & Procedures

##### FLAGS

##### *Displaying Flags*

1. Only the National Flag of Canada, the Provincial Flag of Ontario and/or the Town of Kirkland Lake shall be flown on flagpoles owned and maintained by the Town of Kirkland Lake.
2. Flags will be displayed in accordance with the current guidelines set out by the Department of Canadian Heritage.

**NOTE:** The National Flag of Canada should always be flown on its own mast or flag pole; flag protocol dictates that it is improper to fly two or more flags on the same mast or flag pole (for example, one above the other).

3. When a flag becomes tattered and is no longer in a suitable condition for use, it shall be disposed of in a dignified way as identified in the guidelines set out by the Department of Canadian Heritage.

### ***Flag Pole Locations***

- Town Hall
- Development Services and Public Works Department
- Miner's Memorial Monument

### ***Half-masting***

Flags are flown at the half-mast position as a sign of respect and condolence or to commemorate significant dates.

The Town CAO is responsible for administering the half-masting protocol. Directors will be notified by email when flags are to be flown at half-mast. All notification emails will include the scheduled duration for the flag lowering and subsequent return to full-mast.

In accordance with the Department of Canadian Heritage, flags will be flown at half-mast on municipal properties upon the death of:

- The Sovereign, the Governor General and the Prime Minister,
- Sovereign's Family,
- Former Governor General,
- Former Prime Minister,
- Chief Justice of Canada and Members of the Canadian Ministry,
- Lieutenant Governors,
- Privy Councillors and Senators,
- Members of the House of Commons, and/or
- Accredited Heads of Mission to Canada while in Canada.

In addition, flags will be flown at half-mast upon the death of:

- the Premier of Ontario or another person similarly honoured by the Province of Ontario,
- the local Member of Parliament,
- the local Member of the Provincial Parliament,
- the Mayor,
- a sitting Member of Council,

- a current Municipal employee or volunteer firefighter, and/or
- a former Head or Member of Council.

Flags will be flown at half-mast from the time of notification of death until sunset on the day of the funeral or the memorial service.

Flags will also be flown at half-mast on the following commemorative dates:

- April 28 – National Day of Mourning, and
- November 11 – Remembrance Day.

Where the Town of Kirkland Lake Flag is flown or displayed with the Canadian Flag, the Canadian Flag will take the place of honour, which is to the left of the observer of the flags and the Town of Kirkland Lake Flag shall be on the right of the observer.

Where the Town of Kirkland Lake Flag is flown or displayed with the Canadian Flag and Province of Ontario Flag, the Canadian Flag shall occupy the centre position to the observer of the flags, the Province of Ontario Flag to the left and the Town of Kirkland Lake Flag to the right.

The Director responsible for the facility will maintain an inventory of flags flown at Municipal facilities and properties and will arrange for replacement of flags as needed.

## **POLE BANNERS**

Seasonal Pole Banners will be installed four times per year. In addition, Council may approve supplementary installations for the promotion of civic, charitable or community events that are held to benefit the community at large, affiliated community groups, registered charities or other similar not-for-profit groups within the Town of Kirkland Lake.

The Town recognises the benefit of a limited number of Pole Banners to promote local groups, special events, and activities consistent with the purpose and values of the Town of Kirkland Lake. The installation of Banners enhances the community and compliments the surrounding neighbourhoods, thereby contributing to the overall quality of life in the community and enhancing resident and visitor experience.

The Director of Public Works is responsible for accepting and processing Pole Banner Applications.

Community organizations are solely responsible for designing, purchasing, maintaining, replacing and storing their Banners.

The Public Works Department will be responsible for the installation and removal of Banners in the locations specified in Schedule A.

### ***Procedure***

A Pole Banner Application must be submitted to the Town of Kirkland Lake Director of Public Works no less than 60 days prior to the requested installation date. The application must include:

- A description of the Special Event including the purpose of the event and an explanation of the event's benefit to the community,
- A description of the organization including its' intended purpose for pursuing the Banner project,
- Contact information for the group and/or the individual assigned to the Banner project,
- The proposed Banner design including measurements, fastening specifications, colours, text, and graphic content, and
- The requested installation and removal dates.

Installations may be permitted for the promotion of civic, charitable or community events, affiliated community groups, registered charities or other similar not-for-profit groups held to benefit the community at large.

Banner approvals are not guaranteed. In the case of multiple applications for the same date, preference will be given on a first-come first-served basis.

Authorized Banner locations are identified in Schedule A.

### ***Installation and Removal***

- a) Banners shall only be installed or removed by Town of Kirkland Lake authorized personnel.
- b) Banners are to be provided to the Town in the correct size and in ready-to-install condition. Banners that fail to meet the size and installation specifications will result in the installation approval being revoked. Banners in poor repair will not be installed and will be available to be collected at the Public Works Department by the organization.
- c) All Banners shall be delivered to the Town of Kirkland Lake Public Works Department at least two business days prior to the installation date. Failure to meet the delivery deadline will result in the installation approval being revoked.

- d) The date and time of installation shall be at the discretion of the Public Works Department and is conditional upon workload, weather conditions, staff resources, and equipment availability.
- e) Specific Streetlight Pole Banner locations shall be chosen at the discretion of the Public Works Department to ensure operational efficiency during installation.
- f) Banners are to be collected by the relevant organization within seven days of being removed. The Town of Kirkland Lake assumes no responsibility for Banners that are not collected within the specified time.

### ***Liability***

The applicant shall agree to assume full liability and indemnify the Town of Kirkland Lake for damage to persons or property arising from the display, installation, maintenance, and/or removal of the Banners and provide proof of insurance.

### ***Design Guidelines***

#### **A. Flag Order Information**

- Materials shall be selected for durability and dimensional stability e.g. sunbrella dual ply
- 2 sided print
- 28" width x 60" length
- 3.5" pockets top and bottom; with two grommets

#### **B. Colours**

- Vivid and contrasting colours are recommended
- Colour pigments or dyes should be selected for exterior applications and be resistant to fading or colour bleeding.
- Colours should be bold and able to stand out when viewed at a distance

#### **C. Graphics / Banner Content**

- Banner content should graphically convey the message of the event or its purpose in a simple manner using bold colors and a minimum number of images and text to inform the public of the event and avoid visual confusion.
- No commercial advertising will be allowed, except in cases where a sponsoring

entity's name is part of the name of the event.

- Banner content shall be subject to review and approval.

#### **D. Costs**

- The applicant is responsible for the cost of supplying the banners as well as the installation and removal fees.
- Municipal Council will approve banner installation and removal fees annually.
- Organizations requesting the waiving of installation and removal fees shall apply to the Community Grants Program.

### **ANNOUNCEMENTS**

The Town of Kirkland Lake will not issue proclamations to recognize public campaigns, charitable fundraising campaigns, and/or arts and cultural celebrations. Members of Council may announce at a Regular Council Meeting any day, week or month recognizing a cause in the greater good of the residents in accordance with this Council approved policy. The Town of Kirkland Lake Council has sole authority to approve or deny requests for announcements.

#### ***Announcement Criteria***

Announcements shall be issued only to recognized Town of Kirkland Lake organizations and not to individuals.

Announcements must demonstrate an interest in or have a relationship with the Town of Kirkland Lake including, but not limited to the following:

- Arts or cultural celebrations
- Charitable campaigns
- Civic Promotions
- Public awareness campaigns
- Honouring Organizations for special achievements

#### ***Process***

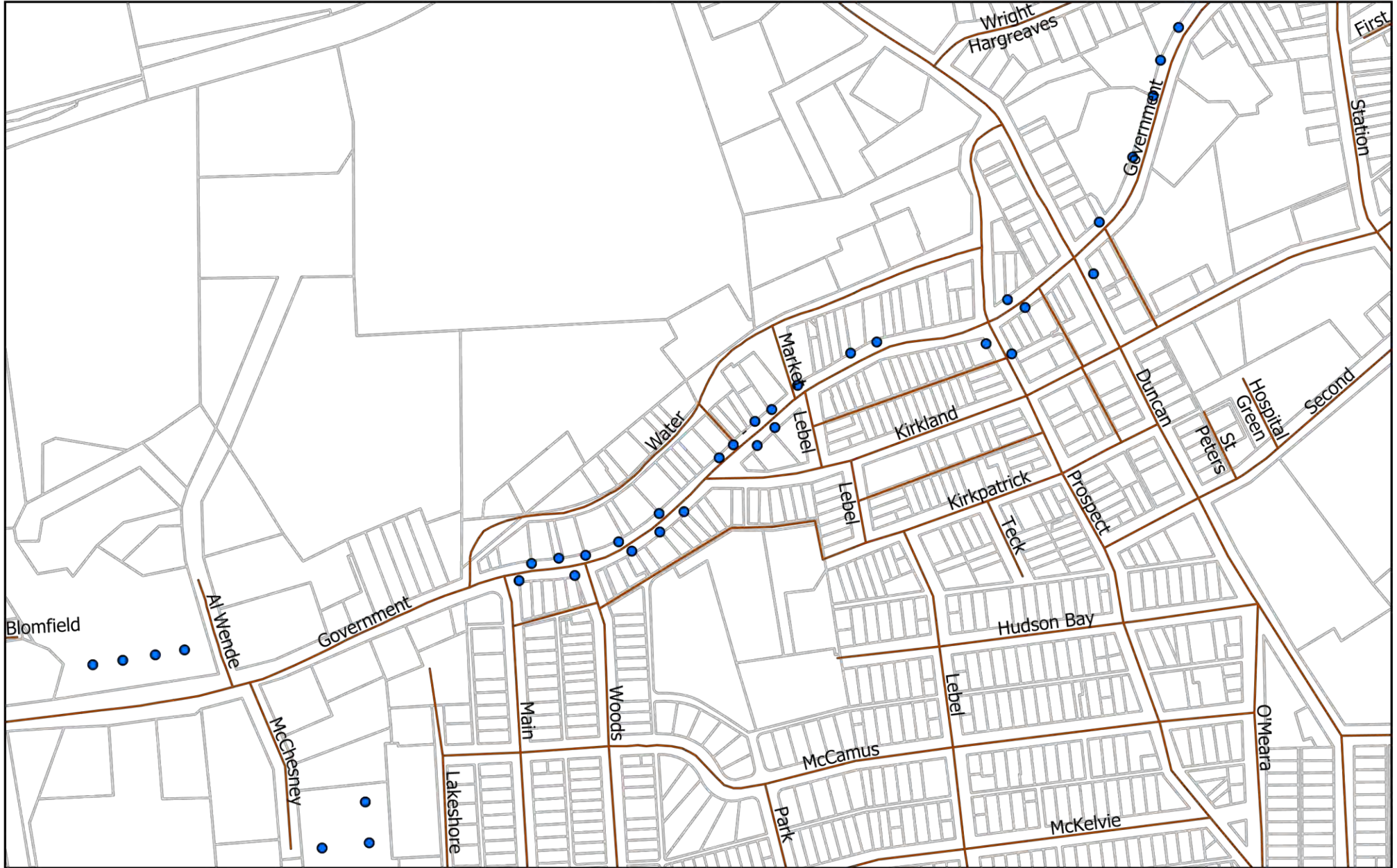
The request for an announcement must be submitted by an organization in writing on its letterhead and must include background information about the event requested to be announced.

