



REGULAR COUNCIL AGENDA

For the Corporation of the Town of
Espanola

Council Meeting

To Be Held On

Tuesday, July 10, 2018
Council Chambers

100 Tudhope Street
7:30 pm



Espanola Council AGENDA

*For the Regular Meeting of the Town of Espanola
To Be Held On **Tuesday, July 10, 2018** at 7:30 p.m.
In The Council Chambers, Municipal Building*

7:30 P.M.

REGULAR MEETING OF COUNCIL
Council Chambers, 100 Tudhope Street

Please note this meeting will be live streamed.

Disclosure of Pecuniary Interest and General Nature Thereof

PUBLIC HEARINGS

1. Notification under the Provisions of Notice Bylaw No. 2068/08, Notice of Public Hearing

Council of the Town of Espanola will be considering a request from the DFR Jays (local men's league baseball team) for an exemption to Municipal Bylaw No. 1189/96, being a Noise Bylaw. This exemption will permit the Espanola Annual Mixed Slo-Pitch Tournament to allow a Home Run Derby on Friday, August 10th, from 9:00 pm until 1:00 am on Saturday, August 11th, and music and live bands at the pavilion on Saturday, August, 11th from 8:00 pm until 2:00 am Sunday, August 12th, 2018. This event will take place at the Red McCarthy Memorial Ball Fields Pavilion.

DELEGATIONS

None

QUESTION PERIOD

PART 1 - CONSENT AGENDA

Resolution Prepared Adopting Resolutions for
Items **A1** to **E2** inclusive contained in the Consent Agenda

- CA-012-18 Be It Resolved That: Items A1 to E2 inclusive contained in Part 1, Consent Agenda be adopted.

Adoption of Minutes

A1 Regular Meeting of Council of June 26, 2018

A2 Special Meeting of Council of June 26, 2018

- 18-118 Be It Resolved That: The following Minutes are hereby accepted; Regular Meeting of Council of June 26, 2018; Special Meeting of Council of June 26, 2018.

Board and Committee Reports

None

Matters arising from the "In Camera Session"

None

Business Arising from Board and Committees

None

Bylaws and Resolutions

The following bylaws will be read and passed.

E1 Bylaw No. 2864/18

- 18-119 Being a Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of June 26, 2018.

E2 Bylaw No 2860/18

- 18-120 Being a Bylaw of the Town of Espanola to execute an Agreement with Espanola Regional Hydro Distribution Corporation for Streetlight Maintenance.

E3 Bylaw No 2861/18

- 18-121 Being a Bylaw of the Town of Espanola to execute an Agreement with the Town of Espanola, Conseil Scolaire De District Catholique Du Nouvel-Ontario and Huron Superior District School Board.

Reports

None

<p><u>PART II - REGULAR AGENDA</u></p>

Bylaws and Resolutions

G1 Recommendation regarding Noise Bylaw Exemption

- 18-122 Be It Resolved That: Council hereby authorizes a temporary exemption from certain provisions of Noise Bylaw No. 1189/96 during the 2018 Annual Slo-Pitch Tournament at the Red McCarthy Athletic Fields on Friday, August 10, 2018, from 9:00pm until 1:00am to host a homerun derby and Saturday, August 11, 2018 from 8:00pm until 2:00am to hold an outdoor dance with a live band at the Red McCarthy Athletic Fields Pavilion provided adequate security is provided and all rules and legislation is adhered to.

G2 Recommendation regarding Deeming Bylaw for Lot Consolidation

- 18-123 Be It Resolved That: Bylaw 2862/18, being a Deeming Bylaw for lot consolidation of PIN 73407-0660/Roll #011-09000, 341 Algoma St & PIN 73407-0662/Roll #011-09100, vacant lot on Algoma St be adopted.

G3 Recommendation regarding Reciprocal Agreement Rainbow School Board

- 18-124 Be It Resolved That: Council endorse the renewal of a revised reciprocal agreement with the Rainbow District School Board.

G4 Item for Discussion

- Yearly tribute to Espanola residents who have passed away.

Correspondence For Information Only

None

Information

This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.

Cheque Register

FONOM

Stewardship Ontario re: Industry Funding for Municipal Blue Box Recycling

Conference and Conventions

None

Mayor and Councillor Reports and Announcements

Future Council/Committee Meetings

Regular Meeting of Council of August 14, 2018 @ 7:30 pm

Adjournment

Closed Meeting (if required)



**THE PUBLIC MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**June 26, 2018
7:30 pm**

His Worship Mayor Piche presided over the meeting.

Present:

Councillors: R. Dufour, K. Duplessis; R. Duplessis, B. Foster, H. Malott, B. Yocom

Staff: P. Roque, Clerk; C. Townsend, CAO/Treasurer; T. Denault-Roque, Recording Secretary; J. Yusko, Manager of Public Works and Leisure Services; D. Parker, Assistant Manager of Public Works; C. Kennelly, Economic Development Officer; C. Tessier, Manager of Financial Services

The Mayor stated that this meeting will be live streamed.

Disclosure of pecuniary interest and the general nature thereof.

Public Hearing

1. The purpose of this public meeting is to consider a proposed Zoning Bylaw Amendment under Section 34 of the *Planning Act* for the property located on Merritt Con 4 PT Broken Lot 4 PCL 17269 SWS, 1124 Kei Will Dr; Town of Espanola.

The effect of the proposed Zoning Bylaw Amendment is to rezone the affected property from the WR (Waterfront Residential) Zone to the WR Special Exception Six (WR-6) Zone in order to permit a dog kennel and a maximum relief of 3 feet from section 3.1 e) of the Bylaw for the height of the roof of the building. The Kennel would be located 186 feet from the high water mark of the lake.

The applicant was present. There were no written comments received; there were two verbal comments received.

The first verbal comment raised concerns regarding the road; the individual wanted to ensure Kei Will Drive will remain as is. The Clerk advised that the Zoning Bylaw Amendment would not affect the road in any way.

The second inquiry was received this evening and it was in respect to noise. The caller was concerned with the noise coming from barking dogs.

The applicant addressed the noise concerns advising that the kennel they are proposing to build will be very well insulated,

with the dogs being inside most of the time, the noise will be very minimal. He further advised that they do not have any direct neighbours and they are isolated out there. He stated they are on the north side of the lake with predominate winds from the south west, therefore did not feel noise would be an issue.

Councillor Yocom asked the applicant how many dogs they were proposing to keep. Mr. Williamson replied they were proposing to have a maximum of 10.

