

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

REGULAR MEETING

A G E N D A

DATE:

April 27, 2011

TIME:

Following Committee of the Whole
Administration and Operations

PLACE:

Council Chambers
Oliver Paipooonge Municipal Complex

PRESIDING:

Mayor L. Kloosterhuis

MEMBERS OF COUNCIL:

Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS:

Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk

ORDERS OF THE DAY:

OPENING THE MEETING
DISCLOSURES OF INTEREST
ADOPTION OF THE AGENDA
MINUTES OF PREVIOUS MEETINGS
REPORTS OF COMMITTEES
MAYOR'S REPORT
REPORTS OF MUNICIPAL OFFICERS
BY-LAWS
PETITIONS AND COMMUNICATIONS
NEW BUSINESS
ADJOURNMENT

CALL TO ORDER

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

RES THAT with respect to the April 27, 2011, Regular Agenda we recommend
1 that the agenda as printed including any additional information and new
business be confirmed.

MINUTES OF PREVIOUS MEETING

Regular Meeting

7 – 15

Minutes of Regular Meeting held on March 28, 2011, for approval.

RES THAT the Minutes of the Regular Meeting held on March 28,
2 2011, be approved, as submitted.

Committee of the Whole Closed Session

16 – 17

Minutes of the Committee of the Whole Closed Session Meeting held on March 28, 2011, for approval.

RES THAT the Minutes of the Committee of the Whole Closed Session
3 Meeting held on March 28, 2011, be approved as submitted.

Committee of the Whole
Planning and Development

18 – 22

Minutes of the Committee of the Whole Planning and Development Meeting held on April 11, 2011, for approval.

RES THAT the Minutes of the Committee of the Whole Planning
4 and Development Meeting held on April 11, 2011, be approved
as submitted.

MAYOR'S REPORT

COUNCILLORS/CONFERENCE/SESSION REPORTS

REPORTS OF MUNICIPAL OFFICERS

BY-LAWS

RES 5, 6 & 7

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

- 1. THAT By-law No. 630-2011 to amend By-law No. 185-01, a Zoning By-law, BE APPROVED; 23 -- 25

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

MUNICIPALITY OF OLIVER PAIPOONGE (PAIPOONGE COMPLEX)

- 2. THAT By-law No. 631-2011 being a by-law to repeal By-law No. 621-2011 authorizing the execution of a Lease Agreement between the Corporation of the Municipality of Oliver Paipoonge and Bell Mobility Inc. for property on site W3018 -- Oliver Paipoonge to install a telecommunication tower, BE APPROVED; 26

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

- 3. THAT By-law No. 632-2011 being a by-law to authorize the execution of a Lease Agreement between the Corporation of the Municipality of Oliver Paipoonge and Bell Mobility Inc. for property on site W3554A Twin City to install a telecommunication tower and to repeal By-law No. 620-2011, BE APPROVED; 27 -- 40

AND THAT the Mayor and Clerk be authorized to affix their signatures to said by-law.

PETITIONS AND CORRESPONDENCE

PAGES

Action Items

School Boards' Declaration of
Voting Day as a Professional Activity Day

41 – 42

Letter from Sandra Kranc, City Clerk, Oshawa, dated April 15, 2011, containing a resolution relative to the above noted.

HST Revenue and a New Funding
Mechanism for Transportation Infrastructure

43 – 44

Resolution from Kathy Kielt, Acting Deputy Clerk and Supervisor of Council & Committee Services, Halton Region dated March 31, 2011, with respect to the above noted.

Declaration October 23 – 29, 2011
English as a Second Language Week

45 – 46

Letter from Sheila Nicholas, Chair, Teachers of English as a Second Language Association of Ontario dated March 31, 2011, requesting the above noted declaration.

HST Revenue Charged
on Gasoline and Diesel Sales

47 – 50

Letter from John Ennis, Government Relations Specialist, CAA South Central Ontario relative to the above noted attaching a letter from Ann Wright, Deputy Clerk/Executive Assistant, Town of Ingersoll, dated April 19, 2011, requesting support of a resolution with respect to the above noted.

Funding Formula
Emergency Medical Services

51 – 52

At the April 11, 2011, Regular Meeting Council directed Administration to provide further information with respect to the resolution from Parry Sound and submit to the next meeting.

A copy of the Minutes from Parry Sound containing the resolution.

Copy of a resolution from the Township of Ignace relative to the above noted represented.

For Information Only

EBR Posting Notification: Phase One and Two
ESA Guidance Under Brownfields Ontario Regulation 153/04

53 – 54

Email from Krista Adams, M.Sc., P.Eng., Senior Program Support Coordinator, Ministry of the Environment, requesting comment and feedback on the above noted by May 23, 2011.

Growth Plan for Northern Ontario, 2011

Memorandum from Cal McDonald, ADM, Northern Development Division, Ministry of Northern Development, Mines and Forestry dated April 13, 2011, providing an update on implementation of the Growth Plan for Northern Ontario, 2011.

55 – 57

Memorandum from Dominic Giroux, President and Vice-Chancellor, Laurentian University and Brian Stevenson, President and Vice-Chancellor, Lakehead University dated April 12, 2011, entitled Northern Policy Institute.

58 – 59

NOMA Outlines Concerns
With Forest Tenure Legislation

60

Media Release from the Northwestern Ontario Municipal Association dated April 13, 2011, relative to the above noted, for information.

Letter of Congratulatory
Fire Service Compliance Report 2011

61

Letter from Kevin Schooler, Fire Protection Adviser, Office of the Fire Marshal, dated April 5, 2011, congratulating the municipality on completion of the yearly compliance report for 2011, for information.

Rainforest Alliance
SmartWood Program

62 – 65

Letter from Christine Korol, Ontario Forest Management & CoC Associate, SmartWood Program, Rainforest Alliance Canada, dated April 12, 2011, relative to the above noted, for information.

2011 Delegation
ROMA/OGRA Conference

Letter from Maria Van Bommel, Parliamentary Assistant, Ministry of Agriculture, Food and Rural Affairs dated March 23, 2011, relative to the above noted, for information.

Duty to Consult
Métis Nation of Ontario

Letter from The Métis Nation of Ontario dated March 31, 2011, relative to the above noted, for information.

Firefighters Mandatory
Retirement Legislation Introduced

Email from AMO dated April 19, 2011, relative to the above noted, for information.

Source Protection Planning
Bulletin - Land Use Planning Tools

Memorandum from Ian Smith, Director, Source Protection Programs Branch, Ministry of the Environment dated April 18, 2011, attaching a copy of the above noted, for information.

NEW BUSINESS

COMMITTEE OF THE WHOLE CLOSED SESSION

RES 8 THAT we resolve into a Committee of the Whole Closed Session to discuss matters pertaining to employee negotiations, the hour being _____ p.m.

RES 9 THAT we revert back to the Regular Meeting to complete the business at hand the hour being _____ p.m.

ADJOURNMENT

RES 10 THAT the Regular Meeting held on April 27, 2011, be adjourned the hour being _____ p.m.

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

REGULAR MEETING

MINUTES

DATE: April 11, 2011
TIME: 8:05 p.m.
PLACE: Council Chambers
Oliver Paipoonge Municipal Complex
CHAIR: Mayor Lucy Kloosterhuis
PRESENT: Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS:
Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner

CALL TO ORDER

Mayor Lucy Kloosterhuis called the meeting to order.

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

Resolution No. 156-2011

MOVED BY Councillor B. Kamphof
SECONDED BY Councillor E. Collingwood

THAT with respect to the April 11, 2011, Regular Agenda we recommend that the agenda as printed including any additional information and new business be confirmed.

CARRIED

MINUTES OF PREVIOUS MEETING

Regular Meeting

Minutes of Regular Meeting held on March 28, 2011, for approval.

Resolution No. 157-2011

MOVED BY Councillor E. Collingwood
SECONDED BY Councillor B. Kamphof

THAT the Minutes of the Regular Meeting held on March 28, 2011, be approved as submitted.

CARRIED

Discussion on the above noted minutes.

Public Meeting

Minutes of Public Meeting held on March 28, 2011, for approval.

Resolution No. 158-2011

MOVED BY Councillor E. Collingwood
SECONDED BY Councillor B. Kamphof

THAT the Minutes of the Public Meeting held on March 28, 2011, be approved as submitted.

CARRIED

Special Committee of the Whole

Minutes of the Special Committee of the Whole Meeting held on March 28, 2011, for approval.

Resolution No. 159-2011

MOVED BY Councillor B. Kamphof
SECONDED BY Councillor E. Collingwood

THAT the Minutes of the Special Committee of the Whole Meeting held on March 28, 2011, be approved as submitted.

CARRIED

Committee of the Whole Closed Session

Minutes of the Committee of the Whole Closed Session Meeting held on March 28, 2011, for approval.

Resolution No. 160-2011

MOVED BY Councillor E. Collingwood
SECONDED BY Councillor B. Kamphof

THAT the Minutes of the Committee of the Whole Closed Session Meeting held on March 28, 2011, be approved as submitted.

CARRIED

Committee of the Whole
Administration and Operations

Minutes of the Committee of the Whole Administration and Operations Meeting held on March 28, 2011, for approval.

Resolution No. 161-2011

MOVED BY
SECONDED BY

Councillor B. Kamphof
Councillor E. Collingwood

THAT the Minutes of the Committee of the Whole Administration and Operations Meeting held on March 28, 2011, be approved as submitted.

CARRIED

Special Public Meeting

Minutes of the Special Public Meeting held on April 4, 2011, for approval.

Resolution No. 162-2011

MOVED BY
SECONDED BY

Councillor E. Collingwood
Councillor B. Kamphof

THAT the Minutes of the Special Public Meeting held on April 4, 2011, be approved as submitted.

