



AGENDA

Regular Council Meeting

Tuesday, July 16, 2024

4:40 PM

Council Chambers/Zoom

Please visit the [TKL YouTube Channel](#) for the live-stream of the meeting.

We acknowledge that the Town of Kirkland Lake is located on the traditional territory of Algonquin peoples including the Beaverhouse First Nation, and unceded territory of other indigenous peoples. We recognize the presence of the Algonquin, Anishanabai, Ojibwe, Cree and Métis people in our community since time immemorial and honour their stewardship and care of these lands. We hereby affirm our continued commitment and responsibility to reconciliation.

1. CALL TO ORDER AND MOMENT OF SILENCE

2. APPROVAL OF THE AGENDA

RECOMMENDATION:

THAT the Agenda for the Regular Meeting of Council held on Tuesday, July 16, 2024 be approved as circulated.

3. DECLARATION OF PECUNIARY INTEREST

4. PETITIONS AND DELEGATIONS

- 4.1. Update from Blanche River Health - Kirkland Lake Site
Jorge VanSlyke, President and Chief Executive Officer
[Presentation - BRH, VanSlyke](#)

RECOMMENDATION:

THAT the Delegation entitled "**Update from Blanche River Health - Kirkland Lake Site**" be received for information purposes.

5. ACCEPTANCE OF MINUTES AND RECOMMENDATIONS

- 5.1. Council Minutes

[Council Minutes - June 18, 2024](#)

RECOMMENDATION:

THAT Council approve the minutes of the following meeting:

- Minutes of the Regular Meeting of Council held June 18, 2024 .

5.2. Local and Regional Board Minutes

[Minutes - KLPLB - May 16, 2024](#)

[Minutes - THU -May 1, 2024](#)

RECOMMENDATION:

THAT Council receive the minutes of the following meetings:

- Minutes of the Kirkland Lake Public Library Board held May 16, 2024; and
- Minutes of the Timiskaming Health Unit Board of Health held May 1, 2024.

6. REPORTS OF MUNICIPAL OFFICERS AND COMMUNICATIONS

6.1. Request to Purchase - 300 Archer Drive
Brook-Lynn Rozon, Acting Planning Administrator
[2024-DEV-012](#)

RECOMMENDATION:

THAT Report Number 2024-DEV-012 entitled “**Request to Purchase Part Mining Claims L1354 & L6787, Part 1 and 2 of Plan 54R-6439 (300 Archer Drive)**” be received for information.

6.2. Site Plan Control Agreement Application – 300 Archer Drive
Brook-Lynn Rozon, Acting Planning Administrator
[2024-DEV-020](#)

RECOMMENDATION:

THAT Report Number 2024-DEV-020 entitled “**Site Plan Control Agreement Application – 300 Archer Drive**” be received;

AND THAT Council approve the proposed Site Plan Control Agreement for 300 Archer Drive;

AND THAT Council authorize the Mayor and Municipal Clerk to execute the Site Plan Control Agreement between The Corporation of the Town of Kirkland Lake and Temiskaming Native Women’s Support Group for the subject property, and all appropriate documents, as may be required;

AND FINALLY THAT subsection 2.2. i) of the Town’s Notice By-Law be lifted to allow for the authorizing by-law to be given three readings on July 16, 2024.

6.3. Site Plan Control Agreement Application – 31 Churchill Drive
Brook-Lynn Rozon, Acting Planning Administrator
[2024-DEV-021](#)

RECOMMENDATION:

THAT Report Number 2024-DEV-021 entitled “**Site Plan Control Agreement Application – 31 Churchill Drive**” be received;
AND THAT Council approve the proposed Site Plan Control Agreement for 31 Churchill Drive;
AND THAT Council authorize the Mayor and Municipal Clerk to execute the Site Plan Control Agreement between The Corporation of the Town of Kirkland Lake and Conseil scolaire catholique de district des Grandes-Rivières (CSCDGR) for the subject property, and all appropriate documents, as may be required;
AND FINALLY THAT subsection 2.2. i) of the Town’s Notice By-Law be lifted to allow for the authorizing by-law to be given three readings on July 16, 2024.

- 6.4. 2024-2025 Connecting Links Program Funding Announcement – TKL Project
Alan Smith, Chief Administrative Officer
[2024-PW-005](#)

RECOMMENDATION:

THAT Report Number 2024-PW-005 entitled “**2024-2025 Connecting Links Program Funding Announcement – TKL Project**” be received;
AND THAT Council approve the municipal portion (10%) of 2024 Stage 1 projected costs in the issuance of a Request for Proposal (RFP) for Engineering Services in relation to the said project;
AND THAT the municipal portion of the project (to a maximum of \$6,150.00) be allocated in the Public Works Department’s portion of the 2024 Operating Budget;
AND THAT Council approve the municipal portion (10%) of the Stage 2 project costs totalling \$327,134.00 being drawn from the Working Capital Reserve in 2025;
AND THAT the Mayor and Municipal Clerk be authorized to execute a Contribution Agreement and any related amendments proposed in favor of the municipality without detrimental financial impact, with the Ministry of Transportation, or designate, for funding under the Connecting Links Program towards resurfacing of Government Road (Highway 66);
AND FINALLY THAT the execution by-law in relation to the Contribution Agreement be brought forward at a future meeting.

- 6.5. Supplemental: Update on 10-Year Road Reconstruction Plan
Alan Smith, Chief Administrative Officer
[2024-PW-006](#)

RECOMMENDATION:

THAT Report Number 2024-PW-006 entitled “**Supplemental: Update on 10-Year Road Reconstruction Plan**” be received;
AND THAT \$515,500.00 be drawn from the Canada Community Building Fund (deferred revenue) and the Ontario Community Infrastructure Fund (deferred revenue), to be allocated at the discretion of the Treasurer, to complete 2024 road work at the following areas:

1. Churchill Drive from Duncan Ave. to Fifth St.
2. Duncan Ave. N. from Prospect Ave. to Goodfish Rd.;

AND THAT Council authorize the sole sourcing of the 2024 road work identified above to the successful proponent of 598-23-RFT Kirkland Lake 2023 Paving Program;

AND THAT the Mayor and Municipal Clerk be authorized to execute a contract with Miller Paving Limited for the completion of 2024 road work noted above;
AND THAT \$15,000.00 be drawn from the Canada Community Building Fund (deferred revenue) and the Ontario Community Infrastructure Fund (deferred revenue) to complete the temporary repairs of the sidewalk at Civic Park; the allocation of said funds to be at the discretion of the Treasurer;
AND THAT Council award 609-24-RFT for Resurfacing and Pedestrian Crossover Construction to Miller Paving Limited as per their proposal received on July 10, 2024;
AND THAT the Mayor and Municipal Clerk be authorized to execute a contract with Miller Paving Limited for Resurfacing and Pedestrian Crossover Construction in connection with the Town's 2023-2024 Connecting Link Project, in the sum of \$1,097,709.75 plus HST;
AND FINALLY THAT an execution by-law be presented for three readings on August 13, 2024.

- 6.6. 2024 Emergency Flooding Event Overview & Next Steps
Earl Grigg, Director of Emergency Services/Fire Chief/CEMC
[2024-FES-003](#)

RECOMMENDATION:

THAT Report Number 2024-FES-003 entitled "2024 Emergency Flooding Event Overview & Next Steps" be received;
AND THAT Council approve the sole sourcing of EXP Services Inc. to conduct an "Engineering Review of the 2024 Flood and Concept Remedial Options" in the sum of \$57,485.00 (excluding HST) to be drawn from the Working Capital Reserve;
AND THAT the expenditures incurred resulting from the April 12, 2024, Emergency Flooding Event be drawn from the Working Capital Reserve;
AND FINALLY THAT the tipping fees be reinstated without waiver effective immediately.

- 6.7. Land Use Authorization Request and Exemption to Noise By-Law (Agnico)
Dan Laverdure, Director of Development and Enterprise Services
[2024-DEV-022](#)

RECOMMENDATION:

THAT Report Number 2024-DEV-022 entitled "**Request for Land Use Authorization and Exemption to Noise By-Law (Agnico Eagle Mine Ltd.)**" be received;
AND THAT Council authorize the Mayor and Municipal Clerk to execute an Easement Agreement with Agnico Eagle Mine Ltd. over a portion of Mining Claim L6682, RL504 PCL 11319 CST, municipality known as 600 Archer Drive, in order to support their Pole Hole Drilling Exploration Project, in the form satisfactory to the Chief Administrative Officer and the Town's Legal Counsel;
AND FINALLY THAT Agnico Eagle Mine Ltd. be granted a 16 month exemption to Noise By-Law 07-065 pursuant to terms and conditions as outlined and presented;
AND FINALLY THAT an execution by-law be brought forward for three readings on August 13, 2024.

- 6.8. Town Sponsorship Request – GCS Grant Application to the Frog’s Breath Foundation
Shawn LaCarte, Director of Corporate Services
[2024-CORP-034](#)

RECOMMENDATION:

THAT Report Number 2024-CORP-034 entitled “**Town Sponsorship Request – GCS Grant Application to the Frog’s Breath Foundation**” be received;

AND THAT Council approve the request from the Golden Corridor Snowdrifters (GCS) for The Corporation of the Town of Kirkland Lake to sponsor an application to the Frog’s Breath Foundation (FBF) for a grant in the sum of \$15,541.02 to support their Estrangement Creek Bridge Refurbishing Project;

AND THAT Council authorize the Mayor and Municipal Clerk to sign a Sponsorship Agreement with the GCS, as presented;

AND THAT Council authorize the Treasurer to receive any funds granted by FBF, and to forward a donation of the same value to the GCS;

AND FINALLY THAT subsection 2.2. i) of the Town’s Notice By-Law be lifted to allow for an execution by-law to be brought forward for three readings on July 16, 2024.

7. CONSIDERATIONS OF NOTICES OF MOTIONS

None.

8. INTRODUCTION, READING AND CONSIDERATION OF BY-LAWS

- 8.1. **By-Law # 24-053**
[24-053 Deeming By-Law \(85 & 87 Gov. Rd. W. \)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-053, being a by-law to deem Lots 251 & 252 of Registered Plan M-98T not to be registered (85 & 87 Government Road West).

- 8.2. **By-Law # 24-054**
[24-054 Execution By-Law \(Sponsorship Agreement - GCS & FBF\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-054, being a by-law to authorize the execution of a Sponsorship Agreement with The Golden Corridor Snowdrifters in order to accept grant funding from The Frog's Breath Foundation.

- 8.3. **By-Law # 24-055**
[24-055 Executing Land Sale - 300 Archer Dr.](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;
By-Law Number 24-055, being a by-law to authorize the execution of documents related to the sale of 300 Archer Drive.

8.4. **By-Law # 24-056**

[24-056 Execution By-Law \(Sponsorship Agreement - KLCC & FBF\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-056, being a by-law to authorize the execution of a Sponsorship Agreement with The Kirkland Lake Curling Club in order to accept grant funding from The Frog's Breath Foundation.

8.5. **By-Law # 24-057**

[24-057 Fireworks By-Law](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-057, being a by-law to regulate the sale and discharge of fireworks within the jurisdiction of The Town of Kirkland Lake.

8.6. **By-Law # 24-058**

[24-058 Open Air Burning By-Law](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-058, being a by-law to regulate open air burning within the jurisdiction of The Town of Kirkland Lake.

8.7. **By-Law # 24-059**

[24-059 Execution By-Law \(Lease Agreement - KLSA\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-059, being a by-law authorizing the execution of a Lease Agreement with The Kirkland Lake Soccer Association for use of municipally-owned soccer fields (various).

8.8. **By-Law # 24-060**

[24-060 Execution By-Law \(SPCA - 60 Goodfish Rd.\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-060, being a by-law to authorize the execution of a Site Plan Control Agreement for 60 Goodfish Road (Breault).

8.9. **By-Law # 24-061**
[24-061 Execution By-Law \(SPCA - 31 Churchill Dr.\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-061, being a by-law to authorize the execution of a Site Plan Control Agreement for 31 Churchill Drive (Conseil scolaire de district des Grandes-Rivières).

8.10. **By-Law # 24-062**
[24-062 Execution By-Law \(SPCA - 300 Archer Dr.\)](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-062, being a by-law to authorize the execution of a Site Plan Control Agreement for 300 Archer Drive (Temiskaming Native Women's Support Group).

9. QUESTIONS FROM COUNCIL TO STAFF

None.

10. NOTICE(S) OF MOTION

11. COUNCILLOR'S REPORTS

11.1. Updates from Members of Council

RECOMMENDATION:

THAT the verbal updates from members of Council be received.

12. ADDITIONAL INFORMATION

None.

13. CLOSED SESSION

RECOMMENDATION:

THAT Council adjourn in-camera pursuant to Section 239 (2) of the *Municipal Act*, 2001, as amended, to discuss personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local boards; advice that is subject to solicitor-

client privilege, including communications necessary for that purpose; information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board;

at ____ PM for the following reason(s):

- Item 13.1 Supplemental: Review of Non-Core Service #1
- Item 13.2 Quarterly Staffing Update

RECOMMENDATION:

THAT Council reconvene in open session at _____ PM.

14. MATTERS FROM CLOSED SESSION

15. CONFIRMATION BY-LAW

15.1. **By-Law # 24-063**

[24-063 Confirming Proceedings - July 16, 2024](#)

RECOMMENDATION:

THAT the following by-law be read, numbered, passed, signed by the Mayor and Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-063, being a by-law to confirm the proceedings of Council at its meetings held Tuesday, July 16, 2024.

16. ADJOURNMENT

RECOMMENDATION:

THAT this Regular Meeting of Council do now adjourn at _____ PM.



BLANCHE
RIVER HEALTH

SANTÉ RIVIÈRE
BLANCHE

Current Challenges and Recommendations

July 2024

Quick Facts about Blanche River Health:

- BRH operates two hospital sites: Englehart Hospital (26 beds) and Kirkland Lake Hospital (48 beds)
- Operating budget is approximately \$39 million
- BRH provides ER, Inpatient, ICU, Telemedicine, Chemotherapy, visiting specialist program, and many more
- Temiskaming District population is approximately 32,000
- Recent engagement sessions showed the need for more mental health and addictions support, long-term care beds, community rehabilitation services (PT, OT), more access to visiting specialist, timely access to primary care (doctors / NP appointments), reduced ER wait times, and strong focus on recruitment and retention.
- BRH is a signing member of the Temiskaming and Area OHT.

	Physician Recruitment and Retention	Clinical Human Resources	Financial Constraint
Situation	<ul style="list-style-type: none"> BRH had 10-12 local physicians providing ER and hospitalist services in KL. We were down to 5. Signed on 2 more. Having challenges attracting locums in KL and Englehart. 	<ul style="list-style-type: none"> Clinician shortage is unprecedented – RN, RPN, Pharmacists / Pharmacy Techs, X-Ray Techs, Physiotherapists, Respiratory Therapists, Medical Lab Technologist BRH is always recruiting and orientating. 	<ul style="list-style-type: none"> Recruitment and retention costs / Agency staffing costs Union retro payments Aging infrastructure Meditech Expense Basic funding from government but not covering equipment and infrastructure needs
Challenges	<ul style="list-style-type: none"> To compete: <ul style="list-style-type: none"> \$300,000 to recruit one physician \$30,000 a year for retention incentives \$500,000 more a year to increase hospitalist compensation All unfunded dollars Losing visiting specialists – care getting farther from home Shortage impacting access to primary care – people seen later, ends up in ER 	<ul style="list-style-type: none"> BRH is spending approximately \$500,000 a month for agency staffing support Unsustainable, decreased continuity, constant state of orientation, lacking local and long-term commitment Housing shortage negatively impacts recruitment 	<ul style="list-style-type: none"> Approx \$3 million deficit for 23-24 (10%) and \$9 million for 24-25 Lacking ability to retrofit and keep infrastructure up to date: sewer upgrade will cost millions, ER and ICU renovation is at least \$15 million, equipment replacement, quality improvement projects
Local Solution	<ul style="list-style-type: none"> Physician Recruitment Group – town, business, foundation, multicultural association Target Canadian medical students in UK Generate support for recruitment / retention – financial, in-kind, housing, social, recreational 	<ul style="list-style-type: none"> Referral incentives – community wide (this includes physicians recruited) Partnership with multicultural association – cultural / social / welcoming arm Start internationally educated cohorts Support Grow Our Own talent pool Providing training incentives / scholarships 	<ul style="list-style-type: none"> Support local Foundations Generate support from businesses / communities Operations review and benchmarking Strategic Messaging Continue working with the government, municipal partners, businesses
Recommendation	<ul style="list-style-type: none"> International Recruitment Increase program seats Review provincial contracts with physicians and promote transparency, how do we make Ontario the province of choice for medical practitioners 	<ul style="list-style-type: none"> Provincial partnership with India and other countries – immigration Mandating licensing bodies to collaborate and support recruitment 	<ul style="list-style-type: none"> Continued investment and support for healthcare physical and Meditech infrastructure Regulate agency costs



MINUTES

Regular Council Meeting

Tuesday, June 18, 2024

4:40 PM

Council Chambers/Electronic Participation

The Regular Council Meeting of The Town of Kirkland Lake was called to order on Tuesday, June 18, 2024, at 4:40 PM, in the Council Chambers/Zoom, with the following members present:

Present: Mayor Stacy Wight, Councillor Janice Ranger, Councillor Lad Shaba, Councillor Casey Owens, Councillor Dolly Dickens, Councillor Rick Owen, and Councillor Patrick Kiely

Staff: Chief Administrative Officer Alan Smith, Director of Emergency Services / Fire Chief Earl Grigg (4:40-5:56 PM), Director of Corporate Services Shawn LaCarte (4:40-5:56 PM), Director of Development and Enterprise Services Dan Laverdure, Director of Community Services Kim Klockars (4:40-5:56 PM), Director of Long-Term Care and Senior Services Tanya Schumacher (4:40-5:56 PM), Municipal Clerk Jennifer Montreuil, Treasurer Lloyd Crocker (4:40-5:56 PM), Acting Chief Building Official Winifredo Porcalla (4:40-5:56 PM), Roads Foreman Steve Ranta (4:40-5:56 PM), Acting Planning Administrator Brook-Lynn Rozon (4:40-4:55 PM), Strategic Initiatives & Workplace Performance Coordinator Stephanie Dell (4:40-5:11 PM), and Deputy Clerk/Lottery Licencing Officer Amberly Spilman (4:40-5:56 PM).

1. CALL TO ORDER AND MOMENT OF SILENCE

Mayor Wight called the meeting to order, read the Land Acknowledgement Statement, and requested a moment of silence.

2. APPROVAL OF THE AGENDA

Moved by: Councillor Dolly Dickens
Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT the Agenda for the Regular Meeting of Council held on Tuesday, June 18, 2024 be approved as circulated.

CARRIED

3. DECLARATION OF PECUNIARY INTEREST

Mayor Wight requested those present to declare any pecuniary interests with matters appearing on the open session agenda.

Councillor Shaba declared a pecuniary interest with Item. 6.2 entitled "**Site Plan Control Agreement Application – 60 Goodfish Road**" as "*My engineering firm may be involved in the geotechnical investigation of this site*".

Councillor Ranger declared a pecuniary interest with Item. 6.8 entitled “**Community Grants Program: Request for Funding - Rotary Club of Kirkland Lake**” as “*I am a member of the Rotary Club of Kirkland Lake*”.

4. PETITIONS AND DELEGATIONS

5. ACCEPTANCE OF MINUTES AND RECOMMENDATIONS

5.1 Moved by: Councillor Patrick Kiely
Seconded by: Councillor Janice Ranger

BE IT RESOLVED THAT Council approve the minutes of the following meeting:

- Minutes of the Regular Meeting of Council held June 4, 2024.

CARRIED

5.2 Moved by: Councillor Casey Owens
Seconded by: Councillor Dolly Dikens

BE IT RESOLVED THAT Council adopt the minutes of the following Meetings:

- Minutes of the Kirkland Lake Planning Advisory Committee held July 28, 2022; and
- Minutes of the Teck Pioneer Residence Committee of Management held April 8, 2024.

CARRIED

6. REPORTS OF MUNICIPAL OFFICERS AND COMMUNICATIONS

6.1. Deeming By-Law Application for Lots 251 & 252 of Registered Plan M-98T
Brook-Lynn Rozon, Acting Planning Administrator

Moved by: Councillor Lad Shaba
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT Report Number 2024-DEV-014 entitled “**Deeming By-Law Application for Lots 251 & 252 of Registered Plan M-98T**” be received; **AND THAT** Council enact a Deeming By-Law pursuant to Section 50(4) of the *Planning Act*, so as to deem Lots 251 and 252, Registered Plan M-98T, as not being registered lots within a Plan of Subdivision; **AND FINALLY THAT** Council authorize the Deeming By-Law be given three readings on July 16, 2024.

CARRIED

Having declared a conflict, Councillor Shaba left the Council Chambers at 4:48 PM.

- 6.2. Site Plan Control Agreement Application - 60 Goodfish Road
Brook-Lynn Rozon, Acting Planning Administrator

Moved by: Councillor Rick Owen
Seconded by: Councillor Casey Owens

BE IT RESOLVED THAT Report Number 2024-DEV-018 entitled “**Site Plan Control Agreement Application - 60 Goodfish Road**” be received;
AND THAT Council approve the proposed Site Plan Control Agreement for 60 Goodfish Road;
AND THAT Council authorize the Mayor and Municipal Clerk to execute the Site Plan Control Agreement between The Corporation of the Town of Kirkland Lake and A. A. Breault Construction Limited for the subject property, and all appropriate documents, as may be required;
AND FINALLY THAT the authorizing by-law be given three readings on July 16, 2024.

CARRIED

Councillor Shaba returned to Council Chambers at 4:50 PM.

- 6.3. Proposed Zoning By-Law Amendment: 39 Second St. E.
Brook-Lynn Rozon, Acting Planning Administrator

Moved by: Councillor Janice Ranger
Seconded by: Councillor Lad Shaba

BE IT RESOLVED THAT Report Number 2024-DEV-019 entitled “**Proposed Zoning By-Law Amendment: 39 Second St. E.**” be received;
AND FINALLY THAT a Public Meeting be held on Tuesday, July 16, 2024 at 4:00 PM to allow the public to provide comments on the proposed Zoning By-Law Amendment.

CARRIED

- 6.4. Town of Kirkland Lake Student Bursary 2024 Recipients
Alan Smith, Chief Administrative Officer

Moved by: Councillor Patrick Kiely
Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT Report Number 2024-CAO-007 entitled “**Town of Kirkland Lake Student Bursary 2024 Recipients**” be received for information.

CARRIED

- 6.5. Asset Management Plan Update – Phase 3
Shawn LaCarte, Director of Corporate Services & Lloyd Crocker, Treasurer

Moved by: Councillor Casey Owens
Seconded by: Councillor Janice Ranger

BE IT RESOLVED THAT Report Number 2024-CORP-033 entitled “**Asset Management Plan Update – Phase 3**” be received;
AND THAT Council approve the updated Asset Management Plan (AMP) as presented;
AND FINALLY THAT the updated AMP be posted on the Town of Kirkland Lake's Official Website.

CARRIED

- 6.6. Town Sponsorship Request – KLCC Grant Application to the Frog's Breath Foundation
Shawn LaCarte, Director of Corporate Services

Moved by: Councillor Lad Shaba
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT Report Number 2024-CORP-018 entitled “**Town Sponsorship Request – KLCC Grant Application to the Frog's Breath Foundation**” be received;
AND THAT Council approve the request from the Kirkland Lake Curling Club (KLCC) for The Corporation of the Town of Kirkland Lake to sponsor an application to the Frog's Breath Foundation (FBF) for a grant in the sum of \$5,000.00 to support their Condenser Replacement Project;
AND THAT Council authorize the Mayor and Municipal Clerk to sign a Sponsorship Agreement with the KLCC, as presented;
AND THAT Council authorize the Treasurer to receive any funds granted by FBF, and to forward a donation of the same value to the KLCC;
AND FINALLY THAT an execution by-law be brought forward for three readings on July 16, 2024.

CARRIED

Council took recess at 5:12 PM and resumed the meeting at 5:14 PM.

Councillor Owen declared a pecuniary interest with Item. 6.7 entitled “**Kirkland Lake Soccer Association Soccer Field Lease Agreement**” as “*My wife Charlene is on Kirkland Lake Soccer Association executive*”.

Having declared a conflict, Councillor Owen left the Council Chambers at 5:15 PM.

- 6.7. Kirkland Lake Soccer Association Soccer Field Lease Agreement
Kim Klockars, Director of Community Services

Moved by: Councillor Janice Ranger
Seconded by: Councillor Casey Owens

BE IT RESOLVED THAT Report Number 2024-CS-005 entitled “**Kirkland Lake Soccer Association Soccer Field Lease Agreement**” be received;
AND THAT Council authorize the Mayor and Municipal Clerk to execute the Lease Agreement, as presented, between The Corporation of the Town of Kirkland Lake and the Kirkland Lake Soccer Association (KLSA) for use of the Soccer Fields for the 2024 and 2025 seasons with an option to extend for two (2) year terms indefinitely;
AND FINALLY THAT an execution by-law be brought forward for three readings on July 16, 2024.

CARRIED

Councillor Owen returned to Council Chambers at 5:19 PM.

Having declared a conflict, Councillor Ranger left the Council Chambers at 5:19 PM.

- 6.8. Community Grants Program: Request for Funding - Rotary Club of Kirkland Lake
Dan Laverdure, Director of Development and Enterprise Services

Moved by: Councillor Rick Owen
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT Report Number 2024-DEV-015 entitled “**Community Grants Program: Request for Funding - Rotary Club of Kirkland Lake**” be received;
AND THAT Council receive the Kirkland Lake Economic Development Advisory Committee (KLEDAC)’s recommendation dated April 24, 2024, surrounding the funding request made by Rotary Club of Kirkland Lake under the Community Grants Program;
AND FINALLY THAT Council approve Rotary Club of Kirkland Lake’s request under the Community Grant Program for an in-kind contribution of \$5,000.00 to be used to assist in updating the Downtown Photo Gallery.

CARRIED

Councillor Ranger returned to Council Chambers at 5:21 PM.

- 6.9.** Community Grants Program: Request for Funding Kirkland Lake Aquatics Club Stingrays
Dan Laverdure, Director of Development and Enterprise Services

Moved by: Councillor Casey Owens
Seconded by: Councillor Janice Ranger

BE IT RESOLVED THAT Report Number 2024-DEV-016 entitled “**Community Grants Program: Request for Funding Kirkland Lake Aquatics Club Stingrays**” be received;

AND THAT Council receive the Kirkland Lake Economic Development Advisory Committee (KLEDAC)’s recommendation dated April 24, 2024, surrounding the funding request made by the Kirkland Lake Aquatics Club Stingrays under the Community Grants Program;

AND FINALLY THAT Council approve the Kirkland Lake Aquatics Club Stingrays’ request under the Community Grant Program for an in-kind contribution of \$5,000.00 to be used to offset costs related to hosting aquatic meets.

CARRIED

- 6.10.** Supplemental: Low Speed Vehicles Pilot Program
Dan Laverdure, Director of Development and Enterprise Services

Moved by: Councillor Patrick Kiely
Seconded by: Councillor Lad Shaba

BE IT RESOLVED THAT Report Number 2024-DEV-01 entitled “**Supplemental: Low Speed Vehicles Pilot Program**” be received;

AND THAT Council suspend the Town’s participation in Ontario’s Low-Speed Vehicle Pilot Program;

AND FINALLY THAT Administration undertake a review of the following: the Town’s Personal Conveyance Devices By-Law; the Motorized Snow Vehicles By-Law; the Off-Road Vehicles By-Law; and the Traffic & Parking By-Law, as amended.

CARRIED

- 6.11.** Municipal Weed Inspector Appointment
Jennifer Montreuil, Municipal Clerk

Moved by: Councillor Lad Shaba
Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT Report Number 2024-ADM-014 entitled “**Municipal Weed Inspector Appointment**” be received;

AND THAT Steve Ranta be appointed as Weed Inspector for The Corporation of the Town of Kirkland Lake;

AND FINALLY THAT the appointment By-Law be brought forward for three readings on June 18, 2024.

CARRIED

- 6.12. Proposed Housekeeping to Open Air (Outdoor) Burning By-Law
Earl Grigg, Director of Emergency Services / Fire Chief

Moved by: Councillor Casey Owens
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT Report Number 2024-FES-001 entitled “**Proposed Housekeeping to Open Air (Outdoor) Burning By-Law**” be received;
AND THAT Council approve the proposed changes to the Open Air Burning By-Law, as presented;
AND FINALLY THAT the proposed by-law, as presented, be brought forward for three readings on July 16, 2024.

CARRIED

- 6.13. Proposed Housekeeping to Fireworks By-Law
Earl Grigg, Director of Emergency Services / Fire Chief

Moved by: Councillor Janice Ranger
Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT Report Number 2024-FES-002 entitled “**Proposed Housekeeping to Fireworks By-Law**” be received;
AND THAT Council approve the proposed changes to the Fireworks By-Law, as presented;
AND FINALLY THAT the proposed by-law, as presented, be brought forward for three readings on July 16, 2024.

CARRIED

7. CONSIDERATIONS OF NOTICES OF MOTIONS

None.

8. INTRODUCTION, READING AND CONSIDERATION OF BY-LAWS

- 8.1 Moved by: Councillor Patrick Kiely
Seconded by: Councillor Casey Owens

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto;
By-Law Number 24-046, being a by-law amending By-Law 15-017 for the regulation of standing and stopping on highways or parts of highways under the jurisdiction of The Corporation of the Town of Kirkland Lake.

CARRIED

- 8.2 Moved by: Councillor Rick Owen
Seconded by: Councillor Lad Shaba

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto; **By-Law Number 24-047**, being a by-law for appointment of an Interim Chief Building Official and Property Standards Officer.

CARRIED

- 8.3 Moved by: Councillor Janice Ranger
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto; **By-Law Number 24-048**, being a by-law for appointment of an Interim Deputy Chief Building Official, Deputy Property Standards Officer, and Building Inspectors.

CARRIED

- 8.4 Moved by: Councillor Casey Owens
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto; **By-Law Number 24-049**, being a by-law to provide for delegated authority and authorize civil marriage solemnization services.

CARRIED

- 8.5 Moved by: Councillor Lad Shaba
Seconded by: Councillor Janice Ranger

BE IT RESOVLED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto; **By-Law Number 24-050**, being a by-law to deem Lots 116 & 117 of Registered Plan M-140T not to be registered (772 & 776 Government Road West).

CARRIED

- 8.6 Moved by: Councillor Patrick Kiely
Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and the Municipal Clerk, and the Seal of the Corporation be affixed thereto; **By-Law Number 24-051**, being a by-law to appoint a Weed Inspector for The Corporation of The Town of Kirkland Lake.

CARRIED

9. QUESTIONS FROM COUNCIL TO STAFF

9.1. Councillor Shaba - Request for Update: Chaput Hughes Playground Installation

Moved by: Councillor Lad Shaba

Seconded by: Councillor Rick Owen

BE IT RESOLVED THAT the update from Administration on the Chaput Hughes Playground Installation be received.

CARRIED

10. NOTICE(S) OF MOTION

None.

11. COUNCILLOR'S REPORTS

11.1. Updates from Members of Council

Moved by: Councillor Janice Ranger

Seconded by: Councillor Casey Owens

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

CARRIED

12. ADDITIONAL INFORMATION

None.

Council took recess at 5:56 PM and resumed the Meeting at 6:08 PM.

13. CLOSED SESSION

Moved by: Councillor Patrick Kiely

Seconded by: Councillor Lad Shaba

BE IT RESOLVED THAT Council adjourn in-camera pursuant to Section 239 (2) of the *Municipal Act, 2001*, as amended, to discuss personal matters about an identifiable individual, including municipal; proposed or pending acquisition(s) or disposition(s) of land by the municipality; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality;

at 6:01 PM for the following reason:

- Item 13.1. Municipal Position on Land Acquisitions & Dispositions.

CARRIED

Moved by: Councillor Rick Owen
Seconded by: Councillor Janice Ranger

BE IT RESOLVED THAT Council reconvene in open session at 6:48 PM.

CARRIED

14. MATTERS FROM CLOSED SESSION

None.

15. CONFIRMATION BY-LAW

15.1. By-Law # 24-052

Moved by: Councillor Casey Owens
Seconded by: Councillor Patrick Kiely

BE IT RESOLVED THAT the following by-law be read, numbered, passed, signed by the Mayor and Municipal Clerk, and the Seal of the Corporation be affixed thereto;

By-Law Number 24-052, being a by-law to confirm the proceedings of Council at its meeting held Tuesday, June 18, 2024.

CARRIED

16. ADJOURNMENT

Moved by: Councillor Dolly Dickens
Seconded by: Councillor Janice Ranger

BE IT RESOLVED THAT this Regular Meeting of Council do now adjourn at 6:48 PM.

CARRIED

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

APPROVED BY COUNCIL ON JULY 16, 2024



MINUTES

Corporation of the Town of Kirkland Lake
Kirkland Lake Public Library Board
Teck Centennial Public Library Meeting Room
May 16, 2024
5:00 pm

Attendance

Acting Board Chair: Janine Johnson

Members: Sebastian Mastrilli, Stacy Wight, Helen Miller, and Chantal Perrier

Regrets: Shirley Scott
Melissa Orth

Secretary: Cheryl Lafreniere

1. Call to Order

Janine Johnson, Acting Board Chair, called the meeting to order at 5:00pm..

2. Land Acknowledgment

The Land Acknowledgment was read by Trustee, Stacy Wight.

3. Approval of Agenda

Moved by: Stacy Wight
Seconded by: Helen Miller

Motion #2024-19: BE IT RESOLVED THAT the Agenda for the Kirkland Lake Public Library Board meeting held on May 16, 2024 beginning at 5:00p.m. be approved as circulated to all Board Members.

CARRIED

4. Declaration of Pecuniary Interest

None noted.

5. Presentations / Delegations

None noted.

6. **Acceptance of Minutes**

Moved by: Chantal Perrier
Seconded by: Helen Miller

Motion #2024-20: BE IT RESOLVED THAT the Kirkland Lake Public Library Board accept the minutes of the regular meeting held on Thursday, April 18, 2024.

CARRIED

7. **Business Arising**

No business to discuss at this time.

8. **Reports**

8.1 **Monthly Reports**

8.1.1 Librarian's Monthly Report

BE IT RESOLVED THAT the Librarian's Monthly Report for April 2024, be received as presented and discussed.

8.1.2 Monthly Statistics

BE IT RESOLVED THAT the Library statistics for the month of April 24, be received as presented and discussed.

8.2 **Finance Report**

8.2.1 Bills and Accounts

Moved by: Sebastian Mastrilli
Seconded by: Stacy Wight

Motion # 2024 – 21: BE IT RESOLVED THAT the Kirkland Lake Public Library Board approves the Bills and Accounts for the month of April 2024 as presented and discussed.

CARRIED

8.2.2 TCL and KLPLB Royal Bank Statements

BE IT RESOLVED THAT the Kirkland Lake Public Library Board reviewed the Royal Bank Statements from both accounts for the month of April, 2024 as presented and discussed.

8.2.3 Manulife Statement

There was no statement to discuss this month.

9 Correspondence

9.1 Letter from Sally and Henry Melong

Received as information – no action required.

10 Unfinished Business

There was no unfinished business to discuss.

11. New Business

11.1 Fundraising Ideas

The Board was asked to think of some fundraising ideas the library can hold in order to generate revenue for the library. Trustee Stacy Wight had plenty of fun, community-oriented ideas the library board and staff can implement without too much effort.

11.2 New Library Position

Moved by: Helen Miller

Seconded by: Sebastian Mastrilli

Motion # 2024 – 22: BE IT RESOLVED THAT the Kirkland Lake Public Library Board approves the new Library Position of Library Clerk / Program and Communications Coordinator. This position will be placed on the salary grid at Group 3, Step 2.

Carried

11.3 Operating Hours

Moved by: Stacy Wight

Seconded by: Sebastian Mastrilli

Motion # 2024 – 23: BE IT RESOLVED THAT the Kirkland Lake Public Library Board approves the CEO's suggestion to remain open late one evening per week to accommodate programming and patron needs.

CARRIED

12. Children's Refresh Project Update

- The ceiling in the new Multi-Purpose rooms was completed.
- Touch-up painting is on-going.
- Work on the loft had started, however, it was noticed that it was going to be too low, therefore work had to be postponed until the new measurements come back.
- The lighting has been completed.

13. Closed Sesson

Motion to move into closed session.

Moved by: Stacy Wight

Seconded by: Chantal Perrier

Motion # 2024 – 23: *BE IT RESOLVED THAT* with regard to section 16.1 (4) of the Public Libraries Act, ***THAT*** the Kirkland Lake Public Library Board move into close session to address matters pertaining to personal matters about identifiable individuals.

- a. Minutes of the meeting of November 29, 2023
- b. Personal Matters about an identifiable individual

CARRIED

The meeting was moved into closed session at 5:52 p.m.

Moved by: Sebastian Mastrilli

Seconded by: Helen Miller

Motion # 2024 – 24: *BE IT RESOLVED THAT* the Kirkland Lake Public Library Board reconvene from close session at 5:59 p.m. with recommendations for CEO.

The Board rose from closed session with the following motions:

13.1 Minutes of the November 29, 2023 Closed meeting

Moved by: Stacy Wight

Seconded by: Chantal Perrier

Motion # 2024 – 24: *BE IT RESOLVED THAT* the Kirkland Lake Public Library Board approve the Minutes of the Closed Session of November 29, 2024, as presented.

CARRIED

13.2 Personal Matters about an Identifiable individual

CEO was instructed to follow the Library Board's recommendations.

12 Next Meeting

Date: Thursday, June 20, 2024

Time: 5:00 p.m.

Location: Teck Centennial Public Library

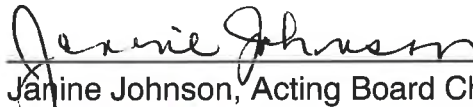
13 Adjournment

Moved by: Helen Miller


Seconded by: Chantal Perrier

Motion #2021-25: BE IT RESOLVED THAT the Kirkland Lake Public Library Board adjourn the May 16, 2024 regular scheduled meeting.

The meeting adjourned at 6:05p.m.



Janine Johnson, Acting Board Chair



Cheryl Lafreniere, Secretary to the Board

MINUTES

Timiskaming Health Unit Board of Health

Regular Meeting held on May 1, 2024 at 6:30 PM

THU KL Boardroom / Microsoft Teams

1. The meeting was called to order at 6:30 p.m.

2. **ROLL CALL**

Board of Health Members

Stacy Wight	Chair, Municipal Appointee of Kirkland Lake
Jesse Foley	Vice-Chair, Municipal Appointee for Temiskaming Shore (<i>video</i>)
Mark Wilson	Municipal Appointee for Temiskaming Shores (<i>video</i>)
Jeff Laferriere	Municipal Appointee for Temiskaming Shores (<i>video</i>)
Curtis Arthur	Provincial Appointee (<i>video</i>)
Carol Lowery	Municipal Appointee for Town of Cobalt, Town of Latchford, Municipality of Temagami, and Township of Coleman (<i>video</i>)
Paul Kelly	Municipal Appointee for Township of Larder Lake, McGarry & Gauthier
David Lowe	Provincial Appointee
Steve McIntyre	Municipal Appointee for Township of Armstrong, Hudson, James, Kerns & Matachewan (<i>video</i>)
Casey Owens	Municipal Appointee for Town of Kirkland Lake
Todd Steis	Provincial Appointee
Cathy Dwyer	Provincial Appointee (<i>video</i>)
Guy Godmaire	Municipal Representative for Township of Brethour, Harris, Harley & Casey, Village of Thornloe

Regrets

Vacant	Municipal Appointee for Township of Chamberlain, Charlton, Evanturel, Hilliard, Dack & Town of Englehart
Rachelle Cote	Executive Assistant

Timiskaming Health Unit Staff Members

Dr. Glenn Corneil	Acting Medical Officer of Health/CEO
Randy Winters	Director of Corporate and Protection Services
Erin Cowan	Director of Strategic Services and Health Promotion

3. **APPROVAL OF AGENDA**

MOTION #31R-2024

Moved by: Paul Kelly

Seconded by: Casey Owens

Be it resolved that the Board of Health adopts the agenda for its regular meeting held on May 1, 2024, as presented.

CARRIED

4. **DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE**

None.

5. **APPROVAL OF MINUTES**

MOTION #32R-2024

Moved by: David Lowe

Seconded by: Todd Steis

Be it resolved that the Board of Health approves the minutes of its regular meeting held on April 3, 2024, as presented.

CARRIED

6. **BUSINESS ARISING**

None noted.

7. **REPORTS OF MOH/CEO**

Dr. Corneil provided a summary of the local situation and other related updates.

8. **HUMAN RESOURCES & FINANCE UPDATE**

Randy Winters provided an update for information purposes.

9. **NEW BUSINESS**

a. **PHU-THU Merger Update**

Dr. Corneil provided the following update:

- Overview shared on merger documentation provided: risks/merger benefits. Available to use as a resource.
- PHU passed a resolution to relook at the board composition. The board discussed the provincial appointee role and the ministry requirement for every Board of Health to have provincial appointees. Also discussed the impact it would have on the governance if changes were to occur to the composition. Other board composition information is being gathered for the BOH working group to consider.
- Expecting more questions from the ministry regarding the merger budget application.

- All-staff communications continue to be issued monthly.
- All management staff are scheduled to meet in person on May 10, 2024.
- A virtual all-staff meeting is scheduled on June 17, 2024 and an all-staff meeting is scheduled on September 10, 2024.

b. **2024 Q1 Board Report**

The report was distributed for information purposes.

c. **Board Member Resignation**

Chair Wight informed the board of the recent resignation of the member representing Charlton/Dack, Town of Englehart, Chamberlain, Evanturel and Hilliard. Currently awaiting a replacement.

10. **CORRESPONDENCE**

MOTION #33R-2024

Moved by: Jeff Laferriere

Seconded by: Mark Wilson

Be it resolved the Board of Health acknowledges receipt of the correspondence for information purposes.

CARRIED

- Dr. Corneil provided some highlights of the [Ontario's Chief Medical Officer of Health's 2023 Annual Report](#) and how THU is using this resource in conjunction with the CSWB and TDAS initiatives.
- THU received an invite from Temiskaming Shores Public Library for a collaborative approach to homelessness in our community. A THU representative was scheduled to attend this meeting.

11. **IN-CAMERA**

None noted.

12. **RISE AND REPORT**

N/A

13. **DATES OF NEXT MEETINGS**

The next regular meeting will be held on June 12, 2024 at 6:30 pm in New Liskeard.

14. **ADJOURNMENT**

MOTION #34R-2024

Moved by: Carol Lowery

Seconded by: Curtis Arthur

Be it resolved that the Board of Health agrees to adjourn the regular meeting at 7:12 pm.

CARRIED

Stacy Wight, Board Chair

Randy Winters, Recorder



KIRKLAND LAKE
THE RIGHT ENVIRONMENT

REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-DEV-012
Presented by: Brook-Lynn Rozon	Department: Development and Enterprise Services

REPORT TITLE

Request to Purchase Part Mining Claims L1354 & L6787, Part 1 and 2 of Plan 54R-6439 (300 Archer Drive)

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-DEV-012 entitled “**Request to Purchase Part Mining Claims L1354 & L6787, Part 1 and 2 of Plan 54R-6439 (300 Archer Drive)**” be received for information.

INTRODUCTION

The Temiskaming Native Women’s Support Group submitted a request to purchase 300 Archer Drive to build a modular housing construction facility. The execution by-law is being presented to formalize the Offer to Purchase and all appropriate sale documents and to allow a Site Plan Control Agreement to be presented at the same meeting.

DISCUSSION

The Temiskaming Native Women’s Support Group submitted a request to purchase Part Mining Claims L1354 & L6787. The lot was surveyed and registered as Parts 1 and 2 of Plan 54R-6439 and will be assigned the address of 300 Archer Drive (Attachment 1).

DISCUSSION (CONTINUED)

On March 19, 2024, Council resolved the following:

*"Moved by: Councillor Janice Ranger
Seconded by: Councillor Rick Owen*

BE IT RESOLVED THAT Report Number 2024-DEV-007 entitled "**Request to Purchase Part Mining Claims L1354 & L6787 on Archer Drive**" be received;
AND THAT Council declare the North Part of Mining Claim L1354 & Mining Claim L6787 as surplus land;
AND THAT Council approve the sale of land described as Part Mining Claim L1354 & Part Mining Claim L6787 to Temiskaming Native Women's Support Group in the sum of \$5.00 in the name of reconciliation;
AND THAT Council authorize the Mayor and Municipal Clerk to execute the Offer to Purchase and all appropriate sale documents as may be required;
AND FINALLY THAT Council authorize the by-law of the sale of property be given three readings at an upcoming meeting

CARRIED"

This Open Session report is being provided for information purposes on the request to purchase stemming from the recommendation that was brought forward from the Closed Session meeting held on March 19, 2024.

In accordance with By-Law 09-064, Notice of intent to dispose of surplus land was posted on the Town's website effective July 5, 2024 and circulated in the Northern Daily News effective July 11, 2024 (Attachment 2).

Supplemental notice is being circulated in the daily radio broadcasts.

OTHER ALTERNATIVES CONSIDERED

Not Applicable.

FINANCIAL CONSIDERATIONS

The sale of land will materialize a revenue of \$5.00 for the Town.

Future annual tax revenue will be realized by the Town.

The Town is responsible for costs related to publicizing its intention to sell the land.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- Sustainable Core Services
- Vibrant & Prosperous Community



Actions:

Sustainable Core Services

- Provide clear, fair, and consistent regulations and policies governing municipal operations.

Vibrant & Prosperous Community

- Prioritize the implementation of the economic development and tourism program to improve the local business climate and foster growth.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

Town-owned surplus land located at 300 Archer Drive was approved for sale to Temiskaming Native Women's Support Group for \$5.00 on March 19, 2024.

Through a request to lift the formal notice provisions, an execution by-law is also being presented to formalize the Offer to Purchase and all appropriate sale documents.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

Town of Kirkland Lake- Legal Counsel

ATTACHMENTS

Attachment 1 - Location of Requested Lands

Attachment 2 - Public Notice of Intent to Sell Surplus Land





KIRKLAND LAKE
THE RIGHT ENVIRONMENT

NOTICE OF INTENT TO DISPOSE OF SURPLUS LAND

(300 Archer Drive to Temiskaming Native Women's Support Group)

Pursuant to the Town of Kirkland Lake's Notice Policy and Sale of Disposition of Land By-Law,

NOTICE is hereby given that at a regular meeting held on March 19, 2024, the Council of The Corporation of The Town of Kirkland Lake resolved and declared the following municipal lands to be surplus:

- Part Mining Claims L1354 & L6787, former Township of Teck, now in the Town of Kirkland Lake, in the District of Timiskaming

**(Temiskaming Native Women's Support Group – 300 Archer Drive –
Roll Number: 54-68-000-016-232-00-000)**

AND FURTHER THAT Council intends to dispose of the above-noted surplus lands by way of negotiations/private sale in accordance with By-Law 09-064.

The proposed by-law will come before the said Council for consideration at its regular meeting to be held in the Council Chambers at 3 Kirkland Street West, Kirkland Lake, Ontario, on Tuesday, July 16, 2024, at 4:40 PM.

An illustration depicting the affected property is available for viewing in the Clerk's Office at the Municipal Office during regular business hours.

DATED this 5th day of July 2024.

Jennifer Montreuil, Dipl. M.A.

Municipal Clerk

The Corporation of the Town of Kirkland Lake

3 Kirkland Street West, Kirkland Lake, ON P2N 3P4

Tel: 705-567-9361

Email: clerk@tkl.ca

REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-DEV-020
Presented by: Brook-Lynn Rozon	Department: Development and Enterprise Services

REPORT TITLE

Site Plan Control Agreement Application – 300 Archer Drive

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-DEV-020 entitled “**Site Plan Control Agreement Application – 300 Archer Drive**” be received;

AND THAT Council approve the proposed Site Plan Control Agreement for 300 Archer Drive;

AND THAT Council authorize the Mayor and Municipal Clerk to execute the Site Plan Control Agreement between The Corporation of the Town of Kirkland Lake and Temiskaming Native Women’s Support Group for the subject property, and all appropriate documents, as may be required;

AND FINALLY THAT subsection 2.2. i) of the Town’s [Notice By-Law](#) be lifted to allow for the authorizing by-law to be given three readings on July 16, 2024.

INTRODUCTION

Temiskaming Native Women’s Support Group, the owner of 300 Archer Drive, has submitted an Application for a Site Plan Control Agreement with the Town to develop on an industrial lot (Attachment 1) within the Town’s designated Site Plan Control Area The application proposes the development of a 22,000 square foot (2,044 m²) building to serve as a modular housing manufacturing facility, and a 9,795 square foot (910 m²) building to serve as a support building to the manufacturing operation.