The portion of the public hearing closed at 7:33 pm

1. Notification under the Provisions of Notice Bylaw No. 2068/08, Notice of Public Hearing

Council of the Town of Espanola is considering a request from R.M. Belanger Ltd for an exemption to Municipal Bylaw No. 1189/96, being a Noise Bylaw. This exemption will permit R.M. Belanger Ltd to run a pump used in the dewatering process of the 2018-01 Espanola Infrastructure Renewal Program Phase 2A. It is crucial to the Project that the operation of the pump is sustained for the duration of the work where high ground water is located.

The applicant was not present. Mr. Herb Watkins, local resident asked that before Council approves the request that Belanger Construction be asked to reduce the noise coming from the pump. He stated the noise was unbearable to some residents, and they do have a right to their peace and quiet, especially from midnight to 6:00 am. He stated that he is unable to run the HRV in his home because of the diesel fuel coming from the exhaust comes in to the residence.

Mr. Watkins understands the project must go on, however Belanger has contravened the Bylaw for over two months now with the noise and asked for some peace after midnight; daytime noise was not a concern.

There were no other comments. This portion of the public hearing closed at 7:36 pm.

Delegations/Petitions

Mr. Yves Carriere, local resident addressed Council and provided a brief history on his stand with the Sherwood Park being used as a snow machine trail.

He referred to a Staff Report that Staff prepared on the direction of Council, specifically citing the portion where it refers to the option of approaching the Snowmobile Club to include that location into their trails. Mr. Carriere advised that they probably would not because it was too narrow. The other option Mr. Carriere referred from the Staff report was talking to the surrounding neighbours and if they were okay with having snow machines there then Council could take that into

consideration. Mr. Carriere advised he had never seen a scenario where 100% of neighbours are in agreement. Mr. Carriere then spoke of the liability risk that was identified by the municipality's insurance broker, he further stated that Council is liable for everything, but the question is "are you negligent?" if you are not, then you shouldn't be worried about liability. Mr. Carriere advised that he already gave good reasons why the park should not be opened in the winter; mainly because there are liabilities by not conducting equipment inspections in the winter months.

He further advised that he would like Council to allow the snowmobilers to use the trail and asked that they let him know of their decision.

Question Period

None

CONSENT AGENDA

CA-011-18 R. Dufour – R. Duplessis

Be It Resolved That: Items A1 to F7 contained in Part 1 Consent Agenda be adopted.

Carried

Items A1-A2
Council Minutes

18-108 R. Duplessis – R. Dufour

Be It Resolved That: The following Minutes are hereby accepted; Regular Meeting of Council of June 12, 2018; Special Meeting of Council of June 12, 2018.

Carried

Board and Committee Reports

Items B1

18-109 R. Dufour – R. Duplessis

Be It Resolved That: The following board and committee reports are hereby received: Community Services Committee Meeting Minutes of June 19, 2018.

Carried

Councillor Foster asked if the Community Services Committee discussed the skidoo trail. Councillor Yocom replied that the consensus was that consideration be taken to the insurance broker's recommendation. He further advised that this item will come back to the Committee, as Staff was directed to approach the snowmachine club and will wait to hear their response.

Matters arising from the "In Camera Session"

None

Business Arising from Board and Committees

None

Bylaws and Resolutions

Item E1

Confirmatory Bylaw

18-110 R. Duplessis – R. Dufour

Be It Resolved That: Bylaw No 2858/18 be adopted, being a Bylaw of the Town of Espanola to confirm the proceedings of Council at its Meeting of June 12, 2018.

Carried

Item E2

**Garson Pipe
Connecting Link**

18-111 R. Duplessis – R. Dufour

Be It Resolved That: Bylaw No 2859/18 be adopted, being a Bylaw of the Town of Espanola to execute an Agreement with Garson Pipe Contractors for the Connecting Link Reconstruction.

Carried

Reports

Items F1-F7

18- 112 R. Dufour – R. Duplessis

Be It Resolved That: The following reports are hereby received; Joint Health and Safety Meeting Minutes of May 3, 2018; Espanola Police Services Board Meeting Minutes of May 17, 2018; Espanola Police Services 2017 Annual Report (previously circulated); Public Works Department Departmental Report for May 2018; Leisure Services Department Departmental Report for May 2013; Fire Department Departmental Report for May 2018; Building Department Departmental Report for May 2018.

Carried

PART II

REGULAR AGENDA

Bylaws and Resolutions

Item G1

**Zoning Bylaw No
2857/18**

18-113 B. Foster – H. Malott

Be It Resolved That: Bylaw 2857/18 be adopted, being a bylaw to rezone the portion of the property located on, MERRITT CON 4 PT BROKEN LOT 4 PCL 17269 SWS 1124 KEI WILL DR, TOWN OF ESPANOLA zoned as Waterfront Residential (WR) to Waterfront Residential Special Exception Six (WR-6) in order to permit a dog kennel accessory to the main use a single family dwelling as a home occupation and relief from height provisions for the roof of the garage / kennel.

Carried

A discussion ensued.

It was stated that the closest neighbour to the applicant was over 1 km across the lake. It was the consensus of Council that noise would not be an issue. The location of the property, proximity of neighbours and little opposition to the amendment had influence on Council's decision.

Item G2
Noise Bylaw
Exemption

18-114 K. Duplessis – B. Foster

Be It Resolved That: Bylaw No An exemption to Bylaw 1189/96 Noise Control Regulations be granted to R.M. Belanger Ltd to run a pump used in the dewatering process of the 2018-01 Espanola Infrastructure Renewal Program Phase 2A. R.M. Belanger be requested to take additional measures to attempt to reduce noise levels further.

Carried

Councillor R. Duplessis asked when a contract is signed, is the Noise Bylaw taken into consideration? Mr. Yusko replied he was under the assumption that they were exempt, he further stated that this is the first complaint he has received during his time of managing these types of projects. Councillor Malott asked Mr. Yusko how long will this process take. Mr. Yusko could not provide a timeline and advised it was really dependent on the water table.

A discussion ensued regarding the recorded decibels near the property line of the complainant and suggestions were offered on ways to reduce the noise further.

It was the consensus of Council that the contractor be asked to try to alleviate the noise further.

Item G3
Site Control Plan
Agreement

18-115 K. Duplessis – B. Foster

Be It Resolved That: The Site Plan Control Agreement between the Corporation of the Town of Espanola, the HURON SUPERIOR DISTRICT SCHOOL BOARD (HSCDSB) and CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO (CSCNO) be accepted as presented a Bylaw be prepared to adopt the agreement.

Carried

Item G4
2018 Winter Sand
Tender

18-116 H. Malott – K. Duplessis

Be It Resolved That: Council Award the 2018 Winter Sand Tender to OCL Custom Crushing & Quarrying Ltd.