CARRIED

Committee of the Whole Finance
(2011 Operating and Capital Budget)

Minutes of the Committee of the Whole Finance (2011 Operating and Capital Budget) Meeting held on April 4, 2011, for approval.

The following omission was noted:

Add under General Recreation - "Reassess Supervisor's Salary for possible decrease in 2012 General Recreation Operating Budget and an increase in the Nor West Recreation Operating Budget."

Resolution No. 162A-2011

MOVED BY
SECONDED BY

Councillor E. Collingwood
Councillor B. Kamphof

THAT the Minutes of the Committee of the Whole Finance (2011 Operating and Capital Budget) Meeting held on April 4, 2011, be approved as amended.

CARRIED

MAYOR'S REPORT

CONFERENCE/SESSION REPORTS

Resolution No. 165-2011

MOVED BY Councillor E. Collingwood
SECONDED BY Councillor A. Vis

WHEREAS over 80% of Canadians now live in urban areas and have come to rely on the environmental, ecological and economic benefits of urban forests;

AND WHEREAS the health of Canadians is sustained by their urban forests which provide services through improving air quality, cooling city streets and buildings, acting as a windbreak, shading from harmful UV rays, and filtering storm water, as well as beautifying our communities;

AND WHEREAS neither the federal nor provincial governments currently include urban forestry in their mandates except in a limited role with respect to exotic, invasive pests;

AND WHEREAS the Canadian Food Inspection Agency has not been able to stop the spread of the Emerald Ash Borer throughout Ontario and Quebec

AND WHEREAS the Emerald Ash Borer is expected to cost Canadians over \$2 Billion dollars in treatment and replanting;

AND WHEREAS Canadian forestry programs and research are solely focused on industrial forests and do not at present include urban tree planting, appropriate species research, and insect control and management; and

AND WHEREAS other jurisdictions such as the United States Forest Service and the European Urban Forestry Research and Information Centre include urban forestry as a program and research area;

AND WHEREAS Canada engages municipalities in a number of substantial infrastructure programs;

THEREFORE BE IT RESOLVED that the Municipality of Oliver Palpoonge calls on the Federal and Provincial governments to take leadership roles in recognizing the need to support urban forestry, by establishing urban forestry mandates and programs which includes funding assistance to municipalities for the control and management of the Emerald Ash Borer- and any future significant imported diseases and insects -as well as the creation and funding of programs designed to support the on-going sustainable management of urban forests;

BE IT FURTHER RESOLVED that this resolution be distributed to The Honourable Gerry Ritz, Minister of Agriculture and Agri-Food; The Honourable Christian Paradis, Minister of Natural Resources; The Honourable Chuck Strahl, Minister of Transport, Infrastructure and Communities; The Honourable Jim Flaherty, Minister of Finance; Greg Rickford, MP (Kenora); John Rafferty, MP (Thunder Bay – Rainy River); Bruce Hyer, MP (Thunder Bay – Superior); Carol Hughes, MP (Algoma – Manitoulin – Kapuskasing); Honourable Linda Jeffrey, Minister of Natural Resources; Honourable Rick Bartolucci, Minister of Municipal Affairs and Housing; Honourable Dwight Duncan, Minister of Finance; Howard Hampton, MPP (Kenora – Rainy River); Bill Mauro, MPP (Thunder Bay – Atikokan); Honourable Michael Gravelle, MPP (Thunder Bay – Superior); Michael Brown, MPP (Algoma – Manitoulin); Association of Municipalities of Ontario; Federation of Canadian Municipalities; Northwestern Ontario Municipal Association.

CARRIED

Funding Formula
Emergency Medical Services

Copy of a resolution from the Township of Ignace relative to the above noted.

Council directed Administration to provide further information with respect to the resolution from Parry Sound and submit to the next meeting.

For Information Only

Junior Fire Cadet Program
Nolalu Emergency Services Team

Letter from Sharon Low, Chairperson, Nolalu Local Services Board and John O'Malley, President Nolalu Emergency Services Team dated April 1, 2011, advising they are considering the implementation of a Junior Fire Cadet Program.

Local Housing Concerns
Presented to Legislative Committee on Bill 140

Media Release from Iain Angus, Chair, TBDSSAB dated March 24, 2011 attaching a copy of the presentation to the Standing Committee on Justice Policy in Response to Bill 140.

2011 Volunteer Recognition Programs

Letter from Thomas H.B. Symons, CC, OOnt, FRSC, LL.D, Chairman, Ontario Heritage Trust, dated March 16, 2011, relative to the above noted.

“Taking Care of Your Drinking Water:
A Guide for Members of Municipal Councils”

Letter from Orna Salamon, Director, Drinking Water Programs Branch, Ministry of the Environment, dated March 4, 2011, attaching a copy of the above noted.

A copy of the Guide was distributed separately.

Lincoln M. Alexander Award 2011

Letter from Dr. Eric Hoskins, Minister, Ministry of Citizenship and Immigration dated March 2011, relative to the above noted.

2011 Annual Meeting
Northwestern Ontario Municipal Association

Information relative to the 2011 Annual Meeting and Conference scheduled for April 27 – 29, 2011 at the Best Western Nor'Wester Resort in Thunder Bay.

Council directed the CAO to provide copies of the agenda to Members of Council.

It was the consensus of Council that Councillor B. Kamphof and Jamie Cressman, CAO attend the Conference.

Town Hall Sessions
Local Authority Services Ltd.

Information relative to learning about existing and new program/service offerings relative to the above noted from the Association of Municipalities of Ontario and the Local Authority Services Ltd.

Communities in Bloom

Information from Communities in Bloom Canada on How to Participate in Communities in Bloom.

OAF Municipal Politicians Seminar
Essentials of Firefighting and Firefighting 101

Letter from Tim Beckett, OAF President received March 28, 2011, relative to the above noted Seminar on May 2 and 3, 2011.

2011 Provincial Budget
Preserves Upload Schedule

Communication from the Association of Municipalities of Ontario dated March 29, 2011, relative to the above noted.

Proposed Changes to
the Ontario Building Code

Copy of a letter from Ron Nelson, President, Northwestern Ontario Municipal Association to The Honourable Rick Bartolucci, Minister of Municipal Affairs and Housing dated March 31, 2011, relative to the above noted.

2011 Outdoor Email Opportunity

Email dated April 7, 2011, forwarded to all NOSTA Members relative to the Ontario Tourism Marketing Partnership Corporation (OTMPC) Advertising Opportunity, for information.

Rick Hansen
25th Anniversary Relay

Email from the Rick Hansen Foundation dated April 5, 2011, providing additional information with respect to the above noted, for information.

Ontario Government Refuses Request
for Northern Hearings on Bill 151:
Meetings on Forest Tenure Legislation

Media Release dated April 5, 2011, from the Northwestern Ontario Municipal Association relative to the above noted, for information.

AMO Report to Members
On March 2011 Board Meeting

Communication from the Association of Municipalities of Ontario dated April 1, 2011, relative to the above noted, for information.
Preventing Liberal Government

ADJOURNMENT

Resolution No. 166-2011

MOVED BY
SECONDED BY

Councillor A. Vis
Councillor J. Byers

THAT the Regular Meeting held on April 11, 2011, be adjourned
the hour being 9:15 p.m.

CARRIED

Mayor Lucy Kloosterhuis

Jamie Cressman
Chief Administrative Officer

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONCE

COMMITTEE OF THE WHOLE CLOSED SESSION

MINUTES

DATE: April 11, 2011

TIME: 8:16 p.m.

PLACE: Council Chambers
Oliver Paipoonge Municipal Complex

CHAIR: Mayor Lucy Kloosterhuis

PRESENT: Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICER: Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner

CALL TO ORDER

Mayor L. Kloosterhuis called the meeting to order.

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

Proposed Disposition of Land

Sharron Martyn, Planner provided a verbal report with respect to an inquiry regarding leasing Municipal property.

Council directed the Planner to proceed as discussed.

Employee Negotiations
NorWest Rec Centre Proposal

A copy of the NorWest Rec Centre Proposal for review.

Council reviewed the above noted and directed the CAO to proceed as discussed.

Employee Negotiations
Local 607 Proposal
Municipality of Oliver Paipoonge

A copy of the Local 607 Proposal for review.

Council reviewed the above noted and directed the CAO to proceed as discussed.

ADJOURNMENT

The meeting adjourned at 8:44 p.m.

Mayor L. Kloosterhuis

Jamie Cressman
Chief Administrative Officer/Clerk

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

COMMITTEE OF THE WHOLE
PLANNING AND DEVELOPMENT

MINUTES

Planning Department
Building and Property
Leisure Services
Protective Services

DATE: April 11, 2011
TIME: 6:30 p.m.
PLACE: Council Chambers
Oliver Paipoonge Municipal Complex
CHAIR: Councillor A. Vis

PRESENT: Mayor L. Kloosterhuis
Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof

MUNICIPAL OFFICERS: Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk
Sharron Martyn, Planner

CALL TO ORDER

Councillor Vis called the meeting to order.

DISCLOSURES OF INTEREST

No disclosures of interest noted at this time.

CONFIRMATION OF THE AGENDA

Resolution No. 152-2011

MOVED BY Councillor B. Kamphof
SECONDED BY Councillor E. Collingwood

THAT with respect to the April 11, 2011, Committee of the Whole Planning and Development Agenda we recommend that the agenda as printed including any additional information and new business be confirmed.

CARRIED

DEPUTATIONS

MINUTES OF PREVIOUS MEETING

Committee of the Whole
Planning and Development

Minutes of the Committee of the Whole Planning and Development Meeting held on March 14, 2011, for discussion only.