DISCUSSION

Site Plans ensure development plans meet the needs of the community while guiding the development process and ensuring effective land use. This process helps the Town ensure development projects comply with the by-laws and policies enacted by the municipality.

Site Plan Control provisions are established within the Town's [Official Plan](#), specifically, Section 6.12.

As noted in the Town's Official Plan, Site Plan Control provisions may only be applied by a municipality in accordance with Section 41(2) of the [Planning Act](#). As such, since 1985, the Town has designated, by [By-Law](#), all its lands, covered by its current Official Plan as the its Site Plan Control Area.

Section 6.12 of the Town's [Official Plan](#) goes on to identify that industrial lots are inclusive for Site Plan Control. As such, Administration is recommending that a Site Plan Control Agreement be entered into for the proposed development at 300 Archer Drive.

OTHER ALTERNATIVES CONSIDERED

Council can consider not authorizing the Site Plan Control Agreement. This is not recommended as this would result in the Applicant being unable to obtain a building permit for the construction and prevent any development of the site.

FINANCIAL CONSIDERATIONS

As the application was received prior to July 1st, in accordance with the Town's [User Fees and Charges By-Law in effect at that time](#), an application fee in the sum of \$2,190.00 was collected, for which a portion of same is to recover the legal costs of registering the Site Plan Control Agreement on Title.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priority:

Sustainable Core Services



Action:

Sustainable Core Services

- Provide clear, fair, and consistent regulations and policies governing municipal operations.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

The execution of a Site Plan Control Agreement is required for the Applicant to develop the property located at 300 Archer Drive within the limitations of the Town's current [Zoning By-Law](#), as amended.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

J. L. Richards & Associates Limited, Town's Planning Consultants

Development and Enterprise Services: Building Division

ATTACHMENTS

Attachment 1 – Location of Subject Lands

Note: The Proposed Site Plan Control Agreement is available for viewing as Schedule "A" to proposed By-Law 24-062, as presented in this Agenda.



REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-DEV-021
Presented by: Brook-Lynn Rozon	Department: Development and Enterprise Services

REPORT TITLE

Site Plan Control Agreement Application – 31 Churchill Drive

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-DEV-021 entitled “**Site Plan Control Agreement Application – 31 Churchill Drive**” be received;

AND THAT Council approve the proposed Site Plan Control Agreement for 31 Churchill Drive;

AND THAT Council authorize the Mayor and Municipal Clerk to execute the Site Plan Control Agreement between The Corporation of the Town of Kirkland Lake and Conseil scolaire catholique de district des Grandes-Rivières (CSCDGR) for the subject property, and all appropriate documents, as may be required;

AND FINALLY THAT subsection 2.2. i) of the Town’s [Notice By-Law](#) be lifted to allow for the authorizing by-law to be given three readings on July 16, 2024.

INTRODUCTION

Le Conseil scolaire catholique de district des Grandes-Rivieres (CSCDGR), the owner of 31 Churchill Drive (École catholique Assomption), has submitted an Application for a Site Plan Control Agreement with the Town to develop on an institutional lot (Attachment 1) within the Town’s designated Site Plan Control Area. The application proposes exterior site work renovations. This includes changes to the parking layout and bus route, grading changes and resurfacing, and additional fencing and signage.

DISCUSSION

Site Plans ensure development plans meet the needs of the community while guiding the development process and ensuring effective land use. This process helps the Town ensure development projects comply with the by-laws and policies enacted by the municipality.

Site Plan Control provisions are established within the Town's [Official Plan](#), specifically, Section 6.12.

As noted in the Town's Official Plan, Site Plan Control provisions may only be applied by a municipality in accordance with Section 41(2) of the [Planning Act](#). As such, since 1985, the Town has designated, by [By-Law](#), all its lands, covered by its current Official Plan as the its Site Plan Control Area.

Section 6.12 of the Town's [Official Plan](#) goes on to identify that institutional lots are inclusive for Site Plan Control. Additionally, a Site Plan Control Agreement was not completed when the property was initially developed. As such, Administration is recommending that a Site Plan Control Agreement be entered into for the proposed development at 31 Churchill Drive.

OTHER ALTERNATIVES CONSIDERED

Council can consider not authorizing the Site Plan Control Agreement. This is not recommended as this would result in the Applicant being unable to obtain a building permit for the construction and prevent any development of the site.

FINANCIAL CONSIDERATIONS

As the application was received prior to July 1st, in accordance with the Town's [User Fees and Charges By-Law in effect at that time](#), an application fee in the sum of \$2,190.00 was collected, for which a portion of same is to recover the legal costs of registering the Site Plan Control Agreement on Title.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priority:

Sustainable Core Services



ALIGNMENT TO CORPORATE STRATEGIC PLAN (CONTINUE)

Action:

Sustainable Core Services

- Provide clear, fair, and consistent regulations and policies governing municipal operations.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

The execution of a Site Plan Control Agreement is required for the Applicant to develop the property located at 31 Churchill Drive within the limitations of the Town's current [Zoning By-Law](#), as amended.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

J. L. Richards & Associates Limited, Town's Planning Consultants

Development and Enterprise Services: Building Division

ATTACHMENTS

Attachment 1 – Location of Subject Lands

Note: The Proposed Site Plan Control Agreement is available for viewing as Schedule "A" to proposed By-Law 24-061, as presented in this Agenda.



REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-PW-005
Presented by: Alan Smith	Department: CAO

REPORT TITLE

2024-2025 Connecting Links Program Funding Announcement – TKL Project

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-PW-005 entitled “**2024-2025 Connecting Links Program Funding Announcement – TKL Project**” be received;

AND THAT Council approve the municipal portion (10%) of 2024 Stage 1 projected costs in the issuance of a Request for Proposal (RFP) for Engineering Services in relation to the said project;

AND THAT the municipal portion of the project (to a maximum of \$6,150.00) be allocated in the Public Works Department’s portion of the 2024 Operating Budget;

AND THAT Council approve the municipal portion (10%) of the Stage 2 project costs totalling \$327,134.00 being drawn from the Working Capital Reserve in 2025;

AND THAT the Mayor and Municipal Clerk be authorized to execute a Contribution Agreement and any related amendments proposed in favor of the municipality without detrimental financial impact, with the Ministry of Transportation, or designate, for funding under the Connecting Links Program towards resurfacing of Government Road (Highway 66);

AND FINALLY THAT the execution by-law in relation to the Contribution Agreement be brought forward at a future meeting.

INTRODUCTION

Through a 2022 application, the municipality was the successful recipient of [2023-2024 funding](#) towards the resurfacing of Government Road (Highway 66) including pedestrian crosswalk improvements at Burnside Dr.

In the last two years, Town Officials have increased their advocacy for funding through delegation representations at the annual ROMA, OGRA and AMO conferences with the goal of solidifying the Town's requirement for funding in the rehabilitation of large infrastructure projects in the community. A specific delegation was made to the Minister of Transportation, Honourable Caroline Mulroney, at the 2022 AMO conference regarding the Connecting Links Program (Attachment 1).

In 2023, the Town applied for funding through Ontario Ministry of Transportation's (MTO) 2024-2025 Connecting Links Program. A letter from the MTO (Attachment 2) was received advising that the Town of Kirkland Lake has been selected as a successful recipient of funding. The Ministry's maximum contribution for this 2-year project is \$2,999,554.00 towards the resurfacing of Government Rd. (Highway 66).

DISCUSSION

The location of the project starts at the intersection of Goldthorpe Rd. & Highway 66 (Latitude: 48.142528 Longitude: -80.062297) and ends approximately 850 meters East of the start location (Attachment 3).

The Town is proposing a 2-stage approach to the project.

Stage 1, slated for 2024, involves initiating a Request for Proposal (RFP) for Engineering Services. The RFP process will provide the Town with a comprehensive design of the proposed work, along with an agreement to provide the future preparation and issuance of the contract tender package, contract administration, and construction management services for the required work. The objective is to have the tendering of the project commence near the end of 2024.

Part of the Stage 1 focus will also be the holding of public meetings to meet procedural requirements of the project. It will also include the inception of a marketing campaign aimed at public consultation on the proposed project. This will include notification to affected residents/business/commerce, the hosting of an open house with conceptual designs, and the inclusion of a project-centered information site.

Stage 2 slated for 2025, focuses on the physical implementation of the proposed work. This will consist of the replacement of asphalt pavement, concrete curb/gutter, and the replacement of sidewalk (upgrade from asphalt to concrete). The project will also include upgrades to the storm system beneath the road and upgrades to guiderails.

DISCUSSION (CONTINUED)

As noted in Attachment 1, the Town will be required to formalize a Contribution Agreement with the Province regarding this project. To be proactive, Administration is seeking approval to execute the said agreement and any ancillary contracts.

A formal execution by-law will be forthcoming, detailing the Agreement's form and content as a schedule to the said by-law.

OTHER ALTERNATIVES CONSIDERED

Council could decide not to execute a contribution agreement for funding through the 2024-2025 Connecting Links Program. This is not recommended as the funds are required to make the necessary upgrades between Goldthorpe Rd. and Château Dr. The asphalt road surface, sidewalk, and concrete curb are in poor condition.

FINANCIAL CONSIDERATIONS

The Ontario Ministry of Transportation's 2024-2025 Connecting links Program offers to covers 90% of all expenditures over the 2-year period up to a maximum of \$2,999,554.00. The Town's commitment to this project is 10% which is approximately \$333,284.00.

The projected municipal expenditure for Stage 1 in issuing a Request for Proposal (RFP) for Engineering Services in 2024 is estimated at \$6,150.00 (representing 10% of \$62,150.00). As the sum is minor in nature, Administration is recommending that the funds be drawn from the Public Works Department's portion of the 2024 Operating Budget.

Notification and marketing of the said project is estimated at \$2,000.00 and will be recommitted to the Public Works Department's portion of the 2025 Operating Budget.

The municipal portion of expenses, \$327,134.00, associated with Stage 2 must be sourced from the 2025 Budget. However, the typical timing of budget approval, usually in April, leads to a delayed tendering process for capital projects. With the short construction season, and the limited number of companies available to undertake the required work, there is uncertainty regarding whether potential respondents to the tender can meet the scheduling requirements of the capital project. To proactively address this challenge and ensure the timely completion of Stage 2 of the 2024-2025 Connecting Links Program, Administration is recommending Council allocate the Town's portion of Stage 2 in the 2025 Budget by resolution as presented in this Report.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- ☒ Service Excellence
- ☒ Infrastructure
- ☒ Current Council's Operational Aims



Actions:

Service Excellence

- Assess points of contact with residents to identify ways to streamline communications, increase stakeholder engagement, demonstrate user-friendliness, and provide optimal service.

Infrastructure

- Prioritize infrastructure projects based on critical needs, aging systems, potential environmental risks, and community needs.
- Proactively prepare and plan projects and continue to identify and apply for additional funding opportunities.

Council Operational Aims:

Service Excellence

Stakeholder Engagement

- Effective channels for two-way communication with stakeholders to understand their interests and concerns.
- Communication strategies tailored to stakeholder needs and expectations.
- Consistency in messaging, tone, and visual elements to reinforce the corporation's image and values.

Infrastructure

Roads and Sidewalks

- Prioritization of repairs and upgrades based on usage, safety concerns, and community needs.
- Development of a long-term Road Reconstruction Plan that includes all roads in the Town.

ALIGNMENT TO CORPORATE STRATEGIC PLAN (CONTINUED)

- Upgraded sidewalks to comply with accessibility standards, including safety measures such as crosswalks, signage, and traffic calming measures.
- Strategies to secure additional funding to supplement municipal budgets for road and sidewalk projects.

ACCESSIBILITY CONSIDERATIONS

Accessibility will be improved with upgrades to sidewalks in the area.

CONCLUSION

This Ontario Ministry program is the main source of funding to repair/upgrade the Town's Connecting Link (Highway 66).

Administration recommend that the municipality take full advantage of this funding opportunity through the continued commitment to the project.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

Rods Supervisor, Public Works Department

Project Manager/Senior Technologist, EXP Solutions Inc. (Engineering Consultants)

ATTACHMENTS

Attachment 1 - AMO Briefing (August 2022)

Attachment 2 - MTO Notification Letter

Attachment 3 - Map of Project Area

Kirkland Lake: Connecting Link Briefing



Association of Municipalities of Ontario 2022
Briefing: Honorable. Caroline Mulroney
Minister of Transportation

KIRKLAND LAKE: COMMUNITY PROFILE



Kirkland Lake is located approximately 500 km north of Toronto. The main economic drivers are gold mining, forestry, environmental services and professional services such as health care and education. According to the 2020 census, Kirkland Lake's population numbers 7,750. However, the daily service population (people in the town on a daily basis for work, education, health care, etc.) is higher as Kirkland Lake is the business and administrative centre of the north Timiskaming District. Local businesses provide service and support to industrial operations ranging from Matachewan, Englehart, Matheson and through to the Quebec border in east. The town's strategic location at the intersection of Trans Canada Highways 11 and 66 make it an increasingly important conduit for trans-provincial trade as cartage companies seek to avoid the gridlock and expense associated with southern routes



Kirkland Lake has enjoyed an economic renaissance in recent years:

- Kirkland Lake Gold Inc. (Agnico-Eagle), capitalizing on a 24% increase in the price of gold since 2018, commissioned a new shaft valued at \$325 million and increased development work in the South Mining Complex. These measures will increase employment and will add 15-20 years to the life of the mine. In 2028, the Upper Beaver mine is expected to begin production in nearby Gauthier Township, creating an additional 400 jobs. In anticipation, Agnico-Eagle is exploring the feasibility of expanding its service and support services in Kirkland

Lake to include a regional warehouse, assay laboratory and increased milling capacity.

- Forestry has emerged from a 15 year drought resulting in a 40% increase in harvesting, hauling and processing activity as local companies expanded operations in the Temiskaming, Abitibi and Romeo Malette Forests.
- New business startups include a Fed-Ex Ground terminal that serves as trans-shipment centre serving northeastern Ontario and northwestern Quebec, and established a regional trans-shipment facility in Kirkland Lake. Future anticipated developments include a renewable energy facility (CHAR Technologies) utilizing wood waste from a municipally owned sawmill to produce renewable natural gas and bio-carbon.



Municipal support for economic development has always been strong. Successive Councils have worked with businesses to ensure they had the political support and the physical environment they need to succeed. Nowhere is that more evident than in infrastructure. Kirkland Lake is a challenging environment as the town is built largely on bedrock. A kilometer of road with water and sewer services can easily cost more than a million dollars. The size of the town is also a handicap. Kirkland Lake's municipal infrastructure is designed for 25,000 people (reflecting KL's peak population), but with a current population of only 7,500. That is reflected in the tax rates which have historically been amongst the highest in Ontario. That gives Town Council little room for maneuver. An assessment of the municipality's core asset infrastructure (water, wastewater, stormwater, roads, bridges and culverts) estimated a replacement cost of \$349.4 million. The Town currently directs about \$2.5 million towards infrastructure needs, leaving an annual funding gap of \$4.7 million. Meeting that shortfall will require punishing annual tax and rate increases. For example, the projection calls for an annual rate increase of 3.5% for 20 years to meet sanitary sewer needs.

Addressing the infrastructure deficit while investing in future growth will be the predominant challenge for Council going forward. Kirkland Lake is committed to doing what it can. Since 2018, it has allocated over \$1 million in industrial park upgrades to

meet new business needs. It has also invested \$2.3 million to upgrade water and sanitary services to the new shaft and \$8.1 million to install a new sanitary main traversing the community to facilitate future residential and commercial growth. These projects were possible because of support from the senior levels of government as well as Kirkland Lake Gold Inc./Agnico-Eagle. Unfortunately, similar support has not materialized in other areas specifically in Connecting Link funding.



Kirkland Lake's Connecting Link comprises the Government Road/Highway 66 corridor. An MTO study in 2016 showed an Annual Average Daily Traffic count of 2,400 vehicles and Annual Average Daily Truck Traffic count of 209 vehicles on Highway 66, while the vehicle count at the industrial nexus of the community (industrial park/mine location) averaged 6,200 vehicles and 248 trucks. That was in 2016; assessments from the municipal Department of Public Works demonstrate a significant increase since then.

The last time Kirkland Lake received Connecting Link funding was five years ago. Since 2018, it has repeatedly applied for \$1.15 million to rehabilitate a 350m section of road that has not seen any significant capital work done in the last 25 years. It is now in an advanced stage of deterioration including the progressive collapse of the two westbound lanes which are of sub-standard width. To compensate for the condition of the road, motorists frequently pass on the right. This occurs on a section of road that experiences a high volume of heavy vehicle traffic, and intersects entrances to a community college, two assisted living residences, a hospital, a major tourist attraction and a road leading to a residential area. In short, it poses a serious risk to public safety and increasingly acts as a chokepoint restraining the flow of goods and services through the community.

The Connecting Link program is one of the most successful funding programs in the Provincial Government's portfolio. It represents a true municipal – provincial partnership to help our communities, and the province, to prosper. In Kirkland Lake, the lack of funding has become a detriment to this goal. We seek the Province's commitment to remedy this situation and help us build the future.



Connecting Link Program Application Summary

Highway 66 Resurfacing with Burnside Drive Crosswalk

Location

Trans-Canada Highway 66/Government Road East

Latitude: 48.1562 Longitude: -80.0209

Project area starts at east limit of Hwy 66/Burnside Drive intersection and runs east for approximately 350 metres, ending beyond the Toburn Road intersection at the eastern limit of the Town's Connecting Link agreement.

Description

- Stage One (Fiscal Year 1): Engineering phase resulting in detailed design of work to be completed, as well as agreement in place to produce contract tender package, contract administration and construction management services.
- Stage Two (Fiscal Year 2): Construction phase, comprising removal of existing asphalt, placement of 70 mm binder course and 50mm surface lift of SuperPave Hot Mix for approximately 350 metres; replacement of concrete curb and gutter; paved boulevard between curb and existing sidewalk; shoulder and ditch rehabilitation; installation of new pedestrian crosswalk at Highway 66/Burnside Drive intersection.

Duration: 2 years

Estimated Cost: \$1,153,493 (copy of 2021 estimate provided)

Project Rationale

- Advanced deterioration of roadway including progressive collapse of outer westbound lane
- Substandard lane width (2.9m)
- Hazard presented by rock cut less than 1m from edge of pavement
- Pedestrian safety risk due to high volume of traffic and especially increasing volume of heavy vehicle traffic

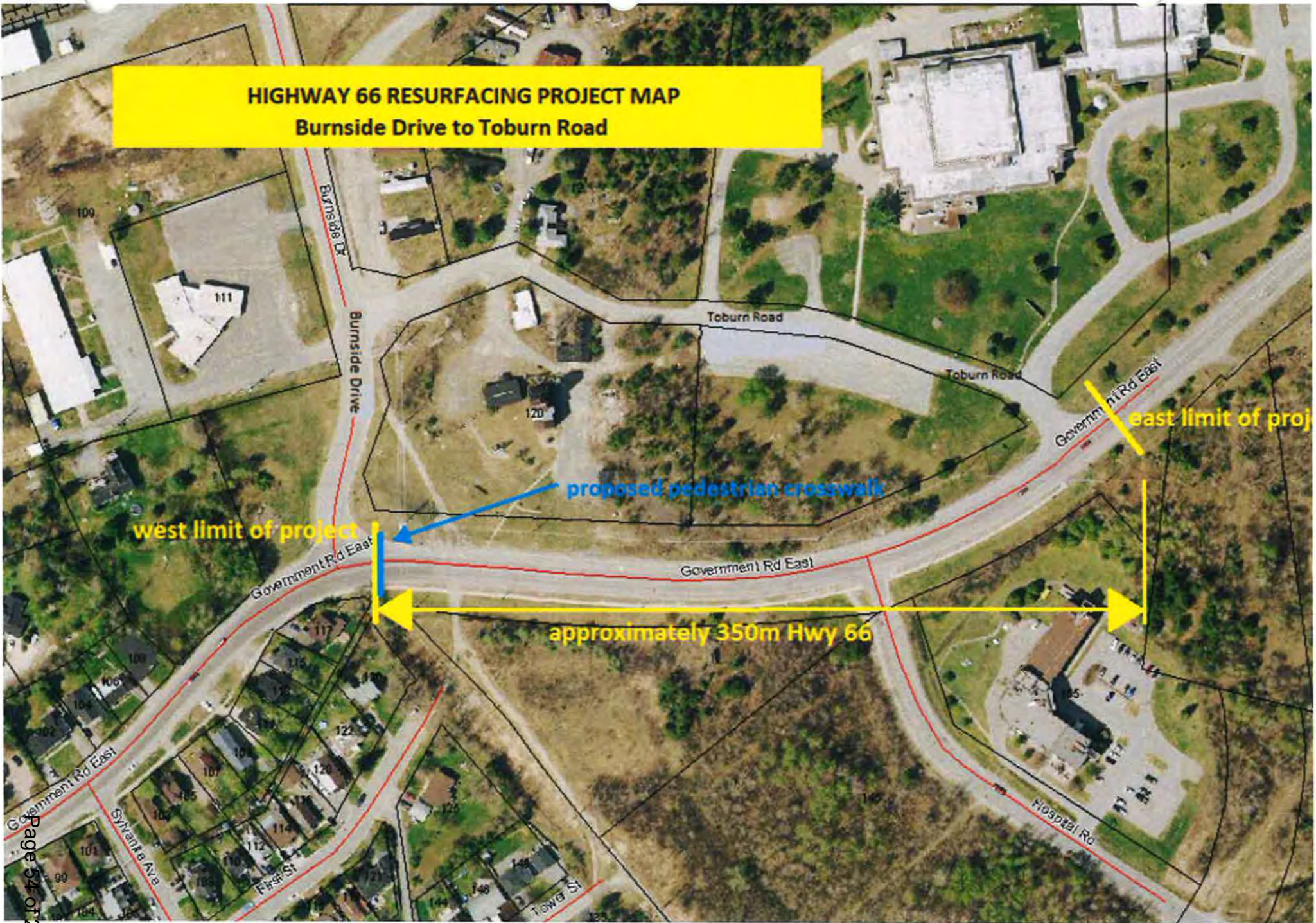
Funding Status

- 2019 – DECLINED 2020 – DECLINED 2021 - DECLINED

Kirkland Lake In A Regional Context Showing Primary Transportation Routes




HIGHWAY 66 RESURFACING PROJECT MAP
Burnside Drive to Toburn Road



Area Amenities Impacting on and Impacted by Traffic Safety Considerations at the Highway 66 / Burnside Drive Section



LEGEND	
Northern College	1
Extendicare	2
Hospital	3
Teck Pioneer Residence	4
Toburn Minesite Park	5
Connecting Link	

Ministry of
Transportation

Office of the Minister

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www.ontario.ca/transportation

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Transports

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May 21, 2024

107-2024-1038

Stacy Wight
Mayor
Town of Kirkland Lake
stacy.wight@tkl.ca

Dear Mayor Wight:

I am pleased to advise you that the Town of Kirkland Lake has been selected for funding through the Ministry of Transportation's 2024-25 Connecting Links Program. You may proceed with your project upon receipt of this letter subject to the conditions noted below.

The ministry's maximum provincial contribution for your project is \$2,999,554 towards the Reconstruction of Government Road West (Highway 66) Easterly from Goldthorpe Drive.

Ministry staff will follow up with your municipality to provide the contribution agreement and discuss the milestones and other requirements that must be met. The contribution agreement needs to be signed and returned to the ministry within two months of receipt. The ministry will require a signed agreement, accompanied with a council resolution before funding can be provided; however, as noted above, you may proceed with your project upon receipt of this letter. Any eligible costs incurred on or after April 1, 2024, will be reimbursable through the payment and reporting process after the contribution agreement has been signed by both parties.

I look forward to continuing our cooperative relationship and wish you success with your project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Prabmeet Singh Sarkaria', with a long horizontal line extending to the right.

Prabmeet Singh Sarkaria
Minister of Transportation

c. Alan Smith, CAO, alan.smith@tkl.ca

Connecting Links Programm 2024-25

Starting at the intersection of Goldthorpe Road and Hwy 66 and ends 850 metres east of the start location.

Legend



300 m

End

Start

Goldthorpe Rd

Google Earth

Image © 2024 CNES/Airbus
Image © 2024 Vauxair Technologies



REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-PW-006
Presented by: Alan Smith	Department: CAO

REPORT TITLE

Supplemental: Update on 10-Year Road Reconstruction Plan

RECOMMENDATIONS

BE IT RESOLVED THAT Report Number 2024-PW-006 entitled “**Supplemental: Update on 10-Year Road Reconstruction Plan**” be received;

AND THAT \$515,500.00 be drawn from the Canada Community Building Fund (deferred revenue) and the Ontario Community Infrastructure Fund (deferred revenue), to be allocated at the discretion of the Treasurer, to complete 2024 road work at the following areas:

1. Churchill Drive from Duncan Ave. to Fifth St.
2. Duncan Ave. N. from Prospect Ave. to Goodfish Rd.;

AND THAT Council authorize the sole sourcing of the 2024 road work identified above to the successful proponent of 598-23-RFT Kirkland Lake 2023 Paving Program;

AND THAT \$15,000.00 be drawn from the Canada Community Building Fund (deferred revenue) and the Ontario Community Infrastructure Fund (deferred revenue) to complete the temporary repairs of the sidewalk at Civic Park; the allocation of said funds to be at the discretion of the Treasurer;

AND THAT Council award 609-24-RFT for Resurfacing and Pedestrian Crossover Construction to Miller Paving Limited as per their proposal received on July 10, 2024;

AND THAT the Mayor and Municipal Clerk be authorized to execute a contract with Miller Paving Limited for the completion of 2024 road work noted above;

AND THAT the Mayor and Municipal Clerk be authorized to execute a contract with Miller Paving Limited for Resurfacing and Pedestrian Crossover Construction in connection with the Town’s 2023-2024 Connecting Link Project, in the sum of \$1,097,709.75 plus HST;

AND FINALLY THAT an execution by-law be presented for three readings on August 13, 2024.

INTRODUCTION

At the October 17, 2023, Council Meeting, a revised 10-Year Road Reconstruction Plan was presented to members (Attachment 1). Council was also informed that this Plan will be updated on an annual basis.

Although the 10-Year Road Reconstruction Plan will be updated at year's end, there is new information that will impact the immediate road projects through 2026, that requires Council's attention.

DISCUSSION

An updated 10-Year Road Reconstruction Plan will be presented to Council by the end of this year. However, as mentioned in Council report [2023-PW-013](#), new information can surface throughout the year which may impact priorities within the Plan.

There are changes to road projects scheduled for 2024 that will impact projects scheduled through 2026 and possibly beyond. Specifically, developments related to the Town's successful Connecting Links Program applications, the limited response to the Taylor Avenue tendering process, and the application to the Housing Enabling Water Systems Fund will result in projects that were scheduled for 2024 being moved to 2025 and possibly to 2026.

Taylor Avenue

As Council will recall, the reconstruction of Taylor Avenue was originally budgeted for \$2,500,000.00. After the detailed design and engineering were completed, reconstruction estimates came in at approximately \$8,000,000.00. To lessen costs, required dramatic reductions in the scope of the work. This revised project design reduced estimated costs to \$3,200,000.00. To provide for contingencies, \$3,800,000.00 was approved through the 2024 Budget process.

The Request for Tender (RFT) for the reconstruction of Taylor Avenue was issued on May 16, 2024, and closed on June 13, 2024. The project received a single bidder with a tender submission over the budgeted amount. The bidder also stipulated that their bid was on condition that the date of completion be extended from November 2024 to September 2025 as they could not perform the work this calendar year; this timing is mostly due to their involvement in a large number of Ministry of Transportation (MTO) projects this year. Administration is currently in negotiations with the sole bidder to explore a possible reduction in cost. In any event, the Taylor Avenue project will not be executed in 2024.

DISCUSSION (CONTINUED)

The postponement of the Taylor Avenue project until 2025 will have implications for the scheduling of upcoming projects outlined in the 10 Year Road Reconstruction Plan. Specifically, the reconstruction of Tweedsmuir Avenue will experience a delay. Nevertheless, the sidewalk at Civic Park is set to be installed this year by the Public Works staff. The sidewalk will be made of asphalt as a temporary solution, considering that future road reconstruction on Tweedsmuir Avenue may require its replacement.

As a result of the postponement, Administration is exploring the possibility of completing two road projects that were originally scheduled to be undertaken in 2023:

1. Churchill Drive from Duncan Avenue to 5th Street, approximately 270m in length
2. Duncan Avenue North from Prospect Avenue to Goodfish Road, approximately 350m in length.

As described in the revised 10 Year Road Plan, there were four projects planned for 2023 however only two could be completed as estimates received were more than what was budgeted. Given that the two mentioned projects are smaller in nature, Administration is hopeful that the company that responded to 598-23-RFT in 2023 can be retained to undertake the work in 2024. Therefore, Administration is recommending Council approve the needed funds and sole source the work in accordance with Article 3.4 of the [Town's Procurement By-Law](#)

Housing-Enabling Water Systems Fund (HEWSF)

On April 19, 2024, the Town applied to the Housing-Enabling Water Systems Fund (HEWSF). If successful, this Fund will assist the Town in meeting its water distribution challenges and will help accommodate future residential development while improving service delivery for existing residences in the central portion of the town. The total cost of the project is \$13,200,000.00, with the HESWF covering 73% of those costs.

Although the HESWF covers a significant portion of the costs, the impact on Town resources is substantial. Therefore, if the Town's HESWF application is approved, the undertaking of this project will delay the reconstruction of Taylor Avenue until 2026. If this occurs, retendering of the work would take place in early 2025.

DISCUSSION (CONTINUED)

Connecting Links Program

The Town currently has two active projects through the Connecting Links Program:

1. The 2023-2024 Program, entails the resurfacing of Government Road (Highway 66), East of Burnside Dr., and the installation of a pedestrian crosswalk at the Intersection of Burnside Dr.

Phase one of the project, the design/engineering work has been completed. For the second phase, construction work, the RFT was issued on June 19, 2024, and closed on July 10, 2024. One bid was submitted and has been reviewed by Concept Dash, the design and project management company for this project. Council will need to approve the acceptance of the submitted bid. An execution by-law will be presented, with the final agreement, to Council on August 13, 2024.

2. The 2024-2025 Program entails the resurfacing of Government Road (Highway 66) starting at the intersection of Goldthorpe Rd. & Highway 66 and ending approximately 850m east of the start location.

The recommendation to authorize the execution of a Contribution Agreement, as outlined in report 2024-PW-005 on the current meeting agenda, is anticipated to be received by Administration in the forthcoming weeks. The report also highlights the two stages of this project. Phase one, issuing a Request for Proposal (RFP) for the execution of design/engineering work in 2024. Phase two, tendering for the construction work is scheduled to be issued late 2024, with construction to begin in 2025.

Furthermore, the 10-Year Road Reconstruction Plan will be updated at year's end to incorporate the points raised in this report. This update will also include a revision of all cost estimates associated with the Plan.

The 10-Year Road Reconstruction Plan as presented in Attachment 1, features a foundational framework that includes one (1) project to be designed annually (RFP process) and one (1) project to be constructed annually (RFT process). Recognizing the significant strain that each major construction project places on the Town's resources, there is a proposal to reassess the current approach. The revised strategy suggests that large-scale initiatives be constructed every third year instead of adhering to the existing biennial cycle.

DISCUSSION (CONTINUED)

Summary

Project	Year	Status
Taylor Ave.	2025	Tender Closed June 13, 2024
Churchill Dr. from Duncan Ave. to 5 th Street	2024	TBD
Duncan Ave. N. from Prospect Ave. to Goodfish Rd.	2024	TBD
Phase Two: 2023-2024 Connecting Links Program	2024	Tender Closed July 10, 2024
Phase One: 2024-2025 Connecting Links Program	2024	RFP currently being drafted for design work
Phase Two: 2024-2025 Connecting Link Program	2025	Construction
Sidewalk, Civic Park	2024	In planning stages
Housing-Enabling Water Systems Fund (HEWSF)	2024	Application submitted; Status Unknown to Date

Please note the above summary will change if the Town's application to the HEWF is successful.

OTHER ALTERNATIVES CONSIDERED

Council could consider denying the request for the allocation of necessary funds from the Canada Community Building Fund deferred revenue and the Ontario Community Infrastructure Fund deferred revenue to facilitate the road work at:

1. Churchill Drive from Duncan Avenue to 5th Street; and
2. Duncan Avenue North from Prospect Avenue to Goodfish Road.

While the investigation into engaging a contractor to execute the work is currently underway, securing the requisite funds, if obtained, would ensure that there is no delay in advancing with both road projects.

FINANCIAL CONSIDERATIONS

\$3,800,000.00 was allocated in the 2024 Budget for the completion of the reconstruction of Taylor Avenue. This budgeted amount included \$1,676,629.00 from the Canada Community Building Fund (CCBF), otherwise known as the Gas Tax, and \$1,676,628.00 from the Ontario Community Infrastructure Fund (OCIF). Given that the Taylor Avenue reconstruction will be delayed until 2025, and possibly to 2026 depending on the status of the HEWSF, the funds from CCBF and OCIF will not be utilized this year.

FINANCIAL CONSIDERATIONS (CONTINUED)

Therefore, to fund the potential undertaking of the two smaller road projects this year (1) Churchill Drive from Duncan Avenue to 5th Street and (2) Duncan Avenue North from Prospect Avenue to Goodfish Road, Administration recommends that a total of \$515,500.00 be drawn from and allocated between those two funds to potentially complete road work in those areas. The total amount includes a 20% contingency factor.

As mentioned, the sidewalk at Civic Park will be completed this year by Public Works staff. Initially, the \$15,000.00 that is required for the purchase of materials was to be drawn from monies used for yearly patch and repair work. Given that monies are available from the two Funds mentioned, Administration recommends drawing the material costs to complete the sidewalk from CCBF and OCIF. By opting for this approach, more funds will be available for the Public Works staff to address and carry out necessary patch and repair work in different areas of the community.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- Infrastructure
- Current Council's Operational Aims



Actions:

Infrastructure

- Prioritize infrastructure projects based on critical needs, aging systems, potential environmental risks, and community needs.
- Proactively prepare and plan projects and continue to identify and apply for additional funding opportunities.

Council Operational Aims:

Sustainable Core Services

Governance

- Timely reports from staff to Council on all significant projects and initiatives.

ALIGNMENT TO CORPORATE STRATEGIC PLAN (CONTINUED)

Infrastructure

Roads and Sidewalks

- Prioritization of repairs and upgrades based on usage, safety concerns, and community needs.
- Development of a long-term Road Reconstruction Plan that includes all roads in the Town.
- Upgraded sidewalks to comply with accessibility standards, including safety measures such as crosswalks, signage, and traffic calming measures.
- Strategies to secure additional funding to supplement municipal budgets for road and sidewalk projects.

ACCESSIBILITY CONSIDERATIONS

Accessibility will be improved with the installation of a sidewalk at Civic Park.

CONCLUSION

Road initiatives scheduled for 2024 are being impacted by the results of the Taylor Avenue tendering process and Connecting Links Program. The 10 Year Road Reconstruction Plan will be updated by year end to reflect the changes mentioned in this report. Other factors of costing and scheduling of significant road works will also be addressed in the revised Plan.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

Roads Supervisor, Public Works Department

Program Manager - Procurement & Risk Management, Department of Corporate Services

ATTACHMENTS

Attachment 1 – 10 Year Road Reconstruction Plan

Oct 17.23

10 Year Road Reconstruction Plan (2023 to 2032) Revised.

Year 1 (2023) – Total estimate cost = \$685,000.00

- In-Place Processing (pulverize) and new asphalt for the following areas:
 - Water Lane from Government Rd to Market St
Approx 410m in length
 - Churchill Drive from Duncan Ave to 5th St
Approx 270m in length
 - Duncan Ave North from Prospect Ave to Goodfish Rd
Approx 350m in length
 - Tweedsmuir Rd from Hillcrest Dr to McPhee Ave
Approx 350m in length

Estimated Cost = \$600,000.00

- Design and Prepare Tender Package for the total reconstruction of Taylor Ave starting at Main St and ending at 350m easterly.

Estimated Cost = \$80,000.00

Year 2 (2024) – Total estimate cost = \$2,590,000.00

- Reconstruction of Taylor Ave as per the 2023 design package

Estimated Cost = \$2,500,000.00

- Design and Prepare Tender Package for the total reconstruction of Tweedsmuir Ave starting at Wright Hargreaves and ending at 400m north at the ONR tracks

Estimated Cost = \$90,000.00

Year 3 (2025) – Total estimate cost = \$2,985,000.00

- Reconstruction of Tweedsmuir Ave starting at Wright Hargreaves and ending at 400m north at the ONR tracks as per the 2024 design.

Estimated Cost = \$2,900,000.00

- Design and Prepare Tender Package for the total reconstruction of Queen St from Lebel Ave to Rowan Ave. (approx. 300m)

Estimated Cost = \$85,000.00

Year 4 (2026) – Total estimate cost = \$2,222,000.00

- Reconstruction of Queen St as per the 2025 design package

Estimated Cost = \$2,150,000.00

- Design and Prepare Tender Package for the total reconstruction of Wright Hargreaves Ave (approx. 250m)

Estimated Cost = \$72,000.00

Year 5 (2027) – Total estimate cost = \$1,895,000.00

- Reconstruction of Wright Hargreaves Ave as per the 2026 design package

Estimated Cost = \$1,800,000.00

- Design and Prepare Tender Package for the total reconstruction of Tower St from Station Rd to Allen Ave (approx. 340m)

Estimated Cost = \$95,000.00

Year 6 (2028) – Total estimate cost = \$ 2,415,000.00

- Reconstruction of Tower St as per the 2027 design package.

Estimated Cost = \$2,400,000.00

- Prepare a simple contract with simple drawings that will involve in-place processing and new asphalt only (refer to year 7 for details)

Estimated Cost = \$15,000.00

Year 7 (2029) – Total estimate cost = \$2,385,000.00

- In-Place Processing (pulverize) and new asphalt for the following areas:
 - Athenia Blvd in Swastika
Approx 500m in length
 - Harding Ave from Tweedsmuir Rd to Atkins Ave
Approx 619m in length
 - Kirkland St W from Government Rd to Prospect Ave
Approx 300m in length
 - Kirkland St W from Duncan Ave S to Station Rd
Approx 251m in length
 - Main St from Poplar Ave to Queen St
Approx 320m in length
 - Main St from Birch Ave to Archer Dr
Approx 330m in length
 - Churchill Drive from Duncan Ave to 5th St
Approx 270m in length

Estimated Cost = \$2,300,000.00

- Design and Prepare Tender Package for the total reconstruction of Duncan Ave North from Prospect Ave to Goofish Rd. (Approx 350m)

Estimated Cost = \$80,000.00

Year 8 (2030) – Total estimate cost = \$2,575,000.00

- Reconstruction of Duncan Ave North from Prospect Ave to Goodfish Rd.
(Approx 350m)

Estimated Cost = \$2,500,000.00

- Design and Prepare Tender Package for the total reconstruction of O'Meara Blvd from McCamus Ave to Hudson Bay Ave **and** Duncan Ave S from Churchill Dr. to Hudson Bay. (Approx 260m)

Estimated Cost = \$75,000.00

Year 9 (2031) – Total estimate cost = \$1,925,000.00

- Reconstruction of O'Meara Blvd and Duncan Ave S as per the 2030 design package
Estimated Cost = \$1,860,000.00
- Design and Prepare Tender Package for the total reconstruction of Day Ave from Grierson Rd to north end. (Approx 223m)
Estimated Cost = \$65,000.00

Year 10 (2032) – Total estimate cost = \$1,686,000.00

- Reconstruction of Day Ave as per the 2031 design package
Estimated Cost = \$1,600,000.00
- Design and Prepare Tender Package for the total reconstruction of Hudson Bay Ave from Duncan Ave S to Level Ave. (Approx 300m)
Estimated Cost = \$86,000.00

Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 1 - Pulverize and Pave only
Tweedsmuir - Approx 350m

Legend
Feature 1



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 1 - Pulverize and Pave only
Water Lane - Approx 410m

Legend
Feature 1



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 1 - Taylor Ave (350m)
2023 - Design
2024 - Construction

Legend
📍 30 Queen St
🔴 Taylor Ave - Reconstruction



60 m

The Town of Kirkland Lake

Year 2

Tweedsmuir Rd - Design Proposal
Length of Road Rehabilitation = 400m

2024 - Design
2025 - Construction

- Includes:
- Raise the grade of the road; the storm system is shallow and cannot be lowered.
 - Rehabilitation of intersection (Goodfish) including the island.
 - Sidewalk replacement (along Civic)
 - Watermain replacement
 - Replacement of asphalt (roadway)
 - Fully pave the boulevard between the road and the sidewalk along Civic, to add parking spaces including AODA requirements.
 - Consideration of an automated pedestrian crosswalk to cross Tweedsmuir Rd.
 - Make necessary repairs to the Storm System

Legend

-  Parking Area
-  Road - Tweedsmuir
-  Sidewalk (Conc)



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 3 - Queen St (300m)
2025 - Design
2026 - Construction

Legend
● 90 Queen St
■ Taylor Ave - Reconstruction



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 4 - Wright Hargreaves Ave (250)
2026 - Design
2027 - Construction

Legend
Wright Hargreaves - Reconstruction



TOWN OF KIRKLAND LAKE
10-year Road Reconstruction Plan

Year 5 – Tower St (340m)

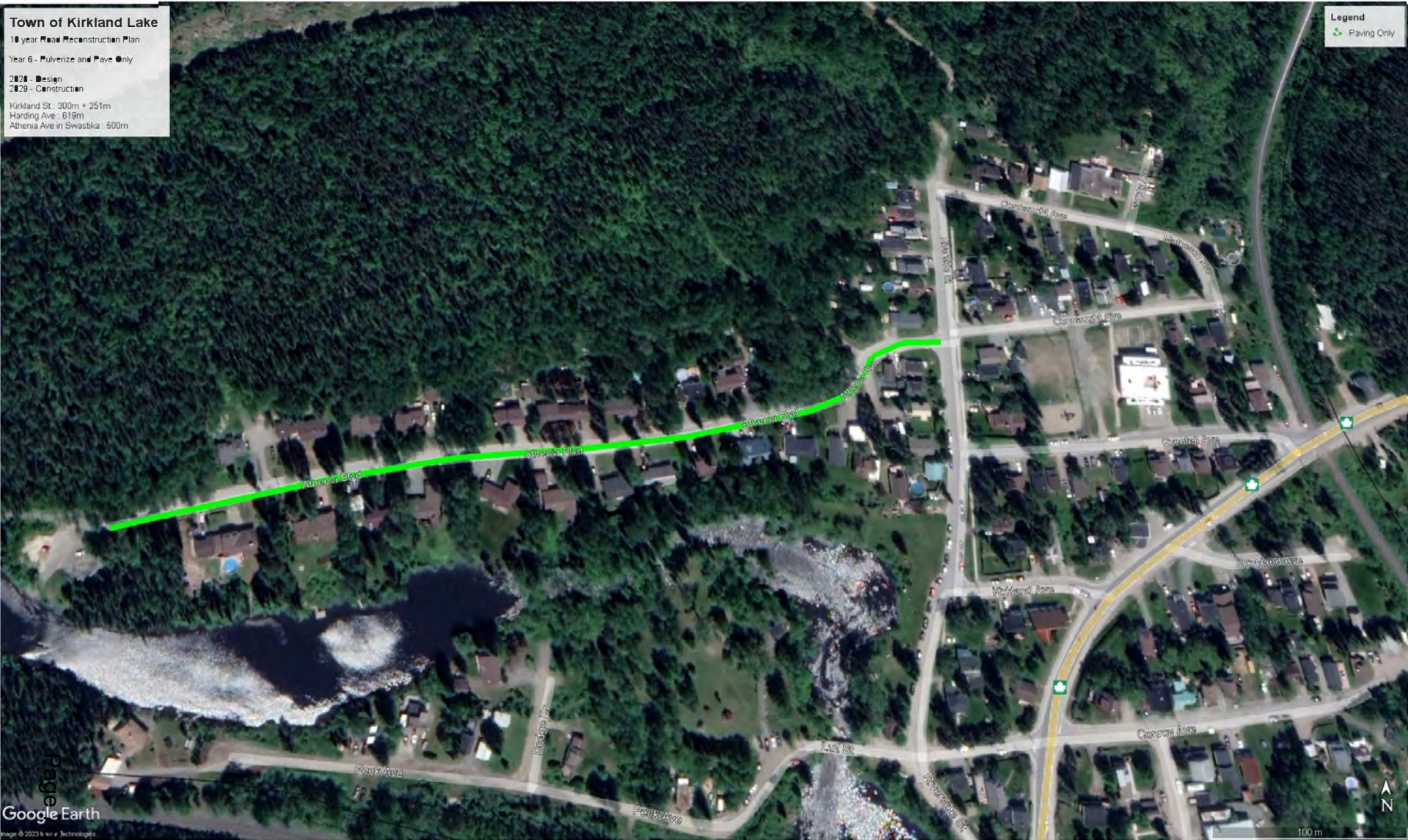
2027 – Design
2028 – Construction

Legend
Tower St - Reconstruction



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 6 - Pulverize and Pave Only
2028 - Design
2029 - Construction
Kirkland St: 300m + 251m
Harding Ave: 619m
Athenia Ave in Swastika: 500m

Legend
Paving Only



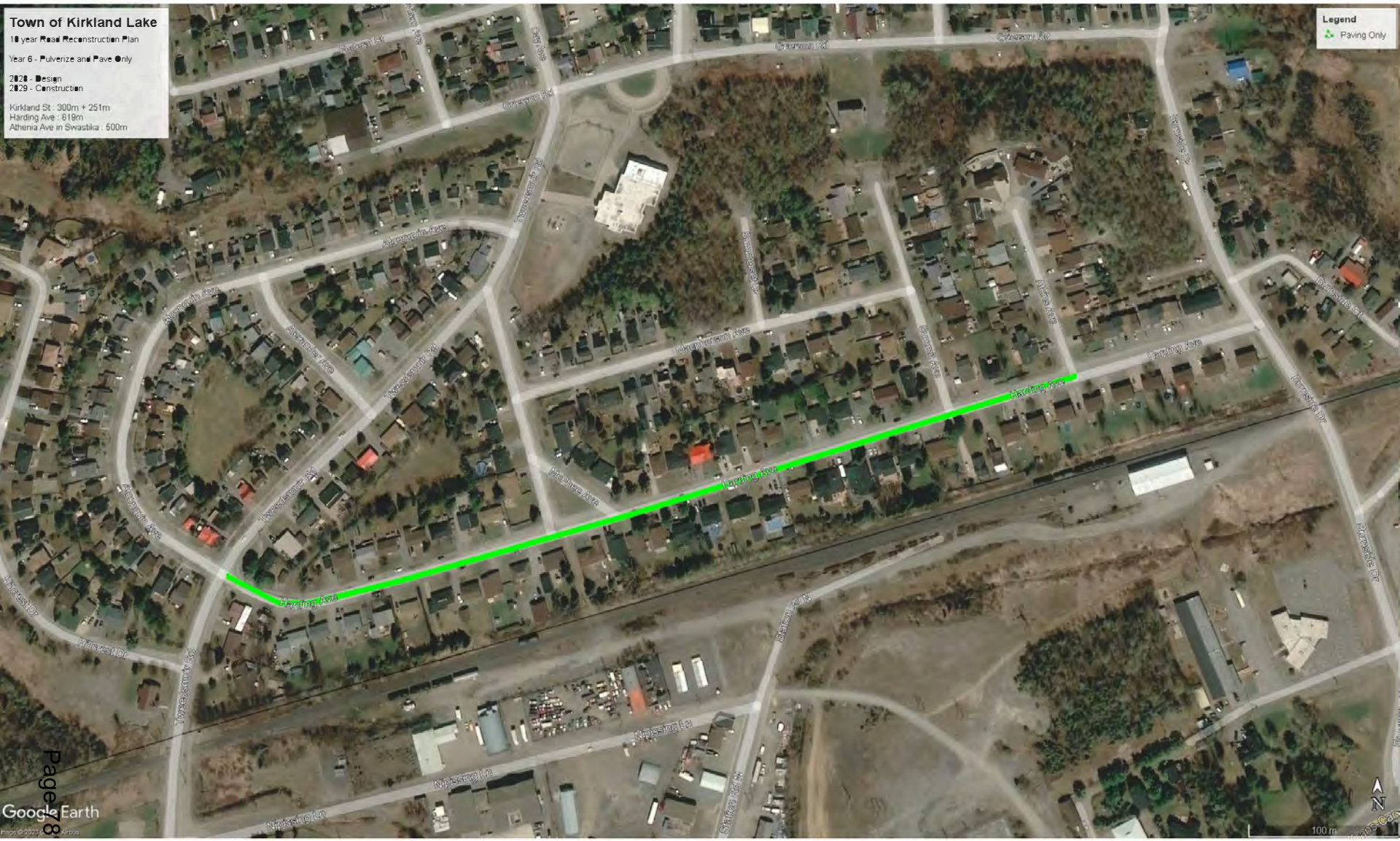
Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 6 - Pulverize and Pave only
Churchill Dr - Approx 270m

Legend
Feature 1



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 6 - Pulverize and Pave Only
2028 - Design
2029 - Construction
Kirkland St. 300m + 251m
Harding Ave. 819m
Athenia Ave in Swastika. 500m

Legend
Paving Only



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 6 - Pulverize and Pave Only
2028 - Design
2029 - Construction
Kirkland St. 300m + 251m
Harding Ave. 618m
Athenia Ave in Swastika. 500m

Legend
Paving Only



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 6 - Pulverize and Pave Only
2028 - Design
2029 - Construction
Main St : 320m + 330m

Legend
Feature 1



TOWN OF KIRKLAND LAKE
10-year Road Reconstruction Plan
Year 7 – Duncan Ave North (350m)
2029 – Design
2030 – Construction

Legend
Feature 1



TOWN OF KIRKLAND LAKE
10-year Road Reconstruction Plan

Year 8 – O’Meara and Duncan Ave South (260m)

2030 – Design
2031 – Construction

Legend
▲ O’Meara & Duncan Ave South



Town of Kirkland Lake

10 year Road Reconstruction Plan

Year 9 - Day Ave (223m)

2031 - Design

2032 - Construction

Legend

Day Ave



Town of Kirkland Lake
10 year Road Reconstruction Plan
Year 10 - Hudson Bay Ave (300m)
2032 - Design
2033 - Construction

Legend
Hudson Bay



REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-FES-003
Presented by: Earl Grigg	Department: Fire & Emergency Services

REPORT TITLE

2024 Emergency Flooding Event Overview & Next Steps

RECOMMENDATION

- BE IT RESOLVED THAT** Report Number 2024-FES-003 entitled “**2024 Emergency Flooding Event Overview & Next Steps**” be received;
- AND THAT** Council approve the sole sourcing of EXP Services Inc. to conduct an “Engineering Review of the 2024 Flood and Concept Remedial Options” in the sum of \$57,485.00 (excluding HST) to be drawn from the Working Capital Reserve;
- AND THAT** the expenditures incurred resulting from the April 12, 2024, Emergency Flooding Event be drawn from the Working Capital Reserve;
- AND FINALLY THAT** the tipping fees be reinstated without waiver effective immediately.

