



Agenda

Planning and Development Committee

Chair: Councillor Jacyno
Tuesday, February 4, 2025
Council Chambers
Following Public Meeting

(This meeting is live streamed on the [City's YouTube page](#) or it can be viewed on YourTV Community Channel 12)

1. **Call to Order**
2. **Disclosure of Pecuniary Interest & General Nature Thereof**
3. **Approval/Amendment of Meeting Agenda**
4. **Approval of Minutes**
 - Planning and Development Committee – January 7, 2025
5. **Business Arising from Minutes**
6. **Presentation and Delegations**
 - a. Pembroke Horticultural Society Presentation
Ellen Vandersleen, Horticultural Society President and Cathy Hugli, Past President
7. **New Business**
 - a. Revised Report to Prohibit and Regulation Fortification – Director Sauriol
 - b. Repeal of Parking Agreement at Corner of Lake Street and College Way – Director Sauriol
 - c. Pool Lifeguard Recruitment and Retention Policy – Director Durocher
 - d. Pembroke Fire Department Monthly Report – January 2025 – Chief Selle
8. **Adjournment**

Draft Planning & Development Committee Meeting

Council Chambers
Pembroke, Ontario
January 7, 2025
6:00 p.m.

1. Land Acknowledgement

2. Call to Order

Present:

Councillor Jacyno (virtual)
Mayor Gervais
Deputy Mayor Abdallah
Councillor Kuehl
Councillor Lafreniere
Councillor Plummer

Regrets:

Councillor Purcell

Also, Present:

David Unrau, Chief Administrative Officer
Victoria Charbonneau, Municipal Clerk
Colleen Sauriol, Director of Planning, Building and By-law Enforcement

Councillor Kuehl called the meeting to order at 6:01 p.m.

3. Disclosure of Pecuniary Interest and General Nature Thereof

There were no disclosures of pecuniary interests declared.

4. Approval/Amendment of Meeting Agenda

Resolution: PD25-01-01

Moved by Councillor Plummer

Seconded by Mayor Gervais

That the agenda of the Planning & Development Committee meeting of January 7, 2025, be approved as circulated.

Carried

5. Approval of Minutes

Resolution: PD25-01-02

Moved by Councillor Plummer

Seconded by Deputy Mayor Abdallah

That the minutes of the December 3, 2024, meeting of the Planning and Development Committee be approved as circulated.

Carried

6. Business Arising from Minutes

7. New Business

a. Bill 185 – Lapsing of Draft Plan of Subdivision

Director Sauriol presented the report as information. A discussion was held and the following points were raised:

- Committee expressed frustration over the number of vacant lots with potential for development
- Optimistic that the new legislation will assist in movement on lots poised for development.

8. Adjournment

Resolution PD25-01-03:

Moved by Deputy Mayor Abdallah

Seconded by Mayor Gervais

That the Planning & Development Committee meeting of January 7, 2025, adjourn at 6:11 p.m.

Carried



Committee Report

To: Councillor Ed Jacyno
Planning and Development Committee

From: Colleen Sauriol, Director
Planning, Building & By-law Enforcement Department

Date: 2025-02-04

Subject : **Revised Report to Prohibit and Regulation Fortification**

Recommendation:

Based on the comments from the Planning and Development Committee and from the OPP Detachment Commander, a revised Fortification By-law is now being proposed for Council. If direction is provided, the by-law will be before Council at its next meeting.

CAO Review :

I have reviewed the report and agree with the proposed revisions with the by-law.

David Unrau, P.Eng., PMP

Financial Comment:

There are no financial implications for the City associated with the recommendations contained within this report. In the event of non-compliance, the City will have the option to have the contravention corrected at the cost of the occupant. Further non-compliance may also result in charges being laid under the Provincial Offences Act.

Angela Loctie
Treasurer/Deputy Clerk

Background:

At the November 5, 2024 Planning and Development Committee meeting, the Committee tabled this item to receive more information regarding visual surveillance and concerns about issuing fortification exemptions.



Discussion:

One of the concerns around the proposed by-law was about fortification exemptions. The Committee felt an exemption clause was not needed. The Committee was clear there should be no exemptions to this by-law. This concern can be easily rectified by removing that section in the by-law. Therefore, there would be no exemption process in the proposed Fortification By-law.

The second issue was the concern about video surveillance. The Committee indicated there is a CamSafe program in place in the City and the Committee did not want to jeopardize this program by adding restrictions for video surveillance.