Carried

Item G5
Main Street
Revitalization
Initiative

18-117 H. Malott – K. Duplessis

Be It Resolved That: Bylaw 2836/16 be adopted, being a bylaw to enter into an Agreement in order to participate in the Ontario's Main Streets Revitalization Initiative.

Carried

Item G6
Community Safety
Zones

A discussion ensued regarding where a Community Safety Zone is applicable.

Councillor Yocom suggested bringing this item back to the Community Services Committee with a recommendation from Staff advising of where the Community Safety Zones should fall within the community. It was the consensus of Council to do so.

Correspondence For Information Only

None

Information

This information was previously circulated to Council. If required a copy of the information is available at the Municipal Office.

Cheque Register

Conference and Conventions

None

Mayor and Councillors Reports and Announcements

Care Van

Mayor Piche stated that the new care van is a great asset to our community.

July 1st

Celebrations

Proposed Item of Discussion

Councillor Yocom reminded everyone of the July 1st celebrations and encouraged everyone to attend.
Councillor R. Duplessis suggested that a list of Espanola residents who have passed away be read out aloud yearly during a Council meeting as a tribute. Staff was directed to put the item on the next Agenda for discussion.

Future Council Meetings

Regular Meeting of Council of July 10, 2018 @ 7:30 pm

Adjournment

H. Malott B. Foster

Be It Resolved That: The Regular Meeting of Council is hereby adjourned. Time: 7:35 pm

Carried

R Piche
Mayor

Paula Roque
Clerk

**SPECIAL MEETING OF COUNCIL
OF THE TOWN OF ESPANOLA**

**Council Chambers
Municipal Office**

**June 26, 2018
8:24 pm**

His worship Mayor Piche presided over the meeting.

Disclosure of pecuniary interest and general nature thereof.

Present: Councillors R. Dufour; K. Duplessis, R. Duplessis, B. Foster; H. Malott, B. Yocom

Staff: C. Townsend, CAO/Treasurer, P. Roque, Clerk, J. Yusko, Manager of Public Works/Leisure Services, D. Parker, Assistant Manager of Public Works; T. Denault-Roque, Recording Secretary

In Camera

K. Duplessis – B. Foster

Be It Resolved That:

1. Under authority of Section 26.1.3 of Bylaw No. 2062/08, Council goes into an "in camera" session for the purpose stated in Section 239.2 of the Municipal Act.

- o Personal matters about an identifiable individual, including municipal or local board employees;

Time: 8:24 pm

Carried

**Resume Special
Meeting**

R. Dufour – R. Yocom

Be It Resolved That: The Special Meeting of Council hereby resumes. Time: 9:00 pm

Carried

Council went in camera to receive an update on the operations of the Public Works Department as well as an update to the Brentwood Village Development.

**Temporary
Employees**

R. Yocom – B. Foster

Be It Resolved That: Council approve hiring 2 temporary employees at PWD.

Carried

Adjournment

R. Yocom – R. Dufour

Be It Resolved That: The Special Meeting of Council is hereby adjourned. Time: 9:01pm

Carried

R. Piche
Mayor

P. Roque
Clerk



THE CORPORATION OF THE TOWN OF ESPANOLA

BYLAW NO. 2864/18

**Being a bylaw of the Town of Espanola to Adopt
the Minutes of Council for the Term Commencing
December 1st, 2014, and Authorizing
Taking of any Action Authorized Therein and Thereby**

WHEREAS Section 101 of the Municipal Act, R.S.O. 1990, C. M45, as amended, requires a municipal council to exercise its powers by bylaw, except where otherwise provided;

AND WHEREAS in many cases, action which is taken or authorized to be taken by a Council or a Committee of Council does not lend itself to an individual bylaw;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ESPANOLA ENACTS AS FOLLOWS:

1. That the Minutes of the meetings of the Council of the Town of Espanola for the term commencing December 1st, 2014, held on: June 26, 2018 and the same are hereby adopted.
2. That the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof and the exercise of any powers by the Council or Committees by the said minutes be and the same are hereby ratified, authorized and confirmed.
3. That where no individual bylaw has been or is passed with respect to the taking of any action authorized in or by the Minutes mentioned in Section 1 hereof or with respect to the exercise of any powers by the Council or Committees in the above mentioned Minutes, then this bylaw shall be deemed for all purposes to be the bylaw required for approving and authorizing the taking of any action authorized therein or thereby or required for the exercise of any power therein by the Council or Committees.
4. That the Mayor and proper officers of the Corporation of the Town of Espanola are hereby authorized and directed to do all things necessary to give effect to the recommendations, motions, resolutions, reports, action and other decisions of the Council or Committees as evidenced by the above mentioned Minutes in Section 1 and the Mayor and Clerk are hereby authorized and directed to execute all necessary documents in the name of the Corporation of the Town of Espanola and to affix the seal of the Corporation thereto.

Read a First, Second and Third Time and Passed this 10th day of July 2018.

R. Piche
Mayor

Paula Roque
Clerk



DISTRIBUTION CORPORATION
598 Second Avenue, Espanola, Ontario P5E 1C4
PH: (705) 869-0378 FX: (705) 869-2433
WEB: www.erhydro.com

June 22, 2018

Cynthia Townsend
Clerk Treasurer/Administrator
Town of Espanola
100 Tudhope Street, Suite 2,
Espanola, Ontario
P5E 1S6

Dear Cynthia:

Re: Streetlight Agreement July 1, 2018 - June 30, 2019

Attached please find two copies of a new streetlight agreement between the Town of Espanola and Espanola Regional Hydro Distribution Corporation.

With the pending sale of Espanola Regional Hydro the agreement is for one year and is same as the previous agreement with the exception of the Labour and Truck fees. We will be increasing the Labour and Truck rate by 2% to reflect the collective agreement. This will ensure we recover our costs and will provide minimal profit to Espanola Regional Hydro.

We trust you will find the agreement satisfactory and look forward to receiving one signed copy of same for our files.

Please feel free to contact me if you require anything further.

Yours truly,

Nancy Hembruff, CPA, CA
Chief Financial Officer

c.c. Kevin Bell



The Corporation of the Town of Espanola

Bylaw No. 2860/18

**Being a Bylaw to Execute An Agreement
Between the Town of Espanola and
Espanola Regional Hydro Distribution Corporation**

THAT the Council of the Corporation of the Town of Espanola enacts as follows;

1. That the Mayor and Clerk Treasurer/Administrator are hereby authorized to execute an agreement between the Corporation of the Town of Espanola and Espanola Regional Hydro Distribution Corporation for streetlight maintenance.
2. That the agreement shall be attached to and become part of the bylaw.

