



Township of McKellar Report to Council

Prepared for: Mayor & Council

Department: Administration

Date: June 6, 2023

Report No: ADMIN-2023-11

Subject: Unmarked Rocks in Manitouwabing Lake

Recommendation:

That the Council of the Township of McKellar does accept Report to Council, ADMIN-2023-11 – Unmarked Rocks in Manitouwabing Lake for information;

And Further, direct staff to develop an information package to be posted to the Township website and other social media platforms for the purpose of informing and educating residents and visitors to the area about safe boating practices and awareness to navigational hazards, both marked and unmarked;

And Further, direct staff to contact the authorities with jurisdiction over waterbodies, being the Department of Fisheries and Oceans/Canadian Coast Guard, Transport Canada and the Ministry of Natural Resources and request assistance in the marking of navigational hazards in the lakes within the Township, in particular Manitouwabing Lake;

And Further, direct staff to communicate with Cottager's Associations regarding educating members of the association of the need for safe boating education and awareness of marked hazards and potential hazards in the local lakes.

Background:

On May 15, 2023 Mayor and Council received an email from Peter Marrello expressing his concern about unmarked rocks on Manitouwabing Lake and the potential danger they present to boaters. Mayor Moore requested the Clerk to respond Mr. Marrello to advise it was understood by the Township that the municipality had no jurisdiction over any body of water. The organizations believed to have jurisdiction over bodies of water are the Department of Fisheries and Oceans/Canadian Coast Guard and Transport Canada (Federally), and the Ministry of Natural Resources and Fisheries (Provincially). Confirmation of such was requested by email to Brokerlink Accounts Manager, Jessica Stone,

The Clerk emailed Peter Marrello on May 16, 2023 to advise him that his concern would be added to the June 6th Agenda for discussion. Mr. Marrello responded by email on May 18th, citing that it is still the responsibility of this term of Council to advocate all levels of government for the safety of their constituents.

A response from Jessica Stone was received on May 19th.

Financial:

There is no financial impact.

Conclusion:

It has been confirmed by the para-legal department and the Risk Manager for Brokerlink that the Township of McKellar has no jurisdiction. While it is permissible for private individuals, clubs, corporations or other groups to establish aids to navigation or placing buoys for their own use, those aids are not operated by the Federal or Provincial Agencies. The Canadian Coast Guard considers any navigation aid/buoy placed by a Municipal Government privately owned. Having no jurisdiction, the Township of McKellar does not

have liability coverage for the installation or placement of markers/buoys on underwater hazards. Private owners of navigation aids/buoys can be held liable for any damages as a result of negligent operation and/or maintenance of the navigational aid.

The Canadian Coast Guard assumes no liability. Vessel owners are expected to have proper training, and not rely solely on navigation markers that may be missing or hazards that are unmarked.

How can the Township assist in promoting safe boating?

- Communicate to residents and visitors, via the website and Social Media the importance of boating safety, the importance of adhering to safety measures and advising to be aware of potential hazards.
- Establish communication with the federal and provincial bodies, asking for assistance in marking of potential hazards.
- Reach out to Cottager's Associations to educate members of marked hazards or potential hazards in the lakes.
- Short term renters should be advised of marked hazards or potential hazards. Property owners who allow usage of their watercrafts should be aware of the liability risks and be sufficiently insured.

Respectfully submitted by:

Reviewed by:



Ina Watkinson, Clerk /Administrator



Karlee Britton, Deputy Clerk

Attachments:

- Emails between Peter Marrello & Council, Mayor Moore and Clerk, Clerk and Peter Marrello
- Emails between Clerk and Jessica Stone, Accounts Manager, Brokerlink
- CCG – The Canadian Aids to Navigation System – Pg. 12 & 13 – Private Buoy Regulations
- CCG – The Canadian Aids to Navigation System – Pg. 17 & 18 – Private Aids to Navigation
- Minister of Justice – Private Buoy Regulations
- Transport Canada – An Owner's Guide to Private Buoys – Pg. 3 – Private Buoys Regulations
- Transport Canada – An Owner's Guide to Private Buoys – Pg. 11 – Responsibilities of Private Buoy Owners

Clerk Administrator

From: Peter Marrello <[REDACTED]> on behalf of Peter Marrello
Sent: May 18, 2023 11:14 AM
To: Ina Watkinson
Subject: Re: Unmarked Rocks on Lake Manitouwabing

Hi Ina

Thank you for your response. I appreciate this matter being added to the agenda and look forward to an action plan / resolution.

With regard to jurisdiction - if this issue is deemed to be the responsibility of **Department of Fisheries and Oceans** and/or **Canada Transport** (federally) and the **Ministry of Natural Resources and Forestry** (provincially), it would still be this term of Council's responsibility to advocate at all levels of government for the safety of their constituents. This matter has remained unresolved for several years and needs immediate attention and ownership.

Regards,
Peter Marrello

On Tue, May 16, 2023 at 3:02 PM Ina Watkinson <clerk@mckellar.ca> wrote:

Good Afternoon Mr. Marrello

I would firstly like to acknowledge that the Mayor and Councillors have received your email of May 15th with respect to unmarked rocks on Lake Manitouwabing. It is our understanding that a Township/Municipality has no jurisdiction over any body of water in Canada. We believe that responsibility falls under the jurisdiction of the **Department of Fisheries and Oceans** and/or **Canada Transport** (federally) and the **Ministry of Natural Resources and Forestry** (provincially), however; I have requested our insurance provider to confirm that this is the case.

I am adding your email to the Agenda of the June 6th Regular Meeting of Council for clarification and discussion. The Agenda will be posted on the website by 12 noon on Friday, June 2nd. If you wish to attend the Council meeting the Chambers are open for public attendance. Alternatively a Zoom link will be provided on the Agenda for online attendance.

In the meantime, if you have any questions, please feel free to contact me at 705-389-2842 Ext. 4 or by email at clerk@mckellar.ca

Best Regards,

Ina Watkinson

Clerk / Administrator

Township of McKellar

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From: [Peter Marrello](#)

Sent: May 15, 2023 1:55 PM

To: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; nryeland@mckellar.ca; dzulak@mckellar.ca

Subject: Fwd: Unmarked Rocks on Manitouwabing Lake

Hello Mayor Moore & Members of Councillors

An extremely concerning thing I've noticed on the lake is the number of **unmarked rocks on Manitouwabing lake**. Does our municipality do anything to mark these annually? If not, it is very concerning and extremely dangerous. We had a couple instances over the last few years hitting large unmarked rocks while on a slow boat rides with my small children (ages 3.5 and 5.5 yrs old) on board. Luckily no one has been hurt, however my boat did endure some costly damage. I fear that this could happen again and also for others on the lake travelling at higher speeds and in smaller watercraft like Seadoos **it could potentially be fatal**.

If the municipality currently does not do anything about it, I would highly urge this term of council to advocate for this. This could be something at little or no cost that city staff can take on, or form an Adhoc committee of people that know the lake and can mark these at the beginning of the season and check periodically (ex. [Chandos Lake](#)). The Navionics app shows the location of some of the rocks, however there is no substitute for long time residents that know the lake. *Please see the attached map from Navionics, the black dots with red rings around them indicate the location of all the rocks in the lake most of which are not marked.*

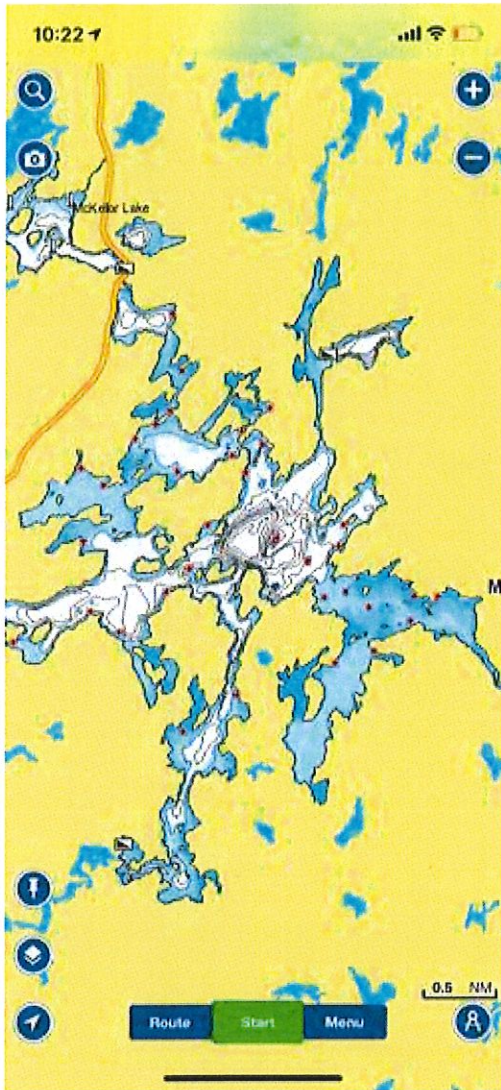
I am extremely fortunate to have great neighbours who went out and marked rocks in our surrounding bay for the safety of my family and others enjoying the lake.

If the safety of your residents is a priority for this term of council, I would urge you to act on this quickly before the season starts picking up and visitors begin flocking to the lake. I would assume the risk and potential liabilities could land on the municipality if God forbid something horrible were to happen like a fatality on the lake due to hitting one of these rocks. I've brought this to previous Mayor Hopkins and he mentioned that Lake Stewardship and Environment committee is aware but this is still long standing unresolved issue. I'm confident this term of council will resolve this matter of safety and take my request seriously with swift action given that boating season is upon us.

Thank you for your time and consideration of my ask, I look forward to your response.

Peter Marrello, McKellar Resident





Ina Watkinson

Subject: FW: [External]Liability on Lakes in the Municipality

From: Jessica Stone <jestone@brokerlink.ca>
Sent: May 19, 2023 8:49 AM
To: Ina Watkinson <clerk@mckellar.ca>
Subject: RE: [External]Liability on Lakes in the Municipality

Good Morning Ina,

Thank you for your patience, please see below for the following commentary from the para-legal at Intact Public Entities and the Risk Manager with respect to marking the hazards in the local waterways:

Communication: Engage in regular communication with local residents about the risks of boating and the importance of adhering to safety measures. Consider hosting or sponsoring boating safety courses for residents, which could include information about navigating waterways, potential hazards, and what to do in case of emergencies.

Liaison with Responsible Agencies: Establish a clear line of communication with the responsible federal and provincial bodies such as the *Department of Fisheries and Oceans* and the *Ministry of Natural Resources and Forestry*. Discuss your concerns and explore any potential for collaboration or assistance they might offer in marking potential hazards.

Additionally, It is important for vessel owners to have their *own* insurance for both property damage and personal injury. Under the Marine Liability Act and the Wrecked, Abandoned or Hazardous Vessels Act, rules are included to ensure that if a marine incident happens in Canadian waters, people affected can be compensated for eligible losses. Depending on the incident, vessel owners can be held liable for damage to property, environment and injuries to people.

Vessel owners are also expected to have proper training, to not rely solely on aids that may be missing from the waters.

Unless it is a private aid/buoy that is misplaced, the unmarked hazards are referenced in the Canada Shipping Act and the Canadian Coast Guard. The Canadian Coast Guard booklet confirms:

A person in charge of a vessel in Canadian waters who discovers an uncharted hazard to navigation, or discovers that an aid to navigation is missing, out of position or malfunctioning, shall make a report without delay to a marine communications and traffic services officer or, if that is not feasible, to an officer of the Canadian Coast Guard.

There is no Liability section for the Canadian Coast Guard, noting:

Most aids to navigation are not under continuous observation and mariners should be aware that failures and displacements do occur. The Canadian Coast Guard does not guarantee that all aids to navigation will operate as advertised and, in the positions, advertised at all times. Mariners observing aids to navigation out of operation, out of position, damaged or missing are responsible for reporting such problems to the nearest Canadian Coast Guard Marine Communication and Traffic Services Centre on VHF Ch. 16 immediately or to the closest Canadian Coast Guard office.

Private Aids

It is permissible for private individuals, clubs, corporations, or other groups to establish aids to navigation or mooring buoys for their own use. They are defined as those aids to navigation or mooring buoys which are not operated by a Federal or Provincial government or agency. The Canadian Coast Guard considers any aid owned by a Municipal government to be private.

The Minister of Transport is responsible for the development, implementation and enforcement of these regulations including the removal or directing the removal or modification of any noncompliant private buoys. The Canadian Coast Guard continues to be responsible for the implementation, management, and delivery of the Canadian Aids to Navigation Systems and for all technical publications related thereto.

Liability under Private Aids - In the event of an accident involving a private aid, the person(s) owning that aid to navigation may be held liable for any damages resulting from negligent operation and/ or maintenance of the aid. Owners are advised to take all necessary precautions to ensure that private aids conform to international and Canadian Coast Guard standards and are operated and maintained in the proper manner.

The purchase of liability insurance is recommended.

The Navigation Protection Program by Transport Canada deals with the Canadian Shipping Act, 2001, which outlines the Private Buoys Regulations (PBR). It is important to comply with the regulations as you can be fined for not meeting the requirements set out in the regulations and standards. In the event of an accident, private buoy owners may also be found liable for any damages resulting from negligence respecting their private buoy.

Canadian Cost Guard [349667.pdf \(dfo-mpo.gc.ca\)](#)

Additional Information

Transport Canada

The Navigation Protection Program (NPP) deals with:

- approves and sets terms and conditions for works in navigable waters;
- assesses navigable waters for additions to the [schedule](#);
- manages [obstructions](#) in navigable waters;
- enforces the [regulations for private buoys](#), (learn more about [private buoys, PDF 1 MB](#));
- addresses irresponsible vessel management;
- provides authorization to people to [salvage, remove or dispose of abandoned boats](#); and
- enforces rules against [dewatering \(removing water from\) or depositing materials into navigable waters](#).

Under the program, obstruction is defined as:

- an obstruction to navigation is any human-made thing that makes traveling on waterway more difficult or dangerous
- a wreck, or a ship left anchored, moored or adrift, can also be an obstruction
- a thing of natural origin isn't an obstruction, unless someone causes it to affect navigation

If someone is responsible for an obstruction to navigation, they must,

1. Report it to a regional office of the NPP immediately
2. Place a signal by day and a light by night to show the obstructions location and,
3. Immediately begin to remove the obstruction.

Ministry of Natural Resources and Forestry

Crown land in Ontario is managed by the Ministry of Natural Resources and Forestry — this includes shore lands and the beds of most lakes and rivers.

It is the responsibility of the Ministry of Natural Resources to determine whether or not the bed of a waterway is Crown land. Ministry Area Supervisors are responsible for this Ministry's administrative decisions as to navigability of waterways within their respective districts. These administrative decisions may of course be challenged in the courts. Area Supervisors should therefore be confident of all the facts before making an

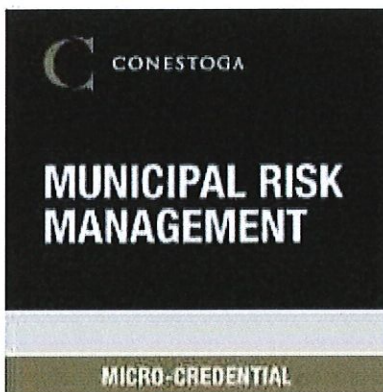
administrative decision on navigability. Ministry field offices are often asked by private landowners for an opinion as to the navigability of a stream and thus the ownership of the bed.

As always, please do not hesitate to reach out to our office as we do want to work with you as your partner in risk management if you have any additional questions or concerns.

Sincerely,

 **Jessica Stone, R.I.B.O**
Account Manager | **BrokerLink**
T: 705-476-3411 ext. 83255 | TF : 1-800-263-2157
jestone@brokerlink.ca
Brokerlink Inc. | 591 Main St. E. Suite 203 North Bay, ON P1B 1B7
Visit us online: [BrokerLink.ca](https://www.brokerlink.ca)     
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From: Jessica Stone <jestone@brokerlink.ca>
Sent: Wednesday, May 17, 2023 8:53 AM
To: Ina Watkinson <clerk@mckellar.ca>
Subject: RE: [External]Liability on Lakes in the Municipality

Good Morning Ina,

I have sent this off to the insurer to see if their legal department can provide additional commentary for us. I will be in touch ASAP once I hear something back from them.

Sincerely,



Jessica Stone, R.I.B.O

Account Manager | **BrokerLink**

T: 705-476-3411 ext. 83255 | TF : 1-800-263-2157

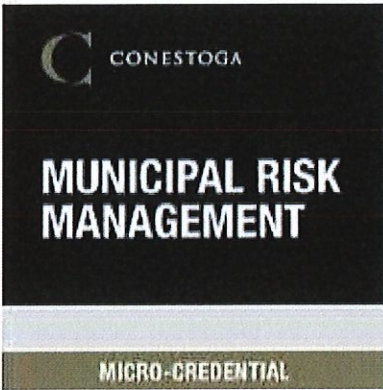
jestone@brokerlink.ca

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From: Ina Watkinson <clerk@mckellar.ca>
Sent: Tuesday, May 16, 2023 3:08 PM
To: Jessica Stone <jestone@brokerlink.ca>
Subject: [External]Liability on Lakes in the Municipality

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Jessica

Council received the email below with respect to safe boating on Lake Manitouwabing, within our Township. I have advised the Council that we do not have jurisdiction over the water and are not liable for any injury or property damage as a result of a boat hitting any unmarked object in any waterway. Additionally the township is not responsible for the marking of rocks or any other hazardous object that could potentially cause damage or personal injury while boating. I believe this falls under the jurisdiction of **Department of Fisheries and Oceans** or **Transport Canada** (federally) and **Ministry of Natural Resources and Forestry** (provincially). Could you confirm that for me? I am unsure if any of these government agencies are responsible for the marking of potentially dangerous objects.

My understanding is in Ontario, liability for personal injuries that occur while boating are governed by the **Marine Liability Act**.

Any information you could provide me is greatly appreciated.

Best Regards

Ina Watkinson

**Clerk / Administrator
Township of McKellar**

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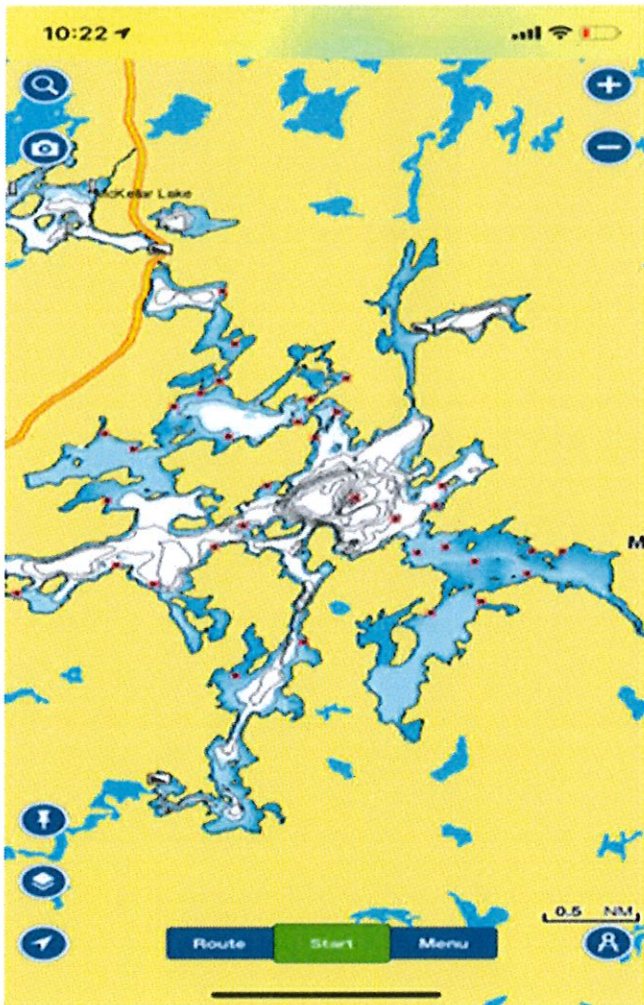
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If the safety of your residents is a priority for this term of council, I would urge you to act on this quickly before the season starts picking up and visitors begin flocking to the lake. I would assume the risk and potential liabilities could land on the municipality if God forbid something horrible were to happen like a fatality on the lake due to hitting one of these rocks. I've brought this to previous Mayor Hopkins and he mentioned that Lake Stewardship and Environment committee is aware but this is still long standing unresolved issue. I'm confident this term of council will resolve this matter of safety and take my request seriously with swift action given that boating season is upon us.