Alternatives Considered:

- 1) Leave wording in original draft by-law to include camera surveillance as an excessive protective element;
- 2) Soften the wording even further to permit the use or application of commercially marketed security devices which provides reasonable protection from theft or other criminal activity against a Person or property of a Person;
- 3) Remove all sections regarding camera surveillance from draft by-law.

The Upper Ottawa Valley Detachment Commander was asked to review the alternatives regarding video camera surveillance. The Detachment Commander indicated that the City currently has cameras in various locations which provide “surveillance” for these areas. He suggests that with the advancement of video/camera surveillance technology, it has rendered this section of the proposed by-law as a moot point. It is an issue that may have been subject to discussion in the past, but now with the advancement of technology this issue is no longer practically applicable and does not belong in the City’s new Fortification By-law. The Detachment Commander’s main concern is regarding fortifications, traps, etc. and that is the main purpose of what the OPP is wanting to prohibit with this by-law. Therefore, the OPP is satisfied with the revised by-law.

Many municipal Fortification By-laws attempt to strike a reasonable balance when it comes to surveillance. These by-laws permit landowners to secure their own private property, but reasonably restrict surveillance of neighbouring properties to protect the privacy of others. However, based on the concerns of the Planning and Development Committee and on the recommendation of the OPP, wording has now been added to the draft by-law stating excessive protective elements does **not** prohibit:

(a) the use or Application of commercially marketed security devices designed and applied to provide reasonable protection from theft or other criminal activity against a Person or property of a Person;

(b) the reasonable use of Protective Elements such as a “laser eye” or other advance warning devices on windows or doors of a dwelling for the purpose of providing a warning to



an occupant of the dwelling or of dispatching emergency services personnel where an entry into a dwelling has occurred.

(c) Common household alterations or renovations where the location or style of a door or window may be altered and meets the Building Code and Fire Code requirements and have received any permit required to complete such alteration or renovation;

(d) The securing of openings in vacant buildings, or the closing of fire or other accidental structural damage to buildings as required under the City's Property Standards By-law, as amended or by an order issued under either the Fire Protection and Prevention Act or the Building Code Act.

Based on the information provided, a revised draft Fortification By-law is attached.

Strategic Plan Impact:

All neighbourhoods in the City are safe, vibrant, attractive, and inclusive.

Attachments:

Revised Draft Fortification By-law

Respectfully submitted,

Colleen Sauriol, Director
Planning, Building & By-law Enforcement Department

David Unrau
Chief Administrative Officer

The Corporation of the City of Pembroke

By-law Number 2025-

A By-law to regulate the Fortification of land and to prohibit excessive Fortification of land and to prohibit the application of excessive protective elements to land within the City of Pembroke

Whereas pursuant to Section 133 of the *Municipal Act*, S.O. 2001, c.25, as amended, authorizes a municipality that is responsible for the enforcement of the Building Code Act, 1992, may regulate in respect of the fortification of and protective elements applied to land in relation to the use of the land; and prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land;

Whereas Section 11(2) of the Municipal Act, S.O. 2001, c.25, as amended, states a lower-tier municipality and an upper-tier municipality may pass by-laws related to the health, safety and well-being of persons;

Whereas the fortification of land or the application of protective elements to land is likely to pose a serious health, safety and welfare risk to law enforcement officials and/or emergency services personnel when confronted with such land when acting in the course of their lawful duties or in response to emergency situations and as well to the occupants of land whose ability to escape an emergency situation is or may be hindered or prevented;

Whereas the fortification of land or the application of protective elements to land is likely to pose a serious threat to the safety and integrity of adjoining and abutting land and as well the owners and occupiers of those lands by restricting, limiting or preventing law enforcement personnel and/or emergency services personnel from responding to emergency situations effectively and in a timely manner;

Whereas Section 10(2) of the Municipal Act, S.O. 2001, c.25, as amended, states that a single-tier municipality may pass by-laws which includes the health, safety, and well-being of persons; and

Whereas the Council of the Corporation of the City of Pembroke considers the enactment of a Fortification By-law to be a matter concerning the health, safety, and welfare of the inhabitants of the municipality.