**Read a first, second and third time in open Council on this 10th day of July,
2018.**

Ron Piche
Mayor

Paula Roque
Clerk



REGULAR MEETING OF COUNCIL

Moved By: Ken Duplessis, K. Deylman Date: June 26, 2018

Seconded By: Bill Foster Motion No. 18-115

BE IT RESOLVED THAT:

The Site Plan Control Agreement between the Corporation of the Town of Espanola, the HURON SUPERIOR DISTRICT SCHOOL BOARD (HSCDSB) and CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO (CSCNO) be accepted as presented a Bylaw be prepared to adopt the agreement.

CARRIED ✓ DEFEATED

DEFERRED

[Signature]
Chair

RECORDED VOTE

	For	Against
Mayor R. Piche	_____	_____
R. Dufour	_____	_____
K. Duplessis	_____	_____
R. Duplessis	_____	_____
B. Foster	_____	_____
H. Malott	_____	_____
B. Yocom	_____	_____

**DECLARATION OF
PECUNIARY INTEREST**

Mayor R. Piche	_____
R. Dufour	_____
K. Duplessis	_____
R. Duplessis	_____
B. Foster	_____
H. Malott	_____
B. Yocom	_____

AGENDA #G3



The Corporation of the Town of Espanola

Bylaw No. 2861/18

Being a Bylaw to Execute A Site Plan Agreement Between

**THE TOWN OF ESPANOLA
and
CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO (CSCNO)
and
HURON SUPERIOR DISTRICT SCHOOL BOARD
(HSCDSB)**

THAT the Council of the Corporation of the Town of Espanola enacts as follows;

1. That the Mayor and Clerk are hereby authorized to execute a Site Plan Agreement between the Town of Espanola, Conseil scolaire de district catholique du Nouvel-Ontario and Huron Superior Catholic District School Board.
2. That the Agreement shall be attached to and become part of the Bylaw.

Read a first, second and third time in open Council on this 10th day of July 2018.

**Ron Piche
Mayor**

**Paula Roque
Clerk**

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date:
Policy No:	Revision Date: 06/05/17
Bylaw No:	Version #: 1

STAFF REPORT

DEPARTMENT: Administration

DATE: July 3, 2018

ITEM: 2018 Annual Slo-Pitch Tournament

RECOMMENDATION: Be It Resolved That:

Council hereby authorizes a temporary exemption from certain provisions of Noise Bylaw No. 1189/96 during the 2018 Annual Slo-Pitch Tournament at the Red McCarthy Athletic Fields on Friday, August 10, 2018, from 9:00pm until 1:00am to host a homerun derby and Saturday, August 11, 2018 from 8:00pm until 2:00am to hold an outdoor dance with a live band at the Red McCarthy Athletic Fields Pavilion provided adequate security is provided and all rules and legislation is adhered to.

BACKGROUND: The attached request was only received on July 3, 2018. It did not give staff sufficient time to properly advertise the public hearing for a noise bylaw exemption in the newspaper however the notice was placed on Facebook, the Town's Website, the Community Channel, the Mid North Monitor (ad ran later than should have due to receiving the request so late) Mid North Monitor website and was mailed to properties in the direct vicinity of the ball fields.

This is an annual event. An outdoor dance has been held in conjunction with this tournament at the pavilion for the past several years. The group had security for the Saturday night event and no previous incidents were reported to staff by Police to cause concern for this portion of the event.

ANALYSIS: This request was circulated to PWD and Police Department for comment.

PWD – no concerns with the Noise Bylaw Exemption, not aware of any complaints received over the years. The Department supports not waiving the fees, recognizing the additional services being provided by PWD with no additional cost to the organizers.

Police – concerned that there is no mention of a Special Occasions Permit or smart servers who will be serving the alcohol. Acting Police Chief has suggested that the organization ensure their security will not consume alcohol to avoid any issues and the sale of alcohol end 1 hour prior to the end of the noise bylaw.

The organizers of the tournament have been contacted regarding the Police concerns; they are aware of the requirements with respect to selling and serving alcohol and are working with the Elk's Club to ensure they are in place in time for the tournament. The organizers of the tournament and the Elk's Club operating the bar are required to complete the Town's facility use agreement, provide Certificates of Insurance and in the case of the Elk's provide a copy of their special occasions permit.

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date:
Policy No:	Revision Date: 06/05/17
Bylaw No:	Version #: 1

With respect to PWD comments, additional manpower is scheduled each year for this tournament to perform general clean-up throughout the tournament, clean and service the bathrooms and re-line mid-day when requested without additional cost to the organizers.

The times for the noise bylaw exemption correspond to the Police comments with respect to the bar closure time. Alcohol will be served until midnight Friday night and 1 am on Saturday.

Please see attached request for details of the event.

EXISTING POLICY: Council Resolution

FINANCIAL COMMITMENT: None

IMPLEMENTATION: Clerk's Office

Prepared By:

Traci Denault-Roque

Department Manager:

Paula Roque

Approval of Recommendation:

Yes ☒ No ☐

Comments:

TOWN COUNCIL

Town of Espanola

JUN 29 2018

June 28th 2018

Regarding: **Request for Donation of Ball Fields and Pavilion**

The Town of Espanola has always been a great supporter of the ESPANOLA ANNUAL SLO-PITCH TOURNAMENT. The Jays (local men's league baseball team) would like to formally request a fee waiver for the cost of the **baseball fields** and the **pavilion**.

We are looking for ideas and contributions to make this weekend another huge success for this Baseball Town. This event is not only enjoyed by the citizens of Espanola but many teams from surrounding areas come and participate. This means that local restaurants, hotels, gas stations and many other local businesses will benefit from this tournament.

Thank you very much for previous donations and your consideration this year.

Regards,

Lannie Piche
445 Albert St
Espanola ON, P5E 1K6
705-662-0511

DFR JAYS

DFR JAYS

JUN 29 2018

Espanola Mayor, Town Council and Residents

June 28th 2018

Request for Noise By-Law Extension

We the "Jays" (Men's Baseball team) would like to continue the tradition this year by hosting another successful community ball tournament along with live entertainment and home run competition.

We would like to Request for Noise By-Law Extension for Friday August 10th 2018 for the Homerun competition until 1am and also for Saturday August 11th until 2 am for our Live Band at the pavilion. The bands/DJ will start at approximately 8:00pm and will continue until 2:00am, or whenever the exemption permits us to.