INTRODUCTION

On April 12, 2024, the Mayor declared an Emergency in the Town of Kirkland Lake due to a flooding event resulting in the Town’s sanitary system surcharging due to the overflowing of Murdock Creek. This declaration was in place until May 1, 2024. During this time, the flooding resulted in surcharging sewer systems, damage to residential properties, and damage to Town assets. Although Town Staff were able to restore damaged municipal infrastructure to its original state, the underlying causes of the flooding and future solutions need to be determined. Undertaking an engineering review of the April 12th flood and developing remedial options needs to take place.

DISCUSSION

Flooding Event

On April 11, 2024, around 7:00 PM, heavy rainfall commenced in the Town of Kirkland Lake and continued throughout April 12, 2024. Winter conditions exacerbated the flooding: snow/ice piles from winter were rapidly melted by the rainfall; the frozen ground prevented rainfall from being absorbed by the earth; and ice in the storm system impeded the system's efficiency. The rainfall and runoff caused Murdoch Creek and Rand Creek to overflow. The Town's storm and sanitary sewer systems were inundated, resulting in widespread flooding of both public and private properties, including roadways.

On April 12, 2024, at approximately 3:15 PM, the Town's Emergency Management Program Committee (EMPC) convened to assess the flooding. At 4:06 PM, Mayor Stacy Wight [declared an emergency](#) in accordance with subsection 4(1) of the [Emergency Management and Civil Protection Act, 1990](#) due to a "flooding event resulting in the Town's sanitary system surcharging due to overflowing of Murdoch Creek", starting at 1 Dunfield Road, travelling West then South West to Brookbank Avenue and Carter Avenue, then flowing southerly and expanding through the Town of Kirkland Lake.

In the late evening of April 12, 2024, the rainfall changed to snow and continued overnight and melted on April 13, 2024. In total, 69.8 mm of rainfall was recorded over a duration of 39 hours. The hydrologists at the Ministry of Natural Resources calculated that this flooding experienced by the Town was estimated to be a 1 in 2,000-year return event, based on confirmation of model inputs.

Reported Damage

In accordance with Article 3.10 of the [Town's Procurement By-Law](#), the Chief Administrative Officer and Director of Public Works deemed the emergency flooding event to be a "triggering event". EXP Services Inc. (EXP) was sole sourced to conduct a Flood Damage Assessment.

The Town's storm and sanitary sewer systems could not keep up with the influx of rainfall, melting snow/ice and overflow of the creeks, causing the systems to surcharge. In their Flood Damage Assessment Report, Attachment 1 contains excerpts from that report, EXP identified five (5) municipal sites requiring restoration:

Site 1: Culvert washout east of Allen Avenue

Damage: Washout and destruction of approximately 10 m of 1500 mm diameter corrugated steel pipe and a gabion basket retaining wall.

DISCUSSION (CONTINUED)

Reported Damage (continued)

Site 2: Culvert washout west of Allen Avenue

Damage: Washout and destruction of approximately six (6) 10 m of 300 mm diameter corrugated steel pipe and approximately 18.2 m of a 3 m wide walking path.

Site 3: Culvert washout near the intersection of Pollock and Dixon

Damage: Partial washout of a corrugated steel pipe.

Site 4: Partial washout of road at Prince Street and Earl Street

Damage: Partial washout of a shoulder and travelled road lane.

Site 5: Partial washout of gravel road adjacent to Harvey Kirkland Road

Damage: Partial washout of gravel road.

In addition to municipal infrastructure, numerous private properties experienced interior and/or exterior flooding. Private properties abutting Sites 1 to 5 listed above appeared to be most significantly affected; however, damage was also reported by residents or recorded via landfill tipping records in the areas of Algonquin Avenue, Grierson Road, Calbeck Avenue, Premier Avenue West, Main Street, Comfort Street, and McCamus Avenue (Attachment 2).

Municipal Response

Communication with residents and local news outlets was created immediately upon the declaration of the emergency. Through the Clerk's Office, an optimal accessible/device-friendly [information area](#) was created on Town's Website. Timely updates were made through the issuance of pertinent Press Releases, Memorandums, and Notices on the Town's Facebook Page, through local radio broadcasts by command of the Community Emergency Management Coordinator (CEMC) and the emergency's Communications Information Officer (CIO).

The Town's Emergency Management Program Committee (EMPC) convened daily for an entire week, then regularly to monitor the emergency flooding event and was joined by Ontario Provincial Police Kirkland Lake Detachment Commander Ronald Bellefeuille to consult on public safety. It should be noted that at the time of the emergency, the Town of Kirkland Lake was also receiving approx. 90 evacuees from Kashechewan First Nation, expected to arrive days after the declared emergency.

DISCUSSION (CONTINUED)

Municipal Response (continued)

On April 12, 2024, the Town's full-time and volunteer firefighters conducted door-to-door wellness checks in areas significantly impacted by flooding. Following the direction of Hydro One Inc. crews, residents were advised to turn off power to flooded areas of their home if the water level was nearing the height of any electrical outlets. If the water level was within two (2) feet of the electrical panel, the residents were directed to evacuate the structure and power was disconnected by Hydro One Inc.

An Evacuee Intake Centre (EIC) was established at the Royal Canadian Legion (RCL) Branch 87 at 1 Summerhayes Avenue, and facilitated by the Town's full-time firefighters, volunteers from the RCL, and Kenogami District Fire Department volunteer firefighters. A total of seven (7) households were forced to evacuate due to electricity hazards, six (6) of which were housed at the Microtel Inn & Suites by Wyndham at 350 Government Rd. W. One (1) additional household was evacuated from Conroy Avenue in Harvey Kirkland in advance of a culvert washout that would prohibit emergency access to the property.

To assist residents in mitigating property damage, sandbags were made available for pick-up free of charge at both the Physical Services yard (1 Dunfield Road) and the old Mine Rescue property (105 Government Road West). Staff and volunteers were on site to assist with filling the sandbags and loading them into vehicles. Over 200 sandbags were distributed to residents in need. On April 13, 2024, the Town's full-time and volunteer firefighters pumped out the basements of flooded residences to mitigate further damage.

Municipal efforts to remediate the flooding and mitigate further damage were ongoing during the declared state of emergency which included: the adding of eight (8) pumps to the sanitary system, and the opening of the overflow valves in the wastewater treatment plant to alleviate demands on the system. To assist affected residents with clean-up of their properties, at their April 15, 2024 Emergency Meeting, Council resolved the following:

"Moved by: Councillor Lad Shaba

Seconded by: Councillor Casey Owens

BE IT RESOLVED THAT the Kirkland Lake Landfill tipping fees for hazardous waste stemming from the flooding event commencing on Friday, April 12, 2024 be waived for impacted residents and tenants within the jurisdiction of the Town of Kirkland Lake

CARRIED"

DISCUSSION (CONTINUED)

Municipal Response (continued)

As of June 20, 2024, a total of 757.1 cubic meters of hazardous waste resulting from the flooding event was received at the Kirkland Lake Landfill stemming from 213 drop-offs. No Hazardous Waste resulting from the flooding event has been received at the Landfill since May 25, 2024.

As mentioned above, there were five (5) areas within the jurisdiction Town of Kirkland Lake, known to Administration, that experienced most of the damage. The following is the restoration efforts that the municipality undertook, and in some cases continues to implement:

Site 1: Culvert washout east of Allen Avenue

Restoration: Approximately 25 m of ditch required cleanout. As a temporary measure, 15 m³ of rip rap was brought to site to line the slope surrounding the culvert to prevent further erosion. A gabion basket retaining wall and approximately 39.0 m.t. of rip rap will be installed.

Site 2: Culvert washout west of Allen Avenue

Restoration: In order to access the location of the washout the Town had to purchase 35 rig mats and rent an excavator with operator to clear debris. Two 10 m 1800 mm diameter corrugated steel pipe culverts is in the process of being installed.

Site 3: Culvert washout near the intersection of Pollock and Dixon

Restoration: Granular 'A' material was backfilled and compacted around partially washed-out culvert.

Site 4: Partial washout of road at Prince Street and Earl Street

Restoration: In order to prevent the entire road from washing out, Town crews installed rip-rap along the washed out area to prevent further erosion. Once the water subsided, the rip rap was removed and granular 'A' was installed to restore the road. The road was then topped with recycled asphalt pavement (RAP).

Site 5: Partial washout of gravel road adjacent to Harvey Kirkland Road

Restoration: The Town installed rip-rap along the side slopes of the road and installed granular 'A' to restore the driving surface.

It should also be noted that heavy flooding caused damage at the comfort street pumping station including flooding equipment and depositing debris throughout the pumping station which requires clean up and remediation; this work is in progress.

DISCUSSION (CONTINUED)

Provincial Funding

The Ministry of Municipal Affairs and Housing (MMAH) offers two streams of financial assistance after a natural disaster: (1) the Municipal Disaster Recovery Assistance Program (MDRA) and (2) the Disaster Recovery Assistance for Ontarians Program (DRAO). Town staff worked with its Emergency Management Ontario (EMO) Field Advisor to initiate the funding application process with the MMAH. As part of this process, three (3) representatives from the MMAH conducted a site visit of seven (7) public and private properties throughout the Town Kirkland Lake. The intent of the site visit was to garner an understanding of the overall damage sustained to property because of the flood.

The **Municipal Disaster Recovery Assistance (MDRA)** program helps municipalities recover from extraordinary costs after a natural disaster, including capital costs to repair public infrastructure or property and operating that go above regular budgets and are needed to protect public health, safety, or access to essential services. To be eligible for the program, the Town must have:

1. experienced a sudden, unexpected and extraordinary natural disaster;
2. incurred costs over and above regular budgets that can be clearly linked to the disaster;
3. passed a resolution of council; and
4. submitted an initial Municipal Disaster Recovery Assistance claim within 120 calendar days of the onset of the natural disaster.

The eligible costs must meet or exceed three per cent (3%) of the municipality's own purpose taxation (OPT) levy - \$332, 549.46. The Town's eligible costs (Attachment 6) did not meet the minimum 3% and, therefore, the Town did not qualify for the MDRA program.

The **Disaster Recovery Assistance for Ontarians (DRAO)** program helps homeowners, tenants, small businesses, and farms within a designated activation area return essential property to a basic level, make homes safe and habitable, and allow people to resume their livelihoods. Eligible applicants may receive assistance for emergency expenses and for repair or replacement of essential property if they do not have insurance – or if their insurance is insufficient – to cover their essential costs according to the DRAO program guidelines. Although the Town does not meet the threshold for MDRA funding, the Minister of Municipal Affairs and Housing activated the DRAO program, effective June 17, 2024, in response to the emergency flooding event on April 12, 2024 (Attachment 3).

DISCUSSION (CONTINUED)

Next Steps

EXP Services Inc.'s Flood Damage Assessment (Attachment 1) identifies five (5) sites that required emergency repairs due to the April 12, 2024, flooding event. Additional analysis is required to identify comprehensive repairs and/or improvements to the storm and sanitary sewer systems to mitigate future flooding damage. In other words, an engineering review of the April 12, 2024, emergency flood including the development of conceptual remedial options needs to be undertaken to ensure the safety and well being of the community.

EXP Services Inc. has been previously engaged by the Town to complete related infrastructure projects on the Town's sanitary systems and is, therefore, familiar with the construction and overall condition of the Town's infrastructure. Furthermore, EXP Services Inc. undertook the damage assessment of the flooding event and is therefore familiar with what transpired on April 12, 2024.

As such, it would be more cost effective and beneficial to the Town to sole source EXP Services Inc. to undertake the required work (Attachment 7). In accordance with Article 3.4 of [Procurement By-Law](#), this expenditure would exceed \$35,000.00 and is recommended by the Chief Administrative Officer.

OTHER ALTERNATIVES CONSIDERED

Option 1: Council could choose not to undertake an engineering assessment and determine how to mitigate flooding, as experienced in April 2024, from happening in the future. This is not recommended as performing such an assessment will assist in the safety and well-being of the community. Moreover, it is important to identify the factors to be mitigated that leads to flooding in these areas from events of high precipitation to curb these flooding experiences from re-occurring.

Option 2: Council may choose not to sole source the work to EXP Services Inc. and proceed with a Request for Proposal (RFP) for services as described above. This option is not recommended as EXP Services Inc. is familiar with the Town's infrastructure and storm water systems resulting from being retained for numerous initiatives.

Furthermore, EXP Services Inc. undertook the damage assessment resulting from the April 12, 2024, emergency flooding event. Being knowledgeable with the construction and overall condition of the Town's infrastructure and knowing the details of impact that the flood had on the Town's assets, will result in a more cost effective and comprehensive report to assist the Town in its mitigation efforts.

FINANCIAL CONSIDERATIONS

To undertake the proposed engineering review of the April 2024 emergency flooding event and develop concept remedial options, Administration recommends that \$57,485.00 (excluding HST) be drawn from the Working Capital Reserve.

Furthermore, it is also recommended that the expenditures incurred from the flooding event, as of July 9, \$211,119.50, also be drawn from the Working Capital Reserve.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- Infrastructure
- Vibrant & Prosperous Community



Actions:

Infrastructure

- Prioritize infrastructure projects based on critical needs, aging systems, potential environmental risks, and community needs.
- Proactively prepare and plan projects and continue to identify and apply for additional funding opportunities.
- Develop long-term financial plans and budgets to align with the lifecycle of assets.

Vibrant & Prosperous Community

- Invest in infrastructure projects that facilitate residential growth, business expansion and increased housing options.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

Given the damage sustained from the emergency flooding event that commenced April 12, 2024, the completion of an engineering review of the 2024 flood and concept remedial options should be expedited to mitigate future damage.

Administration recommends that EXP Services Inc. be sole sourced for this project.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

Alternate Community Emergency Management Coordinator (CEMC)

Road Supervisor, Public Works Department

District Supervisor, Ontario Ministry of Natural Resources & Forestry (MRF)

Field Officer, Emergency Management Ontario (EMO)

Manager, Local Government and Housing; Senior Municipal Advisor; Municipal Advisor,
Ministry of Municipal Affairs & Housing (MMAH MSO-North)

Project Manager, Northern Ontario, EXP Services Inc.

ATTACHMENTS

Attachment 1 - Flood Damage Assessment, as redacted

Attachment 2 - TKL Map of Impacted Properties

Attachment 3 - MMAH DRAO Activation Area Mapping

Attachment 4 - MMAH DRAO Info Sheet for Homeowners and Tenants

Attachment 5 - MMAH DRAO Info Sheet for Small Owner-Operated Businesses and Farms

Attachment 6 - TKL Emergency Costs Incurred, as at July 5, 2024

Attachment 7 - Proposal Engineering Review of 2024 Flood & Concept Remedial Options

Flood Damage Assessment

Town of Kirkland Lake

Type of Document:

Final

Project Name:

Kirkland Lake Flood Damage Assessment

Project Number:

NWL-24005311-00

Prepared and Reviewed By:

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Date Submitted:

2024-06-07

Legal Notice

This report was prepared by EXP Services Inc. for the account of The Town of Kirkland Lake

Any use a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. EXP Services Inc. cannot be held liable for damages suffered, if any, by any third party as a result of decisions made or actions based on this report.



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NWL-240053110-00

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1 Introduction

Around 7pm on the evening of April 11, 2024, rainfall commenced in the Town of Kirkland Lake ('the Town'). The rainfall caused Murdock Creek and Rand Creek to overflow and the waters to inundate the Town's Storm and Sanitary sewer systems. On April 12, 2024 around 4pm, the Town declared a state of emergency due to the flooding. The rainfall continued through to approximately 10am on April 13, 2024. A total rainfall amount of 69.8mm was recorded over the span of 39 hours. This significant rainfall event resulted in localized flooding and water damage throughout part of the Town.

Specific areas of concern were the area of Rand Avenue and Prince Street, Earl Street south of Rand Avenue, two locations adjacent to Allen Avenue, a location near the intersection of Pollock and Dixon and a gravel road off of Harvey Kirkland Road. The flooding has resulted in surcharging sewer systems, damage to local properties as well as belongings inside residences, reduced access to properties and roadways, damage to Town assets and more. The main location of the flooding is shown in Figure 1 below.

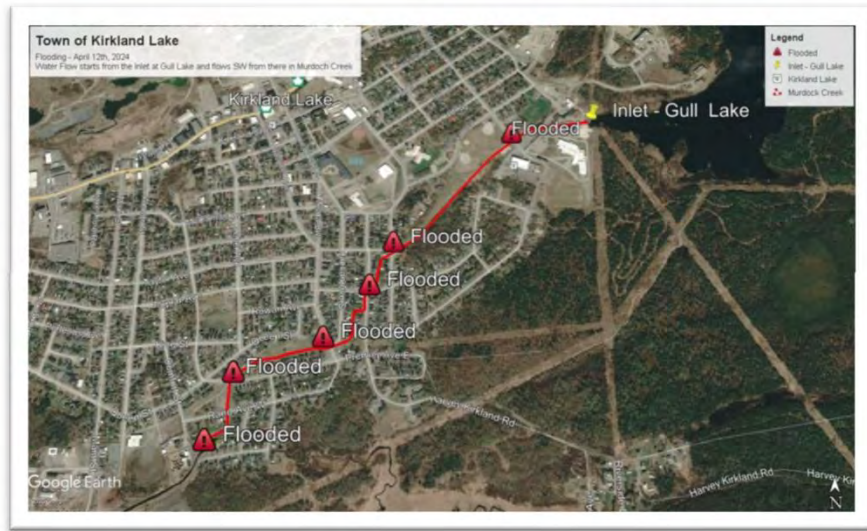


Figure 1: Flooding Location According to: <https://northernontario.ctvnews.ca>

The flooding caused damages that required emergency repairs in 5 locations throughout the community. This report summarizes the damage that occurred at each site and the associated costs.

2 Site Specific Damages and Costs

2.1 Site 1 – Culvert Washout East of Allen Avenue

2.1.1 Damages at Site 1

The location of Site 1 is shown in Figure 2 below. The damages at this site included the washout and destruction of approximately 10m of 1500mm dia. corrugated steel pipe, and a gabion basket retaining wall. Approximately 25m of ditch required cleanout. As a temporary measure, 15m³ of rip rap was brought to site to line the slope surrounding the culvert to prevent further erosion. See Appendix 1 for detailed photos. See Appendix 6 for Contractor invoices.



Figure 2: Location of Site 1

2.1.2 Restoration Costs at Site 1

In order to restore site 1 to it's original state the following work was, and will be, completed:

- Reinstall a gabion basket retaining wall.
- Ditch cleanout (approximately 25m in length).
- Installation of approximately 39.0m.t. of rip rap.

The material and equipment cost to do this work is summarized in Table 1: Estimated Cost of Emergency Repairs and Restoration at Site 1 **Error! Reference source not found.**below.

Rehabilitation and Repairs at Site 1			
Materials			
Material Type	Cost/Unit	Quantity	Cost
Rip-rap	\$42.56 mt.t	39.0 m.t.	\$1,659.84
Gabion Baskets (to be installed)	\$457.14/basket	21 Baskets	\$9,599.94
Ditch Cleanout	\$100.00/m	25 m	\$2,500.00
Subtotal Cost:			\$13,759.78
Equipment			
Equipment Type	Cost/Hour	Hours	Cost
2 – Triaxles (own forces)	\$165.66	8 hrs ea.	\$2,650.56
Excavator (Contractor)	\$180.00	5 hrs	\$900.00
Float Excavator (Contractor)	\$180.00	1 hr	\$180.00
Subtotal Cost:			\$3,730.56
Total Equipment and Material Cost:			\$17,490.34

Table 1: Estimated Cost of Emergency Repairs and Restoration at Site 1

2.2 Site 2 – Culvert Washout West of Allen Avenue

2.2.1 Damages at Site 2

The location of Site 2 is shown in Figure 3: Location of Site 2Figure 2 below. The damages at this site included the washout and destruction of approximately 6, 10m of 300mm dia. corrugated steel pipe and approximately 18.2m of a 3m wide walking path. In order to access the location of the washout the Town had to purchase 35 rig mats and rent an excavator with operator to clear debris.

2.2.2 Restoration Costs at Site 2

In order to restore site 2 to it’s original state the following work was, and will be, completed:

- Remove washed out culverts and eroded materials.
- Install 2-10m 1800mm dia. corrugated steel pipe culverts.
- Purchase 35 rig mats.

The cost to do this work is summarized in Table 2: Estimated Cost of Emergency Repairs and Restoration at Site 2 below. See Appendix 2 for photos. See Appendix 6 for Contractor invoices to complete this work.



Figure 3: Location of Site 2

Rehabilitation and Repairs at Site 2			
Materials			
Material Type	Cost/Unit	Quantity	Cost
2-1800 dia. CSP (installed)	\$1,198.46	20 m	\$23,969.20
Asphalt	\$390.00/m.t.	6.8 m.t.	\$2,652.00
Rig Mats	\$675/ea	35	\$23,625.00
Subtotal Cost:			\$50,246.20
Equipment			
Equipment Type	Cost/Hour	Hours	Cost
Triaxle (own forces)	\$165.66	40 hrs	\$6,626.40
Excavator (Contractor)	\$180.00	35 hrs	\$6,300.00
Subtotal Cost:			\$12,926.40
Total Equipment and Material Cost:			\$63,172.60

Table 2: Estimated Cost of Emergency Repairs and Restoration at Site 2

2.3 Site 3 – Culvert Washout Near the Intersection of Pollock and Dixon

2.3.1 Damages at Site 3

The location of Site 3 is shown in Figure 4: Location of Site 3 below. The damages at this site included a partial washout of a corrugated steel pipe.

2.3.2 Restoration Costs at Site 3

In order to restore Site 3 to it’s original state the following work will be, completed:

- Backfill and compact with granular ‘A’ material around partially washed out culvert

The cost to do this work is summarized in Table 3: Estimated Cost of Emergency Repairs and Restoration at Site 3 Table 2: Estimated Cost of Emergency Repairs and Restoration at Site 2below. See Appendix 3 for photos of the proposed repair location.



Figure 4: Location of Site 3

Rehabilitation and Repairs at Site 3			
Materials			
Material Type	Cost/Unit	Quantity	Cost
Granular A (to be installed)	\$34.00/m.t.	10 m.t.	\$340.00
Subtotal Cost:			\$340.00
Equipment			
Equipment Type	Cost/Hour	Hours	Cost
Excavator (own forces)	\$126.26	2	\$252.52
Triaxle (own forces)	\$165.66	2	\$331.32
Subtotal Cost:			\$583.84
Total Equipment and Material Cost:			\$923.84

Table 3: Estimated Cost of Emergency Repairs and Restoration at Site 3

2.4 Site 4 – Partial Washout of Road at Prince Street and Earl Street

2.4.1 Damages at Site 4

The location of Site 4 is shown in Figure 5: Location of Site 4 below. The damages at this site included a partial washout of a shoulder and travelled road lane. In order to prevent the entire road from washing out, Town crews installed rip-rap along the washed out area to prevent further erosion. Once the water subsided, the rip rap was removed and granular ‘A’ was installed to restore the road. The road was then topped with recycled asphalt pavement (RAP).

2.4.2 Restoration Costs at Site 4

In order to restore site 4 to it’s original state the following work was, completed:

- Installation of rip-rap
- Removal of rip-rap
- Installation granular ‘A’
- Installation of RAP to replace previous asphalt pavement.

The cost to do this work is summarized in Table 4: Estimated Cost of Emergency Repairs and Restoration at Site 4. See Appendix 4 for photographs of the site.



Figure 5: Location of Site 4

Rehabilitation and Repairs at Site 4			
Materials			
Material Type	Cost/Unit	Quantity	Cost
Granular A	\$34.00/m.t.	10 m.t.	\$340.00
Rip-Rap	\$42.56	59.8 m.t.	\$2,545.09
Recycled Asphalt Pavement	\$38.00/m.t.	57.5 m.t.	\$2,185.00
Subtotal Cost:			\$5,070.09
Equipment			
Equipment Type	Cost/Hour	Hours	Cost
Excavator (own forces)	\$180.00	24	\$4,320.00
Triaxle (own forces)	\$165.66	24	\$3,975.84
Subtotal Cost:			\$8,295.84
Total Equipment and Material Cost:			\$13,365.93

Table 4: Estimated Cost of Emergency Repairs and Restoration at Site 4

2.5 Site 5 – Partial Washout of Gravel Road Adjacent to Harvey Kirkland Road

2.5.1 Damages at Site 5

The location of Site 5 is shown in Figure 6: Location of Site 5 below. The damages at this site included partial washout of a gravel road. In order to restore the road following the flood event, the Town installed rip-rap along the side slopes of the road and installed granular 'A' to restore the driving surface.

2.5.2 Restoration Costs at Site 5

In order to restore site 5 to it's original state the following work was completed following the flood event:

- Installation of rip-rap
- Installation of Granular 'A'

The cost to do this work is summarized in Table 5: Estimated Cost of Emergency Repairs and Restoration at Site 5 below. See Appendix 5 photos of the completed work.



Figure 6: Location of Site 5

Rehabilitation and Repairs at Site 5			
Materials			
Material Type	Cost/Unit	Quantity	Cost
Granular A	\$34.00/m.t.	120 m.t.	\$4,080.00
Rip-rap	\$42.56	36.1 m.t.	\$1,536.42
Subtotal Cost:			\$5,616.42
Equipment			
Equipment Type	Cost/Hour	Hours	Cost
Excavator (own forces)	\$180.00	6	\$1,080.00
Triaxle (own forces)	\$165.66	6	\$993.96
Subtotal Cost:			\$2,073.96
Total Equipment and Material Cost:			\$7,690.38

Table 5: Estimated Cost of Emergency Repairs and Restoration at Site 5

4 Summary of Costs and Closure

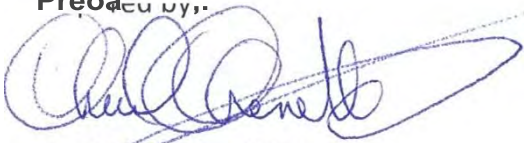
The estimated total cost of damages is summarized below in Table 8: Summary of Costs.

Area/Item	Total Cost
Site 1	\$17,490.34
Site 2	\$63,172.60
Site 3	\$923.84
Site 4	\$13,365.93
Site 5	\$7,690.38
Labour	\$15,349.86
Meals	\$382.31
Total:	\$118,375.26

Table 8: Summary of Costs

We trust the above meets your immediate project requirements. Should you have any further questions concerning the above, please do not hesitate to contact the undersigned directly.

Preoacuu by,



Chad Chenette, P. Eng.
Civil Engineer
Northeastern Ontario

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Appendix 1 – Site 1 Photos



Photograph 1: Rip rap Placement. Looking north east.



Photograph 2: Ditch shown was cleaned out with excavator after flooding .Looking south west.

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Appendix 2 – Site 2 Photos



Photograph 3: Damages caused by flooding at Site 2



Photograph 4: Site 2 after cleanup. Culverts and asphalt to be installed in order to restore site to original state.

Appendix 3 – Site 3 Photos



Photograph 5: Damage caused to culvert by flooding at site 3.

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Appendix 4 –
Site 4 Photos



Photograph 6: Rip-Rap placement after road was eroded during flooding



Photograph 7: Recycled asphalt placement after rip-rap removal and backfilling with granular 'A'. Same location of Photo 6.

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Appendix 5
Site 5 Photos



Photograph 8: Road being overtopped during flooding resulting in damage to the road.

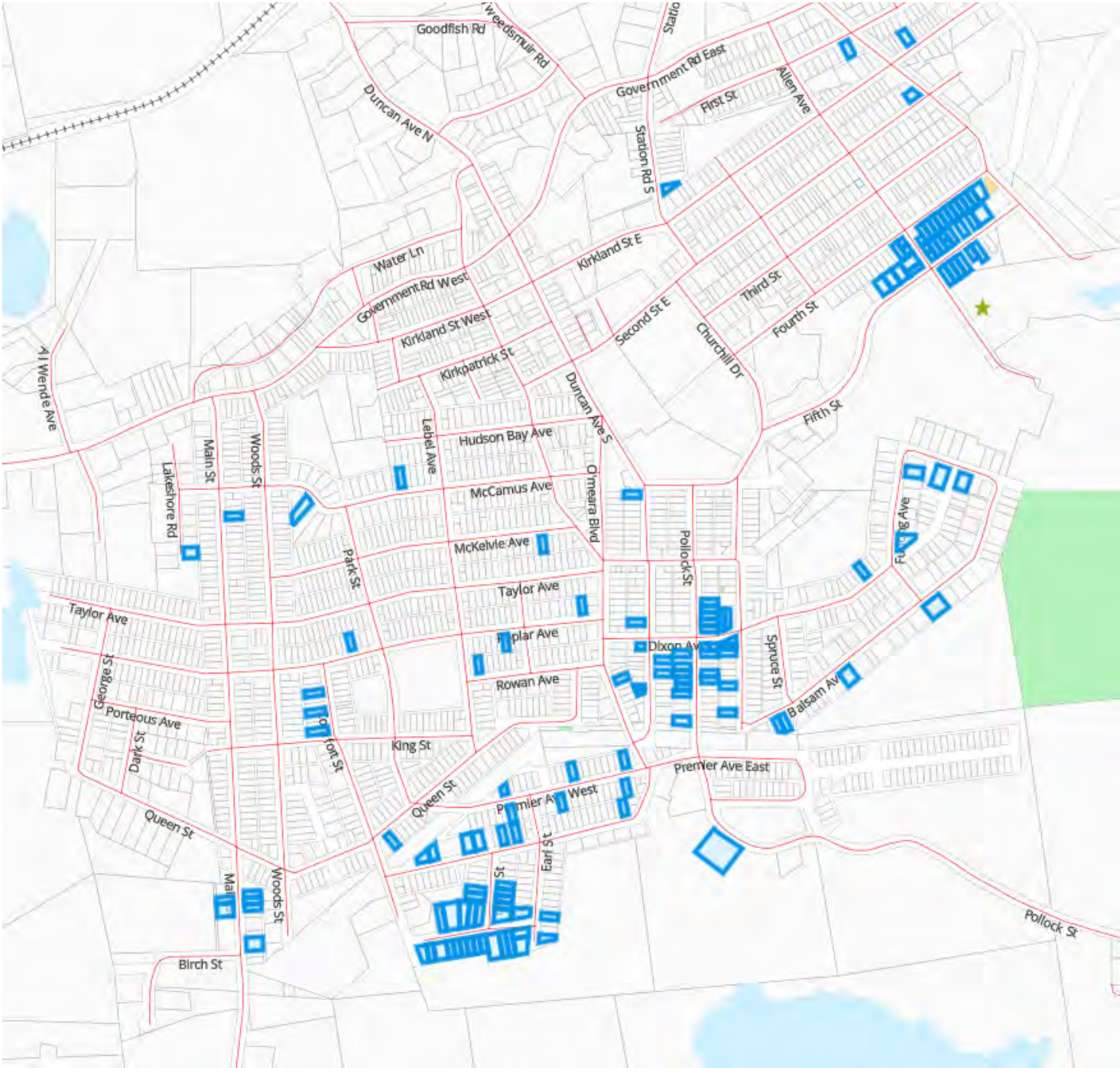


Photograph 9: Rip-rap and granular 'A' installed post flooding



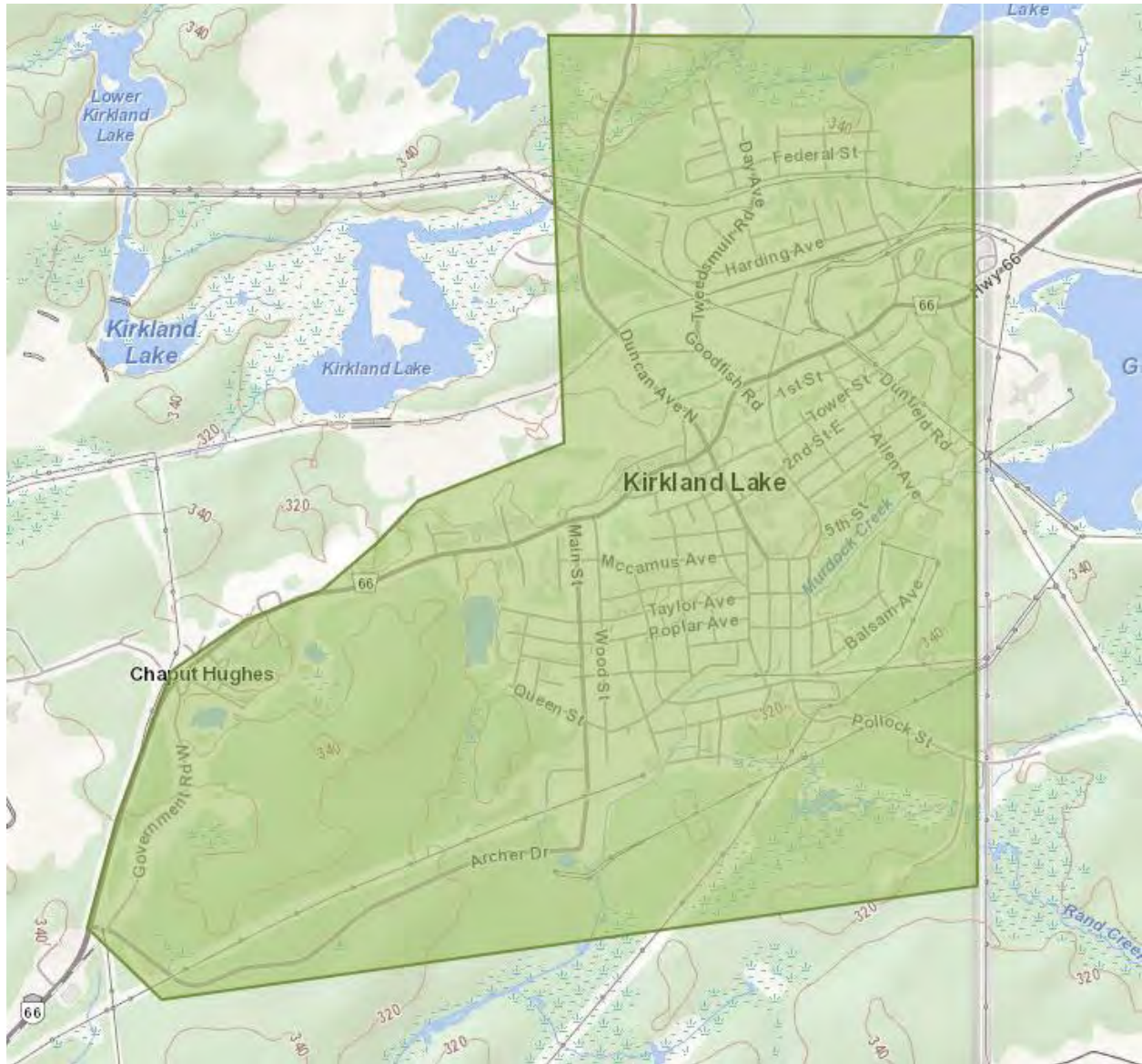
Photograph 10: Rip-rap and granular 'A' installed post flooding

Map of Impacted Properties



As supplied by the Ministry of Municipal Affairs and Housing (MMAH)

Kirkland Lake



Disaster Recovery Assistance for Ontarians Homeowners and Tenants

ATTACHMENT 4

Timiskaming Flood

The Disaster Recovery Assistance for Ontarians program has been activated in parts of the Town of Kirkland Lake, Township of McGarry, and Township of Chamberlain for the flooding that occurred on April 12, 2024.

The deadline to apply is October 15, 2024.

Visit Ontario.ca/DisasterAssistance for activation area maps, application forms, and guidelines. Only residents within the activation area are eligible for assistance.

If you need help with the application form or determining your eligibility, email DisasterAssistance@Ontario.ca or contact the call centre at 1-877-822-0116.

Disaster Recovery Assistance for Ontarians

The Disaster Recovery Assistance for Ontarians program helps eligible homeowners and tenants affected by a natural disaster get back on their feet. The program covers certain **essential** (eligible) costs that are described in the program guidelines.

Reimbursement is subject to a \$500 deductible and eligible costs are paid at 90%. The maximum payment per application is \$250,000.

What does the program cover?

Eligible costs include emergency expenses (e.g., hotel stays and food if you must evacuate your home), cleanup expenses (e.g., debris clean up and removal if your basement floods), and costs to repair or replace essential property (e.g., repair or replacement of your furnace or hot water heater if they are damaged or destroyed). The program does not cover damage to non-essential property such as basement furnishings, landscaping, fencing, retaining walls, docks, or boathouses. See guidelines for details.

The program does not cover any expenses from sewer backup unless you qualify for the special provisions for low-income households.

The program does not cover secondary residences or cottages.

You must demonstrate you have used your existing insurance coverage (or prove you have been denied coverage) before applying for assistance.

What do I need to do?

Please review the program guidelines and application form carefully.

Your application package must include:

- Complete application form
- Letter from your insurance provider describing their payment to you or explaining why your claim was denied
- Document(s) establishing your primary address (e.g., your driver's license)
- Document(s) proving your home ownership (e.g., a recent property tax bill or a copy of your lease if you are a tenant)
- Receipts or estimates of future costs
- Photos of the damage

June 2024

Disponible en français

Disaster Recovery Assistance for Ontarians

What happens after I apply?

You will be notified when your application package has been received. An initial assessment will be conducted to ensure the package is complete. An insurance adjuster will contact you to ask questions or request more information.

The insurance adjuster makes a payment recommendation, but the ministry makes the final decision. The ministry issues payments if there are eligible costs.

Am I eligible?

You may be eligible for assistance if you answer **yes** to **all** these questions:

- Is your property in the activation area?
- Is your damaged property your primary residence?
- Do you have eligible expenses identified in the program guidelines?
- Are your eligible costs more than your insurance payment?
- Is your insurance payment less than \$275,000?
- For sewer backup flood damage only: Do you meet the low-income threshold under the program guidelines?

June 2024

Disponible en français

Disaster Recovery Assistance for Ontarians

Small owner-operated businesses and Farms

Disaster Recovery Assistance for Ontarians

The Disaster Recovery Assistance for Ontarians program helps eligible small owner-operated businesses and farms affected by a natural disaster get back on their feet. The program covers certain **essential** (eligible) costs that are described in the program guidelines.

Reimbursement is subject to a \$500 deductible and eligible costs are paid at 90%. The maximum payment per application is \$250,000.

What does the program cover?

Eligible costs include emergency evacuation (e.g., evacuation or storage of essential business assets to avoid damage), cleanup expenses (e.g., debris clean up and waste disposal), and costs to repair or replace essential property (e.g., necessary repairs to an essential business premises). The program does not cover damage to property not essential to the business or farm, loss of revenue, or wages. See guidelines for details.

The program does not cover any expenses from sewer backup.

You must demonstrate you have used your existing insurance coverage (or prove you have been denied coverage) before applying for assistance.

Timiskaming Flood

The Disaster Recovery Assistance for Ontarians program has been activated in parts of the Town of Kirkland Lake, Township of McGarry, and Township of Chamberlain for the flooding that occurred on April 12, 2024.

The deadline to apply is October 15, 2024.

Visit Ontario.ca/DisasterAssistance for activation area maps, application forms, and guidelines. Only residents within the activation area are eligible for assistance.

If you need help with the application form or determining your eligibility, email DisasterAssistance@Ontario.ca or contact the call centre at 1-877-822-0116.

What do I need to do?

Review the program guidelines and application form carefully.

Your application package must include:

- Complete application form
- Letter from your insurance provider describing their payment to you or explaining why your claim was denied
- Proof of business ownership and income (T1/T2 tax forms), Notice of Assessment, and financial statements
- Receipts or estimates of future costs
- Photos of damage

June 2024

Disponible en français

Disaster Recovery Assistance for Ontarians

What happens after I apply?

You will be notified when your application package has been received. An initial assessment will be conducted to ensure the package is complete. An insurance adjuster will contact you to ask questions or request more information.

The insurance adjuster makes a payment recommendation, but the ministry makes the final decision. The ministry issues payments if there are eligible costs.

Am I eligible?

You may be eligible for assistance if you answer **yes** to **all** these questions:

- Is your property in the activation area?
- Are you the day-to-day manager and own at least 50% of the business or farm?
- Does your business or farm have fewer than the equivalent of 20 full-time employees?
- Does your business or farm have between \$10,000 and \$2,000,000 in gross revenue?
- Do you have eligible expenses identified in the program guidelines?
- Are your eligible costs more than your insurance payment?

June 2024

Disponible en français

Expenditures

EXP Services Inc. Assessment report costs identified	\$	118,375.26
Kirkland Lake internal costs		39,505.69
OCWA		46,203.55
EXP Flood Damage Assessment report		7,035.00
Total	<u>\$</u>	<u>211,119.50</u>

Expenditure Minimum

Tax levy	2022	LT/ST Taxes	\$ 11,084,982.00
		limit	3%
			<u>\$ 332,549.46</u>
Shortfall			<u>\$ 121,429.96</u>



Engineering Review of 2024 Flood and Concept Remedial Options

The Corporation of the Town of Kirkland Lake

Type of Document:

Proposal

Project Number:

999-24005311-PP

Prepared by:

David Lang, P.Eng.

EXP Services Inc.

310 Whitewood Avenue West

New Liskeard, ON, P0J 1P0

t: +1.705.647.4311

f: +1.705.647.3111

Reviewed & Approved By:

Nolan Dombroski, Senior Director, Infrastructure

Date Submitted:

2024-May-14

Legal Notice

This report was prepared by EXP Services Inc. for the account of the Corporation of the Town of Kirkland Lake.

Any use a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. EXP Services Inc. cannot be held liable for damages suffered, if any, by any third party as a result of decisions made or actions based on this report.

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1 Introduction

As requested by The Corporation of the Town of Kirkland Lake (the Town), EXP Services Inc. (EXP) is pleased to present this fee proposal to conduct an engineering review of the April 2024 flood and develop concept remedial options for consideration by the Town.

This proposal outlines EXP's understanding, methodology and budget to undertake this engineering review and preparation of concept remedial options work scope to serve the best interests of the Town, with due regard for environmental concerns, capital cost and operating efficiency in accordance with current engineering practice and acceptable standards established by the Town and regulatory authorities.

2 Background & Understanding

The Town of Kirkland Lake (the Town) is located in the District of Timiskaming, approximately 600 kilometers north of Toronto. The Town is driven economically by gold mining, forestry, environmental services as well as health care and education. According to the 2021 Census, the population is 6,180, however, the Town has a daily service population much higher as it is the business and administrative centre in the northern portion of the District of Timiskaming.

2.1 Flood Event Understanding

The following summarizes our understanding of the flood events that occurred between April 11 and April 13 of 2024:

- Rainfall commenced on the Town around 7 PM April 11th.
- Sometime after, the rainfall inundated the Town's storm and sanitary sewer systems.
- Following the inundation of the sewer systems, Murdoch Creek and Rand Creek overflowed.
- The Town declared a state of emergency around 4 PM April 12th.
- The rainfall ended around 10 AM April 13th.

A total rainfall amount of 69.8 mm was recorded over the span of 39 hours. The rainfall event resulted in localized flooding and water damage throughout parts of the Town, but more specifically in the area bounded by Rand Avenue, Prince Street and Earl Street (Site 1) and Allen Avenue to the north of Murdoch Creek (Site 2). The flooding resulted in sewer systems surcharging, damage to private property, reduced access to public and private areas and some damage to Town assets.

2.2 Town Identified Infrastructure Issues

At approximately 10:45 AM on April 18th, representatives of EXP, Nolan Dombroski, P.Eng. and Chad Chenette, P.Eng. met with Town representative, Steve Ranta, to conduct a visual survey of the areas, which identified four areas of concern requiring remedial work to mitigate future flooding. These areas are as follows:

- **Earl Street Crossing at Rand Creek** – culvert submerged and resulting in localized flooding.
- **Baron Street Bridge Crossing at Rand Creek** – short span concrete bridge, which has not been in use for a period of time, is restricting flow resulting in localized flooding.
- **Private properties adjacent to Murdoch Creek directly north of the convergence with Rand Creek** – it is understood that the property owners have not previously provided consent to the Town to perform maintenance work, such as dredging and debris removal, at this location along the creek. The Town believes that this maintenance issue has contributed to the flow impedance and resulting flooding.
- **Allen Avenue just north of Murdoch Creek** – The storm sewer below Allen Avenue discharges to a 1600 mm diameter CSP culvert, which conveys Murdoch Creek below the Allen Avenue crossing and public property to the southwest. However, as shown in Figure 1 below, the 1600mm diameter culvert

is at a significantly higher elevation than that of the storm sewer invert, which necessitates surcharging in the storm sewer to discharge storm water into the piped creek.

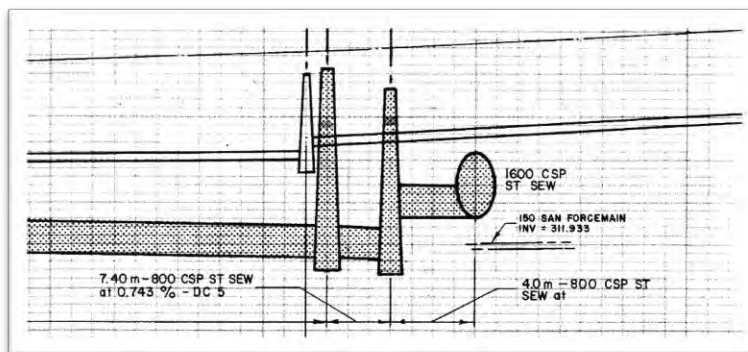


Figure 1: Storm outlet on Allen Avenue from Drawing No. A1(D-191-85) 49 P5 dated Dec/83

3 Methodology

EXP has developed the below project specific work plan to conduct an engineering review of the 2024 Flood and prepare concept remedial options for the Town’s consideration. In summary, our methodology will consist of the following main tasks:

Task	Engineering Review of 2024 Flood	Concept Remedial Options
Desktop Study	Digital Elevation Model (DEM) for initial terrain mapping to identify low-lying regions adjacent to creeks. To aid in focusing our site reconnaissance and engineering review on the apparent causes of the flood. Characterize the likely storm event.	Identify high-level concepts to address major issues identified at project onset.
Site Reconnaissance	To conduct a “boots on the ground” review of apparent causes of the flood identified in the Desktop Study. Identify preliminary survey boundaries.	Conduct walk-thru of high-level concept areas identified in Desktop Study and receive Town feedback.
Survey	Survey* of existing conditions to quantify creek width and depth and bridge / culvert crossing dimensions for review analysis.	To supplement the DEM for conceptual option preparation in the immediate area of the identified area.
Engineering Review / Assessment	Using the above, assess the existing flow characteristics of the existing crossings. From the Desktop Study, assess the likely discharge at the storm system discharge points using generic regions and assess external upstream watersheds leading to the flooded areas.	Conduct open channel flow and gravity drainage engineering analysis to determine conceptual dimensions of remedial options, which may consist of bridges, culverts, channels, swales and detention ponds.
Flood Review Report with Conceptual Options	A report will be prepared summarizing the methodology followed, information gathered, analysis performed, and discussion on the apparent causes of the flood and conceptual remedial options, including priority.	