Thank you for your time and consideration of my ask, I look forward to your response.

Peter Marrello, McKellar Resident
416-648-7111



NAME	DESCRIPTION	USAGE
Morse "U"	A white light in which two short flashes is followed by one long flash, the whole sequence being repeated two times per minute.	Stationary exploration or exploitation vessel.

Mariners should be knowledgeable with respect to the existence of these similarities and are urged to be aware of their presence on Canadian waters.

PRIVATE BUOY REGULATIONS

Private Buoy Regulations apply to all private buoys placed as aids to navigation – except those used to mark fishing apparatus, unless otherwise directed by Transport Canada officials. These regulations exist to make sure that Canadian private buoys conform to accepted international and Canadian Coast Guard standards.

The regulations describe the size and markings required for each buoy, as well as the responsibilities of the person(s) placing them. While the requirements for the colour, shape, placement and use of private buoys are the same as those for buoys maintained by the Canadian Coast Guard, private buoy identification markings must conform to the *Private*

Buoy Regulations – not the number and letter identification system used by the Canadian Coast Guard.

To comply with the main principles of the regulations:

1. Do not place a private buoy that will/may interfere with the navigation of any vessel, or that will/may mislead any boater.
2. Do not place a private buoy in any water unless all size, shape and identification requirements are met and all required information is accurate.
3. Make sure that all private buoys meet the Canadian Aids to Navigation System standards and guidelines described herein.
4. Understand that the Minister of Transport, Infrastructure and Communities (the Minister) may require changes to a private buoy, such as size or adding retroreflective material, when there is a need for improved visibility or better identification.
5. Use, build and install anchors that will keep the buoy in position.

6. When needed, use lighted buoys that meet the Canadian Aids to Navigation System standards, during the hours of darkness or periods of poor visibility.
7. Understand that when a private buoy does not meet legal standards, the Minister may order you to modify it to meet current standards or remove it.

Note: Consult the full text of the Regulations or *The Owner's Guide To Private Buoys* for further details.

VESSEL OPERATION RESTRICTION REGULATIONS

The *Vessel Operation Restriction Regulations* govern the marking of any private buoy used to restrict navigation (e.g. speed limits, keep-out areas, etc.). Under these regulations, requests for restrictions are (a) originated by local authorities; and then (b) sent to Transport Canada's Office of Boating Safety for final review and publication in the regulations.

Quebec, Alberta and Ontario each have a designated provincial authority. In those provinces, the Provincial authority reviews the applications before they are submitted to Transport Canada.

To comply with the main principles of the *Vessel Operation Restriction Regulations*:

1. Do not place a sign that restricts the operation of any vessel in Canadian waters without the authorization of the Minister. Signs must comply with the regulations requirements.
2. Do not change, hide, damage or destroy any authorized sign or use a sign for mooring purposes.
3. Respect restrictions conveyed in an authorized sign when boating.
4. Do not hold a sporting, recreational, or public event in waters specified in Schedule 8 of the regulations, unless authorized by a permit issued by the Minister.
5. Do not hold a sporting, recreational, or public event in any waters in a manner or at a place that would unnecessarily obstruct navigation.

PRIVATE AIDS TO NAVIGATION



GENERAL

In Canada, it is permissible for private individuals, clubs, corporations or other groups to establish aids to navigation or mooring buoys for their own use. Such aids to navigation are known as “private aids” and they are advertised accordingly in the *List of Lights, Buoys and Fog Signals* as well as on the charts. They are defined as those aids to navigation or mooring buoys which are not operated by a Federal or Provincial government or agency. The Canadian Coast Guard considers any aid owned by a Municipal government to be private.

The Canadian Coast Guard recognizes the value of these aids in contributing to the safety and well-being of the boating community. The use of private aids shall be encouraged to meet local demands when Canadian Coast Guard aids are not justified by existing policies and directives.

Private Buoys

All private buoys are governed by the *Private Buoys Regulations*. These regulations specify the required marking, size, and identification of private buoys and require that they

comply with this publication. The Minister of Transport is responsible for the development, implementation and enforcement of these regulations including the removal or directing the removal or modification of any non-compliant private buoys. The Canadian Coast Guard continues to be responsible for the implementation, management and delivery of the Canadian Aids to Navigation Systems and for all technical publications related thereto.

Private Fixed Aids

Private fixed aids which are in navigable waters and are constructed below the high water mark are considered works under the *Navigable Waters Protection Act*. The Minister of Transport may impose any terms and conditions on the approval of a work, including lights, marks and buoys. The act authorizes the Minister of Transport to order the removal or alteration and, if the order is not complied with, to remove any work that has not been approved; does not comply with the act; or with the terms and conditions of the approval.

Private Mooring Buoys

Transport Canada considers mooring buoys as “works” under the *Navigable Waters Protection Act*, since they usually secure vessels in fixed locations (e.g. docks, piers, or wharves), and do not aid or direct mariners. This means that the placement of a mooring buoy is subject to review and approval under the act, unless otherwise excluded under Transport Canada’s policies and standards. For more details, go to: www.tc.gc.ca/eng/marinesafety/tp-tp14799-nwpa-181.htm

Liability

In the event of an accident involving a private aid, the person(s) owning that aid to navigation may be held liable for any damages resulting from negligent operation and/or maintenance of the aid. Owners are advised to take all necessary precautions to ensure that private aids conform to international and Canadian Coast Guard standards and are operated and maintained in the proper manner. The purchase of liability insurance is recommended.

References

The *Navigable Water Protection Program* is responsible for all aspects of the *Private Buoy Regulations* and *Navigable Water Protection Act*, including enforcement. For more information, please contact your local *Navigable Water Protection Program* office or consult Transport Canada’s publication *An Owner’s Guide to Private Buoys* at www.tc.gc.ca/eng/marinesafety/tp-tp14799-menu-634.htm.

MARKINGS AND DIMENSIONS

In the *Canada Shipping Act 2001, Private Buoy Regulations*, all private buoys in Canada are required to conform to the aids to navigation standards set out herein. As such, all requirements for buoy identification and marking, apart from those relating to size and lettering, are described throughout this manual.

The *Private Buoy Regulations* require that private buoys meet minimum above water dimensions of 15.25 cm (6 inches) in width and 30.5 cm (12 inches) in height. This should be regarded as the absolute minimum, suitable only for very sheltered, low traffic areas. In general, the buoy should be large enough to be seen at the distance for which its signal can be interpreted to allow for timely ac-



CANADA

CONSOLIDATION

CODIFICATION

Private Buoy Regulations

Règlement sur les bouées privées

SOR/99-335

DORS/99-335

Current to May 17, 2023

À jour au 17 mai 2023

Last amended on February 2, 2010

Dernière modification le 2 février 2010

OFFICIAL STATUS OF CONSOLIDATIONS

Subsections 31(1) and (3) of the *Legislation Revision and Consolidation Act*, in force on June 1, 2009, provide as follows:

Published consolidation is evidence

31 (1) Every copy of a consolidated statute or consolidated regulation published by the Minister under this Act in either print or electronic form is evidence of that statute or regulation and of its contents and every copy purporting to be published by the Minister is deemed to be so published, unless the contrary is shown.

...

Inconsistencies in regulations

(3) In the event of an inconsistency between a consolidated regulation published by the Minister under this Act and the original regulation or a subsequent amendment as registered by the Clerk of the Privy Council under the *Statutory Instruments Act*, the original regulation or amendment prevails to the extent of the inconsistency.

LAYOUT

The notes that appeared in the left or right margins are now in boldface text directly above the provisions to which they relate. They form no part of the enactment, but are inserted for convenience of reference only.

NOTE

This consolidation is current to May 17, 2023. The last amendments came into force on February 2, 2010. Any amendments that were not in force as of May 17, 2023 are set out at the end of this document under the heading "Amendments Not in Force".

CARACTÈRE OFFICIEL DES CODIFICATIONS

Les paragraphes 31(1) et (3) de la *Loi sur la révision et la codification des textes législatifs*, en vigueur le 1^{er} juin 2009, prévoient ce qui suit :

Codifications comme élément de preuve

31 (1) Tout exemplaire d'une loi codifiée ou d'un règlement codifié, publié par le ministre en vertu de la présente loi sur support papier ou sur support électronique, fait foi de cette loi ou de ce règlement et de son contenu. Tout exemplaire donné comme publié par le ministre est réputé avoir été ainsi publié, sauf preuve contraire.

[...]

Incompatibilité – règlements

(3) Les dispositions du règlement d'origine avec ses modifications subséquentes enregistrées par le greffier du Conseil privé en vertu de la *Loi sur les textes réglementaires* l'emportent sur les dispositions incompatibles du règlement codifié publié par le ministre en vertu de la présente loi.

MISE EN PAGE

Les notes apparaissant auparavant dans les marges de droite ou de gauche se retrouvent maintenant en caractères gras juste au-dessus de la disposition à laquelle elles se rattachent. Elles ne font pas partie du texte, n'y figurant qu'à titre de repère ou d'information.

NOTE

Cette codification est à jour au 17 mai 2023. Les dernières modifications sont entrées en vigueur le 2 février 2010. Toutes modifications qui n'étaient pas en vigueur au 17 mai 2023 sont énoncées à la fin de ce document sous le titre « Modifications non en vigueur ».

TABLE OF PROVISIONS**Private Buoy Regulations**

- 1 Interpretation
- 2 Application
- 3 Placement Requirements
- 7 Removal
- 8 Repeal
- 9 Coming into Force

TABLE ANALYTIQUE**Règlement sur les bouées privées**

- 1 Définition
- 2 Application
- 3 Mise à l'eau
- 7 Enlèvement
- 8 Abrogation
- 9 Entrée en vigueur

Registration
SOR/99-335 July 28, 1999

CANADA SHIPPING ACT, 2001

Private Buoy Regulations

P.C. 1999-1364 July 28, 1999

His Excellency the Governor General in Council, on the recommendation of the Minister of Transport and the Minister of Fisheries and Oceans, pursuant to sections 519 and 562^a of the *Canada Shipping Act*, hereby makes the annexed *Private Buoy Regulations*.

Enregistrement
DORS/99-335 Le 28 juillet 1999

LOI DE 2001 SUR LA MARINE MARCHANDE DU
CANADA

Règlement sur les bouées privées

C.P. 1999-1364 Le 28 juillet 1999

Sur recommandation du ministre des Transports et du ministre des Pêches et des Océans et en vertu des articles 519 et 562^a de la *Loi sur la marine marchande du Canada*, Son Excellence le Gouverneur général en conseil prend le *Règlement sur les bouées privées*, ci-après.

^a R.S., c. 6 (3rd Supp.), s. 77

^a L.R., ch. 6 (3^e suppl.), art. 77

Private Buoy Regulations

Interpretation

1 In these Regulations, **private buoy** means a buoy that is not owned by the federal government, a provincial government or a government agency.

Application

2 These Regulations apply to every private buoy other than private buoys used to mark fishing gear.

Placement Requirements

3 No person shall place in any Canadian waters a private buoy that interferes with or is likely to interfere with the navigation of any vessel, or that misleads or is likely to mislead the operator of any vessel.

4 (1) No person shall place a private buoy in any Canadian waters unless

(a) the part of the buoy that shows above the surface of the water is at least 15.25 cm wide and at least 30.5 cm high;

(b) the buoy displays, on opposite sides, the capital letters "PRIV" that are

(i) as large as is practical for the size of the buoy, and

(ii) white when the background colour is red, green or black;

(iii) black when the background colour is white or yellow;

(c) the buoy complies with the requirements set out in *Canadian Aids to Navigation* (TP 968) published by the Canadian Coast Guard in 1995, as amended from time to time;

(d) the buoy displays, in a conspicuous location and in a permanent and legible manner, the name, address and telephone number of its owner;

(e) the buoy is constructed and maintained in a manner and with materials that ensure that it remains in

Règlement sur les bouées privées

Définition

1 Dans le présent règlement, **bouée privée** s'entend d'une bouée qui n'appartient ni à l'administration fédérale ni à une administration provinciale, ni à un organisme gouvernemental.

Application

2 Le présent règlement s'applique aux bouées privées, sauf celles qui servent à signaler des engins de pêche.

Mise à l'eau

3 Il est interdit de mettre dans les eaux canadiennes une bouée privée qui nuit ou pourrait nuire à la navigation des navires ou qui induit en erreur ou pourrait induire en erreur les opérateurs de navire.

4 (1) Il est interdit de mettre dans les eaux canadiennes une bouée privée sauf si les conditions suivantes sont respectées :

a) la partie de la bouée qui émerge de l'eau mesure au moins 15,25 cm de largeur et au moins 30,5 cm de hauteur;

b) la bouée porte, sur des côtés opposés, les lettres majuscules « PRIV », lesquelles sont :

(i) aussi grandes que possible, compte tenu des dimensions de la bouée,

(ii) blanches, si le fond est rouge, vert ou noir,

(iii) noires, si le fond est blanc ou jaune;

c) la bouée est conforme aux exigences énoncées dans la publication intitulée *Le Système canadien d'aides à la navigation* (TP 968), publiée en 1995 par la Garde côtière canadienne, avec ses modifications successives;

d) la bouée porte bien en vue une inscription en caractères lisibles et permanents, indiquant les nom, adresse et numéro de téléphone de son propriétaire;

e) la construction et l'entretien de la bouée ainsi que les matériaux utilisés lui permettent de rester en place

position and retains the characteristics specified in paragraphs (a) to (d); and

(f) the buoy's anchor is constructed and maintained in a manner and with materials that ensure that it remains in position.

(2) The owner of a private buoy placed in any Canadian waters shall ensure that the information required by paragraph (1)(d) is accurate at all times.

5 If there is a need for increased visibility or better identification of a buoy for safety and the prevention of accidents, the Minister of Transport may order the owner of the buoy to modify it according to the requirements set out in the *Procedures Manual for Design and Review of Short-range Aids to Navigation Systems* (TP 9677), published in March 1989 by the Canadian Coast Guard, as amended from time to time.

SOR/2002-19, s. 1; SOR/2010-27, s. 1.

6 No person shall place in any Canadian waters a private buoy that has a light unless the light remains lit throughout the night and meets the requirements referred to in paragraph 4(1)(c).

Removal

7 The Minister of Transport may remove from any Canadian waters a private buoy that does not comply with these Regulations.

SOR/2010-27, s. 2.

Repeal

8 [Repeal]

Coming into Force

9 These Regulations come into force on the date on which they are registered.

et de conserver les caractéristiques prévues aux alinéas a) à d);

f) la construction et l'entretien de l'ancre de la bouée ainsi que les matériaux utilisés permettent à celle-ci de rester en place.

(2) Le propriétaire d'une bouée privée mise dans les eaux canadiennes doit s'assurer que les renseignements prévus à l'alinéa (1)d) demeurent à jour.

5 Si, pour des raisons de sécurité et la prévention des accidents, une bouée privée doit être plus visible ou mieux indiquée, le ministre des Transports peut ordonner au propriétaire de la modifier conformément aux exigences énoncées dans le *Manuel de procédure pour la conception et l'examen des systèmes d'aides à la navigation maritime de courte portée* (TP 9677), publié en mars 1989 par la Garde côtière canadienne, avec ses modifications successives.

DORS/2002-19, art. 1; DORS/2010-27, art. 1.

6 Il est interdit de mettre dans les eaux canadiennes une bouée privée lumineuse à moins que son feu ne demeure allumé toute la nuit et que la bouée ne soit conforme aux exigences visées à l'alinéa 4(1)c).

Enlèvement

7 Le ministre des Transports peut faire enlever des eaux canadiennes toute bouée privée non conforme au présent règlement.

DORS/2010-27, art. 2.

Abrogation

8 [Abrogation]

Entrée en vigueur

9 Le présent règlement entre en vigueur à la date de son enregistrement.

PRIVATE BUOYS REGULATIONS

The PBR describe the size and markings required for each buoy, as well as the responsibilities of the person(s) placing them. While the requirements for the colour, shape, placement and use of private buoys are the same as those for buoys maintained by the CCG, private buoy identification markings must conform to the PBR - **not** the number and letter identification system used by the CCG.

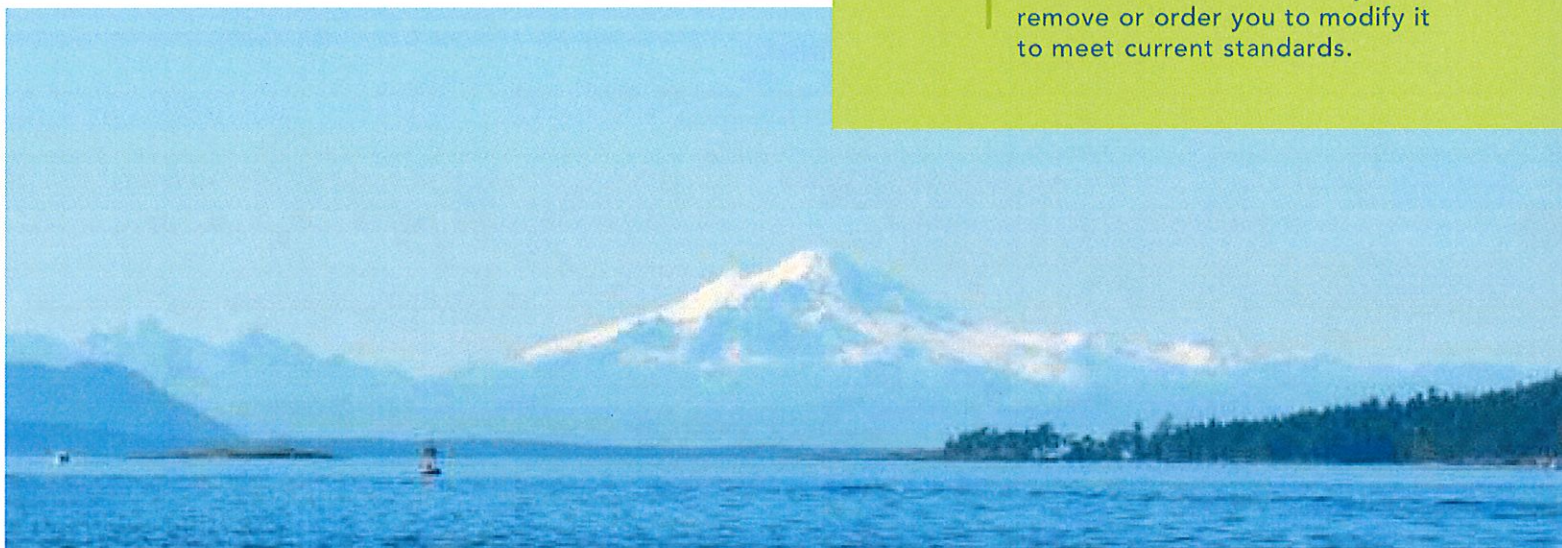
WHY IT IS IMPORTANT TO COMPLY WITH THE REGULATIONS?