It was questioned whether the Public Works Superintendent had investigated the road allowance adjacent to the Tabor property at the end of Candy Mountain Road relative to a proposed Solar Energy Project. It was noted the road allowance would be investigated once the ground conditions improved.

A discussion ensued with respect to the Rick Hansen 25th Anniversary Relay and the selected routes. The CAO was directed to contact the area schools regarding their possible participation.

It was noted the deadline for applications for the Weed Inspector was April 15, 2011.

REPORTS OF MUNICIPAL OFFICERS

PLANNING DEPARTMENT

Monthly Report -- Planning Department

Planning and Development Monthly Report prepared by Sharron Martyn, Planner.

It was noted the Planner would be following up on the matter pertaining to the southerly portion of Ridler Road with the owner of the property and that this portion of the road would be removed from the hamlet area on the Proposed Official Plan Map.

Sharron Martyn, Planner provided a brief overview with respect to the Proposed Official Plan. A copy of the notes on the Public Meeting held on March 28, 2011, from Don Manahan Consulting were distributed to Council separately.

Committee of Adjustment

Paul Caccamo
Application No. 1B/04/11

Application on behalf of Paul Caccamo on property known as Plan 169 Lot 198 to 201, former Geographic Township of Oliver, now Municipality of Oliver Paipoonge for a proposed lot addition, for comment. Council did not have any comments.

Axel Rehfus
Application No. 1B/05/11

Application on behalf of Axel Rehfus on property known as SPT of Lot 12, Con 7 RP 55R 10919 Part 1 & 3, PCL 26212 former Geographic Township of Oliver, now Municipality of Oliver Paipoonge for a proposed correction of title, for comment. Council did not have any comments.

Hacquoil Construction Ltd.
Application No. 1B/06/11

Application on behalf of Hacquoil Construction Ltd. on property known as Con. 4, Part of Lot 33, Con. 1 NKR Part of Block A, RP WM54, former Geographic Township of Paipoonge, now Municipality of Oliver Paipoonge for a proposed consent to sever, for comment. Council did not have any comments.

Notice of Decision
Diane Polowski
Application Nos. 1B/22/10 and 1B/3/10

Copy of the Notice of Decision on an application on behalf of Diane Polowski on property known as Con. 5, S1/2 Lot 11, Wrigley Drive former Geographic Township of Oliver, now Municipality of Oliver Paipoonge for a proposed consent to sever, for information.

Notice of Decision
Peter Rebernick
Application Nos. 1B/02/11 and 1B/03/11

Copy of the Notice of Decision on an application on behalf of Peter Rebernick on property known as S ½ of Lot 4, Con 1, former Geographic Township of Oliver, now Municipality of Oliver Paipoonge for a proposed consent to sever, for information.

ADMINISTRATION

CAO Report

CAO Report for the period March 24, 2011, to April 6, 2011.

Rubin Subdivision - Jamie Cressman, CAO advised the road and surveying would commence once the ground conditions improved.

Landfill Sites - Council directed the CAO to report back at the next meeting with information on the meeting with Lynn Ward relative to the landfill sites and disposing of garbage.

Municipal Vehicles Mileage Logs and Service Records

At the April 4, 2011, Committee of the Whole Finance (2011 Operating and Capital Budget) Meeting Council requested a resolution be presented at the April 11, 2011, Committee of the Whole Planning and Development Meeting relative to the above noted.

Resolution No. 153-2011

MOVED BY Councillor B. Kamphof
SECONDED BY Councillor E. Collingwood

THAT the Oliver Paipoonge Council directs the Fire Chief and Community Services Supervisor maintain mileage logs and service records on their municipal vehicles to be submitted to the CAO on a monthly basis.

CARRIED

PROTECTIVE SERVICES

By-law Enforcement

Monthly report for March 2011 from By-law Enforcement.

Building

No Building Permits were issued for March 2011.

COMMUNITY SERVICES

Roslyn Water System

Copy of the ALS Laboratory Group Analytical Reports and Certificate of Analysis for the period March 10, 2011, to April 15, 2011. No adverse reports.

REPORTS OF COMMITTEES

Library

Minutes of the Library Board of Directors' Meeting held on March 9, 2011, for information.

Lakehead Region Conservation Authority

Minutes of the Second Regular Meeting of the Lakehead Region Conservation Authority held on February 23, 2011, for information.

Lakehead Source Protection Authority

Minutes of the Fourth Regular Lakehead Source Protection Authority Meeting held on November 24, 2010, for information.

PENDING ITEMS

Council reviewed the list of Pending Items.

NEW BUSINESS

Maki Road Bridge

Resolution No. 154-2011

MOVED BY Councillor E. Collingwood
SECONDED BY Councillor B. Kamphof

THAT the Oliver Paipoonge Council recommends JML Engineering Ltd. prepare a Request for Proposal on the Maki Road Bridge project for design build;

AND THAT the consultant provide a fixed cost for the preparation of the Request for Proposal to the Municipality.

CARRIED

ADJOURNMENT

Resolution No. 155-2011

MOVED BY Councillor J. Byers
SECONDED BY Mayor L. Kloosterhuis

THAT the Committee of the Whole Planning and Development Meeting held on April 11, 2011, be adjourned the hour being 8:00 p.m.

Councillor A. Vis

Jamie Cressman
Chief Administrative Officer/Clerk

**THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE**

BY-LAW NO. 630 - 2011

A By-law to amend By-law No. 185-01, a Zoning By-law.

WHEREAS the Council for the Corporation of the Municipality of Oliver Paipoonge owner of certain lands situate in the Municipality of Oliver Paipoonge requires a change to the zoning to accommodate a site specific zoning change to said lands.

AND WHEREAS the Council is desirous of amending said By-law No. 185-01 in the manner herein set forth.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

Section 1 – Application of the By-law

1.1 Sections 2 and 3 of this By-law shall apply only to the lands and premises being Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession “B” and Concession “1”, NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge.

Section 2 – Change of Zone

2.1 Notwithstanding Schedule “A” to By-law 185-01 as it applies to Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession “B” and Concession “1”, NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge, the said lands are hereby removed from the Paipoonge Institutional (PI) zone and designated as being in and part of the Paipoonge General Commercial (PC2) zone.

Section 3 – Regulation Changes

3.1 For the lands and premises being Concession 1, N/R Part Lot 5, MR 48, Parts 1,2,& 3 FWR153 and road allowance between Concession “B” and Concession “1”, NKR (formerly known as Rosslyn Road) in the former Township of Paipoonge and now in the Municipality of Oliver Paipoonge, Section 4.21.1 of By-law 185-01 is hereby deleted and replace with the following:

“4.21.1 Permitted Uses

No person shall use any lot or erect, alter, or use any building or structure for any purpose except one or more of the following:

- a) Storage of company vehicles and equipment and/or repairs to company vehicles and equipment
- b) Business offices and professional office
- c) Financial institution

4.21.1 (a) For clarity use of the subject lands for a Dyno Testing operation shall not be permitted.”

4.21.1 (b) Where a PC2 Zone abuts any commercial or industrial zone, the required side yard shall be 15 meters

Section 4 – Administration

4.1 This By-law conforms to the Official Plan for the Municipality of Paipooonge, and shall come into force and effect on the date of passing subject to the filing of appeals and related Ontario Municipal Board decision.

Enacted and passed this 27th day of April, A.D. 2011 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

Mayor Lucy Kloosterhuis

Jamie Cressman
Chief Administrative Officer/Clerk

MUNICIPALITY OF OLIVER PAIPOONGE
SCHEDULE "A"
BY-LAW NO. 630-2011

PAIPOONGE GENERAL COMMERCIAL (PC2) ZONE

Permitted uses for subject lands only, no person shall within any PC2 Zone use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

- a) Storage of company vehicles and equipment and/or repairs to company vehicles and equipment.
- b) Business offices and professional office
- c) Financial institution

Use not permitted - this property does not allow for a Dyno Testing operation.

- a) Minimum Lot Area 1 hectare
- b) Minimum Lot Frontage 60 meters
- c) Minimum Lot Depth 100 meters
- d) Minimum Front Yard 15 meters
- e) Minimum Side Yard 20 meters
- f) Minimum Rear Yard 15 meters
- g) Maximum Height 10 meters
- h) Maximum Lot Coverage 40%
- i) Minimum Distance Between Main Buildings 6 meters

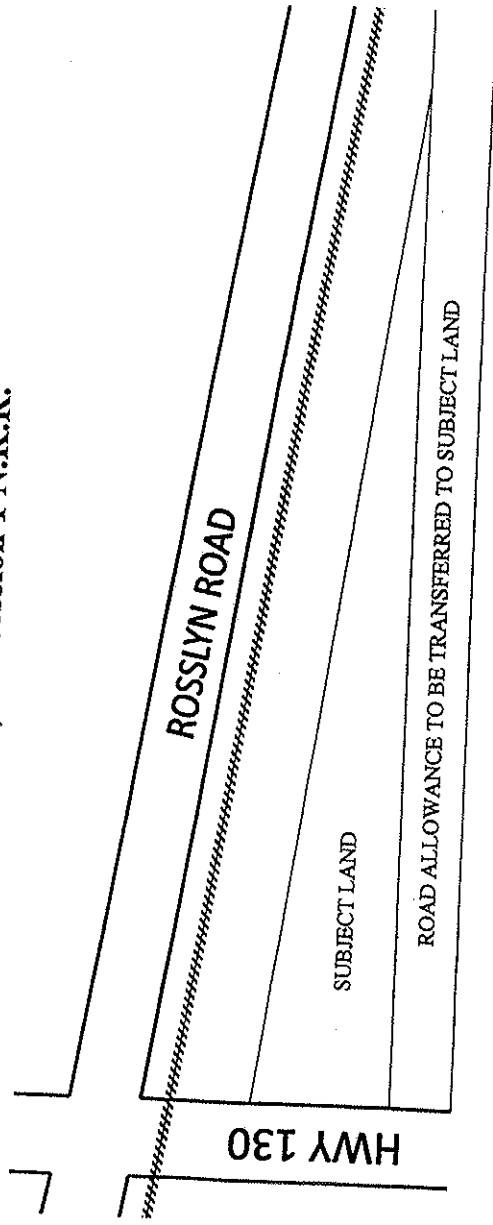
Other Provisions:

- a) Where a PC2 Zone abuts any commercial or industrial zone, the required side yard shall be 15 meters

Exceptions

- a) Notwithstanding the provisions of Section 4.21.2, the side yard requirement for an addition onto the north side of the old Museum building be 1.0m (3 ft.).