Please be aware that we are very conscientious of the rules of our liquor licence and have we have many safety practices in place. Our team will be providing designated security wearing visible shirts, monitored exits, snow fencing around the perimeter for a boundary and the checking of identification.

We hope the tradition of this event can continue for many years to come.

If you have any questions please contact me

Lannie Piche
445 Albert St
Espanola, Ontario
P5E1K6
(705) 662-0511

Espanola Annual Mixed Slo-Pitch Tournament Budget for 2018

Revenue (see below for breakdown)
Registration fees

Total revenue

14,850.00
14,850.00

Expenses

Paper works - posters/brackets etc
Prize money - 25% of registration
Umpires: \$25 per game
Cost of softballs from skaterz edge (10 dozen 80\$ per)
NSA tournament fee (\$35/team) (includes insurance and some prizes)
Sound technician for concert
Fee for bands (2 bands)
Miscellaneous Supplies (stage construction, tournament pack/team, etc...)
Theme decorations
Donation Espanola Minor Ball
First Aid kit
Fields & Pavilion
Total expenses

Net Profit/Loss

374.11

Registration Breakdown

	Total Teams	Total reg.	free entry
	36.00	15,300.00	450.00

JUN 29 2018

Department: General Administration	Form Number: A99-01370
Subject: Staff Report	Effective Date: 06/05/17
Policy No:	Revision Date: 13/05/29
Bylaw No:	Version #: 2

STAFF REPORT

DEPARTMENT: Administration

DATE: July 4, 2018

ITEM: Deeming Bylaw for Lot Consolidation

RECOMMENDATION: Be It Resolved That: Bylaw 2862/18, being a Deeming Bylaw for lot consolidation of PIN 73407-0660/Roll #011-09000, 341 Algoma St & PIN 73407-0662/Roll #011-09100, vacant lot on Algoma St be adopted.

BACKGROUND:

Under the Ontario Planning Act Section 50 (4), passing a deeming bylaw is the procedure that must be followed in order to consolidate lots in a registered plan of subdivision.

ANALYSIS:

This is not a new situation. These lots are part of a plan of subdivision. The property owner would like consolidate the lots and construct a garage accessory to the main residential use. The property owner wanted to consolidate the vacant lot with the lot his house sits on regardless and must do so to obtain the building permit. The property owner applied for a building permit to construct the garage but a permit cannot be issued for an accessory use without a main use. To date the Chief Building Official has issued a temporary building permit for the foundation of the garage. The property owner is aware that if the Deeming Bylaw is not approved the permit will be revoked and any work that has been started must be removed.

EXISTING POLICY: Deeming Bylaw registered on title.

STRATEGIC GOAL: Sustainable Economic Growth & Prosperity /Excellence in Government

FINANCIAL COMMITMENT: \$0

BUDGETED: NA

Yes

No

IMPLEMENTATION: Clerk's Office

Prepared By:

Paula Roque

CAO/Treasurer:

Approval of Recommendation:

Yes

✓

No



THE CORPORATION OF THE TOWN OF ESPANOLA

BYLAW NO. 2862/18

**Being a Deeming Bylaw
For a Lot Consolidation**

THAT the Council of the Corporation of the Town of Espanola enacts as follows:

1. That the Mayor and Clerk are hereby authorized to deem the property legally known as, PIN 73407-0662, Con 5 Lot 7 Plan M173 Lot 105 PCL 13903 Merritt; Espanola, to no longer be part of a Plan of Subdivision and therefore be consolidated with the property legally known as PIN 73407-0660 Con 5 Lot 7 PCL 11745 Plan M173 Lot 106, Lot 107 Merritt; Espanola, 341 Algoma Street.
2. That proof of consolidation from the Land Registry Office shall be attached to and become part of the Bylaw.

Passed this 10th day of July 2018.

Ron Piche
Mayor

Paula Roque
Clerk

JUN 22 2018



TOWN OF ESPANOLA

**APPLICATION FOR DEEMING BYLAW
TO THE TOWN OF ESPANOLA**

Under Subsection 4, Section 50 of *The Planning Act*, R.S.O. 1990, c.P.13, as amended and other applicable legislation.

FOR OFFICE USE ONLY

Reviewed for completeness: _____

Date Application Received: _____ Application Fee Received: ☐ Receipt # _____

PROPERTY LOCATION:

341 Algoma St, Espanola
(Municipal Address)

NAME OF APPLICANT:

Robert Lamothe
(Agent ☐ or Owner ☐)

PREAMBLE:

It is the responsibility of the Applicant or Authorized Agent to complete this form and to supply all of the documents required by the Planning Department.

- ☐ One (1) copy of the subject property's registered deed showing an instrument number and date of registration.

PURPOSE OF PASSING A DEEMING BYLAW

The purpose of passing a deeming bylaw is to deem certain Lots within a registered plan of subdivision (a registered plan of subdivision which has been registered for eight years or more) not to be part of that registered plan of subdivision.

All information is to be forwarded to: Clerk's Office
TOWN OF ESPANOLA
100 Tudhope Street, Ste 2
Espanola, ON P5E 1S6
Phone (705) 869-1540
Fax (705) 869-0083



Pursuant to the provisions of *The Planning Act*, application is hereby submitted for:

PLEASE PRINT ALL INFORMATION

1. NAME OF APPLICANT:

Robert Lamoth

MAILING ADDRESS:

341 Algoma St.

Espanola, ON PSE 1K1

TELEPHONE No. 705-862-1798

**POSTAL
CODE:**

PSE 1K1

SIGNATURE:

DATE:

June 22/18

2. PROPERTY LOCATION AND DESCRIPTION:

Municipal Address: Algoma Street

Legal description of the lands to be de-registered. (Lot & Registered Plan):

LOT NO (S): 105 Pcl 13903 PLAN NO: M173

3. EXISTING USE OF LANDS:

Vacant-Algoma (341 Algoma (Residential))

4. PROPOSED USE OF LANDS:

Residential

5. REASON DEEMING BYLAW IS REQUIRED:

To consolidate 2 lots to build garage

6. AUTHORIZATION:

(Must be filled in If Applicant and/or Agent is not the registered Owner of the lands)

I/We, being the registered owner(s) of the lands subject of this application hereby authorize

_____ of the Town/City of _____

in the Regional Municipality of _____
to make application on my/our behalf to the Town of Espanola for a Deeming Bylaw in accordance with Subsection 4, Section 50 of *The Planning Act* of Ontario, R.S.O. 1990, c.P. 13 as amended.