The request is to be submitted to the Municipal Clerk who will place on the Weekly Communication to Council if it meets the announcement criteria. Any Member of Council may then choose to announce the requested information at an upcoming Council Meeting in support of the requesting organization.

**6. Summary**

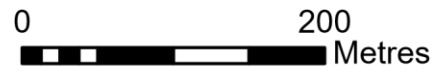
Consistency in the application of requests and protocols for flags, pole banners and announcements allow residents and organizations to understand the processes involved.

# Banner Locations



## Legend

- Poles with Banners
- Lakes
- Roads
- Parcel Fabric



**KIRKLAND LAKE**  
THE RIGHT ENVIRONMENT



## MEMORANDUM TO COUNCIL

Meeting Date: 12/1/2020

Memo Number: 2020-FIN-009

Presented by: Keith Gorman

Department: Corporate Services

### MEMO TITLE

Signing Authority Policy

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Memorandum Number 2020-FIN-009 entitled “**Signing Authority Policy**”, be received,

**THAT** the Signing Authority Policy is hereby approved, and

**THAT** staff be directed to insert the updated Signing Authority Policy into the Corporate Policy Manual.

### BACKGROUND

This signing authority policy dictates which personnel can legally sign cheques for the Town. From a controls perspective, it is a key control.

The attached policy has been amended to reflect a change in personnel due to the upcoming retirement of Nancy Loach. Nancy Loach has been removed as a signing authority and in her place will be Tanya Schumacher, newly appointed Executive Director at Teck Pioneer Residence.

### RATIONALE

As a key financial control, the policy should be reviewed periodically and updated as required.

### ATTACHMENTS

Attachment 1 – POLICY FIN2020-004 **Signing Authority Policy**

POLICY	
Policy Number: FIN2020-004	Date Approved: December 2020
Department: Finance	Date Reviewed: November 2020
Signing Authority	

**1. Policy Statement**

Not Applicable

**2. Purpose**

Not Applicable

**3. Scope**

Not Applicable

**4. Definitions**

Not Applicable

**5. Policy & Procedures**

The following persons are authorized to sign cheques for the Town of Kirkland Lake (including Teck Pioneer Residence) effective December 2, 2020:

1. Treasurer, Keith Gorman, and one of the following:

Deputy Treasurer, Peter Georgeoff  
 Mayor Patrick Kiely  
 Councillor Eugene Ivanov  
 Councillor Patrick Adams  
 Clerk, Meagan Elliott

2. **In the absence of the Treasurer:**

Deputy Treasurer, Peter Georgeoff and one of the following:  
 Mayor Patrick Kiely

Councillor Eugene Ivanov  
Councillor Patrick Adams  
Clerk, Meagan Elliott

3. Any two of the following four names are authorized to sign cheques for the Teck Pioneer Residence, Trust and Donations account only:

Treasurer, Keith Gorman  
Deputy Treasurer Peter Georgeoff  
Executive Director, Tanya Schumacher  
Clerk, Meagan Elliott

## 6. **Summary**

Not Applicable

## MEMORANDUM TO COUNCIL

Meeting Date: 12/1/2020	Memo Number: 2020-CLK-009
Presented by: Meagan Elliott	Department: Corporate Services

### MEMO TITLE

Supporting Bill 226 – The Broadband is an Essential Service Act

### RECOMMENDATION(S)

**BE IT RESOLVED THAT** Memorandum Number 2020-CLK-009 entitled “**Supporting Bill 226 – The Broadband is an Essential Service Act**” be received,

**THAT** Council for the Corporation of the Town of Kirkland Lake supports *Bill 226 - The Broadband is and Essential Service Act*, and

**THAT** staff be directed to forward this motion of support to the Premier of Ontario, MPP John Vanthof and surrounding municipalities.

### BACKGROUND

Council received correspondence from MPP John Vanthof (Attachment 1) at the November 17, 2020 Regular Meeting of Council and made the following motion:

**BE IT RESOLVED THAT** the correspondence from MPP John Vanthof be received, and

**THAT** staff be directed to present a resolution to support Bill 226 broadband as an essential service.

**CARRIED**

This Memorandum and the proposed recommendation responds to the Council direction.

### ATTACHMENTS

Attachment 1 – Correspondence from MPP John Vanthof



**John Vanthof**

MPP/député Timiskaming-Cochrane



To the Mayors, Reeves & Councils of Timiskaming-Cochrane

Nov. 6, 2020

RE: **Bill 226 -The Broadband is an Essential Service Act**

As you are well aware, lack of access to usable and affordable high-speed internet has been a long-standing barrier for many residents and businesses in the riding of Timiskaming-Cochrane. Cities, towns, townships, villages and unorganized areas in our region have expressed concern to the Government and myself regarding the loss of social and economic advancement in our communities and our region due to lack of access. Because of those concerns, I moved a motion in the legislature in 2018 requesting the creation of a \$1 billion dollar, 10-year rural broadband strategy to ensure broadband connectivity for users throughout rural Ontario. The motion passed unanimously and the Government committed to a \$350 million dollar program over 10 years.

With the arrival of the COVID 19 pandemic, the access barrier suddenly became a crisis for many families in rural Ontario. In the 2019/20 budget, \$31 million out of the original \$350 million had been committed to rural broadband investment but none of those dollars flowed to projects. Since budget funding does not carry over into the next budget year, it was an unfortunate loss for a sector so desperate for infrastructure dollars. Another issue that surfaced involved funding earmarked for rural broadband infrastructure that did not appear to be attached to an overall strategy to ensure everyone gets service.

As a result, I tabled the **Broadband is an Essential Service Act** (Bill 226) which would legislate the provincial government to develop and implement a high speed internet strategy that ensures 95% of Ontarians have access by 2026, and the other 5% by 2030. The Minister of Infrastructure would have to report on and update the strategy to ensure its completion. The specifications for the service would be determined by the CRTC.

Since tabling Bill 226, the government has introduced their second budget. It contains a further \$630 million dollar commitment for rural broadband. This is welcome news for rural residents but the original issues are still evident so implementation of the **Broadband is an Essential Service Act** is paramount.

The government has committed to the almost billion dollars identified by the NDP as needed to upgrade the services. The Government needs to commit that the program's completion will ensure all Ontarians have affordable access to high-speed internet.

I ask for your support of **Bill 226- the Broadband is an Essential Service Act** - which will be debated for second reading on November 26, 2020.

Sincerely,

John Vanthof,  
MPP Timiskaming-Cochrane

**Queen's Park** - Room/Bureau 156, Main Legislative Building/Édifice de l'Assemblée législative, Queen's Park, Toronto, ON, M7A 1A5 • Tel/Tél. : 416-325-2000 • Fax/Télécop.: 416-325-1999 • email/cour.: jvanthof-qp@ndp.on.ca

**Community Office** - Pinewoods Center, 247 avenue Whitewood Ave., Unit/Unité 5, Temiskaming Shores, • Tel/Tél. : 705-647-5995 • Fax/Télécop. : 705-647-1976 • toll free/sans frais : 1-888-701-1105 • email/cour. : jvanthof-co@ndp.on.ca **Mailing Address** - PO Box 398, New Liskeard, ON, P0J 1E0





**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-089**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE DOCUMENTS RELATED TO THE SALE OF 3 MCKELVIE AVENUE TO JEROME MARITIM**

**WHEREAS** the Municipality passed By-law Number 09-064; being a procedure for the purposes of the sale or other disposition of real property, on August 10, 2009;

**AND WHEREAS** By-law Number 09-064 was in force on the date of the sale or disposition of the property described as North Part of Lot 141, Plan M-105, Part 1, TER-365, Parcel 9711CST (3 McKelvie Avenue);

**AND WHEREAS** the Municipality vested the property into the Town's name and declared the property as surplus land on March 17, 2020;

**AND WHEREAS** the Municipality provided public notice of the Town's intent to sell or dispose of the property on November 23, 2020;

**AND WHEREAS** the Municipality has received an offer to purchase land described as North Part of Lot 141, Plan M-105, Part 1, TER-365, Parcel 9711CST (3 McKelvie Avenue);

**AND WHEREAS** the Purchaser is not in arrears on property taxes or been in tax registration in the last 10 years, and has no outstanding accounts owed to the Town of Kirkland Lake.