Lot 5, Concession 1 N.K.R.



THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

BY-LAW NO. 631 - 2011

A By-law to repeal By-law No. 621-2011 authorizing the execution of a Lease Agreement between the Corporation of the Municipality of Oliver Paipoonge and Bell Mobility Inc. for property on site W3018 – Oliver Paipoonge to install a telecommunication tower.

WHEREAS the Council for the Corporation of the Municipality of Oliver Paipoonge deemed it expedient to enter into an agreement with Bell Mobility Inc. for property to install a telecommunication tower on PIN: 623010124 PCL 845 SEC DFWF; S ½ LT 15 CON 1 OLIVER S/T THE UNPAID DEBTS (IF ANY) OF JOHN ENDERS; OLIVER PAIPOONGE;

AND WHEREAS By-law No. 621-2011 was enacted and passed on the 24th day of January, A.D. 2011 as witnessed by the Seal of the Corporation and the hands of its proper Officers;

AND WHEREAS in an email from Wendy Coles, Medallion Land Services for Bell Mobility Inc. dated April 12, 2011, the Municipality was advised that "Bell Mobility Inc. has elected not to proceed with the landfill site at this time as it is going forward with the adjacent property. Accordingly, the agreement previously signed by THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE will not be fully executed by Bell Mobility Inc.";

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

1. That By-law No. 621-2011 is hereby repealed.
2. That this by-law shall come into force and take effect on the date of passing.

Enacted and passed this 27th of April, A.D. 2011 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

Mayor Lucy Kloosterhuis

Jamie Cressman
Chief Administrative Officer/Clerk

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

BY-LAW NO. 632 - 2011

A By-law to authorize the execution of a Lease Agreement between the Corporation of the Municipality of Oliver Paipoonge and Bell Mobility Inc. for property on site W3554A Twin City to install a telecommunication tower.

WHEREAS the *Municipal Act, 2001*, c. 25, s. 9 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 the Council for the Corporation of the Municipality of Oliver Paipoonge deems it expedient to enter into an agreement with Bell Mobility Inc. for property to install a telecommunication tower on: -

PIN: 622950747 LEGAL: PT LT 10 CON 1 NKR PAIPOONGE PT 6, 32 55R6953 & AS IN TBR196567 EXCEPT TBR405050; S/T TBR196567; S/TBR294613; T/W TBR196567; S/T SPOUSAL INTEREST IN TBR294613; OLIVER PAIPOONGE and;

Pin: 622950105 FIRSTLY: PT RDAL BTN LT 10 & 11 CON 2 NKR PAIPOONGE; RDAL BTN LT 10 & 11 CON 1 NKR PAIPOONGE; SECONDLY: PT LT 10 CON 2 NKR PAIPOONGE PT 1 55R2145, BEING 10TH SIDEROAD (FORMERLY 1ST AV) AKA VIBERT RD, LYING BTN HWY 11/17 AKA TRANSCANADA HWY & KAMINISTIQUIA RIVER; OLIVER PAIPOONGE

LATITUDE/LONGITUDE: 48.364122, -89.443161

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE HEREBY ENACTS AS FOLLOWS:

1. That the Agreement attached hereto and marked as Schedule "A" being a Lease Agreement with Bell Mobility Inc.
2. That the Mayor and Chief Administrative Officer/Clerk be authorized to execute the Agreement on behalf of the Corporation of the Municipality of Oliver Paipoonge.
3. That By-law No. 620-2011 is hereby repealed due to an error with the latitude and longitude.
4. That this by-law shall come into force and take effect upon the final reading thereof.

Enacted and passed this 27th of April, A.D. 2011 as witnessed by the Seal of the Corporation and the hands of its proper Officers.

THE CORPORATION OF THE MUNICIPALITY
OF OLIVER PAIPOONGE

Mayor Lucy Kloosterhuis

Jamie Cressman
Chief Administrative Officer/Clerk

**SITE NO.: W3554A TWIN CITY
AUTHORIZATION AND PERMISSION**

TO WHOM IT MAY CONCERN:

BELL MOBILITY INC. has my/our permission to act as my/our Agent to acquire the necessary permits, drawings, and information from the Municipal or other authorities concerned, needed to approve the construction of the site set out below and as shown on the preliminary site plan attached to the Lease or Schedule.

COMPANY/OWNER: THE CORPORATION OF THE MUNICIPALITY OF OLIVER
PAIPOONGE

ADDRESS: P.O. Box 10, 4569 Oliver Road, Murillo, Ontario, P0T 2G0

CONTACT NAME: Jamie Cressman

PHONE NO.: 807-935-2613

SITE: W3554A TWIN CITY

MUNICIPAL ADDRESS: n/a

LEGAL DESCRIPTION: PIN: 622950747 PT LT 10 CON 1 NKR PAIPOONGE PT 6, 31
55R6953 & AS IN TBR196567 EXCEPT TBR405050; S/T
TBR196567; S/T TBR294613; T/W TBR196567; S/T SPOUSAL
INTEREST IN TBR294613; OLIVER PAIPOONGE

PIN: 622950105 FIRSTLY: PT RDAL BTN LT 10 & 11 CON 2
NKR PAIPOONGE; RDAL BTN LT 10 & 11 CON 1 NKR
PAIPOONGE; SECONDLY: PT LT 10 CON 2 NKR
PAIPOONGE PT 1 55R2145, BEING 10TH SIDEROAD
(FORMERLY 1ST AV) AKA VIBERT RD, LYING BTN HWY
11/17 AKA TRANS CANADA HWY & KAMINISTIQUIA
RIVER; OLIVER PAIPOONGE

Page 2

Authorization and Permission
Site: W3554A Twin City

DATED at _____, this ____ day of _____, 2011.

**Signed on behalf of THE CORPORATION OF
THE MUNICIPALITY OF OLIVER
PAIPOONGE by its duly authorized signatories:**

Print Name: _____

Print Name: _____

THIS LEASE made this _____ day of _____, 2011.

1. **DEMISE.** The Landlord, who is the party signing this Agreement as Landlord below, is the registered owner of the property legally known as PIN: 622950747 PT LT 10 CON 1 NKR PAIPOONGE PT 6, 31 55R6953 & AS IN TBR196567 EXCEPT TBR405050; S/T TBR196567; S/T TBR294613; T/W TBR196567; S/T SPOUSAL INTEREST IN TBR294613; OLIVER PAIPOONGE, and PIN: 622950105 FIRSTLY: PT RDAL BTN LT 10 & 11 CON 2 NKR PAIPOONGE; RDAL BTN LT 10 & 11 CON 1 NKR PAIPOONGE; SECONDLY: PT LT 10 CON 2 NKR PAIPOONGE PT 1 55R2145, BEING 10TH SIDEROAD (FORMERLY 1ST AV) AKA VIBERT RD, LYING BTN HWY 11/17 AKA TRANS CANADA HWY & KAMINISTIQUA RIVER; OLIVER PAIPOONGE, in the Province of Ontario, which is more particularly described in Schedule "A" (the "Property") attached hereto, and leases to the Tenant a portion of the Property which is more particularly shown on the plan attached hereto as Schedule "B" (the "Leased Premises") for the use described herein and for the exclusive use of the Tenant, its agents, employees, contractors, assignees and/or sublessees in consideration of \$2.00 (the receipt and sufficiency of which is hereby acknowledged) and the rents, covenants and agreements herein contained and hereby assumed.

2. **USE OF LEASED PREMISES.** The Tenant is permitted to use and maintain on the Leased Premises a tower, an equipment shelter and all necessary cabling, antennas, antenna mounts and any other related equipment or attachments (collectively, the "Equipment"), and to install, reconfigure, attach, operate, maintain and replace all of the initial and additional Equipment on the Leased Premises for wireless telecommunications. The Tenant shall be permitted, during construction, installation, reconfiguration, attachment and replacement of the Equipment, to occupy an area outside the Leased Premises for such purposes, such area to be repaired at the Tenant's expense and to the reasonable satisfaction of the Landlord. The Tenant shall have the further right to construct and maintain an access road to the Leased Premises, if required, which access road will form part of the Leased Premises.

The Landlord grants to the Tenant, its agents, employees, contractors, or to an Assignee (as defined herein), all rights of direct access, twenty-four (24) hours a day, seven (7) days a week, to the Property and, where available, a twenty-four (24) hour parking space located at the Property (including parking access cards and provide notice to any security personnel and contracted towing/tagging services). Access keys shall be provided by the Landlord to the Tenant if and when keys are requested by the Tenant.

3. **TERM.** The term of this Lease shall commence on the date indicated on the first page hereof (the "Commencement Date") and shall expire on that date which is five (5) years following the date upon which construction of the tower is completed (the "Construction Completion Date") (the "Term").