You can be fined for not meeting the requirements set out in the regulations and standards. In the event of an accident, private buoy owners may also be found liable for any damages resulting from negligence respecting their private buoy.

Note: *Canada Shipping Act, 2001*; [Contraventions Regulations](#)⁸



- 1 Do not place a private buoy that will/may interfere with the navigation of any vessel, or that will/may mislead any boater.
- 2 Do not place a private buoy in any water unless all size, shape and identification requirements are met and all required information is accurate and up to date.
- 3 Make sure that all private buoys meet the [Canadian Aids to Navigation System](#)⁷ standards.
- 4 Understand that the Minister of Transport (the Minister) may require changes to a private buoy, such as size or adding retroreflective material, when there is a need for improved visibility or better identification.
- 5 Use, build and install anchors that will keep the buoy in position.
- 6 Use lighted buoys that meet the Canadian Aids to Navigation System standards, during the hours of darkness or periods of poor visibility.
- 7 Understand that when a private buoy does not meet legal standards, the Minister may remove or order you to modify it to meet current standards.



TRANSPORT
CANADA.
An Owners Guide
to Private Buoy
NAVIGATION
PROTECTION PROGRAM

RESPONSIBILITIES OF PRIVATE BUOY OWNERS

As an owner of a private buoy, you are responsible to make sure that:

1. It meets all legal requirements, standards and guidelines of the PBR, the Canadian Aids to Navigation System and TC directives included in this guide.
2. It is built and maintained so that it remains in position.
3. Anchors are used, built and installed in a way that will keep the buoy in position.
4. You have a monitoring and repair schedule for checking that the buoy continues to meet all legal requirements, stays in position and remains in good working order.
5. You use recommended retroreflective material (as a minimum).
6. Any lights comply with the Canadian Aids to Navigation System.
7. Any light or reflective markings shall not interfere or conflict with any CCG buoys in the area – to prevent confusion between government-operated buoys and private buoys.

Note: In the event of an accident involving a private buoy, the owner(s) may be held liable for any resulting damages. This is why you should think about getting liability insurance coverage.

- Owners of any operations such as a yacht club or campground, must make sure to:
 - explain the purpose of their private buoys to local users;
 - have a plan in place to routinely monitor the position and condition of their private buoy(s) as per the PBR; and
 - if applicable, owners should ensure that they seek approval from other governments.

From: [Peter Marrello](#)

Sent: May 15, 2023 1:55 PM

To: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; nryeland@mckellar.ca; dzulak@mckellar.ca

Subject: Fwd: Unmarked Rocks on Manitouwabing Lake

Hello Mayor Moore & Members of Councillors

An extremely concerning thing I've noticed on the lake is the number of **unmarked rocks on Manitouwabing lake**. Does our municipality do anything to mark these annually? If not, it is very concerning and extremely dangerous. We had a couple instances over the last few years hitting large unmarked rocks while on a slow boat rides with my small children (ages 3.5 and 5.5 yrs old) on board. Luckily no one has been hurt, however my boat did endure some costly damage. I fear that this could happen again and also for others on the lake travelling at higher speeds and in smaller watercraft like Seadoos **it could potentially be fatal**.

If the municipality currently does not do anything about it, I would highly urge this term of council to advocate for this. This could be something at little or no cost that city staff can take on, or form an Adhoc committee of people that know the lake and can mark these at the beginning of the season and check periodically (ex. [Chandos Lake](#)). The Navionics app shows the location of some of the rocks, however there is no substitute for long time residents that know the lake. *Please see the attached map from Navionics, the black dots with red rings around them indicate the location of all the rocks in the lake most of which are not marked.*

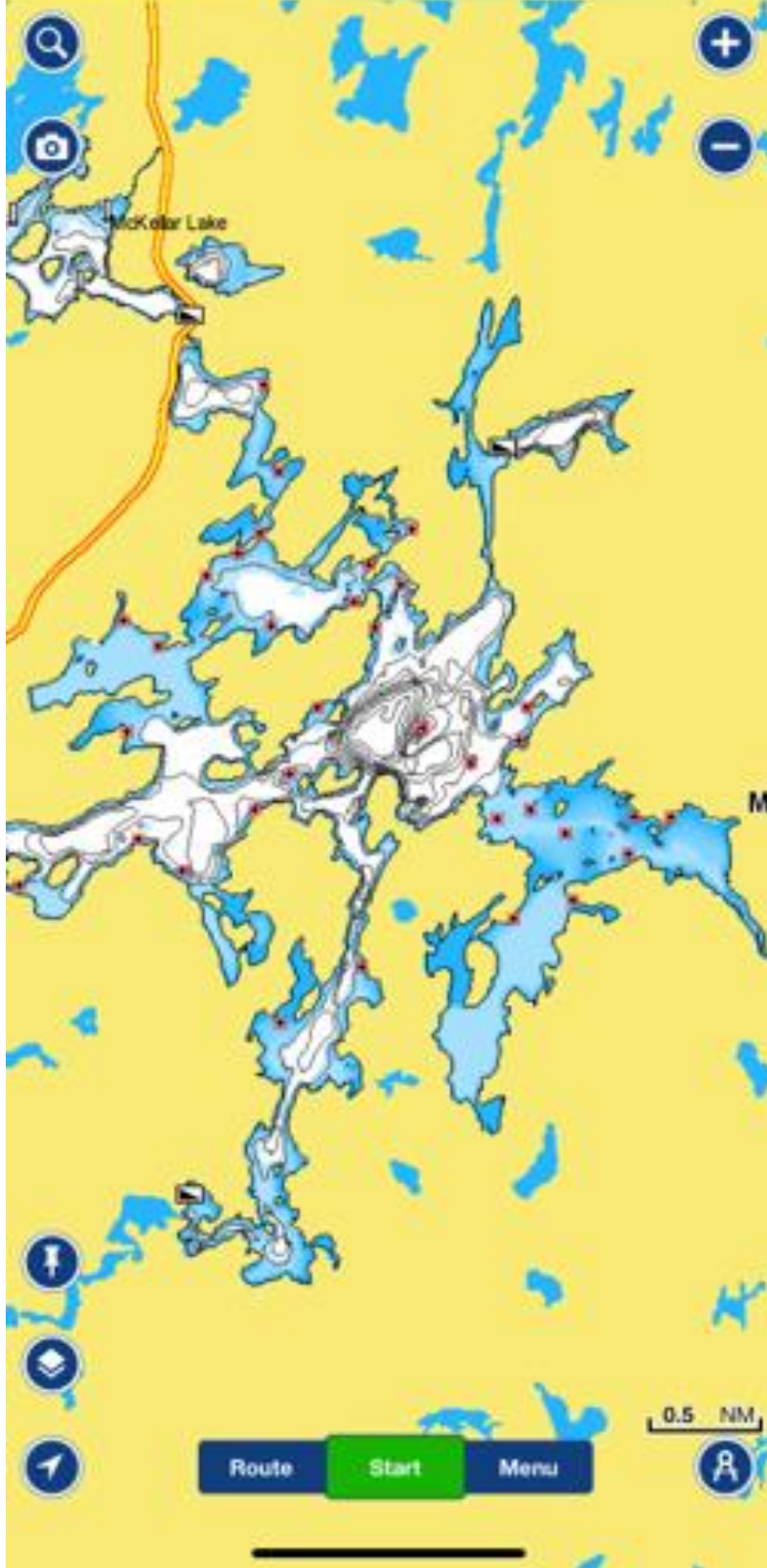
I am extremely fortunate to have great neighbours who went out and marked rocks in our surrounding bay for the safety of my family and others enjoying the lake.

If the safety of your residents is a priority for this term of council, I would urge you to act on this quickly before the season starts picking up and visitors begin flocking to the lake. I would assume the risk and potential liabilities could land on the municipality if God forbid something horrible were to happen like a fatality on the lake due to hitting one of these rocks. I've brought this to previous Mayor Hopkins and he mentioned that Lake Stewardship and Environment committee is aware but this is still long standing unresolved issue. I'm confident this term of council will resolve this matter of safety and take my request seriously with swift action given that boating season is upon us.

Thank you for your time and consideration of my ask, I look forward to your response.

Peter Marrello, McKellar Resident
[REDACTED]

10:22



Karlee Britton

From: Dave Spiegl <[REDACTED]> on behalf of Dave Spiegl
Sent: May 7, 2023 9:04 PM
To: dmoore@mckellar.ca; clerk@mckellar.ca; dzulak@mckellar.ca; mkekkonen@mckellar.ca; mhaskim@mckellar.ca; Nick Ryeland
Cc: Karlee Britton; Greg Gostick
Subject: MPA requests involvement in professional contract engagements

The MPA is very disappointed to learn that despite both our written request on April 30th and our spoken request (during the Committee of the Whole) to defer the May 2nd Resolution that McKellar has decided to table and approve this Resolution anyways. As stated several times the MPA continues to be very concerned that without an agreed upon end-to-end process that guides the road assumption process in McKellar that our road assumption project will fail. We will continue to advocate for, and continue to be willing to work on defining that end-to-end process as presented during our discussions on May 2nd.

The MPA is particularly concerned with the idea that McKellar would be engaging both legal and engineering contracts on behalf of the MPA but without the involvement of the MPA in the selection process or in the definition of the deliverables around these contracts. This is particularly worrisome to the MPA as the Resolution clearly states that the MPA will ultimately be financially responsible for all costs associated with the related work. It stands to reason that the party that is paying for the work should have some input into the definition around this work.

The MPA therefore requests of McKellar that it be directly consulted in defining the terms of and deliverables resulting from both the engineering and legal consulting engagements (contracts). As you can surely appreciate as representatives of the public purse the MPA also needs to be accountable to our members that the two initial engagements as described in the Resolution represent 'value for money' for our members.

Please confirm via return email if you are in agreement or not with our request.

I will make myself available to work with you on the above.

Dave Spiegl
MPA President
[REDACTED]



May 11, 2023

Dear Organization/business,

We are the SOAR Rope Skipping Team, a competitive and performance rope skipping team from Parry Sound. We train year-round to compete at competitions Regionally, Provincially, Nationally, and Internationally. We also spend a large portion of our season running recreational programming that teaches young members of our community how to jump rope and SOAR just like we do. We also travel to surrounding townships and schools to share our sport through performances and demos.

We are currently in the midst our 2022/23 season and have received some exciting news. Four of our senior athletes have qualified onto Team Canada to represent our country, as well as our town, at an international competition in Colorado Springs, Colorado. This world competition is the first in person international rope skipping event since 2019 and will be a massive step for our sport towards being a part of the Olympics.

These four athletes have been training since July 2022 to be able to qualify for this event in both individual and team events. The countless hours of training these athletes have put in has been rewarded with this opportunity of a lifetime. In this case, Team Canada has been constructed of the top 3 placements in each event in the country. Our athletes have qualified in 11/12 possible events which is a huge feat considering the number of Canadian athletes. We are so excited and proud that our athletes get the opportunity to represent our community and country on such a large stage.

With attending this event of course comes expenses. We will need to cover registration fees, as well as flights and accommodations for the event totally over \$10,000. Any donations are appreciated.

Sincerely,

Shawna McGill
Head Coach
SOAR Rope Skipping Team

Mayor David Moore
McKellar

Your Worship,

We are facing an opioid crisis in many of our communities and municipalities which requires our immediate action.

I am writing to you on behalf of the National Chronic Pain Society, an organization which is seeking to prevent OHIP and the College of Physicians and Surgeons of Ontario from making dangerous changes to the coverage of pain management services – changes that will worsen the opioid crisis plaguing our communities.

Chronic pain affects 1 in 5 Ontarians and makes up nearly 40% of repeat visits to emergency rooms. It is also a frequent cause of social isolation and addiction issues, with many sufferers reporting depression and suicidal thoughts. Thousands of Ontarians rely on the services of pain management clinics to function in their daily lives, and these reductions would put their health and safety at risk, as more and more of them will turn to opioids to cope with the pain. This flies in the face of everything the Provincial government is doing to combat the ongoing opioid crisis in our communities.

Attached is a letter from Leeann Corbeil, Executive Director of NCPS, explaining the situation, and requesting your council's assistance in convincing the Ontario government to stop these changes from putting thousands of people at risk.

Please advise if there is any further information we can provide – together, we can help Ontarians receive the care they need.

Sincerely,



Hon. Jim Karygiannis
GTA Strategies
(416) 499 4588 ext 1 Office
(416) 410 3170 Mobile
(647) 723 0287 fax



GTA Strategies



May 24, 2023

Clerk Administrator, Ina Watkinson

CORRESPONDENCE FOR CONSIDERATION ON JUNE 6, 2023 COUNCIL AGENDA

Can this letter please be placed on the June 6, 2023 Council Agenda under Correspondence for Consideration.

Attention: Mayor and Council

After listening to the audio recording from the May 2, 2023 regular meetings of Council, I have the following concerns, comments and questions. Throughout the lengthy Council discussion in regards to proposed Resolution No. 23-315 I heard Councillor Ryeland say repeatedly that By-Law No. 2022-24 and the attached Roads Policies Schedule "A" were totally flawed, factually incorrect, fundamentally wrong, the document was just wrong, the document was flawed, document was not correct, not factually right and the statements in the documents were wrong. Councillor Ryeland went on to say that he had no doubt that Reg Moore had drafted the By-Law contents and Schedule "A" Policies in By-Law 2022-24.

A brief history of how we got to the existing By-Law 2022-24 and the attached Schedule "A" Policies. The McKellar Council of 2019 to 2022 decided to create a Roads Advisory Add Hoc Committee and create a Roads By-Law and Policies as a result of the work of the Committee. In 2021-2022 it was found that although the work of the Committee was instrumental in the compiling of the By-Law and Policies the resulting documents and the procedure followed in their completion to enact them into law was flawed and the cart was put before the horse in the road work completed in Bailey's Subdivision. At some point Council and Staff realized some flaws and started work on revised policies. When I was appointed to Council in the Fall of 2021 there were two Schedule "A" Policies. The Council of the day asked myself, Councillor Ryeland and Director of Operations, Greg Gostick to meet and find the problems with the By-Law and Schedule "A" Policies and compile workable documents for Council to look at. After a few meetings with the three of us in attendance it became clear to Greg and Myself that if we ever wanted to get workable documents for Council we would have to produce them because it was impossible to achieve anything legal, sensible and workable with Nick's input. A By-Law 2022-24, Schedule "A" Policies and report from the Director of Operations PW-2022-01 were on the agenda for the April 12, 2022 Council Meetings and received 1st and 2nd reading. The Council never looked at the By-Law or the Policies again until a committee of the Whole meeting on August 30, 2022. The agenda for the meeting contained the original Roads Policy Vers. 5, the proposed amended version produced by L. Sherk and M. Hendry, the version that received two readings at the April 12, 2022 meeting and a proposed Roads Policy amendment dated April 6, 2022 that was produced by Councillor Ryeland. At this August 30, 2022 meeting it was decided under Resolution 22-322 that the Director of Operations was to obtain an independent review of the Roads Policies and that the Clerk was to obtain a legal opinion of the same. As a result the September 7, 2022 Tatham document and the September 13, 2022 Russell, Christie document.

At the September 28, 2022 Council Meeting the Schedule "A" Policies as amended were on the Public Meeting portion of the meeting for review and the By-Law 2022-24 was on the agenda under By-Laws. The By-Law and amended Schedule "A" policies received third reading at this meeting.

As to completeness of By-Law 2022-24 in regards to Councillor Ryeland's statement I would suggest that if you read the Tatham Engineering review dated September 7, 2022 including the attached red-lined review of the Schedule "A" policies you will find that Tatham suggestions for improvement were incorporated into the document as presented to Council in the agenda package for Third reading at the September 28, 2022 Council Meeting. I would also suggest that if you read the September 13, 2022 correspondence from Russell, Christie LLP you will find that although it may be a legal opinion, Jennifer Biggars comments and edits in this correspondence were sent to the Township for review. The Township staff reviewed the information and added/deleted or changed the Schedule "A" policies where they deemed necessary and provided this updated version for the September 28, 2022 Council meeting. To clarify, Ont. Reg. 239.02 is only a maintenance Regulation for existing municipal highways, not a construction regulation for upgrading and new Municipal highways.

The audio recording for the May 2, 2023 Council meeting also contains comments that the Official Plan Policies don't permit road extensions beyond 180 metres to create new lots on Subdivision roads such as Deerfield and Fire Route 152. In view of this there was very little room for future development and therefore these roads would not sustain any impact from development traffic. My opinion of this is that development and traffic impact in these and other Subdivisions is not just by way of lot creation but probably more so from the redevelopment of existing properties by way of tear downs, double or triple the size of rebuilds, landscaping, new septic, etc. As to the validity of Sec. 5.8.2.2. of the Official Plan in the above application, it does not apply as a Policy because the limit of 180 metres only applies to private roads.

Finally, as to Councillor Ryeland crediting or maligning me for the creation of By-Law 2022-24 and the Schedule "A" policies, although I would like to take full credit for the Township finally getting a legal workable document I can't because as the "Background" in the policies states "this document is the compilation of the work of many".

Thank you for your time,

A concerned ratepayer,



Reg Moore



Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario POG 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

June 6, 2023

Ontario Health
North East Region
500 - 525 University Ave
Toronto, Ontario, M5G 2L3

Dear Ontario Health,

RE: LETTER OF SUPPORT FOR PARRY SOUND FAMILY HEALTH (PSFHT) TEAM IPC EOI APPLICATION

The Township of McKellar is pleased to support the Parry Sound Family Health Team’s Expression of Interest (EOI) application for expanding and enhancing interprofessional primary care teams. This EOI application is aligned with Ontario Health’s visions to provide direct care and health-care related information to vulnerable and marginalized people, new immigrants (e.g., Ukraine, Mexico, India), and those without a family physician, resulting in decreased visits to the Emergency room at the West Parry Sound Health Centre and enhancing health outcomes and access to health care, of patients in the Parry Sound area.

The Parry Sound Family Health’s application is focused on patients receiving the right care, in the right place.