Now Therefore the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

Section 1 – Definitions

The following words and phrases, when used in this by-law shall, for the purpose of this by-law have the meaning respectively ascribed to them:

1. **Apply or Application** means the erection, installation, extension or material alternation or repair of or application to land and includes to construct;

2. **Booby trap** is a device or setup that is intended to kill, harm or surprise a human or another animal. It is triggered by the presence or actions of the victim and sometimes has some form of bait designed to lure the victim towards it. The trap may be set to act upon trespassers that enter restricted areas, and it can be triggered when the victim performs an action (e.g., opening a door, picking something up, or switching something on). It can also be triggered by vehicles driving along a road, as in the case of improvised explosive devices (IEDs).
3. **Building Code** means the Ontario Building Code Act, S.O. 1992, c. 23, or any successor code;
4. **Chief Administrative Officer** means the officer or his or her designate appointed by Council as the Chief Administrative Officer for the City of Pembroke;
5. **Chief Building Official** means the officer or his or her designate appointed by Council as the Chief Building Official pursuant to Section 3 of the Building Code Act, S.O. 1992, c.23, as amended, and includes a Building Inspector;
6. **City** means the Corporation of the City of Pembroke;
7. **Construct** means to do anything in the erection, installation, extension or material alternation or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and “construction” has a corresponding meaning;
8. **Council** means the municipal council for the City of Pembroke.
9. **Emergency Services Personnel** means any individual employed by a Police Service, Fire Service (including volunteer Fire Fighters), or Ambulance Service in Ontario who is acting in accordance with the obligations imposed upon them (whether by statutory or common law duty) by their position and includes any person who is directed by an emergency services personnel to do, or refrain from doing, anything and who acts on those directions.
10. **Excessive Fortification and Excessively Fortify** means the use, maintenance or construction of devices, barriers or materials in a manner designed to hinder, obstruct or prohibit access to or from land or which have the effect of hindering, obstruction or prohibiting access to or from land and which include but is not limited to:
 - a) The application of steel plates, steel bars, bullet-proof shutters or heavy gauge wire mesh to window and other openings on any and all levels of any structures on land with the sole exclusion of basement windows or openings;
 - b) The application of concrete block, brick, or other masonry or similar product to partially or completely obstruct or seal any doorway, window or other exterior entrance or egress to land;

- c) The application of steel sheeting or plates or other similar products to the interior or exterior walls of land such as to replace or reinforce walls or create a secondary wall in a manner to protect against firearms, artillery, explosives, vehicle impact and the like;
- d) The application of laminated glass or any other form of break resistant/proof or bullet resistant/proof material or glass to windows or doors;
- e) Armour plated or reinforced doors (exterior or interior) designed to resist against impact of firearms, artillery, explosives, battering rams, or vehicle impact;
- f) The construction of pillars, cones or barriers out of concrete, steel, or any other solid building material that are designed to (or which is likely to) obstruct, hinder, restrict or prevent access onto any land by conventional means of access or modes of transportation so as to prevent reasonable access by Emergency Services Personnel; or
- g) The construction of an observation tower designed to enable the visual observation of surrounding areas beyond the perimeter of the land actually owned or leased/rented by the occupant whether the tower is occupied by an individual or a surveillance camera or like equipment.
- h) The setup of a booby trap designed to (or which is likely to) obstruct, hinder, restrict or prevent access onto any land by conventional means of access or modes of transportation to as to prevent reasonable access by Emergency Services Personnel.

11. **Excessive Protective Elements** means the use, maintenance or construction of devices, objects, material components, or any contrivance designed for surveillance or to control, hinder, restrict or deny access to or from land or which have the effect of controlling, hindering, restricting or denying access to or from the land and includes but is not limited to:

- a) The application of electrified fencing or any similar perimeter barrier including hidden traps, electrified doors or windows, land mines or other explosive devices or any weapon or thing that may become a weapon when triggered or activated on encroachment to land whether designed to, or by application in such manner is, likely to cause death or serious injury;
- b) The construction of an observation tower designed to enable the visual observation of surrounding areas beyond the perimeter of the land actually owned or leased/rented by the occupant whether the tower is occupied by an individual or a surveillance camera or like equipment.

12. **Fire Chief** means the chief of the City of Pembroke's Fire Department or his or her deputy or designate.