4. **RENT.** The Tenant shall pay to the Landlord rent as set forth in Schedule "C" (the "Rent"), attached hereto. In addition, the Tenant shall pay to the Landlord any goods and services tax or harmonized sales tax which it is required to pay by law. The Landlord's GST/HST # is _____.

5. **OPTION TO EXTEND.** Unless the Tenant provides the Landlord with written notice of its intention not to renew this Lease at least six (6) months prior to the expiration of the Term or Renewal Term, this Lease shall automatically renew for three (3) successive five

(5) year renewal terms (each of such terms being referred to as a "Renewal Term") on the same terms and conditions herein except for the Rent shown on Schedule "C" attached hereto.

6. **ASSIGNMENT.** The Tenant shall be permitted to assign, sublet or license the whole or any part of the Equipment or Leased Premises and rights of access without the consent of the Landlord to any assignee, sublessee or licensee (the "Assignee") provided that the Tenant shall not be relieved from any of its obligations under this Lease and further provided that the Assignee(s) agrees to be bound by the terms and conditions of this Lease.

7. **TENANT'S WORK**

(a) The Landlord agrees that the Equipment shall not become fixtures of the Lease but shall be and remain the property of the Tenant and may be removed from the Leased Premises at any time from time to time by the Tenant during the Term or within a reasonable time after expiration or early termination of this Lease, so long as the Tenant makes good, at the Tenant's cost and expense, any damage caused by such removal, reasonable wear and tear excepted.

(b) The Tenant and any Assignee may make any alterations and/or improvements to the Equipment or the Leased Premises during the Term and any extension thereof without requiring the consent of the Landlord. Such alterations and/or improvements may include, but are not limited to the expansion, reconfiguration or replacement of existing, or the addition of new, equipment shelter(s), antennas, antenna mounts, apparatus, fixtures, cabling, attachments or any other Equipment required by the Tenant or any Assignee, so long as the Tenant makes good, at the Tenant's cost and expense, any damage caused by such alterations and/or improvements, reasonable wear and tear excepted.

8. **ADDITIONAL TAXES.** The Tenant shall reimburse the Landlord for any new taxes, rates, fees or assessments of every description which may be charged or imposed, during the Term hereof, by a governmental authority (collectively, the "Taxes") upon or in respect of the privileges hereby granted provided that: (a) it can be demonstrated that such Taxes have been assessed as a direct result of the Tenant's use of the Leased Premises; and (b) the Landlord delivers to the Tenant prompt written notice of the imposition of such Taxes (together with copies of all bills, invoices or statements relating to such Taxes) (the "Taxes Notice"), which Taxes Notice shall be delivered no later than sixty (60) days following the due date for the Taxes set out in such Taxes Notice (the "Taxes Due Date"). If the Landlord fails to deliver the Taxes Notice on or before the date which is sixty (60) days following the Taxes Due Date, then, notwithstanding anything to the contrary herein, the Tenant shall have no obligation or liability to pay any of the Taxes set out in such Taxes Notice and the Landlord shall be solely responsible for the payment of all such Taxes. The Landlord agrees that the Tenant shall have the right, at the Tenant's sole cost and expense, to contest the Taxes charged or imposed which the Tenant is responsible for paying under this Lease.

9. **ELECTRICITY.** The Tenant shall have the right at any time and at its own cost and expense, to connect to and draw power from the Landlord's electrical power supply. The Tenant shall be responsible for its electrical connection costs and for the electrical consumption used on the Leased Premises. In circumstances where the local hydro utility will not provide a separate billing for a hydro subservice sharing the same municipal address with the primary hydro service, the Tenant shall have the right to install at its expense a hydro

check meter. Upon regular consumption of hydro, the Tenant shall make monthly instalments to the Landlord of Three Hundred and Fifty Dollars (\$350.00), in advance. The Tenant shall periodically read the check meter to determine the actual electrical consumption by the Equipment. Based on this reading, the Landlord and the Tenant shall adjust the monthly hydro instalments, determine a revised rate and the Tenant shall begin paying that rate monthly in advance for the subsequent period. This process shall continue throughout the term of the Lease, based on the actual electrical consumption being used for the Equipment.

10. TERMINATION. Notwithstanding any other provisions of this Lease, the Tenant may, in its sole discretion, terminate this Lease by giving ninety (90) days prior written notice to the Landlord and the Tenant shall be entitled to remove the Equipment from the Leased Premises within a reasonable time thereafter. In the event of such termination, the Landlord shall refund pro-rata the portion of the Rent, if any, accruing due after the date of the said termination and the parties shall be released from any further obligations with respect to any matter under this Lease.

11. INTERFERENCE. The Landlord shall not cause interference or permit others to interfere with or impair the quality of the telecommunications services being rendered by the Tenant from the Leased Premises. To verify that no interference is caused by the Landlord, the Landlord shall provide to the Tenant a full set of plans and specifications for any subsequent proposed telecommunications installation at the Property by a third party for review and approval, such approval not to be unreasonably withheld or delayed. Should interference occur at any time during the Term, or any extension thereof, upon notice by the Tenant, the Landlord shall cause such interference to cease immediately and all costs associated with the resolution of the interference shall be borne by the Landlord or the third party, as the case may be.

12. OVERHOLDING. If the Tenant overholds the Leased Premises beyond the Term of this Lease or any extension provided herein, the Tenant may continue such holding over as a tenancy from month to month, upon the same terms and conditions as contained in the Lease.

13. QUIET ENJOYMENT. The Landlord covenants with the Tenant for quiet enjoyment of the Leased Premises without any interruption or disturbance from the Landlord provided the Tenant performs all its covenants under this Lease.

14. INSURANCE AND INDEMNITY. The Tenant shall, during the Term hereof, keep in full force and effect a policy of insurance with respect to the Leased Premises and the Property, in which the limit of Comprehensive General Liability insurance shall not be less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence and an annual aggregate limit of not less than TWO MILLION DOLLARS (\$2,000,000.00) for products and completed operations. The required insurance limit may be composed of any combination of primary and excess (umbrella) insurance policies.

The Tenant agrees to indemnify the Landlord for any claims or damages caused by the Tenant, its agents, employees, contractors or those whom it is responsible in law, except for any damage, loss, injury or death which results from the negligence or willful misconduct of the Landlord, its employees, agents, contractors or those whom it is responsible in law. Notwithstanding anything else contained herein to the contrary, in no event will the Tenant be liable for or indemnify and save harmless the Landlord from and against any indirect, special, incidental or consequential damages, including loss of revenue, loss of

profits, loss of business opportunity or loss of use of any facilities or property, even if advised of the possibility of such damages.

15. ENVIRONMENTAL. The Landlord warrants, to the best of his knowledge, that the Leased Premises does not contain any toxic or hazardous substances or materials including, without limitation, asbestos, urea formaldehyde, PCBs or any other contaminants as defined in the Environmental Protection Act, Ontario or the equivalent Act in the province within which the Property is located (the "Contaminants"). If Contaminants are discovered by the Tenant during the Term or any extension thereof, the Landlord shall remove the Contaminants at its expense, or, at its option, indemnify and hold the Tenant harmless from any liability arising from the presence of the Contaminants on the Leased Premises.

16. REGISTRATION AND NON-DISTURBANCE. The Tenant may register a notice of this Lease on title to the Property in order to show its interest herein and the Landlord shall provide the Tenant with a legal description of the Property for such registration. Upon the request of the Tenant, the Landlord agrees to obtain from any purchaser or mortgagee a non-disturbance agreement to respect and continue in full force and effect, all the terms and conditions of this Lease.

17. NOTICE. Any notice to be given under the terms of this Lease shall be sufficiently given if delivered (by hand or courier) to the party for whom it is intended, or if mailed, postage prepaid, by registered mail addressed to the party for whom it is intended. The addresses for notice are as follows:

In the case of the Landlord to:

**THE CORPORATION OF THE MUNICIPALITY OF OLIVER
PAIPOONGE**

**P.O. Box 10, 4569 Oliver Road,
Murrillo, Ontario,
P0T 2G0
Attention: Jamie Cressman
Facsimile: (807) 935-2161**

and in the case of the Tenant to:

**BELL MOBILITY INC.
5099 CREEKBANK ROAD, 6N
MISSISSAUGA, ONTARIO
L4W 5N2**

**Attention: Real Estate Services
Facsimile: (905) 282-3102**

Either party hereto may change its aforesaid address for notices in accordance with the provisions of this notice.

Although not constituting formal notice, Bell Mobility's Call Centre can be reached 24 hours a day at 1 866-670-6622 to report power outages or other hazardous conditions occurring at the Leased Premises.

18. **BINDING AGREEMENT.** The Landlord covenants that the Landlord has good right, full power, and absolute authority to grant this Lease to the Tenant and this Lease shall be binding upon and shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, assigns and subsequent purchasers.

19. **FORCE MAJEURE.** Notwithstanding anything to the contrary in this Lease contained, if either party hereto shall be bona fide delayed or hindered in or prevented from the performance of any term, covenant or act required hereunder by reason of strikes; labour troubles; an inability to procure materials or services; failure of power; restrictive governmental laws or regulations; riots; sabotage; rebellion; war; act of God; or other reason whether of a like nature or not, which are not the fault of the party delayed in performing the work or doing the act required under the terms of this Lease, then the performance of such term, covenant or act shall be excused for the period of the delay and the period for the performance of any such term, covenant or act shall be extended for a period equivalent to the period of such delay.