Application is for:

Nurse Practitioner	<ul style="list-style-type: none"> • NP possibly providing patient care to unattached patients. • Increase access to patient care <ul style="list-style-type: none"> ○ Parry Sound has a family MD shortage, so it is helpful that NPs have an expanded scope of practice over the last few years. This enhanced autonomy allows NPs to deliver timely and efficient care. ○ Supporting additional after-hours clinics. ○ Increased availability of same-day appointments. ○ Increased availability of regular appointments. ○ Nurse practitioners excel in collaborating with other healthcare professionals as part of a multidisciplinary team. • Increase availability of specialized programs for vulnerable patients either existing (e.g., Memory clinic for geriatrics) or new programs. • Increasing preventative care and screening procedures by educating individuals and families about disease prevention, self-care
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	<p>management, healthy lifestyle choices, and the importance of preventive screenings.</p> <ul style="list-style-type: none"> • Increased capacity to contribute to other local OH initiatives (e.g., Geriatric Pathway) and the Parry Sound Health and Social Services Support Network.
<p>Social Worker/ Mental Health Therapist</p>	<ul style="list-style-type: none"> • Increase the access and timeliness to mental health care for patients. • Providing webinar and/or group education sessions for patients to learn and implement preventive mental health care strategies. • Increase availability of specialized programs for vulnerable patients either existing (e.g., Memory Clinic, Smoking Cessation) or new programs. • Increasing preventative care and screening procedures. • Enhanced team-based approach to patient care because mental health workers play a crucial role in coordinating care for individuals with complex mental health needs. They collaborate with primary care providers, psychiatrists, psychologists, and other community resources to ensure that patients receive appropriate and coordinated mental health services. • Increased capacity to oversee and support student placements/training; enhances recruitment/retention strategies for mental health professionals in rural, northern communities. • Increased capacity to contribute to other local OH initiatives (e.g., Geriatric Pathway, Opioid Weaning program) and the Parry Sound Health and Social Services Support Network.
<p>Dietician</p>	<ul style="list-style-type: none"> • Provide evidence-based dietary recommendations and interventions tailored to individual patients' needs, addressing various health concerns such as chronic conditions, weight management, and dietary restrictions. • Provides nutritional plans to enhance the existing PSFHT's programs (e.g., diabetes, hypertension, Smoking Cessation, etc). • Working collaboratively with physicians and other interdisciplinary practitioners. • Providing webinar and/or group education sessions for patients to learn and implement preventives measures to improve health outcomes. • Increasing preventative care and screening procedures. • Enhanced team-based approach to patient care, maximizing scope practice • Holistic Approach to Health - By incorporating nutrition into primary care, dietitians can support patients in achieving optimal health outcomes and preventing future health issues. • Dietitians are skilled in collaborating with other healthcare professionals, including physicians, nurses, and pharmacists, as part of an interprofessional care team.

	<ul style="list-style-type: none">• Increased capacity to contribute to other local OH initiatives (e.g., Geriatric Pathway) and the Parry Sound Health and Social Services Support Network.
--	--

Ontario Health’s approval of the PSFHT’s EOI application will increase access to care for unattached patients and those with poorer health outcomes which is crucial for improving health equity for the patients in the Parry Sound area. By enhancing the team-based models of interprofessional primary care, the PSFHT can maximize the efficacy and scope of practice, ensuring that patients receive comprehensive and timely access to care.

The PSFHT is committed to integration and collaboration with the broader health care system, including Ontario Health Teams and initiatives, and participation in population-based planning that will contribute to a more coordinated and patient-centered approach to health service delivery, benefiting all individuals, particularly those most in need.

Sincerely,

Ina Watkinson
Clerk/Administrator
Township of McKellar

DRAFT

June is Seniors Month

Working for Seniors

Information for Seniors in Ontario

The [Ministry for Seniors and Accessibility](#) works with community organizations to offer supports and services to help seniors stay active, well, safe and socially connected through a range of programs and services. This year, the theme for Seniors Month is Working for Seniors.

Age-friendly communities

Age-Friendly Communities are inclusive, accessible environments with programs and services that help seniors stay connected. These communities can include:

- outdoor spaces and buildings that are accessible for seniors
- accessible communication and information about services and programs
- improved transportation services and housing for seniors
- more social and civic participation opportunities.

Learn more at ontario.ca/agefriendly.

Seniors Active Living Centre programs

Seniors Active Living Centre programs help local seniors stay active, become more involved in their community, and meet new friends in person or online. These programs include:

- unique social activities
- learning and educational opportunities
- recreational programming
- the Seniors Centre Without Walls virtual program
- online video sessions.

There are almost 300 programs across the province that serve 115,000 seniors annually.

To find a Seniors Active Living Centre program, please:

- visit the [Seniors Active Living Centre locator map](#)
- contact your municipality
- call 2-1-1.

June is Seniors Month

Working for Seniors

Tips on how you can support Seniors Month 2023

Thank the seniors in your life for all their hard work and show them just how much they are appreciated:

- Send a "Thank You" message, either in person, over the phone, by mail or email, or on social media.
- Nominate a senior in June for an [Ontario Senior Achievement Award](#).
- Post a message on the Ministry for Seniors and Accessibility's [Facebook page](#).

Tell us what you are doing during Seniors Month

- Join our Seniors Month conversation on Twitter and Facebook by using **#SeniorsMonth2023**.
- Post photos of your Seniors Month celebrations and tag us on **Twitter: @SeniorsON**, and on **Facebook: @SeniorsOntario**
- Seniors volunteering and helping in their neighbourhood? Tell us about it! Tag us on **Twitter: @SeniorsON**, and on **Facebook: @SeniorsOntario**

Promote Seniors Month to your friends and family

- Share health and fitness tips for seniors.
- Post info about seniors' events taking place during Seniors Month (via link to community centres/municipalities)
- Feature topics of interest to seniors (retirement, financial scams and fraud, elder abuse, housing, driving, recreation, and learning) in your posts.
- Provide Seniors Month resources to celebrate the month: poster, factsheet, or ideas to celebrate Seniors Month.



Township of McKellar

701 Hwy #124, P.O. Box 69, McKellar, Ontario P0G 1C0

Phone: (705) 389-2842

Fax: (705) 389-1244

Committee Member Application Form

I AM INTERESTED IN PARTICIPATING AS A VOLUNTEER ON THE FOLLOWING COMMITTEE(S):

- ECONOMIC DEVELOPMENT COMMITTEE
- HISTORICAL COMMITTEE
- LIBRARY BOARD
- RECREATION COMMITTEE
- ROADS ADVISORY COMMITTEE
- OTHER _____

PERSONAL DATA: MR. MRS. MISS. MS.
 NAME: MURIEL JUNCK
 ADDRESS: _____ POSTAL CODE: _____
 TELEPHONE(HOME): _____ (BUSINESS): _____
 FAX: _____ E-MAIL: NONE

EXPLAIN WHY YOU WOULD LIKE TO SERVE ON EACH BOARD OR COMMITTEE IDENTIFIED ABOVE, INCLUDING ANY SKILLS OR EXPERIENCE WHICH WOULD BE OF VALUE TO THE COMMITTEE OR BOARD: I would like to learn more about the early years in the Township and I may be able to contribute some knowledge from my 55+ years in the municipality.

DO YOU HAVE ANY VOLUNTEERING EXPERIENCE? YES NO
 IF SO, IN WHAT CAPACITY: I have volunteered on the MCKELLAR RECREATION COMMITTEE AND MORE RECENTLY AT HARVEST SHARE AND SALVATION ARMY FOOD BANKS. I also collect beer cans and liquor bottles for FRIENDS OF BELVEDERE

WE WANT TO ENSURE PERSONS WITH DISABILITIES ARE ABLE TO PARTICIPATE ON MUNICIPAL COMMITTEES. IF YOU HAVE A DISABILITY, WHAT ACCOMMODATIONS, IF ANY, WOULD YOU NEED TO CARRY OUT THIS POSITION? NONE

AS VOLUNTEER ACTIVITIES MAY INCLUDE WORKING WITH CHILDREN, VULNERABLE PERSONS, AND/OR HANDLING CASH ETC., A CRIMINAL RECORDS CHECK WILL BE REQUIRED. THERE IS NO COST TO THE APPLICANT FOR VOLUNTEER POSITIONS. WOULD YOU OBJECT TO A CRIMINAL RECORDS CHECK? YES NO
 IF YES, EXPLAIN: _____

PLEASE ATTACH ANY ADDITIONAL INFORMATION WHICH MAY BE OF ASSISTANCE IN THE SELECTION PROCESS:

APPLICANTS SIGNATURE: Muriel Junck DATE: May 12, 2023

Personal information on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act c.M56 s.29(2) and will be used to appoint citizen members to town boards, or committees. Information on this form will be disclosed to the public for candidate selection purposes. Questions about this selection should be directed to the Township Clerk at the address indicated at the top of the application.



PARRY SOUND HIGH SCHOOL

111 ISABELLA STREET | PARRY SOUND, ONTARIO P2A 1N2 | PHONE (705) 773-7979 FAX (705) 746-6140

Monday, April 24, 2023

To Whom it May Concern:

RECEIVED

MAY 03 2023

Re: Parry Sound High School Commencement – Thursday, June 29, 2023

The end of the 2022-2023 school year will soon be upon us and with it comes our commencement ceremony where we celebrate the achievements of our graduates. Your help in recognizing and rewarding students for their commitment, hard work, dedication, and successes in previous years is sincerely appreciated and we are hoping that you are able to continue your support this year.

A high school graduation ceremony is a milestone that marks the beginning of a new chapter in every participant's life. Last year's return to an in-person event was a welcome way to mark that milestone and we look forward to gathering as a school community again this year.

Parry Sound High School has long prided itself on the ability to prepare students academically for whatever may lay ahead of them after high school, but we know many leave here without the financial means to move on to their preferred post-secondary destination. Getting started in an apprenticeship or attending a college or university comes with costs that we wish every student had the financial backing to make a reality. Contributions like the ones you have made allow the school community to ensure as many students as possible have at least a bit of that financial backing.

If you are able to contribute to the Commencement of 2023, please make your cheque payable to Parry Sound High School Ways and Means. We kindly request that the cheque be sent to the high school by June 2, 2023. The cheques will be deposited and held in trust until the ceremony.

The Class of 2023 will not forget the upheaval of their high school careers, but we believe that they have built skills to deal with adversity and are ready to move on to great successes. We hope the same is true for everyone, but we do understand that the last few years have been difficult for many. We appreciate anything you are able to do to acknowledge and celebrate these students.

We will connect again when we know more regarding the ceremony and please feel free to reach out with any questions or concerns. We can be reached at 705-773-7979 ext. 8439 or by e-mail at Dave.Weichel@nearnorthschools.ca.

Sincerely,

The Parry Sound High School Commencement Awards Committee

CORPORATION OF THE TOWNSHIP OF MCKELLAR

BY-LAW NO. 2023-37

**Being a By-law to Designate and Assume Roads in
Bailey's Subdivision as Highways**

WHEREAS Section 31 (2) and 31 (4) of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, authorizes Council to designate land and assume land as a highway for public use by By-law; and

WHEREAS part of the roads currently known as Elizabeth Avenue, Charles Avenue, Susan Avenue, Philip Avenue, Islandview Drive and Kirk Avenue in the Bailey's Subdivision have been upgraded to Township standards in accordance with By-law 2022-24 and has completed the two year monitoring period for defects and/or deficiencies; and

WHEREAS a final engineering inspection of the roads was completed by Tatham Engineering on Tuesday May 9, 2023; and

WHEREAS a petition was received by the Township showing at least two thirds (2/3) of the landowners are in favour of the roads being assumed; and

WHEREAS the Director of Operations has recommended these roads be assumed; and

WHEREAS the Council of the Corporation of the Township of McKellar deems it in the public interest to assume Elizabeth Avenue, Charles Avenue, Susan Avenue, Philip Avenue, Islandview Drive and Kirk Avenue in the Bailey's Subdivision as highways for public use in accordance with Sections 31 (2) and (4) of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*;

NOW THEREFORE the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. **THAT** the roads described on attached Schedule 'A' and as shown of the attached Schedule 'B' are hereby designated and assumed as highways for public use in accordance with Sections 31 (2) and (4) of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*; and
2. **THAT** this By-law shall come into force and take effect upon the passage by Council.

READ a FIRST and SECOND time this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

READ a THIRD time and **PASSED** in **OPEN COUNCIL** this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

**Schedule 'A' to By-law 2023-XX
Road Schedule**

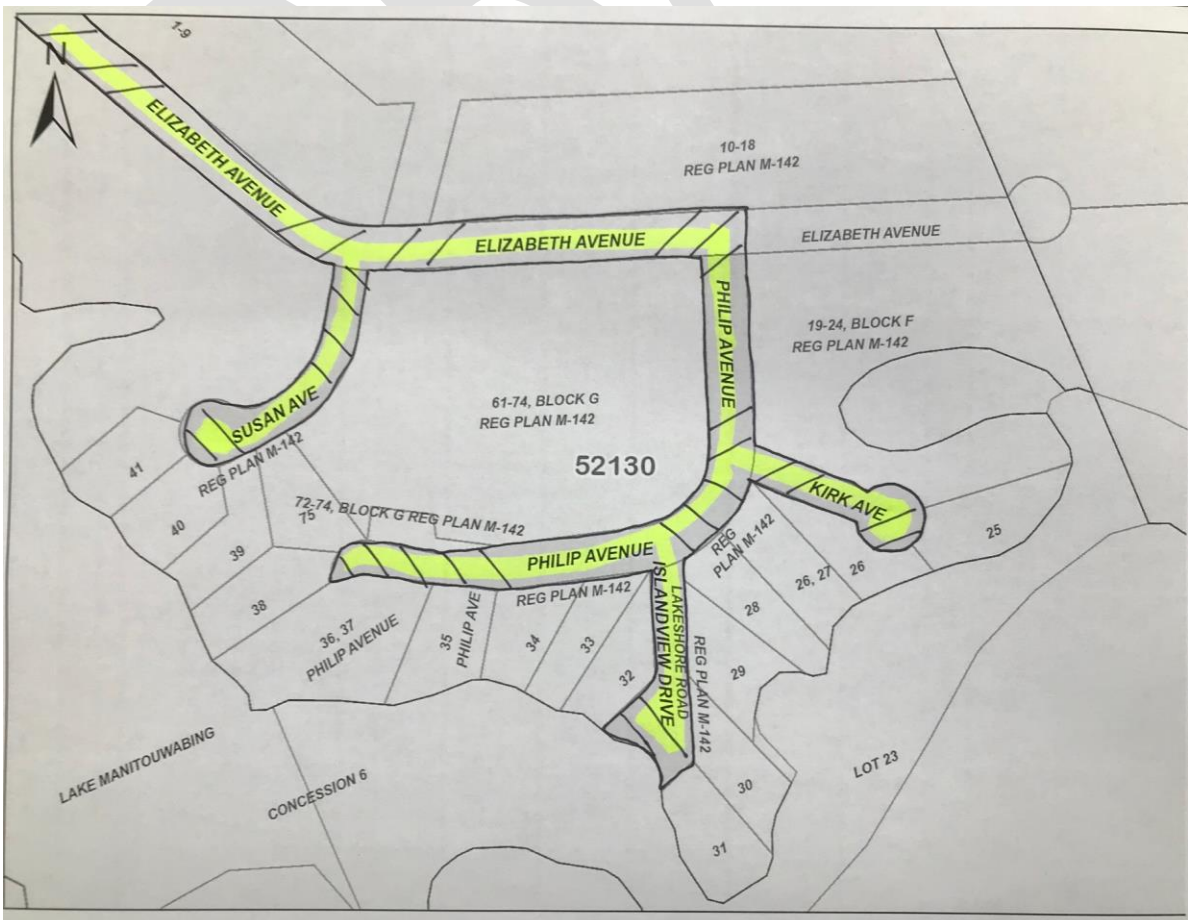
ROAD NAME	PIN NUMBER	LEGAL LAND DESCRIPTION
Elizabeth Avenue (Between Hollys Road and Philip Avenue)	521300050	PCL 26756 SEC SS; ELIZABETH AV PL M142; MCKELLAR
Charles Avenue	521300114	CHARLES AV PL M142 EXCEPT PTS 10 & 11 42R17321; PT LT 55 PL M142 PT 2 42R17321; PT LT 54 PL M142 PT 3 42R17321; MCKELLAR
Susan Avenue	521300051	PCL 26756 SEC SS; SUSAN AV PL M142; MCKELLAR
Philip Avenue	521300052	PCL 26756 SEC SS; PHILIP AV PL M142 EXCEPT PARTS 1 & 2, 42R12312; MCKELLAR
Islandview Drive (formerly Lakeshore Road)	521300054	PCL 26756 SEC SS; LAKESHORE RD PL M142; MCKELLAR
Kirk Avenue	521300053	PCL 26756 SEC SS; KIRK AV PL M142; MCKELLAR

**Schedule 'B' to By-law 2023-XX
Road Map**

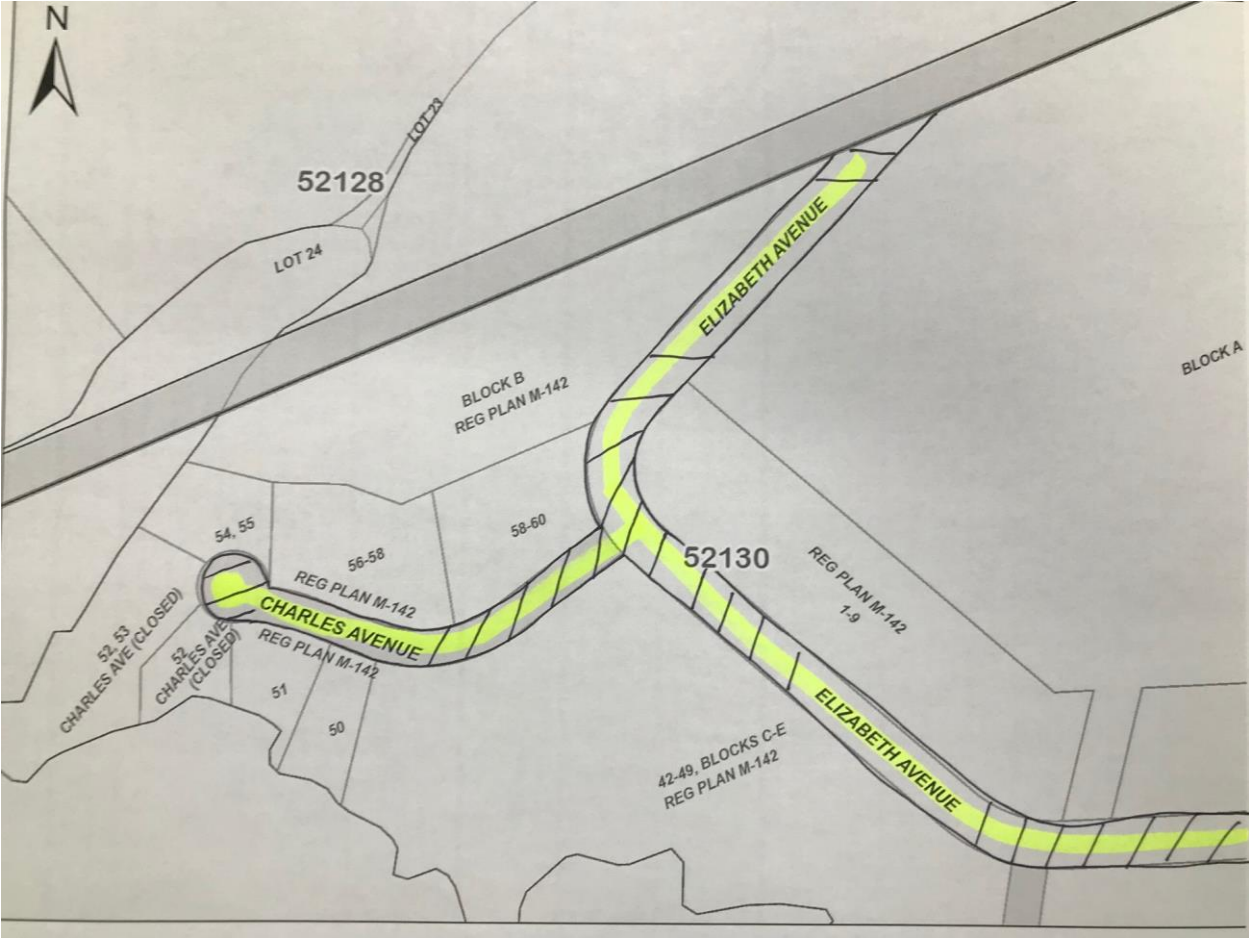
Bailey's Subdivision



**Elizabeth Avenue (East side), Philip Avenue, Kirk Avenue,
Islandview Drive (formerly Lakeshore Road), Susan Avenue**



Charles Avenue, Elizabeth Avenue (west side)