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

**THAT** the Mayor and Clerk are hereby authorized to execute all documents related to the sale of the land described as North Part of Lot 141, Plan M-105, Part 1, TER-365, Parcel 9711CST (3 McKelvie Avenue) to Jerome Maritim for \$10,000.00, plus legal costs.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1<sup>st</sup> DAY OF DECEMBER, 2020.**

\_\_\_\_\_  
Patrick Kiely, Mayor

\_\_\_\_\_  
Meagan Elliott, Clerk



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-090**

**BEING A BY-LAW TO REPEAL BY-LAWS ENACTING POLICIES**

**WHEREAS** the Corporate Policy Manual was adopted by Council at the September 8, 2020 Regular Meeting of Council repealing all other policies not included on the list,

**AND WHEREAS** a number of the approved and repealed policies are enacted by a by-law when an enabling by-law is not required.

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

1. **THAT** by-laws 18-059 and 18-071 attached hereto as Schedule “A”, are hereby repealed along with the policies, attached thereto.
2. **THAT** by-laws 19-024, 19-025, 19-026 and 19-027 attached hereto as Schedule “B” are hereby repealed; however, the policies given force and effect by these by-laws are hereby approved by Council and shall remain in force and effect as part of the adopted Corporate Policy Manual.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1<sup>st</sup> DAY OF DECEMBER, 2020.**

DRAFT

\_\_\_\_\_  
Patrick Kiely, Mayor

\_\_\_\_\_  
Meagan Elliott, Clerk



**The Corporation of the Town of Kirkland Lake**

**Bylaw 18-059**

**A Bylaw to Adopt the Policy  
Election Use of Corporate Resources**

WHEREAS Subsection 88.18 of the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended, states, 'Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period";

AND WHEREAS the Council of the Town of Kirkland Lake is expedient to adopt the aforementioned policy;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF KIRKLAND LAKE enacts as follows:

1. The 'Election Use of Corporate Resources' Policy is hereby adopted as set out in Schedule 'A' attached hereto and forming part of this Bylaw.
2. This Bylaw shall come into force and effect on the date of passing.

READ a first, second and third time, enacted and passed this 17<sup>th</sup> day of April 2018.

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Tony Antoniazzi, Mayor

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Jo Ann Ducharme, Clerk



SCHEDULE 'A' to Bylaw 18-059

<p><b>TOWN OF KIRKLAND LAKE</b></p>	<p><b>Corporate</b></p>	<p>Issued: April 17, 2018 Repealed: December 20, 2005</p>
	<p>Approved by: Title: Tony Antoniazzi, Mayor Signature: _____ Date: April 18, 2018</p>	<p>Approved by: Title: Jo Ann Ducharme, Clerk Signature: _____ Date: April 18, 2018</p>
<p>Subject: <b>Election – Use of Corporate Resources</b></p>		

**Purpose and Legislative Authority**

Section 88.18 of the Municipal Elections Act, 1996, S.O. 1996, states *'Before May 1 in the year of a regular election, municipalities and local boards shall establish rules and procedures with respect to the use of municipal or board resources, as the case may be, during the election campaign period.'*

This policy is to provide guidance for the appropriate use of corporate resources during an election period to protect the interests of both the Members of Council and the Corporation. The Municipal Elections Act prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate or someone acting on the candidate's behalf from accepting a contribution from a person who is not entitled to make a contribution.

**SCOPE**

This policy applies to Members of Council, to all municipal election candidates, third party advertisers, and all employees of The Town of Kirkland Lake.

This policy applies to an acclaimed Member or candidate and a Member not seeking re-election.

This policy applies to the Election Campaign Period commencing May 1<sup>st</sup> of an election year to Election Day inclusive.

**Policy Statement**

- In order to comply with the provisions of the Municipal Elections Act, 1996, S.O. 1996, it is essential that Members of Town Council, election candidates, and Town employees maintain the highest standards of ethical conduct. This policy reflects not only the Provincial law, but also the conduct necessary to ensure sound governance, transparency and accountability.

### **Procedure**

- a) Corporate resources, assets and funding shall not be used for any election related purpose.
- b) Staff shall not canvass or actively work in support of a municipal candidate or party during normal working hours unless they are on a leave of absence without pay or vacation leave.
- c) No Member of Council or election candidate shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including Town letterhead, Town business cards, Town email accounts, etc.) for any election campaign or campaign related activities.
- d) The Municipality's technology system, including computers, laptops, emails, cell phones, etc., shall not be used for any election campaign or campaign related activities. The Town's voicemail system shall not be used to record campaign messages.
- e) Websites or domain names that are funded, owned or operated by the Municipality shall not be used for any election campaign or campaign related activities, other than non-partisan election material that is required for the proper administration of the municipal election under the Act and basic contact information for candidates.
- f) No member or candidate shall use municipal property or facilities for any election related purpose. This includes displaying of any campaign related signs in the window or on the premises, as well as displaying any election related material. Election campaign materials include flyers, buttons, etc.
- g) No member or candidate shall use municipal facility/property for any election-related purpose unless a market value rental fee has been established corporately and the rental of such is available to all candidates and third parties.

The only exception, at the Clerk's discretion, is an All Candidates Meeting organized by a local group between Nomination Day and Election Day. To qualify as an All Candidates' Meeting, the meeting must be organized by a group not affiliated with any particular candidate(s) and must invite all candidates running in the Municipal Election to participate.
- h) Campaign related activities or materials shall not be permitted at any Town operated or sponsored events.

- i) The Town's logo, crest, slogan, etc., shall not be used in any campaign-related activities/material or included on campaign related websites, social media, etc.
- j) Distribution lists, contact lists, and ratepayer information acquired, developed and provided utilizing municipal resources or through contact in a member of Council's role shall not be used for election purposes.
- k) Photographs and videos produced for and owned by the Town may not be used for campaign related activities.

### **Limitations**

Nothing in this policy shall preclude a Member of Council from performing their role as a Council Member nor inhibit them from representing the interests of the constituents who elected them.

Nothing in this policy shall preclude a Staff member from exercising his/her civic duty to participate in the municipal election process.

Nothing in this policy shall prevent Staff from conducting an election in accordance with the Act, or providing non-partisan election information material on behalf of the Municipality so as to inform the public about the election and the election process.



The Corporation of the Town of Kirkland Lake

Bylaw 18-071

Being a Bylaw to Adopt  
Municipal Elections Recount Policy  
for the Town of Kirkland Lake

WHEREAS the Municipal Act, 2001 c. 25 s 5(1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the Municipal Act, 2001, c. 25 s. 5(3) provides that the powers of every council are to be exercised by bylaw;

AND WHEREAS the Municipal Elections Act, 1996, s.56(3) provides that Council may, by bylaw, adopt a policy with respect to the circumstances in which the municipality requires the clerk to hold a recount;

AND WHEREAS The Council of the Town of Kirkland Lake deems it advisable to adopt a Municipal Elections Recount Policy;

NOW THEREFORE the Council of the Town of Kirkland Lake hereby enacts as follows:

1. THAT the Municipal Elections Recount Policy, attached hereto as Schedule 'A', be adopted effective May 1, 2018.


Read a first, second and third time, enacted and passed on this 1<sup>st</sup> day of May 2018.

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Tony Antoniazzi, Mayor

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Jo Ann Ducharme, Clerk

<b>TOWN OF KIRKLAND LAKE</b>	<p align="center"><b>Corporate</b></p>	Issued: May 1, 2018 Repealed:
	Approved by: Tony Antoniazzi Title: Mayor Signature: _____ Date: May 1, 2018	Approved by: Jo Ann Ducharme Title: Clerk Signature: _____ Date: May 1, 2018
<b>Subject: Election – Municipal Election Recount Policy</b>		

**Purpose and Legislative Authority**

Section 56(3) of the Municipal Elections Act, 1996, S.O. 1996, states ‘A municipality may, by bylaw, adopt a policy with respect to the circumstances in which the municipality requires the clerk to hold a recount of the votes cast in an election.’

Section 56(5) of the Municipal Elections Act, 1996, S.O. 1996, states ‘a bylaw or resolution adopted under subsection (3) or (4), applies to a regular election if it is passed on or before May 1 in the year of the election.’

The purpose of this policy is to establish criteria that will require the completion of an automatic recount in accordance with Section 56(1.1) of the Municipal Elections Act, 1996, S.O. 1996, as amended.

A recount is required when:

1. There is a tie vote where both or all candidates cannot be declared elected;
2. By resolution of Council
3. By order of the Superior Court of Justice.

The Municipal Elections Modernization Act now provides the adoption of a policy on or before May 1 of the election year to define circumstances under which a recount would be conducted other than those listed above.

**SCOPE**

This policy applies to the regular Municipal Election of 2018.