_____ of the Town/City of _____

in the Regional Municipality of _____

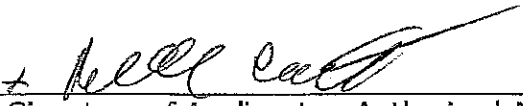
this _____ Day of _____ 20 _____

Owner (seal)

Witness

Owner (seal)

Witness

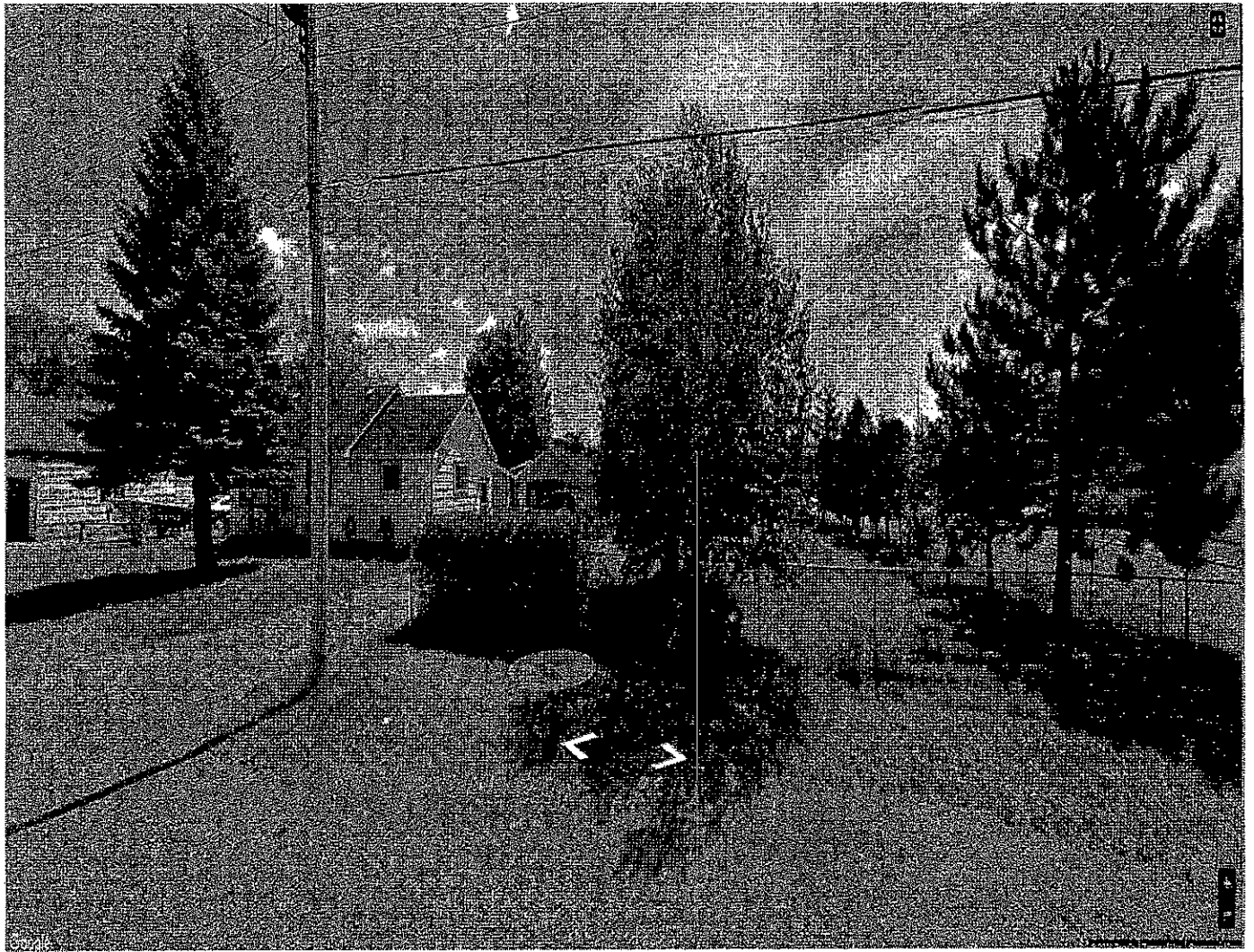


Signature of Applicant or Authorized Agent

NOTE: IF THE REGISTERED OWNER IS A CORPORATION, THE CORPORATE SEAL MUST BE AFFIXED TO THIS FORM IN ADDITION TO THE SIGNATURE OF AUTHORIZED SIGNING OFFICER.

Personal information contained in this form is collected under the authority of the Planning Act R.S.O. 1990 c.P.13 and will be used for the processing of the Deeming Bylaw. Questions about the collection should be directed to:

Clerk's Office
TOWN OF ESPANOLA
100 Tudhope Street, Ste 2
Espanola, ON P5E 1S6
Phone (705) 869-1540
Fax (705) 869-0083



Department: Leisure Services	Form Number: A99-01370
Subject: Staff Report	Effective Date:
Policy No:	Revision Date: 07/03/18
Bylaw No:	Version #: 1

STAFF REPORT

DEPARTMENT: Leisure Services

DATE: July 3, 2018

ITEM: Reciprocal Agreement Rainbow School Board

RECOMMENDATION: Be It Resolved That: Council endorse the renewal of a revised reciprocal agreement with the Rainbow District School Board.

BACKGROUND:

- Historically, we have operated within a reciprocal agreement with all School Boards. This last year, we have operated in the absence of a signed agreement with the Rainbow School Board; we continued to provide ice, gym time, track, squash, field amenities and auditorium space to the schools as a service to promote student health through active programming. In addition, we have offered pool time and gym memberships at a reduced rate
- In previous years when the Town ran a summer parks program and year-round active programs the agreement was somewhat reciprocal because we had need of the high school gym and art class. Since the cancellation of the summer parks program and the change over to a community based model of programming we no longer have a need for regular access to the High School and A. B. Ellis
- In order to create a more equitable arrangement we have initiated a reciprocal agreement which will trade student and teacher engagement for access to our facilities. For example, the high school art class could re-create our Pumpkin Man which was previously burned down at his home in Williamson Park, or the art class could be charged with community murals on benches or garbage cans. The Shop classes may create new benches, planters or bike racks. The Media Arts Class may create promotional videos for the Town of Espanola or launch a social media campaign and the music class might perform at Seniors Appreciation Day.
- Under this revised agreement the Town would still continue to have access to the school buildings should we require them for surplus programming or special event delivery

ANALYSIS:

This enhancement, of what has been a standard procedure with the Board, will create opportunities to invest in our youth with the creation of meaningful youth engagement, strengthened leadership and community pride. Community development and sustainability relies on our investment and connection to youth. Youth are more apt to return to their home town upon graduation if they are engaged and valued in their formative years. They are also more likely to become integral volunteers if their ideas and volunteer contributions are respected and valued.