CORPORATION OF THE TOWNSHIP OF MCKELLAR

BY-LAW NO. 2023-XX

Being a By-law to provide for the adoption of tax rates and to further provide for penalty and interest in default of payment thereof for the year 2023

WHEREAS Section 312 of the *Municipal Act, 2001, S.O. 2001, c.25 as amended*, provides that the Council of a local municipality, shall after the adoption of the estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each rateable property class;

AND WHEREAS the 2023 general local municipality levy for all purposes has been set at **\$ 3,915,941.47** and adopted by By-law 2023-35;

AND WHEREAS the tax ratios on all rateable property for the 2023 taxation year have been set by By-law 2023-06;

AND WHEREAS the rates on the property classes have been calculated pursuant to the provisioned of the Municipal Act and the manner set out herein:

NOW THEREFORE the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. THERE shall be levied and collected upon assessable rateable lands and buildings within the municipality, the following rates for the year 2023:

PROPERTY CLASS	MUNICIPAL	EDUCATION	TOTAL
Residential	0.00569540	0.00153000	0.00722540
Commercial	0.00626494	0.00880000	0.01506494
Industrial	0.00626494	0.00880000	0.01506494
Farmland	0.00142385	0.00038250	0.00180635
Managed Forest	0.00142385	0.00038250	0.00180635

2. **THAT** the amounts required to be levied and collected by this by-law shall be reduced by the amounts levied and collected by the interim tax levy authorized by By-law 2023-13 as amended;
3. **THAT** every owner of land shall be taxed according to the tax rates in this by-law and such tax shall become due and payable on September 1st, 2023;
4. On all taxes of the levy, which are in default on the 2nd day of September, 2023, a penalty of 1.25 percent shall be added and thereafter a penalty of 1.25 percent per month will be added on the 1st day of each and every month the default continues, until December 31, 2023.
5. On all taxes default on January 1, 2024, interest shall be added at the rate of 1.25 percent per month for each month or fraction thereof in which the default continues.
6. Penalties and interest added in default shall become due and payable and shall be collected as if the same had originally been imposed and form part of such unpaid tax levy.
7. The Collector is hereby authorized to mail or cause to be mailed, in printed form (and electronic form where authorized by the property owner to deliver in such manner), the notice of taxes due to the address of the residence or place of business of the person to whom notice is required to be given.
8. Payment for the property taxes shall be remitted to the Treasurer/Tax Collector at the municipal office, in the manner of cash, cheque, electronic bill payment, debit card or interact e-transfer.
9. The Treasurer/Tax Collector is authorized to accept part payment from time to time on account of any taxes due and to give receipts from time to time on account of any taxes due, providing that the property tax account is not in tax sale proceedings.
10. This By-Law shall come into force and effect upon the date of the final reading thereof.

READ a **FIRST** and **SECOND** time this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

READ a **THIRD** time and **PASSED** in **OPEN COUNCIL** this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

CORPORATION OF THE TOWNSHIP OF MCKELLAR

BY-LAW NO. 2023-XX

Being a By-law to Amend By-law 2021-14 The Cemetery By-law, as amended

WHEREAS the Council of the Corporation of the Township of McKellar passed By-law No. 2012-14 as amended to establish rules and regulations for the management and control of all cemeteries owned by The Corporation of the Township of McKellar; and

WHEREAS the Council of the Corporation of the Township of McKellar deems it necessary to amend By-law No. 2012-14 to bring the Care and Maintenance contribution requirements in line with current regulations; and

NOW THEREFORE the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. **THAT** By-law No. 2016-06 is hereby repealed.
2. **THAT** This By-law shall come into force and take effect on the day of passing or the date approval is received from the Registrar of Cemeteries.

READ a FIRST and SECOND time this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

READ a THIRD time and **PASSED** in **OPEN COUNCIL** this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

Schedule 'A' to By-law 2023-XX

TOWNSHIP OF MCKELLAR
P.O. Box 69
701 Hwy 124
McKellar, ON
P0G 1C0
705-389-2842
Cemetery Operator License #3293741

TARIFF OF RATES

	Ratepayer	Non-Ratepayer
Single Lot	\$170.00	\$340.00
Care & Maintenance	\$290.00	\$290.00
HST	\$59.80	\$81.90
Total	\$519.80	\$711.90
Staking/Marking Fee	\$50.00 plus HST	\$50.00 plus HST
Transfer Fee*	\$50.00 plus HST	\$50.00 plus HST

*Plus, difference between Ratepayer and Non-Ratepayer rate, if applicable, see Section 2.8 of By-law 2012-14

Duplicate Certificate of Interment Rights \$25.00 plus HST

Each lot may have one casket burial plus an additional two cremation burials over the casket or a total of four cremations per plot.

All casket interments are subject to a license fee of \$12.00 (HST exempt) which will be remitted to the Bereavement Authority of Ontario.

Contribution to Care and Maintenance for Markers and Monument Installations

Trust Fund:	FEE	HST	TOTAL
Flat marker under 173 square inches	\$0.00	\$0.00	\$0.00
Flat marker over 173 square inches	\$100.00	\$13.00	\$113.00
Upright monument up to 4 feet in height or width	\$200.00	\$26.00	\$226.00
Upright monument over 4 feet in height or width	\$400.00	\$52.00	\$452.00

Prices shall be in effect as of the approval of this By-law.

CORPORATION OF THE TOWNSHIP OF MCKELLAR

BY-LAW NO. 2023-XX

**Being a By-law to Authorize
Cost Recovery (Fees) With Respect to Fire
Department Specific Response**

WHEREAS pursuant to section 8 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time (the "Municipal Act"), the powers of a municipality are to be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considered appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS pursuant to section 391 of the Municipal Act, a municipality may impose fees or charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS pursuant to section 398 of the Municipal Act, fees and charges imposed by a municipality on a person constitute a debt of the person to the municipality; and

WHEREAS Council of the Corporation of the Township of McKellar deems it expedient to pass a by-law to impose fees on persons to recover the costs of fire department responses;

NOW THEREFORE the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. In this By-Law:

- a. "Council" means Council of the Municipality;
- b. "Fire Department" means a fire department established by the Municipality in accordance with the provisions of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended from time to time;
- c. "Fire Department Specific Response Fees" means *cost recovery* fees for Fire Department attendance at a Property for which the Owner has Fire Department insurance coverage;
- d. "Indemnification Technology®" shall mean Fire Department incident reporting, data collection and property insurance policy wording interpretation to maximize billing opportunities on behalf of fire departments by invoicing insurance companies for costs of fire department attendance with respect to insured perils;
- e. "Municipality" means the Corporation of the Township of McKellar;
- f. "Owner" means the registered owner of property or any person, firm, corporation, partnership or society and their heirs, executors, administrators or other legal representatives, including a property manager, tenant, occupant, mortgagee in possession, receiver, manager, trustee or trustee in bankruptcy having control over or possession of the property or any portion thereof;
- g. "Property" means any real property located within the geographical boundaries of the Municipality, and any real property to which the Fire Department is under a service agreement to provide Fire Department Response services, Automatic Aid or Mutual Aid. Real property includes buildings, contents and structures of any nature and kind in or upon such lands to which service is provided;

2. The Municipality hereby authorizes the imposition of fees from time to time in accordance with the provisions of this By-Law.
3. The Owner of Property shall be responsible for the payment of Fire Department Specific Response Fees imposed by this By-Law in accordance with the Schedule of Fees, attached hereto and forming part of this By-Law.
4. The Municipality may use Indemnification Technology® to assess applicable insurance coverage for Fire Department Specific Response Fees.
5. Fees imposed pursuant to this By-Law constitute a debt of the Owner to the Municipality and may be added to the tax roll of the Property to which the Fire Department Specific Response Fees relate.
6. Where the Municipality believes and/or Indemnification Technology® indicates Fire Department Specific Response Fees are applicable but the Owner does not have, in part or in full, insurance coverage for fire department charges for the Property, the Municipality may adjust the Fire Department Specific Response Fees to the extent of insurance coverage upon provision by the Owner of evidence, to the satisfaction of the Municipality, that no such insurance coverage exists or to demonstrate the limits of such coverage.
7. In this By-Law, words importing the neuter gender shall include the feminine gender and masculine gender and vice versa and words importing the singular shall include the plural where the context requires.
8. If any term or provision of this By-Law or the application thereof to any person shall to any extent be held to be invalid or unenforceable, the remainder of this By-Law or the application of such term or provision to all persons other than those to whom it was held to be invalid or unenforceable, shall not be affected thereby, it being the intention of the Council that each term and provision of this By-Law shall be separately valid and enforceable to the fullest extent permitted by law.

READ a FIRST and SECOND time this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

READ a THIRD time and **PASSED** in **OPEN COUNCIL** this 6th day of June, 2023.

David Moore, Mayor

Ina Watkinson, Clerk/Administrator

SCHEDULE OF FEES

1. Fire Department Specific Response Fees

The Fire Department Specific Response Fees shall be the total of:

- a. **Current MTO* rate per unit per hour or portion thereof for each unit
- b. rate per person per hour or portion thereof for each firefighter
- c. *other costs including but not limited to; Foam, Metered Water, Air Tank Re-filling, Cleaning Equipment, DSPA or similar type units, cost to replace damaged or destroyed equipment, specialized response costs such as Water Bomber Drops*

*The MTO rate per unit per hour is set by the Ministry of Transportation. This rate is adjusted periodically in accordance with the consumer price index.

Such fees shall be charged and calculated on the basis of each Fire Department vehicle attending, resources consumed in attendance to the property incident. The time shall be measured from the time of departure of each unit from the Fire Department's facilities to the time the unit is cleared for the next call out.

AGENCY AGREEMENT

THIS AGENCY AGREEMENT (the "Agreement") made the 6th day of June, 2023.

BETWEEN:

FIRE MARQUE INC.

(herein after referred to as the "Agent")

- and -

THE CORPORATION OF THE TOWNSHIP OF MCKELLAR

(herein after referred to as the "Municipality")

WHEREAS the Fire Department attends, when required, at Incident Sites to provide emergency services;

AND WHEREAS the costs and expenses incurred by the Fire Department as a result of attending at the Incident Sites and providing services may be recoverable through Indemnification Technology® with respect to insured perils through the Insurance Policies of the owner or tenant of the Incident Site;

AND WHEREAS the Municipality wishes to appoint the Agent, as its agent for the purpose of filing Claims on behalf of the Municipality and to recover, on their behalf, any insurance proceeds from the insurers of the affected parties which are recoverable in accordance with the terms of any policy agreement for the costs and expenses incurred by the Fire Department as a result of attending at the Incident Sites.

AND WHEREAS the Agent wishes to make the Claims and recover the recoverable proceeds of insurance on behalf of the Municipality in accordance with the terms and conditions set forth herein;

NOW THEREFORE, in consideration of the mutual terms and covenants herein contained, the Parties covenant and agree as follows:

1. DEFINITIONS

"**Agreement**" is this agreement, as may be amended;

"**Agency Fee**" is the financial compensation expressed as a percentage of the recovered Emergency Cost Recovery Proceeds in accordance with Section 6;

"**Agency Fee Taxes**" are all taxes, duties and other charges (including any GST, HST or other value added taxes) applicable to the Agency Fee;

"**Agent**" is Fire Marque Inc., or its successors and assigns;

"**Claims**" an amount requested for payment for an insured loss which falls under the terms of Insurance Policies;

"**Emergency Cost Recovery Proceeds**" are the funds recovered by the Agent as a result of filing Claims with insurers pursuant to the Insurance Policies of the owner and or tenant of an Incident Site to recover the costs and expenses incurred by the Fire Department as result of attending and providing emergency services at an Incident Site;

"**Fire Department**" means a group of firefighters authorized to provide fire protection services by the Municipality;

"**Incident Reports**" are the property statistical fire reports;

"**Incident Sites**" is the municipal address or property location of the incident which is attended at by the Fire Department in relation to which the Fire Department incurs costs and expenses as a result of providing their emergency services;

"**Indemnification Technology®**" is the intellectual property owned and employed by the Agent in making claims to recover costs and expenses of the Fire Department incurred as result of providing emergency services at an Incident Site and includes: incident reporting, data collection, and property insurance policy wording interpretation to maximize billing opportunities on behalf of the Fire Department by invoicing insurance companies for the costs of fire department attendance with respect to insured perils;

"**Indemnitees**" means the Agent, its directors, partners, officers, agents, and employees;

"**Initial Term**" is the period commencing from the date of first written above and continuing thereafter for a period of five years;

"**Insurance Policies**" means an insurance policy of the owner or tenant who owns or rents the property located on the Incident Site;

"**Intellectual Property**" is any intellectual property of the Agent, including but not limited to any software, trade names, trademarks, and copyrighted materials and any of the foregoing as it relates to Indemnification Technology®;

"**Losses**" means all loses, costs, expenses, interest, charges, assessments, damages, liabilities, obligations, fines and penalties, including all reasonable costs incurred investigating, defending or negotiating the settlement or resolution of any demand, lawsuit, action, or proceeding, and specifically including reasonable legal and other professional fees and expenses on a "full indemnity", "solicitor and his own client" or comparable basis, regardless of whether the foregoing arise in, under or by virtue of common law, equity or other applicable law, contract, negligence, strict liability, breach of duty or otherwise;

"**Party**" or "**Parties**" is the Agent and the Municipality;

"**Municipality**" is the Corporation of the Township of McKellar;

"**Renewal Term**" is a renewal term of 3 years;

"**Term**" is the Initial Term together with any subsequent Renewal Terms, until this Agreement is terminated in accordance with Section 14;

"**Termination Date**" is the date this Agreement terminates in accordance with Section 14; and,

"**Third Party Fire Departments**" is a fire department, fire brigade, persons and/or equipment that are not part of the Fire Department.

2. **TERM**

The term of this Agreement will begin as of the date first written above and continue for the period of the Initial Term and will automatically renew for successive Renewal Terms upon the expiry of the Initial Term or any preceding Renewal Term, unless this Agreement is terminated in accordance with Section 14.

3. **APPOINTMENT**

The Municipality hereby appoints the Agent as its exclusive agent during the Term of this Agreement for the purpose of filing, on behalf of the Municipality, all Claims with insurers and to recover from any insurers on their behalf, any proceeds of insurance which are recoverable in accordance with the terms of any Insurance Policies of an owner or the tenant at any Incident Site.

4. **AGENT OBLIGATIONS**

During the Term of the Agreement, the Agent agrees:

- (a) To proceed diligently to prepare and file Claims with the insurer of the incident sites on behalf of the Municipality upon receipt of the Incident Reports from the Fire Department;
- (b) To establish and maintain a noninterest bearing trust account to receive and hold any Emergency Cost Recovery Proceeds in trust on behalf of the Municipality (which proceeds may be comingled with the proceeds recovered for other municipalities and/or fire departments, for which Agent is providing similar services);
- (c) To remit on a quarterly basis or such period as agreed to between the Agent and the Municipality, the Emergency Cost Recovery Proceeds to the Municipality, less any Agency Fee, and Agency Fee Taxes deducted in accordance with Sections 6 and 7.
- (d) To deliver a statement to the Municipality providing reasonable detail regarding the amounts being remitted for the applicable period; and

- (e) To maintain complete, detailed, and adequate books and records pertaining to Claims and Emergency Cost Recovery Proceeds.

5. MUNICIPALITY'S OBLIGATIONS

During the Term of the Agreement, the Municipality agrees:

- (a) on a monthly basis or such period as agreed to between the Municipality and Agent, to provide the Agent with all the completed Incident Reports relating to its attendance at all Incident Sites during the period, setting forth in reasonable detail the services provided and the costs and expenses incurred by the Fire Department in attending such Incident Sites and providing information as to the applicable insured, the insurance company and the policy number of the Incident Site, if available;
- (b) on an annual basis remit to the Agent its cost summary sheet provided to the Fire Department by the Agent, also as the Municipality updates its consolidated fee by-laws and in particular the Fire Department Schedule that these documents be provided promptly to the Agent either in a PDF format or a hyperlink.
- (c) Should a change in personnel occur within the Fire Service, for example the Fire Chief, Deputy Chief and or Administrative Support Assistant, the Municipality provide to the Agent the name and contact information for said person.
- (d) in accordance with the Insurance Policies, ensure that the Emergency Cost Recovery Proceeds that are remitted to the Fire Department are used by the Fire Department for its own purposes, which purposes may include but not be limited to the following:
 - (i) the purchase of equipment for the Fire Department
 - (ii) the provisions of training and education to the firefighters of the Fire Department; and/or
 - (iii) the purchase and/or provision of materials and equipment for fire inspection, fire prevention and public education programs;
- (e) if requested, to provide the Agent with documentation evidencing that the Fire Department is the sole beneficiary of any Emergency Cost Recovery Proceeds that have been remitted to the Municipality in accordance with Section 4; and
- (f) to the extent the Municipality or the Fire Department is paid or receives Emergency Cost Recovery Proceeds directly from the insurer under the Insurance Policy, or from the owner or tenant of an Incident Site (as a result of such owner or tenant receiving the Emergency Cost Recovery Proceeds directly from the insurer under the Insurance Policy), the Municipality agrees that it shall promptly remit payment of the Agency Fee that is payable to the Agent in relation to such Emergency Cost Recovery Proceeds (as determined in accordance with Section 6) and will provide the Agent with copies of all communications and notices received from the insurer under the Insurance Policy in relation to such Emergency Cost Recovery Proceeds for the Agent's own records.

6. AGENCY FEE

In consideration for the services provided by the Agent pursuant to this Agreement, during the Initial Term, the Agent will be entitled to a fee equal to thirty (30%) of all Emergency Cost Recovery Proceeds (the "**Agency Fee**"). The Agent will be entitled, on a monthly basis, to invoice the Municipality for the Agency Fee accrued in respect of the previous month Emergency Cost Recovery Proceeds and to deduct the Agency Fee from the Emergency Cost Recovery Proceeds. The Agent shall not be entitled to any further consideration from the Municipality or the Fire Department. The amount of the Agency Fee shall be negotiated by the Parties for any Renewal Terms.

7. TAXES

It is understood by the parties that the Agency Fee is exclusive of all taxes, duties and other charges (including any GST, HST or other value added taxes), ("**Agency Fee Taxes**"), applicable to the services provided by the Agent hereunder. The Agent shall withhold and deduct from the Emergency Cost Recovery Proceeds that are to be remitted to the Fire Department, any Agency Fee Taxes, and all such Agency Fee Taxes will be remitted to the applicable government agency, as and when required.

8. INTELLECTUAL PROPERTY

The Municipality agrees and acknowledges that any Intellectual Property of the Agent, including but not limited to any software, trade-names, trade-marks, and copyrighted materials and confidential procedures for recovering funds for Fire Departments and any of the foregoing as it relates to Indemnification Technology® are the property of the Agent, and the Municipality has no rights to this Intellectual Property as a result of this agreement or otherwise.

9. AUDIT

The Municipality has the right to audit, at its own expense, the records and accounts, during reasonable business hours and on advance written notice to the Agent; and, for up to twenty-four (24) Months from the end of the calendar year to which the records and accounts relate.