**Policy Statement**

The Town of Kirkland Lake recognizes that elections conducted with integrity are fundamental to our democratic society. The results of an election must instill confidence among candidates, electors and administrators and accurately reflect the votes cast. Where questions exist to the accuracy of the results, a recount will provide certainty that the results are correct.

## Procedure

### **Automatic Recount**

If the number of votes separating candidates from winning an office is a variance of one of the following:

1. Ten (10) votes or less; or
2. 1%, or less, of voters who have cast their votes for the office, whichever is the lesser amount.

The recount shall be conducted by the Clerk of the Town of Kirkland Lake (the "Clerk") in accordance with the provisions of the Municipal Elections Act (the Act), Ontario Regulation 101/97, and the Town of Kirkland Lake's 2018 Voting Procedures with the Use of Vote Tabulators and these procedures.

For Example:

Example 1:

Candidate A	500		
Candidate B	511		
Candidate C	550		
Votes cast	1561		
Difference between Candidate A & B votes is 11.			
	1% of total vote is	15.61	1.56%

NO RECOUNT

Example 2:

Candidate A	500		
Candidate B	509		
Candidate C	550		
Votes cast	1559		
Difference between Candidate A & B votes is 9.			
	1% of total vote is	15.59	1.59%

RECOUNT FOR CANDIDATE A and B because vote difference is less than 10

Example 3:

Candidate A	444		
Candidate B	436		
Votes cast	880		
Difference between Candidate A & B votes is 8.			
	1% of total vote is	8.8	0.88%

RECOUNT FOR CANDIDATE A and B because vote difference is less than 10

AND % of total votes cast is less than 1%

Example 4:

Candidate A	494		
Candidate B	504		
Votes cast	998		
Difference between Candidate A & B votes is 9.			
	1% of total is	9.9	0.09%

RECOUNT FOR CANDIDATE A and B because vote difference is less than 10

AND % of total votes cast is less than 1%

### ***Timing and Location***

The recount shall commence on the date and time and at the location determined by the Clerk and shall be held within the time periods set out in the Act.

### ***Notice***

As described in Regulation 101/97 s.4, notice shall be given to each certified candidate for an office subject to recount; and to the applicant if applicable under Section 58 of the *Municipal Elections Act*.

### ***Manner of the Recount***

As provided for in subsection 60(1) of the Act, *“a recount under section 56, 57, or 58 shall be conducted in the same manner as the original count”*.

In accordance with Section 42(4) of the Act, these procedures provide that at the recount, there shall be *no more than one scrutineer for each certified candidate for each piece of vote-counting equipment* and also that *the persons referred to in subsection 61(5) are entitled to examine, but not touch, each ballot as the votes are being counted by the Clerk*.

Election recount officials are the only persons who may handle and touch the ballots and other election material. Prior to the commencement of the recount, the Clerk will allow the candidates and their authorized representatives to view and identify the election materials.

### ***Order and Decorum***

Decorum will be maintained at all times. The Clerk will exercise reasonable control over the conduct of the recount to assure that election officials do not experience interference from any candidate, their scrutineer, legal counsel, or any other person. Should anyone or anything impede the recount process, the recount will stop until the solution is remedied. Anyone who disrupts the recount or fails to follow the instructions of the Clerk or their designate will be required to leave. The decision of the Clerk in this regard shall be final.

### ***Election/Recount Officials***

The Clerk shall appoint such number of election officials to assist in the conduct of the recount as considered necessary and may designate their titles and duties and in accordance with s. 15(2) of the Act may delegate powers and duties to those officials.

### ***Who may be Present in the Designated Recount Area***

Media representatives will be entitled to attend and must remain at the media table set aside for this purpose.

In accordance with Section 61(1 – 2) of the Act, only the following persons are entitled to be present:

- (a) The Clerk and any other election official appointed by the Clerk for the recount*
- (b) Every certified candidate for the office subject to the recount*
- (c) The applicant for the recount*
- (d) For each person referred to above:  
a lawyer, and  
one (1) candidate scrutineer for each recount station established by the Clerk.*

Candidate's scrutineers must be appointed in writing by the candidate or the candidate's legal counsel and must present a complete and signed Appointment of Scrutineer Form to the Clerk prior to the commencement of the recount in order to be admitted into the designated area.

Any person authorized to attend, shall be required, prior to the start of the recount procedures, to take an oath or declaration before participating in the recount or performing any duties.

Observers of the recount may not make a record or note of any personal information or identifying marks which may appear on ballots or other documents unless each action is specifically authorized, in writing, by the Clerk. Personal information is protected by Section 14(1) of the *Municipal Freedom of Information and Protection of Privacy Act*.

***Location Setup***

The number of recount stations shall be determined by the Clerk based on the number of ballots to be counted.

The ballot boxes, vote tabulators, and all other supplies and materials necessary for the recount shall be delivered to the recount location prior to the commencement of the recount for set-up.

***Programming and Testing of the Vote Tabulators***

The vote tabulators shall be programmed in the same manner as was done during the election period. Prior to the recount, the Clerk shall test all vote tabulators to be used in the recount using the same procedures used for the election. The recount shall commence once the Clerk is satisfied that the tabulators are accurate.

***Recount Process -- Paper Ballot/Tabulator Count***

In accordance with the *Act*, the recount is to be conducted in the same manner as the original count. All ballots counted during the 2018 Town of Kirkland Lake Municipal Election shall be included in the recount. Cancelled ballots were not counted on Election Day and are not included in the Recount.

Counts will only be tabulated for those races for office that are subject to the recount.

The election officials at each recount station shall receive a ballot box or ballot boxes, and in full view of any candidates or their scrutineers or legal counsel present at the recount station, the election official shall:

- (a) insert a memory card;
- (b) open the poll by turning the key to the open position and pushing the yes button on the vote tabulator;
- (c) cause the vote tabulator to print a copy of all vote totals in the memory card, confirming zero totals. The zeros report is to be examined and signed by the election official responsible for that tabulator and the Clerk in the presence of the candidates and their authorized representatives;
- (d) candidates or their authorized representatives may visually examine but not touch the vote tabulators;
- (e) the election official will unseal the ballot box, remove all ballots and show the empty ballot box; and
- (f) the ballots will be held up by an election official for candidates or their authorized representatives to visually examine but not touch;
- (f) the election official will feed the ballots into the tabulator one at a time.

When the election official is alerted to a ballot containing an over-vote, a blank ballot or a ballot that contains ambiguous marks by the vote tabulator, the election official will cause the ballot to be accepted and processed by the tabulator.



### **2.2 Ballots unable to be tabulated / Rejected Ballots**

For whatever reason, the vote tabulator is unable to process a ballot that had been processed by tabulator and counted at the voting location on Election Day, the election official shall:

- (a) place a "Rejected Ballot" label on the back of the ballot;
- (b) print their name, sign and date the label;
- (c) record the original voting location the ballot originated from and the recount station on the ballot label;
- (d) note the reason why the tabulator has not processed the ballot, if that reason is known; and
- (e) place the ballot in the rejected ballot envelope for delivery to the Clerk.

Upon receipt of the rejected ballots the Clerk shall review the ballots and if the intent of the voter is clearly discernible the Clerk shall manually add those votes to the final count from the vote tabulators. If the intent of the voter cannot be determined the vote shall not be counted.

At the conclusion of the recount, the Clerk shall place the rejected ballots that have not been counted back into the rejected ballot envelopes and seal the envelopes for storage with the ballot boxes and results tapes.

### **2.3 Ballots Objected to by Candidates/ Authorized Representatives**

For ballots that are Objected to by Candidates or their authorized representatives that had been processed by tabulator and counted at the voting location on Election Day, the election official shall:

- (a) place an "Objection #" on the back of the ballot;
- (b) record on the associated form:
  - the # of the objection,
  - the reason for the objection,
  - and the name of the person objecting;
- (c) place the ballot to one side;
- (d) at the end of the poll, the 'objected to' ballots will be processed by the tabulator to the counted, and then the 'objected to' ballots will be sealed in an envelope marked "OBJECTED TO BALLOTS" with the associated form for delivery to the Clerk.

At the conclusion of the recount, the Clerk shall place the 'Objected to Ballots' envelope for storage in the ballot boxes and results tapes and memory card.

After all the ballots from the ballot box have either been fed into the tabulator or placed in the rejected ballot or objected to envelopes for delivery to the Clerk, the election official shall:

- (a) close the poll by turning the key to the open/close poll position and pressing the close poll button;
- (b) cause the results tape to be produced by the vote tabulator (three copies will be automatically printed);
- (c) separate the three results tape reports;
- (d) sign the results tape report and have the Clerk sign each copy in the presence of candidates or their authorized representatives;
- (e) turn off the tabulator, and remove the memory card;
- (g) seal the ballot box and place the memory card in an envelope and seal the envelope;
- (h) record the vote totals for each candidate on a final tally sheet;
- (i) seal the tabulator reports envelope and give the sealed envelope together with the loose results tape report to the Clerk;
- (k) deliver the rejected ballot envelope and objected to envelope to the Clerk.

**Results**

During the recount, the Clerk shall post for inspection the summary of the votes cast for each candidate for the office subject to the recount from each of the recount stations.

When the recount is complete, the Clerk shall announce the results of the recount.

As per the *Act*, if no application has been made for a judicial recount, the Clerk shall declare the successful candidates elected on the 16th day after the recount is completed.