13. **Fire Code** means Ontario Regulation 213/07, as amended, and as passed under the Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4 or any successor code.
14. **Fortification or Fortify** means the construction of devices, barriers or materials in a manner designed to hinder, obstruct or prohibit access to or from land or which have the effect of hindering, obstructing or prohibiting access to or from the land and includes excessive fortification.
15. **Land** includes buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences, erections, physical barriers and any other structures on the land or in any structures on the land.
16. **Occupier** means a person residing on or in immediate possession of land, or of a part of land where relevant to notice of entry to the land or part.
17. **Officer** means a Chief Building Official, Fire Chief or a Property Standards Officer appointed under any City By-law, or Police Services or any other person assigned or appointed by the Chief Administrative Officer to administer or enforce this By-law, includes a person employed by the City whose duties are to enforce the By-law, and further includes a police officer.
18. **Owner** means a person who has registered title to the land, and includes the heirs, executors, administrators or successors and assigns or other legal representative of such person.
19. **Person** means any natural person and includes a corporation, a partnership and the heirs, executors, administrators and assigns or other legal representative of a person.
20. **Police Officer** means an officer sworn or appointed as a member of any police service in Canada.
21. **Property Standards Officer** means an officer appointed pursuant to a by-law under Section 15.1 of the Building Code Act, 1992, who may, upon producing proper identification, enter upon any land at any reasonable time without a warrant for the purpose of inspecting the land to determine;
22. **Protective Elements** means devices, objects, material components, or any contrivance designed for surveillance or to control, hinder, restrict or deny access to or from land or which have the effect of controlling, hindering, restricting or denying access to or from the land and includes excessive protective elements.

Section 2 - General Prohibitions

2.1 No person shall:

- a) Excessively fortify any land or cause, permit or maintain the excessive fortification of land:

- b) Apply, use, cause, permit or maintain excessive protective elements to or on land; or
- c) Hinder, obstruct or attempt to hinder or obstruct, an officer, police officer or other person exercising a power or carrying out a duty under this by-law, or any persons assisting such officers, including without limiting the generality of the foregoing any Emergency Services Personnel.

Section 3 – Exemptions

3.1 Section 2(1) (a) and (b) above do not apply to:

- (a) Financial institutions as identified and listed in Schedules I, II and III of the Bank Act, S.C. 1991, Chapter 46, as amended from time to time that is zoned for such use or otherwise permitted by law;
- (b) Detention Centres zoned for such use otherwise permitted by law;
- (c) Lands, wherever situated, owned or occupied by the Ontario Provincial Police or an Ontario Municipal Police Service in accordance with the Community Safety and Policing Act, 2019, S.O. 2019, c.1;
- (d) Lands, wherever situated, owned or occupied by any Federal Department or Agency of the Government of Canada;
- (e) Lands, wherever situated, owned or occupied by the Royal Canadian Mounted Police;
- (f) Lands owned and occupied by the Corporation of the City of Pembroke; or
- (g) Other commercial, industrial, institutional establishments or courthouses where the use is made more secure by Excessive Fortification or Excessive Protective Elements and where such use is permitted in the Zoning By-law or is otherwise lawfully permitted.

Section 4 – Scope and Limitation of By-law

4.1 Section 2(1)(a) and (b) does not apply to prohibit:

- (a) The use or application of commercially marketed household security devices designed and applied to provide protection from theft or other criminal activity against the person or property of an individual and which do not meet the definition or are not employed so as to meet the definition of excessive protective elements;
- (b) The use of Protective Elements such as “laser eye” or other advanced warning devices on windows or doors of a dwelling house for the purpose of providing a warning to the occupants of that dwelling house or structure or to dispatch Emergency Services Personnel where an actual entry into a dwelling house has occurred;
- (c) Common household alterations or renovations where the location or style of a door or window may be altered and meets the Building Code and Fire Code requirements and have received any permit required to complete such alteration or renovation;
- (d) The securing of openings in vacant buildings, or the closing of fire or other accidental structural damage to buildings as

required under the City's Property Standards By-law, as amended or by an order issued under either the Fire Protection and Prevention Act or the Building Code Act.

Section 5 – Power of Entry

5.1 An Officer or Police Services may, at any reasonable time, enter and inspect any land to determine whether this By-law, or an order under this By-law, is being complied with.

Section 6 – Orders

6.1 Where an Officer or the Chief Building Official is satisfied that a contravention of this By-law has occurred, the officer may make an order requiring work to be done to correct the contravention and the order shall set out:

- a) The municipal address and the legal description of the land;
- b) Reasonable particulars of the contravention and the work to be done and the period which there must be compliance with the order; and
- c) If the work required by an order is not completed within the specified period, an Officer or the Chief Building Official may, at any reasonable time, enter upon the land or may make arrangements for municipal employees or a contractor retained for that purpose, to enter upon the land to do the work.
- d) A notice stating that if the work is not done in compliance with the order within the period it specifies, work done may be at the expense of the owner.