Note: * Additional survey will be required for further design steps, such as would be needed for preliminary and detailed design.

3.1 Project Management Kick-off Meeting

EXP's Project Manager and key members of our team will attend an initial startup meeting with the Town staff within one week of project commencement. Specific items to be covered include:

- Reviewing the proposed work plan (including milestone dates).
- Establishing a communication protocol.
- Establishing a detailed work plan in consultation with the project team.
- Establishing key design criteria.
- Understanding any other unique project challenges or constraints.
- Obtaining background information from the Town, such as relevant drawings and flood-related information (i.e. reports, notes, photos, etc.)

3.2 Desktop Study

A desktop study will include a review of the following:

- Town's CGIS to understand the general configuration of the storm system flow paths for influence region generation.
- Aerial imagery review to assess high-level time of concentrations and infiltration estimates within zones.
- Determine relevant rainfall intensity and duration curves.
- Develop watersheds from Digital Elevation Model generated watersheds as described below.
- Identify low-lying areas that are subject to flooding and flow paths.
- Determine constrictions and identify concepts for stormwater storage / detention and potential overflow diversion options.

As part of our desktop study, we will request a Digital Elevation Model (DEM) from our in-house GIS team. The area will include the approximate storm infrastructure areas and upstream watersheds that lead to Murdoch Creek and Rand Creek areas. The GIS team will also provide computer generated sub-watersheds to assist our preliminary analysis of the watersheds.

Our desktop study will consider the approximate boundaries as indicated in the figures below.

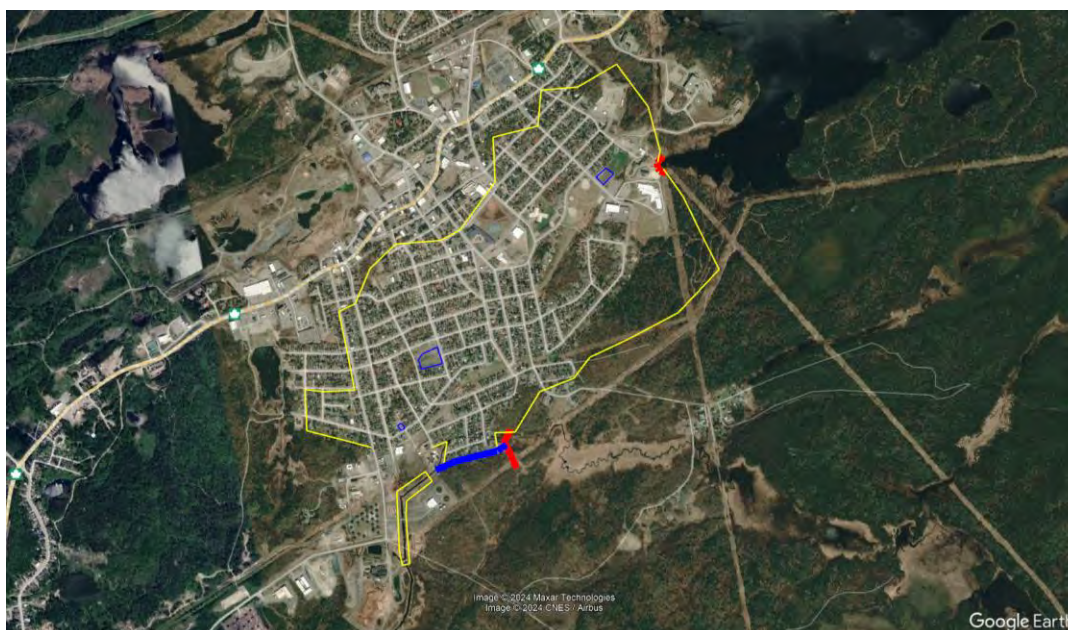


Figure 2: Storm Infrastructure Desktop Boundary (yellow lines)

Drainage Area (km ²)	14.793
Shape Factor (I)	5.539
Length of Main Channel (km)	9.052
Maximum Channel Elevation (m)	378.330
Minimum Channel Elevation (m)	306.260
Slope of Main Channel (m/km)	7.960
Slope of Main Channel (%)	0.796
Area Lakes/Wetlands (km ²)	1.123
Area - Lakes (km ²)	0.391
Area - Wetlands (km ²)	0.733
Mean Elevation (m)	334.124
Maximum Elevation (m)	379.906
Mean Slope (%)	5.761
Annual Mean Temperature (°C)	2.300
Annual Precipitation (mm)	820.000

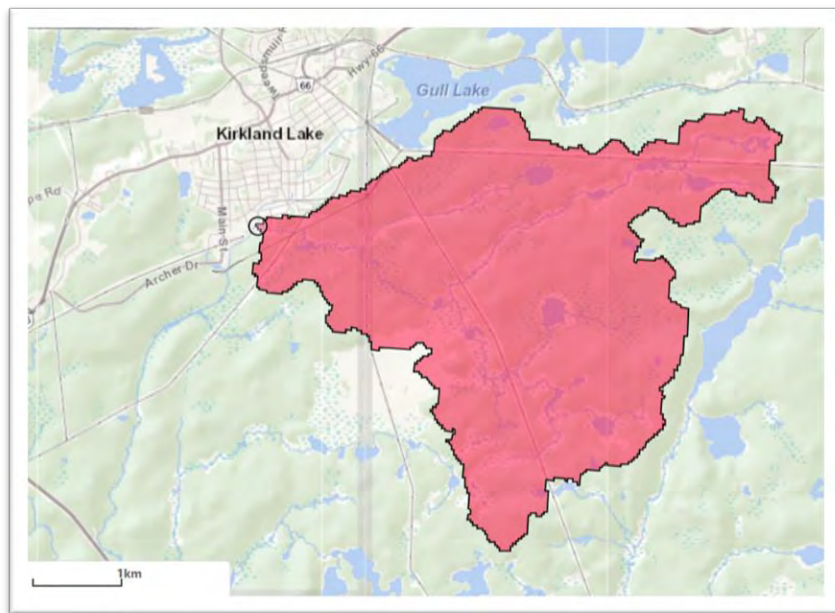


Figure 3: Rand Creek Upstream Catchment Area as Determined by OFAT

3.3 Site Reconnaissance

Based on the information obtained and assessed during the desktop study, representatives of EXP will attend the project area, preferably with key representatives of the Town, for two main aspects:

- Review existing conditions surrounding the suspected / apparent causes of the flood identified in the Desktop Study and discuss these with the Town’s representatives.
- Review high-level technical feasibility of early derived conceptual options and receive the Town’s comments. Additional discussions could be had with Town via Teams if additional Town representatives have comments but are not available at the time the site reconnaissance is scheduled with key representatives of the Town.

Survey boundaries of key areas will be discussed with the Town and planned at this time. Engineering topographic survey, as outlined in the following subsection, may occur immediately following the site reconnaissance or shortly after depending on survey equipment and personnel availability.

3.4 Engineering Topographic Survey

Based on the survey boundaries identified from the site reconnaissance, engineering topographical surveys will be conducted. EXP will establish vertical and horizontal control points within each key area, in UTM format, for utilization in this scope of work. It should be noted that this survey will be preliminary and strictly for the purposes of carrying out preliminary analysis to review the flood and for developing concept remedial options. The coordinates and elevations of key existing features will be collected by means of GPS with RTK base. The digital data will be used to create a fairly accurate existing 3D site plan and Digital Terrain Model (DTM) with AutoCAD Civil 3D software.

Key existing features may include:

- road and drainage features,
- location of storm, sanitary and water infrastructure,
- other above ground and below ground services, if obvious or identified by the Town’s CGIS mapping (utility locates are not included in EXP’s scope of work),

- creek slope toe, break-lines and crest at key points,
- creek crossing culvert inverts and/or bridges abutments and edges of deck,
- neighbouring key vegetation and buildings,
- surface and underground services, and
- edges of relevant hard-surfaced areas.

3.5 Engineering Review / Assessment

In order to review the likely main causes for the 2024 Flood and prepare conceptual remedial options, EXP will use the above-mentioned gathered information to prepare an AutoCAD model of the surface and infrastructure. The survey will be supplemented and merged with the DEM to create an overall surface. It should be noted that a DEM can vary in elevation, especially in treed areas, but is typically considered to be suitable for this type of assessment.

The model will be used to create watershed regions, and then assess their time of concentrations and infiltration coefficients, which then will be coupled with select storm rainfall intensities and durations to determine the hydrographs upstream of the key areas. In addition, general regions of existing storm systems and overland infrastructure will be created to determine the same for urban developed areas.

Key drainage components will then be analyzed to determine their individual suitability in comparison to the 2024 Flood and other select storm events applicable to the region.

For conceptual remedial options, EXP will use this AutoCAD model to design and analyze the size of conceptual replacement or new drainage component options, which could also include an overflow channel. In addition, EXP will look at the technical feasibility of stormwater detention ponds at up to three locations to help “soften” the storm sewer’s influence on Murdoch Creek and Rand Creek.

3.6 Flood Review Report with Conceptual Options

An Engineering Flood Review Report, which will include conceptual remedial options, will be prepared summarizing the methodology followed, information gathered, results of engineering assessments conducted, and discussion on the apparent causes of the flood and conceptual remedial options, including priority.

3.7 Distressed Road Areas

It is understood that the Town has concerns with a few road / creek crossing locations and is requesting a review of these isolated areas to determine if the roadway has or has not been compromised and if further repairs may be required in the short term. EXP’s geotechnical engineer will conduct a visual review of these locations during the site reconnaissance (Section 3.3) and will provide a separate letter report outlining our observations, comments and recommendations, if any.

4 Project Team

EXP has assembled a Project Team consisting of knowledgeable staff with widespread experience in managing and conducting civil engineering and the related environmental assessment. The Project Team represents a significant depth of qualifications and experience reflective of the importance of this assignment. EXP can provide all the necessary resources in-house to complete the assignment on schedule and on budget. EXP also can ensure continuous availability of staff to fulfill the requirements of peer reviews by drawing on resources from our various offices, should this be required.

Our team is cognizant that coordination with the Project Team at the Town during all phases is essential. Effective communication creates a bridge between the various stakeholders involved in the project connecting different cultures, level of expertise, perspectives, and interests.

A summary of the Project Team’s qualifications is further presented in this section.

4.1 PM, Civil with Emphasis on Geotechnical, David Lang, P.Eng., 17 Years' Experience

David is a Civil Engineering with emphasis on Senior Geotechnical Engineering with 20 years combined experience in construction and engineering (17 years as an engineer) and manages project delivery and technical components. His experience extends to various areas of geotechnical engineering for linear infrastructure (highways, roads, rail, pipelines), bridges, landslides, industrial development, and buildings of various heights. He has led geotechnical design teams of varying technical difficulty and subsurface conditions.

Mr. Lang was instrumental to providing advice to the Village of Cache Creek, British Columbia during their 2017 and 2018 spring melt flood events, including taking on the emergency responsibilities of their CAO for the overnight shifts and issuing evacuation alerts and orders to property owners. Following the floods, Mr. Lang worked on engineering teams on the reestablishment of the 15 m span bridge and 100's of metres of road, that had been washed out upstream. Aside from Cache Creek, Mr. Lang has experience with attending to live landslides and post failures, and mitigating their failures, saving large portions of property from significant damage.

As Project Manager, David will be responsible for overseeing the delivery of this project.

4.2 Senior Reviewer Engineer, Nolan Dombroski, P.Eng., 14 Years' Experience

Nolan has 14 years' experience as a Civil Engineer in the EXP New Liskeard office. His experience includes involvement through multiple stages of various types of projects, including multiple street reconstruction, grading plans, and design of sanitary sewers, watermains, storm sewers, treatment plants, pumping stations, and bridges.

As Senior Reviewer, Nolan will be responsible for conducting milestone technical audits with key members of the project team to ensure compliance.

4.3 Civil Engineer, Chad Chenette, P. Eng., 10 Years' Experience

Chad has 10 years of experience as a Civil Designer and Contract Administrator. His experience includes involvement through multiple stages of various types of projects, including multiple street reconstruction, grading plans, and modelling and design of watermains, sanitary and storm sewers of varying complexity.

4.4 Technical and Support Staff

In addition to the key project team members presented above, EXP has numerous technical and support staff including EITs, surveyors, technologists and technicians and admin staff with varying background and experience that will assist as necessary on this project.

5 Budget

Our budget estimate for this phase of the project is **\$57,485.00** (excluding HST).

These prices are further detailed in the attached Time and Task Matrix included in Appendix 1.

6 Corporate Experience

EXP has performed numerous similar projects for other Northern Municipalities as is demonstrated in the examples provided in the following sections.

6.1 Ginoogaming Drainage Improvement

Client: Ginoogaming First Nation

Contact: Henry Waboose – Band Governance Manager, 807-876-2242

Total Project Value: \$487,190.00 (Excluding HST. Design Only)

Total Length of Project: ~2.7km

Relevance: The project included the analysis and design of improved drainage flows and culverts as necessary to properly convey the storm water and minimize localized flooding from annual spring thaw.

This project consisted of a review of a significant portion of the municipality including roads and drainage. A comprehensive inventory of the existing drainage features was compiled during field review, and an analysis for appropriate storm was performed. Recommendations were made to alleviate the seasonal flooding, which included a minor grade raise to most of the roads, new entrance culverts, as well as new centre line culverts. Ultimately, changes in grading modified some drainage points resulting in a more functional drainage system that, when constructed, will reduce the impact of seasonal snow melt.

EXP is diligently working to complete this project. It is anticipated to be ready for tendering in the 2024 construction season.

6.2 Government Road Reconstruction

Client: The Corporation of the Town of Kapuskasing

Contact: Eric Cote, General Manager of Public Works – (705) 367-6145

Total Project Value: \$4.7M (excl. HST)

Total Length of Project: 0.7 km

Relevance: The project included the installation of storm sewer and complete road reconstruction.

Infrastructure improvements to Government Road (Hwy 11) in Kapuskasing (~0.6km) from Golf Street to Brunelle Road. This project included the modification and replacement of linear infrastructure including: sanitary sewers and structures, sanitary forcemain and tie-ins to sanitary sewers; storm sewers and structures; and watermain with associated appurtenances. The roadway reconstruction aspect of this project included: the addition of granular material; placement of concrete curb & gutter; construction of concrete sidewalk; and hot-mix asphalt paving of the roadway and an elevated bicycle lane.

EXP Services was the Engineering Consultant responsible for the Engineering Services including preliminary design, Municipal EA and all approvals, detailed design, and Contract Administration assistance.

This project was completed on schedule and within the allotted construction budget.

The individuals involved in this project gained valuable experience applying modern highway design standards within a highly constrained urban environment servicing numerous residential and business properties while meeting fast-paced design and construction schedules necessitated by stringent government funding deadlines.

6.3 Structure 47-114 Replacement

Client: The Corporation of the Township of Chamberlain

Contact: Barbara Knauth, CAO/Clerk 705-544-8088 & Kerry Stewart, Reeve – 705-544-2765

Total Project Value: \$1.2M (excl. HST)

Total Length of Project: 100m

Relevance: The project included the hydraulic review of the bridge replacement and thorough consideration for replacement with a culvert. Through review and analysis it was determined soils were of insufficient strength to support the culvert load so ultimately a bridge was utilized.

EXP was retained by the Township of Chamberlain to replace an existing bridge with a new structure, preferably a culvert. EXP performed a geotechnical investigation as well as a desktop hydrology review to assist with the selection and design of a bridge replacement.

The hydrology desktop review was conducted for a specified storm event. Different options were developed to accommodate this storm flow including a single culvert barrel, and double culvert barrel.

Upon receipt of the geotechnical investigation report, soft soils were revealed and recommended the use of deep foundations. Analysis was carried out to determine if a culvert was able to be constructed on the soils based on the soil strength provided in the geotechnical report. Ultimately, a culvert was not feasible and it was decided to proceed with a modular bridge on poured in place concrete abutments, and steel pile foundations.

In addition to the bridge replacement, the project included granular base and subbase, guiderail, subdrains, and restoration including topsoil with seed and mulch.

This project was completed on time and on budget.

7 Quality Assurance

At a corporate level, our quality procedures are subjected to regular audit and management reviews. All the audit non-conformances are reviewed and fixed as they relate to compliance with the quality objectives, procedures, and documentation requirements. EXP QA/QC manual is available upon request.

At project level, our team typically begins the project by preparing a project-specific QA/QC Plan. We have developed proposed specific plan for similar projects and the same could be completed for this project. Our quality assurance and control plan will clearly define delivery and quality control responsibilities for all key members of the team.

EXP believes that value management is directly tied to quality management, as both are essential to excellence in project delivery. Thus, Quality Assurance for the project are high priorities at EXP. All aspects of the project are viewed by a team of specialists within the EXP organization prior to finalization, to ensure EXP maintains the caliber of engineering that we are noted for. The EXP Quality Assurance system is established, well followed, and highly effective.

All EXP engineering interpretations and recommendations are subject to review by at least one senior member of staff other than the project engineer. This procedure, together with other internal checks and controls, is implemented to ensure the accuracy and quality of our work. Additionally, a technical director reviews geotechnical, geo-environmental and infrastructure operations in all EXP offices to ensure that consistent, high standards are maintained. EXP has successfully completed a large number of projects in Canada and internationally and its excellent record is a testimony to the company's high level of technical competence.

More specifically, the EXP quality management system consists of numerous procedures and policies. These include, but are not restricted to the following:

- The use of experienced and qualified staff to carry out and to review work including documentation.
- The identification of a specific lead in each principal area of work to provide technical direction, leadership, policies, and support for the quality of service delivered.
- Independent checks and reviews during the work period, akin to a peer review process, for verification of output as well as quality procedures and practices.
- The provision of professional services to the current Standard of Practice as defined in recognized Codes, Standards, Manuals, and generally accepted practices.
- The use of independent (third party) certification and accreditation of EXP facilities, equipment, and procedures.
- Measurement of client satisfaction by a client evaluation performance program.
- The use of a check list to list all stages of the project process to be used as a guideline to designers and quality review officers and to document the work implementation.

8 Value Added for Future Design Phases

EXP has historically and continually been committed to exceeding the expectations of our clients, in providing exceptional Consulting Engineering Services. Our team of experts is one of the largest in North America and is also supported by the latest technologies, to help us deliver the most efficient solutions. By offering multiple design disciplines under one roof, EXP can provide clients with a sole responsibility approach to projects. As well, project coordination is more easily achieved through our integrated design team. This integrated, sole responsibility team approach provides our clients with a responsive and agile engineering team that will react quickly and effectively to the needs of any project.

- A multi-disciplinary firm that is capable of completing tasks such as geotechnical investigations, Traffic Engineering, Hydrogeological Assessments, and Municipal Class EA's will be completed with our own employees.
- EXP can provide services to comply with O.Reg. 406/19 (Management of excess soils) if required for this project.
- EXP New Liskeard is a local northern engineering firm that has extensive experience dealing with the challenges and limitations that come with completing construction projects in Northern Ontario.

EXP is raising the bar in providing sustainable solutions for complex, challenging projects. We combine the latest and most effective practices and technologies with the experience required to meet and exceed growing environmental standards. We do this by integrating our sustainability services into all of our practices.

In addition, EXP's design team also keeps a regular check on technological advancements made in the industry. We have our engineering personnel regularly trained through seminars and training sessions with equipment suppliers and building solution providers. As a result, if a particular project requires an innovative approach and/or implementing a design solution, EXP has the resources and the know-how internally to critically review the performance and pros and cons of a new solution.

9 Insurance

EXP is Professional Consulting Engineering firm, as such, Professional Liability insurance for any actual or alleged error, omission, or negligent act arising out of the professional services provided by EXP, including environmental services, will be provided.

The insurance includes coverage for liability arising out of the actual, alleged or threatened discharge, dispersal, release or escape of pollutants, including, but not limited to, any solid, liquid, gaseous or thermal irritants, toxic or hazardous substance, and contaminants.

Our insurance certificates will show that we are covered for the following:

- General Liability \$5,000,000.00
- Errors and Omissions \$2,000,000.00
- Automobile \$2,000,000.00

10 EXP's Health and Safety Policy

Our priority is the health and safety of our employees, contractors and the public. Management takes very seriously its responsibilities to develop and implement standards that ensure physical and health hazards are reduced or eliminated, and to establish and implement work procedures that ensure an accident-free and disease-free environment.

EXP has therefore developed a comprehensive Environment, Health, Safety (EHS) policy that is complemented by extensive mandatory training for all employees, including general H+S, WHMIS, confined space, fall protection and

many other topics. In addition, an Incident Prevention Plan is implemented for all construction related activities, and local health and safety committees exist throughout the entire organization.

EXP holds a valid Certificate of Recognition (COR™) administered by the Infrastructure Health and Safety Association (IHSA).

EXP will develop a project-specific Health and Safety Plan that addresses all legislative, client and EXP health and safety requirements. Each Health and Safety Plan will detail the requirements for EXP employees, contractors, and subcontractors performing work on the project. The plan will be built using a risk-based approach, in which thorough risk assessment will be conducted based on the scope of the project. Required safe work practices as identified during the risk assessment are included in the plan, along with appropriate incident reporting protocols for near hits, injuries and accidents. The Health and Safety Plan is supported through the development of job safety analysis for each field activity being performed as part of the project. The Health and Safety Plan also requires documented daily tailgate meetings to be conducted with all personnel involved with the field work that day.

Elements of the H&S Plan Include:

- Endorsement of the plan by EXP's management team, demonstrating commitment to a safe and successful project.
- Safety responsibilities outlined for team members starting with management.
- Project training requirements, which are documented in a training matrix by position.
- Required safe work practices that will guide the work being performed, ensuring consistent communication of health and safety requirements.
- Incident and emergency response protocols.
- Communication protocols with regards to incidents and emergency management.
- Health and safety key performance indicators will be established and monitored during the project.
- First topic on the agenda of every site meeting.
- Prior to the start of the project site work, the Health and Safety Plan is communicated to all parties who may be involved to ensure they understand the requirements of the plan.

EXP's Executive Committee has overall responsibility for EHS matters and leads the strategic direction and performance monitoring of activities carried out by the EHS function in the company. Our business unit leaders also have overall accountability for EHS matters within their businesses and are responsible for implementing organizational arrangements to ensure compliance with this policy and applicable laws.

EXP's employees, at all levels, have a personal responsibility to take due care and follow the company's EHS rules. They also have a responsibility to warn others of potential hazards and unsafe behaviors. Fulfilling these responsibilities is an employment obligation and is consistent with EXP's Worldwide Code of Ethics and Business Conduct.

Overall, EXP is committed to continually improving our EHS standards, culture and performance and will continue to maintain appropriate controls to ensure compliance with this policy.

11 Conclusion

EXP is confident that we have the experience, knowledge and resources to successfully carry out the proposed engineering review of the 2024 Flood and preparing concept remedial options scope of work as outlined in this proposal. We trust the proposal meets your immediate project requirements; however, should you have any concerns or require further clarification, please feel free to contact David Lang located in our New Liskeard office at 705-647-4311 extension 229.

Appendix 1 – Time Task Matrix

COST ESTIMATE: The Corporation of the Town of Kirkland Lake

Project: Kirkland Lake Preliminary Storm Flood Assessment
 Scope of Work: Determine Reasons For Flood Occurrence and Identify High Level Solutions for Further Study
 Client: Town of Kirkland Lake
 Date: May 9, 2024



DESCRIPTION of TASKS	David Lang		Nolan Dombroski		Chad Chenette		Bill Jones		Eric Leveille		Solyn Goudreault		Lisa MacKenzie		TOTAL PROJECT		
	Project Manager		Senior Review Engineer		Project Engineer		GIS Specialist		Surveyor		Drafter		Administration		COSTS		
	P.Eng	\$135	P.Eng.	\$235	P.Eng	\$135		\$120		\$110		\$100		\$90	Disbursements	Labour	Labour + Disb.
	Hours		Hours		Hours		Hours		Hours		Hours		Hours				
1. Project Management																	
Prepare and execute engineering agreement	2		1										4			\$ 865	\$ 865
Kick-off meeting with Owner representatives	8		2		8										\$ 150	\$ 2,630	\$ 2,780
Design coordination	12															\$ 1,620	\$ 1,620
Subtotal Project Management																	\$ 5,265
2. Desktop Study																	
Digital Elevation Model with watershed boundaries	2						10									\$ 1,470	\$ 1,470
Google Earth determination of time of concentration and infiltration for regions	2		1		12											\$ 2,125	\$ 2,125
Determine rainfall intensity and duration curves	2		1		8											\$ 1,585	\$ 1,585
Identify low-lying flood areas & constrictions	2				12											\$ 1,890	\$ 1,890
Identify concepts for stormwater / detention storage	2		1		8								2			\$ 1,765	\$ 1,765
																\$ -	\$ -
Subtotal Desktop Study																	\$ 8,835
3. Site Reconnaissance & Survey																	
Site reconnaissance	12		1		12										\$ 150	\$ 3,475	\$ 3,625
Engineering topographic survey	4		1						32						\$ 1,050	\$ 4,295	\$ 5,345
AutoCAD model preparation	2								10		16					\$ 2,970	\$ 2,970
Visual survey of localized distressed areas	6														\$ 150	\$ 810	\$ 960
Subtotal Site Reconnaissance & Survey																	\$ 12,900
4. Engineering Review / Assessment																	
Prepare Information	6				6						6		2			\$ 2,400	\$ 2,400
Upstream Hydrograph Analysis and Storm System Discharges	12		4		32						16					\$ 8,480	\$ 8,480
Key Drainage Component Analysis	4				20						10					\$ 4,240	\$ 4,240
Conceptual Remedial Option Analysis	4		4		16						10					\$ 4,640	\$ 4,640
																\$ -	\$ -
Subtotal Engineering Review / Assessment																	\$ 19,760
5. Report Preparation																	
Flood Review Report with Conceptual Options	16		5		30						8		6			\$ 8,725	\$ 8,725
Distressed Road Area Letter Report	10		2										2			\$ 2,000	\$ 2,000
																\$ -	\$ -
Subtotal Report Preparation																	\$ 10,725
	108		23		164		10		42		66		16		1500	\$55,985	\$57,485.00
																HST	\$7,473.05

PROJECT UPSET LIMIT \$64,958.05

REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-DEV-022
Presented by: Dan Laverdure	Department: Development and Enterprise Services

REPORT TITLE

Request for Land Use Authorization and Exemption to Noise By-Law (Agnico Eagle Mine Ltd.)

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-DEV-022 entitled “**Request for Land Use Authorization and Exemption to Noise By-Law (Agnico Eagle Mine Ltd.)**” be received;

AND THAT Council authorize the Mayor and Municipal Clerk to execute an Easement Agreement with Agnico Eagle Mine Ltd. over a portion of Mining Claim L6682, RL504 PCL 11319 CST, municipality known as 600 Archer Drive, in order to support their Pole Hole Drilling Exploration Project, in the form satisfactory to the Chief Administrative Officer and the Town’s Legal Counsel;

AND FINALLY THAT Agnico Eagle Mine Ltd. be granted a 16 month exemption to Noise By-Law 07-065 pursuant to terms and conditions as outlined and presented;

AND FINALLY THAT an execution by-law be brought forward for three readings on August 13, 2024.

INTRODUCTION

Pursuant to a request from Agnico Eagle Mine Ltd. for land authorization and an exemption to By-Law 07-065, Administration is seeking direction from Council for the organization to proceed with Pole Hole Drilling exploration.

DISCUSSION

Administration has received a request (Attachment 1) from Agnico Eagle Mine Ltd. (AEM) for an exemption to the Town’s [Noise By-Law 07-065](#) to allow for diamond drilling exploration on their proposed project site as part of their ongoing development and

DISCUSSION (CONTINUED)

exploration efforts. To enable this phase, AEM is seeking a 12–16 month noise exemption, as well as permission to use municipal property to construct a structure above of the drilling location in an effort to control and mitigate supplemental noise.

This requested exemption would allow AEM to move forward with operations while allowing them to assess the underground resources and determining viability of mining operations.

For this to remain economically feasible for the company, the request is to conduct activity in this area, 24 hours a day and 7 days per week, until the project is complete (estimated 12-16 months).

The two proposed locations for drilling (Attachment 2) are near the Kirkland Lake Sewage Treatment Plant. The ideal location for this deep drilling project is within a graveled lot adjacent to Archer Drive due to its proximity to the main roadway, allowing for ease of transporting heavy loads and its location away from residential areas.

The main impacts will be:

- a) an increase in noise level;
- b) higher amounts traffic on Archer Drive; and
- c) the development of a structure over drilling location at proposed site.

Should Council agree with the request, AEM will be responsible for public consultation, marketing, and awareness of the project in keeping with the Town's Notice Policy. From those marketing resources, the Town will, in turn, share same on its social media platforms and its official website.

Any complaints will be fielded through the Development and Enterprise Services Department. Complaints of serious nature will be communicated with AEM for remedial action(s) and solution(s).

OTHER ALTERNATIVES CONSIDERED

Council may choose to deny the request from Agnico Eagle Mines Ltd. for an exemption to the Town's Noise By-Law and refuse access to the municipally owned lands. This is not the recommended option as the Town has historically supported development and exploration with AEM, and AEM currently has mineral rights to the said property.

FINANCIAL CONSIDERATIONS

Administration is recommending a nominal fee in consideration to establish the Easement with AEM. Legal costs will be incurred to assist in ensure the municipality's interest in the requested land.

FINANCIAL CONSIDERATIONS (CONTINUED)

However, it should be noted that AEM has identified, in principle that they are amenable in absorbing the expenses related to registering the Easement on Title, and land remediation post-project to the current state.

Allowing AEM to construct on the property will bring in revenue from the required permits.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- Service Excellence
- Sustainable Core Services
- Vibrant & Prosperous Community



Actions:

Service Excellence

- Assess points of contact with residents to identify ways to streamline communications, increase stakeholder engagement, demonstrate user-friendliness, and provide optimal service.

Vibrant & Prosperous Community

- Invest in infrastructure projects that facilitate residential growth, business expansion and increased housing options.

Sustainable Core Services

- Implementation of urban planning strategies that prioritize sustainability in construction and development.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

In allowing an easement for such a significant exploration project not only aligns with the Town's Corporate Strategic Plan of a "Vibrant and Prosperous Future", but also allows Agnico Eagle Mine Ltd. the opportunity to explore their future longevity in the community.

CONCLUSION (CONTINUED)

As such, Administration recommend that Council authorize the execution of an Easement Agreement with Agnico Eagle Mine Ltd. Over a portion of Mining Claim L6682, RL504 PCL 11319 CST, municipality known as 600 Archer Drive, in order to support their Pole Hole Dilling Exploration Project, as requested. As Administration is confident that mitigation efforts will be in place, it also recommends approval of the noise exemption for the 16-month period, as requested by AEM.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

Ontario Exploration General Supervisor/Team, Agnico Eagle Mines Ltd.

Chamaillard Law, Town's Legal Counsel

ATTACHMENTS

Attachment 1– Request for Exemption - Agnico Eagle Mines Ltd.



AGNICO EAGLE
EXPLORATION

Town of Kirkland Lake
3 Kirkland St E
Kirkland Lake, ON
c/o Dan Laverdure

Subject: Noise Bylaw Exemption Request – Bylaw No. 07-065, Section 3e

Dear Council,

Agnico Eagle Mines Ltd (AEM) is requesting an exemption to Municipal Noise Bylaw No. 07-065, Section 3e, as it relates to Construction activities within the Municipality. The specific excerpt is below:

“The noise caused by the erection, demolition, alteration or repair of a building or by construction of earth-moving equipment working upon such site situated within 500 feet of an occupied dwelling house on any day, between the hours of 9:00 o’clock in the evening and 5:00 o’clock in the forenoon of the following day.”

Agnico Eagle Mines Ltd (AEM) intends to conduct a diamond drilling program to explore the long-range potential for gold mineralization in portions of the Kirkland Lake camp below historic mining activities. This program will involve the drilling of a very deep drillhole to be used as a platform for further exploration at depth, below the historic Wright-Hargreaves and Sylvanite mines.

The proposed drilling location is located between Archer Drive and the sewage treatment plant (Figure 1)

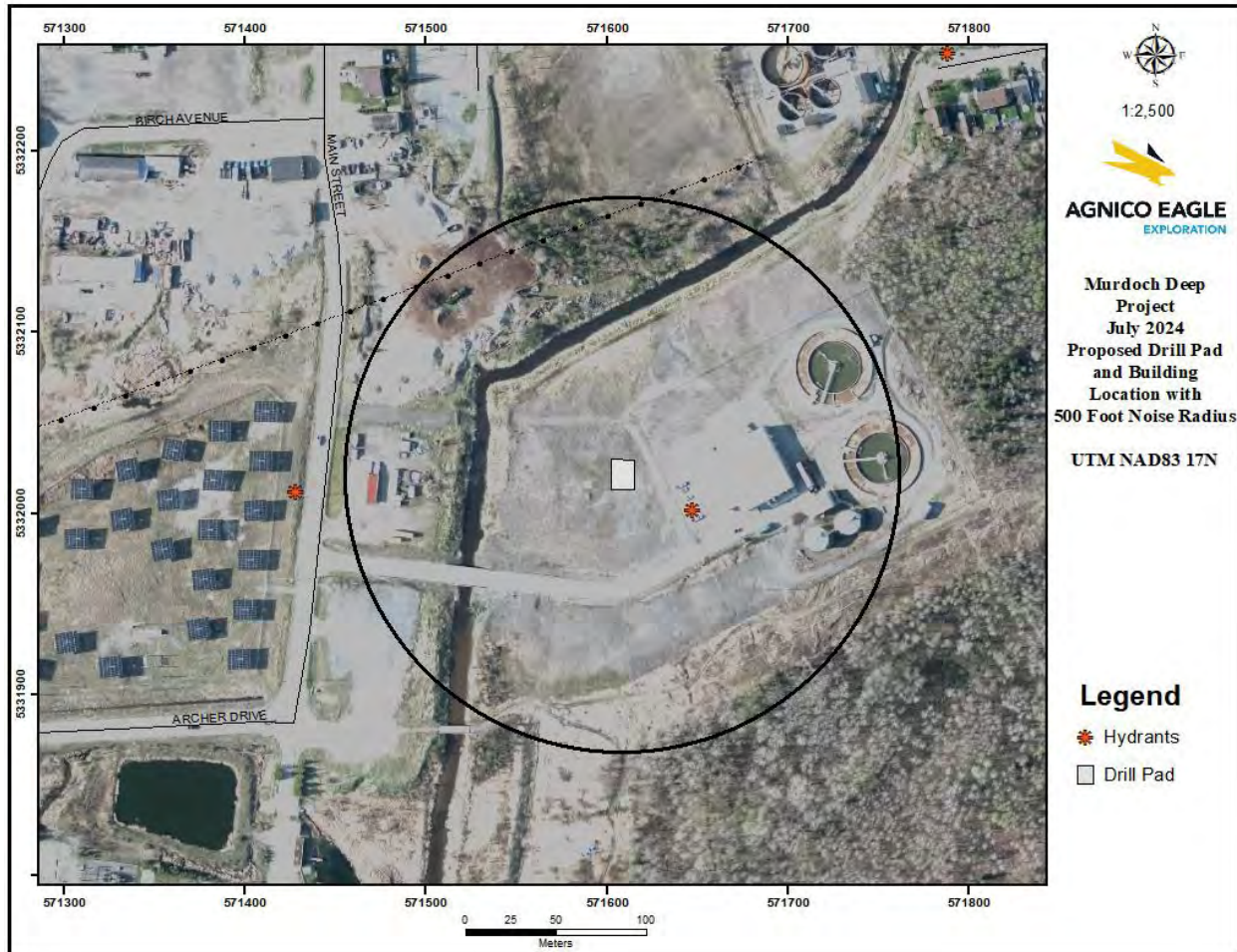


Figure 1 Proposed drilling location with 500' Noise Bylaw area

Should the program proceed as proposed, drilling activities would begin in late 2024. The current program will take approximately 11 months to complete, assuming 24-hour-per-day, 7-days-a-week operation. Based on results, the program may be extended.

The closest occupied dwellings to the proposed project site are located approximately 900 feet away, on Main Street and Prince Street, outside the prescribed 500 foot distance. Although no occupied dwellings should be affected, AEM is requesting an exemption to Section 3e for the duration of drilling activities. The exemption would allow drilling to continue between the prescribed hours of 9:00 pm to 5:00 am.

In addition to the Noise Bylaw Exemption, AEM would like to request the following support from the Town of Kirkland Lake:

1. Permission to access the proposed sites on Town property,
2. Permission to construct road, drill pad and temporary noise control building on Town property,
3. Assistance with any relevant building permits

Please feel free to reach out to me for any additional information or clarification.

Sincerely,

Dan Chisholm, P,Geo
Exploration General Supervisor, Ontario

REPORT TO COUNCIL

Meeting Date: 16/07/2024	Report Number: 2024-CORP-034
Presented by: Shawn LaCarte	Department: Corporate Services

REPORT TITLE

Town Sponsorship Request – GCS Grant Application to the Frog’s Breath Foundation

RECOMMENDATION

BE IT RESOLVED THAT Report Number 2024-CORP-034 entitled “**Town Sponsorship Request – GCS Grant Application to the Frog’s Breath Foundation**” be received;

AND THAT Council approve the request from the Golden Corridor Snowdrifters (GCS) for The Corporation of the Town of Kirkland Lake to sponsor an application to the Frog’s Breath Foundation (FBF) for a grant in the sum of \$15,541.02 to support their Estrangement Creek Bridge Refurbishing Project;

AND THAT Council authorize the Mayor and Municipal Clerk to sign a Sponsorship Agreement with the GCS, as presented;

AND THAT Council authorize the Treasurer to receive any funds granted by FBF, and to forward a donation of the same value to the GCS;

AND FINALLY THAT subsection 2.2. i) of the Town’s [Notice By-Law](#) be lifted to allow for an execution by-law to be brought forward for three readings on July 16, 2024.

INTRODUCTION

The Golden Corridor Snowdrifters (GCS) has applied for a grant from the Frog’s Breath Foundation and have requested that the Town sponsor their application. The Town would then accept the funds on their behalf and provide a donation to the organization for the same amount.

DISCUSSION

The GCS has submitted an application (Attachment 1) to the Frog's Breath Foundation for a \$15,541.02 grant to help refurbish the Estrangement Creek Bridge. The GCS has requested that the Town sponsor their application to ensure it meets the Foundation's eligibility criteria.

To qualify for Frog's Breath Foundation grants, applicants must be qualified donees under the *Income Tax Act* (effectively a charity). If the applicant is not a qualified donee, in this instance, the GCS is not a qualified donee, then the Foundation is able to make a grant to a sponsor which is a registered charity or qualified donee provided the sponsor has a direct affiliation with the organization and the sponsor undertakes financial and legal responsibility for the project.

Municipalities frequently assume the sponsorship role for application purposes. The municipality demonstrates direct affiliation by providing a letter of support to the applicant and receiving the funds on behalf of the applicant.

On June 4, 2024 Council approved the Town's [Charitable Sponsorship Policy](#) (CORP2024-005); this request falls in line with same.

The funds received by the municipality are offset by a donation from the municipality to the applicant of an amount equal to that being received from the Foundation.

In 2017, municipal officials confirmed that this process was acceptable to the Revenue Canada Charities Directorate.

The Town of Kirkland Lake has frequently partnered with local groups on Frog's Breath and The Temiskaming Foundation applications. It is currently the only way that many of these groups would be eligible; and the funding that comes in directly benefits the people of Kirkland Lake and visitors to the community.

To ensure all rules and regulations are adhered to, the Town will have the Sponsorship Agreement (attached as Schedule "A" to proposed By-Law 24-054 as presented in this Agenda) signed by the appropriate parties. The Frog's Breath Foundation also requires a Final Grant Report be completed by the applicant to ensure the funds were used for the intended use.

OTHER ALTERNATIVES CONSIDERED

Council may choose to deny the request from the GCS. This is not the recommended option as the Town has historically assumed the sponsorship role and has supported recreation and tourism in the community.

FINANCIAL CONSIDERATIONS

There are no financial implications as the grant received is immediately offset by a donation of an equivalent amount to the GCS.

ALIGNMENT TO CORPORATE STRATEGIC PLAN

Priorities:

- Vibrant & Prosperous Community
- Current Council's Operational Aims



Actions:

Vibrant & Prosperous Community

- Prioritize the implementation of the economic development and tourism program to improve the local business climate and foster growth.

Council Operational Aims:

Service Excellence

Stakeholder Engagement

- Effective channels for two-way communication with stakeholders to understand their interests and concerns.

ACCESSIBILITY CONSIDERATIONS

Not Applicable.

CONCLUSION

As the request for sponsorship adheres to the Town's [Charitable Sponsorship Policy](#), Administration recommends that Council approve the request from the Golden Corridor Snowdrifters (GCS) for the Town to sponsor their funding application to the Frog's Breath Foundation for a grant in the sum of \$15,541.02; and the Treasurer direct any funds received by the Town be forwarded as a donation of the same value to the GCS.

CONSULTATIONS

Town of Kirkland Lake Senior Management Team

President, Frog's Breath Foundation

President, Golden Corridor Snowdrifters

TKL Report to Council – Town Sponsorship Request – GCS Grant Application to the Frog's Breath Foundation

ATTACHMENTS

Attachment 1 – GCS Application to Frog’s Breath Foundation



FROG'S BREATH FOUNDATION FUNDING APPLICATION

Small Donations \$500 - \$25,000 (deadline March 30)

Executive Summary		
Name of Organization: Golden Corridor Snowdrifters		
Sponsoring Organization (if applicable): Town of Kirkland Lake		Note: If using a sponsoring organization a resolution or letter of support must be attached to the application.
Address: 31 Duncan Ave North, Kirkland Lake P.O. Box 1234,P2N 3M7		
Contact Person: Mike Guimond , President Golden Corridor Snowdrifters		
Tel: 705-568-0243	Fax:	Email: mikeguimond9@gmail.com
Charitable Registration Number (required):		R R 119384808-RT0001
Total Organization Budget	Total Cost of Project	Amount Requested
\$ 15,541.02	\$ 15,541.02	\$ 15,541.02
Project Title: Estrangement Creek Bridge refurbishing		
<p>Brief Description of Program:</p> <p>The Estrangement Creek Bridge located on trail A109 between Englehart and Larder Lake was installed in the 1990's by the Larder Lake Club at the time. This winter part way through the season our groomer caught the railing with the drag and ripped a good portion of the bridge off damaging the railing and the deck on the north side making it impossible for the groomer to cross now although sleds can still cross.. As a result we were not able to groom south beyond the bridge to the turn around at the Misema River a distance of approximately 9km.</p> <p>Upon inspection of the bridge it was determined that due to the age of the bridge all the wood which was not treated lumber has now dried out and suffers from dry rot from being exposed to the elements all these years.</p> <p>The club would like to strip the bridge down to the steel and use pressure treated wood to redo it with so that it will last another 30 plus years. there is good access to the bridge by bush road in the summer off of Highway 624. The plan would be for club volunteers to remove the existing wood from the bridge and have a local contractor install the new wood and also fix the approaches at both ends of the bridge.</p> <p>enclosed is a cost estimate for the materials and I have gotten an estimate from a contractor for doing the job.volunteers would also be available for some of this work.</p>		
<p>Attach to this application:</p> <ul style="list-style-type: none"> • List of Officers and Members of the governing board; their business or other affiliations; the committees that are in place. • Current operating budget and project budget • Most recent financial statements (audited preferred) • Other pertinent material 		

Evaluation Information

Impact On Community

Briefly state the purpose and structure of your organization. Include the following information: history; founding date; volunteer base; staff; location; achievements; whom it serves; goals; principles.

The Golden Corridor Snowdrifters are one of the original founding clubs for District 14 which also includes the Temiskaming and Northern Ontario Sno Travellers (Formerly Tri Town Sno Travellers). The district extends from Temagami to Iroquois falls along the Highway 11 corridor. The club consists of an executive , numerous volunteers and 3 to 4 paid groomer operators.

The system operates on a user pay system through the sale of trail permits administered by the Ontario Federation of Snowmobile Clubs (OFSC). The OFSC purchases and owns the groomers , covers the insurance and distributes funds to the clubs for grooming operations and repairs whereas clubs fundraise for other things.

Since we have gotten out of Covid the snowmobile tourism has once again picked up and this year with the lack of snow in most regions of the province our club has managed to keep its trails open resulting in increased traffic to our area.

Please also provide your Mission Statement or similar guiding statements (i.e., mandate, goals and operating principle).

Our main goal is to provide a trail system which is safe and enjoyable for local riders as well as a tourism draw from out of area sledders. this past year due to lack of snow in other parts of the province saw many first time sledders come out to our area to ride our trails.

What will the project specifically accomplish and how does this relate to the overall goals of your organization?

The complete redecking of the bridge will also allow us to widen it slightly since it was originally built for the older TS110 groomers whereas right now we are operating with a wider TM125 and TM 140 Ebert machines with slightly wider drags.

We will also use this opportunity to fix the approaches to both ends of the bridge

This will allow us to reopen the section of trail that we were forced to close and enable us to connect to the A108 which runs south to the Englehart and Tri Town area.

The plan would be to have volunteers remove the old wood and have a contractor fix the approaches and

What specific population will benefit from your project (i.e., how will it work to strengthen and enhance the quality of life in our community)?

The sport is enjoyed by both the young and the old and makes the northern winters more enjoyable allowing residents to enjoy the outdoors.

Timing

Briefly describe the timing of your project, including the projected start-up and completion dates?
 We would be looking at doing this project in late summer or next fall before the start of the snowmobile season.

Costs

Please outline your project costs and sources of revenues.

Estimated Expenses	Amount	Comment
Salaries/Fees/Honoraria	\$	Use of volunteers for some of the work
Printing	\$	
Materials/Supplies	\$ 7,041.02	From quote from Home Hardware
Advertising/Promotion	\$	
Office Expenses	\$	
Other Expenses	\$ 8,500.00	Contractor for part of work
Total Expenses	\$	
Estimated Revenue	Amount	Comments
Fees	\$	
Donations	\$	
Earned Revenue	\$	
Fundraising	\$	
Other Grants	\$	
Funding from Frog's Breath	\$ 15,541.02	
Other Revenue	\$	
Total Revenue	\$	

In relation to your start up and completion dates, please outline any impact timing may have on your funding requirements.

Since the plan is to complete this project in late summer or early fall before next season timing is not an issue at this time.

Other Money Raised

What other fund raising programs have been considered and/or approached for part of the initial funding requirement? Are there any Government funding programs, such as FedNor, Ontario Heritage Fund, Ontario Trillium Fund, municipal programs, etc., that your organization is potentially eligible for? (Include a current list of supporters and the amounts of financial help they have provided)

We have not applied for any other funding at this time. We were succesfull the last two years in obtaining \$ 5,000 each year from BRP snopass program for trail work which consisted of culvert installation and we will not be eligible for it this year having gotten it two years in a row.

Sustainability

Why do you think this project will be successful? What strengths does your organization possess that will ensure a positive outcome? If appropriate, how have you planned to continue this initiative in the future?

This project will be succesfull in maintaining a trail connection to our neighbours to the south. This trail also connects to trail A110Q at Larder Lake which is the connecting trail to the Quebec trail system and part of the inter provincial snowmobile trail system

If the application is for start-up funding, how will the project be financed in the future?

NOT APPLICABLE

Leadership

What will you do that is different from or better than existing programs? How will you build on existing programs or services?

NOT APPLICABLE

Community Support

Who in the community or elsewhere is working on this project? If it is appropriate, how will you coordinate with them? What makes your organization unique?

No other organization involved

Recognition For Frog's Breath

How will you acknowledge the contribution of the Frog's Breath Foundation?

We will gladly acknowledge the Frog's Breath Foundation by way of our facebook Page as well as the local radio station.. We can also have signs made to post on the bridge that it was repaired by way of a contribution from your organization.

Volunteer Base

Briefly describe how you will establish your volunteer base.

Already have a good base of volunteers and always advertising for more.

Other Factors

Is there anything else you would like us to know about this project?