10. UNRECOVERABLE EXPENSES

No action will be undertaken by the Agent to collect any proceeds or file any Claims on behalf of the Municipality. The Fire Department will only be entitled to receive Emergency Cost Recovery Proceeds actually recovered by the Agent on behalf of the Municipality. The Municipality, at its own discretion, may elect to enforce the payment of the Emergency Cost Recovery Proceeds not recovered by the Agent through powers granted by their By-Laws or through litigation. Unless prior arrangements have been made on a specific file.

11. INCIDENTS ATTENDED TO BY OTHERS

It is acknowledged by the Parties that in certain instances, in addition to the Fire Department, other fire departments or other emergency personnel ("**Third Party Fire Departments**") may attend at an Incident Site and whose costs and expenses incurred as result of attending and providing emergency services at such Incident Site may also be recoverable under the Insurance Policies of the owner(s) or tenant(s) of such Incident Site. In such cases:

- (a) the Municipality acknowledges that the Emergency Cost Recovery Proceeds recovered in respect of such Incident Site may have to be shared with the Third Party Fire Departments, and Agent makes no representation and will not be required to take any action to determine the appropriate allocation of such Emergency Cost Recovery Proceeds between the Fire Department and the Third Party Fire Departments.
- (b) the Municipality shall negotiate an appropriate allocation of the Emergency Cost Recovery Proceeds with the Third-Party Fire Departments. If the Municipality and the Third Party Fire Departments are unable to agree to an appropriate allocation within a reasonable time, then Agent may, in its sole discretion but without obligation to do so, and on notice to Municipality, commence interpleader or a similar action or proceeding in connection with any dispute in relation to allocation of the Emergency Cost Recovery Proceeds and pay the Emergency Cost Recovery Proceeds into court, whereupon the Agent shall be released from any further obligations in respect of such Emergency Cost Recovery Proceeds and the Municipality shall indemnify and hold harmless the Indemnitees from any dispute arising with respect to such Emergency Cost Recovery Proceeds whether the Agent is acting as agent on behalf of the Third Party Fire Departments to the dispute or otherwise.

12. LIMIT ON LIABILITY

Other than Emergency Cost Recovery Proceeds actually recovered, the Agent will not be liable to the Municipality for any costs and expenses incurred as a result of the Fire Department attending and providing emergency services at an Incident Site which it was unable to recover through the Insurance Policies of the owner or tenant of such services

13. INSURANCE & IDEMNIFICATION

The Municipality agrees to indemnify and hold harmless the Indemnitees from and against any and all Losses that may be imposed on, incurred by, or asserted against, the Indemnitees or otherwise, in connection with the performance of its duties under this Agreement or any actions or inactions taken by the Fire Department or Municipality in connection with this Agreement, including as a result of any claims: (i) from insurers as a result of inaccuracies, misrepresentations or fraud in any of the Incident Reports and other information provided to Agent for the purpose of filing Claims; and (ii) from Third Party Fire Departments claiming rights to any Emergency Cost Recovery Proceeds that have been disbursed to the Fire Department. The foregoing liability and indemnification by

Municipality shall not apply where the Losses arise from the Agent's gross negligence fraud or willful misconduct.

- (a) During the Term (and any renewal thereof as applicable) of this Agreement, the Agent shall procure and maintain an errors and omissions insurance policy of not less than five million dollars (\$5,000,000.00) coverage. The deductible shall not exceed twenty-five thousand dollars (\$25,000.00).
- (b) The Agent shall carry a Commercial Blanket Bond with an amount no less than Fifty Thousand Dollars (\$50,000.00) that protects both the Agent and the Municipality with respect to any loss resulting from dishonesty, disappearance, destruction and Forgery act(s) arising from the work being performed by the Agent under this Agreement on behalf of the Municipality.
- (c) The Agent shall, at their expense obtain and keep in force during the term of the Agreement, Commercial General Liability Insurance in an amount not less than five million dollars (\$5,000,000.00) per occurrence and five million (\$5,000,000.00) in the aggregate. This policy shall contain products and completed operations coverage, Non-owned automobile coverage, and coverage for claims resulting from Technology Network risks such as data breaches, unauthorized access, theft of confidential information, invasion of privacy, intellectual property infringement such as copyright, trademarks, service marks and trade dress. The deductible shall not exceed twenty-five thousand dollars (\$25,000.00). The Municipality has the right to request, at any time confirmation of the insurance coverages and that the policy is in force.

14. TERMINATION

Notwithstanding Section 2, this Agreement will terminate with 30 days' written notice by either Party (the "**Termination Date**"), provided that if this Agreement is terminated (other than as a result of a material breach of this Agreement by the Agent), the Agent shall be entitled to continue filing all Claims and collecting Emergency Cost Recovery Proceeds, for any incidents attended to by the Fire Department at Incident Sites which occurred prior to the date of the Termination Date of this Agreement, and such filings and recoveries shall remain subject to the terms and conditions of this Agreement. The Municipality or the Fire Department shall not make claims in respect of any incidents attended to by the Fire Department which occurred prior to the Terminate Date. The covenants set forth in this Section 14 shall survive the termination of this Agreement.

15. NOTICES

All notices, communications, statements and payments which may be required or permitted under this Agreement will be in writing and sent by registered mail, courier services, or transmitted by facsimile or other electronic means which produces a physical copy. Any party may change its address by notice to the other parties.

The addresses of the parties pursuant to this Section 15 are as follows:

If to the Municipality:

Township of McKellar
701 Hwy 124 P.O. Box 69
McKellar, ON P0G 1C0
Phone: 705-389-2842
Fax: 705-389-1244

Attention: Ina Watkinson, Clerk/Administrator

If to the Agent:

Fire Marque Inc.
P.O. Box 2018, Thornton, ON L0L 2N0
Phone: 1-855-424-5991 or 705-424-5991
Fax: 705-424-5702

Attention: Ted K. Woods

16. SEVERABILITY

If any provision of this Agreement is determined to be illegal, invalid or unenforceable by an arbitrator or any court of competent jurisdiction from which no appeal exists or is taken, that provision will be severed from this Agreement and the remaining provisions will remain in full force and effect.

17. ARBITRATION

All disputes, controversies and disagreements with respect to this Agreement, or any matter arising under or in connection with this Agreement, shall be finally settled by arbitration. Arbitration shall be conducted as follows:

- (a) the reference shall be to a single arbitrator appointed in accordance with the *Arbitration Act*, 1991, S.O. 1991, C. 17, as amended;
- (b) the decision of the arbitrator shall be final, conclusive and binding upon all parties;
- (c) unless otherwise determined by the arbitrator, the Parties shall pay an equal portion of the fees and expenses of the arbitrator;
- (d) the *Arbitration Act*, 1991, S.O. 1991, C. 17 shall apply to and govern each such reference to arbitration; and
- (e) All arbitrations shall be conducted in Barrie, Ontario **or in a location suitable to both parties.**

18. GOVERNING LAW

This Agreement is governed by, interpreted and enforced in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in the province. Subject to Section 17, each of the Parties irrevocably attorns to the exclusive jurisdiction of the Courts of Ontario.

19. WAIVER

No waiver of any provision of this Agreement constitutes a waiver of any other provision.

20. ENTIRE AGREEMENT

Except as stated herein, this Agreement constitutes the entire agreement between the Parties concerning the subject matter hereof and, during the term hereof, supersedes all prior written or verbal agreements concerning such subject matter.

21. AMENDMENTS

Amendments to this agreement shall be in writing and be executed by the Parties. If agreed in writing by both Parties to this agreement an amendment shall form a part of this Agreement.

22. ASSIGNMENT

Neither this Agreement nor any of the rights or obligations under this Agreement are assignable or transferable by a Party without the prior written consent of the other Party, provided that nothing herein shall prevent The Agent from assigning this Agreement or any of its rights or obligations to an affiliate of The Agent, provided that the Agent agrees to remain liable to the Municipality for the obligations of such transferee affiliate.

23. ENUREMENT

This Agreement shall be binding upon and ensure to the benefit of the Parties and their respective successors.

24. COUNTERPARTS

This Agreement may be executed and delivered in any number of counterparts (including by facsimile or other electronic transmission) and all counterparts taken together constitute one and the same instrument.

25. LEGAL RELATIONSHIP

In this Agreement nothing gives rise to an employment relationship for the provision of services between the Municipality and Agent. The Parties expressly acknowledge that they are independent and neither an employer-employee relationship is intended or created by this Agreement.

26. COLLECTION AND DISCLOSURE OF PRIVATE INFORMATION

Any information collected by the Agent and Municipality pursuant to this Agreement is subject to, and shall be handled in accordance with, the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56 as amended and the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31, as amended.

27. LAWS

The Municipality and Agent, its employees and representatives, if any shall at all times comply with any and all applicable federal, provincial and municipal laws, ordinances, statutes, rules, regulations and orders in respect of the performance of this Agreement.

28. CONFIDENTIALITY

The Agent shall hold confidential and not disclose or release to any person other than the Agent and Municipality at any time during or following the term of this Agreement, except where required pursuant to the provisions of the Municipal Freedom of information and Protection of Privacy Act and/or the Personal Information Protection & Electronic Documents Act (PIPEDA), any information or document that identifies any individual or the nature and extent of services received by any individual without obtaining written consent of the Municipality prior to the release or disclosure of such confidential information. The Agent shall be entitled to disclose publicly the fact that the Municipality and/or the Fire Department are clients of the Agent.

29. CONFLICT OF INTEREST

The Agent shall disclose to the Municipality without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest, or breach of law in relation to this Agreement. A breach of this Section by the Agent shall entitle the Municipality to terminate this Agreement in addition to any other remedies that the municipality may have in law or equity.

[Remainder of this page left intentionally blank]

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

**THE CORPORATION OF THE
TOWNSHIP OF MCKELLAR**

By: _____
Name: David Moore
Title: Mayor

By: _____
Name: Ina Watkinson
Title: Clerk/Administrator

FIRE MARQUE INC.

By: _____
Name:
Title:

By: _____
Name:
Title:



22. Unfinished Business

Date	Res. No.	Item & Description	Assigned to	Status
Sept. 13/22	22-353	Agreement with Cogeco Cable	Deputy Clerk	<p>Most recent follow up email sent on May 17, 2023. Cogeco <u>responded</u> they will have an answer shortly.</p> <p>Cogeco has been through a reorganization and requests were not being reviewed for 90+ days.</p>
Mar. 7/23	23-204	By-law 2023-23 Being a By-law to Regulate Dogs in the Township	By-law Enforcement Officer	<p>Continuing discussion during Committee of the Whole Meeting of June 6, 2023.</p> <p>The BLEO has been working with a contact from the Ministry of the Attorney General who has provided recommended changes to the draft By-law.</p>
		Updating Human Resources Policy		



COUNCIL RESOLUTION

Resolution No.: 181-23
~~175-23~~

Date: May 9, 2023

Moved By: *D. Blund*

Seconded By: *P. Smith*

THAT Council support the resolutions from the City of Sault Ste Marie regarding Bill 5, Stopping Harassment and Abuse by Local Leaders Act;

AND THAT Council directs administration for forward this resolution to the Hon. Doug Ford, ^{Premier} Premier of Ontario, Lise Vaugeois, MPP, Kevin Holland, MPP, and the Association of Municipalities of Ontario and all municipalities in Ontario.

Carried

Defeated

Amended

Deferred

Wendy Landry
Signature

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May 11, 2023

In This Issue

- AMO and Conservation Ontario's webinar materials and recording.
- AMO Regional Energy Planning webinar materials and recording.
- Submit your entry for the 2023 PJ Marshal Awards.
- OSUM is pleased to announce its 2023 - 2026 Executive Committee.
- Applications open for 2023 Ontario Community Environment Fund.
- Summer employment opportunities with Ontario Parks for students.
- Federal Housing Advocate Review on Homeless Encampments.
- Support for Municipal Disability Management Programs.
- New AMO post-secondary learning opportunity - Government Report Writing.
- Register for the AMO 2023 Annual General Meeting and Conference.
- AMO Conference 2023: Exhibitor and sponsorship information.
- Request your delegation meetings at AMO 2023.
- Navigating Conflict for Elected Officials - June workshop.
- Human Rights and Equity - May workshop.
- AMO-OFIFC Indigenous Community Awareness: November workshop
- Navigating the Road to Resilience Risk Management symposium: Oct 4-5.
- eScribe webinar: Member spotlight on the Township of Scugog.
- Blog: A Game Changer That Upgrades Municipal Services Delivery.
- Canoe vendor spotlight: Safeware.
- Summer Road & Sidewalk Assessments.
- Commissioner Kosseim's keynote address to AMCTO members on April 27.
- May 14 is Child and Youth Care Day.
- Careers: Niagara Region, Halton Region, and Durham Region.

AMO Matters

The AMO and Conservation Ontario webinar is now available to watch on [YouTube](#). The webinar covers the topic of what's next for municipalities and conservation authorities in the context of land use planning.

AMO's Regional Energy Planning webinar is available to watch on [YouTube](#). [Slides](#) from the presentations are also available. The webinar covers regional energy planning and the role of municipalities.

The [PJ Marshall Award](#) recognizes municipal governments demonstrating excellence in the use of innovative approaches in the areas of capital, service delivery showing examples where Ontario municipalities have implemented and can point to tangible outcomes from new, more cost-effective ways of providing public services and facilities. The deadline to submit is May 26.

OSUM Chair Hilda MacDonald is looking forward to working with the new Executive. "We are pleased and excited by the interest in the [Executive Committee](#) positions and welcome our new members. The Executive is looking forward to addressing the critical

issues facing our small urban communities and working with you and AMO on strengthening Ontario's municipalities."

Provincial Matters

Please review the Ontario Community Environment Fund program [application guide](#) for guidance on applying to the program. The deadline to submit through [Transfer Payment Ontario](#) is May 30 at 5pm. Contact OCEF@ontario.ca for more details.

There are between 1500-2000 summer student positions at Ontario Parks across the province. Municipalities may share [opportunities](#) with students in their communities. Students can contact ontarioparksjobs@ontario.ca with any questions.

Federal Matters

The Federal Housing Advocate has launched a [review of homeless encampments](#). Municipalities, service providers, and people experiencing homelessness are encouraged to submit experiences and ideas for solutions by May 26.

A free assessment of disability management programs is available until June 2024. The assessment involves an interview and produces a report. For details, visit the National Institute of Disability Management and Research [website](#).

Eye on Events

AMO is embarking on new partnerships with Wilfrid Laurier University. Municipal councils rely on high quality reports to form the basis of sound decision making. This virtual (Zoom) training was purpose-built in consultation with an Ontario municipality to foster specific report writing skills that meet the needs of varying audiences such as councils, committees, boards, agencies, and the public. [Register](#) for the June 13 full-day program.

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. View the preliminary [program](#) and [Register](#) now for this important event.

Don't miss out on the opportunity to exhibit or sponsor at the 2023 AMO Conference - the largest municipal conference in Ontario. Full details on how your organization can participate is located here [here](#).

Delegation meetings are a unique opportunity to meet with provincial ministers and staff on matters of local interest. The request for delegations through MMAH is opened until June 9, 2023. To request a delegation meeting, click [here](#).

AMO has designed its training to support members in your leadership roles. Our training offers skills to navigate the many relationships you encounter as an elected official. [Navigating Conflict Relationships for Elected Officials](#) is a top-rated course you shouldn't miss. Register for the June 27-28 training.

Understanding your role and responsibilities as an elected official when it comes to [Human Rights & Equity](#) is critical. This training examines your legislative responsibilities and understanding what equity means and how it can be implemented. [Register](#) today to build your knowledge in these complex areas.

Building on the Memorandum of Understanding (MOU) shared by AMO and the Ontario Federation of Indigenous Friendship Centres (OFIFC), we are offering training to help build indigenous cultural competency in municipal government. [Register](#) for the

November 27 training.

The LAS IPE Risk Management Symposium will discuss critical municipal risk issues such as climate resiliency and the Natural Assets Initiative, cyber security, risk data management and more. [Registration](#) is now open.

AMO and eScribe are pleased to be joined by Becky Jamieson, Director of Corporate Services and Municipal Clerk for the Township of Scugog, to explore the benefits of meeting management platforms. [See first-hand how eScribe helps](#) governments leverage technology to make their public meetings easier and engage with their constituents better.

LAS

Migrating online services while the population demands a simple digital experience is no easy task. Our [latest blog](#) outlines how municipalities can deliver online services efficiently.

Did you know your Emergency Services can buy Safeware products through the [Canoe Procurement Group](#)? Safeware offers a wide range of solutions including fire & rescue equipment, law enforcement gear, educational supplies, and training. [Contact Sarah](#) to learn more.

The [LAS Road & Sidewalk Assessment Service](#) is getting ready for a busy summer! We'll be visiting all parts of Ontario, sign up now along with your neighbours to reduce costs. [Contact Tanner](#) for a no-obligation quote.

Municipal Wire*

Maintaining citizens' trust in a complex digital world was presented to the Association of Municipal Managers, Clerks and Treasurers of Ontario by Information and Privacy Commissioner Patricia Kosseim, April 27. The [presentation provided the latest updates \(FR\)](#) at the IPC as well as issues such as transparency and cybersecurity.

The Ontario Association of Children's Aid Societies is continuing the #ForgetMeNot campaign to remind community, government, and service providers that kids in care need critical supports. [Click here](#) for resources to participate.

Careers

[Commissioner of Public Works – Niagara Region](#). Core responsibilities of the role will be to provide strategic, innovative, and operational leadership for the Public Works department. Apply to arthur@wmc.on.ca by June 9.

[Senior Research Advisor - Halton Region](#). Responsible research, policy, and analytical activities to support the development, implementation and management of policies, programs and projects for the Children's Services Division. [Apply online](#) by May 26.

[Project Engineer, Rapid Transit - Regional Municipality of Durham](#). Support the coordination and delivery of Regional road and/or rapid transit projects. [Apply online](#) by June 9.