Although there is no guarantee that the new arrangement will make the agreement



This is an agreement between

THE RAINBOW DISTRICT SCHOOL BOARD
(Hereinafter called the "District School Board")

OF THE FIRST PART

And

THE CORPORATION OF THE TOWN OF ESPANOLA
(Hereinafter called the "Town"),

OF THE SECOND PART

WHEREAS the intent of this Agreement is to make possible a comprehensive program to support community recreation, leadership and capacity building amongst youth utilizing Sudbury District West school facilities, students & faculty within Espanola administered by the District School Board and municipal recreation facilities administered by the Town;

AND WHEREAS the interests and concerns of the Town in the subject matter of this Agreement and, except where specifically and otherwise provided, the duties and obligations hereunder of the Town will be carried out by the Leisure Services Department and the Public Works and Parks Department;

AND WHEREAS Section 183 of the Education Act, R.S.O. 1990, chapter E.2 authorizes a School board to enter into an agreement with a municipality for the purpose of establishing and providing for the maintenance and operation of facilities on the property of the parties to such an agreement for such cultural, recreation, athletic, educational, administrative or other Community purposes;

AND WHEREAS the parties wish to enter into an Agreement to equalize the cost or value of usage of the services and facilities provided by each party;

THAT the District School Board and Town reciprocal agreement be renewed according to the terms and conditions listed in the agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that the District School Board and the Town agree as follows:

1. POLICY

- 1.1 The District School Board shall make available to the Town without charge the use of interior and exterior facilities of school premises from time to time as mutually agreed upon provided such use does not interfere with the proper conduct of the District School Board's schools. Such usage will generally be outside of school hours (after 5:00 p.m.) unless through special arrangement.

The Town of Espanola and The District School Board shall consider alternative means to equalize reciprocity of the agreement. The use of Town facilities will be exchanged by tapping into class/student resources which may include but not be limited to:

- **Media Arts Engagement:** class projects to support municipal and community initiatives ie production of tv & radio spots, testimonial videos for website, youth directed recycling campaign, promotional videos for community events & programs
- **Art Class Engagement:** class initiatives to support community art & beautification projects ie creation of scarecrows or painting of hay bales for Pumpkin Festival, , mural painting or artistic restoration of older wooden benches
- **Music Class Engagement:** performances to enhance community programming ie. a musical performance for seniors
- **IT Mentorship:** students share their computer savvy with free one-on-one tutorials at the Public Library
- **Construction & or Welding class** could assist in the building of community art or assets such as park benches or bike racks
- **Forestry Class** could assist in greening and planting initiatives
- The Town of Espanola will endeavour to support class initiatives with a budget to cover supplies should they be required to complete the project.

- 1.2 The Town shall make available to the District School Board without charge, the use of indoor and outdoor recreation facilities from time to time as mutually agreed upon provided such use does not interfere with the proper conduct of the Town's functions. Such usage will generally be during school hours (between 7:00 a.m. and 4:30 p.m.) unless through special arrangement such as for soccer games and track & field meets where the end time may exceed 4:30 pm.
- 1.3 The Town shall provide a schedule of dates and times that the Municipal facilities are available for the District School Board's use at the beginning of the school year
- 1.4 Each party must supply to the other proof of public comprehensive liability insurance certificate that covers injury, death and property damage to a minimum of \$ five (5) million.
- 1.5 This Agreement shall continue in force until May 3, 2021. This Agreement will be reviewed once each school year with reports to the District School Board and the Town if requested by either party. Any recommendations for changes to the agreement will be included during the review period.
- 1.6 This agreement may be terminated by notice given in writing to either party prior to the 31st of May in any year.

2. ADMINISTRATIVE AND POLICY GUIDELINES

- 2.1 Priority for use of school facilities shall generally be as follows:
 - 2.1.1 The District School Board
 - 2.1.2 Community Partners and Councils (i.e. Parent involvement)
 - 2.1.3 Leisure Service activities expressly sanctioned by
The Corporation of The Town of Espanola and subject to its policies.
 - 2.1.4 Independent Groups
- 2.2 Priority for use of municipal facilities shall generally be as follows:
 - 2.2.1 Leisure Service activities expressly sanctioned by
The Corporation of The Town of Espanola and subject to its policies.
 - 2.2.2 Community User Groups associated with the Town of Espanola
 - 2.2.3 Independent Groups – rental opportunity
 - 2.2.4 The District School Board
- 2.3 The Town of Espanola has the right to cancel a school booking for a rental opportunity with proper notification being provided as listed in Schedule "B" attached hereto.
- 2.4 Use must be truly reciprocal with each body using equal time, without undue financial costs in order to achieve the requirements of the agreement. Any additional charges must be incurred by the user (e.g., additional lifeguards required due to size or type of activity; additional cleaning staff due to timing or size of group). Billing for such event shall be paid up front before using the facility.
- 2.5 The District School Board shall be responsible for interior and exterior maintenance of school facilities, which are used by the Town. Damage to facilities and major equipment, over and above fair wear and tear, shall be the responsibility of the user.
- 2.6 The Town shall be responsible for interior and exterior maintenance of recreation and park facilities, which are used by the District School Board. Damage to facilities, equipment, over and above fair wear and tear, shall be the responsibility of the user.
- 2.7 Janitorial and maintenance services shall be the responsibility of the body having jurisdiction over the facilities. Subject to Schedule 'B'.
- 2.8 The user shall provide details on installation of any major apparatus or equipment.
- 2.9 Installation of apparatus or equipment shall be subject to the responsibility of the user and subject to any regulations included with the facility when it is allocated, except in those cases where the body having jurisdiction over the facility has

special reasons or regulations restricting use. As with facilities, instances of vandalism and damage beyond wear and tear shall be the responsibility of the user.

- 2.10 The user shall provide minor equipment and supplies (easily transportable and only if available).

Only personnel provided by the body having jurisdiction over the facility shall operate public address systems, music and lighting systems.

- 2.11 The Town shall provide to the District School Board the terms and conditions for the designated use.
- 2.12 The District School Board shall be responsible to circulate this agreement to the local schools ensuring that appropriate staff receive a copy.