6.2 If the work required by an order is not completed within the specified period, an Officer or the Chief Building Official may, at any reasonable time, enter upon the land or may make arrangements for municipal employees or a contractor retained for that purpose, to enter upon the land to do the work.

Section 7 – Failure to Comply and Cost Recovery

7.1 Where a person defaults in complying with a direction, requirement or order under this By-law to do a matter or thing, the Chief Administrative Officer may cause an Officer or agent on behalf of the City, with such assistance from others as may be required, to enter the land on which the contravention occurred at any reasonable time, and to carry out such direction, requirement or order at the person's expense.

7.2 The City may recover the costs from the person directed, required or ordered to do a matter or thing under this section, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

7.3 The amount of the City's costs incurred to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.

Section 8 - Penalty and Enforcement

8.1 Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

8.2 a) Every person or director or officer of a corporation shall comply with an order, direction or other requirement made under this By-law;

b) No person shall obstruct or attempt to obstruct an officer, or any person acting under an officer's instructions, in the lawful exercise of a power granted to him/her or them by this by-law;

8.3 All offences provided for in this by-law are designated as continuing offences as provided for in Subsection 429(2)(a) of the Municipal Act, 2001, S.O. 2001, c.25.

8.4 Any proceeding alleging an offence may be commenced pursuant to the Provincial Offences Act, or any successful legislation by,

a) Filing a certificate of offence alleging the offence in the office of the court;

b) Laying an information; or

c) Any other means of commencing a proceeding that may be permitted in law from time to time by the Province of Ontario.

8.5 Where a proceeding is commenced by filing a certificate of offence alleging the offence in the office of the court, a person or corporation who is convicted of an offence is liable, for each day or part of a day that the offence continues, to the fine or penalties as set out in Schedule "A" of this by-law.

8.6 Where a proceeding is commenced by laying an information or any other means of commencing a proceeding that may be permitted in law from time to time by the Province of Ontario,

8.7 Any person who contravenes any provision of this By-law, or an officer or director of a corporation, who knowingly concurs in such a contravention by the corporation, is guilty of an offence and upon conviction is liable to a fine or penalty as follows:

(a) for a first offence, a maximum of \$20,000;

(b) for a second offence, a maximum of \$50,000; and

(c) for a third offence or subsequent offence, a maximum of \$100,000.

8.8 Any person who contravenes any order made under this by-law, or an officer or director of a corporation who knowingly concurs in such a contravention by the corporation, is guilty of a continuing offence and upon conviction is liable to a daily fine or penalty to a maximum of \$10,000 for each day or part of a day that the offence continues, and despite Section 11.1 the total of all the daily fines imposed for an offence is not limited by the maximums listed in Section 11.1.

8.9 For the purposes of this by-law, an offence is a subsequent offence if there has been a previous conviction under this, or any prior, Property Standards By-law.

Section 9- Conflict and Severability

9.1 Subject to Section 12.2, where a provision of this By-law conflicts with the provision of any other By-law of the City or any applicable government regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

9.2 Notwithstanding Section 12.1, and despite Section 35 of the Building Code Act, 1992, if there is a conflict between the Building Code under the Building Code Act, 1992 and this By-law, the Building Code prevails.

9.3 Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision, or part, is deemed severable from this By-law and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

Section 10 – Exemption Limited by Act of Law

10.1 Any exemption authorized by this By-law in any manner shall, in no way be construed or interpreted as an exemption, limitation or excuse from a person's requirement to abide by and comply with any other Federal, Provincial or Municipal Law.

Section 11 - Enactment

11.1 That By-law 2002-58 and any amendments thereto and any other by-law inconsistent with the provisions contained in this by-law are hereby repealed.

11.2 This By-law shall come into force and take effect upon the date of the final passing thereof.

Passed and enacted this 18th Day of February 2025

Ron Gervais
Mayor

Victoria Charbonneau
Clerk

By-law Number 2025- – Schedule “A” – Set Fines

**Prescribing Standards for the Regulation of the Fortification of Land
Within the City of Pembroke
Part 1 Provincial Offences Act**

Item	Column 1 – Short Form Wording	Column 2 – Provision Creating or Defining Offence	Column 3 – Set Fine
1	Fails to comply with an order, direction or other requirement	s. 8.2 (a)	\$300.00
2	Obstructs or Attempts to Obstruct an Officer	s. 8.2 (b)	\$300.00

Note: The penalty provision for the offences indicated above is Section 8 of City of Pembroke’s By-law 2025- and Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33.

Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.



Committee Report

To: Councillor Ed Jacyno
Planning and Development Committee

From: Colleen Sauriol, Director
Planning, Building & By-law Enforcement Department

Date: 2025-02-04

Subject : **Repeal of Parking Agreement at Corner of Lake Street and College Way**

Recommendation:

That the Planning and Development Committee endorse and recommend to Council the repeal of By-law 2024-62, being a by-law to authorize the entering into of an agreement between 320 Lake St. Inc. and the Corporation of the City of Pembroke.

CAO Review :

I have reviewed the report and agree with repealing the by-law.

David Unrau, P.Eng., PMP

Financial Comment:

This parking area has been used for the past three years. There will be an annual loss of revenue in the amount of \$4,000 for this lot, if it remains unused.

Angela Lochtie
Treasurer/Deputy Clerk

Background:

Pembroke City Council approved By-law 2024-62 on November 19, 2024 which permitted the entering of a one-year lease agreement for 10 parking spaces at 0 Lake Street between the City of Pembroke and 320 Lake St. Inc. This agreement was entered into to provide the new owners of 320 Lake Street additional parking for their residential units.



Discussion:

The new owners, 320 Lake St. Inc., have decided not to use the City's parking area and no longer require an agreement with the City. Therefore, staff is recommending the repeal of By-law 2024-62.

Alternatives Considered:

N/A

Strategic Plan Impact:

None

Attachments:

By-law 2024-62

Respectfully submitted,

Colleen Sauriol, Director
Planning, Building & By-law Enforcement Department

The Corporation of the City of Pembroke

By-law Number 2024-62

A by-law to authorize the entering into of an agreement between 320 Lake St. Inc. and the Corporation of the City of Pembroke

Whereas the Municipal Council of the Corporation of the City of Pembroke desires to enter into an Agreement with 320 Lake St. Inc. for the use of City land for the purposes of a private parking lot at the northwest corner of Lake Street and College Way;

Now Therefore the Municipal Council of the Corporation of the City of Pembroke enacts as follows:

1. That the agreement between the Corporation of the City of Pembroke and 320 Lake St. Inc. attached hereto and referred to as Appendix "A" be part of the by-law.
2. That the Mayor and Chief Administrative Officer be, and they are, hereby authorized to execute the Agreement and affix the corporate seal thereto.
3. This by-law shall come into force and take effect upon the date of the final passing thereof.

Passed and enacted this 19th day of November, 2024.


Ron Gervais
Mayor


Victoria Charbonneau
Clerk

Appendix "A" to By-law 2024-

Agreement made this 19th day of November, 2024.

Between:

The Corporation of the City of Pembroke,
hereinafter described as "**The City**"

And

320 Lake St. Inc.

hereinafter described as "**The Lessee**"

Terms and Conditions:

1. The property is municipally known as 0 Lake Street located at the northwest corner of Lake Street and College Way and legally known as Plan 17, Block T, Part Lot 1 and Part of Water Lot XM, Part of Part 1 on Reference Plan 49R-10533, Part of Part 1 and Parts 2 and 3 on Reference Plan 49R-12894; City of Pembroke and hereinafter described as "the Property").
2. The City agrees to allow the Lessee exclusive right to use "the Property" for the purposes of additional parking for his residential units located at 320 Lake Street.
3. The City agrees to allow the Lessee to construct and maintain, at the Lessee's cost, a gravel parking lot for the purposes of parking ten (10) vehicles on "the Property". The Lessee is responsible for all signage for "the Property".
4. The Lessee agrees to pay the City for the use of the ten (10) parking spaces a fee of \$55 plus HST per month per parking space or \$400 plus HST for the year per parking space. The parking permit fee for all ten (10) parking spaces shall be invoiced directly to the Lessee.
5. The City would be responsible for the enforcement of this parking lot. The Lessee would be responsible to provide tags to his tenants to display their parking permit on the dash of their vehicle.
6. It is agreed between the Parties that the permission being extended by the City is permissive only, and that the Owner shall, at the request of the City, discontinue the parking, without undue delay, when requested to do so by the City.
7. The Lessee agrees to leave, to the City's satisfaction, "the Property" in good condition when the agreement has expired.
8. The Lessee does hereby covenant and agree to indemnify and save harmless the said Corporation of the City of Pembroke from all actions, causes of action, claims and demands of every nature and kind whatsoever arising out of the said parking arrangement.
9. The term of the agreement shall be from October 1, 2024 to September 30, 2025. Either party may terminate this agreement by giving the other party at least thirty (30) days notice of its intention to terminate the agreement. If the agreement is terminated by the Lessee, no refunds will be issued for the paid parking permits.
10. This Agreement shall ensure to the benefit of and be binding on the present Lessee for the term of one year from the date of signing of this agreement.