[Manager, Health Analytics and Research - Regional Municipality of Durham](#). This position leads and directs a specialized team of 8 epidemiologists and a program assistant. [Apply online](#) by May 31.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

AMO Contacts

[AMO Watchfile](#) Tel: 416.971.9856

[Conferences/Events](#)

[Policy and Funding Programs](#)

[LAS Local Authority Services](#)

[MEPCO Municipal Employer Pension Centre of Ontario](#)

[ONE Investment](#)

[Media Inquiries](#)

[Municipal Wire, Career/Employment and Council Resolution Distributions](#)

AMO's Partners



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4800 SOUTH SERVICE RD.,
BEAMSVILLE, ON L3J 1L3

905-563-2799

May 10, 2023

The Honourable Doug Ford
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Sent via email: premier@ontario.ca

Dear Honourable Doug Ford:

RE: Town of Lincoln Council Resolution – Municipal Heritage Register

Please be advised that Council of the Corporation of the Town of Lincoln at its Council Meeting held on May 8, 2023, passed the following motion:

Resolution Number: RC-2023-58

Moved by: Councillor Lynn Timmers; Seconded by Councillor JD Pachereva

WHEREAS the Municipal Heritage Register is an important tool for the recognition, preservation and protection of cultural heritage properties within the Town of Lincoln and throughout the Province of Ontario;

AND WHEREAS the Municipal Heritage Register allows municipalities to regulate demolition on properties protected under section 27 of the Ontario Heritage Act, to allow for evaluation of potential heritage value or significance, thereby ensuring that their potential cultural heritage value is preserved for future generations;

AND WHEREAS listing a property on the Municipal Heritage Register recognizes a property's potential cultural heritage value, and is generally less complex, time-consuming, and economically burdensome to local municipalities than pursuing the designation of a property as outlined within the existing process, which requires extensive research and documentation;

AND WHEREAS the new legislative requirements of the Ontario Heritage Act associated with Bill 23 mandate assessment of all properties on the

Municipal Heritage Register within two years, resulting in need for an unreasonable amount of resources and major budget implications for a local municipality within the short 2-year timeline;

AND WHEREAS the Town of Lincoln has 247 listed properties on the Municipal Heritage Register; and

AND WHEREAS the new requirement to remove the listed property after 2 years leaves resources exposed, and unprotected for up to 5 years;

THEREFORE, BE IT RESOLVED that the Council of the Town of Lincoln addresses this resolution to the government of the Province of Ontario, affirming the importance of the Municipal Heritage Register and its role in preserving the cultural heritage of municipalities throughout the Province;

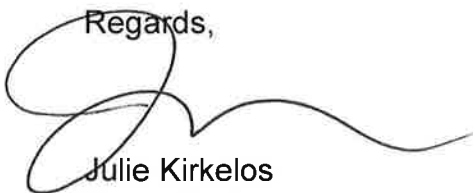
BE IT FURTHER RESOLVED that this Council of the Town of Lincoln encourages the government of the Province of Ontario to maintain the previous provisions of Section 27 of Ontario Heritage Act which promote the retention and expansion of the Municipal Heritage Register, keeping listed properties on the registry indefinitely, rather than for a maximum of 2 years in order to provide adequate time for the municipality to consider the heritage value of properties and, if necessary, initiate the designation process, before they may be demolished, and allowing properties to be re-listed within an unlimited timeframe; and

BE IT FURTHER RESOLVED that this Council of the Town of Lincoln circulate this resolution to the municipalities of Ontario for endorsement and circulation to the Province.

CARRIED

If you have any questions, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

JK/dp

c.c. All Municipalities of Ontario

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Add events@amo.on.ca to your safe list



ONLINE TRAINING

May 17, 2023

AMO Land Use Planning Training for Elected Officials

AMO has developed two land use planning training sessions to support elected officials in understanding your roles and responsibilities on land use planning and decision making.

If you are new to the world of land use planning and municipal governance, we recommend both courses to ensure a strong foundation for strategic decision making.

1. ***Foundations in Planning for Elected Officials***

Foundations in Planning for Elected Officials provides an interactive and engaging session that familiarizes participants with legislation, processes and provides real life examples to give a deep understanding and insight into important planning matters.

Participants will learn and understand:

- The need and importance of planning
- The planning hierarchy (policy, legislation, regulations etc.)
- The process and timelines of planning.

This half day session will walk you through important elements such as:

- Committee of Adjustment application
- The Community Planning Permit System
- Ministers Zoning Orders.
- Zoning applications using a planners report that deals with an official plan amendment
- Zoning amendments
- Site plans
- and so much more

Foundations in Planning for Elected Officials prepares participants for AMO's 2.0 planning training: Advanced Land Use Planning a Deeper Dive.

What your colleagues are saying:

“This informative training is very beneficial for all members of Council to be more knowledgeable of all aspects, the process and responsibilities of planning.”

“As a new councilor, the information I received in this session will help me make better decisions for my community.”

Dates:

This is a three-hour training, starting at 9:00am.

- September 21, 2023
- October 24, 2023
- November 6, 2023

Registration:

- Registration Fee*: \$250 + HST
- Limited to 30 participants (first come, first served)
- **A cancellation fee of \$75 applies.**

Register [here](#).

2. Advanced Land Use Planning – A Deeper Dive

AMO's land use planning 2.0 training is designed to support Ontario's elected officials in the strategic decision making and management of the many facets of land use planning.

Land Use Planning - A Deeper Dive, will develop your skill on addressing complex planning matters that rely on political acuity and provide you with skill to apply this to the planning challenges you face at the local level. Building on our **Foundations in Planning for Elected Officials**, this course strategically examines the planning process and the complexities that people can bring to the process. Over three hours, participants will engage in case studies and real-life examples that are examined through instructor lead instruction and group discussion.

What your colleagues are saying:

“This very engaging course provides challenging scenarios for discussion. The format allows the application of theory to practice and is very informative with respect to the experience of different municipalities. I would highly recommend it.”

Dates:

This is a three-hour training, starting at 9:00am.

- October 3, 2023
- October 25, 2023
- November 7, 2023

Registration:

- Registration Fee*: \$300 + HST
- Limited to 30 participants (first come, first served)
- **A cancellation fee of \$75 applies.**

For more information and to register, click [here](#).

AMO's training is offered in a virtual environment and designed for elected officials.

If you are interested in bringing this training in-house, contact events@amo.on.ca

Inquires: events@amo.on.ca

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May 18, 2023

In This Issue

- Recent AMO housing submissions.
- AMO submission to Ministry of Energy.
- Submit your entry for the 2023 PJ Marshal Awards.
- Applications open for 2023 Ontario Community Environment Fund.
- Federal Housing Advocate Review on Homeless Encampments.
- EnAbling Change Program funding opportunity.
- Expanding Access to Primary Health Care Expression of Interest.
- Support for Municipal Disability Management Programs.
- Register for the AMO 2023 Annual General Meeting and Conference.
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- Navigating the Road to Resilience Risk Management symposium: October 4-5.
- eScribe webinar: Member spotlight on the Township of Scugog.
- Energy Planning Tool makes reporting energy easy!
- Canoe vendor spotlight: Niu Toilet.
- Building Linkages in Emergency Management Symposium: October 17-18.
- Careers: Brantford Police Service, Wasaga Beach, Hastings, Orillia, and Essex.

AMO Matters

AMO is responding to Bill 97. Recently AMO made a [submission](#) responding to Schedules 4 and 6 and delivered [remarks](#) and a [written submission](#) to Standing Committee. More to come.

AMO [submitted](#) comments to the Ministry of Energy on IESO's Pathway to Decarbonization Study, supporting IESO's no regret actions, the role of municipal governments and Indigenous communities, and strengthening connections.

The [PJ Marshall Award](#) recognizes municipal governments demonstrating excellence in the use of innovative approaches in the areas of capital, service delivery showcasing examples where Ontario municipalities have implemented and can point to tangible outcomes from new, more cost-effective ways of providing public services and facilities. The deadline to submit is May 26.

Provincial Matters

Please review the Ontario Community Environment Fund program [application guide](#) for guidance on applying to the program. The deadline to submit through [Transfer Payment Ontario](#) is May 30 at 5pm. Contact OCEF@ontario.ca for more details.

The Ontario government is providing up to \$1.5 million through the 2023-2024

EnAbling Change Program for accessibility projects. Applications for this funding are open through to June 29th.

The Ministry of Health and Ontario Health released an Expression of Interest for funding opportunities for primary care. On May 18, two webinar sessions will provide guidance on applications.

Federal Matters

The Federal Housing Advocate has launched a review of homeless encampments. Municipalities, service providers, and people experiencing homelessness are encouraged to submit experiences and ideas for solutions by May 26.

A free assessment of disability management programs is available until June 2024. The assessment involves an interview and produces a report. For details, visit the National Institute of Disability Management and Research website.

Eye on Events

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. View the preliminary program and Register now for this important event.

AMO continues to work to meet your accommodation needs for the 2023 Conference. 65 additional rooms are now available at the Ivey Spencer Leadership Centre. Make your reservation here.

Don't miss out on the opportunity to exhibit or sponsor at the 2023 AMO Conference - the largest municipal conference in Ontario. Full details on how your organization can participate is located here here.

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LAS

The [LAS Energy Planning Tool](#) takes the stress out of reporting annual consumption under O.Reg 25/23 (formerly 507/18). [Get your data ready today](#) and beat the July 1 deadline. While you're at it, update your conservation measures and you'll be that much closer to your 5-year CDM plan.

Looking to add some outdoor washrooms to your public spaces this summer? The [Canoe Procurement Group](#) has you covered. Niu Toliet offers smart mobile and permanent washroom solutions to blend in with your public community spaces and special events. [Contact Sarah](#) to learn more.

Municipal Wire*

Attend Niagara West Emergency Management's *Building Linkages in Emergency Management Symposium*, October 17-18, at the Holiday Inn & Suites St. Catharines Conference Centre, to hear best practices and lessons learned from real disasters and help your community to be more resilient. Details and to register [here](#).

Careers

[Equity, Diversity, and Inclusion Specialist - Brantford Police Service](#). Coordinate policy, programs, and evaluation development, and work to identify, address and prevent systemic racism in policy, practices, programs and services. [Apply online](#) by May 24.

[Manager, Finance - Town of Wasaga Beach](#). Responsible for the administration and oversight of analytical accounting activities. [Apply online](#) by June 2.

[Corporate Project Manager - County of Hastings](#). The position will oversee all aspects of corporate projects to ensure that scope, quality, schedule, budget resources and risks are managed during each project phase. Apply to careers@hastingscounty.com by May 31.

[Senior Financial Planning Analyst - City of Orillia](#). Participate in the development and implementation of policies / procedures and internal control processes reflecting industry best practice. [Apply online](#) by May 28.

[Chief Administrative Officer - County of Essex](#). Responsible for the strategic leadership and efficient delivery of all the administrative and operational services. Apply to careers@waterhousesearch.net by June 5.

About AMO

AMO is a non-profit organization representing almost all of Ontario's 444 municipal governments. AMO supports strong and effective municipal government in Ontario and promotes the value of municipal government as a vital and essential component of Ontario's and Canada's political system. Follow [@AMOPolicy](#) on Twitter!

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May 25, 2023

In This Issue

- Submissions on Tenant Protection and Site Plan Control.
- Applications open for 2023 Ontario Community Environment Fund.
- Federal Housing Accelerator Fund.
- Federal Housing Advocate Review on Homeless Encampments.
- EnAbling Change Program funding opportunity.
- Support for Municipal Disability Management Programs.
- Register for the AMO 2023 Annual General Meeting and Conference.
- Additional accommodations available for AMO 2023.
- AMO Conference 2023: Exhibitor and sponsorship information.
- Request your delegation meetings at AMO 2023.
- Navigating Conflict for Elected Officials: June workshop.
- AMO-OFIFC Indigenous Community Awareness: November workshop.
- Navigating the Road to Resilience Risk Management symposium: October 4-5.
- LAS Blog: AMO's Work on Ending Homelessness.
- Canoe vendor spotlight: Unifirst Corporation.
- Register for FCM's Gender-Based Analysis course.
- Building Linkages in Emergency Management Symposium: October 17-18.
- Careers: Township of South Glengarry and County of Simcoe.

AMO Matters

As part of consultations on Bill 97, AMO has [submitted comments](#) on tenant protection proposals. AMO and ROMA have also submitted a letter to Minister Clark on site plan control.

Provincial Matters

Please review the Ontario Community Environment Fund program [application guide](#) for guidance on applying to the program. The deadline to submit through [Transfer Payment Ontario](#) is May 30 at 5pm. Contact OCEF@ontario.ca for more details.

The Ontario government is providing up to \$1.5 million through the 2023-2024 [EnAbling Change Program](#) for accessibility projects. Applications for this funding are open through to June 29.

Federal Matters

The Housing Accelerator Fund - launching in summer 2023 - provides incentive funding to local governments to boost housing supply across Canada. More information on eligibility criteria can be found [here](#).

The Federal Housing Advocate has launched a [review of homeless encampments](#). Municipalities, service providers, and people experiencing homelessness are encouraged to submit experiences and ideas for solutions by May 26.

A free assessment of disability management programs is available until June 2024. The assessment involves an interview and produces a report. For details, visit the National Institute of Disability Management and Research [website](#).

Eye on Events

AMO is excited about this year's Conference hosted by the City of London at RBC Place London and DoubleTree by Hilton, August 20-23. View the preliminary [program](#) and [register](#) now for this important event.

AMO continues to work to meet your accommodation needs for the 2023 Conference. 65 additional rooms are now available at the Ivey Spencer Leadership Centre. Make your reservation [here](#).

Don't miss out on the opportunity to exhibit or sponsor at the 2023 AMO Conference - the largest municipal conference in Ontario. Full details on how your organization can participate is located here [here](#).

Delegation meetings are a unique opportunity to meet with provincial ministers and staff on matters of local interest. The request for delegations through MMAH is opened until June 9, 2023. To request a delegation meeting, click [here](#).

AMO has designed its training to support members in your leadership roles. Our training offers skills to navigate the many relationships you encounter as an elected official. [Navigating Conflict Relationships for Elected Officials](#) is a top-rated course you shouldn't miss. Register for the June 27-28 training.

Building on the Memorandum of Understanding (MOU) shared by AMO and the Ontario Federation of Indigenous Friendship Centres (OFIFC), we are offering training to help build indigenous cultural competency in municipal government. [Register](#) for the November 27 training.

The LAS IPE Risk Management Symposium will discuss critical municipal risk issues such as climate resiliency and the Natural Assets Initiative, cyber security, risk data management and more. [Registration](#) is now open.

LAS

AMO has long been involved with housing and homelessness advocacy and is working to help municipal leaders find solutions that are appropriate for their communities. [Read more](#) about the Homelessness Symposium.

Looking for some new uniforms? We're pleased to welcome [UniFirst Corporation](#) to the Canoe Procurement Group. Keep your staff looking great with on-site analysis and fittings, laundering, deliveries, repairs, and inventory controls. [Contact Sarah](#) to learn more.

Municipal Wire*

FCM's free, *Gender-Based Analysis (GBA) Plus as an Equity Lens for the Municipal Sector* online course is an opportunity for municipalities to gain information and insight into supporting your own GBA and equity goals. Click [English](#) or [French](#) to register for the first cohort starting in June.

Attend Niagara West Emergency Management's [Building Linkages in Emergency Management Symposium](#), October 17-18, at the Holiday Inn & Suites St. Catharines Conference Centre, to hear best practices and lessons learned from real disasters and

help your community to be more resilient.

Careers

Chief Administrative Officer - Township of South Glengarry. Responsible for the efficient administration of the Township and is the primary policy advisor to Council. Apply to allen@palmerecareers.com by June 17.

Manager, Business Intelligence & Policy Development - County of Simcoe. Responsible for planning, assessing risk management and evaluation of a full range of social planning, policy analysis and data development. Apply online by May 26.

About AMO

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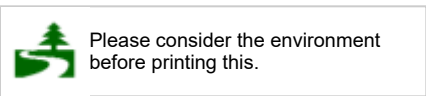
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Ministry of Natural Resources and
Forestry

Resources Planning and Development
Policy Branch
Policy Division
300 Water Street
Peterborough, ON K9J 3C7

Ministère des Richesses Naturelles et
des Forêts

Direction des politiques de planification et
d'exploitation des ressources
Division de l'élaboration des politiques
300, rue Water
Peterborough (Ontario) K9J 3C7



RE: Streamlining of Approvals under the *Aggregate Resources Act* and Supporting Policy

Greetings,

Ontario's aggregate industry plays a key role in our government's vision to Build Ontario, supporting vital development and jobs across the province. The Ministry of Natural Resources and Forestry (the ministry) is proposing changes to [Ontario Regulation 244/97](#) under the *Aggregate Resources Act* to expand the list of changes that can be made to existing pit or quarry site plans without ministry approval, called self-filing changes (subject to conditions and eligibility), as well as seeking feedback on a new policy that provides direction for making changes to licences, permits and site plans that do require ministry approval.

The ministry is proposing to expand the list of small or routine site plan changes to an existing pit or quarry that can be self-filed, provided they satisfy detailed eligibility requirements and specified conditions. If approved, five additional site plan changes will be added to the list of self-filed amendments in the regulation. These are:

- Enabling recyclable aggregate material to be imported (concrete, asphalt, bricks, glass, or ceramics) to aggregate sites
- Adding or relocating entrances or exits to aggregate sites when the operator can provide proof of the relevant road authority approval for the change
- Adding, removing or changing portable processing equipment at aggregate sites (e.g., for crushing or screening aggregate material)
- Adding, removing or changing portable concrete or asphalt plants where required for public authority projects
- Adding, removing or changing above-ground fuel storage at aggregate sites

In addition, the ministry is proposing a new policy to clarify requirements including notification requirements when amendments are proposed to existing licenses, permits, or site plans that require ministry approval. The ministry is also outlining criteria or considerations to determine whether these changes are significant or not.

Amendment requests can include changes to site plans, conditions of a licence or permit, or any other information normally included on licences, permits, or wayside permits (e.g., name of operator, address, etc.). Amendment requests can vary in type and complexity ranging from small or administrative changes to significant changes to operations and rehabilitation. Significant changes may require consultation and notification.

We invite you to review the changes and offer comments.

**Ministry of Natural Resources and
Forestry**

Resources Planning and Development
Policy Branch
Policy Division
300 Water Street
Peterborough, ON K9J 3C7

**Ministère des Richesses Naturelles et
des Forêts**

Direction des politiques de planification et
d'exploitation des ressources
Division de l'élaboration des politiques
300, rue Water
Peterborough (Ontario) K9J 3C7

A complete summary of the proposed regulatory and policy changes can be found on the Environmental Registry at the following address: www.ero.ontario.ca. Then search for notice: 019-6767.

There are several ways you can comment on this proposal, including:

1. Directly through the Environmental Registry posting (click on the "Submit a comment" button)
2. By email to aggregates@ontario.ca, or
3. By mail to:

Resources Development Section
Ministry of Natural Resources and Forestry
300 Water Street, 2nd Floor South
Peterborough, ON K9J 3C7

If you have any questions, you can contact Jamie Prentice at aggregates@ontario.ca.

Sincerely,

Jennifer Keyes,
Director, Resources Planning and Development Policy Branch

Ina Watkinson

From: Dave Spiegl <[REDACTED]>
Sent: April 30, 2023 7:42 PM
To: Ina Watkinson
Cc: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; nryeland@mckellar.ca; dzulak@mckellar.ca; Greg Gostick
Subject: Re: Road upgrades estimate for Deerfield & Bay Drives
Attachments: image001.jpg; Proposed Partnering Approach for Unassumed Road Upgrade - Process - McKellar Township.docx

Good Evening Ina:

As I did not see a draft proposed upgrading process I took some time over the weekend to develop one that we can all use as a starting point to help facilitate discussions on this topic at the Committee of the Whole on May 2. I have consulted with my peers in the other McKellar based road associations and we are all very happy with the results of this draft process. We are excited to work with McKellar to review and improve this process going forward as we feel it will be an extremely useful tool in your toolbox as you go through this process several times in the coming years.

In the event that it is not possible to include this document in the Agenda package or agenda for this upcoming meeting due to its late arrival to you (it was only developed this weekend when we determined that no such process existed) I would suggest that another public meeting be scheduled within the next week or two to have the needed discussion of this process and this document. In the event that it can not be discussed Tuesday I would like to propose that the Draft Resolution related to item 12 in the Agenda package be DEFERRED so that this process and this document can be discussed instead in the future.

I await your decision and I and others are looking forward to discussing this further with McKellar over the coming weeks.