**Recount Records**

At the conclusion of the recount, the Clerk shall secure all materials from the recount including but not limited to the ballots, ballot boxes, results tapes, memory cards and all other materials relating to the recount process.

The Clerk shall destroy recount materials in accordance with the retention period as prescribed in the *Act*.

## Appendix A

The ballots from each poll shall be tabulated as follows:

### Vote Tabulator #1

(Date of advanced vote - # of Ballots processed through tabulator)

(Date of advanced vote - # of Ballots processed through tabulator)

(Date of vote - # of Ballots processed through tabulator)

### Vote Tabulator #2

(Date of vote - # of Ballots processed through tabulator)

## Appendix B

### Position Descriptions

#### #1 ELECTION OFFICIAL DISPLAYING BALLOTS

- Election Official will pick up and display one ballot at a time for attending candidates and authorized representatives to view (2 – 3 seconds).
- If there are no objections to the ballot, the Election Official will pass the ballot to the tabulator operator.
- Election Official will pick up another ballot and repeat the process.
- If there are objections to the ballot, the Election Official will pass the ballot to the Recording Official for processing.

The Election Official will NOT make any comments, observations, remarks or judgments on any of the ballots being processed.

The Election Official will NOT answer any questions concerning the recount process, but will refer all questions the Clerk or their designate.

The Election Official will conduct him/herself in a professional, business-like manner.

#### #2 RECORDING OFFICIAL

Ballots passed to Recording Official from the Election Official will be assessed as being 'Objected to' or 'Rejected'.

##### OBJECTED TO BALLOTS

- Recording Official will number and mark on the back of objected ballots "Objected Ballot #"; and will complete the corresponding form with objection #, the reason for the objection, and the person objecting.
- The objected ballots will be placed in an envelope marked "OBJECTED TO BALLOTS" and put to one side; at the end of the poll, before tabulating the results, the Recording Official will pass the envelope to the Tabulator Operator to be processed through the tabulator and included in the result.

##### REJECTED BALLOTS

For whatever reason, the vote tabulator is unable to process a ballot that had been processed by tabulator and counted at the voting location on Election Day, the election official shall:

- place a "Rejected Ballot" label on the back of the ballot;
- print their name, sign and date the label;
- record the original voting location the ballot originated from and the recount station on the ballot label;
- note the reason why the tabulator has not processed the ballot, if that reason is known; and
- place the ballot in the rejected ballot envelope for delivery to the Clerk at the end of the poll.

The Recording Official will NOT make any comments, observations, remarks or judgments on any of the ballots being processed.

The Recording Official will NOT answer any questions concerning the recount process, but will refer all questions the Clerk or their designate.

The Recording Official will conduct him/herself in a professional, business-like manner.

#### #3 TABULATOR OPERATOR

The Tabulator Operator will

- insert a memory card;
- open the poll by turning the key to the open position and pushing the yes button on the vote tabulator;

- cause the vote tabulator to print a copy of all vote totals in the memory card, confirming zero totals. The zeros report is to be examined and signed by the Tabulator Operator responsible for that tabulator and the Clerk in the presence of the candidates and their authorized representatives;
- Tabulator Operator will allow candidates or their authorized representatives to visually examine but not touch the vote tabulators;
- Tabulator Operator will accept the ballots from the Election Official Tabulator Operator be processed through the tabulator one at a time.
- If the vote tabulator does not fully process a ballot, the Tabulator Operator will read to the candidates and their authorized representatives the message on the display screen and
  - in the event of an overvote or blank ballot, the Tabulator Operator will override the irregularity and process the ballot through
  - in the event of ineligible marks, the Tabulator Operator will bring back the ballot and have the clerk determine the course of action

#### REJECTED BALLOTS

For whatever reason, the vote tabulator is unable to process a ballot that had been processed by the tabulator and counted at the voting location on Election Day, the Tabulator Operator shall pass the ballot to the Recording Official for processing.

- After all the ballots from the ballot box have either been fed into the tabulator, the Tabulator Operator will accept the 'objected to envelope' for the Recording Official and process them through the tabulator, but NOT allow those ballots to fall into the box. The objected ballots will be replaced into the envelope with the form, sealed and placed in the ballot box.
- The Tabulator Operator shall then:
  - close the poll by turning the key to the open/close poll position and pressing the close poll button;
  - cause the results tape to be produced by the vote tabulator (three copies will be automatically printed);
  - separate the three results tape reports;
  - sign the results tape report and have the Clerk sign each copy in the presence of candidates or their authorized representatives;
  - turn off the tabulator, and remove the memory card;
  - Return all election material to the Clerk.

The Tabulator Operator will NOT make any comments, observations, remarks or judgments on any of the ballots being processed.

The Tabulator Operator will NOT answer any questions concerning the recount process, but will refer all questions the Clerk or their designate.

The Tabulator Operator will conduct him/herself in a professional, business-like manner.

#### **#4 CANDIDATES, SCRUTINEERS AND AUTHORIZED REPRESENTATIVES**

Scrutineers must show their written appointment to the Tabulator Operator or Clerk in the voting place.

A candidate may have a scrutineer at each vote tabulator.

ANYONE who is creating a disturbance at a Voting Place will be removed by the Clerk or Designate.

Before being admitted to a Recount Place, a person appointed as scrutineer shall produce and show his/her Appointment (the "Scrutineer Form EL12") to the Clerk and take the oral Oath of Secrecy (Form EL12 (B)) before being permitted to remain in the Voting Place.

The Clerk is responsible for the conduct of the Recount Place and no candidate or scrutineer has the right to interfere with the Clerk in the discharge of his or her duties.

Use of cell phones is NOT permitted inside the Recount Location.



The Corporation of the Town of Kirkland Lake  
Being a Bylaw to Adopt  
Council Member Pregnancy and Parental Leave Policy

Bylaw 19-024

WHEREAS Bill 68 modernizing the Municipal Act, the Municipal Election Act and the Municipal Conflict of Interest Act was tabled in November 2016;

AND WHEREAS Bill 68 was passed in May 2017;

AND WHEREAS certain legislation concerning the above noted Provincial Acts came into effect on March 1, 2019;

NOW THEREFORE the Municipal Council of the Town of Kirkland Lake adopts the policy 'Council Member Pregnancy and Parental Leave', attached and marked as 'Schedule A';

AND THAT this bylaw comes into effect as of March 1, 2019.

Read a first, second and third time, enacted and passed this 5<sup>th</sup> day of March 2019.

---

Pat Kiely, Mayor

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Jo Ann Ducharme, Clerk



The Corporation of the Town of Kirkland Lake  
Being a Bylaw to Adopt  
Council and Staff Relations Policy

Bylaw 19-025

WHEREAS Bill 68 modernizing the Municipal Act, the Municipal Election Act and the Municipal Conflict of Interest Act was tabled in November 2016;

AND WHEREAS Bill 68 was passed in May 2017;

AND WHEREAS certain legislation concerning the above noted Provincial Acts came into effect on March 1, 2019;

NOW THEREFORE the Municipal Council of the Town of Kirkland Lake adopts the policy 'Council and Staff Relations', attached and marked as 'Schedule A';

AND THAT this bylaw comes into effect as of March 1, 2019.

Read a first, second and third time, enacted and passed this 5<sup>th</sup> day of March 2019.

---

Pat Kiely, Mayor

---

Jo Ann Ducharme, Clerk





The Corporation of the Town of Kirkland Lake

Bylaw 19-026  
Being a Bylaw to Adopt  
Council Code of Conduct Policy

WHEREAS Bill 68 modernizing the Municipal Act, the Municipal Election Act and the Municipal Conflict of Interest Act was tabled in November 2016;

AND WHEREAS Bill 68 was passed in May 2017;

AND WHEREAS certain legislation concerning the above noted Provincial Acts came into effect on March 1, 2019;

NOW THEREFORE the Municipal Council of the Town of Kirkland Lake adopts the policy 'Council Code of Conduct', attached and marked as 'Schedule A';

AND THAT this bylaw comes into effect as of March 1, 2019.

Read a first, second and third time, enacted and passed this 5<sup>th</sup> day of March 2019.

---

Pat Kiely, Mayor

---

Jo Ann Ducharme, Clerk



The Corporation of the Town of Kirkland Lake

Bylaw 19-027  
Being a Bylaw to Adopt  
Integrity Commissioner Inquiry Protocol Policy

WHEREAS Bill 68 modernizing the Municipal Act, the Municipal Election Act and the Municipal Conflict of Interest Act was tabled in November 2016;

AND WHEREAS Bill 68 was passed in May 2017;

AND WHEREAS certain legislation concerning the above noted Provincial Acts came into effect on March 1, 2019;

NOW THEREFORE the Municipal Council of the Town of Kirkland Lake adopts the policy 'Integrity Commissioner Inquiry Protocol', attached and marked as 'Schedule A';

AND THAT this bylaw comes into effect as of March 1, 2019.

Read a first, second and third time, enacted and passed this 5<sup>th</sup> day of March 2019.

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Pat Kiely, Mayor

---

Jo Ann Ducharme, Clerk



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-091**

**BEING A BYLAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH CALL2RECYCLE CANADA INC. FOR THE COLLECTION OF USED CONSUMER-TYPE PORTABLE BATTERIES**

**WHEREAS** Section 8, 9, and 11 of the Municipal Act, 2001, S.O. 2001, Chapter 25 and amendments thereto provides that every municipal Corporation may pass by-laws for the purpose of governing its affairs as it considers appropriate;

**AND WHEREAS** The Corporation of the Town of Kirkland Lake intends to sign an agreement with Call2Recycle Canada Inc. for the provision of recycling services for single use and rechargeable batteries;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

**THAT** The Mayor and Clerk are hereby authorized to execute an Agreement with Call2Recycle Canada Inc., a copy of which Agreement is attached hereto and marked as Schedule "A" to this By-law.

**READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED THIS 1<sup>ST</sup> DAY OF DECEMBER 2020.**

\_\_\_\_\_  
Patrick Kiely, Mayor

\_\_\_\_\_  
Meagan Elliott, Clerk

## USED CONSUMER-TYPE PORTABLE BATTERY RECYCLING AGREEMENT

**THIS AGREEMENT** is made as of the 1<sup>st</sup> day of December, 2020 (the “**Commencement Date**”).

### **B E T W E E N:**

**CALL2RECYCLE CANADA, INC.**  
(hereinafter referred to as “**Call2Recycle**”)

- and -

**THE CORPORATION OF THE TOWN OF KIRKLAND  
LAKE**

(hereinafter referred to as the “**Local Government**”)

(hereinafter referred to as the “**Parties**” or singularly as a  
“**Party**”)

### **WHEREAS:**

- A. Call2Recycle is a not-for-profit, stewardship organization which carries on business nationally, collecting, transporting, and recycling consumer batteries;
- B. Call2Recycle operates a stewardship plan in the Province of Ontario (the “**Province**”) (such stewardship plan, as may be amended from time to time, being the “**Plan**”), and
- B. The Local Government collects Collected Materials (as defined below) for recycling and wishes to provide them in bulk to Call2Recycle for further handling.

**NOW THEREFORE** in consideration of the promises and mutual agreements contained herein and subject to the terms and conditions hereinafter set forth, the Parties covenant and agree as follows:

### **1.0. Definitions and Interpretation**

1.1 In this Agreement:

- (a) “**Agreement**” means this Agreement and includes all schedules and amendments hereto;

- (b) **“Business Day”** means Monday through Friday, excluding statutory holidays and any other day that the Government of the Province has elected to be closed for business;
- (c) **“Collected Materials”** means any Used Consumer-Type Portable Battery, and/or Used Cellphone provided under this Agreement and includes materials collected by the Local Government via depot collections, curbside collections and event days, among other methods;
- (d) **“Designated Facility”** means an approved Call2Recycle sorting facility;
- (e) **“Non-Conforming Battery(ies)”** means any Used Consumer-Type Portable Battery that: (i) weighs in excess of five (5) kilograms (eleven (11) pounds); or (ii) is not identifiable by Call2Recycle, in its sole discretion, as a battery or such battery’s chemistry is not identifiable, or (iii) is not intact, defective or otherwise damaged; or (iv) is corroded, or otherwise has been exposed to the elements; or (v) is considered non-confirming pursuant to the Plan; or (vi) is an Other Covered Battery, or (vii) has been recalled by the manufacturer or other distributor; or (viii) is otherwise deemed not safely recyclable or handled in accordance with standard protocols and procedures as determined by Call2Recycle in its sole discretion”;
- (f) **“Non-Conforming Materials”** means any liquids, refuse, litter, junk, trash, garbage, needles, medication, or any other materials deemed by Call2Recycle to be non-conforming materials;
- (g) **“Non-Conforming Shipment”** means any Shipment(s) made by the Local Government where any container included in that Shipment: (i) contains more than five (5%) percent by weight of materials that are Non-Conforming Materials; (ii) contains more than five (5%) percent by weight of materials that are Non-Conforming Batteries; or (iii) contains any amount of MHSW (other than hazardous waste comprising any eligible Used Consumer-Type Portable Battery), which is subject to any applicable laws or regulations in the Province, or any province where a Designated Facility may be located from time to time;
- (h) **“MHSW”** means municipal hazardous or special waste;
- (i) **“Other Covered Battery(ies)”** means batteries that are sold in or packaged with electric or electronic devices or equipment that are covered under any stewardship plan or extended producer responsibility plan, other than the Plan;
- (j) **“Regulation”** means the applicable recycling act or regulation as is in effect in the Province, as amended, including, but not limited to Ontario Regulation 30/20 under the *Resource Recovery and Circular Economy Act, 2016* (Ontario);

- (k) “**Service Provider**” means a third party that provides services to the Local Government in relation to MHSW;
- (l) “**Shipment**” means any conforming shipment of eligible Used Consumer-Type Batteries that are shipped by the Local Government to a Designated Facility;
- (m) “**Used Consumer-Type Portable Battery**” means a used battery or battery pack not considered to be a Non-Confirming Battery, including dry cell rechargeable and primary batteries weighing less than five (5) kilograms (eleven (11) pounds), that are sold for replacement purposes for use in electronic or electrical devices not as sold without batteries, containing no liquid electrolyte, and employing one of nickel cadmium, nickel metal hydride, lithium ion, nickel zinc, sealed lead, alkaline-manganese, zinc-carbon, zinc-air, silver oxide and/or and lithium; and

1.2 The Parties acknowledge that the recitals to this Agreement are true and correct.

## 2.0. Term of Agreement, Amendment and Assignment

- 2.1 The term of this Agreement shall commence as of the Commencement Date and shall remain in effect for one year from date of signing, unless terminated in accordance with this Agreement or upon the termination of the Plan, in which case this Agreement shall automatically terminate. This Agreement shall automatically renew thereafter for subsequent one year terms, unless either Party notifies the other at least ninety (90) days in advance of any renewal term commencement date that the Agreement shall not be renewed.
- 2.2 If, in the reasonable opinion of either Party, there has been a breach of this Agreement by the other Party (the “**Defaulting Party**”), the non-Defaulting Party may give the Defaulting Party written notice to remedy the breach or default within sixty (60) days, failing which the Agreement may be terminated.
- 2.3 Unless agreed to in writing by the Parties, or as otherwise provided for in this Agreement, this Agreement may not be amended, provided that in the event of any changes to the Plan, Call2Recycle may unilaterally amend this Agreement as may be necessary to comply with the Plan.
- 2.4 Neither Party shall subcontract or assign any of its rights or obligations under this Agreement or any part thereof without the prior written consent of the other Party, which consent shall not unreasonably be withheld.

## 3.0. Shipments of Collected Materials

- 3.1 Unless otherwise designated by Call2Recycle, the Local Government shall ship all Collected Materials to the Designated Facility in open top UN rated steel drums (1A) with a plastic liner and an open head and lever lock ring lid (“**Steel Drums**”), UN rated polyethylene drums (1H) with an open head and level lock ring lid (“**Polyethylene Drums**”), or any other Call2Recycle certified and/or approved box, receptacle, or containers, which may be

designated and/or changed from time to time (collectively, “**Approved Containers**”). All Steel Drums and/or Polyethylene Drums must be completely full and must be sealed with their corresponding lever locking ring lid, prior to any Shipment to a Designated Facility. Approved Containers may be placed on a pallet and should be properly secured with shrink wrap prior to any Shipment to a Designated Facility. All lithium, lithium ion, button cells, or lead acid batteries placed in any Steel Drums, Polyethylene Drums or Approved Containers shall be terminally protected by either placing each such battery in an individual plastic bag, or have their terminals securely covered with tape to prevent any possible short circuits. Packaging of any Used Consumer-Type Portable Batteries may not under any circumstance contain any Non-Conforming Batteries, Other Covered Batteries, or other Non-Conforming Material. All Steel Drums, Polyethylene Drums and Approved Containers used for Shipment must be provided or otherwise approved by Call2Recycle and properly secured by the Local Government prior to Shipment.

- 3.2 The Local Government shall ship all Used Consumer-Type Portable Batteries collected to Call2Recycle only. In order to participate in this reimbursement program, the Local Government cannot ship Used Consumer-Type Portable Batteries to another service provider, program, or entity. All Shipments to the Designated Facility by the Local Government shall use a Call2Recycle designated freight provider and shall comply with the shipping instructions to be provided to the Local Government prior to its first Shipment. Call2Recycle shall notify the Local Government of its list of designated freight providers on or before the Commencement Date.
- 3.3 If Call2Recycle or a Designated Facility determines within thirty (30) days after receipt of a Shipment from or on behalf of the Local Government that such Shipment is a Non-Conforming Shipment, Call2Recycle or its Designated Facility shall (i) arrange with the Local Government for the satisfactory disposition of the materials that are not Used Consumer-Type Portable Batteries, on mutually agreeable terms and conditions, or (ii) reject and return Non-Conforming Materials to the Local Government without further obligation. In either event, Call2Recycle shall invoice the Local Government for out of pocket costs and expenses of receiving and handling any Non-Conforming Materials in a Non-Conforming Shipment, and such invoice shall be paid by the Local Government within thirty (30) days of the date of issuance.
- 3.4 All Local Government collection sites, whether fixed or temporary, may accept up to 15 kilograms of Used Consumer-Type Portable Batteries per day from any one person. If any Local Government collection site accepts more than 15 kilograms of Used Consumer-Type Portable Batteries per day from any one person, the Local Government shall ensure that certain information be collected from such a person, including: the person’s name, contact information and the total weight of Used Consumer-Type Portable Batteries accepted.