The Parties have executed this Agreement this 19th day of November, 2024.

The Corporation of the City of Pembroke

David Unrau
Chief Administrative Officer

Ron Gervais
Mayor

“We have the authority to bind the corporation”

Josh Green
320 Lake St. Inc.
877 Roshan Road
Kingston, Ontario
K7P 0B2

“I have the authority to bind the corporation”



Committee Report

To: Councillor Ed Jacyno
Planning and Development Committee

From: Jordan Durocher
Parks and Recreation Department

Date: 2025-02-04

Subject : **Pool Lifeguard Recruitment and Retention Policy**

Recommendation:

Planning and Development Committee endorse and recommend to Council the approval of a Pool Lifeguard Recruitment and Retention Policy to enlist and secure lifeguards for continued aquatic programs and services.

Furthermore, that staff be directed to prepare the by-law and Pool Lifeguard Recruitment and Retention Policy to be brought before Council at its next meeting.

CAO Review :

I have reviewed and agreed with the recommendation to aid in lifeguard recruitment and retention.

David Unrau, P.Eng., PMP

Financial Comment:

A certified lifeguard must fulfill a series of courses which is an approximate cost of \$1050.00, certification takes between six months to one year to complete. Should this policy be approved, the impacts will be seen in the 2026 budget.

Angela Lochtie
Treasurer/Deputy Clerk

Background:

Ontario's aquatic facilities are governed by the Health Protection and Promotion Act R.R.O. 1990, REG. 565 which sets out lifeguard responsibilities.



Public pool are classed A, B, and C. The City of Pembroke's pool is a Class A pool, which has a legal obligation to have lifeguards. Since the inception of Covid-19 pool closures across the province and country were prevalent, National Lifeguarding courses were unable to resume, providing a crisis for lifeguards across the Country.

In addition to this time, the pool has seen a pool closure every year for the past 5 years for a variety of time and reasons:

2020-2022 – Covid-19

2023 – Pool Pump Failure (three months)

2024 – Roof Replacement (one-year)

Discussion:

While the department had recently re-opened the pool, we continue to experience shortages. The department is currently short staffed 6-8 lifeguards and 1 unionized Instructor Guard. As a result of this, our learn-to-swim programs have seen long waiting lists as a result of the first swimming session, which opened January 20th.

In addition to our current staffing shortages, we are forecasting mass exodus by the end of August for students pursuing post secondary studies.

Forecasting the shortages, the department is looking at strategic opportunities to attract new employees to work at the pool and ensure aquatic programs are offered to the public. The department has developed a lifeguard recruitment and retention policy which is aimed at attracting new enrollment into our certified lifeguard courses.

Criteria for Enrollment:

1. The eligible courses are Bronze Medallion, Bronze Cross, Standard First Aid, National Lifeguard, Swim and Lifesaving Instructor.
2. Only courses that are offered through the City of Pembroke are eligible. If candidates chose to take one of the above courses at another facility, they may remain in the incentive program but will only be compensated for the courses offered through the City of Pembroke.
3. The Policy is in effect January 1, 2025. Any previous enrollment in any of these programs will not be considered for reimbursement.
4. To receive reimbursement, candidates must successfully obtain employment with the City of Pembroke through a competitive process, work at the pool and/or Riverside Beach as an instructor guard for a minimum of 300 hours and one (1) full year of employment with the City of Pembroke. If a candidate pauses their service with the municipality to provide swim instruction and/or aquatic services for another municipality, business and/or organization/institution, the candidate will not qualify for their one year. The candidate will be required to make up the difference of lost time. i.e. candidate works 10 months for the City of Pembroke and 2 months elsewhere,



the candidate will be required to work another two months for the City of Pembroke to qualify for the re-imbusement, in addition the minimum of 300 hours.

5. Candidates will only be reimbursed for courses that they have passed. If a candidate should require more than one attempt to pass a course, only the successful attempt will be included.
6. Only the course fee is eligible for reimbursement. Taxes and non-resident fees are non-applicable.
7. The City of Pembroke reserves the right to cancel the recruitment and reimbursement policy without notice and will be reviewed on an annual basis and subject to change.