Besides being a connector trail it is also part of a popular loop from Kirkland on the A108 to the 109 and the 110Q to Larder Lake and back to Kirkland Lake on the A110Q

Will a tax receipt be issued? Yes through our partnership with the Town of Kirkland Lake

FROG'S BREATH FOUNDATION
P.O. Box 130, New Liskeard, Ontario POJ IPO
Tel: (705) 647-1000 Fax: (705) 647-8888
Email: info@frogsbreathfoundation.org



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-053

BEING A BY-LAW TO DEEM LOTS 251 & 252 OF REGISTERED PLAN M-98T NOT TO BE REGISTERED (85 & 87 GOVERNMENT ROAD WEST)

WHEREAS Section 50(4) of the *Planning Act*, R.S.O 1990, c. P. 13, as amended (the "*Planning Act*") authorizes a municipality to designate any plan of subdivision, or part thereof, that has been registered for eight years or more, to be deemed not to be lots in a registered Plan of Subdivision for the purpose of Section 50(3) of the *Planning Act*;

AND WHEREAS the lands described below are currently lots within a registered plan of subdivision.

AND WHEREAS Plan M98-T was registered in the Office of Land Titles at Haileybury on October 14, 1927, and has been registered for eight years or more;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1 THAT** the lands described below are hereby deemed not to be separate lots within a registered Plan of Subdivision for the purposes of Section 50(3) of the *Planning Act*:
 - a) Plan M98-T, Lot 251, Parcel 2806 CST, Teck Township, Town of Kirkland Lake, District of Timiskaming; and
 - b) Plan M98-T, Lot 252, Parcel 12178 CST, Teck Township, Town of Kirkland Lake, District of Timiskaming.
- 2 THAT** this By-Law shall come into full force and effect on the date it is passed by the Council of the Corporation of the Town of Kirkland Lake, subject to the provisions of Section 50(27) of the *Planning Act*.
- 3 THAT** the property address for the deemed lands shall be 85 Government Road West.
- 4 THAT** this By-Law be registered in the Land Registry Office for the Land Titles Division of Timiskaming (No.54).

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-054

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SPONSORSHIP AGREEMENT WITH THE GOLDEN CORRIDOR SNOWDRIFTERS IN ORDER TO ACCEPT GRANT FUNDING FROM THE FROG'S BREATH FOUNDATION

WHEREAS Section 5(3) of the *Municipal Act*, 2001, as amended (the "*Municipal Act*") provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of by-laws;

AND WHEREAS Section 9 of the *Municipal Act*, authorizes a municipality the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 10 (2), 7 of the *Municipal Act* authorizes a single-tier municipality to pass a by-law for services or things that the municipality considers necessary or desirable for the public;

AND WHEREAS on July 16, 2024, Council resolved to enter into a Sponsorship Agreement with the Golden Corridor Snowdrifters for the purpose of accepting and redistributing grant funds donated by the Frog's Breath Foundation;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** THAT the Mayor and Municipal Clerk are hereby authorized to execute a Sponsorship Agreement with the Golden Corridor Snowdrifters for the purpose of accepting and redistributing grant funds donated by the Frog's Breath Foundation.
- 2** THAT a copy of the executed Sponsorship Agreement form Schedule "A" to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

CHARITABLE SPONSORSHIP AGREEMENT

This **AGREEMENT** is made this 16th day of July, 2024

BETWEEN: The Corporation of The Town of Kirkland Lake
(hereinafter referred to as “The Sponsor”)

AND: Golden Corridor Snowdrifters
(hereinafter referred to as “The Applicant”)

WHEREAS The Applicant is a recipient of a grant from a Charity or Foundation (herein after referred to as “the Funding Agency”);

AND WHEREAS The Applicant is not a registered charity, and the Funding Agency may only consider such funding if the Applicant is able to obtain a sponsor which has an affiliation with the Applicant and which will undertake legal and financial responsibility for the Project;

AND WHEREAS The Sponsor is an eligible donee as defined in the *Income Tax Act* (Canada) and is willing to undertake such responsibility;

THEREFORE, THE SPONSOR AND THE APPLICANT AGREE AS FOLLOWS:

1. The Sponsor shall provide to the Applicant the funds for the purpose of carrying out their activities in the community and when the funds are received from the Funding Agency.
2. The Sponsor may withhold funds or decline to advance further installments or grants if the Applicant fails to comply with any of the terms of this Agreement.
3. The Applicant shall maintain complete records of the use of funds it receives from the Sponsor and will provide copies of such records to the Sponsor if required.
4. The Sponsor may at any time give written notice to the Applicant at the address last known to the Sponsor that it is not satisfied with the use of the funding or the application of the funding giving details of the matters with which it is concerned, and unless the Sponsor is satisfied within seven (7) days of giving such notice that the matters with which it is not satisfied have been satisfactorily corrected, may terminate this Agreement and return any funds remaining in its possession or control to the Funding Agency.
5. The Applicant shall indemnify and save harmless the Sponsor from any loss, claim, damage, or other expenses it may suffer by reason of the conduct, negligence, or omission of the Applicant.

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- 6. The Applicant and the Sponsor acknowledge that as a condition of the Funding Agency providing the funding to the Sponsor as set forth in this Agreement, the Sponsor will provide the Funding Agency with its confirmation that it has some direct affiliation with the Applicant and has undertaken financial and legal responsibility for the granting.
- 7. This Agreement shall be governed by the laws of Ontario.

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

The Sponsor

The Applicant

Per: _____
Stacy Wight, Mayor

Per: _____
Mike Guimond, President

Per: _____
Amberly Spilman, Deputy Clerk

Per: _____
Name: _____
Title: _____

We have the authority to bind the Corporation.

I/We have the authority to bind the Organization.



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-055

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF DOCUMENTS RELATED TO THE SALE OF 300 ARCHER DRIVE

WHEREAS the *Municipal Act*, S.O. 2001, as amended, (the "*Municipal Act*") provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of by-laws;

AND WHEREAS Section 8 of the *Municipal Act* provides that a municipality has the authority to govern its affairs as it considers appropriate and enables the municipality to respond to municipal issues;

AND WHEREAS Council resolved and declared the subject property as surplus on March 19, 2024;

AND WHEREAS By-Law 09-064; being a procedure for the purposes of the sale or other disposition of real property was enacted on August 10, 2009;

AND WHEREAS Temiskaming Native Women's Support Group wishes to purchase the land described as Part Mining Claims L1354 and L6787, former Township of Teck, now in the Town of Kirkland Lake, being Parts 1 and 2 on Plan 54R-6439 in the District of Timiskaming (300 Archer Drive);

AND WHEREAS the Purchaser is not in arrears on property taxes or been in tax registration in the last 10 years, and has no outstanding accounts owing to the Town of Kirkland Lake;

AND WHEREAS the municipality provided public notice of its intent to sell or dispose of the property in accordance with By-Law 09-064, by publishing same on July 5, 2024 on the Town of Kirkland Lake's Website, and on July 11, 2024 in the Northern Daily News;

AND WHEREAS By-Law 09-064 continues to be in force on the date of the sale or disposition of the said property;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** THAT the Mayor and Municipal Clerk are hereby authorized to execute all documents related to and necessary to meet the conditions of Purchase and Sale for the sale of land described as Part Mining Claims L1354 and L6787, former Township of Teck, now in the Town of Kirkland Lake, being Parts 1 and 2 on Plan 54R-6439 in the District of Timiskaming (300 Archer Drive); to Temiskaming Native Women's Support Group for \$5.00, plus legal costs.
- 2** THAT a copy of all executed and registered documents related to the sale of land are attached hereto and form Schedule "A" to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-056

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SPONSORSHIP AGREEMENT WITH THE KIRKLAND LAKE CURLING CLUB IN ORDER TO ACCEPT GRANT FUNDING FROM THE FROG'S BREATH FOUNDATION

WHEREAS Section 5(3) of the *Municipal Act*, 2001, as amended (the "*Municipal Act*") provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of by-laws;

AND WHEREAS Section 9 of the *Municipal Act*, authorizes a municipality the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 10 (2), 7 of the *Municipal Act* authorizes a single-tier municipality to pass a by-law for services or things that the municipality considers necessary or desirable for the public;

AND WHEREAS on June 18, 2024, Council resolved to enter into a Sponsorship Agreement with the Kirkland Lake Curling Club for the purpose of accepting and redistributing grant funds donated by the Frog's Breath Foundation;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** THAT the Mayor and Municipal Clerk are hereby authorized to execute a Sponsorship Agreement with the Kirkland Lake Curling Club for the purpose of accepting and redistributing grant funds donated by the Frog's Breath Foundation.
- 2** THAT a copy of the executed Sponsorship Agreement form Schedule "A" to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

CHARITABLE SPONSORSHIP AGREEMENT

This **AGREEMENT** is made this 16th day of July, 2024

BETWEEN: The Corporation of The Town of Kirkland Lake
(hereinafter referred to as “The Sponsor”)

AND: Kirkland Lake Curling Club
(hereinafter referred to as “The Applicant”)

WHEREAS The Applicant is a recipient of a grant from a Charity or Foundation (herein after referred to as “the Funding Agency”);

AND WHEREAS The Applicant is not a registered charity, and the Funding Agency may only consider such funding if the Applicant is able to obtain a sponsor which has an affiliation with the Applicant and which will undertake legal and financial responsibility for the Project;

AND WHEREAS The Sponsor is an eligible donee as defined in the *Income Tax Act* (Canada) and is willing to undertake such responsibility;

THEREFORE, THE SPONSOR AND THE APPLICANT AGREE AS FOLLOWS:

1. The Sponsor shall provide to the Applicant the funds for the purpose of carrying out their activities in the community and when the funds are received from the Funding Agency.
2. The Sponsor may withhold funds or decline to advance further installments or grants if the Applicant fails to comply with any of the terms of this Agreement.
3. The Applicant shall maintain complete records of the use of funds it receives from the Sponsor and will provide copies of such records to the Sponsor if required.
4. The Sponsor may at any time give written notice to the Applicant at the address last known to the Sponsor that it is not satisfied with the use of the funding or the application of the funding giving details of the matters with which it is concerned, and unless the Sponsor is satisfied within seven (7) days of giving such notice that the matters with which it is not satisfied have been satisfactorily corrected, may terminate this Agreement and return any funds remaining in its possession or control to the Funding Agency.
5. The Applicant shall indemnify and save harmless the Sponsor from any loss, claim, damage, or other expenses it may suffer by reason of the conduct, negligence, or omission of the Applicant.

.../2

- 6. The Applicant and the Sponsor acknowledge that as a condition of the Funding Agency providing the funding to the Sponsor as set forth in this Agreement, the Sponsor will provide the Funding Agency with its confirmation that it has some direct affiliation with the Applicant and has undertaken financial and legal responsibility for the granting.
- 7. This Agreement shall be governed by the laws of Ontario.

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

The Sponsor

The Applicant

Per: _____
Stacy Wight, Mayor

Per: _____
Todd Turner, President

Per: _____
Amberly Spilman, Deputy Clerk

Per: _____
Name:
Title:

We have the authority to bind the Corporation.

I/We have the authority to bind the Organization.

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-057

**BEING A BY-LAW TO REGULATE THE SALE AND DISCHARGE OF FIREWORKS
WITHIN THE JURISDICTION OF THE TOWN OF KIRKLAND LAKE**

WHEREAS Subsection 121(1) of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, (hereinafter referred to as the “*Municipal Act*”), provides that a local municipality may prohibit and regulate the sale of Fireworks and the setting off of Fireworks;

AND WHEREAS Subsection 121(2) of the *Municipal Act* provides that a municipality may prohibit the sale of Fireworks and the setting off of Fireworks unless a permit is obtained from the municipality for the sale of Fireworks and the setting off of Fireworks and may impose conditions for obtaining, continuing to hold, and renewing the permit, including requiring the submission of plans;

AND WHEREAS Subsection 7.1(1) of the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended, (hereinafter referred to as the “*Fire Protection and Prevention Act*”), provides that the Council of a municipality may pass by-laws regulating fire prevention, including the spreading of fires;

AND WHEREAS Subsection 7.1(3) of the *Fire Protection and Prevention Act* provides that a by-law under this section may deal with different areas of the municipality differently;

AND WHEREAS Article 5.2.1.2. of the Ontario Fire Code, O. Reg. 213/07, as amended (hereinafter referred to as “Ontario Fire Code”), provides that the manufacture, storage, handling, transportation, sale, and use of explosives shall meet the requirements of the *Explosives Act*, R.S.C. 1985, c. E-17, and its Explosives Regulations;

AND WHEREAS Article 5.2.1.4. of the Ontario Fire Code provides that the handling and Discharge of Fireworks and pyrotechnics shall comply with Natural Resources Canada (NRCan)’s Display Fireworks Manual, and Pyrotechnics Special Effects Manual;

AND WHEREAS Subsection 7.1(4) of the *Fire Protection and Prevention Act* provides that a municipality may appoint an Officer to enter upon land and into structures at any reasonable time to inspect the land and structures to determine whether by- laws enacted in accordance with Section 7.1 are being complied with;

AND WHEREAS Subsection 12(4) of the *Fire Protection and Prevention Act* provides that if there is a conflict between a provision of the fire code and a provision of a municipal by-law respecting the keeping and manufacturing of explosives, the provision that is most restrictive prevails;

AND WHEREAS Subsection 19(2) of the *Fire Protection and Prevention Act* provides an inspector may, without a warrant, enter and inspect land and premises for the purposes of assessing fire safety;

AND WHEREAS Section 121 of the *Municipal Act* provides that by-laws may be passed to prohibit, and regulate the sale of Fireworks and the setting of Fireworks, and for requiring a permit for the sale and/or the setting off of Fireworks and prescribing the conditions for obtaining, continuing to hold, and renewing the permit, including the submission of plans;

AND WHEREAS Section 120 of the *Municipal Act* authorizes a municipality to pass by-laws to regulate the manufacture of explosives, to prohibit and regulate the storage, keeping, and transportation of explosives and dangerous substances, including requirements that a permit be obtained from the municipality for the storage of explosives and dangerous substances, and imposing conditions on such permits, and continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS Section 128 of the *Municipal Act* provides that a municipality may pass by-laws to prohibit, and regulate public nuisances including matters that, in the opinion of Council, are, or could become, or cause public nuisance;

AND WHEREAS Section 391 of the *Municipal Act* provides that a municipality and a local board may pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of it, or for costs payable by it for services, or activities provided, or done by or on behalf of any other municipality or local board;

AND WHEREAS Section 425 of the *Municipal Act* provides that by-laws may be passed by a municipality providing that a person who contravenes a by-law of a municipality passed under this Act, is guilty of an offence;

AND WHEREAS Section 446 of the *Municipal Act* provides that where the municipality has the authority by any act, or under a by-law, to direct or require a person to do a matter or thing, the municipality may also provide that in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and in default of it being done by the person directed or required to do it, the municipality may enter upon the land at any reasonable time, and recover the costs of doing the matter or thing from the person required to do it, by action or by adding the costs to the tax roll, and collecting them in the same manner as property taxes;

AND WHEREAS Council of The Corporation of the Town of Kirkland Lake deems it expedient and necessary for the safety and well-being of the community to regulate the sale and use of Fireworks, and Pyrotechnic Special Effects within the Town of Kirkland Lake;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1. For the purposes of this by-law, definitions in the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4., shall be used with respect to matters pertaining to fire prevention, and fire safety and which are undefined in this by-law, otherwise the following definitions will apply:

1.1.1. **“Act”** means *The Explosives Act*, R.S.C. 1985, C. E-17, as amended, and the Explosives Regulations made thereunder as amended from time to time and any act or any Regulation enacted in substitution. May also be identified as the “Explosives Act” and/or “Explosives Regulations” within this By-Law.

1.1.2. **“Approved”** means granted permission by the Fire Chief or designate.

1.1.3. **“Consumer Fireworks”** means outdoor, low hazard, recreational Fireworks that are classed as F.1 Consumer Fireworks under the Act and includes Fireworks showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, and sparklers but does not include Christmas crackers and caps for toy guns containing in excess of twenty-five one-hundredths of a grain of explosive used per cap.

- 1.1.4. “**Discharge**” means to fire, ignite, explode, or set off or cause to be fired, ignited, exploded, or set off, and the words “Discharged”, and “Discharging” have a similar meaning.
- 1.1.5. “**Display Assistant**” means a certified person who is qualified under the setup Display Fireworks by assisting the Display Supervisor.
- 1.1.6. “**Display Fireworks**” means outdoor, high hazard, recreational Fireworks classed as F.2 Display Fireworks under the Act, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, Bombardos, waterfalls, fountains, mines, batteries, illumination, set pieces and pigeons but does not include Firecrackers.
- 1.1.7. “**Display Fireworks Manual**” means the Display Fireworks Manual as published from time to time by the Explosives Branch of Natural Resources Canada (NRCan), or any publication in substitution therefor that applies to the handling and Discharge of Display Fireworks.
- 1.1.8. “**Display Supervisor**” means a certified person who is qualified under the Act to supervise the Discharge of Display Fireworks.
- 1.1.9. “**Fire Ban**” means a prohibition on all burning, including the Discharge of Fireworks, issued by the Fire Department of The Corporation of the Town of Kirkland Lake.
- 1.1.10. “**Fire Chief**” means the appointed **Fire Chief** for The Corporation of the Town of Kirkland Lake and, whether stated or not, also means his/her designates which may include a Platoon Chief, or a Firefighter; unless it is stated as **Fire Chief** only, in which case there is no designate.
- 1.1.11. “**Firecracker**” means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese Firecrackers, but does not include paper caps containing not more than twenty-five one-hundredths of a grain of explosive on average per cap, or devices for use with such caps, safety flares, marine rockets, and other distress signals.
- 1.1.12. “**Fireworks**” means Display Fireworks, Pyrotechnic Special Effects Fireworks and Consumer Fireworks.
- 1.1.13. “**Fireworks Display**” means an exhibition of Fireworks in an outdoor assembly or open-air occupancy to which the public is invited, attends, may attend, or is admitted with or without a fee being charged and includes private functions such as weddings, or other celebrations.
- 1.1.14. “**Flying Lantern**” means a small hot air balloon or similar device made of treated paper or any other material, with an opening at the bottom, which is propelled by an open flame generated by a small candle or fuel cell, allowing the balloon or similar device to rise and float in the air.
- 1.1.15. “**FPPA**” means the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended, and the regulations enacted thereunder, as amended from time to time, or any Act and Regulations enacted in substitution therefor.
- 1.1.16. “**Officer**” means an individual appointed by Council for the purpose of enforcing the By-laws of the municipality.

- 1.1.17. “**Owner**” means the person registered on title as the Owner of a property upon which the Discharge of Fireworks occurs.
- 1.1.18. “**Permit**” means a Consumer Fireworks Sales Permit and/or a Public Fireworks Display or Consumer Fireworks Discharge Permit issued by the **Fire Chief** of the Town of Kirkland Lake Fire Department.
- 1.1.19. “**Platoon Chief**” means an employee assigned to this position by virtue of their employment with The Corporation of the Town of Kirkland Lake, or by assign, in writing, by the Fire Chief.
- 1.1.20. “**Prohibited Fireworks**” includes but is not limited to cigarette loads or pings, exploding matches, sparkling matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw down torpedoes and crackling balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party peppers and table bombs, table rockets and bottle rockets, fake Firecrackers, champagne party poppers, snap caps, sprite bombs, and other trick devices or practical jokes as included on the most recent list of Prohibited Fireworks as published from time to time under the Act.
- 1.1.21. “**Pyrotechnician**” means a person who is certified under the Act as a Theatrical User, an Assistant, a Pyrotechnician or a Special Effects Pyrotechnician and is qualified to purchase and supervise the display of Pyrotechnic Special Effect Fireworks under the Act.
- 1.1.22. “**Pyrotechnic Special Effect Fireworks**” means high hazard Fireworks that are classed as F.3 Special Effect Pyrotechnics under the Act and are used to produce a special pyrotechnic effect for indoor or outdoor performances and includes but is not limited to; black powder bombs, bullet effect, flash powder, air bursts, smoke compositions, Gerbs, lances and wheels.
- 1.1.23. “**Sell**” includes offer for sale, cause or permit to be sold and to possess for the purpose of sale and the words "Selling" and "Sold" have similar meaning.
- 1.1.24. “**Shop**” means a building or part of a building, booth, stall, or place where goods are exposed or offered for sale.
- 1.1.25. “**Tent**” means a portable shelter/structure made of cloth or other pliable material, supported by one or more poles which can be stretched tight by cords or loops, attached to pegs, driven into the ground or other measures sufficient to secure them.
- 1.1.26. “**Town**” means The Corporation of the Town of Kirkland Lake.

2. ALL FIREWORKS

- 2.1. No person shall Sell, or offer for sale, buy, or offer to buy, any Fireworks except as described in this By-Law.

3. CONSUMER FIREWORKS

3.1. No person shall:

- a) offer for sale, buy, or offer to buy any Fireworks on any day or days during the year except on Victoria Day and Canada Day and except on the seven (7) days immediately preceding Victoria Day and on the seven (7) days immediately preceding Canada day, or, as Approved;
- b) hold a display of or set off Consumer Fireworks on any day or days except on Victoria Day, Canada Day or as Approved with applicable Permit;
- c) Sell or supply any Fireworks to anyone under the age of eighteen (18) years;
- d) set off any Consumer Fireworks in, on or into any building, structure, or automobile;
- e) set off any Consumer Fireworks on or into any highway, street, lane, boulevard, roundabout, or private roadway;
- f) set off any Consumer Fireworks on or into any land used for school purposes;
- g) set off any Consumer Fireworks on or into any park, parkette, trail, linear park, land used for storm water management, square, other public place or any land owned by the Town of Kirkland Lake or any of their boards or agencies;
- h) set off any Consumer Fireworks in a manner that might create a danger or nuisance to any person or property; and for greater clarity a lot with less than 15m of frontage is deemed to be one whereon the setting off of Fireworks might create a nuisance; and
- i) set off any Consumer Fireworks without limiting the generality of the foregoing, on any land whatsoever, except on land belonging to the person setting off the Fireworks, or on other privately owned land where the consent of the Owner has been obtained.

4. DELEGATED AUTHORITY

4.1. Council of The Corporation of the Town of Kirkland Lake hereby delegate authority to the Director of Fire and Emergency Services/Fire Chief to issue and revoke Permits for the sale and setting off of Fireworks within the jurisdiction of the Town, as set out in this By-Law.

5. SALE OF FIREWORKS/FIRECRACKERS

5.1. No person shall:

- 5.1.1. Buy, Sell or Set Off any Firecrackers.
- 5.1.2. Buy, Sell or Set Off any Prohibited Fireworks.
- 5.1.3. Buy, Sell or Set Off any Flying Lanterns.
- 5.1.4. Offer for sale, buy, or offer to buy any Fireworks on any day or days during the year except on Victoria Day and Canada Day and except on the seven (7) days immediately preceding Victoria Day and on the seven (7) days immediately preceding Canada day or as Approved.

- 5.1.5. Sell individual Consumer Fireworks unless, prior to sale, the Fireworks are kept and maintained under a locked glass, plexiglass case, or other Approved means, which is not accessible to the public. No person, other than the Seller, shall handle Fireworks that are not in consumer packs, until after the time of purchase. Sealed packages of Consumer Fireworks may be displayed prior to sale in a location accessible to the public that is Approved by the Fire Chief.
- 5.1.6. Exhibit or display Consumer Fireworks for sale, unless:
 - 5.1.6.1. The Fireworks are separated into individual lots that do not exceed 25 kilograms in gross weight, and such separation between lots is sufficient to prevent fire from spreading rapidly from one lot to the next by a fire break which may consist of:
 - a) maintaining a minimum aisle width of 1.2 metres between lots;
 - b) 6 mm plywood partition that extends 15 cm above the height of the lot or display shelf above; or
 - c) any other method Approved by the Fire Chief.
- 5.1.7. Exhibit or display Consumer Fireworks that are exposed to direct sunlight, open flame, excess heat, or within close proximity of accelerants or other sources of ignition.
- 5.1.8. Exhibit or display Consumer Fireworks in Shop windows that contain explosive composition. Only mock samples that do not contain explosive composition may be displayed in Shop windows.
- 5.1.9. Smoke or vape within eight (8) metres of any Consumer Fireworks.
- 5.1.10. Sell or display Consumer Fireworks inside a building, Tent, trailer, or other enclosed location, unless there are a minimum of two (2) unobstructed, clearly identified public exits to ensure that occupants can quickly evacuate in the event of a fire or emergency.
- 5.1.11. Sell or store Consumer Fireworks in a location that is not designated and Approved for such use.
- 5.1.12. Store or transport Consumer Fireworks for sale except in conformance with the Act.
- 5.1.13. Sell Consumer Fireworks to any person(s) under the age of 18.
- 5.1.14. Offer for sale, display for sale, or Sell Consumer Fireworks in a manner that contravenes the sale of Consumer Fireworks regulations.
- 5.2. Persons wishing to Sell Consumer Fireworks, at a location, or, on property that is not owned by the Seller, shall obtain written consent from the Owner prior to the issuance of a Consumer Fireworks Sales Permit. Written consent shall be submitted to the Fire Chief with the Consumer Fireworks Sales Permit Application.
- 5.3. Tents used to Sell or display Consumer Fireworks shall conform to CAN/ULC S-109, "Standard Method for Flame Tests of Flame-Resistant Fabrics and Film".

5.4. Each location, where Consumer Fireworks are offered for sale, shall have at least two (2) portable fire extinguishers having a minimum rating of 3A:10BC.

6. DISCHARGE OF FIRECRACKERS & PROHIBITED FIREWORKS

6.1. No person shall:

- a) Discharge any Firecrackers.
- b) Discharge any Prohibited Fireworks.
- c) Discharge (release) a Flying Lantern.

7. DISCHARGE OF CONSUMER FIREWORKS

7.1. No person shall Discharge Consumer Fireworks, except on the following days:

7.1.1. Victoria Day and Canada Day, or, as Approved by the Fire Chief, subject to a Permit.

7.1.2. Each of the seven (7) days immediately preceding, and the three (3) days immediately following Victoria Day, Canada Day, or, as Approved, subject to Permit.

7.1.3. Any celebratory holidays, with prior written approval from the Fire Chief, and the date(s) authorized in a current, and valid Permit issued at the discretion by the Fire Chief.

7.2. No person shall Discharge Consumer Fireworks on the days specified in Section 7.1, except between the hours of 6:00 PM to 11:00 PM, in accordance with the Town's Noise By-Law.

7.3. A person 18 years of age or over may hold a display of Consumer Fireworks in accordance with the provisions of this By-Law, on any land belonging to them, or on any other privately-owned land, where the Owner thereof has given permission in writing for such a display or Discharge of Fireworks.

7.4. No person shall Discharge any Consumer Fireworks in such a place, or in such a manner as to endanger, injure, harass, frighten, or constitute a nuisance to any person, animal, or property.

7.5. No person shall commit, or cause, or allow to be done any unsafe act, or omission at the time, and place for the Discharging of any Consumer Fireworks.

7.6. For the purposes of Subsection 7.4, the Discharge of any Consumer Fireworks in or onto any building, doorway, or automobile shall be deemed to create a danger, and to be an unsafe act.

7.7. No person shall Discharge any Consumer Fireworks in or onto any highway, street, land, square, public park, or other public place, except in accordance with a current, and valid Permit issued by the Fire Chief, authorizing such a display.

7.8. No person under the age of eighteen (18) years shall Discharge any Consumer Fireworks except under the direct supervision of, and control of, a person(s) eighteen (18) years of age or over.

- 7.9. No person being the parent, or guardian of any person under the age of eighteen (18) years shall allow the person to Discharge any Consumer Fireworks, except when such parent or guardian or some other responsible person of eighteen (18) years of age or over is in direct supervision and control.
- 7.10. No person shall Discharge Consumer Fireworks during a Fire Ban authorized by the Fire Chief.
- 7.11. No person, group of persons, or organization shall hold a Fireworks Display of Consumer Fireworks in the Town for public entertainment, without first having obtained written authorization by the Fire Chief and education on Consumer Fireworks Safety, at the satisfaction of the Fire Chief.

8. DISPLAY FIREWORKS

- 8.1. No person, group of persons, or organization shall Discharge, or hold a Fireworks Display without having first obtained a Permit to do so issued by the Fire Chief.
 - 8.1.1. Where the display is for public entertainment hosted by a community group or organization, a Fireworks Display shall not be Discharged without having first obtained a Permit issued by the Fire Chief and education on Display Fireworks Safety, at the satisfaction of the Fire Chief.
- 8.2. No Permit holder shall Discharge Display Fireworks except in accordance with the conditions of the Permit.
- 8.3. No Permit holder shall Discharge or hold Display Fireworks at a date, time, location, or site other than as specified in the Permit.
- 8.4. Every application for a Permit shall be made to the Fire Chief a minimum of 28 days prior to the event when the proposed Discharge of Fireworks is to occur,
- 8.5. Every application for a Permit shall include:
 - 8.5.1. A description of the event including the date, and time of the proposed Discharge of Display Fireworks.
 - 8.5.2. The type, kind, and quantity of Display Fireworks that may be Discharged, the Discharge techniques to be used, the manner, and means of transporting, and storing the Fireworks prior to, and after the event, and the manner in which unused Display Fireworks are to be disposed of.
 - 8.5.3. A site plan providing a description of the Discharge site to be used for the Discharging of the Display Fireworks.
 - 8.5.4. A description of the fire emergency procedures.
 - 8.5.5. The manner and means of prohibiting unauthorized persons access to the Discharge site.
 - 8.5.6. The name, and address of the applicant and the sponsoring organization, if applicable, proof of certification of the applicant as a Display Supervisor and any Display Assistants.
 - 8.5.7. Proof of the consent of the Owner to the Discharge of Display Fireworks in writing.

- 8.5.8. The prescribed fee, in accordance with the Fire Services Fees & Charges By-Law. Where the Display of Fireworks is for public events, the Fire Chief has the authority to waive the Permit fee.
- 8.5.9. Proof of insurance, and indemnification in accordance with this By-Law, and such other information as required by the Fire Chief.
- 8.6. An applicant for a Permit, subject to the provisions of this By-Law, may be entitled to be issued the Permit, except where:
 - 8.6.1. the application is incomplete; or
 - 8.6.2. the applicant is not a Display Supervisor; or
 - 8.6.3. there are reasonable grounds for belief by the Fire Chief that the holding of the Display Fireworks will result in a breach of this By-Law, the FPPA and the Regulations enacted there under or the Act.
- 8.7. The Permit holder holding the display of Display Fireworks shall ensure that all unused, or partly used Fireworks, and all debris are removed.
- 8.8. A site inspection may be required at the discretion of the Fire Chief, and the applicant for a private Display Fireworks Permit shall pay the prescribed fee for this inspection.
- 8.9. The applicant shall provide and maintain Commercial General Liability Insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00) inclusive per occurrence for bodily injury, death, and damage to property, including loss of use thereof. Such insurance shall be in the name of the applicant and shall name the Town as an additional insured thereunder. Such insurance shall include permission to conduct displays of Pyrotechnic Special Effects Fireworks, or Display Fireworks. The Fire Chief, at their sole discretion, may request an increase in the amount of insurance, where required.
- 8.10. A copy of the Public Fireworks Display Permit shall be kept at the site of the display from the time of initial event set up, to the time of event conclusion, and shall be produced upon being so directed by the Fire Chief.
- 8.11. The applicant shall indemnify, and save harmless the Town from any, and all claims, demands, causes of action, loss costs, or damages that the Town may suffer, incur, or be liable for, resulting from the performance of the applicant as set out in the by-law whether with, or without negligence on the part of the applicant, the applicant's employees, directors, contractors, and agents.

9. PYROTECHNIC SPECIAL EFFECTS FIREWORKS

- 9.1. No person or group of persons shall hold a display of Pyrotechnic Special Effects in the Town without having first obtained a Permit to do so by the Fire Chief.
- 9.2. No Permit holder shall Discharge Pyrotechnic Special Effects Fireworks, except in accordance with the conditions of the Permit.
- 9.3. Every holder of a Pyrotechnic Special Effect Fireworks Permit shall produce their Permit upon being so directed by the Fire Chief.

- 9.4. Every application for a Permit shall be made to the Fire Chief a minimum of 28 days prior to the event when the proposed Discharge of Pyrotechnic Special Effects Fireworks is to occur.
- 9.5. Every application for a Permit shall include:
- 9.5.1. A description of the event including:
- a) a site plan of the facility, and room capacity, the stage, and the Pyrotechnic Special Effect Fireworks storage area;
 - b) a list of all Pyrotechnic Special Effect Fireworks to be used.
 - c) the location of all Pyrotechnic Special Effect Fireworks;
 - d) height, range of effect fallout, and duration of the display of Pyrotechnic Special Effects Fireworks, sequence of firing;
 - e) location of audience, and all exits;
 - f) date, and time of the proposed event using Pyrotechnic Special Effects Fireworks;
 - g) description of fire emergency procedures;
 - h) name, and address of the applicant, and the sponsoring business, or organization, if applicable;
 - i) proof of certification of the applicant as a Pyrotechnician;
 - j) proof of insurance, and indemnification in accordance with this By-Law;
 - k) proof of consent of the Owner to the Discharge of Pyrotechnic Special Effect Fireworks in writing if the applicant is not the Owner;
 - l) the prescribed fee, in accordance with the Fire Services Fees & Charges By-Law; and
 - m) such other information as required by the Fire Chief.
- 9.6. An applicant for a Permit, subject to the provisions of this By-Law, may be entitled to be issued the Permit, except where:
- 9.6.1. the application is incomplete.
- 9.6.2. the applicant is not a Pyrotechnician under the Act; or
- 9.6.3. there are reasonable grounds for belief that the holding of the Pyrotechnic Special Effects Fireworks will result in a breach of this by-law, the FPPA, and the Regulations enacted thereunder or the Act.
- 9.7. The applicant shall provide and maintain Commercial General Liability insurance subject to limits of not less than Five Million Dollars (\$5,000,000.00), inclusive per occurrence for bodily injury, death, and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name the Town as an additional insured thereunder. Such insurance shall include permission to conduct displays of Pyrotechnic Special Effects Fireworks or Display Fireworks. The Fire Chief, at their sole discretion, may request an increase in the amount of insurance, where required.

- 9.8. The applicant shall indemnify and save harmless the Town from any and all claims, demands, causes of action, loss costs, or damages that the Town may suffer, incur, or be liable for, resulting from the performance of the applicant as set out in the by-law whether with, or without negligence on the part of the applicant, the applicant's employees, directors, contractors, and agents.

10. CONDITIONS: PYROTECHNIC SPECIAL EFFECTS FIREWORKS PERMITS

- 10.1. Each Permit shall state the name of the sponsoring business, club, association, or group, the purpose of the display, the place, and date at which the display may be held, and the name of the Pyrotechnician under whose supervision the same shall be held.
- 10.2. The following conditions shall apply to the holding of a display of Pyrotechnic Special Effect Fireworks under a Permit issued under this By-Law:
- a) The Permit is valid only for the display at the place, and on the date, or dates set forth in the Permit.
 - b) The Permit holder shall supervise the display of Pyrotechnic Special Effect Fireworks.
 - c) The Permit holder shall Discharge the Pyrotechnic Special Effects Fireworks, and the Permit holder shall provide and maintain fully operational fire extinguishing equipment ready for immediate use.
 - d) The Permit holder shall comply at all times with the requirements of the Act, the FPPA, and the Regulations, and the Pyrotechnics Special Effects Manual published by Natural Resources Canada, or any successor publication.
 - e) The Permit holder holding the Pyrotechnic Special Effects Fireworks shall ensure that all unused Fireworks, and all debris are removed.

11. RIGHT OF ENTRY

- 11.1 No person shall prohibit the entry of Officers appointed by Council from entering at all reasonable times upon any property in order to ascertain whether the By-Law is obeyed and to enforce or carry into effect the By-Law.

12. OFFENCES & PENALTY PROVISIONS

- 12.1. Any person who contravenes any provision of this By-Law is guilty of an offence and is liable upon conviction to a fine pursuant to the provisions of the *Provincial Offences Act*, R.S.O., 1990, Chapter P 33, as amended from time to time, or any replacement legislation.
- 12.2. Any Owner who contravenes this By-Law may have the costs associated with the Kirkland Lake Fire Department (KLFD) response to the contravention, as established by the Fire Services Department User Fees & Charges By-Law, in effect at the time of the attendance by the KLFD, added to the property taxes for the property regardless of whether the Fireworks were Discharged with the permission, or knowledge of the Owner, or by Permit, and same shall be collected in the same manner as taxes in accordance with Section 446 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended.

- 12.3. Any member of the KLFD may enter onto property in the course of their duty at any time, without prior notice, for the purpose of carrying out an inspection to determine whether the provisions of this By-Law have been complied with.
- 12.4. No person shall hinder or obstruct, or attempt to hinder or obstruct, a member of the KLFD who is performing a duty which is authorized under this By-Law.
- 12.5. No person shall knowingly furnish false, or misleading information to the Town, or the Fire Services Department or KLFD with respect to this By-Law.

13. NO OBLIGATION TO ISSUE PERMIT

- 13.1. No provisions of this By-law shall obligate the **Town** to authorize the issuance of a **Permit**.

14. SEVERABILITY

- 14.1. If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-Law and it is hereby declared that the remainder of this By-Law shall be valid and shall remain in force.
- 14.2. Where the provisions of this By-Law conflict with the provisions of any other By-Law or Act, the more restrictive provisions shall apply.

15. SHORT FORM TITLE

- 15.1. **THAT** this By-Law shall be referred to as the "**Fireworks By-Law**".

16. REPEAL

- 16.1. **THAT** By-Law 02-038 is hereby repealed.

17. EFFECTIVE DATE

- 17.1. **THAT** this By-law shall come into full force and effect upon the final passage thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE
PART 1 PROVINCIAL OFFENCES ACT**

BY-LAW NO. 24-057, BEING A BY-LAW TO REGULATE THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE JURISDICTION OF THE TOWN OF KIRKLAND LAKE

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Offer to sell fireworks when prohibited	Section 3.1. a)	
2	Sell Fireworks when prohibited	Section 2.1	
3	Offer to buy fireworks when prohibited	Section 3.1. a)	
4	Buy fireworks when prohibited	Section 3.1. a)	
5	Hold a display when prohibited	Section 3.1. b)	
6	Set off Fireworks when prohibited	Section 3.1. b)	
7	Sell fireworks to person under 18	Section 3.1. c)	
8	Supply fireworks to person under 18	Section 3.1. c)	
9	Set off fireworks in building	Section 3.1. d)	
10	Set off fireworks on building	Section 3.1. d)	
11	Set off fireworks into building	Section 3.1. d)	
12	Set off fireworks in structure	Section 3.1. d)	

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
13	Set off fireworks on structure	Section 3.1. d)	
14	Set off fireworks into structure	Section 3.1. d)	
15	Set off fireworks in automobile	Section 3.1. d)	
16	Set off fireworks on automobile	Section 3.1. d)	
17	Set off fireworks into automobile	Section 3.1. d)	
18	Set off fireworks on or into any highway	Section 3.1. e)	
19	Set off fireworks on or into any street	Section 3.1. e)	
20	Set off fireworks on or into any lane	Section 3.1. e)	
21	Set off fireworks on or into any boulevard	Section 3.1. e)	
22	Set off fireworks on or into any roundabout	Section 3.1. e)	
23	Set off fireworks on or into any private roadway	Section 3.1. e)	
24	Set off fireworks on or into any land used for school purposes	Section 3.1. f)	
25	Set off fireworks on or into any park	Section 3.1. g)	
26	Set off fireworks on or into any parkette	Section 3.1. g)	
27	Set off fireworks on or into any trail	Section 3.1. g)	
28	Set off fireworks on or into any linear park	Section 3.1. g)	
29	Set off Fireworks on or into land used for storm water management	Section 3.1. g)	
30	Set off fireworks on or into any square	Section 3.1. g)	

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
31	Set off fireworks on or into any public place	Section 3.1. g)	
32	Set off fireworks on or into land owned by the Town of Kirkland Lake	Section 3.1. g)	
33	Create a danger or nuisance by setting off fireworks	Section 3.1. h)	
34	Set off fireworks on private land without owners consent	Section 3.1. i)	
35	Sell Firecrackers	Section 5.1.1.	
36	Offer to sell firecrackers	Section 5.1.1.	
37	Buy firecrackers	Section 5.1.1.	
38	Offer to buy firecrackers	Section 5.1.1.	
39	Set off firecrackers	Section 5.1.1.	
40	Hold a display without approval	Section 8.1.	
41	Sell Prohibited Fireworks	Section 5.1.2.	
42	Offer to sell Prohibited Fireworks	Section 5.1.2.	
43	Buy Prohibited Fireworks	Section 5.1.2.	
44	Offer to buy Prohibited Fireworks	Section 5.1.2.	
45	Set off Prohibited Fireworks	Section 5.1.2.	
46	Sell Flying Lanterns	Section 5.1.3.	
47	Offer to sell Flying Lanterns	Section 5.1.3.	
48	Buy Flying Lanterns	Section 5.1.3.	

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
49	Offer to buy Flying Lanterns	Section 5.1.3.	
50	Set off Flying Lanterns	Section 5.1.3.	

NOTE: The penalty provision for the offences indicated above is Section 3.3 of By-Law 24-057
a certified copy of which has been filed and s. 61 of the *Provincial Offences Act*, R.S.O., 1990, c. P.33, as amended.

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-058

**BEING A BY-LAW TO REGULATE OPEN AIR BURNING WITHIN THE
JURISDICTION OF THE TOWN OF KIRKLAND LAKE**

WHEREAS Section 9 of the *Municipal Act*, 2001 S.O. 2001, c. 25, as amended, (hereinafter referred to as the “*Municipal Act*”) provides that a municipality has the capacity, rights, powers and privileges of a natural Person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 128 of the *Municipal Act* provides that a municipality may prohibit and regulate with respect to public Nuisances, including matters that, in the opinion of Council are or could become public Nuisances;

AND WHEREAS Sections 425, 426 and 429 of the *Municipal Act*, states a municipality may pass By-Laws providing that a Person who contravenes a By-Law of the municipality passed under this Act is guilty of an offence; no Person Shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under this Act or under a By-Law passed under this Act; and, a municipality may establish a system of fines for offences under a By-Law of the municipality passed under this Act;

AND WHEREAS pursuant to Subsection 7.1(1) of the *Fire Protection and Prevention Act*, 1997, c.4, as amended, (hereinafter referred to as “*Fire Protection and Prevention Act*”) states that a Council of a municipality may pass By-Laws regulating Fire prevention, including the prevention of the spreading of Fires and to regulate the setting of Open Air Fires, including establishing the times during which Open Air Fires may be set;

AND WHEREAS Subsection 7.1(3) of the *Fire Protection and Prevention Act* provides that a By-Law under this section may deal with different areas of the municipality differently;

AND WHEREAS Subsection 7.1(4) of the *Fire Protection and Prevention Act* provides that a municipality may appoint an Officer to enter upon land and into Structures at any reasonable time to inspect the land and Structures to determine whether By-Laws enacted in accordance with Section 7.1 are being complied with;

AND WHEREAS Subsection 19(2) of the *Fire Protection and Prevention Act* provides an inspector may, without a warrant, enter and inspect land and premises for the purposes of assessing Fire safety, and

AND WHEREAS Article 2.4.4.4. of the Ontario Fire Code (O. Reg. 213/07), as amended, provides that open air burning Shall not be Permitted unless Approved, or unless such burning consists of a small, confined Fire supervised at all times, and used to cook food on a Grill, Barbeque or spit, or such burning takes place in an appliance that is in conformance with the *Technical Standards and Safety Act*, 2000, S.O. 2000, c.16, is for outdoor use, and is assembled and/or installed in accordance with the manufacturer's instructions;

AND WHEREAS Section 391 of the *Municipal Act* provides that a municipality and a local board may pass By-Laws imposing fees or charges for services or activities provided or done by or on behalf of it, or for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board;

AND WHEREAS Section 425 of the *Municipal Act* provides By-Laws may be passed by all municipalities for providing that any Person who contravenes any By-Law of the municipality, passed under this Act, is guilty of an offence;

AND WHEREAS Section 446 of the *Municipal Act* provides that where the municipality has the authority by any Act or under a By-Law to direct or require a Person to do a matter or thing, the municipality may also provide that, in default or it being done by the Person directed or required to do it, the matter or thing Shall be done at the Person's expense, and the municipality may recover the costs of doing the matter or thing from the Person required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as Property taxes;

AND WHEREAS the *Fire Protection and Prevention Act*, and the Ontario Fire Code, O. Reg. 213/07, provides that open air burning Shall not be Permitted unless Approved, or unless such burning consists of a small, confined Fire, supervised at all times, used to cook food or a Grill, barbecue or spit, commensurate with the type and quantity of food being cooked;

AND WHEREAS Council now deems it expedient to enact a By-Law for regulating the setting of Open Air Fire, including establishing the times during which Open Air Fires may be set;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1. For the purposes of this By-Law, definitions in the *Fire Protection and Prevention Act*, Shall be used with respect to matters pertaining to Fire prevention and Fire safety and which are undefined in this By-Law, otherwise the following definitions will apply and have the meaning given herein:

1.1.1. "**Applicant**" means an Owner or Person who is the authorized agent for an Owner applying for a Burning Permit for the Property in which the Permit is being issued for.

1.1.2. "**Approved**" means by the chief Fire chief or their designate.

1.1.3. "**Agricultural Waste**" means any animal fecal deposits or manure and animal carcasses.

1.1.4. "**Back-Yard**" means the space on the Property behind the Building, on the side opposite from the street address side.

1.1.5. "**Ban**" on Open Air Fires means a restriction or prohibition on Open Air Fires issued by the Fire Chief.

1.1.6. "**Barbeque**" means any fuel-Fired Cooking device that is commercially manufactured, completely contains the Fire, and expressly designed for the purpose of Cooking.

1.1.7. "**Building**" means any Structure used or intended for supporting or sheltering any use or Occupancy but does not include a non-enclosed open-sided Structure.

1.1.8. "**Burning Permit**" means a written, conditional, authorization issued and administered by the Fire Chief to set or maintain an Open Air Fire that is not an Exempt Fire and pursuant to any restrictions and conditions contained in this By-Law or as may be specified on the Burning Permit itself.

- 1.1.9. "**Burning Safety Plan**" means a formal statement of procedures and facilities provided by the Applicant and/or Owner and Shall include provisions for facilitating emergency vehicle access and response, and Open Air Fire safety and control, and protection of the environment.
- 1.1.10. "**Chief Fire Official**" means Assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the Fire department appointed by the Municipal Fire Chief under Subsection 1.1.8. of the Ontario Fire Code, 1997.
- 1.1.11. "**Chiminea**" means a device largely made from pottery or metal and which is equipped with a chimney and an enclosed Hearth in which a recreational Fire may be set.
- 1.1.12. "**Combustible**" means any material, combination of materials. or arrangement of materials in which any portion thereof is susceptible to catch Fire when exposed to heat, flame, or burning materials.
- 1.1.13. "**Cooking**" means the activity of preparing food for human consumption by placing it over a Fire until such time as it is ready to eat and includes Fire pre-burn time before the Cooking commences but only as is reasonably necessary.
- 1.1.14. "**Cooking Fire**" Means a small, contained Fire no greater than 18 inches (50 Centimetres) in diameter and used to cook food on a Grill. The Fire Shall be in a pit or permanent Structure designed and intended for the Cooking of food on a Grill.
- 1.1.15. "**Construction and Demolition Wastes**" – Shall mean materials used in the construction of a serviceable unit such as drywall, wood, plywood, shingles, asphalt and plastic.
- 1.1.16. "**Exempt or Excluded**" means that, under specified conditions, a particular type or configuration of Open Air Fire that does not require a Burning Permit.
- 1.1.17. "**Extinguish**" – Put out or quenched completely with no Smoke, hot or growing embers remaining.
- 1.1.18. "**Fire**" means a Fire that may be Extinguished using on site resources, contains not more than 0.6 cubic metre of material burning at any one time and does not exceeding 0.6 metre in diameter.
- 1.1.19. "**Fire Chief**" means the appointed Fire Chief in the Town of Kirkland Lake and, whether stated or not, also means their appointed designates, in writing, which may include a Platoon Chief, or a Firefighter.
- 1.1.20. "**Firefighter**" means a Town of Kirkland Lake Firefighter.
- 1.1.21. "**Gas-Fired outdoor campfire devices**" means listed ULC or CSA gas (natural, propane) appliances, which Shall not constitute open air burning under this By-Law.
- 1.1.22. "**Grill**" means any custom-designed fuel-Fired Cooking device that is constructed of metal, ceramic, stone, or masonry, that completely contains the Fire, and that has been Approved for use as a Cooking device.