Dave Spiegl
 MPA President
 [REDACTED]

From: Dave Spiegl <spiegl.dave@gmail.com>
Sent: Friday, April 28, 2023 3:41:12 PM
To: Ina Watkinson <clerk@mckellar.ca>
Cc: dmoore@mckellar.ca <dmoore@mckellar.ca>; mhaskim@mckellar.ca <mhaskim@mckellar.ca>; mkekkonen@mckellar.ca <mkekkonen@mckellar.ca>; nryeland@mckellar.ca <nryeland@mckellar.ca>; dzulak@mckellar.ca <dzulak@mckellar.ca>; 'Greg Gostick' <roads@mckellar.ca>
Subject: Re: Road upgrades estimate for Deerfield & Bay Drives

Good afternoon Ina.

When you replied to my email informing me of the May 2 Committee of the Whole meeting to discuss 'proposed upgrading procedure' I was expecting when I opened the Agenda package today to see a document outlining a procedure for upgrading Township owned unassumed roads. I did not find such a document in the

agenda package. Without a document describing a starting point how are we to frame the discussion on the topic on May 2?

Under Agenda item 12A on the Agenda package there is a draft resolution which suggests what some of the next steps might look like for McKellar. But this draft resolution does not describe an END-TO-END procedure to be followed to get a currently Township unassumed road upgraded eventually to a Township assumed road. In my opinion this end-to-end procedure needs to be understood, documented, and agreed upon by all, in advance, if the road assumption process is to go smoothly for both parties.

Does such a document exist, even in draft? If not I am more than happy to draft what I feel would be a reasonable starting point of such a procedure to facilitate our discussions on May 2.

Please advise.

Thanks in advance.

Dave Spiegl
MPA President

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From: Ina Watkinson <clerk@mckellar.ca>
Sent: Tuesday, April 25, 2023, 3:50 p.m.
To: 'Dave Spiegl' <[REDACTED]>
Cc: dmoore@mckellar.ca <dmoore@mckellar.ca>; mhaskim@mckellar.ca <mhaskim@mckellar.ca>; mkekkonen@mckellar.ca <mkekkonen@mckellar.ca>; nryeland@mckellar.ca <nryeland@mckellar.ca>; dzulak@mckellar.ca <dzulak@mckellar.ca>; 'Greg Gostick' <roads@mckellar.ca>
Subject: RE: Road upgrades estimate for Deerfield & Bay Drives

Hi Dave;

Today at 1 pm was the cut off for submissions to complete the Agenda. The Agenda and information package will be available to the public via the website on Friday afternoon. If you require a physical copy please let me know and I can have one ready for pick up.

Regards,

Ina Watkinson
Clerk / Administrator
Township of McKellar

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From: Dave Spiegl <spiegl.dave@gmail.com>
Sent: April 25, 2023 2:35 PM
To: Ina Watkinson <clerk@mckellar.ca>
Cc: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; nryeland@mckellar.ca; dzulak@mckellar.ca; 'Greg Gostick' <roads@mckellar.ca>; Dave Spiegl <spiegl.dave@gmail.com>; Dave Spiegl <spiegl.dave@gmail.com>
Subject: Re: Road upgrades estimate for Deerfield & Bay Drives

Thanks Ina.

I and others will be there. You may want to ensure you have adequate seating as I suspect there will be many in attendance.

Could I please see, in advance of the meeting, the agenda for this meeting (it is not yet posted on the McKellar website) and any background documents (you reference in your email a 'proposed upgrading procedure', plus any other relevant documents please) that will be discussed? We will need the documents with adequate time that we can familiarize ourselves with the content and to share the content with others.

Looking forward to renewed discussions on this topic.

Dave

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From: Ina Watkinson <clerk@mckellar.ca>
Sent: Tuesday, April 25, 2023, 1:53 p.m.
To: 'Dave Spiegl' <[REDACTED]>
Cc: dmoore@mckellar.ca <dmoore@mckellar.ca>; mhaskim@mckellar.ca <mhaskim@mckellar.ca>; mkekkonen@mckellar.ca <mkekkonen@mckellar.ca>; nryeland@mckellar.ca <nryeland@mckellar.ca>; dzulak@mckellar.ca <dzulak@mckellar.ca>; 'Greg Gostick' <roads@mckellar.ca>
Subject: RE: Road upgrades estimate for Deerfield & Bay Drives

Good Afternoon Dave

Council will be holding a Committee of the Whole at the May 2nd Council Meeting to discuss the proposed upgrading procedure for "Municipally Owned, Un-Assumed Roads". I'm hoping you and/or other MPA members could attend this meeting. The Regular Session of Council will begin at 6:30 p.m., with two planning matters and a Deputation to Council prior to the Committee of the Whole. I don't anticipate those items taking very long.

Respectfully,

Ina Watkinson
Clerk / Administrator
Township of McKellar

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From: Dave Spiegl <[REDACTED]>
Sent: April 21, 2023 4:14 PM
To: Ina Watkinson <clerk@mckellar.ca>
Cc: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; nryeland@mckellar.ca; dzulak@mckellar.ca; Greg Gostick <roads@mckellar.ca>
Subject: Road upgrades estimate for Deerfield & Bay Drives

Could I please get an update from McKellar staff as to the projected costs to upgrade our road to the new McKellar standard?

McKellar staff were directed last year by the previous council to start working with us (MPA) on this process. A subsequent meeting with the now current new council re-affirmed this request early in 2023 when I attended a council meeting and asked at that meeting for a similar update. Note that at that meeting Greg Gostick verbally indicated that the cost of this upgrade was likely to be in the order of \$190K, taking into consideration increased costs that had taken place since we last received a verbal estimate from McKellar, and also taking into account the new updated roads standard that had taken place last year. But as this was just a verbal estimate at the time it was suggested during that 2023 council meeting that McKellar revise and update their estimate and that they provide this to our association in writing so that we were working with one another on a more formal basis.

When I spoke with Mayor Moore a few weeks back I did remind him that we have still not received a written quote and that there has been no formal contact made with us by McKellar staff on this issue. Mayor Moore at that time suggested to me that perhaps we should be getting an external (ie contractor) quote for the road as well. Although I am not opposed in principle to getting another estimate (we had done this a few years back before we started talking with McKellar about partnering on this project, with McKellar in fact suggesting to us that they could do the work to ensure that they inherited a road that they knew would be delivered to their standards and expectations) it just sounds unnecessary (and an unnecessary delay) to me given that Greg has done 2 similar road upgrade projects in the past 2 years and as such should be considered the local expert on this type of project.

We have our annual MPA meeting with our membership on the May long weekend and need an update from you so that I can update the MPA membership as to progress.

I plan, as do others from our road, on attending upcoming council meetings so as to keep the need for this important safety and fairness issue front and center with both the political side of McKellar (Council) as well as the administrative side of McKellar (staff) that have, to date, not engaged our association as they had been directed.

Thanks in advance for any update you can provide.

Dave Spiegl
Manitouwabing Peninsula Association (MPA) President
[REDACTED]

ps I had heard someone mention that the ball was in our (MPA) court and that McKellar was awaiting something from us. I am not aware of anything that is needed from me, but if I am wrong and there is

something outstanding on my end please let me know so that I can correct this situation. It is not my intention to introduce any delays into an initiative that our association is in fact quite eager to complete.

From: Dave Spiegl [REDACTED]
Sent: Friday, December 9, 2022 12:56:36 PM
To: Greg Gostick <roads@mckellar.ca>
Subject: Re: Deerfield Upgrades

Good afternoon Greg. Thanks very much for keeping our initiative front and center with both council and in your work plans.

Yes the MPA is still interested in getting our road upgraded with the ultimate goal to getting our roads assumed by McKellar. We are, however, still awaiting a cost and time estimate from McKellar as to what our total costs (materials and labour) will be for the needed upgrades so that we can put it to a vote with our membership (a reconfirmation with revised numbers to reflect present day) and get everyone's commitment.

I would be reluctant to give a go ahead for the blasting work, at a significant cost, without knowing the full cost of the entire road upgrade project. It would not be advisable for us to spend upwards of \$40K on a portion of the project if it later turns out that the rest of the project is not affordable and not supported by our membership.

Would you be able to provide us with an estimate for the total road upgrade project in the coming weeks? Including a rough schedule for the timeline for completion? Once we understand that I can consult with my membership again and confirm our support at which time I can then commit further on the blasting portion of the project.

Thanks in advance

Dave

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From: Greg Gostick <roads@mckellar.ca>
Sent: Tuesday, December 6, 2022, 9:04 a.m.
To: [REDACTED]
Subject: Deerfield Upgrades

Hi Dave, I am hoping to get the road upgrades back in motion with the new council. As discussed previously, is your association still in agreement to fund the large rock excavation? This section of the project estimate should be less than \$40000.00. I could present this to council as a down payment for the overall project. I am still planning for this project to be completed in fall 2023.

Thanks

Greg Gostick-CRS
Director of Operations
Township of McKellar
701 Hwy 124, P.O. Box 69
McKellar, ON P0G 1C0
Email: roads@mckellar.ca
P: 705-389-2891

Proposed Partnering Approach for Unassumed Road Upgrade - Process - McKellar Township

Unassumed Road Land Owners	Township of McKellar	Weeks
1	Setup of a local landowner road association or similar group that speaks on behalf of the residents. This association (hereafter called proponents) will be the focal point for discussions with McKellar staff and McKellar council.	
2	Proponents present their Unassumed Road Upgrade Request (Application) to Township. Proponents provide refundable deposit to McKellar if requested.	
3	McKellar assesses the application to ensure that it meets their criteria for assumption as laid out in the Roads Bylaw. McKellar works with the proponent to resolve any shortcomings (continue to step 4) or to agree with the proponent that this road is not a candidate for assumption (early end of this process).	4
4	McKellar informs proponents of the compliance (or not) of their application. Any conditions or stipulations requested by either partner are made known and documented in writing at this time.	1
5	McKellar staff (Public Works, Finance, Clerk) sits down with the proponents and develops and documents a) the plan; b) a description of all the deliverables; c) the approach on delivery; d) the schedule; e) the budget; and f) any other constraints or details necessary to fully understand and document the goals of the project. A Project Board (PB) consisting of the CAO, the McKellar Director of Public Works, and one representative of the Proponent is established to oversee the project. This agreement is approved by members of the Project Board, in anticipation of upcoming confirmation (step 7) by affected residents that they are committing to the project.	8
6	McKellar confirms that all preconditions (e.g. adequate road allowance amounts, ownership of appropriate road allowance, adequate road base, etc) necessary to complete the project have been met and that the project can legally proceed.	
7	McKellar reaches out, in writing, to all affected ratepayers affected by the application that they a) confirm they wish to be represented by the association (proponent) b) agree to the scope of	4

		<p>the work c) agree to the proposed schedule d) agree on (ie commit to) a payment schedule and the proposed amount to be paid e) agree to the break-in period being proposed f) acknowledge the interim support arrangements that have been negotiated as part of the agreement and that will cover the period of time between project start and eventual road assumption. This ballot must go out to all ratepayers (equally weighted voting) who are considered to be abutting, accessing, or adjacent to the roadway(s) in question. A simple majority of affected ratepayers (votes) is necessary to proceed with the project. The Fees and Charges Bylaw will be the mechanism set up to oversee and manage cost recoveries between McKellar and the proponents.</p>	
8	<p>The construction work is done with regular status reporting occurring at appropriate milestones throughout the project. Any deviations (schedule or cost or deliverables) from the originally agreed upon plan should be managed and overseen by an agreed upon Change Management process with the Project Board. Once completed a Road Upgrade Completion Report should be produced to inform and get acknowledgement from all partners that this milestone has been met.</p>		
9	<p>All affected ratepayers should execute their portion of the Fees and Charges cost recovery process so as to not impose any financial hardship on the Township as a result of their financing arrangements.</p>	<p>Upon receipt of the Road Upgrade Completion Report McKellar invoices proponents for 90 percent of the total costs (costs as established in step 7 of the procedure). Fees and charges bylaw are used to collect monies from proponents. The remaining 10 percent of the costs to be released once the break-in period is finished and the assumption process has been completed (Step 14).</p>	4
10	<p>Once the required project work has been completed, during the break-in period, there should be ongoing collaborative discussions between the partners (McKellar and proponents) to make sure both parties continue to be on board and happy with the project's progression.</p>		
11	<p>At the appropriate time, after the agreed upon break-in period, the proponents contact McKellar and apply to have their road(s) assumed.</p>		
12		<p>(assuming seasonal conditions are appropriate) McKellar staff arrange for final road inspection (leveraging professional advice should this have been agreed upon in the project delivery approach defined in step 5) to confirm that the road conforms to the target standard and can therefore be assumed by McKellar. Should deficiencies be noted which require resolution the Project Board convenes to discuss cost and scheduling options</p>	6

		as appropriate (leveraging the agreed upon Change Management process) to find a resolution that is agreeable to all.	
13		Based upon a positive report from McKellar staff to the final inspection McKellar Council tables and completes the appropriate bylaw process(es) to formally assume the road(s) covered by the project.	
14		McKellar invoices the proponents for the final 10% (withheld portion) of the cost, plus any additional agreed upon costs (previously approved Change Requests) that may have arisen throughout the project. As with step 9 the Fees and Charges bylaw is used to collect monies owed from proponents.	
15		McKellar updates appropriate Appendices or Inventories to reflect the fact that the previously unassumed roads are now assumed roads. McKellar delivers road services on these newly assumed roads consistent with the services it provides other assumed roads.	
16	(Optional) Ribbon Cutting and Celebration including proponents, staff, and Council (all the partners) in the project.		

Notes and Considerations:

- A Change Management Process should be documented in the early stages of the project, and completed and agreed upon no later than step 5.
- It is highly desirable for Road associations to be able to leverage Municipally backed financing (similar to the process that was followed by similar road upgrade projects in 2020 and 2021).
- For upgrade projects (roads already well established over years or decades) of unassumed roads there are significant advantages to all partners to have road upgrades managed and delivered by Township staff (Public Works) as opposed to private contractors. The advantages for the road associations include being able to leverage Township bulk purchasing power of aggregates and other materials; the ability to tap into local knowledge in road building experience; the possibility to leverage Township staff time that is already being funded by taxpayer funds and otherwise perhaps not fully utilized in Township functions (scheduling considerations apply of course); the removal of the profit portion of the costs that all private sector contractors will of course be expecting; the ability to have assurances that Township requirements are being met since the work is being overseen by Township resources (ie no unforeseen surprises). The advantages for McKellar include knowing and understanding all the nuances of the road upgrade prior to having to take over its maintenance; fewer surprises when the final inspection occurring at the end of the break-in period; better relationships and increased trust with the ratepayers due to frequent and close discussions throughout the upgrade project. Note that this approach was successfully done in McKellar with two road upgrade projects in 2020 and 2021.
- For new road construction (new developments) it may be advantageous for road associations to leverage external contractors as the scope of the project may be too large for Township resources to take on and the availability of specialized equipment needed for this type of new construction may not readily be available to McKellar.
- A default cost distribution approach of equal shares per ratepayer should be taken whenever possible as this is administratively simpler for all partners and is less likely to cause angst and turmoil amongst members of road associations. Note that this was successfully done in McKellar with two road upgrade projects in 2020 and 2021.
- In the event that contractors are used within the project, consideration should be given to withholding 10% of the contract value in the event that the work may negatively impact eventual assumption of the road. In situations where the holdback has no impact on eventual assumption (e.g. loads of aggregate, completed blasting, etc) no holdback will be taken if agreed to by all partners.
- Consideration should be given to shorter warranty (break-in) periods if the road being upgraded has been in place (well established) and has been well maintained for decades and therefore has

a proven good base upon which to upgrade (little risk of future problems). Consideration should be given to longer warranty (break-in) periods for new roads without existing bases and hence little track record as to how it will function in the early stages of completion.

- Consideration should be given to have McKellar agree to maintain the upgraded road during the break-in period, as this will give McKellar Public Works valuable insight as to how the upgraded road is functioning (prior to eventual road assumption by McKellar) and allows minor fixes to the road to be done early when it is easier and more cost effective to do the repairs. The costs of repairing deficiencies to the road during the break-in period should be the responsibility of the proponents whereas the costs of maintaining the road during the break-in period should be the responsibility of the Township.

Ina Watkinson

From: Dave Spiegl <[REDACTED]>
Sent: May 2, 2023 12:51 PM
To: dmoore@mckellar.ca; mhaskim@mckellar.ca; mkekkonen@mckellar.ca; Nick Ryeland; dzulak@mckellar.ca; Greg Gostick; Ina Watkinson
Subject: My Speaking Notes for May 2 2023 Committee of the Whole discussion on Roads
Attachments: MPA Presentation Road Assumption May 2 2023.pptx

In the spirit of transparency and openness I am sharing with you all my position (speaking note) on how I feel related to the roads issue.

Although the document as shared with you now may not be able to be added to any agenda package or minutes it does nonetheless walk you through my thoughts on the topic and will give you insight as to what I am planning on raising at the meeting tonight.

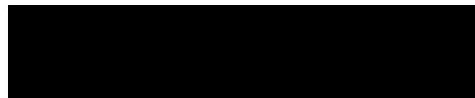
Looking forward to a great discussion.

Dave

MPA Presentation / Speaking Notes
to Committee of the Whole May 2
2023

Dave Spiegl

Manitouwabing Peninsula Association



Why Assume Roads? - Advantages

- Public safety due to higher road standards
- More effective emergency response
- Encourages community pride and future development, both of which benefit McKellar
- Consistency and fairness of services to ratepayers in Township
- Reduces Risk/Liabilities to Township
- Economies of scale benefit everyone
- Road upgrade (capital) is cost neutral to McKellar (Proponents pay up front costs)

Disadvantages to McKellar Assuming Roads

- Minor increased ongoing (operating costs) road maintenance budget will be required by McKellar
- A need to manage communications around the initiative with some non-supportive residents

Defining a Road Upgrade process

- Write once and perform many times
- Clarity for both sides on what is expected
- Deterministic (What does success look like?; Who pays which portion? etc) for both sides
- Facilitates partnering and increases trust
- More efficient to follow the same upgrade process, especially over time

Upgrade Delivery Options

- External Contracting by Road Associations
- External Contracting by McKellar
- Construction by McKellar Public Works (details related to this option in this deck)
- Hybrid construction involving both Public Works and Contractors
- Buy shovels and picks for road owners ;)

Construction by McKellar Public Works - Advantages

- More cost effective for ratepayers
- More control over scheduling for both sides
- McKellar knows EXACTLY what it will be getting upon road assumption
- Builds trust between Township and ratepayers
- Better quality road is anticipated (Public Works has successfully completed similar upgrades in 2020 and 2021 with excellent results)
- Shorter warranty period is possible

Construction by McKellar Public Works - Disadvantages

- Managing some public perception that Proponents are getting 'a free ride' (or some sort of an 'advantage')
- Increased workload on Township staff during construction phase that needs to be managed.

Funding Options

- Leveraging Fees and Charges Bylaws are the preferred (and lawyer recommended) approach
- Equal shares of cost per owner that accesses or abuts the upgraded road
- Details at the discretion of McKellar but past examples of cost recovery via one-time payment or financed over time options have been successful
- Construction costs (capital) are cost neutral to Township

Warranty / Break-in

- Break in period should depend upon how long road has existed (new vs decades old), how well it has historically been maintained, and who does the work. Should be negotiated on a case by case basis.
- McKellar should maintain road during break in period to gain experience with the new road
- If deficiencies must be fixed during this period this really should be considered part of the construction costs and paid for by proponents

Next Steps

- Tweak the draft policy as needed to get agreement
- McKellar and MPA start discussion(s) focusing on the 'tougher' questions needed to develop an agreement (eg Who does work; project schedule; voting model; funding model; break-in period)
- Communicate, communicate, communicate.