20. **CONFIDENTIALITY.** The terms of this Lease and all information issued, disclosed or developed in connection with this Lease are to be held in strict confidence between the parties hereto. The Landlord, its agents and employees agree not to use, reproduce or divulge the same to third parties unless it is with the prior written consent of the Tenant and to take all reasonable precautions for protection of such information from disclosure.

21. **ENTIRE AGREEMENT.** This Lease contains the entire agreement between the parties hereto with respect to the Leased Premises and there are no prior representations, either oral or written, between them other than those set forth in this Lease. This Lease supersedes and revokes all previous negotiations, arrangements, options to lease, representations and information conveyed, whether oral or written, between the parties hereto. The Landlord acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty except such as are expressly set out in this Lease.

IN WITNESS WHEREOF the said parties hereto have duly executed this Lease on the dates noted below.

DATED at Mississauga, this _____ day of _____, 2011.

BELL MOBILITY INC.

Per:

Mark Evanylo
Manager, National Real Estate Services

I have authority to bind the corporation.

DATED at _____, this _____ day of _____, 2011.

LANDLORD:

**THE CORPORATION OF THE MUNICIPALITY OF OLIVER
PAIPOONCE**

Print Name:

Print Name:

I/We have the authority to bind the corporation.

SCHEDULE "A"

To the Agreement dated the ____ day of _____, 2011.

BETWEEN:

**THE CORPORATION OF THE MUNICIPALITY OF
OLIVER PAIPOONGE**

**P.O. Box 10,
4569 Oliver Road,
Murillo, Ontario
P0T 2G0**

- and -

**BELL MOBILITY INC.
5099 CREEKBANK ROAD, 6N
MISSISSAUGA, ONTARIO
L4W 5N2**

All and singular that certain parcel or tract of land and premises being more particularly described as:

**PIN: 622950747 PT LT 10 CON 1 NKR PAIPOONGE PT 6, 31 55R6953 & AS IN TBR196567
EXCEPT TBR405050; S/T TBR196567; S/T TBR294613; T/W TBR196567; S/T SPOUSAL
INTEREST IN TBR294613; OLIVER PAIPOONGE**

**PIN: 622950105 FIRSTLY: PT RDAL BTN LT 10 & 11 CON 2 NKR PAIPOONGE; RDAL
BTN LT 10 & 11 CON 1 NKR PAIPOONGE; SECONDLY: PT LT 10 CON 2 NKR
PAIPOONGE PT 1 55R2145, BEING 10TH SIDEROAD (FORMERLY 1ST AV) AKA
VIBERT RD, LYING BTN HWY 11/17 AKA TRANS CANADA HWY & KAMINISTIQUIA
RIVER; OLIVER PAIPOONGE**

SCHEDULE "C"



RENTAL PAYMENT SCHEDULE

The Tenant shall pay Rent to the Landlord as follows:

- (a) During the period commencing on the Commencement Date and ending on the Construction Completion Date, the Tenant shall pay to the Landlord annual Rent in the amount of Five Hundred Dollars (\$500.00), payable in advance.
- (b) During the period commencing on the Construction Completion Date and ending upon the expiry of the Term, the Tenant shall pay to the Landlord annual Rent in the amount of Six Thousand Dollars (\$6,000.00) payable annually in advance.

If the Construction Completion Date is on any day other than the anniversary date of the first day of the Term, Rent for the fractions of a year at the beginning and at the end of the year will be adjusted pro rata, on the basis of the actual number of days in such year prior to and the Construction Completion Date.

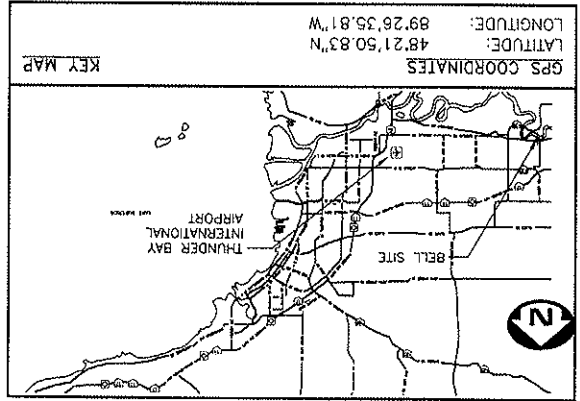
- (c) Provided that Transferee shall have exercised its first (1st) Option to Renew, the fee of Six Thousand Six Hundred Dollars (\$6,600.00) per annum payable in advance commencing on the first day of the first month of the first year following the expiration of the immediately prior renewal term, and each and every month up to and including the first day of the fifth year following the expiration of the Term.
- (d) Provided that Transferee shall have exercised its second (2nd) Option to Renew, the fee of Seven Thousand Two Hundred Sixty Dollars (\$7,260.00) per annum payable in advance commencing on the first day of the first month of the first year following the expiration of the immediately prior renewal term, and each and every month up to and including the first day of the tenth year following the expiration of the Term.
- (e) Provided that Transferee shall have exercised its third (3rd) Option to Renew, the fee of Seven Thousand Nine Hundred Eighty-Six Dollars (\$7,986.00) per annum payable in advance commencing on the first day of the first month of the first year following the expiration of the immediately prior renewal term, and each and every month up to and including the first day of the fifteenth year following the expiration of the Term.

DATE OF 2011/02/10	DATE OF 2011/02/10	
SSS: FOR PRELIMINARY REVIEW	SSS: FOR PRELIMINARY REVIEW	
REV: A	REV: A	
SHEET # 1 OF 5	DRAWING NUMBER: W3554-1001	
TITLE PAGE		
CHECKED BY: R. LEONARD DRAWN BY: J. HOLLIGER DESIGNED BY: R. THOMPSON & J. HOLLIGER N/A IF THIS BAR IS NOT 25mm LONG, ADJUST YOUR PLOTTING SCALE.	TITLE: R. LEONARD SCALE: 25mm	
PROJECT NO. 10155-11	DATE: 2011/02/10	
		
		
CLIENT: 740 STANCKE AVENUE SOUTH THUNDER BAY, ON CANADA P2E 1E9 PHONE: (807) 625-8700 FAX: (807) 623-4491 WWW.GENIVAR.COM		
PROJECT DESCRIPTION: BELL MOBILITY 40m MONO-POLE TOWER		
LOCATION: W3554 - TWIN CITY 3405 ROSSLYN ROAD THUNDER BAY, ONTARIO, CANADA		
REV	DATE	DESCRIPTION
A	2011/02/10	FOR PRELIMINARY REVIEW

BELL MOBILITY
 PROJECT MANAGER: LAURIE PYLE
 PHONE: 705-989-7027

DRAWING LIST: W3554-1000 TITLE PAGE
 W3554-1001 SITE PLAN
 W3554-1002 COMPOUND PLAN
 W3554-1003 ELEVATIONS AND DETAILS
 W3554-1004 ANTENNA TABLE & DETAILS

SITE NAME: TWIN CITY
 SITE ID: W3554
 LOCATION: ONTARIO
 SITE TYPE: BELL MOBILITY 40m MONO-POLE TOWER



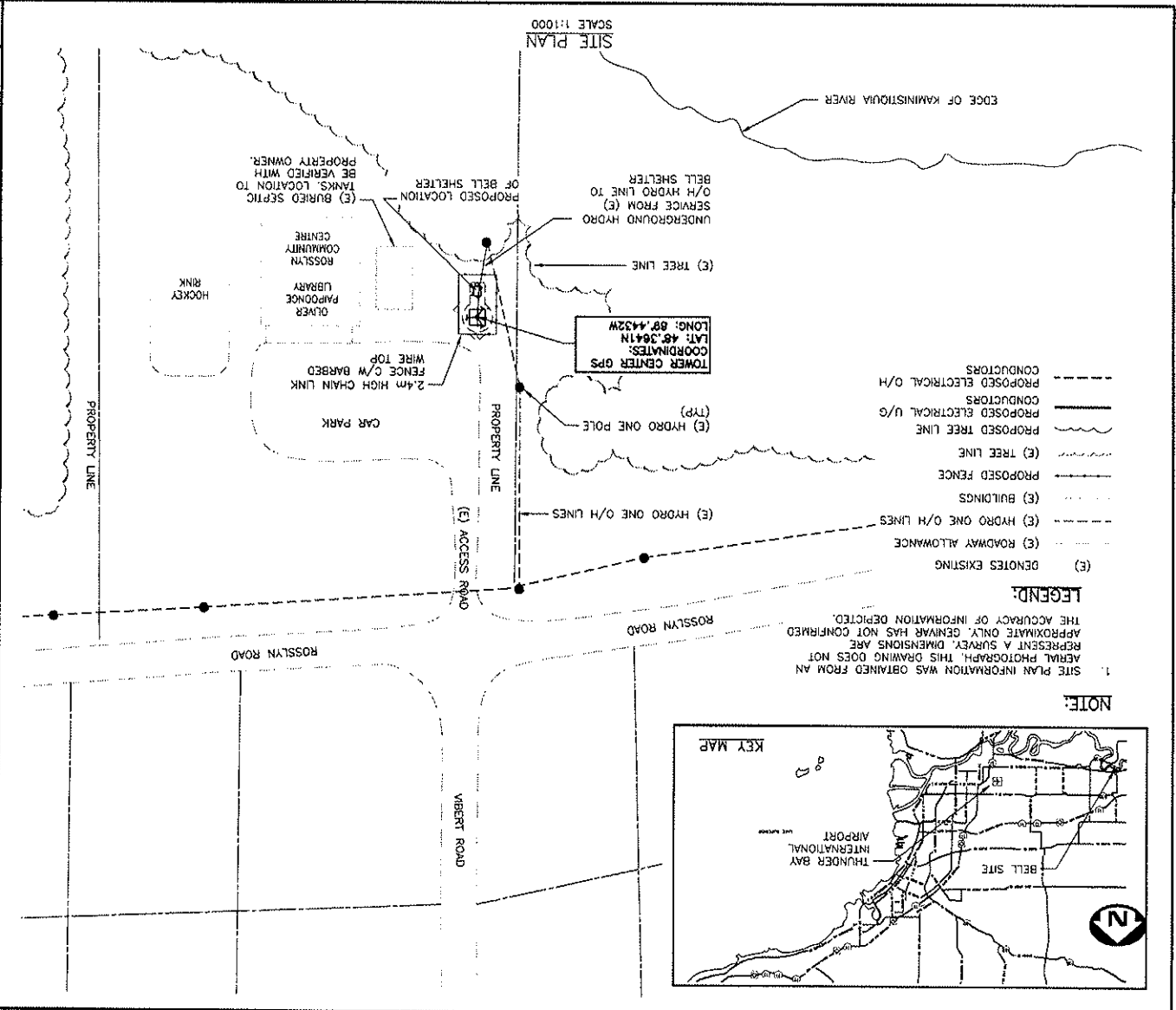
GENIVAR 740 SYNOCRATE AVENUE SOUTH THUNDER BAY, ON CANADA P7E 1E9 PHONE: (807) 625-6700 FAX: (807) 623-4491 WWW.GENIVAR.COM		
PROJECT DESCRIPTION BELL MOBILITY 40m MONO-POLE TOWER		
LOCATION W554 - TWIN CITY 3405 ROSSLYN ROAD THUNDER BAY, ONTARIO, CANADA		
REV	DATE	DESCRIPTION
C	2011/03/01	RELOCATED TOWER
B	2011/02/18	GENERAL REVISIONS
A	2011/02/10	FOR PRELIMINARY REVIEW