- 1.1.23. "**Hearth**" means that part of a device in which a Fire is set and maintained, and which is fully enclosed by the device and screens.
- 1.1.24. "**Heat Alert**" means any day or portion of a day when a heat advisory or alert has been issued by the Ministry of the Environment and Climate Change, for the Town of Kirkland Lake.
- 1.1.25. "**Household Wastes**" Shall mean garbage, rubbish, discarded materials, paper products, plastic products, and other such articles as would normally accumulate at a serviceable unit.
- 1.1.26. "**Humidex**" means the level of relative humidity as calculated by Environment Canada within the geographical region of Kirkland Lake, usually reported in the warmer months from May to September.
- 1.1.27. "**Incinerator**" means a device that is operated and regulated (licensed) under a Certificate of Approval from the Ministry of the Environment and Climate Change and is not subject to the requirements of this By-Law.
- 1.1.28. "**Made Safe**" means that all reasonable and prudent steps are taken to guard against injury to Persons due to a Fire deteriorated condition of a Structure or Property or the residue from a Fire; including steps for the erecting of safety barriers and signs, grading of Property, demolition of unstable Structures or materials, removal of residue left from the burning process, and/or ensuring that the Fire is fully and completely Extinguished.
- 1.1.29. "**Multi-Unit Residential Building**" means any Building in which there are three or more residential dwelling units as defined by the Ontario Building Code.
- 1.1.30. "**Nuisance**" means the travel of the products of a Fire, including but not limited to, Smoke, odour, ash, and hot embers, which products in the opinion of the Fire Chief may cause unreasonable discomfort to Persons, loss of enjoyment of normal use of Property, interference with normal conduction of business, or damage to Property.
- 1.1.31. "**Occupancy**" means the use or intended use of a Building or part thereof as defined in the Ontario Building Code.
- 1.1.32. "**Occupant**" means a Person or Persons who are present on a Property.
- 1.1.33. "**Officer**" means a municipally appointed By-Law Enforcement Officer, any sworn Officer of the Ontario Provincial Police, the Chief Fire Official, or their respective designate(s).
- 1.1.34. "**Open Air Fire**" means:
- a) any Fire set outdoors, i.e. not in a Building, or
 - b) any Fire set in a device or appliance located outside of a Building, but does not include:
 - i) Fires in Incinerators, or
 - ii) Fires in devices installed outside of a Building and that are used as a source of heat or power for the Building or that are ancillary to a manufacturing process and provided that such device is certified for the purpose by a recognized and appropriate agency.

- 1.1.35. **“Owner”** means the Person registered on title as the Owner of a Property or Structure or Building.
- 1.1.36. **“Permit”** means a Fire Permit issued by the Town for the provisions of Permitting open air burning in accordance with the terms and conditions contained within this By-Law.
- 1.1.37. **“Person”** means all transients, Owners, tenants, and occupiers of lands within the Town and Shall include any individual, association, firm, partnership, incorporated company, corporation, agent or trustee and the heirs, executors or other legal representatives of a Person to who the context can apply according to law.
- 1.1.38. **“Platoon Chief”** means an employee assigned to this position by virtue of their employment with The Corporation of the Town of Kirkland Lake, or by assign, in writing, by the Fire Chief.
- 1.1.39. **“Property”** means any ground, yard, lot, land or other real Property whether or not occupied by a Building or Structure that is located within the Town.
- 1.1.40. **“Responsible Person”** means any adult Person (18 years of age or older) who, in the opinion of the Fire Chief, or their designate, is capable of exercising the required judgment and is capable of performing the necessary actions to control a Fire and prevent its unwanted spread and does not include Persons impaired by alcohol or drugs.
- 1.1.41. **“Shall”** mean imperative or must.
- 1.1.42. **“Smoke”** means the visible vapor and gases given off by a burning or smoldering substance where clean combustion has not occurred.
- 1.1.43. **“Structure”** means anything constructed or erected, the use of which requires location on or in the ground.
- 1.1.44. **“Town”** means The Corporation of the Town of Kirkland Lake.
- 1.1.45. **“Yard Wastes”** – Shall mean organic material from a household yard, such as leaves, and grass cuttings and any organic materials characterized by their ability to compost.

2. WORD USAGE

- 2.1. Wherever the singular, plural, feminine or masculine is used in this By-Law, the same Shall be construed as meaning any one or multiple Persons, regardless of gender identification, or neutrality.
- 2.2. The headings and subheadings used in this By-Law Shall not form part of this By-Law, but Shall be deemed to be inserted for convenience of reference only.

3. GENERAL PROHIBITIONS

- 3.1. No Person Shall set or maintain a Fire in open air unless a Permit has been issued by the Town under this By-Law.
- 3.2. No Person Shall set a Fire or Permit a Fire to burn when the wind speed exceeds twenty-four (24) kilometers per hour.
- 3.3. No Person Shall set a Fire or Permit a Fire to burn when the Ministry of the Environment has issued a “Smog Alert” or Humidex Advisory for Northeastern Ontario.

- 3.4. No Person Shall set a Fire or Permit a Fire to burn when rain or fog is present.
- 3.5. No Person Shall set a Fire or Permit a Fire to burn other than between the hours of 6:00 PM through 12:00 AM (midnight), unless otherwise expressly Permitted by the Officer.
- 3.6. No Person Shall burn any material other than clean dry wood which is free and clear from any finishes, preservatives or other material that may be affixed to the wood in accordance with the Environmental *Protection Act*, R.S.O. 1990, c. E.19, as amended.
- 3.7. No Person Shall set or maintain a Fire that is creating a Nuisance or has an adverse effect on a neighbouring Property(s) or Property Owners.
- 3.8. No Person Shall set or maintain a Fire in a manner that creates excessive Smoke.
- 3.9. No Person Shall set or maintain a Fire that contains more than 0.6 cubic metre (21.2 cubic feet) of material burning at any one time and exceeds 0.6 metres (24 inches) in diameter.
- 3.10. No Person Shall set or maintain a Fire that is within 3 metres (9.8 feet) of any Structure, hedge, fence, vehicular roadway, Property line or overhead wire or obstruction of any kind or nature whatsoever.
- 3.11. No Person Shall set or maintain a Fire without first ensuring a Person able to supervise such Fire and who is equipped with adequate tools and/or water to Extinguish it promptly in the event of danger of the spread of such Fire and is in constant immediate attendance at the specific place where the Fire is burning.
- 3.12. No Person Shall leave the specific place where the Fire is burning without first ensuring such Fire is completely Extinguished.
- 3.13. No Person Shall set a Fire or Permit a Fire when a Fire Ban is in effect.
- 3.14. No Person Shall set or maintain a Fire in a Chiminea/outdoor Fireplace unless it is located on a non-Combustible surface extending beyond the unit to a dimension equal to the height of the unit.

4. PERMIT NOT REQUIRED

- 4.1. A Permit Shall not be required for the purpose of actively Cooking food on a Grill or a Barbecue, Gas-Fired outdoor campfire devices for which is supervised at all times, Shall not be deemed to be an Open Air Fire for the purposes of this By-Law. This provision Shall be at the discretion of the Officer.
- 4.2. A Permit Shall not be required for the purpose of an Open Air Fire that is located in a lawfully zoned campground. All other provisions of this By-Law Shall apply.

5. REQUIREMENT TO OBTAIN A PERMIT

- 5.1. Only the Property Owner or agent Shall apply for a Fire Permit. The agent must have written permission from the Property Owner to apply for a Fire Permit. The Town reserves the right to withhold said Permit in order to contact the Owner to confirm said written permission.
- 5.2. The prescribed fee for the issuance of a Fire Permit Shall be set out within the Fire Services Department's User Fees and Charges By-Law.
- 5.3. Permits Shall be issued on an annual basis. Annual Shall mean from the date of purchase until December 31 of that given year.

6. TERMS AND CONDITIONS OF PERMIT

- 6.1. No Person Shall set or maintain a Fire in Open Air in accordance with the general prohibitions outlined in Section 3 of this By-Law.
- 6.2. Every Person who applies for, receives, and signs a Fire Permit acknowledges an understanding of the provisions contained within this By-Law and assumes all responsibility and liability including any damage or injury to Persons or Property with respect to the setting of a Fire or Permitting the Fire to burn.
- 6.3. The Person supervising the Fire Shall take every reasonable precaution to prevent Smoke being generated or becoming a Nuisance. To avoid excessive Smoke, Persons Shall:
 - a) Ensure that all material is dried to greatest extent practicable.
 - b) Material is loosely stacked to eliminate dirt from the pile and to promote an adequate air supply to the burning.
 - c) Build piles that are at least as tall as they are wide.
 - d) Not include wood larger than eight (8) inches in diameter or stumps in the pile as these materials are likely to smolder and produce large amounts of Smoke.
 - e) As a pile burns down, move unburned and smoldering material from the perimeter of the pile into the center of the Fire.
- 6.4. Permits are issued to the Person who is deemed to be the Permit holder, for the specified Property as noted on the Permit. Permits are not transferable or refundable between Persons and/or properties.
- 6.5. It Shall be the responsibility of the Permit holder to, prior to setting an Open Air Fire, to ensure that a Fire Ban or elevated Humidex is not in effect.
- 6.6. A Permit may be revoked or denied by the Officer if the Permit holder fails to or has previously failed to comply with the requirements of the Permit and/or any other provision of this By-Law.
- 6.7. The Officer is authorized to order any Person to Extinguish any Fire or to cause such a Fire to be Extinguished when there is a breach of any of the provisions of this By-Law, or, where, in their sole discretion, there is a danger of such Fire spreading or otherwise endangering life or Property and the Person Shall comply with any such order.
- 6.8. Where an Owner is in default of doing any matter or thing directed or required to be done under this By-Law, the Officer may direct such matter or thing to be done at the Owner's expense. The Town Shall recover the related expenses due to remedial action taken, by action, or in the same manner as municipal taxes.
- 6.9. For the purpose of this By-Law, the Owner of a Property on which a Fire has been set or permitted to burn in the Open Air Shall be deemed to have Permitted the Fire to burn and is deemed responsible for such.

7. EXCEPTIONS AND VARIATIONS

- 7.1. The following are exceptions from the provisions of this By-Law:

7.1.1. Barbeques and outdoor gas appliances installed and operated according to the manufacturer's specifications using commercial fuels such as propane and natural gas.

7.1.2. The Kirkland Lake Fire Services Department for the purposes of educating and training individuals.

7.2. The following are allowable variations from the provisions of this By-Law:

7.2.1. The Chief Fire Official may grant special approval for a variance to the Open Air burning regulations contained in Section 3 of this By-Law.

7.2.2. Any Person may make application in writing to the Chief Fire Official for special approval of Open Air burning with religious, cultural or environmental significance, as an exception to the provisions of this By-Law.

a) Any such application Shall include:

- I. statement(s) to describe the purpose;
- II. reason and intent of the request;
- III. location and size of the Fire;
- IV. date and time of the Fire;
- V. safety measures and supervision arrangements; and
- VI. a site diagram showing the Fire location relative to Buildings / Structures, trees, shrubs, hedges, fences, overhead obstructions, flammable materials and Property lines.

7.2.3. Where the Applicant is not the Owner of the land on which the Fire is to occur, the Applicant Shall, together with his application and at the time of application, provide written permission of the Property Owner to submit the application for Open Air burning. Such permission Shall be evidence by the signature of the Registered Owner of the land on the application pursuant to this By-Law.

7.2.4. The Chief Fire Official may attach such conditions as deemed appropriate to any approval. In considering applications for variance, the Chief Fire Official Shall consider the purpose, reason, and intent for the variance, location of the Fire, size of the Fire, safety measures, supervision arrangements, time of year, time of day, and the anticipated weather conditions.

7.3. The authority for variance approvals rests solely with the Chief Fire Official.

8. EXTINGUISHMENT

8.1. Any Person supervising a Fire Shall ensure that:

8.1.1. At all times that the Fire is burning, there Shall be ready to hand at the site of the Fire an adequate means in which the Fire may be controlled and Extinguished. Such means may include a garden hose charged with water, a minimum 10-A rated dry-chemical Fire Extinguisher, a minimum 15 litre pail full of water, or additional and alternate means as the circumstances may require; and

8.1.2. At all times the Fire is burning, there Shall be ready to hand at the site of the Fire an adequate means for calling the Town of Kirkland Lake Fire Services Department or 911 to assist if such Fire should get out of control; and

8.1.3. At the completion of the burn, the Fire Shall be fully and completely Extinguished, and the burn site Shall be Made Safe before it is left unattended.

9. FIRE BAN

9.1. Despite the existence of any valid Burning Permit the Fire Chief may issue a Ban on any or all Open Air Fires or may suspend without recourse any or all Burning Permits and cause to be Extinguished any or all Open Air Fires (whether Permitted or Exempt) until such conditions as the Fire Chief may indicate are met.

10. ADMINISTRATION, ENFORCEMENT, AND RIGHTS OF ENTRY

10.1. This By-Law Shall be administered and enforced by the Fire Chief who is hereby authorized to enforce the provisions of this By-Law.

10.2. The Fire Chief only may formally delegate the enforcement of any portion of this By-Law to a Deputy Fire Chief, a Fire Prevention Officer or to a Firefighter.

10.3. The Fire Chief or Delegate has the power during the investigation of a Nuisance Open Air Fire response, to make the determination if said Fire located at the address of the call is in contravention of this By-Law.

10.4. The Fire Chief may enter upon and within, and inspect any land, Property, Building or Structure at any reasonable time to determine if any Section of This By-Law is being complied with, or, to determine if any direction, notice or Order issued pursuant to this By-Law or the Municipal Act, 2001, or the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, or any court has been complied with, or to perform any remedial work authorized in "Section 11, Orders and Cost Recovery" of this By-Law.

10.5. Notwithstanding this By-Law, the Fire Chief Shall not enter or remain in any room or place actually used as a dwelling unless the provisions of Section 437 of the Municipal Act, 2001 are complied with.

10.6. The Fire Chief Shall have the inspection powers provided in Subsection 436(b) of the Municipal Act, 2001 and Section 19 of the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.

10.7. Where an Owner or Occupant is in contravention of any provision of this By-law, the Fire Chief, in addition to any other action, may send a notice in the form of a letter or email to the Owner or Occupant describing the contravention.

10.8. Any notice, Order or direction given under this By-Law may be given Personally to the Person to whom it is directed, or may be mailed by ordinary or registered mail, or by hand delivery to the mailing address of the Owner or the Occupant of the Property and any such delivery or posting Shall be deemed good and sufficient service.

10.9. No Person Shall obstruct or hinder, or attempt to obstruct or hinder, the Fire Chief in the exercise of power or the performance of a duty under this By-Law.

10.10. No Person Shall refuse to produce any documents or things required by the Fire Chief under this By-Law, and every Person Shall assist any entry, inspection, examination, or inquiry by the Fire Chief.

10.11. No Person Shall knowingly furnish false or misleading information to the Town or to the Fire Chief with respect to this By-Law.

11. ORDERS AND COST RECOVERY

11.1. If the Fire Chief believes that this By-Law has been contravened, they may issue an Order directing compliance with this By-Law and may require the work specified in the Order be carried out immediately, or within the time frame or other conditions specified in the Order.

11.2. The Fire Chief may Order at any time that any Open Air Fire be immediately Extinguished and the site of the Fire Made Safe.

11.3. An Order may contain requirements by an agency that may provide emergency services or electricity or natural gas or other utility services to the Property location, necessary for the safety of its employees.

11.4. No Owner or Authorized Agent of such Owner, or Occupant of a Property Shall fail to comply with any Order issued under this By-Law.

11.5. Should the Owner or Occupant, or Authorized Agent, fail to rectify the non-compliance in accordance with the Order, the Town in addition to other remedies Shall have the right to correct the situation and, for this purpose, its servants and agents may from time to time enter in and upon the Property at any reasonable time without a warrant.

11.6. Anything done or removed, under the direction of an Order, by the Town, its employees or agent or contractor, may be deposited elsewhere on the Property or may be removed from the Property and forthwith destroyed, or otherwise disposed of by the Town, its employees, agent, or contractor.

11.7. The Town Shall not be liable to compensate such Owners, Occupants, or any another Person having an interest in the Property, by reason of anything done by or on behalf of the Town in a reasonable exercise of its power under the provisions of this Section.

11.8. The Fire Chief may cause a prosecution to be brought against any Person who is in breach of an Order and upon conviction, such Person Shall forfeit and pay at the discretion of the convicting Provincial Judge or Justice of the Peace acting within their territorial jurisdiction, a penalty in accordance with the provisions of Part VII of the *Fire Protection and Prevention Act*.

11.9. If the Owner fails to pay the cost of any work done by or for the Town under an Order issued under the provisions of this By-Law, within thirty (30) calendar days of issuance of an invoice by the Town, then the outstanding amount Shall be added to the tax roll of the subject Property and collected in the same manner as Property taxes.

12. SEVERABILITY

12.1. If a court of competent jurisdiction should declare any section or part of a section of this By-Law to be invalid such section or part of a section Shall not be construed as having persuaded or influenced Council to pass the remainder of this By-Law and it is hereby declared that the remainder of this By-Law Shall be valid and Shall remain in force.

12.2. Where the provisions of this By-Law conflict with the provisions of any other By-Law or Act, the more restrictive provisions Shall apply.

13. PENALTY PROVISIONS

13.1. Any Owner or Person who contravenes any provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine as provided in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as may be amended from time to time.

13.2. Every Owner or Person who knowingly concurs in the contravention of any provision of this By-Law is guilty of an offence.

13.3. It Shall be an offence for a Person to hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under the *Municipal Act*, or under a By-Law passed in accordance with the *Municipal Act*.

13.4. Any Person who has been alleged to have contravened any of the provisions of a By-Law passed under the *Municipal Act*, Shall identify themselves to the Officer upon request. Failure to do so Shall be deemed to have obstructed or hindered the Officer in the execution of the Officer's duties. A Person is guilty of an offence if the Person:

13.4.1. Fails to comply with an order, notice, direction, or other requirement under this By-Law, or contravenes any provision of this By-Law.

13.5. A Director or Officer of a corporation who knowingly concurs in the contravention of this By-Law by the corporation is guilty of an offence.

13.6. Any Person who knowingly and falsely reports a violation of this By-Law Shall upon the second and any subsequent false reports be guilty of an offence. It Shall be an offence to furnish false information in the Application for a Permit.

14. SHORT FORM TITLE

14.1. **THAT** this By-Law shall be referred to as the "**Open Air Burning By-Law**".

15. REPEAL

15.1. **THAT** By-Law 98-017 is hereby repealed.

16. EFFECTIVE DATE

16.1. **THAT** this By-Law shall come into force and effect upon approval of the set fines appended hereto, from the Ontario Court of Justice (Provincial Division).

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk



**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE
PART 1 PROVINCIAL OFFENCES ACT**

BY-LAW NO. 24-058, BEING A BY-LAW TO REGULATE OPEN-AIR BURNING WITHIN THE JURISDICTION OF THE TOWN OF KIRKLAND LAKE

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1	Set or maintain fire without permit.	Section 3.1	1st Warning Issued: No Charge 2nd Warning Issued: Current MTO rate, 25% + Admin overhead
2	Set or permit fire during high winds.	Section 3.2	\$160.00
3	Set or permit fire during smog or humidex advisory.	Section 3.3	\$160.00
4	Set or permit fire during rain or fog.	Section 3.4	\$160.00
5	Set or permit fire outside of permitted hours.	Section 3.5	\$160.00
6	Burn other than clean dry wood.	Section 3.6	\$300.00
7	Set or maintain fire that creates a nuisance	Section 3.7	\$160.00
8	Set or maintain fire that creates excessive smoke.	Section 3.8	\$160.00
9	Set or maintain fire larger than 0.6 metres.	Section 3.9	\$160.00
10	Set or maintain fire within 3 metres of structure.	Section 3.10	\$160.00
11	Set or maintain fire within 3 metres of hedge.	Section 3.10	\$160.00
12	Set or maintain fire within 3 metres of fence.	Section 3.10	\$160.00

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
13	Set or maintain fire within 3 metres of vehicular roadway.	Section 3.10	\$160.00
14	Set or maintain fire within 3 metres of property line.	Section 3.10	\$160.00
15	Set or maintain fire within 3 metres of overhead wire.	Section 3.10	\$160.00
16	Set or maintain fire within 3 metres of obstruction.	Section 3.10	\$160.00
17	Set or maintain unsupervised fire.	Section 3.11	\$300.00
18	Fail to have adequate tools/water.	Section 3.11	\$300.00
19	Leave fire without extinguishing.	Section 3.12	\$300.00
20	Set or permit fire during fire ban.	Section 3.13	\$500.00
21	Set or maintain fire on combustible surface.	Section 3.14	\$160.00
22	Falsely reporting non-nuisance fire	Section 13.6	\$1,000.00

NOTE: The penalty provision for the offences indicated above is Section 3.3 of By-Law 24-058 a certified copy of which has been filed and s. 61 of the *Provincial Offences Act*, R.S.O., 1990, c. P.33, as amended.



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-059

BEING A BY-LAW AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE KIRKLAND LAKE SOCCER ASSOCIATION FOR USE OF MUNICIPALLY-OWNED SOCCER FIELDS (VARIOUS)

WHEREAS Section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, (the “*Municipal Act*”) provides that the powers of a municipal corporation are to be exercised by its Council through the adoption of by-laws;

AND WHEREAS Section 9 of the *Municipal Act* authorizes a municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 10 (2), 7. of the *Municipal Act* authorizes a single-tier municipality to pass a by-law for services or things that the municipality considers necessary or desirable for the public;

AND WHEREAS Council annually recognizes the importance of supporting local groups engaged in community development and recreation programming for the benefits of residents and visitors;

AND WHEREAS The Kirkland Lake Soccer Association (KLSA) has leased various soccer fields for recreational purposes since 1999, increasing participant registration, built up fields to the playable condition they are currently in and purchased and maintained facilities on premises;

AND WHEREAS on June 16, 2024, Council resolved to enter into a Lease Agreement with the KLSA for the use of various soccer fields for the 2024 and 2025 seasons, with an option to extend for two-year terms, indefinitely;

NOW THEREFORE BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE AS FOLLOWS:

1 THAT the Mayor and Municipal Clerk are hereby authorized to execute the Lease Agreement, between The Corporation of The Town of Kirkland Lake and The Kirkland Lake Soccer Association, for the following municipally-owned soccer fields, for the purpose of carrying on with soccer instructional activities, soccer league play, soccer camps and other soccer activities, for a term commencing on May 1, 2024 and ending on September 15, 2025, with an option to renew for two (2) additional two year-year terms (soccer seasons), indefinitely:

- a) Soccer Field located at 2 Dunfield Rd., commonly known as ‘**Stan Johnston Soccer Field**’;
- b) Soccer Field located at 54 Allen Ave., commonly known as ‘**Stan Johnston Mini Field**’;
- c) Soccer Field located at 59 Fifth St., commonly known as ‘**Baird Mini Field**’; and
- d) Soccer Field located at 45 Poplar Ave., commonly known as ‘**Queen Elizabeth Soccer Field**’.

- 2 **THAT** a copy of the executed Lease Agreement form Schedule "A" to this By-Law.
- 3 **THAT** this By-Law shall come into force and take effect upon the date passage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

LEASE AGREEMENT

This Lease Agreement (the “Agreement”) is dated this 16th day of July, 2024 (the “Effective Date”) by and between:

The Kirkland Lake Soccer Association
(The “Association”)

and

The Corporation of the Town of Kirkland Lake
3 Kirkland Street West, Kirkland Lake, Ontario, P2N 3P4
(the “Town”)

THE PARTIES HEREINAFTER AGREE TO THE FOLLOWING FOR GOOD AND VALUABLE CONSIDERATION:

1. AUTHORITY

1.1 The Agreement has been established under the governing authority of The Corporation of the Town of Kirkland Lake in the execution of a Lease Agreement with the Kirkland Lake Soccer Association for a Term identified in Section 2 of the Agreement related to the subject lands identified in Section 7 of the Agreement.

1.2 The Agreement shall be exclusively governed by, and construed in accordance with, the laws of the Province of Ontario, and the federal laws of Canada applicable therein.

2. TERM OF AGREEMENT

2.1. It is the mutual desire of the Town and the Association to enter into a formal arrangement for the leasing of municipally owned property.

2.2. The Term of this Agreement (the “Term”) will begin on the date of the Agreement and will remain in effect for a period of two (2) soccer seasons, commencing on May 1, 2024, and ending on the September 15, 2025.

2. TERM OF AGREEMENT (continued)

- 2.3. This Agreement will automatically renew at the end of the Term for an additional two (2) soccer seasons indefinitely unless Notice is given by either party in accordance with Section 9 of this Agreement.
- 2.4. Should either party wish to terminate or not renew this Agreement, that party shall be required to provide written Notice in accordance with Section 9 of this Agreement.
- 2.5. The Town of KL reserves the right to cancel or modify this Agreement with one month notice to the Association.

3. USE OF PROPERTY

- 3.1. The Town hereby agrees to permit the Association to utilize the four (4) fields listed below for soccer instructional activities, soccer league play, soccer camps, and other soccer activities sanctioned by the Association:
 - a) Soccer Field located at 2 Dunfield Rd., commonly known as '**Stan Johnston Soccer Field**'
 - b) Soccer Field located at 54 Allen Ave., commonly known as '**Stan Johnston Mini Field**'
 - c) Soccer Field located at 59 Fifth St., commonly known as '**Baird Mini Field**'
 - d) Soccer Field located at 45 Poplar Ave., commonly known as '**Queen Elizabeth Soccer Field**'
- 3.2. The Town permits the Association to operate facilities located on the premises listed above.
- 3.3. The Association will not permit use of the premises listed above for any purpose other than soccer.
- 3.4. The Association shall abide by and obey all laws, by-laws, rules and regulations of the Town, the Province of Ontario, and the Government of Canada.

4. COMPENSATION

- 4.1. The Town will charge the Association a seasonal sum of \$1.00 per soccer season.
- 4.2. The Association will be invoiced upon signing of the Agreement, which must be paid within 30 days of the invoice date.
- 4.3. In the event that the Agreement is terminated early, there will be no charge to the Association.

5. ASSOCIATION RESPONSIBILITIES

- 5.1. The Association agrees to provide the Town with proof of insurance (Certificate of Insurance) listing and co-insuring the Town for the purposes of liability.
- 5.2. The Association shall have the sole responsibility of managing and supervising all events related to soccer it undertakes pursuant to its rights under this Agreement.
- 5.3. The Association, upon approval of this Lease, will assume all responsibility for the maintenance and upkeep of the leased fields, as well as all legal liability occurring on said properties during the soccer season.
- 5.4. The Association will be responsible for field use activities within its rights under this agreement, including but not limited to field inspections, field lining, ensuring players wear appropriate sport-specific protective equipment, regular pick-up of trash off the fields after each activity, storage of equipment, sufficiently maintaining and keeping fields in good and substantial repair during the season.
- 5.5. The Association will be responsible for any damages to the fields or facilities located within caused by volunteers, participants, referees, or spectators.

6. TOWN RESPONSIBILITIES

- 6.1. The Town is responsible for cleaning of and stocking washroom facilities, where applicable.

6. TOWN RESPONSIBILITIES (continued)

- 6.1. The Town will assume no responsibility and/or liability related to the period during the soccer season, defined in Section 2 and with respect to the municipally owned properties defined in Section 3.

7. INDEMNITY

- 7.1 The Association and Town acknowledge that the Association agrees to indemnify the Town from and against any and all losses, costs, expenses, claims, or damages arising out of any suit, action, or judgement brought against Town or Association.
- 7.2 The Association hereby covenants that it shall not under any circumstances commence or pursue any suit, action, claim or other form of legal or administrative proceeding of any nature or kind whatsoever against Town or its agents with respect to this Agreement.
- 7.3 The Association and its attendees assume the risk of entering onto leased fields and partaking in activities and waives any and all claims and defenses that may arise from injury or loss from participation.

8. ASSIGNS

- 8.1. The Association shall not assign this Agreement without prior written consent of the Town.

9. NOTICE

- 9.1. Neither party may waive or release any of its rights under this Agreement except through formal Notice, in writing.
- 9.2. For the purposes of this Agreement, formal Notice by the Association to the Town shall be made, in writing, at least ninety (90) days prior to the effective date of change, in the following manner:

Attention: Municipal Clerk
The Corporation of the Town of Kirkland Lake
P.O. Box 1757, 3 Kirkland Street West,
Kirkland Lake, ON P2N 3P4
Email: clerk@tkl.ca

10. ENFORCIBILITY

- 10.1. This Agreement constitutes the entire Agreement of the parties, and supersedes all prior representations, proposals, discussion, and communications, whether oral or in writing.
- 10.2. Any term in this Agreement which is unenforceable or illegal shall be severed from the Agreement and shall not affect the enforceability of other terms of the Agreement.
- 10.3. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together constitute one and the same instrument.
- 10.4. The article headings in this Agreement are inserted for convenience of reference only and shall not be considered in the interpretation of this Agreement.

11. LEASE CONTACT

- 11.1. All communications pertaining to the operational elements of this Agreement will be directed to the following contact:

Director of Community Services
The Corporation of the Town of Kirkland Lake
55 Allen Avenue, Kirkland Lake, ON P2N 3P4
Email: Kim.Klockars@tkl.ca

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

The Town

The Applicant

Per: _____
Stacy Wight, Mayor

Per: _____
Name:
Title:

Per: _____
Amberly Spilman, Deputy Clerk

Per: _____
Name:
Title:

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-060

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN CONTROL AGREEMENT FOR 60 GOODFISH ROAD (BREault)

WHEREAS subsection 41(2) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the “Planning Act”) provides that where in an official plan an area is shown or described as a proposed site plan control area, council of the local municipality may, by by-law, designate the whole or any part of such area as a site plan control area;

AND WHEREAS the Official Plan of The Corporation of The Town of Kirkland Lake, established by By-Law 21-032, identifies those areas and land uses which may be subject to site plan control within the Town;

AND WHEREAS the Town designated Site Plan Control Areas through the enactment of Site Plan Control By-Law No. 85-94;

AND WHEREAS Section 41 of the *Planning Act*, delegates authority to local municipal councils for matters within their jurisdiction for Site Plan Control Approval and to enter into such agreements;

AND WHEREAS Albert Breault and Melanie Breault-Lavigne, the owners of 60 Goodfish Road, legally described as Part Mining Claim L2102, Part 21 of Plan TER-73, former Township of Teck, now in the Town of Kirkland Lake, being Part 1 on Plan 54R-6432 in the District of Timiskaming, have applied to the Town to enter into a Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** **THAT** the Mayor and Municipal Clerk are hereby authorized to execute a Site Plan Control Agreement at 60 Goodfish Road with Albert Breault and Melanie Breault-Lavigne, a copy of which agreement is attached and marked as Schedule “A” to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT, made this 16th day of July, 2024

BETWEEN

The Corporation of the Town of Kirkland Lake

(Hereinafter called the "Town")

OF THE FIRST PART

AND

Albert Breault and Melanie Breault-Lavigne

(Hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Town has enacted Site Plan Control Provisions being By-Law 85-94 pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS the Owner is the registered owner of the lands described as 60 Goodfish Road, Town of Kirkland Lake, District of Timiskaming (Part 1 of Registered Plan 54R6432), hereinafter called the "Subject Lands" as shown on Schedule "A" attached hereto;

AND WHEREAS the "Subject Lands" are zoned to permit the construction of a warehouse, according to the layout shown on Schedule "B".

AND WHEREAS the Owner has applied to the Town for approval of the plans as received by the Department of Development and Enterprise Services on the prescribed forms and the said department has approved of said plans, subject to the Owner entering into a Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED that in consideration of the promises and covenants contained herein, the parties hereto agree as follows:

1. This Agreement shall apply to the Owner's lands which are described in Schedule "A" to this Agreement.
2. The Owner covenants and agrees that no development will proceed on the Subject Lands except as shown on plans approved by the Town pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, and more particularly identified in Schedule "B".

3. The Owner further agrees that the proposed building(s), structure(s) and other works as shown on the plan identified as Schedule "B" shall be completed in conformity with said plan and shall do all acts to provide for the maintenance and use of the requirements set out in said plan. Minor variances from the plans resulting from approved Change Orders by the Town in the course of construction will be permitted.
4. The Owner further covenants and agrees, in addition to Sections 2 and 3 and without limiting the generality of Sections 2 and 3 or any other sections of this Agreement, at their own costs:
 - a. To complete the installation of all services works and facilities as shown on Schedule "B".
 - b. To provide and maintain at all times such parking and loading facilities convenient to users and ensuring orderly and safe vehicular and pedestrian movements as shown on Schedule "B".
 - c. Provide and maintain at all times such parking and loading areas as shown on Schedule "B" and shall be surfaced in gravel and/or paving stone.
 - d. To provide and construct all drainage to the satisfaction of the Town.
 - e. To construct all entrances in the location as shown on Schedule "B" and if not shown, in accordance to the specification of the Town and to the satisfaction of the Town.
 - f. To provide such walls, fences, hedges, trees, shrubs, sod, or other landscaping as shown on Schedule "B".
 - g. To provide such vaults and garbage collection points as shown on Schedule "B".
 - h. To provide grading of driveways not exceeding 2% (percent) within 30 feet of street line.
 - i. To provide such floodlighting for the safety of vehicular and pedestrian traffic and in accordance with Schedule "B".
 - j. Snow removal of all access roads, driveways, parking, loading areas and walkways shall be provided and maintained at the Owner's expense.
 - k. To place snow on property in accordance with Schedule "B" hereto.
5. The Owner covenants and agrees that the development on the Subject Lands will meet the accessibility criteria presented in the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11*.

6. The Owner shall not be held responsible for damages caused by delay or failure to perform its undertakings under the terms of this Agreement when the delay or failure is due to fire, strikes, material shortages, floods, Acts of God, lawful acts of public authorities, or delays or defaults caused by common carriers, which cannot reasonable be foreseen or provided against. If the Owner is so delayed, time for performance will be extended by such reasonable period as may be necessary to overcome the effect of the delay.
7. The Owner shall contain any and all construction debris on the Subject Lands. Any debris from the project site which does spill onto any adjacent lands shall be removed forthwith by the Owner at the sole risk and expense of the Owner. The Town may give the Owner notice, or post a notice to this effect on the Subject Lands, for the Owner to remove and or clean up any such construction debris within a reasonable period of time. In the event that any such debris remains after the expiry of such notice, the Owner hereby authorizes the Town to remove and or clean up any such construction debris and to add any Town costs therefore to the property taxes for the Subject Lands, to be collected in like manner as municipal property taxes.
8. Should the Owner default in any of its obligations as set out in the Agreement, or fail to provide or construct any of the work described in this Agreement, the Town, at its option, may enter upon the said lands and complete such obligations or works and charge the total cost thereof to the Owner and the cost shall be added to the collector's tax roll and collected in a like manner as taxes.
9. Notwithstanding anything contained in this agreement, the Owner shall comply with all applicable federal, provincial and municipal laws.
10. All works, structures and buildings referred to herein shall be constructed and maintained at the sole expense of the Owner.
11. Release and Discharge
 - a. The Owner hereby forever releases and discharges the Town, its officers, servants and employees from any claim or demand, whether in contract or tort, for any damages, loss, injury or death arising from the designs referred to herein or which are subject of any current or subsequent approval hereunder, to the extent that such claim or demand is occasioned by the Owner or for those whom it is in law responsible therefor.
 - b. The Owner further agrees to indemnify and save harmless the Town, its officers, servants and employees from any such claims or demands.

12. The Owner agrees to the registration of this agreement against the Subject Lands to the intent that provisions hereof shall run with the land and be binding upon the Owner and any and all subsequent owners to the said lands. The Owner agrees to bear all costs associated with the preparation and registration of this Agreement against the Subject Lands.

IN WITNESS THEREOF the parties hereto have hereunto caused to be affixed their corporate seals in execution hereof duly attested by the hands of their proper officers authorized in that behalf.

**THE CORPORATION OF THE
TOWN OF KIRKLAND LAKE**

OWNERS

Officers:

Name: Stacy Wight, Mayor

Name: Albert Breault

Signature: _____

Signature: _____

Name: Amberly Spilman, Deputy Clerk

Name: Melanie Breault-Lavigne

Signature: _____

Signature: _____

Date: _____

Date: _____

Seal

Seal

We have authority to bind the Corporation.

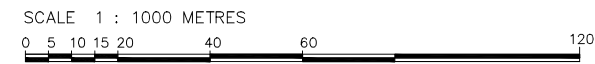
Schedule "A"

Subject Lands

Part 1 of Registered Plan 54R-6432

DRAFT

PLAN OF SURVEY OF
PART OF MINING CLAIM L2102
 GEOGRAPHIC TOWNSHIP OF TECK (UNSUBDIVIDED)
MUNICIPALITY OF THE TOWN OF KIRKLAND LAKE
 DISTRICT OF TEMISKAMING



SURVEYORS ON SITE INC.
 THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY
 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:1000.

SCHEDULE			
PART	CLAIM	PIN	AREA (Ha)
1	PART OF MINING CLAIM L2102	PART OF PIN 61228-1325 (LT)	2.1306
GEOGRAPHIC TOWNSHIP OF TECK (UNSUBDIVIDED)			

PART 1 COMPRISES PART OF PIN 61228-1325 (LT).

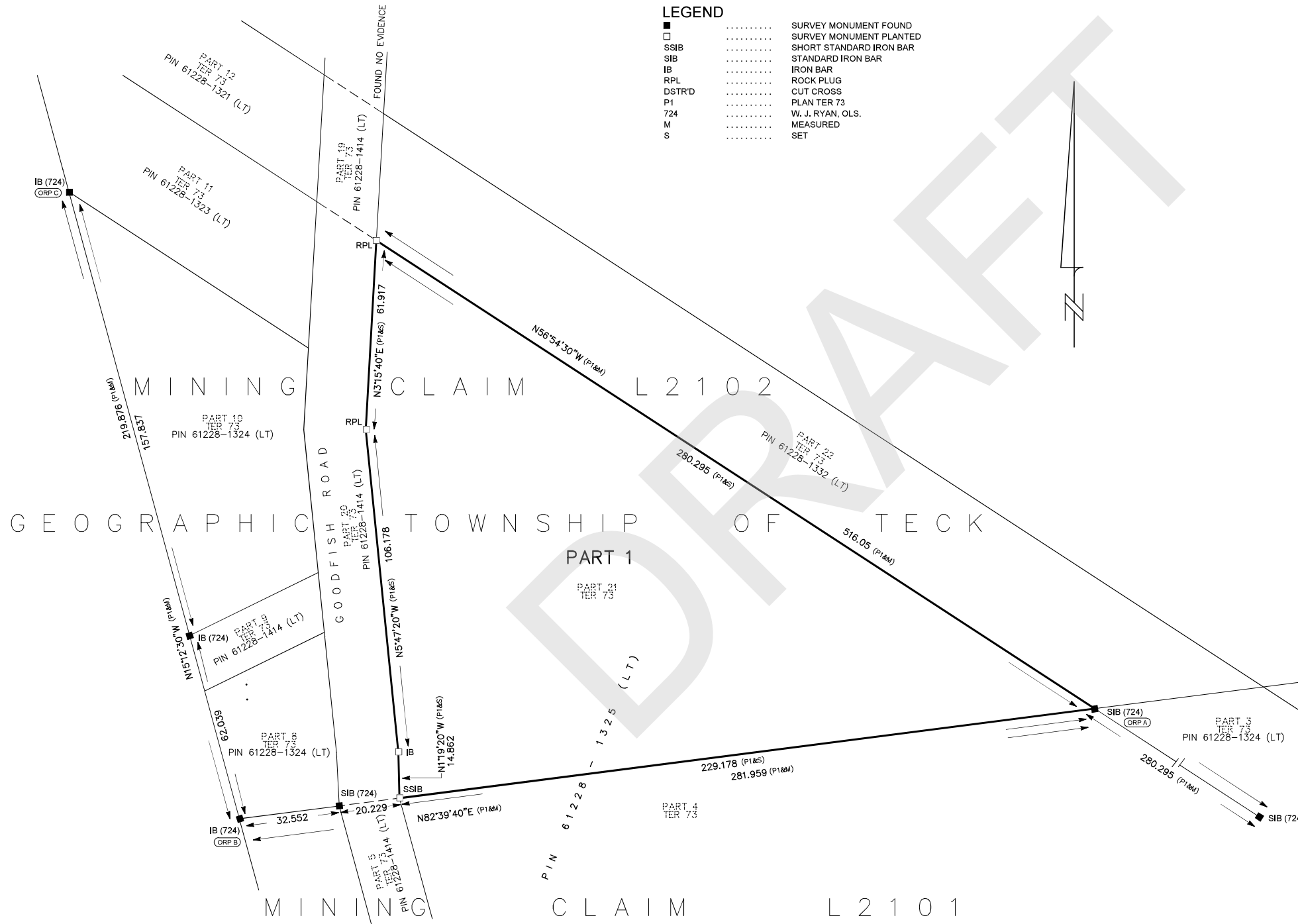
PLAN 54R-6432

Received and deposited

May 30th, 2024

Jamila Barrett

Representative for the
 Land Registrar for the
 Land Titles Division of
 Timiskaming (No.54)



LEGEND

■	.....	SURVEY MONUMENT FOUND
□	.....	SURVEY MONUMENT PLANTED
SSIB	.....	SHORT STANDARD IRON BAR
SIB	.....	STANDARD IRON BAR
IB	.....	IRON BAR
RPL	.....	ROCK PLUG
DSTRD	.....	CUT CROSS
P1	.....	PLAN TER 73
724	.....	W. J. RYAN, OLS.
M	.....	MEASURED
S	.....	SET

NOTES

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99961842.

BEARINGS ARE UTM GRID AND ARE DERIVED FROM STATIC GPS OBSERVATIONS AND NRCAN PPP SERVICE ON MONUMENTS ORP A & ORP B AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS)(2010).

FOR BEARING COMPARISONS, THE FOLLOWING ROTATIONS WERE APPLIED:
 P1 - 0°40'20" COUNTER CLOCKWISE

OBSERVED REFERENCE POINTS (ORPs) ARE DERIVED FROM STATIC AND RTK GPS OBSERVATIONS AND THE NRCAN PPP SERVICE, AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS) (2010).

COORDINATES SHOWN HEREON HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF A RURAL AREA AT A 95% CONFIDENCE LEVEL AS PER SEC. 14 (2) OF O. REG. 216/10 UNDER THE SURVEYS ACT.

POINT ID	NORTHING	EASTING
ORP A	5334280.684	471632.078
ORP B	5334244.680	571352.535
ORP C	5334456.774	571294.874

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 24th DAY OF APRIL, 2024.

MAY 03, 2024.

Ryan W. Seguin
 RYAN W. SEGUIN
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-76243.