3. SUPERVISION

- 3.1 All users provide a level of instruction and supervision with respect to quantity and quality which is acceptable to the body having jurisdiction over the facility.
- 3.2 Supervisory staff must be first in and last out of all activity areas.
- 3.3 There shall be at least one member of supervisory staff present during all activity in each activity area unless the body having jurisdiction otherwise agrees. Adequate supervision must be provided during large activities such as hockey games, tournaments, and track and field events, including change rooms provided for activities that require the use of change/dressing rooms such as hockey games and use of pool.
- 3.4 Supervision must ensure compliance with the rules of the body having jurisdiction over the facility. For example:
- no running in school halls, on pool deck, etc.
 - suitable footwear anywhere in the building complex (gymnasium, pools, fitness centre, etc.)
 - cleats are not permitted in the complex
 - shirts must be worn
 - no loitering, students must be participating in the activity/event
 - no traffic in prohibited areas (e.g. boiler room, etc.)
 - no smoking in building
 - no gambling or unauthorized promotions

The coaches and teachers are responsible for the behaviour of all students and spectators before, during, and after games and practices.

The coaches and teachers are responsible to ensure that all students comply with the rules of the facility being used; such as ensuring that there is no litter left behind (track and ball field), fitness centre rules are complied with (no dropping of weights, etc.)

Non coaching school representatives and security personnel must be in attendance for all prime time games.

- 3.5 Use of these facilities may be cancelled or suspended by the body having jurisdiction over the facility concerned when it appears that, due to excessive use or inclement weather, the facility may be damaged.

4. RESTRICTED PERIODS – USE OF FACILITIES

- 4.1 Each year, the Town of Espanola shall notify the District School Board and Espanola High School with the date that the ball fields and soccer fields are ready for use. Until such time, no such person shall be permitted on the fields.
- 4.2 Each year the Town of Espanola shall notify the District School Board and Espanola High School with the dates and times that the pool and fitness centre are available.
- 4.3 The body having jurisdiction over the facility shall have prior claim on it for any necessary maintenance or major work.
- 4.4 The Town has the right to cancel without notice a scheduled use of any playing field or complex facility if in the opinion of the Town they are unfit for use due to inclement weather, repairs, maintenance or shortage of staff.
- 4.5 The District School Board shall not have access to any instructor lead programs, i.e. Aquafit.
- 4.6 The District School Board shall provide the Town with notice of cancellation as per attached Schedule 'B' that shall form part of this policy. Despite any other provisions to the contrary in the agreement, a party who doesn't use scheduled time in the facility identified in Schedule 'B' and doesn't give notice of cancellation in advance of the scheduled time in accordance with the guidelines set out in Schedule 'B' shall upon invoicing by the party owning the facility, pay the then current fee or charge otherwise chargeable for the time scheduled in that facility as unused.
- 4.7 That Schedule 'A', Form # L99-01467, forming part of this agreement "application for use of Town facility" attached hereto shall be completed by the District School Board and deposited at the Public Works Department for field use and the Leisure Services Department for all other uses. The District School Board shall provide two (2) weeks advance notice prior to the date the facilities are required.
- 4.8 The District School Board shall ensure that the agreement is provided to local schools and individuals responsible for booking.
- 4.9 The local schools shall provide the Town a list of staff eligible to book facilities at the beginning of the school year. The use of change rooms in the recreation complex other than stated in Section 3.3 is prohibited.

5. RECIPROCAL SAVE HARMLESS CLAUSE

- 5.1 The District School Board and the Town, respectively, undertake and agree to indemnify and save harmless the other of and from all claims, demands, actions, and costs incidental thereto, that may be made or instituted by any person or persons with respect to damages or injuries that may be sustained to person and/or property arising out of the use of any of the facilities by either of the said parties. Both parties provide a Certificate of Insurance on a yearly basis.

IN WITNESS WHEREOF the parties hereto have executed this Agreement under their respective corporate seals by the hand of their respective officers duly authorized in that behalf.

THE DISTRICT SCHOOL BOARD

Per: _____
Director of the Rainbow District School Board

Date: _____

THE CORPORATION OF THE TOWN OF ESPANOLA

Per: _____
Mayor

Per: _____
CAO/Treasurer

Date: _____



100 Tudhope Street· Suite 2· Espanola, ON P5E 1S6
Telephone: (705) 869-1540· Facsimile: (705) 869-0083
Website: www.espanola.ca

For Field Use Contact Public Works: Tel. 869-1751· Fax 869-4294
All Other Facilities Contact Leisure Svs: Tel. 869-1961· Fax 869-6697

Schedule 'A'
APPLICATION FOR USE OF TOWN FACILITY
BY Rainbow District School Board

School Name: _____

Leisure Services Department

**Public Works
Department**

Facility use
requested:

☐ Arena

☐ Fitness

☐ Ballfield(s)

☐ Auditorium

☐ Pool

☐ Pavilion

☐ Auditory Equip.

☐ Squash

☐ Soccer

☐ Dressing Room(s)

☐ Auditory Equip.

☐ Tennis Courts

☐ Track

Day(s) required	Date(s) required	Time(s) required

Expected attendance: _____ Grade(s) & Age(s):
(Primary) _____

Requirements: (If additional space is required, please attach a schedule)

An application is required for each facility use. Applications must be submitted fourteen (14) days prior to date the facilities are required. A school designate must be assigned who will be responsible at all times for the activities of the group. Anyone using the premises shall be bound to observe the municipal rules, regulations and policies and failure to do so may result in a discontinuation of the activity, further use of the premise by the group and/or individual.

Applicant acknowledges, understands and accepts the terms and conditions.

<i>Print Name</i>	<i>Signature</i>	<i>Date</i>
Person in charge of the activity:		

<i>Name</i>	<i>Telephone & extension</i>	<i>Email</i>

THIS SECTION TO BE COMPLETED BY THE TOWN

Available _____ Not Available _____ Date: _____

Town contact person: _____ Tel. #: _____

Schedule 'B'
Municipal and District School Board Facilities
Notice of Cancellation Procedure

Municipal Facility	Cancellation Procedure	Contact
Complex	Notice of cancellation must be received at the Complex via phone at 859-1961 or via fax at 869-6697 or email at least 48 hours prior to activity.	Office/Facility Booking Clerk
Pool activities requiring that additional lifeguard hours be scheduled	Cancellations from the school within 48 hours notice will not be charged back. Cancellation with less than 48 hours will be charged back to the school. No show will be invoiced to the school.	Office/Facility Booking Clerk
Ball field Track & Fields Soccer Field Tennis Courts Pavilion	Notice of cancellation must be received at Public Works via phone at 869-175 or via fax at 869-0083 at least 48 hours prior to activity.	Public Works Clerk
District School Board	Cancellation Procedure	Contact
Individual Schools	Notice of cancellation to be given via phone at 869-1540 at least 48 hours in advance of the scheduled time.	Designated by School
Facility requiring that additional custodial hours be scheduled	Individual Schools at least 48 hours prior to activity.	Designated by School