#### 4.0. Financial Arrangements

- 4.1 For each Shipment of Collected Materials that is shipped by the Local Government to the Designated Facility:
- (a) Call2Recycle shall pay Local Government:
    - (i) a fee of \$0.55 per kilogram for Used Consumer-Type Portable Batteries or any other eligible battery under the Regulation which are collected by Local Government through bulk depot collections (“**Depot Collections**”), to cover the cost of materials required for Shipments, including: supplies, materials, and handling of Approved Containers; and
    - (ii) a fee of \$1.20 per kilogram for Used Consumer-Type Portable Batteries, or any other eligible battery under the Regulation which are collected by Local Government through any household hazardous waste event day performed by a contracted third party (“**HHWE Collections**”), to cover costs associated with running such events, including: supplies, materials, and handling of Approved Containers;
  - (b) Call2Recycle shall directly compensate the Local Government’s designated freight provider(s) for Shipment of bulk depot collections to the Designated Facility, provided that designated freight provider is approved by Call2Recycle, as set out in Subsection 3.2 herein.
- 4.2 For Collected Materials from Depot Collections, Local Government will receive a payment summary along with payment on a monthly basis within sixty (60) days following receipt and sorting of Collected Materials, and according to Call2Recycle payment terms. The Local Government is not required to submit an invoice to receive payment for Collected Materials from Depot Collections. Prior to payment, Call2Recycle may also take steps to verify that the Collected Materials shipped by the Local Government were received at the Designated Facility. The Local Government shall provide Call2Recycle, or such other parties as Call2Recycle shall direct, with all the necessary information as may be reasonably required by Call2Recycle or its designee(s) to verify any claim by the Local Government for reimbursement of expenses pursuant to this Agreement.
- 4.3 For Collected Materials from HHWE Collections, the Local Government must submit an invoice, including a bill of lading and/or any other applicable shipping documentation to Call2Recycle within thirty (30) days of any Shipment. Prior to payment, Call2Recycle may also take steps to verify that the Collected Materials shipped by the Local Government were received at the Designated Facility. The Local Government will receive a payment summary and payment for materials from HHWE Collections within (60) days following receipt of invoice, supporting documentation and receipt and sorting of Collected Materials. The Local Government shall provide Call2Recycle, or such other parties as Call2Recycle shall direct, with all the necessary information as may be reasonably required by Call2Recycle or its



designee(s) to verify any claim by the Local Government for reimbursement of expenses pursuant to this Agreement. HHWE Collections submitted without the necessary documentation will be compensated at the Depot Collections rate set out at Subsection 4.1(a)(i).

- 4.4 Local Government shall keep and preserve all applicable records and shipping documents for a period of not less than sixty (60) months following delivery of each applicable Shipment, as necessary to verify Shipments.

## **5.0. Regulatory and Compliance**

- 5.1 Authority. The Local Government hereby represents and warrants that it has the legal power and authority to enter into this Agreement, and that there are no outstanding contracts, commitments, or legal impediments which may limit, restrict or otherwise impair its ability to perform its obligations hereunder.
- 5.2 Title to products: The Local Government shall be the owner of all right, title, and interest in all Collected Materials from the time when the Local Government collects and/or accepts them until such point in time that title has been transferred, conveyed and assigned to any service provider or Designated Facility pursuant to a Shipment. At no time will Call2Recycle possess any right, title or interest in or to any Collected Materials unless possessed and handled directly by designated Call2Recycle employees, notwithstanding any Shipment made to a Designated Facility.
- 5.3 Regulatory compliance: In performing its obligations under this Agreement, the Local Government shall obtain all permits, licenses, authorizations and approvals required by applicable law and observe and comply with all applicable laws, including, if applicable in the Province, any certificates or approvals issued to the Local Government. The Local Government shall assist Call2Recycle, as required, in providing information and reports to satisfy regulatory and reporting requirements relating to the Plan. The Local Government shall take all reasonable steps to ensure any Service Providers meet the same requirements.
- 5.4 Site visits and audits: Upon reasonable notice, Call2Recycle or its agent shall have the right to enter upon any collection facility utilized by the Local Government for the purpose of conducting inspections or compliance audits. The Local Government shall take all reasonable steps to ensure that Call2Recycle has the same rights in respect of any Service Provider used by the Local Government. Call2Recycle or its agent shall be accompanied by a representative of the Local Government for any such visits or audits.

## **6.0. Indemnity and Insurance**

- 6.1 Indemnity: Each Party (the “Indemnifying Party”) hereby indemnifies and saves harmless the other Party (the “Indemnified Party”), its directors, officers, contractors, employees, and agents, from and against any and all manner of actions or causes of actions, damages (but not including consequential damages), costs, loss or expenses of whatever kind (including related legal fees on a full indemnity basis) which the Indemnified Party, its

directors, officers, contractors, employees, and agents may sustain, incur or be put to by reason of or directly or indirectly arising out of any willful misconduct or negligence of the Indemnifying Party or any person for whom the Indemnifying Party is, at law, responsible, in relation to matters arising out of this Agreement.

- 6.2 Limitations of Liability. In no event will either party claim any exemplary, aggravated or punitive damages in connection with this Agreement, and under no circumstances will a party be liable to the other party for any indirect, special or consequential damages, compensation or loss of profits, anticipated revenue, savings or goodwill, or any other economic loss arising out of or in any way related to this Agreement, even if advised of the possibility thereof.
- 6.3 Insurance. The Local Government shall, during the term of the Agreement, self-insure, maintain at its expense, and/or require its Service Provider to maintain at either the Local Government's or Service Provider's expense Comprehensive General Liability coverage with limits of not less than \$5,000,000 (five million dollars) per occurrence. Unless the Local Government wholly self-insures, the Local Government shall deliver a copy of Certificate(s) of Insurance maintained by the Local Government or a Service Provider pursuant to this Agreement, upon the Commencement Date, and annually upon renewal of the Local Government or Service Provider's insurance, naming Call2Recycle as an additional insured. The Certificate(s) of Insurance, referred to in this section must also provide that the Local Government shall provide Call2Recycle with thirty (30) days advance written notice of cancellation, termination, non-renewal, or material change.

## **7.0. Assignment**

- 7.1 During the term of this Agreement, the Local Government hereby expressly covenants and agrees that it shall not subcontract or assign any of its rights or obligations under this Agreement or any part thereof without the prior written consent of Call2Recycle, which consent shall not unreasonably be withheld.
- 7.2 The Local Government hereby expressly acknowledges and agrees that Call2Recycle may subcontract or assign any of its rights or obligations under this Agreement or any part thereof to any Affiliated Company or successor, or otherwise in connection with the sale of all or substantially all of its assets.

## **8.0. Notices**

- 8.1 Any notice, request, demand or other instrument or communication herein provided, permitted or required to be given by either Call2Recycle or the Local Government shall be in writing and sufficiently given if delivered personally, by facsimile transmission or other electronic means of written communication tested prior to transmission to the extent such testing is available, or if sent by registered mail to the following respective address hereinafter set out, namely:

Notices to Call2Recycle shall be delivered to:

Notices to the Local Government shall be delivered to:

100 Sheppard Avenue East  
Suite 800  
Toronto, Ontario  
M2N 6N5

3 Kirkland Street  
PO Box 1757  
Kirkland Lake, Ontario  
P2N 3P4

**Attention: President**

- 8.2 Any such notice if delivered personally, by facsimile transmission or by other electronic means of written communication on a Business Day before 5:00 p.m. local time at place of receipt, shall be conclusively deemed to have been given on the day of personal delivery, or facsimile transmission or electronic communication (and if after 5:00 p.m. local time at place of receipt the next following Business Day), or, if mailed as aforesaid, shall be conclusively deemed to have been received on the fifth Business Day following the day on which such notice is mailed (except during a postal strike in which case such notice shall be delivered personally). Either Party may, at any time, give written notice to the other of any change of address of the Party giving such notice and from and after the giving of such notice the address therein specified shall (in the absence of knowledge to the contrary) be deemed to be the address of such Party for the giving of notices thereafter.

## **9.0. Dispute Resolution**

- 9.1 If any dispute arises between the Parties pursuant to this Agreement, the Parties shall attempt to resolve the dispute within 30 days upon which written notice of the dispute was first given, or as otherwise agreed upon. If the Parties are unable to resolve the dispute within 30 days, the Parties shall jointly select an arbitrator to arbitrate the dispute. The arbitrator shall render a decision on the dispute and the award arising therefrom, in accordance with the applicable arbitration legislation in effect in the Province, and as amended from time to time.

## **10.0. Term and Termination**

- 10.1 This Agreement is effective as of the Commencement Date and shall continue in full force and effect until otherwise terminated.
- 10.2 Either Party may terminate this Agreement for any reason whatsoever upon not less than one hundred and eighty (180) days prior written notice to the other Party.
- 10.3 Notwithstanding Section 10.2, Call2Recycle may terminate this Agreement immediately at any time, and without prior written notice to Local Government, if:

- (a) In any province that has an extended producer responsibility plan, in the event such a plan is cancelled, Call2Recycle may terminate this Agreement as it relates to that province;
  - (b) The Local Government subcontracts or assigns any rights or obligations under this Agreement, or any part thereof;
  - (c) Any Shipments made by Local Government are deemed by Call2Recycle or any Designated Facility, to be a Non-Conforming Shipment; or
  - (d) A receiver or trustee is appointed for any part of the assets of Call2Recycle.
- 10.4 Call2Recycle expressly reserves the right, in its sole discretion and without prior written notice, at any time, and for any reason whatsoever, to amend, suspend or terminate all or any portion of the Plan.
- 10.5 On the date of termination neither party shall have any obligations, financial or otherwise, hereunder save and except for matters arising prior to termination, which may involve obligations of the parties after termination. All sections of this Agreement which by their nature should survive termination, including, without limitation, accrued rights to payment, indemnities, and limitations of liability.