50 WHITEWOOD AVENUE
 NEW LISKEARD, ONTARIO
 POJ 1P0
 705-622-0872
 www.surveyorsonsite.com

Schedule "B"

Site Plan and Details

DRAFT

Dr. Breyer
June 5/24

NORTH

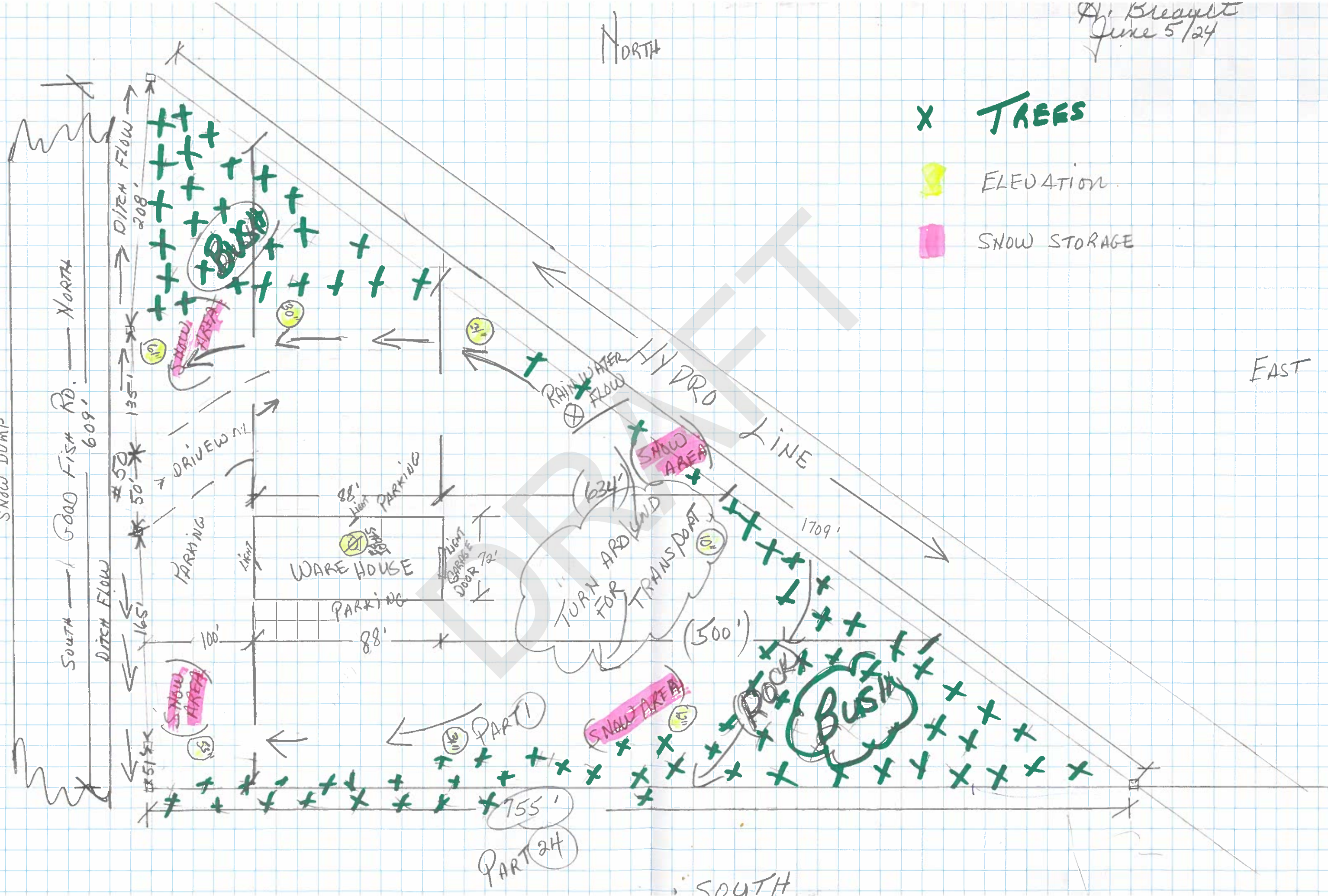
X TREES

● ELEVATION

■ SNOW STORAGE

EAST

WEST
ENTRANCE
SNOW DUMP



Schedule "C"

C-1 – Elevations

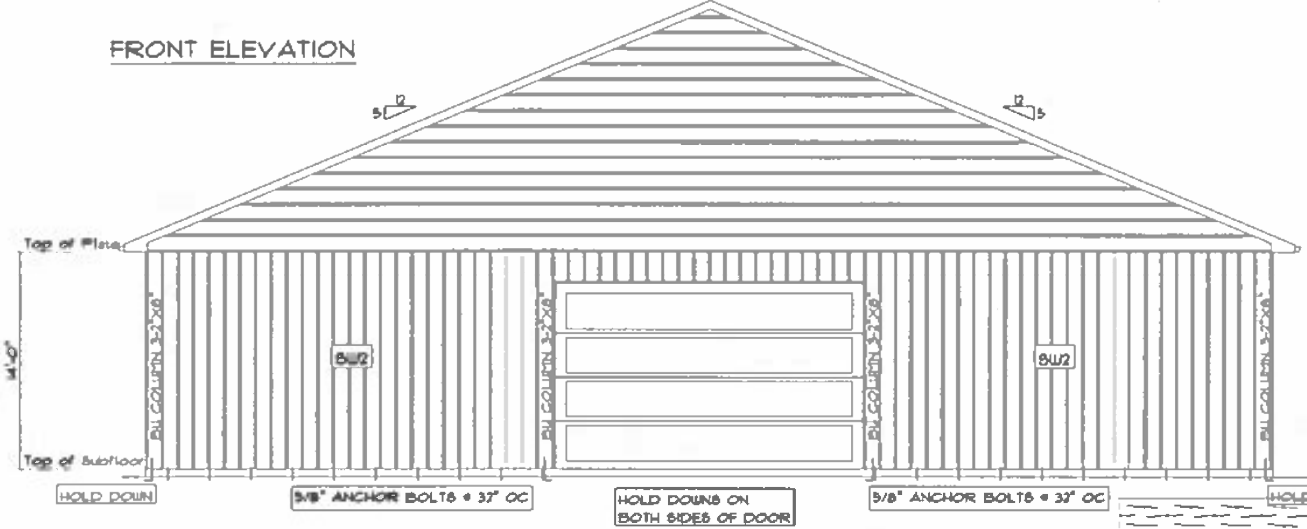
C-2 – Foundation Plan Cross Sections

C-3 – Main Floor Plan Cross Sections

C-4 – Details

DRAFT

FRONT ELEVATION



ALL ANCHOR BOLTS ARE 5/8" @ 42" OC
ALL HOLD DOWN ANCHORS SHALL BE 1/8" HILTI HAS THREADED ROD TYPE V-36 W/ MIN OF 8" EMBEDMENT INTO FOOTING W/ HILTI HIT.HY200 ADHESIVE

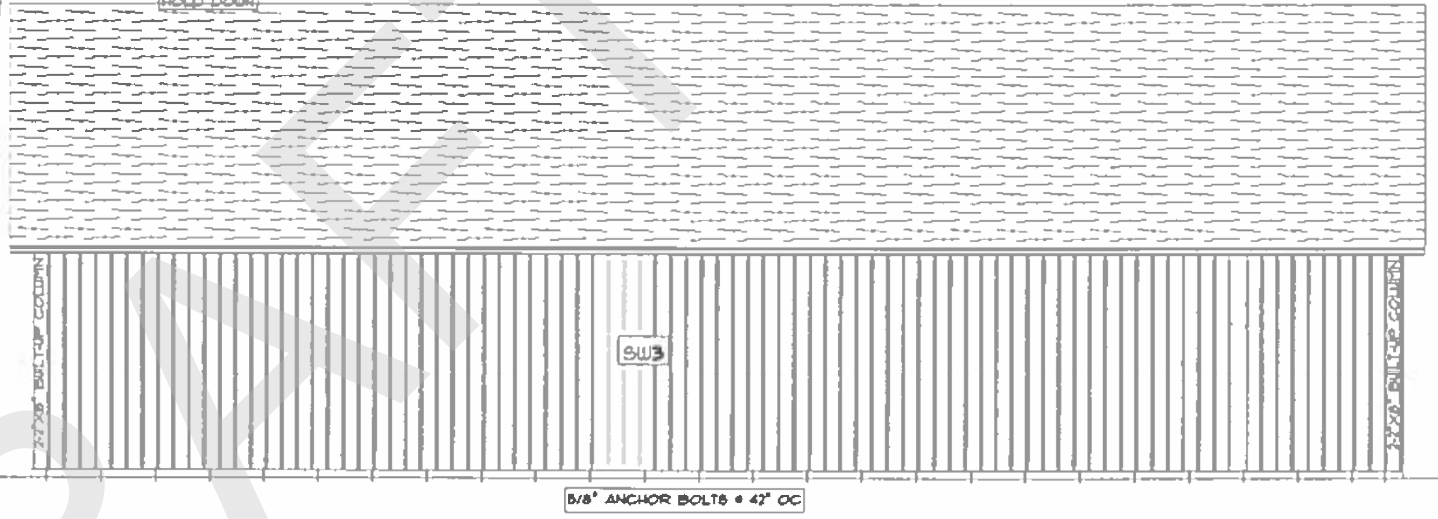
BU 1, 2, 3, 4

BUILT-UP COLUMN 3-7x6" w/ HOLD DOWN @ BU1 & BU2
BUILT-UP COLUMN 7x6" @ BU3 & BU4

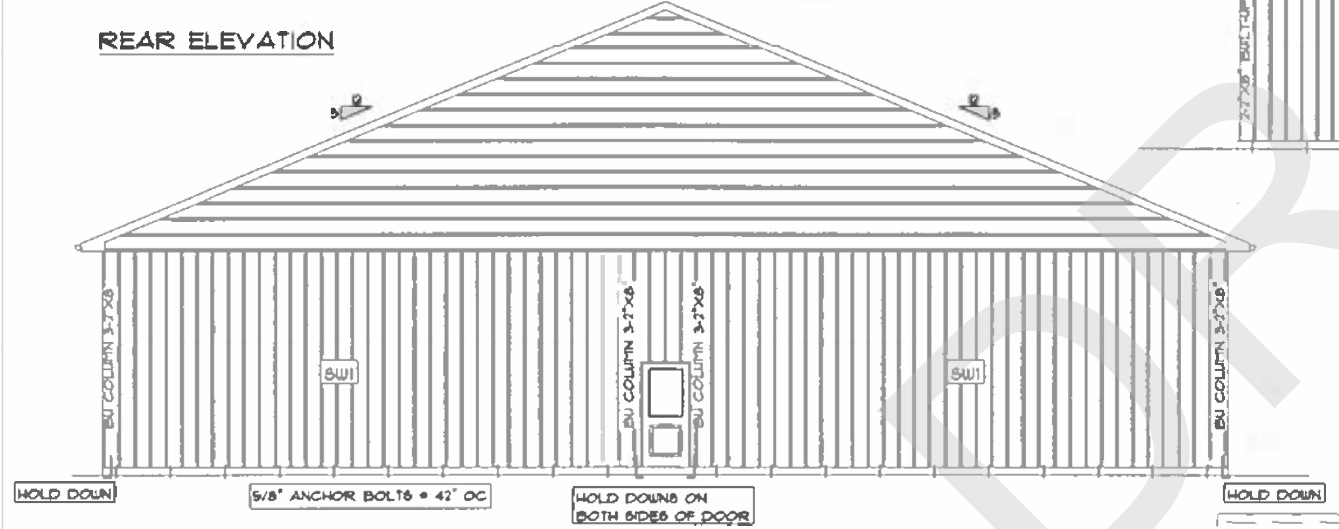
1/4" OSB w/ ALL EDGES BLOCKED
w/ 0.171" DIAMETER @ 2 1/2" NAIL @ 4" OC

BUILT-UP COLUMN 3-7x6" w/ HOLD DOWN @ BU1 & BU2
BUILT-UP COLUMN 7x6" @ BU3 & BU4

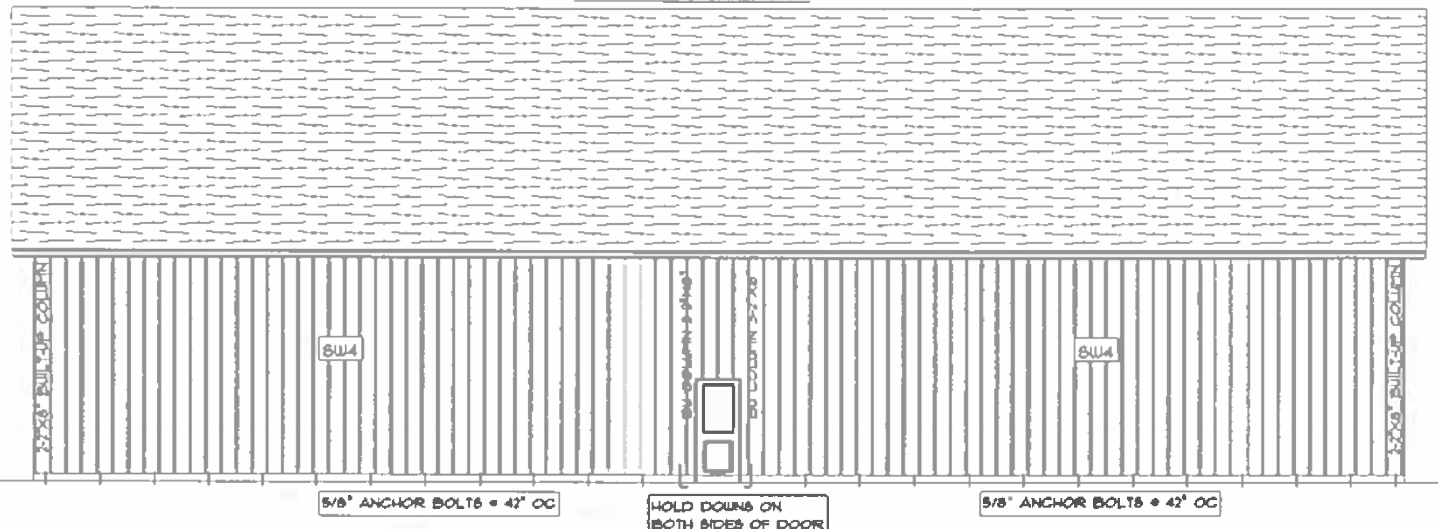
LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



DATE	REVISION
	CHANGE GARAGE AND MAIN DOOR LOCATIONS
	ADD BEAM WALL DETAILS
	CHANGE NOTES/DETAILS

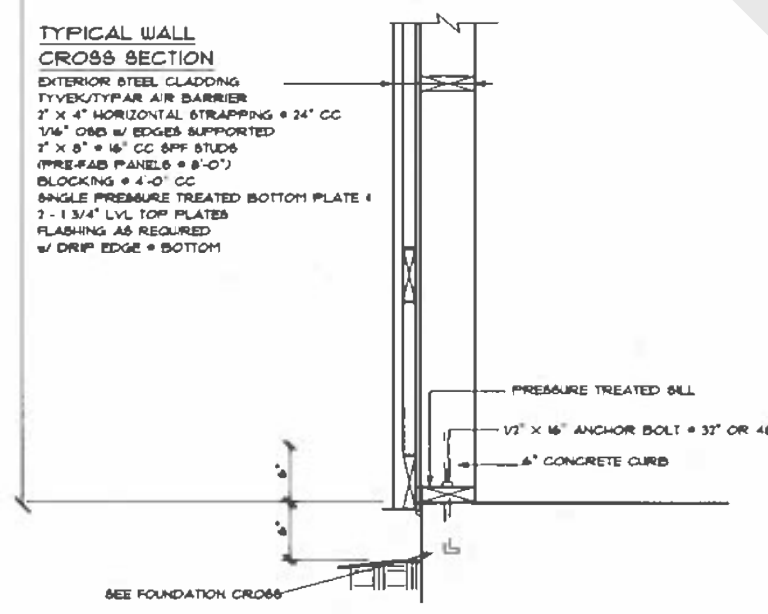
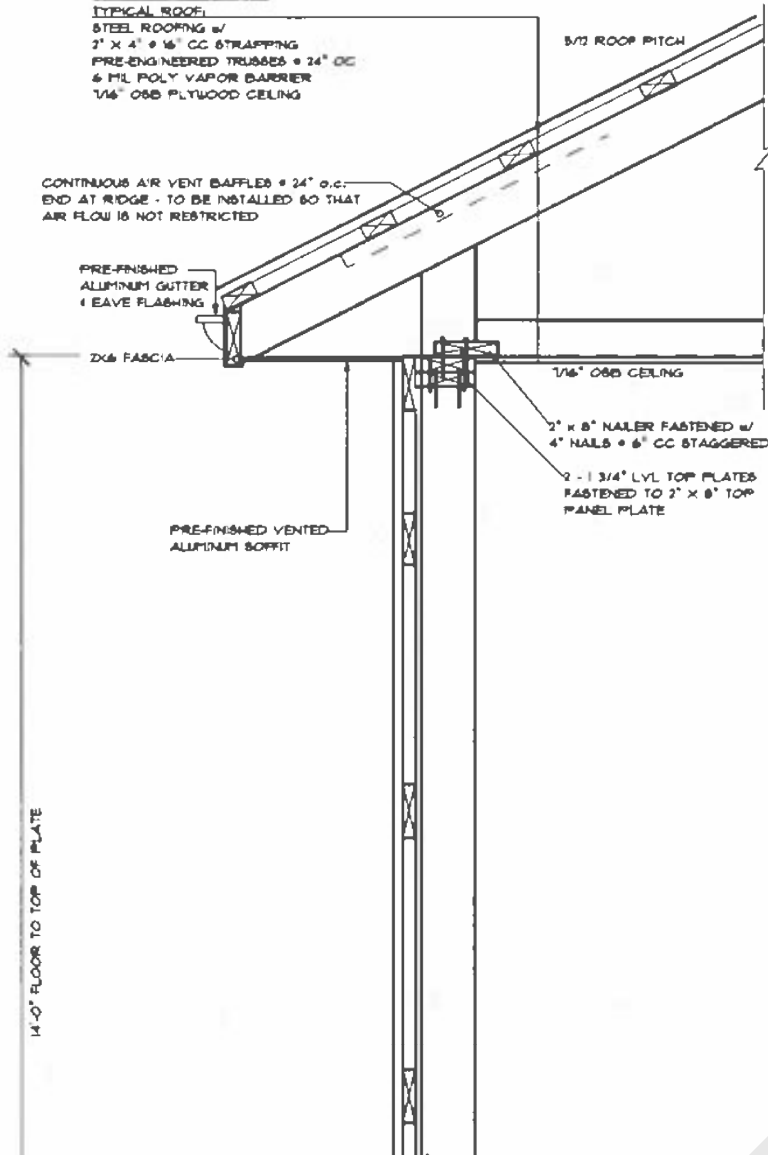


E. T. ENGINEERING INC
PHONE 705-845-1109
ENGINEER@HIWAY11.COM

PROJECT: BREAUPT CASTLE'S BUILDING CENTER NEW WAREHOUSE/STORAGE GOODFISH RD., KIRKLAND LAKE, ON	
drawn by: H.V.	revised by: EL
scale: 3/16" = 1'-0"	project no:
date plotted:	date revsec:
deg no:	S1

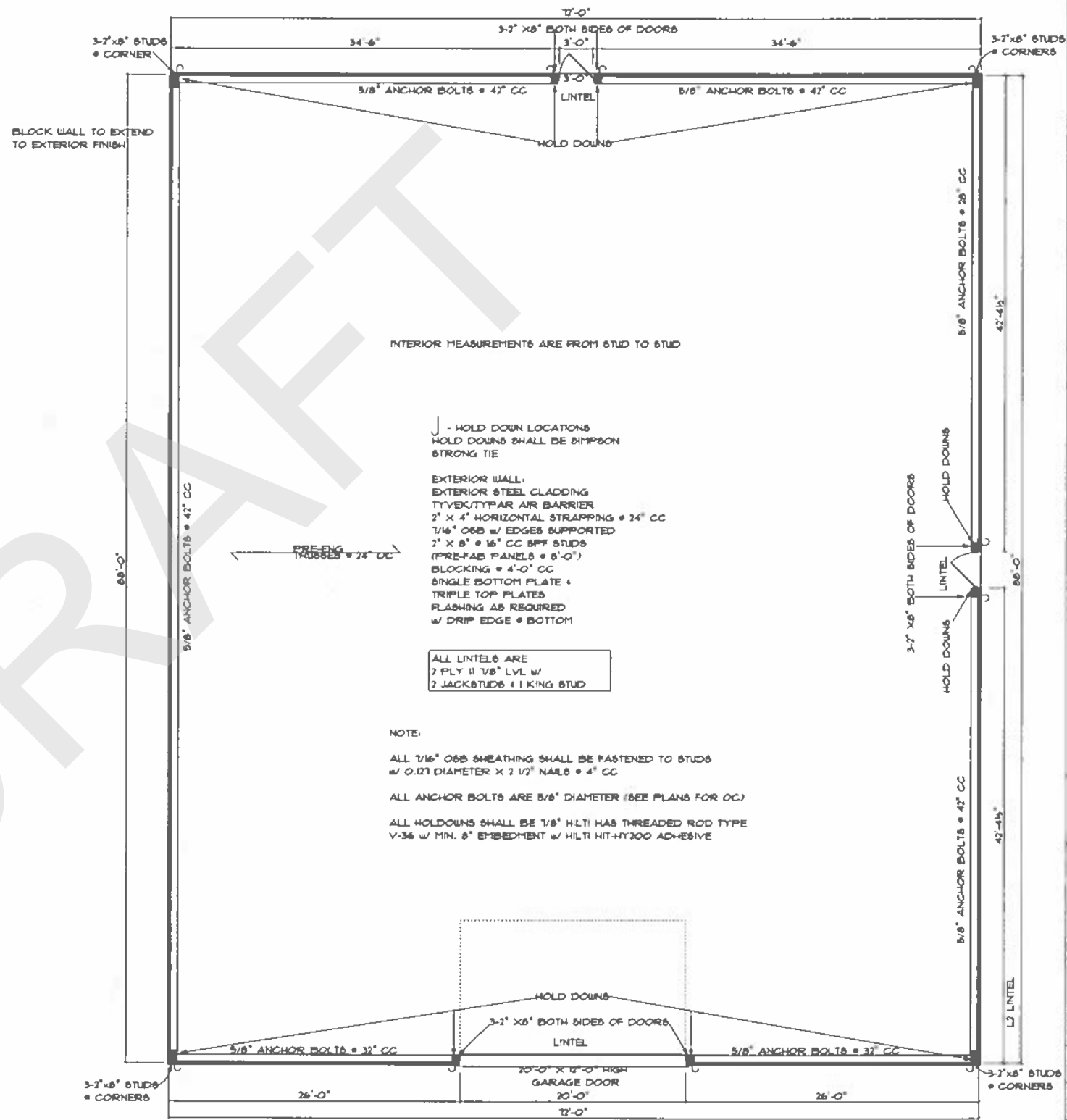
ELEVATIONS

TYPICAL ROOF CROSS SECTION



MAIN FLOOR PLAN

1'-0" = 3/16"



INTERIOR MEASUREMENTS ARE FROM STUD TO STUD

J - HOLD DOWN LOCATIONS
HOLD DOWNS SHALL BE SIMPSON STRONG TIE

EXTERIOR WALL:
EXTERIOR STEEL CLADDING
TYVEK/TYPAR AIR BARRIER
2' X 4' HORIZONTAL STRAPPING @ 24" CC
1/4" OSB w/ EDGES SUPPORTED
2' X 8" @ 16" CC SPF STUDS
(PRE-FAB PANELS @ 8'-0")
BLOCKING @ 4'-0" CC
SINGLE BOTTOM PLATE &
TRIPLE TOP PLATES
FLASHING AS REQUIRED
w/ DRIP EDGE @ BOTTOM

ALL LINTELS ARE
2 PLY 1 1/8" LVL w/
2 JACKSTUDS @ 1 KING STUD

NOTE:

- ALL 1/4" OSB SHEATHING SHALL BE FASTENED TO STUDS w/ 0.071 DIAMETER X 2 1/2" NAILS @ 4" CC
- ALL ANCHOR BOLTS ARE 5/8" DIAMETER (SEE PLANS FOR CC)
- ALL HOLDOWNS SHALL BE 1/8" H/LTI HAS THREADED ROD TYPE V-36 w/ MIN. 8" EMBEDMENT w/ HILTI HIT-HY200 ADHESIVE

DATE	REVISION



E.T. ENGINEERING INC
PHONE 705-845-1109
ENGINEER@HIWAY11.COM

PROJECT: BREAUULT CASTLE'S BUILDING CENTER NEW WAREHOUSE/STORAGE GOODFISH RD. KIRKLAND LAKE, ON
DWC NAME: MAIN FLOOR PLAN CROSS SECTIONS

drawn by H.V.	checked by E.L.
scale 3/16" = 1'-0"	project no.
date plotted:	
date revised:	
eng no.	S3

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-061

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN CONTROL AGREEMENT FOR 31 CHURCHILL DRIVE (CONSEIL SCOLAIRE DE DISTRICT DES GRANDES RIVIÈRES)

WHEREAS subsection 41(2) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the “Planning Act”) provides that where in an official plan an area is shown or described as a proposed site plan control area, council of the local municipality may, by by-law, designate the whole or any part of such area as a site plan control area;

AND WHEREAS the Official Plan of The Corporation of The Town of Kirkland Lake, established by By-Law 21-032, identifies those areas and land uses which may be subject to site plan control within the Town;

AND WHEREAS the Town designated Site Plan Control Areas through the enactment of Site Plan Control By-Law No. 85-94;

AND WHEREAS Section 41 of the *Planning Act*, delegates authority to local municipal councils for matters within their jurisdiction for Site Plan Control Approval and to enter into such agreements;

AND WHEREAS Conseil scolaire catholique de district des Grandes-Rivières (CSCDGR), the owner of 31 Churchill Drive, legally described as Part Mining Claim L1438, former Township of Teck, now in the Town of Kirkland Lake, being Part 4 of Plan 54R-4505 in the District of Timiskaming, has applied to the Town to enter into a Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** **THAT** the Mayor and Municipal Clerk are hereby authorized to execute a Site Plan Control Agreement at 31 Churchill Drive with Conseil scolaire catholique de district des Grandes-Rivières (CSCDGR), a copy of which agreement is attached and marked as Schedule “A” to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT, made this 16th day of July, 2024

BETWEEN

The Corporation of the Town of Kirkland Lake

(Hereinafter called the "Town")

OF THE FIRST PART

AND

Conseil scolaire catholique de district des Grandes-Rivières

(Hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Town has enacted Site Plan Control Provisions being By-Law 85-94 pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS the Owner is the registered owner of the lands described as 31 Churchill Drive, Town of Kirkland Lake, District of Temiskaming (Part 4 of Registered Plan 54R-4505), hereinafter called the "subject lands" as shown on Schedule "A" attached hereto.

AND WHEREAS the "subject lands" are zoned to permit educational institutions, including the proposed site work, according to the layout shown on Schedule "B".

AND WHEREAS the Owner has applied to the Town for approval of the plans as received by the Department of Development and Enterprise Services on the prescribed forms and the said department has approved of said plans, subject to the Owner amending the existing Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED that in consideration of the promises and covenants contained herein, the parties hereto agree as follows:

1. This Agreement shall apply to the Owner's lands which are described in Schedule "A" to this Agreement.
2. The Owner covenants and agrees that no development will proceed on the subject lands except as shown on plans approved by the Town pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, and more particularly identified in Schedule "B".

3. The Owner further agrees that the proposed building(s), structure(s) and other works as shown on the plan identified as Schedule "B" shall be completed in conformity with said plan and shall do all acts to provide for the maintenance and use of the requirements set out in said plan. Minor variances from the plans resulting from approved Change Orders by the Town in the course of construction will be permitted.
4. The Owner further covenants and agrees, in addition to Sections 2 and 3 and without limiting the generality of Sections 2 and 3 or any other sections of this Agreement, at their own costs:
 - a. To complete the installation of all services, works and facilities as shown on the Schedule "B".
 - b. To provide and maintain at all times such parking and loading facilities convenient to users and ensuring orderly and safe vehicular and pedestrian movements as shown on Schedule "B".
 - c. On-site parking consisting of not less than forty-two (42) parking spaces, shall be provided and maintained by the Owner as set out on Schedule "B".
 - d. Two (2) accessible parking spaces of the on-site parking shall be dedicated to individuals with physical disabilities, as set out on Schedule "B" hereto.
 - e. To provide and maintain at all times such parking and loading areas as shown on Schedule "B" and shall be surfaced in asphalt.
 - f. To provide and construct all drainage to the satisfaction of the Town.
 - g. To construct all entrances in the location as shown on Schedule "B" and if not shown, in accordance to the specification of the Town and to the satisfaction of the Town.
 - h. To provide such walls, fences, hedges, trees, shrubs, sod or other landscaping as shown on Schedule "B".
 - i. To provide a vault and garbage collection point as shown on Schedule "B".
 - j. To provide such floodlighting for safety of vehicular and pedestrian traffic in accordance with Schedule "B".
 - k. Snow removal of all access roads, driveways, parking, loading areas and walkways shall be provided and maintained at the owner's expense.
 - l. To place snow on property in accordance with Schedule "B" hereto.
5. The Owner covenants and agrees that the development on the subject lands will meet the accessibility criteria presented in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.

6. The Owner shall not be held responsible for damages caused by delay or failure to perform its undertakings under the terms of this Agreement when the delay or failure is due to fire, strikes, material shortages, floods, Acts of God, lawful acts of public authorities, or delays or defaults caused by common carriers, which cannot reasonably be foreseen or provided against. If the Owner is so delayed, time for performance will be extended by such reasonable period as may be necessary to overcome the effect of the delay.
7. The Owner shall contain any and all construction debris on the Subject Lands. Any debris from the project site which does spill onto any adjacent lands shall be removed forthwith by the Owner at the sole risk and expense of the Owner. The Town may give the Owner notice, or post a notice to this effect on the Subject Lands, for the owner to remove and or clean up and such construction debris. In the event that any such debris remains after the expiry of such notice that the Owner hereby authorizes the City to remove and or clean up any such construction debris and to add any City costs therefore to the property taxes for the subject lands, to be collected in like manner as municipal property taxes.
8. Should the Owner default in any of its obligations as set out in the Agreement, or fail to provide or construct any of the work described in this Agreement in the time limit which is provided herein, the Town, at its option, may enter upon the said lands and complete such obligations or works and charge the total cost thereof to the Developer and the cost shall be added to the Collector's Tax Roll and collected in a like manner as taxes.
9. Notwithstanding anything contained in this agreement, the Owner shall comply with all applicable federal, provincial and municipal laws.
10. All works, structures and buildings referred to herein shall be constructed and maintained at the sole expense of the Owner.
11. Release and Discharge
 - a. The Owner hereby forever releases and discharges the Town, its officers, servants and employees from any claim or demand, whether in contract or tort, for any damages, loss, injury or death arising from the designs referred to herein or which are subject of any current or subsequent approval hereunder, to the intent that the Owner shall be solely responsible there for.
 - b. The Owner further agrees to indemnify and save harmless the Town, its officers, servants and employees from any such claims or demands.

12. The Owner agrees to the registration of this agreement against the Subject Lands to the intent that provisions hereof shall run with the land and be binding upon the Owner and any and all subsequent owners to the said lands. The Owner agrees to bear all costs associated with the preparation and registration of this Agreement against the Subject Lands.

IN WITNESS THEREOF the parties hereto have hereunto caused to be affixed their corporate seals in execution hereof duly attested by the hands of their proper officers authorized in that behalf.

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

CONSEIL SCOLAIRE CATHOLIQUE DE DISTRICT DES GRANDES-RIVIÈRES

Officers:

Officers:

Name: Stacy Wight, Mayor

Name: _____

Signature: _____

Signature: _____

Name: Amberly Spilman, Deputy Clerk

Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Seal

Seal

We have authority to bind the Corporation.

I/We have authority to bind the organization.

SCHEDULE "A"

Subject lands

Being Part 4 of Registered Plan 54R-4505.

DRAFT

PLAN 54R-4505

RECEIVED AND DEPOSITED

98/APRIL/16

"G.A. PERRY"

LAND REGISTRAR FOR THE LAND TITLES DIVISION OF TIMISKAMING

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE MARCH 31, 1998

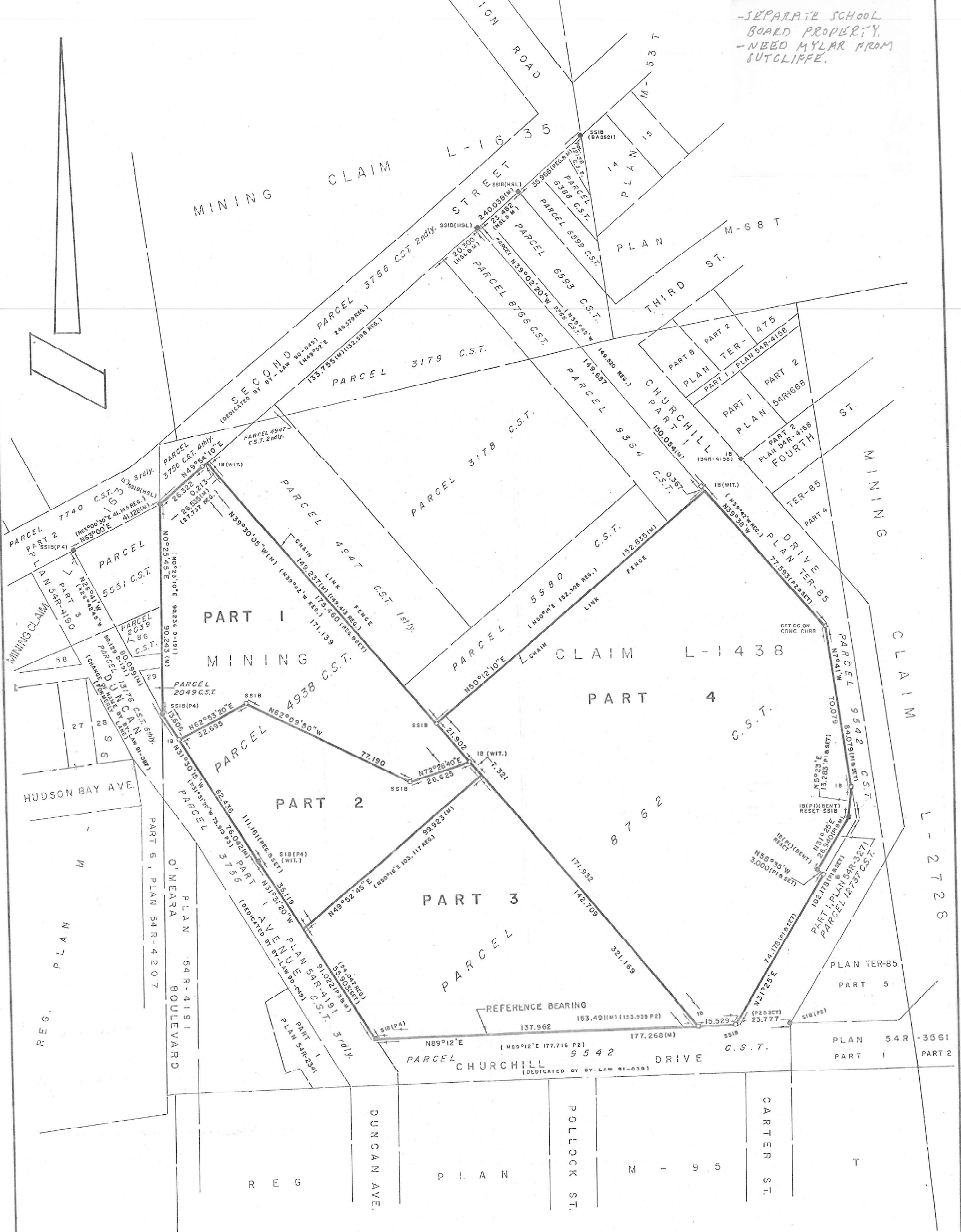
D.F. Adamus O.L.S.

PLAN OF SURVEY OF PART OF MINING CLAIM L-1438 TOWNSHIP OF TECK MUNICIPALITY OF KIRKLAND LAKE DISTRICT OF TIMISKAMING

SCHEDULE				
PART	MINING CLAIM	HECTARES	PARCEL	REMARKS
1	L 1438	0.843	ALL OF	
2	L 1438	0.551	4938 C.S.T.	
3	L 1438	1.044	ALL OF	
4	L 1438	2.301	6762 C.S.T.	

1:1000
20m 0 25 50m

D.F. ADAMUS O.L.S. 1998



-SEPARATE SCHOOL BOARD PROPERTY.
-NEED MYLAR FROM SUTCLIFFE.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE THEREUNDER.

2. THE SURVEY WAS COMPLETED ON THE 20TH. DAY OF MARCH, 1998.
D.F. Adamus
ONTARIO LAND SURVEYOR

BEARING NOTE
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTH LIMIT OF PART 1 AS SHOWN ON PLAN TER-85.

CONVERSION NOTE
DISTANCES SHOWN HEREON ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

- LEGEND**
- DENOTES PLANTED
 - DENOTES FOUND
 - S18 DENOTES STANDARD IRON BAR
 - SS18 DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - CC DENOTES CUT CROSS
 - WIT. DENOTES WITNESS
 - (P1) DENOTES PLAN 54R-3271 (R.W. FARRELL O.L.S.)
 - (P2) DENOTES PLAN TER-85 (C.R. MORGAN O.L.S.)
 - (P3) DENOTES PLAN 54R-4191 (D.F. ADAMUS O.L.S.)
 - (P4) DENOTES PLAN D-191 (BA-2532) (W.J. RYAN O.L.S.)

H. SUTCLIFFE SURVEYING LTD.
ONTARIO LAND SURVEYORS
NEW LISKEARD ONTARIO
PLAN 3-375 NOTES 2145/11010122
DR. W.W. JOB No. 598009 CHK. D.F.A.

NEW LISKEARD - ONTARIO
MARCH 31, 1998

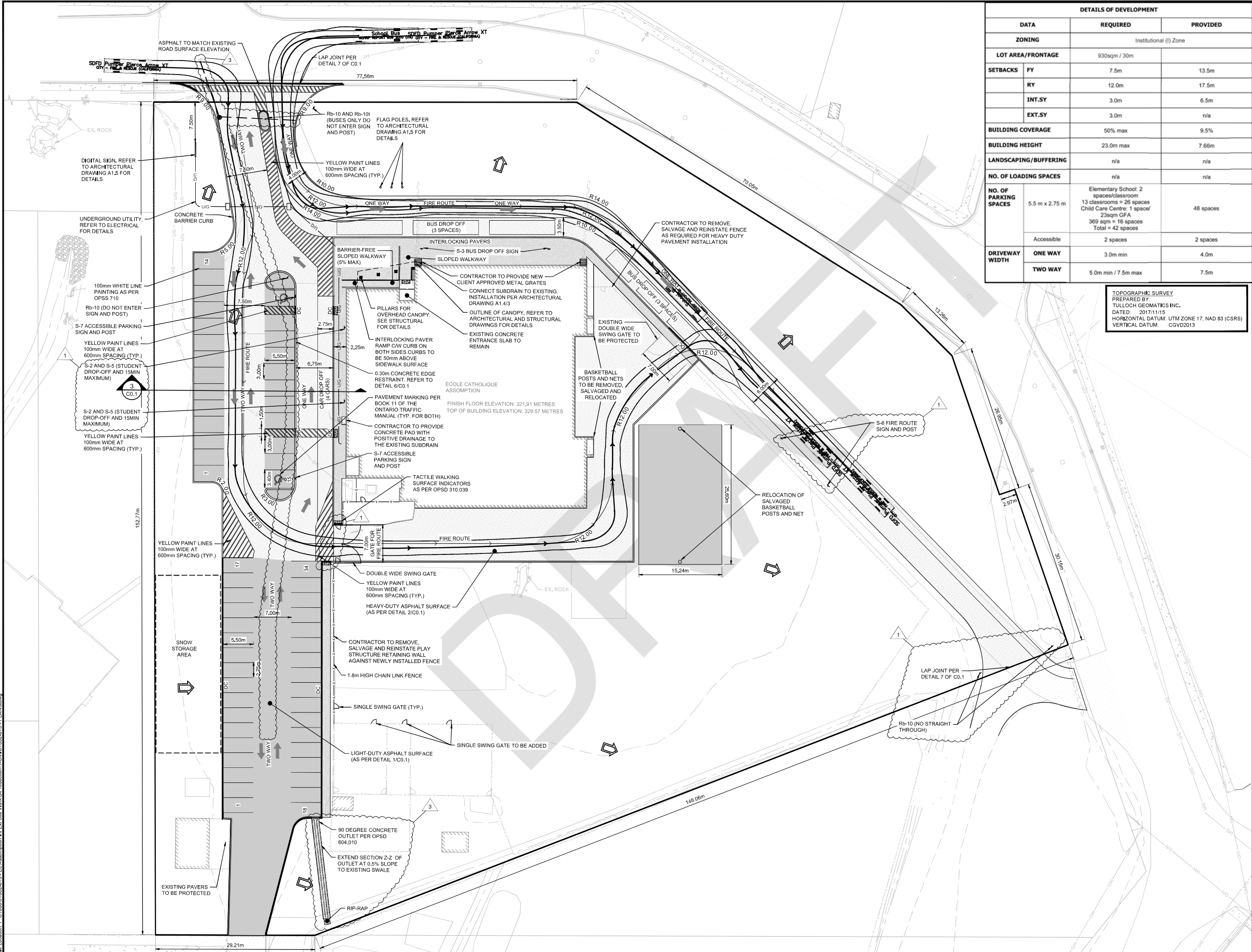
SCHEDULE "B"

B-1 – Site Plan

B-2 – Site Services

B-3 – Grading Plan

DRAFT



DETAILS OF DEVELOPMENT		
DATA	REQUIRED	PROVIDED
ZONING	Institutional (I) Zone	
LOT AREA/FRONTAGE	930sqm / 30m	
SETBACKS	FY	7.5m
	RY	12.0m
	INT.SY	3.0m
	EXT.SY	3.0m
BUILDING COVERAGE	50% max	9.5%
BUILDING HEIGHT	23.0m max	7.66m
LANDSCAPING/BUFFERING	n/a	n/a
NO. OF LOADING SPACES	n/a	n/a
NO. OF PARKING SPACES	5.5 m x 2.75 m	Elementary School: 2 spaces/classroom 13 classrooms = 26 spaces Child Care Centre: 1 space/ 23sqm GFA 369 sqm = 16 spaces Total = 42 spaces
	Accessible	2 spaces
DRIVEWAY WIDTH	ONE WAY	3.0m min
	TWO WAY	5.0m min / 7.5m max

TOPOGRAPHIC SURVEY
 PREPARED BY:
 TULLOCH GEOMATICS INC.
 DATED: 2017/11/15
 HORIZONTAL DATUM: UTM ZONE 17, NAD 83 (CSRS)
 VERTICAL DATUM: CGVD2013

LEGEND	
EXISTING FEATURES	
	PROPERTY LIMIT
	ASPHALT EDGE
	EDGE OF GRANULAR
	DITCH
	CONCRETE CURB
	CONCRETE DROP CURB
	UNDERGROUND UTILITIES
	OVERHEAD UTILITIES
	WATER SERVICE
	SANITARY SEWER LINE
	STORM SEWER LINE
	CHAIN-LINK FENCE
	HYDRANT
	CATCHBASIN
	MANHOLE
	CATCHBASIN HOLE
	MAINTENANCE HOLE
	HYDRO POLE
	BUILDING FOOTPRINT
	EXISTING GROUND ELEVATION
	PROPOSED GROUND ELEVATION
	SIGN
	300mm TOPSOIL AND SEED
	LIGHT-DUTY PAVEMENT STRUCTURE
	HEAVY-DUTY PAVEMENT STRUCTURE
	INTERLOCK PAVERS
	TACTILE WALKING SURFACE INDICATOR (TWIS)
	OVERLAND FLOW ROUTE

No.	ISSUE / REVISION	DDMMYY
2	ISSUED FOR ADDENDUM #3	04/04/24
1	ISSUED FOR ADDENDUM #2	28/03/24
0	ISSUED FOR TENDER	13/03/24

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VERIFY SHEET SIZE AND SCALES. BAR TO THE RIGHT IS 25mm IF THIS IS A FULL SIZE DRAWING.

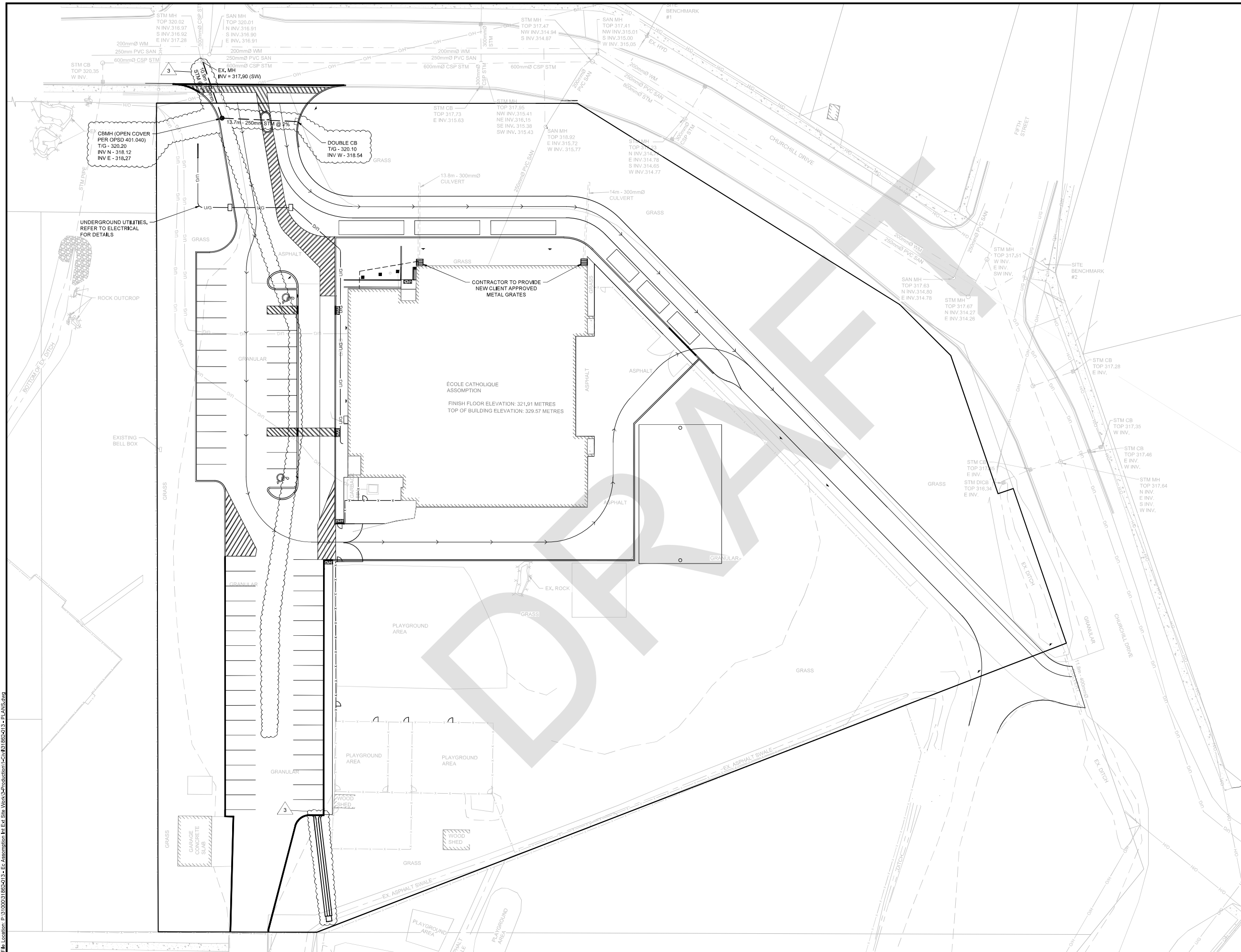
SCALE: 1:300



PROFESSIONAL STAMP	PROJECT NORTH

PROJECT:
ÉCOLE CATHOLIQUE ASSOMPTION
 EXTERIOR & SITE WORK
 RENOVATION
 31 CHURCHILL DR, KIRKLAND LAKE, ON

DESIGN: ER	DRAWING # C1.0
DRAWN: NL	
CHECKED: CW	
JLR # 31852-013	




LEGEND		
EXISTING FEATURES		
PROPOSED FEATURES		
PROPERTY LIMIT	PROPERTY LIMIT	
AE	ASPHALT EDGE	
	EDGE OF GRANULAR	
	DITCH	
	CONCRETE CURB	
	CONCRETE DROP CURB	
UG	UNDERGROUND UTILITIES	
OH	OVERHEAD UTILITIES	
	WATER SERVICE	
	SANITARY SEWER LINE	
	STORM SEWER LINE	
	CHAIN-LINK FENCE	
HYD	HYDRANT	
CB	CATCHBASIN	
MHCB	MAINTENANCE HOLE CATCHBASIN	
MH	MAINTENANCE HOLE	
OHP	HYDRO POLE	
	BUILDING FOOTPRINT	
	SIGN	


No.	ISSUE / REVISION	DDMMYY
2	ISSUED FOR ADDENDUM #3	04/04/24
1	ISSUED FOR ADDENDUM #2	28/03/24
0	ISSUED FOR TENDER	13/03/24

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SCALE: 1:300

CLIENT: 

CONSULTANT: 

CONSULTANT: www.jrichards.ca

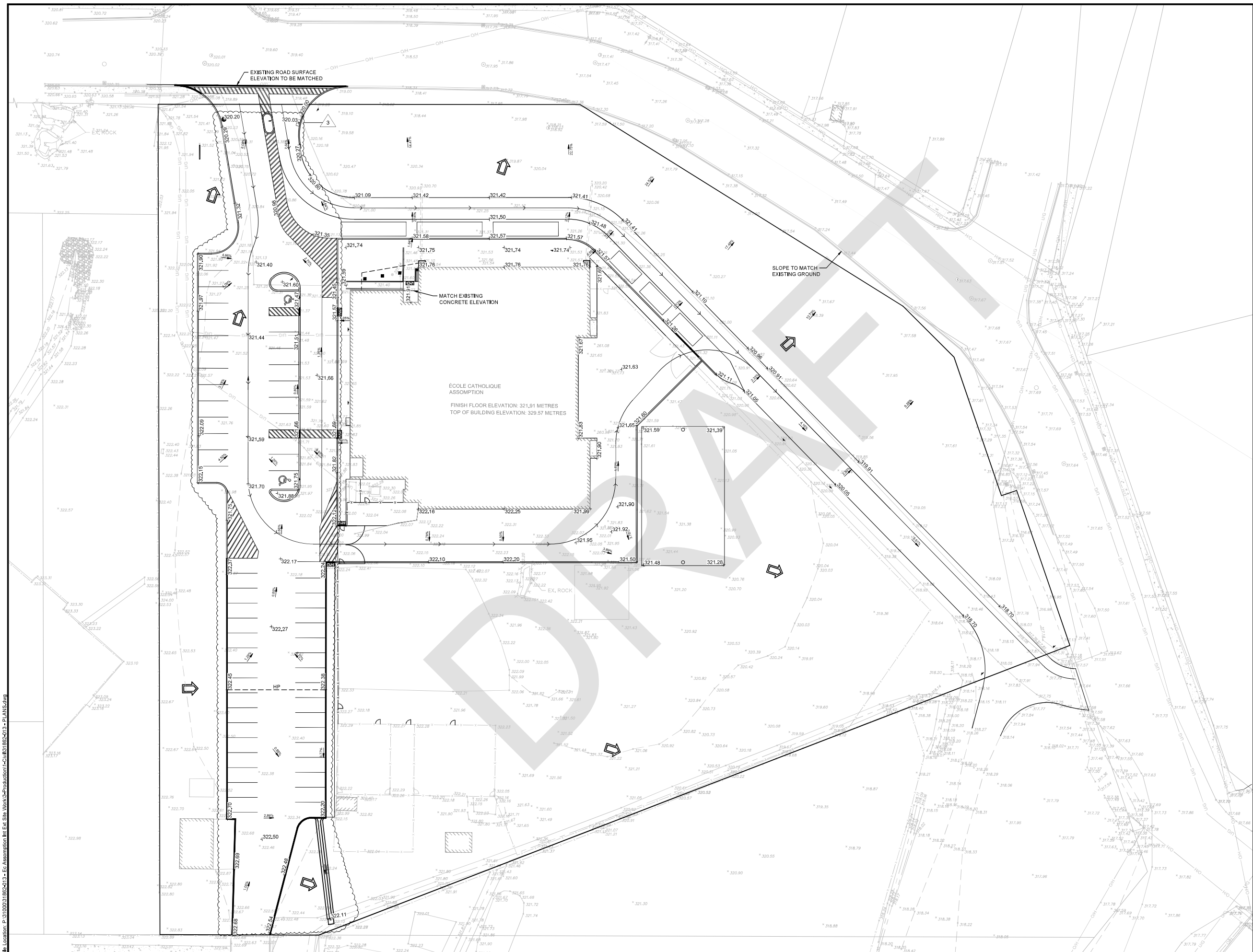
PROFESSIONAL STAMP: [Blank]

PROJECT NORTH: 

PROJECT: **ÉCOLE CATHOLIQUE ASSOMPTION EXTERIOR & SITE WORK RENOVATION**
31 CHURCHILL DR, KIRKLAND LAKE, ON

DRAWING: **SITE SERVICES**

DESIGN:	DRAWING #:
DRAWN:	C1.2
CHECKED:	
JLR # 31852-013	




LEGEND		
EXISTING FEATURES		
PROPOSED FEATURES		
PROPERTY LIMIT	PROPERTY LIMIT	
AE	ASPHALT EDGE	
	EDGE OF GRANULAR	
UG	UNDERGROUND UTILITIES	
OH	OVERHEAD UTILITIES	
	DITCH	
	CONCRETE CURB	
	CONCRETE DROP CURB	
	CHAIN-LINK FENCE	
OHP	HYDRO POLE	
	BUILDING FOOTPRINT	
x 1/4" = 1'	EXISTING GROUND ELEVATION	
x 2/96.55	PROPOSED GROUND ELEVATION	
	SKN	
	OVERLAND FLOW ROUTE	


2	ISSUED FOR ADDENDUM #3	04/04/24
1	ISSUED FOR ADDENDUM #2	28/03/24
0	ISSUED FOR TENDER	13/03/24
No.	ISSUE / REVISION	DDMMYY

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VERIFY SHEET SIZE AND SCALES, BAR TO THE RIGHT IS 25mm IF THIS IS A FULL SIZE DRAWING.