DRAWS NUMBER: **W354-1001**
 SHEET # **2** OF **5**
 ISSUE: **FOR PRELIMINARY REVIEW**
 DATE OF: **2011/02/10**

TITLE: **SITE PLAN**
 CHECKED BY: **R. LEONARD**
 DRAWN BY: **R. THOMPSON & J. HOLLIGER**
 DESIGNED BY: **J. HOLLIGER**
 SCALE: **1:1000**
 IF THIS BAR IS NOT 25mm LONG, ADJUST YOUR PLOTTING SCALE.

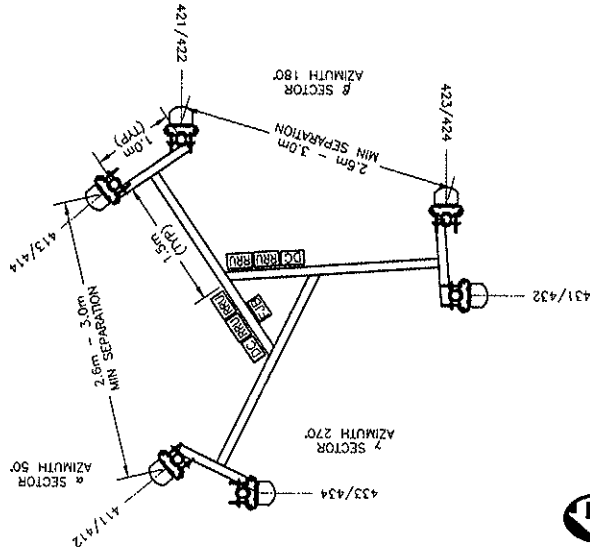
PROJECT NO: **10155-11**
 DATE: **2011/02/10**

CLIENT: **Bell**

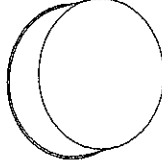


NOTE:
EXACT PINWHEEL DESIGN 180 AFTER TOWER
AUDIT AND AZIMUTH OF ONE TOWER FACE
IS COMPLETE
EQUIPMENT SUPPLIED BY BELL MOBILITY
RRU = RADIO RACK UNIT
DC = DC POWER DISTRIBUTION BOX
FIB = FIBRE JUNCTION BOX

HSPA ANTENNA LAYOUT
SCALE 1:50



ANT. TYPE: ANDREW SINGLE-POLARIZED
MODEL: VHLP6-11
WIDTH: 187mm dia.
WEIGHT: 62kg



ANT. TYPE: ANDREW DUALPOL
MODEL: HBX-4517ESA-T2/HBX-6516DS-VTM
HEIGHT: 1461mm/1902mm
WIDTH: 269mm/166mm
WEIGHT: 13.1kg/6.0kg



M/W ANTENNA LIST

No.	*AGL	ANTENNA	DN TO	AZIMUTH	43'	2xLDF4-50 PER HOP	W3017 - ROSSLYN
20	±40m	VHLP6-11	HOLD				

*AGL : ABOVE GROUND LEVEL

HSPA ANTENNA LIST

No.	*AGL	ANTENNA	DN TILT	AZIMUTH	MAIN CABLE	ESTIMATED LENGTH	ACTUAL LENGTH
411/412	±40m	TX-RX	0	50	DC/FIBRE	85m	
415/414	±40m	TX-RX	0	50	DC/FIBRE	85m	
421/422	±40m	TX-RX	0	180	DC/FIBRE	85m	
423/424	±40m	TX-RX	0	180	DC/FIBRE	85m	
431/432	±40m	TX-RX	0	270	DC/FIBRE	85m	
433/434	±40m	TX-RX	0	270	DC/FIBRE	85m	

DATE OF: 2011/02/10		
ISSUE:	FOR PRELIMINARY REVIEW	
SHEET #	5 OF 5	
DRAWING NUMBER:	W3554-1004	
TITLE: ANTENNA TABLE & DETAILS		
DESIGNED BY:	J. HOLLIGER	
CHECKED BY:	R. THOMPSON & J. HOLLIGER	
DATE:	2011/02/10	
PROJECT NO.:	10155-11	
SCALE:	AS NOTED	
NOTE:	THIS BAR IS NOT TO BE PLOTTED AT YOUR PLOTTING SCALE.	
740 SPADINA AVENUE SOUTH THUNDER BAY, ON CANADA P7E 1E9 PHONE: (807) 623-6700 FAX: (807) 623-4491 WWW.GENIVAR.COM		
BELL MOBILITY 40m MONO-POLE TOWER		
LOCATION: W3554 - - TWIN CITY 3405 ROSSLYN ROAD THUNDER BAY, ONTARIO, CANADA		
REV	DATE	DESCRIPTION
A	2011/02/10	FOR PRELIMINARY REVIEW
B	2011/02/17	GENERAL REVISIONS
C	2011/02/18	ADDED TRANSPORT INFORMATION

File: A-2140

April 15, 2011

Honourable Leona Dombrowsky
Minister of Education
Mowat Block, 22nd Floor
900 Bay Street
Toronto, ON M7A 1L2

Re: School Boards' Declaration of Voting Day as a Professional Activity Day

City Council considered the above matter at a meeting held on April 11, 2011 and adopted the following recommendation of the Finance and Administration Committee:

"Whereas Ontario municipalities historically use schools as voting places during municipal elections; and,

Whereas the Municipal Elections Act states that school boards must provide space to be used as voting places free of any charge when requested for use by a municipality; and,

Whereas school boards are requesting municipalities provide security at schools being used on Voting Day to ensure the safety of students throughout the entire school when only a small portion of the school is being used as a voting place; and,

Whereas concerns regarding student safety at the school during voting hours can be eliminated if the students are not in the school on Voting Day;

Therefore Oshawa City Council requests that the Minister of Education amend the Education Act to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day; and,

That this resolution be forwarded to all Ontario municipalities, local MPP's, the Association of Municipalities of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario and all school boards in the City of Oshawa in accordance with Report FA-11-81 dated March 24, 2011."

Your consideration of this important matter is appreciated.

By copy of this letter, I am advising all Ontario municipalities, local MPP's, the Association of Municipalities of Ontario, the Association of Municipal Managers, Clerks and Treasurers of Ontario and all school boards in the City of Oshawa of Council's decision.

If you need further assistance, please contact me at the address below or by telephone at 905-436-5636 extension 2230.



Sandra Kranc
City Clerk

SK/mp

c: All Ontario Municipalities (sent via AMO broadcast) ✓
Christine Elliott, MPP Whitby-Oshawa
Jerry Ouellette, MPP Oshawa
Association of Municipalities of Ontario
Association of Municipal Managers, Clerks and Treasurers of Ontario
Durham District School Board
Durham Catholic District School Board
Conseil scolaire de district du Centre-Sud-Ouest
Conseil scolaire de district catholique Centre-Sud



March 31, 2011

To the Head and Members of Council:

RE: Harmonized Sales Tax (H.S.T.) Revenue and a New Funding Mechanism for Transportation Infrastructure

This will confirm that the Council of the Regional Municipality of Halton, at its meeting held Wednesday, March 30, 2011, adopted the following resolution:

WHEREAS the introduction of the Harmonized Sales Tax (H.S.T.) on July 1, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario; and

WHEREAS based on 2010 average price levels of gasoline and diesel, and 2009 average consumption levels in Ontario, the Government of Ontario's projected new revenue will be approximately \$1.53 billion annually; and

WHEREAS the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario's municipalities of approximately \$3.8 billion; and

WHEREAS a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario's municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure; and

THEREFORE BE IT RESOLVED THAT the Council of the Regional Municipality of Halton requests that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure; and

FURTHER THAT a copy of this resolution be forwarded to Premier Dalton McGuinty, Hon. Dwight Duncan, Minister of Finance, Hon. Kathleen Wynne, Minister of Transportation, Hon. Bob Chiarelli, Minister of Infrastructure, the Ontario Good Roads Association and to CAA South Central Ontario; and

Legislative & Planning Services
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

RECEIVED

APR 07 2011

FURTHER THAT this resolution be circulated to all municipalities in Ontario requesting their support.