#### **11.0. General Provisions**

- 11.1 This Agreement constitutes the entire agreement between the Parties and supersedes all prior or contemporaneous understandings or agreements, written or oral, regarding such subject matter.
- 11.2 All of the terms, covenants, conditions, and other provisions contained herein, and all of the obligations under or pursuant to this Agreement, shall be binding upon and shall enure to the benefit of the Parties hereto and their respective successors and permitted assigns.
- 11.3 There are no representations, warranties, collateral agreements, or conditions affecting this Agreement, other than those expressed in writing herein.
- 11.4 This Agreement shall be governed by and construed in accordance with the laws of the Province. Each of the Parties attorn to the non-exclusive jurisdiction of the courts of the Province.
- 11.5 This Agreement may be executed in counterparts, the counterpart copies of this Agreement together constituting a full, valid, and binding Agreement among the Parties hereto.
- 11.6 In the event that any provision of this Agreement is determined by a Court of competent jurisdiction to be illegal or invalid or unenforceable for any reason whatsoever, such provision shall be severed from this Agreement and will not

affect the legality or validity or enforceability of the remainder of this Agreement or any other provision hereof.

- 11.7 The rights, remedies, and privileges in this Agreement given to the Parties:
- (a) are cumulative, and any one or more may be exercised;
  - (b) are without prejudice to and are in addition to and apply notwithstanding any other provisions in this Agreement; and
  - (c) are not and shall not be dependent or conditional upon, or in any way lessened, restricted, or affected by any other provisions of this Agreement.
- 11.8 Either Party may, from time to time, waive the performance of the other Party of any provision of this Agreement, either before or after that performance is done, but a waiver is not effective or binding upon the Party providing the waiver, unless it is in writing and signed by the Party providing the waiver or under its authority, and does not limit or affect the Party providing the waiver's right with respect to any other breach or non-performance, whether prior or subsequent thereto.
- 11.9 Any Service Providers engaged by the Local Government to assist in providing MHSW services shall be required by the Local Government to comply with and adhere to the terms and conditions, as applicable, of this Agreement.
- 11.10 Each Party shall perform the acts, execute and deliver the writings, and give the assurances necessary from time to time to give full effect to this Agreement.
- 11.11 This Agreement supersedes and replaces all oral and written communications between the Parties relating to the subject matter of this Agreement.

*<Signature page follows>*

**IN WITNESS WHEREOF** the Parties hereto have executed this Agreement as of the date first written above.

**CALL2RECYCLE CANADA, INC.**

Per: \_\_\_\_\_  
Name:  
Title:  
*I have authority to bind Call2Recycle*

**THE CORPORATION OF THE TOWN OF  
KIRKLAND LAKE**

Per: \_\_\_\_\_  
Name: Pat Kiely  
Title: Mayor  
*I have authority to bind the Municipality*

Per: \_\_\_\_\_  
Name: Meagan Elliott  
Title: Clerk  
*I have authority to bind the Municipality*



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-092**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE DOCUMENTS RELATED TO A LEASE AGREEMENT WITH MICHAEL AND GLENNA JOHNSTON FOR A PORTION OF LANEWAY ADJACENT TO 11 DIXON AVENUE**

**WHEREAS** Michael and Glenna Johnston have expressed interest in leasing municipal land located adjacent to 11 Dixon Avenue;

**AND WHEREAS** the applicant is not in arrears on property taxes or has the applicant been in tax registration in the last 10 years,

**AND WHEREAS** the applicant has no outstanding accounts owed to the Town of Kirkland Lake;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

**THAT** the Mayor and Clerk are hereby authorized to execute an Agreement with Michael and Glenna Johnston, a copy of which Agreement is attached hereto and marked as Schedule "A" to this By-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1<sup>st</sup> DAY OF DECEMBER, 2020.**

\_\_\_\_\_  
Patrick Kiely, Mayor

\_\_\_\_\_  
Meagan Elliott, Clerk

**Schedule "A" to By-Law Number 20-092**

THIS AGREEMENT made in triplicate this 1<sup>st</sup> day of December, 2020

BETWEEN:

**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**  
(hereinafter called the Corporation)

OF THE FIRST PART

- and -

**MICHAEL AND GLENNA JOHNSTON**  
(hereinafter called the "Lessee")

OF THE SECOND PART

**WHEREAS** the Corporation is the owner of the laneway adjacent to 11 Dixon Avenue, as outlined on the enclosed map, in the Town of Kirkland Lake in the District of Timiskaming on file in the office of Land Titles in Haileybury, Ontario.

**AND WHEREAS**, the Corporation has agreed to give to the party of the Second Part, the right to occupy this block of land, being approximately 58.3 square metres.

**NOW THIS WITNESSETH THAT** in consideration of the premises and the payment of the Party of the Second Part to the Corporation, the sum of Three Hundred and Fifty-Five Dollars (\$355.00) initially and a further One Hundred and Eighty Dollars and Ten Cents (\$180.10) initially and every year thereafter as amended in accordance with the municipal fee by-law, the Corporation doth hereby give and grant to the Party of the Second Part, a permit to occupy the said land.

**IT IS HEREBY UNDERSTOOD AND AGREED** that the Party of the Second part shall not erect, cause to be erected or permit to be erected, any building or structure on the said land and shall not change the grade of the property from that which existed at the time of the signing of this agreement.

**THE PARTY OF THE SECOND PART AGREES** that they will allow without delay access to utility companies, when necessary, for the purposes of construction or maintenance of their facilities. The utility companies and/or the municipality shall not be responsible for any damages that may be done to the property as a result of the construction or maintenance of the utilities.



**THE PARTY OF THE SECOND PART** covenants and agrees that they will not damage nor interfere with the adjoining lands of the Town and that they will indemnify and save harmless, the Town from any and all claims or demands arising out of the use of said land.

**THE PARTY OF THE SECOND PART** covenants and agrees that they will keep the property tidy, neat and in good order and covenants and agrees to remain compliant with the Community Standards By-law and Zoning By-law, and all other applicable By-laws. Failure to meet this condition may result in the cancellation of this lease agreement.

**IT IS HEREBY DECLARED AND AGREED UPON** that the Corporation may, upon sixty days (60) notice in writing to the Party of the Second Part, terminate this lease agreement and the Party of the Second Part, covenants and agrees to and with the Corporation that they will, upon receipt of written notification, vacate and deliver up possession of the said land to the Corporation and shall not make claim on the Corporation for any loss or damage which they may suffer by reason of delivering up possession to the Corporation.

The Party of the Second Part agrees that in the event of any contamination of the lands occupied of which it becomes aware it shall immediately notify the Ministry of Environment, Conservation and Parks (MECP) or any successor or agency of any such contamination. The Party of the Second Part further agrees to indemnify and save harmless the Corporation from any environmental condition on the said property as a result of any use of the said property by the Party of the Second Part, their servants, agents or assigns and this clause shall provide full indemnification to the Corporation for any such adverse environmental effects that the Corporation may be required to take to prevent, ameliorate or eliminate or to restore the property to the natural environment.

**THE PARTIES** hereto agree that the Party of the Second Part may assign this agreement with the written consent of the Corporation, which consent shall not be unreasonably withheld.

**THIS AGREEMENT** shall enure to the benefit of and be binding upon the Parties hereto, their heirs, executors, administrators, successors and assigns respectively.

**IN WITNESS THEREOF** the parties hereto have set their hands and seals this 1<sup>st</sup> day of December, 2020.

SIGNED, SEALED AND DELIVERED

In the presence of

The Corporation of the Town  
of Kirkland Lake

\_\_\_\_\_  
Witness as to the signature of

\_\_\_\_\_  
Patrick Kiely  
Mayor

\_\_\_\_\_  
Meagan Elliott  
Clerk

\_\_\_\_\_  
Leasee

\_\_\_\_\_  
Witness as to the signature of

\_\_\_\_\_  
Michael Johnston  
Owner of 11 Dixon Avenue

\_\_\_\_\_  
Leasee

\_\_\_\_\_  
Witness as to the signature of

\_\_\_\_\_  
Glenna Johnston  
Owner of 11 Dixon Avenue

**Enclosed Map: Subject Property**



DRAFT



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-093**

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS  
REGULAR MEETING HELD DECEMBER 1, 2020**

**WHEREAS** Subsection 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** Subsection 5(3) of the said Municipal Act provides that the powers of every Council are to be exercised by by-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Town of Kirkland Lake at this meeting be confirmed and adopted by by-law;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

- 1 The actions of the Council of the Town of Kirkland Lake in respect of each motion passed and other actions taken by the Council of the Town of Kirkland Lake at this meeting are hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
- 2 The Mayor and Councillors of the Town of Kirkland Lake are hereby authorized and directed to do all things necessary to give effect to the actions of the Council of the Town of Kirkland Lake referred to in the preceding section.
- 3 The Mayor and the Clerk are hereby authorized to execute all documents necessary on behalf of the Council and to affix thereto the corporate seal of the Town of Kirkland Lake.
- 4 This by-law comes into force upon adoption by Council of the Town of Kirkland Lake.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 1<sup>st</sup> DAY OF DECEMBER, 2020.**

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Pat Kiely, Mayor

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Meagan Elliott, Clerk