SCALE: 1:300

CLIENT:  **CONSEIL SCOLAIRE CATHOLIQUE DE L'EST DE LA GRANDE RIVIÈRE**

CONSULTANT:  **J.L. Richards ENGINEERS-ARCHITECTS-PLANNERS**

CONSULTANT: www.jrichards.ca

PROFESSIONAL STAMP	PROJECT NORTH
	

PROJECT: **ÉCOLE CATHOLIQUE ASSOMPTION EXTERIOR & SITE WORK RENOVATION**
31 CHURCHILL DR, KIRKLAND LAKE, ON

DRAWING: **GRADING PLAN**

DESIGN:	DRAWING #:
DRAWN:	C1.3
CHECKED:	
JLR # 31852-013	

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-062

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN CONTROL AGREEMENT FOR 300 ARCHER DRIVE (TEMISKAMING NATIVE WOMEN'S SUPPORT GROUP)

WHEREAS subsection 41(2) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, (the "Planning Act") provides that where in an official plan an area is shown or described as a proposed site plan control area, council of the local municipality may, by by-law, designate the whole or any part of such area as a site plan control area;

AND WHEREAS the Official Plan of The Corporation of The Town of Kirkland Lake, established by By-Law 21-032, identifies those areas and land uses which may be subject to site plan control within the Town;

AND WHEREAS the Town designated Site Plan Control Areas through the enactment of Site Plan Control By-Law No. 85-94;

AND WHEREAS Section 41 of the *Planning Act*, delegates authority to local municipal councils for matters within their jurisdiction for Site Plan Control Approval and to enter into such agreements;

AND WHEREAS Temiskaming Native Women's Support Group, the owner of 300 Archer Drive, legally described as Part Mining Claims L1354 and L6787, former Township of Teck, now in the Town of Kirkland Lake, being Parts 1 and 2 of Plan 54R-6439 in the District of Timiskaming, has applied to the Town to enter into a Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1 THAT** the Mayor and Municipal Clerk are hereby authorized to execute a Site Plan Control Agreement at 300 Archer Drive with Temiskaming Native Women's Support Group, a copy of which agreement is attached and marked as Schedule "A" to this By-Law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16TH DAY OF JULY, 2024.

Stacy Wight, Mayor

Amberly Spilman, Deputy Clerk

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT, made this 16th day of July 2024

BETWEEN

The Corporation of the Town of Kirkland Lake

(Hereinafter called the "Town")

OF THE FIRST PART

AND

Temiskaming Native Women's Support Group

(Hereinafter called the "Owner")

OF THE SECOND PART

WHEREAS the Town has enacted Site Plan Control Provisions being By-Law 85-94 pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, as amended;

AND WHEREAS the Owner is the registered owner of the lands described as 300 Archer Drive, Town of Kirkland Lake, District of Temiskaming (Parts 1 and 2 of Registered Plan 54R-6439), hereinafter called the "subject lands" as shown on Schedule "A" attached hereto.

AND WHEREAS the "subject lands" are zoned to permit the construction of a modular housing manufacturing facility and support building, according to the layout shown on Schedule "B".

AND WHEREAS the Owner has applied to the Town for approval of the plans as received by the Department of Development and Enterprise Services on the prescribed forms and the said department has approved of said plans, subject to the Owner entering into a Site Plan Control Agreement;

NOW THEREFORE BE IT RESOLVED that in consideration of the promises and covenants contained herein, the parties hereto agree as follows:

1. This Agreement shall apply to the Owner's lands which are described in Schedule "A" to this Agreement.
2. The Owner covenants and agrees that no development will proceed on the subject lands except as shown on plans approved by the Town pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, and more particularly identified in Schedule "B".

3. The Owner further agrees that the proposed building(s), structure(s) and other works as shown on the plan identified as Schedule "B" shall be completed in conformity with said plan and shall do all acts to provide for the maintenance and use of the requirements set out in said plan. Minor variances from the plans resulting from approved Change Orders by the Town in the course of construction will be permitted.
4. The Owner further covenants and agrees, in addition to Sections 2 and 3 and without limiting the generality of Sections 2 and 3 or any other sections of this Agreement, at their own costs:
 - a. To complete the installation of all services, works and facilities as shown on the Schedule "B".
 - b. To provide and maintain at all times such parking and loading facilities convenient to users and ensuring orderly and safe vehicular and pedestrian movements as shown on Schedule "B".
 - c. On-site parking for service and customers, consisting of not less than forty-two (42) parking spaces, shall be provided and maintained by the Owner as set out on Schedule "B".
 - d. Two (2) accessible parking spaces of the on-site parking shall be dedicated to individuals with physical disabilities, as set out on Schedule "B" hereto.
 - e. To provide and maintain at all times such parking and loading areas as shown on Schedule "B" and shall be surfaced in asphalt.
 - f. To provide and construct all drainage to the satisfaction of the Town.
 - g. To construct all entrances in the location as shown on Schedule "B" and if not shown, in accordance to the specifications of the Town and to the satisfaction of the Town.
 - h. To provide such walls, fences, hedges, trees, shrubs, sod or other landscaping as shown on Schedule "B".
 - i. To provide a vault and garbage collection point as shown on Schedule "B".
 - j. To provide grading of driveways not exceeding 2% (percent) within 30 feet of street line.
 - k. To provide such floodlighting for safety of vehicular and pedestrian traffic in accordance with Schedule "B".

- I. Snow removal of all access roads, driveways, parking, loading areas and walkways shall be provided and maintained at the owner's expense.
 - m. To place snow on property in accordance with Schedule "B" hereto.
5. The Owner covenants and agrees that the development on the subject lands will meet the accessibility criteria presented in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11.
6. The Owner shall not be held responsible for damages caused by delay or failure to perform its undertakings under the terms of this Agreement when the delay or failure is due to fire, strikes, material shortages, floods, Acts of God, lawful acts of public authorities, or delays or defaults caused by common carriers, which cannot reasonably be foreseen or provided against. If the Owner is so delayed, time for performance will be extended by such reasonable period as may be necessary to overcome the effect of the delay.
7. The Owner shall contain any and all construction debris on the Subject Lands. Any debris from the project site which does spill onto any adjacent lands shall be removed forthwith by the Owner at the sole risk and expense of the Owner. The Town may give the Owner notice, or post a notice to this effect on the Subject Lands, for the owner to remove and or clean up and such construction debris. In the event that any such debris remains after the expiry of such notice that the Owner hereby authorizes the City to remove and or clean up any such construction debris and to add any City costs therefore to the property taxes for the subject lands, to be collected in like manner as municipal property taxes.
8. Should the Owner default in any of its obligations as set out in the Agreement, or fail to provide or construct any of the work described in this Agreement in the time limit which is provided herein, the Town, at its option, may enter upon the said lands and complete such obligations or works and charge the total cost thereof to the Developer and the cost shall be added to the Collector's Tax Roll and collected in a like manner as taxes.
9. Notwithstanding anything contained in this agreement, the Owner shall comply with all applicable federal, provincial and municipal laws.
10. All works, structures and buildings referred to herein shall be constructed and maintained at the sole expense of the Owner.

11. Release and Discharge

- a. The Owner hereby forever releases and discharges the Town, its officers, servants and employees from any claim or demand, whether in contract or tort, for any damages, loss, injury or death arising from the designs referred to herein or which are subject of any current or subsequent approval hereunder, to the intent that the Owner shall be solely responsible there for.
- b. The Owner further agrees to indemnify and save harmless the Town, its officers, servants and employees from any such claims or demands.

12. The Owner agrees to the registration of this agreement against the Subject Lands to the intent that provisions hereof shall run with the land and be binding upon the Owner and any and all subsequent owners to the said lands. The Owner agrees to bear all costs associated with the preparation and registration of this Agreement against the Subject Lands.

IN WITNESS THEREOF the parties hereto have hereunto caused to be affixed their corporate seals in execution hereof duly attested by the hands of their proper officers authorized in that behalf.

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

TEMISKAMING NATIVE WOMEN'S SUPPORT GROUP

Officers:

Officers:

Name: Stacy Wight, Mayor

Name: _____

Signature: _____

Signature: _____

Name: Amberly Spilman, Deputy Clerk

Name: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

Seal

Seal

We have authority to bind the Corporation

I/We have authority to bind the organization.

SCHEDULE "A"

Subject Lands

Being Parts 1 and 2 of Registered Plan 54R-6439.

DRAFT


SCHEDULE "B"

B-1 – Site Plan

B-2 – Proposed Site Plan (Grading and Services)

DRAFT

SURVEY REFERENCE NOTES



50 WHELMWOOD AVENUE
NEW LONDON, ONTARIO
N0L 1P0
705-422-1872
www.surveyorsonsite.com

DRAWN BY: BS CHECKED BY: RRS DATE: APRIL 23, 2024 FILE: N2024-029_MPLA.L1

NOTES:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE AVERAGE COMBINED SCALE FACTOR OF 0.99956183.
BEARINGS ARE UTI (UTM) AND ARE DERIVED FROM SCP, COSEWIC MONUMENT #11000101878408. BEARINGS HAVE BEEN REFERENCED TO THE CENTRAL MERIDIAN OF UTM ZONE 17 (W) WEST LONGITUDE 80W (80°00'00.0000").
FOR BEARING CONVERSIONS, THE FOLLOWING ROTATIONS WERE APPLIED:
P1 & P2 47°34'47" COUNTER-CLOCKWISE
D1 & D2 2°33'19" COUNTER-CLOCKWISE

DRAWN BY: BS CHECKED BY: RRS DATE: JUNE 6, 2024 FILE: N2024-029_MPLA.L1

NOTES:
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
ELEVATIONS SHOWN HEREON ARE REFERRED TO VCN30819786248, HAVING AN ELEVATION OF 327.360 METRES, GCGD2023.
THE INFORMATION SHOWN ON THIS SKETCH WAS COLLECTED ON JUNE 4, 2024.
CONTOURS SHOWN HEREON ARE DRAWN AT AN INTERVAL OF 0.50 METRES.

SITE PLAN & BUILDING STATISTICS

ZONING: M2 - Heavy Industrial
LEGAL DESCRIPTION: Part 1 of Mining Claim L-1354
Part 2 of Mining Claim L-6787
Geographic Township of Teck
Municipality of Kirkland Lake
District of Timiskaming

ZONING REGULATIONS	REQ'D	CONFORMS
MINIMUM LOT AREA:	1,400m ²	YES
MINIMUM CLEAR DISTANCE OF ANY BUILDING FROM ANY LOT LINE:	15 m	YES
MAXIMUM LOT COVERAGE:	50%	YES
MAXIMUM HEIGHT OF THE BUILDING:	N/A	N/A

LOT AREA: 2,3217 Ha (23,217 m²)
LOT COVERAGE:
Panel Factory: 2,043 m² (8,8%)
Support Building: 940 m² (4%)












PARKING STATISTICS:	REQ'D	PROVIDED
Factory (2,043 m ²):	20	20
1 space per 100 m ² = Showrooms (117 m ²):	4	4
1 space per 33m ² = Childcare (278 m ²):	12	12
1 space per 23 m ² = Accommodation:	6	6
1 space per each 2 dwellers:	42	42
TOTAL:	42	42

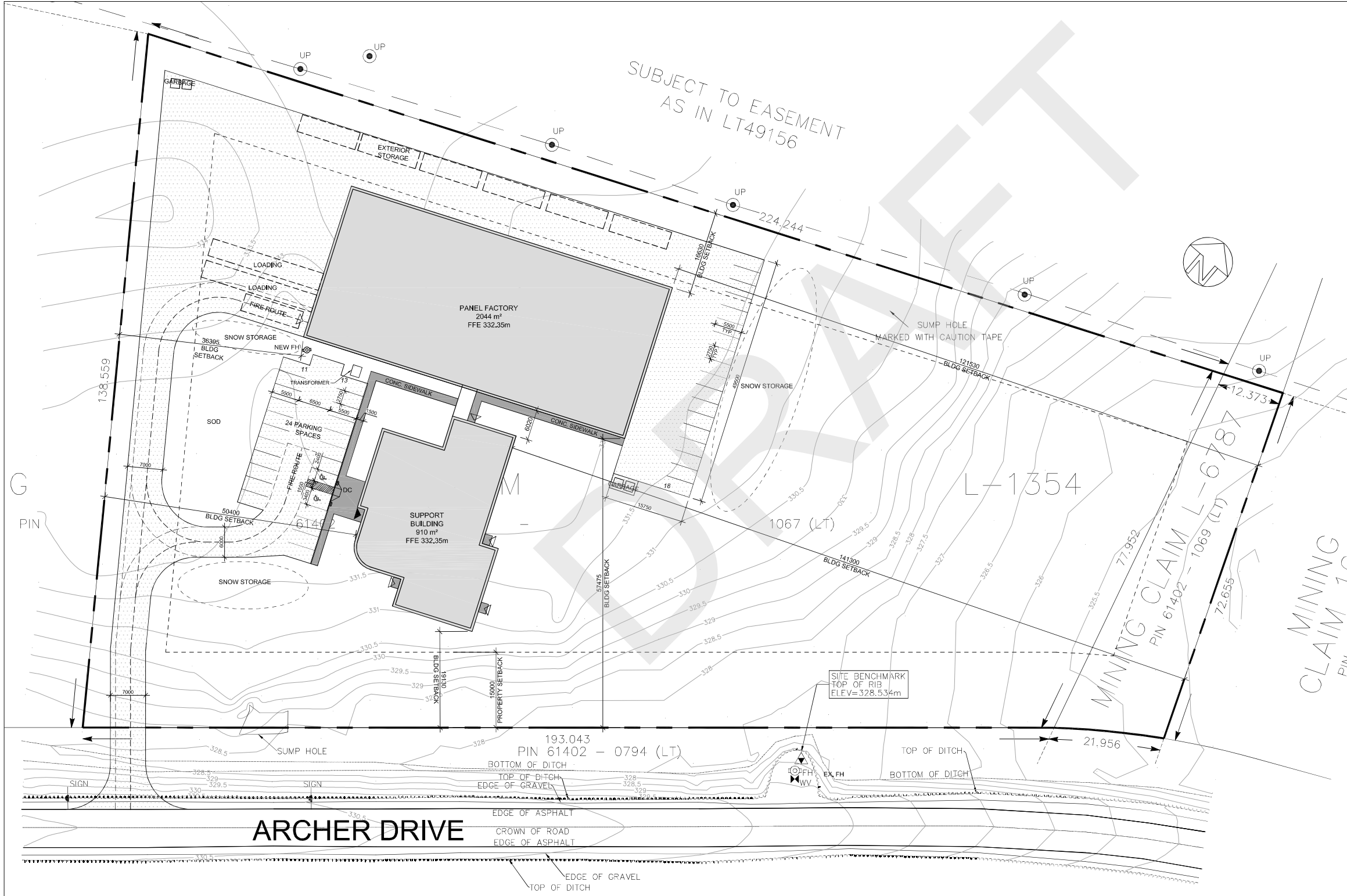
STANDARD PARKING SPACE= 2.75m X 5.5m

BARrier FREE PARKING
Per the Ontario Integrated Accessibility Standards parking lots between 13-100 spots require 4% barrier free parking.
42x4% = 2 barrier free parking spots

2 barrier free parking spots = 1 Type 'A' & 1 Type 'B'

LOADING
2 Loading spaces are required
Standard loading space size = 3.5m x 12.0 m


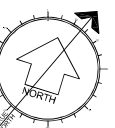
LEGEND:
 FIRE HYDRANT
 MANHOLE
 CATCH BASIN
 MAIN ENTRANCE
 SECONDARY ENTRANCE
 DEPRESSED CURB
 SIGNAGE
 HEAVY DUTY ASPHALT
 CONCRETE SIDEWALK
 EX. UTILITY POLE
 EX. OVERHEAD WIRE



NO.	DATE	DESCRIPTION
1	24/07/03	ISSUED FOR SITE PLAN CONTROL

NOT FOR CONSTRUCTION

PROFESSIONAL SEAL NORTH

THIS DRAWING MUST NOT BE SCALED.
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SMOKE ARCHITECTURE

56 BARONE AVENUE SOUTH, HAMILTON ON, L8K 2Y6
(905) 344-0003 | info@smokeandbarone.com

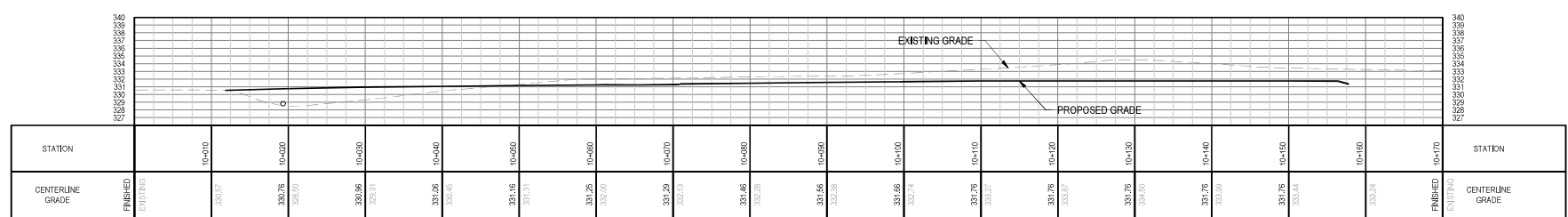
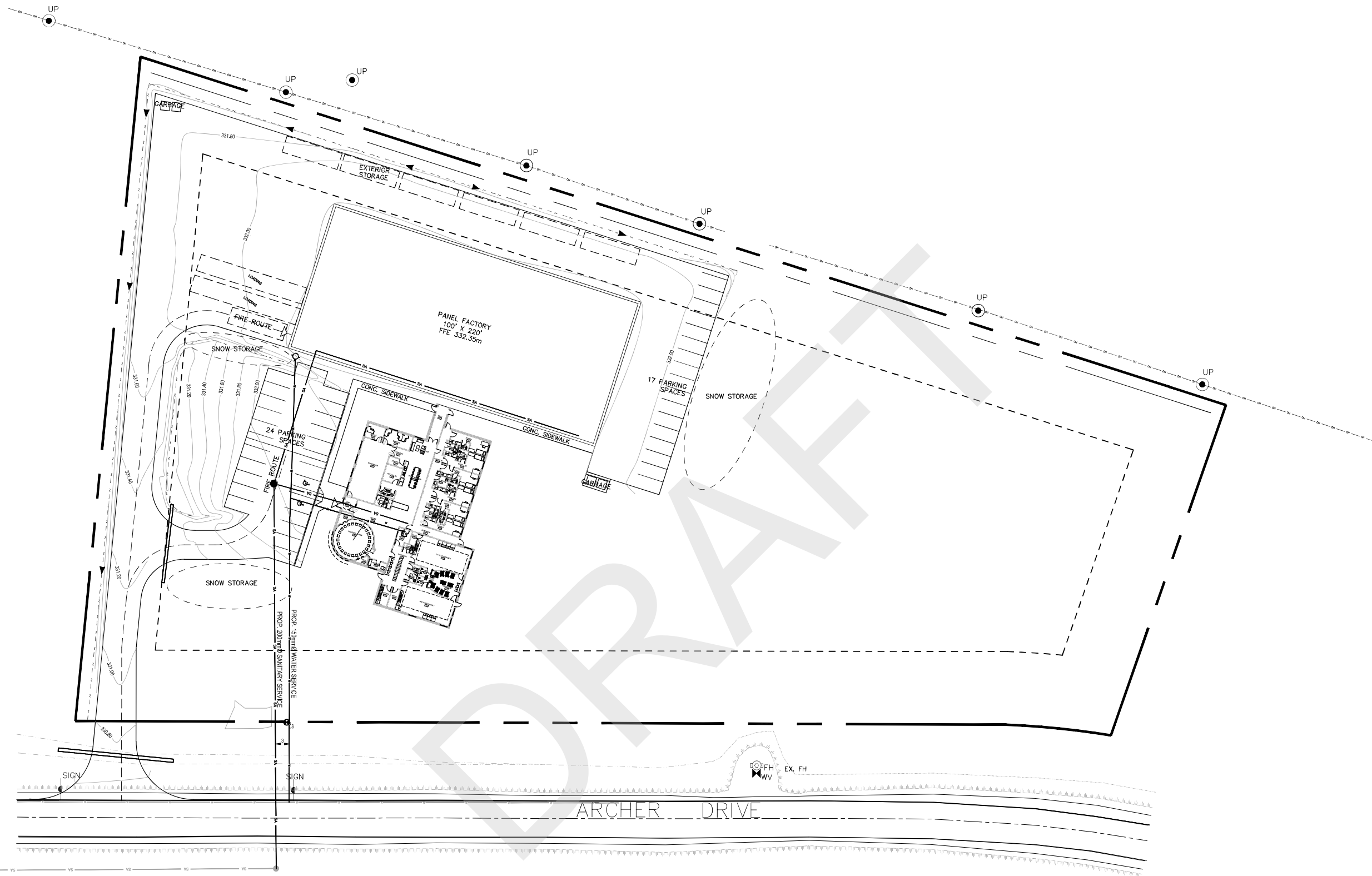
PROJECT TITLE
KEEPERS OF THE CIRCLE - PANEL FACTORY

LOCATION
455 ARCHER DRIVE,
KIRKLAND LAKE

CLIENT
KEEPERS OF THE CIRCLE

DRAWING TITLE
SITE PLAN

DRAWN BY	APPROVED BY	DRAWING NO.
SC		A-021
SCALE	PROJECT NO.	
1:400	24009	



DRIVEWAY PROFILE
SCALE: 1:400

NO.	DATE	DESCRIPTION
1	20240703	ISSUED FOR SITE PLAN CONTROL

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PROJECT TITLE
KEEPERS OF THE CIRCLE - PANEL FACTORY

LOCATION
 455 ARCHER DRIVE,
 KIRKLAND LAKE

CLIENT
 KEEPERS OF THE CIRCLE

DRAWING TITLE
PROPOSED SITE PLAN

DRAWN BY S. STEWART	APPROVED BY D. SPACKER	DRAWING NO. C-003
SCALE 1:400	PROJECT NO. 24009	

SCHEDULE "C"

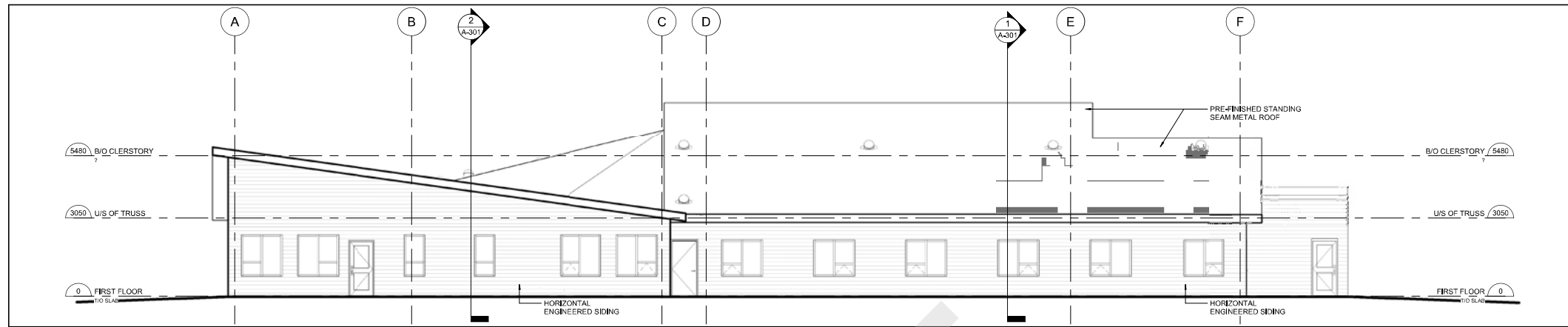
C-1 – Building Elevations (Support Building)

C-2 – Building Sections (Support Building)

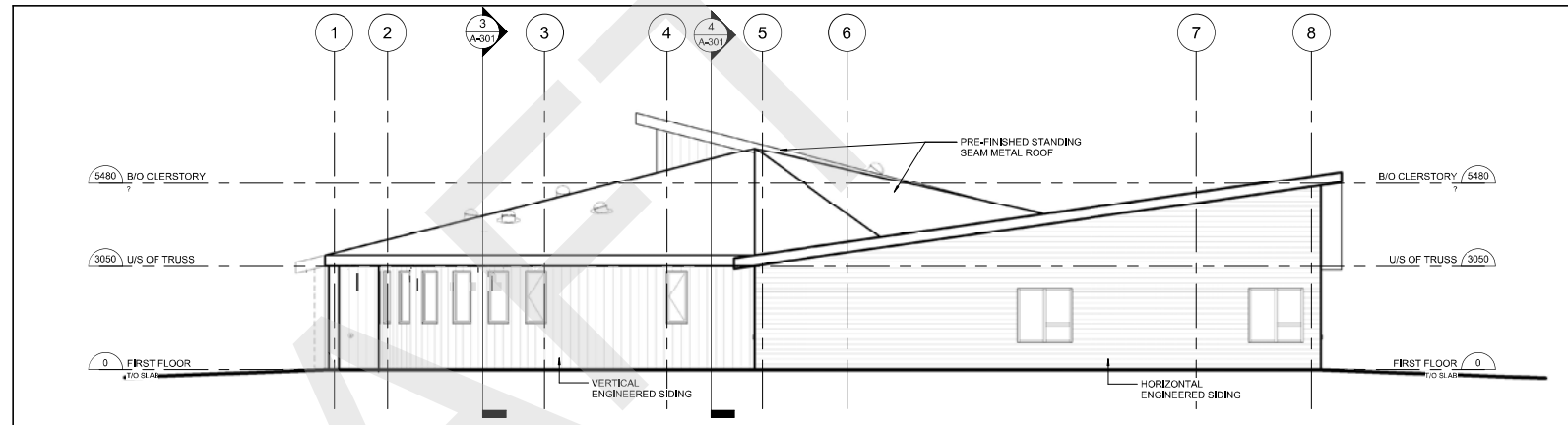
C-3 – Perspective Plan (Panel Factory)

C-4 – Rigid Frame Elevation (Panel Factory)

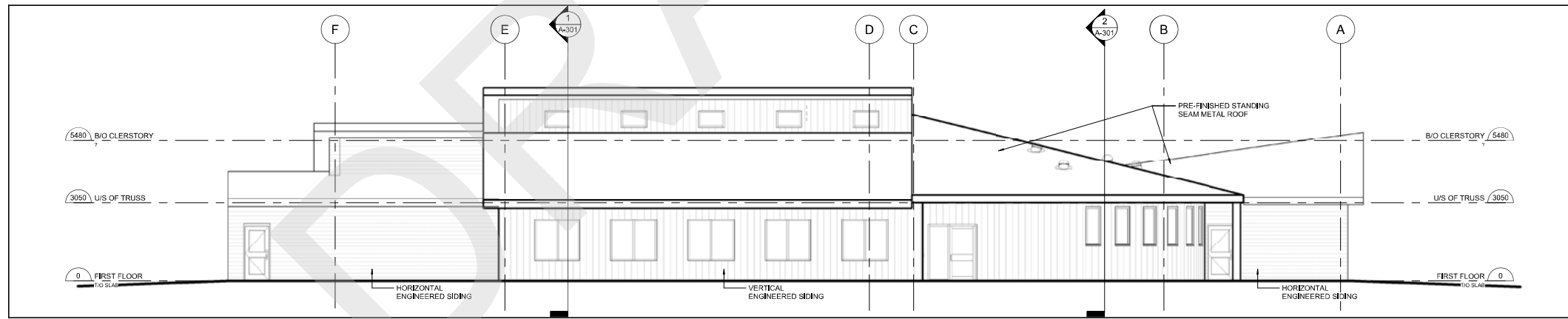
DRAFT



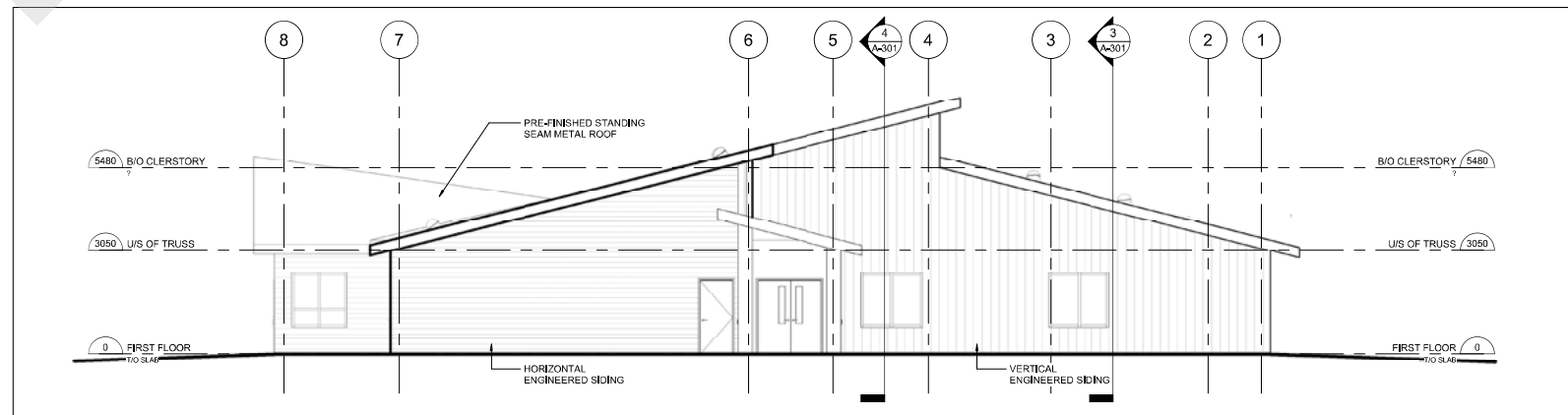
2 EAST ELEVATION
A-201 1:100



3 SOUTH ELEVATION
A-201 1:100



4 WEST ELEVATION
A-201 1:100



1 NORTH ELEVATION
A-201 1:100

NO.	DATE	DESCRIPTION
1	24/07/03	ISSUED FOR SITE PLAN CONTROL

PROFESSIONAL SEAL NORTH

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SMOKE ARCHITECTURE

96 BARONS AVENUE SOUTH HAMILTON, ON, L8K 2Y6
(905) 544-9058 | info@smokearchitecture.com

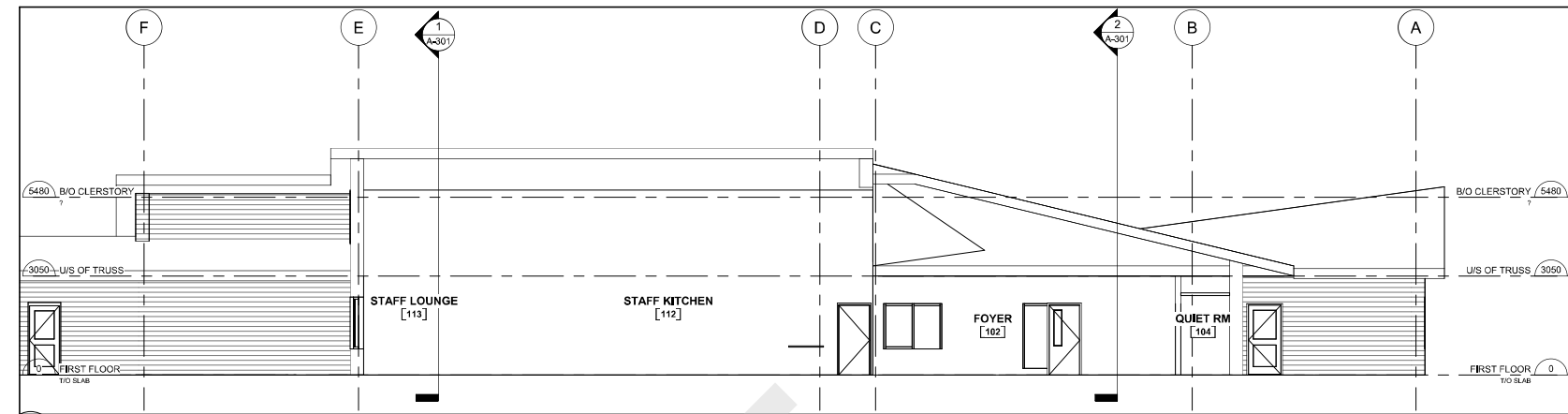
PROJECT TITLE
KEEPERS OF THE CIRCLE - PANEL FACTORY

LOCATION
455 ARCHER DRIVE, KIRKLAND LAKE, ON

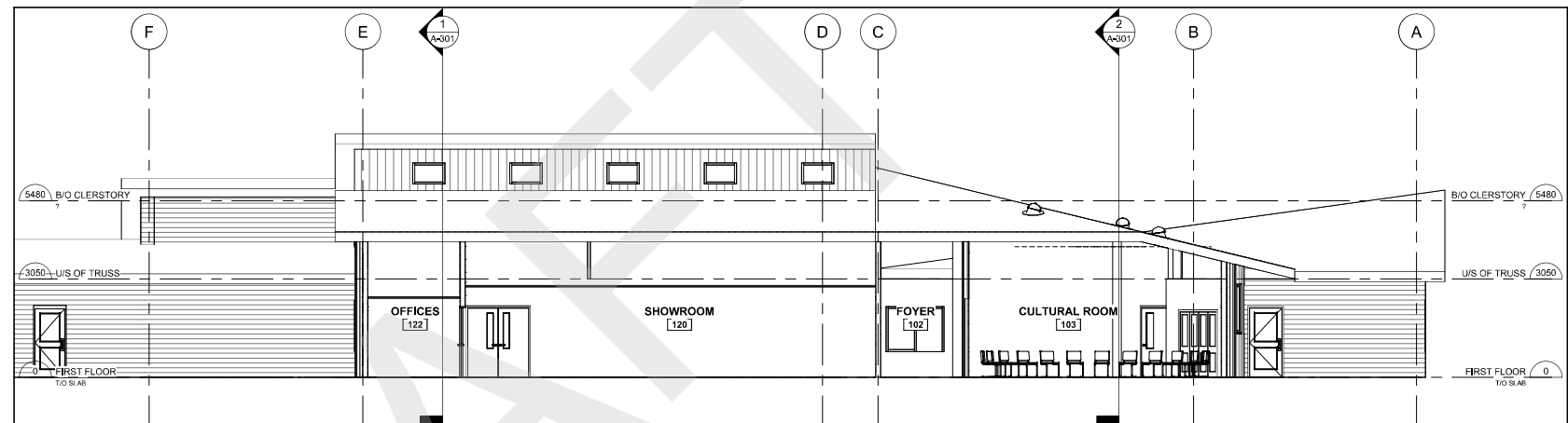
CLIENT
KEEPERS OF THE CIRCLE

DRAWING TITLE
BUILDING ELEVATIONS

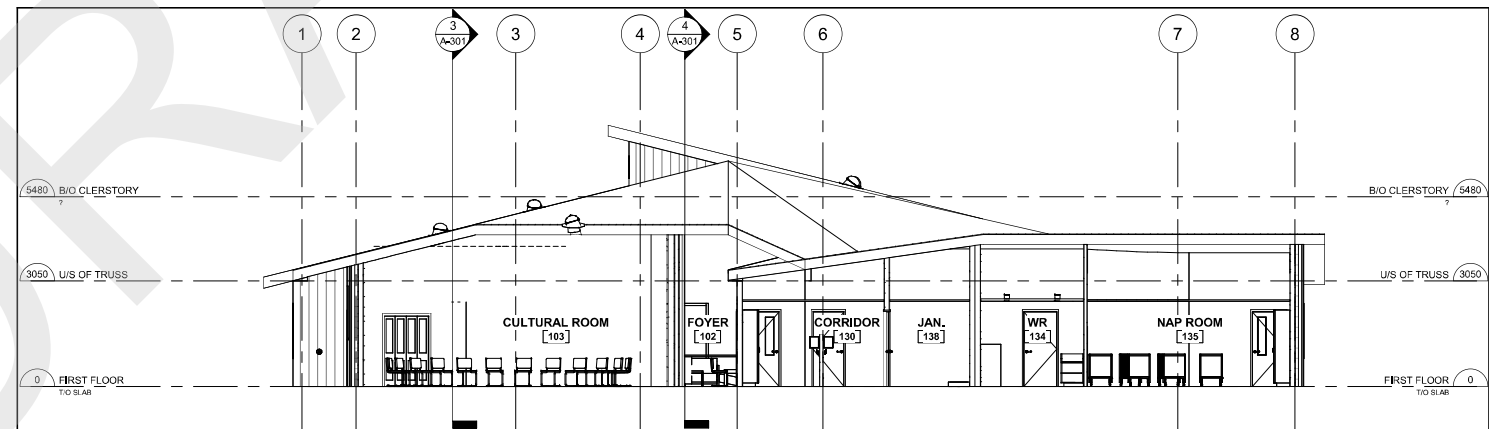
DRAWN BY SCLD	APPROVED BY ES	DRAWING NO. A-201
SCALE 1:100	PROJECT NO. 24009	



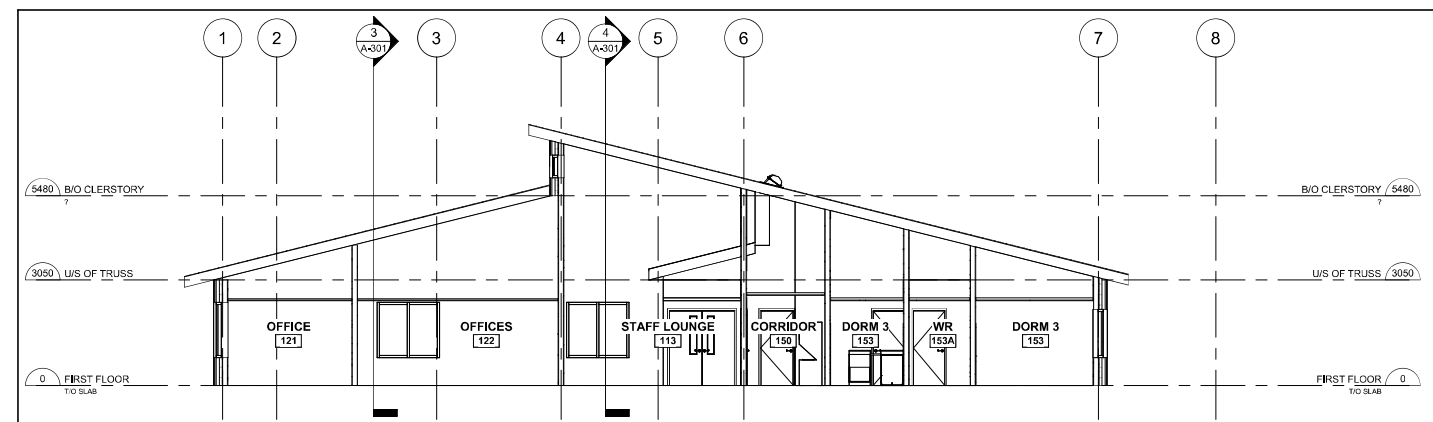
4 BUILDING SECTION NS 2
A-301 1:100



3 BUILDING SECTION NS
A-301 1:100



2 BUILDING SECTION
A-301 1:100



1 BUILDING SECTION EW
A-301 1:100

NO.	DATE	DESCRIPTION
1	24/07/03	ISSUED FOR SITE PLAN CONTROL

NOT FOR CONSTRUCTION

PROFESSIONAL SEAL NORTH

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SMOKE ARCHITECTURE

96 BARONS AVENUE SOUTH, HAMILTON, ON, L8K 2Y6
(905) 544-9050 | info@smokearchitecture.com

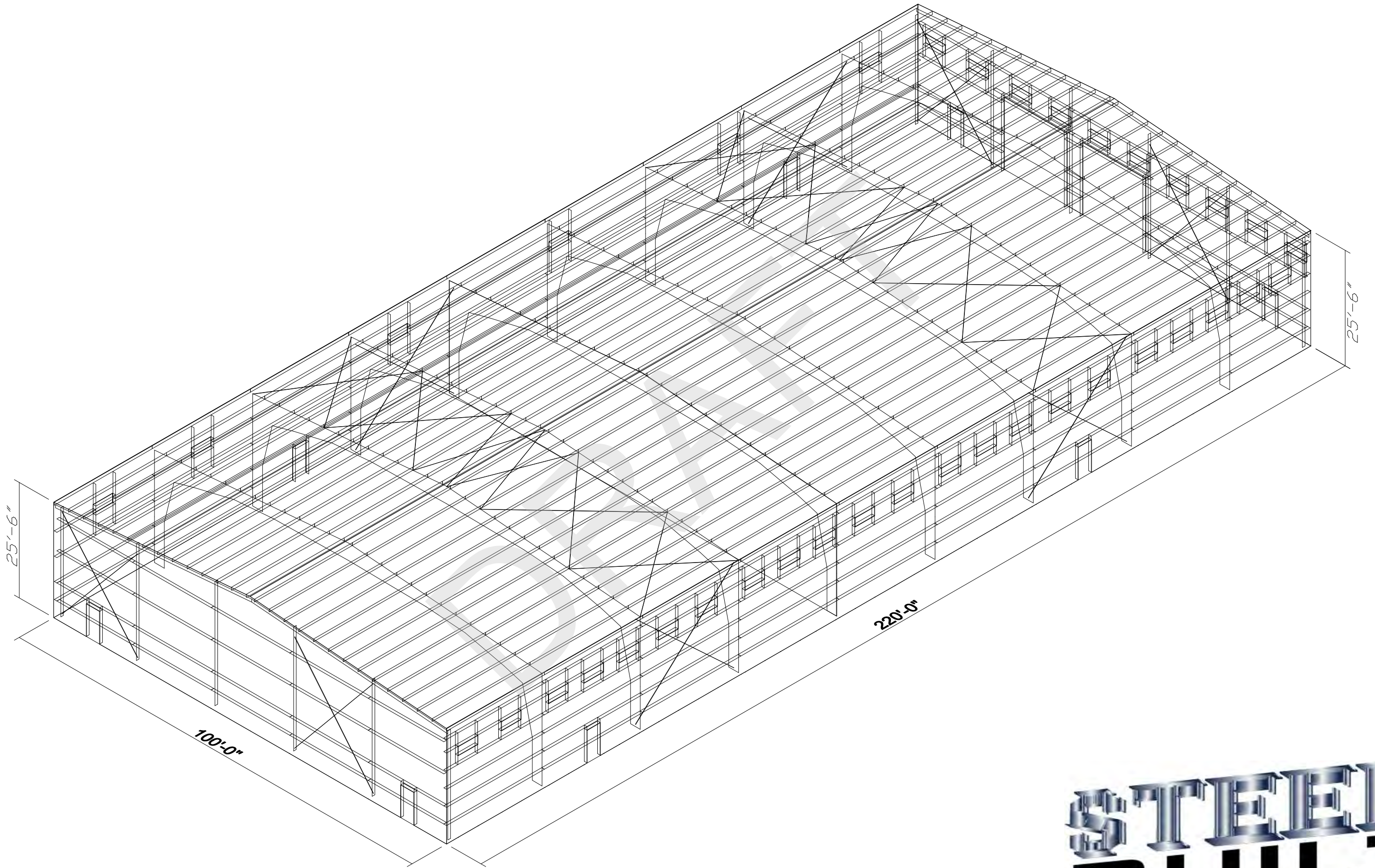
PROJECT TITLE
KEEPERS OF THE CIRCLE - PANEL FACTORY

LOCATION
455 ARCHER DRIVE, KIRKLAND LAKE, ON

CLIENT
KEEPERS OF THE CIRCLE

DRAWING TITLE
BUILDING SECTIONS

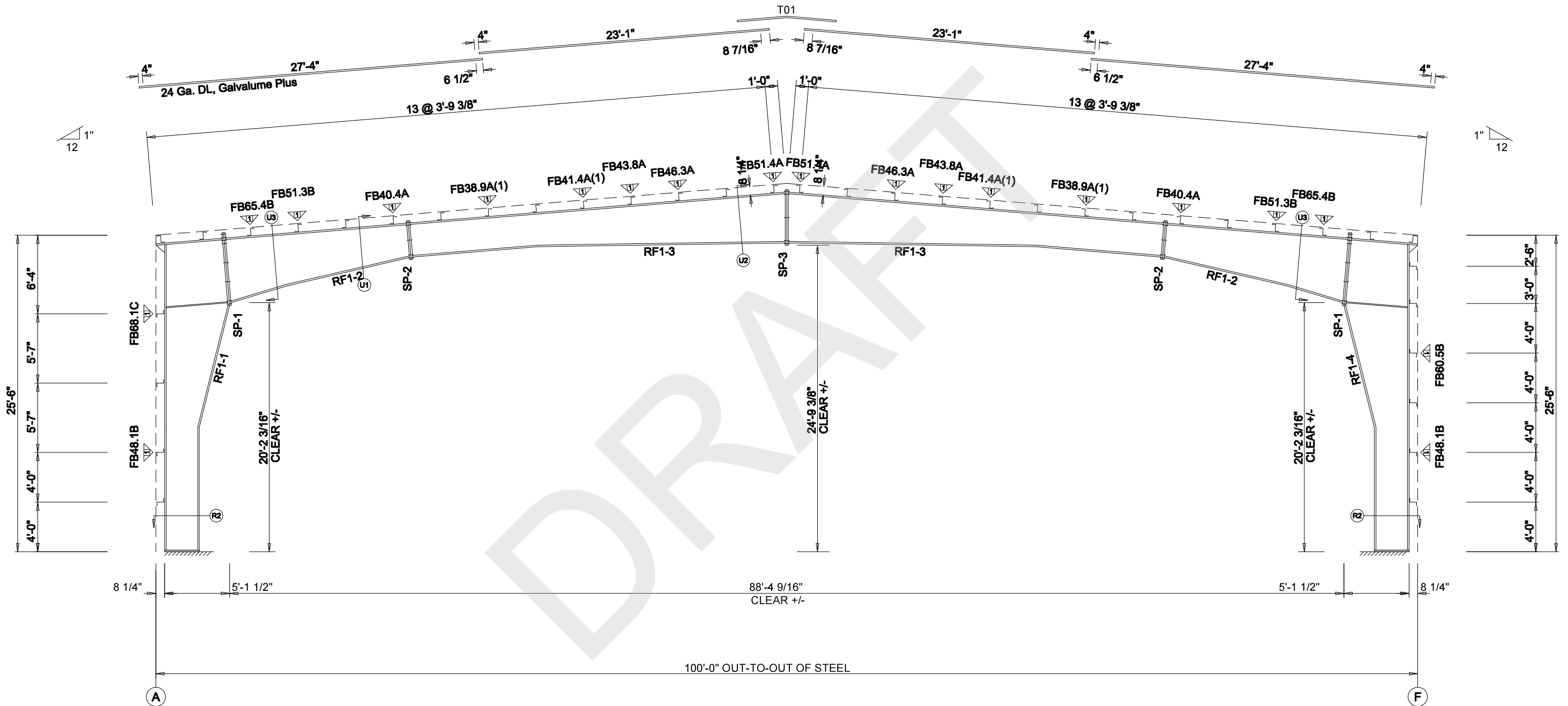
DRAWN BY SCLD	APPROVED BY ES	DRAWING NO. A-301
SCALE 1:100	PROJECT NO. 24009	




STEEL
BUILT
CORP 

SPLICE PLATE & BOLT TABLE									
Mark	Qty Top	Qty Bot	Int	Type	Dia	Length	Width	Thick	Length
SP-1	8	4	4	A325	1.000	3.25	10"	1"	5'-11 3/8"
SP-2	4	4	2	A325	1.000	2.50	8"	5/8"	3'-1 5/8"
SP-3	4	4	2	A325	1.000	2.50	8"	5/8"	4'-5 5/8"

▽ FLANGE BRACES: Both Sides(U.N.)
 FBxxB(1): xx=length(in)
 B - FB2X125
 C - FB3X316
 A - FB2x14G



RIGID FRAME ELEVATION: FRAME LINE 2 3 4 5 6 7 8 9

		DESCRIPTION: RIGID FRAME ELEVATION						
		CUSTOMER:		PROJECT: Kirkland Lake, ON				
LOCATION:		DRN. BY	CK'D BY	DATE	SCALE	REV.	QUOTATION NO.	SHEET NO.
		AJ	AJ	6/24/24	N.T.S.	00	24-HBS-Q213-B1-R023F220	B1-R023F220



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 24-063

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETINGS HELD JULY 16, 2024

WHEREAS Subsection 5(1) of the *Municipal Act*, 2001, S.O. 2001, Chapter 25 (hereinafter referred to "*Municipal Act*") provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Subsection 5(3) of the *Municipal Act* provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Town of Kirkland Lake at these meetings be confirmed and adopted by by-law;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1** THAT the actions of the Council of the Town of Kirkland Lake in respect of each motion passed and other actions taken by the Council of the Town of Kirkland Lake at this regular meeting are hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 2** THAT the Mayor and Officers of the Town of Kirkland Lake are hereby authorized and directed to do all things necessary to give effect to the actions of the Council of the Town of Kirkland Lake or to obtain approvals where required as referred to in the preceding sections.
- 3** THAT the Mayor and the Municipal Clerk are hereby authorized to execute all documents necessary on behalf of the Council and to affix thereto the Corporate Seal of The Corporation of the Town of Kirkland Lake.
- 4** THAT this By-Law comes into force upon adoption by Council of the Town of Kirkland Lake.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18TH DAY OF JUNE, 2024.

Stacy Wight, Mayor

Jennifer Montreuil, Municipal Clerk