Sincerely,

A handwritten signature in black ink that reads "Kathy Kielt". The signature is written in a cursive style with a large initial 'K'.

Kathy Kielt
Acting Deputy Clerk and Supervisor of
Council & Committee Services

- c. John Ennis, Government Relations Specialist, CAA South Central Ontario
Scott R. Butler, Manager, Policy and Research, Ontario Good Roads Association



Teachers of English as a Second Language Association of Ontario
27 Carlton Street, Suite 405, Toronto, Ontario M5B 1L2
Telephone (416) 593-4243 Fax (416) 593-0164
Email: administration@teslontario.org

March 31, 2011

Her Worship Mayor Lucy Kloosterhui
The Municipality of Oliver Paipoonge
4569 Oliver Road,
P.O. Box 10
Murrillo, Ontario P0T 2G0

Your Worship,

I am writing on behalf of TESL Ontario (Teachers of English as a Second Language) to invite you to take part in our Ontario wide initiative and declare the week of October 23th to 29th, 2010 as "English as a Second Language Week" in your region. Given the diversity of your population, we hope you will grant us this request. In 2010 twenty-seven municipalities declared English as a Second Language Week.

For 38 years, TESL Ontario has held its Annual Conference to provide professional development for educators, administrators, students and volunteers who work with immigrants, refugees, citizens, and visitors, all who wish to improve their ability to communicate in English. This year, our 39th conference "Language Learning: A Focus on Success" will be held October 27th to 29th, 2011 and we will be honoured if representatives of your council can participate.

Last year's TESL Ontario conference attracted over 1600 registrants. Our members travel from across the province and beyond to attend workshops, research symposia, our technology fair and publishers' displays. For many of us, this annual journey to Toronto marks a time when we can share our experiences, expand our skills, and reaffirm the positive contribution that our province makes to diversity.

Having established a set of criteria to ensure measurable qualifications among ESL professionals, TESL Ontario, a non-profit organization, ensures that training institutions offering teacher training meet the highest standards. As we demand the best qualifications of our members, and the best in training from our teaching programs, we offer the best in second language education to our students, who in turn, contribute a wealth of knowledge and experience to our communities.

Attached, please find our suggested wording of the proclamation. Please contact our Executive Director, Renate Tilson at rtilson@teslontario.org if you require further information.

Thank you for your consideration,

Sincerely,

Sheila Nicholas
Chair

SUGGESTED WORDING OF PROCLAMATION

Ontario has been the destination of choice for many immigrants who have added to the diversity of the province by bringing their culture, customs and language, even as they endeavour to acquire the ability to communicate in English.

The community of English as a Second Language learners are represented in all aspects of society. They are students in elementary and secondary schools, universities, colleges, public and private schools, adult education students pursuing literacy and basic skills, participants in workplace-training programs, researchers and subjects, volunteers and workers, employees and business owners, labourers and professionals, neighbours and friends.

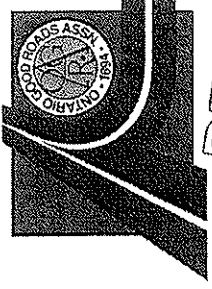
The professional organisation Teachers of English as a Second Language (TESL) Ontario hosts a conference in Toronto each year consisting of workshops, research symposia and a technology fair to maintain and expand the skills and abilities of its members.

NOW THEREFORE, I, Mayor Lucy Kloosterhui, on behalf of The Municipality of Oliver Paipoonge, do hereby proclaim October 27th to 29th, 2011 as "English as a Second Language Week" in The Municipality of Oliver Paipoonge.



Auto
Insurance
Travel

Life-side Assistance



RECEIVED

March 15, 2011

MAR 18 2011

Head and Members of Council
Town of Ingersoll
130 Oxford Street
Ingersoll, ON N5C 2V5

TOWN OF INGERSOLL
CLERK/TREASURER

To the Head and Members of Council:

Subject: CAA South Central Ontario and OGRA proposal to have H.S.T. gas tax revenue dedicated to transportation infrastructure and maintenance

The need for greater investment and funding support from the Government of Ontario for Ontario's municipalities was clearly highlighted in the Report of the "Provincial-Municipal Fiscal and Service Delivery Review – Facing the Future Together". This report highlighted how Ontario's municipalities continue to struggle to keep up with transportation infrastructure demands needed to support their local economies and to ensure the highest possible standard of living and safety for their residents. With a transportation infrastructure investment gap (roads, bridges and transit) between the Government of Ontario and Ontario's municipalities of approximately \$3.8 billion, it is clear that greater funding support is needed for Ontario's municipalities to build the transportation infrastructure needed to support local economies and to sustain the quality of life that Ontarians have come to expect.

CAA South Central Ontario and the Ontario Good Roads Association are asking municipalities throughout Ontario to support our call for the Government of Ontario to consider dedicating a portion of the new revenue collected from the provincial portion of H.S.T. charged on gasoline and diesel sales to a new predictable funding mechanism directed to Ontario's municipalities for transportation infrastructure investment. Application of the H.S.T. on gas and diesel sales came into effect on July 1, 2010, effectively applying the former Provincial Sales Tax of 8 percent to gasoline and diesel sales. CAA SCO estimates that the Government of Ontario will collect approximately \$1.53 billion annually in new revenue through the application of the H.S.T. on gasoline and diesel sales.

Since the implementation of the H.S.T., over 6000 CAA members and non-members have shown their support of this initiative by signing CAA's petition and e-petition (at <https://www.caasco.com/community/worst-roads/>) calling for a

CAA South Central Ontario, 60 Commerce Valley Dr. E., Thornhill, Ontario L3T 7P9
T. 905-771-3457 F. 905-771-3292 janet@caasco.ca www.caasco.com

Ontario Good Roads Association, 6355 Kennedy Road, Unit 2 Mississauga, ON L5T 2L5
T. 905-795-2355. Ext. 24 F. 905-795-2660 Scott@ogra.org www.ogra.org

portion of the new revenue collected from H.S.T. on the sale of gasoline and diesel to be dedicated to transportation infrastructure and maintenance. Attaining the support of municipal councils from across the province is the next step in this initiative.

Attached you will find draft resolution text to assist your Council.

Should you have any questions or require further clarification, please do not hesitate to contact us directly.

Kind Regards,



John Ennis
Government Relations Specialist
CAA South Central Ontario



Scott R. Butler
Manager, Policy and Research
Ontario Good Roads Association

Attachments (1)

CAA South Central Ontario, 60 Commerce Valley Dr. E., Thornhill, Ontario L3T 7P9
T. 905-771-3457 F. 905-771-3292 jen@caascc.ca www.caascc.com

Ontario Good Roads Association, 6355 Kennedy Road, Unit 2 Mississauga, ON L5T 2L5
T. 905-795-2555. Ext. 24 F. 905-795-2660 Scott@ogra.org www.ogra.org

TOWN OF INGERSOLL

130 Oxford Street,
Ingersoll, Ontario
N5C 2V5



Phone: (519) 485-0120
Fax: (519) 485-3543
www.ingersoll.ca

April 19, 2011

To All Ontario Municipalities

Attention: Mayor and Council

In response to correspondence received at the Town of Ingersoll on March 18, 2011 from Mr. John Ennis, Government Relation Specialist for CAA South Central Ontario, Council for the Town of Ingersoll took action and did pass the following resolution:

Moved by Councillor McLeod; seconded by Councillor Mott

C11-04-087 THAT the Council of the Town of Ingersoll advise the CAA that Ingersoll does support the call for the Government of Ontario to consider dedicating a portion of the new revenue collected from the provincial portion of H.S.T. charged on gasoline and diesel sales to a new predictable funding mechanism directed to Ontario's municipalities for transportation infrastructure investment, and further endorses the following resolution:

WHEREAS the introduction of the Harmonized Sales Tax (H.S.T) on July 1, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario; and

WHEREAS based on 2010 average price levels of gasoline and diesel, and 2009 average consumption levels in Ontario, the Government of Ontario's projected new revenue will be approximate \$1.53 billion; and

WHEREAS the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario's municipalities of approximately \$3.8 billion; and

WHEREAS a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario's municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure; and

TOWN OF INGERSOLL

130 Oxford Street,
Ingersoll, Ontario
N5C 2V5



Phone: (519) 485-0120
Fax: (519) 485-3543
www.ingersoll.ca

THEREFORE BE IT RESOLVED THAT the Council of the Town of Ingersoll requests that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure; and

FURTHER THAT a copy of this resolution be forwarded to Premier Dalton McGuinty, Hon. Dwight Duncan, Minister of Finance, Hon. Kathleen Wynne, Minister of Transportation, Hon. Bob Chiarelli, Minister of Infrastructure, the Ontario Good Roads Association and to CAA South Central Ontario, and

FURTHER THAT this resolution be circulated to all municipalities in Ontario requesting their support.

CARRIED

The Council for the Town of Ingersoll is requesting that the Government of Ontario consider directing a portion of the revenue derived from HST charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure.

We are asking for your support by passing a similar resolution.

Sincerely,

Ann Wright
Deputy Clerk/Executive Assistant

c Dalton McGuinty, Premier
Hon. Dwight Duncan, Minister of Finance
Hon. Kathleen Wynne, Minister of Transportation
Hon. Bob Chiarelli, Minister of Infrastructure
Ontario Good Roads Association
CAA South Central Ontario

Attachment (1)