Alternatives Considered:

We are legally obligated to provide lifeguards if the City wants to provide aquatic programming. However, if we don't offer an incentive program for lifeguards, we may not attract new lifeguards at the pool forcing the department to operate less learn-to-swim programs as well other aquatic programming based on those who become certified lifeguards without any incentive programs.

Strategic Plan Impact:

Staff engagement, attraction and retention

Attachments:

Pool Lifeguard Recruitment and Retention Policy

Respectfully submitted,

Jordan Durocher
Parks and Recreation Department

Program: Lifeguard Recruitment and Retention Policy
Main Contact: Aquatic Supervisor/Program Assistant
Last Revision: January 2025

[Policy Statement](#)

[Purpose](#)

[Enrollment & Requirements](#)

[Contact](#)

[Change History](#)

Policy Statement

The City of Pembroke's Strategic Plan (2023-2027) is committed to supporting staff engagement, attraction, recruitment and retention through creating succession plans for its employees and the Corporation.

Purpose

Through this support, it is hoped that lifeguards can be retained to support the necessary requirements for the safety of our patrons. This policy provides guidance on the incentive program enrollment requirements and terms and conditions of the policy.

Enrollment & Requirements

Criteria for Enrollment:

1. The eligible courses are Bronze Medallion, Bronze Cross, Standard First Aid National Lifeguard, Swim and Lifesaving Instructor.
2. Only courses that are offered through the City of Pembroke are eligible. If candidates chose to take one of the above courses at another facility, they may remain in the incentive policy but will only be compensated for the courses offered through the City of Pembroke.
3. The Incentive Policy is in effect January 1, 2025. Any previous enrollment in any of these programs will not be considered for reimbursement.
4. To receive reimbursement, candidates must successfully obtain employment with the City of Pembroke through a competitive process, work at the Kinsmen Pool and/or Riverside Beach as an instructor guard for a minimum of 300 hours and

one (1) full year of employment with the City of Pembroke. If a candidate pauses their service with the municipality to provide swim instruction and/or aquatic services for another municipality, business and/or organization/institution, the candidate will not qualify for their one year. The candidate will be required to make up the difference of lost time. i.e. candidate works 10 months for the City of Pembroke and 2 months elsewhere, the candidate will be required to work another two months for the City of Pembroke to qualify for the re-imbusement, in addition the minimum of 300 hours.

5. Candidates will only be reimbursed for courses that they have passed. If a candidate should require more than one attempt to pass a course, only the successful attempt will be included.
6. Only the course fee is eligible for reimbursement. Taxes and non-resident fees are non-applicable.
7. The City of Pembroke reserves the right to cancel the recruitment and retention policy without notice and will be reviewed on an annual basis and subject to change.

Contact

Aquatic Supervisor/Program Assistant
 Telephone: 613-735-6821, Ext. 1502
 Email: recreation@pembroke.ca

Change History

Policy Name	Effective Date	Significant Changes	By-law No.
Lifeguard Recruitment and Retention Policy	January 1, 2025	New policy	25-02-XX



PEMBROKE FIRE DEPARTMENT

200 International Drive Pembroke, Ontario K8A 6W5

Telephone: (613) 735-6821 ext. 1201 • Fax: (613) 732-7673 • www.pembroke.ca

“Protection, Prevention and Education for over 160 years”

December 2024 Monthly Report (December 20, 2024 – January 28, 2025)

Prevention and Public Education Activities

Platoons continue to work through their assigned inspection list.

This month we welcomed the 2024 Firefighter for a Day contest winners and their families to the Fire Hall. The day was filled with fun activities for the kids, giving them a firsthand look at what it takes to be a firefighter day in and day out. The Firefighter for a Day contest is open to all grades 3 & 4 students within the City of Pembroke and challenges the students to produce fire safety messaging. The winning students' slogans are now on displayed on our PFD half-ton truck. Congrats to our winners both of whom are from Our Lady of Lourdes: Alexa with "The burning question is, are you prepared?" and Oliver with "Be in the clear. Change your batteries twice a year!"

Staff training was conducted at SRB for 37 staff, Med Eng for 28 staff, Best Western 20 staff, and Community Living 10 staff.

Public safety messaging on Pembroke's Pure Country focused on ice safety and carbon monoxide safety.

Our partnership with Renfrew County Fire Departments continued as we provided fire safety messaging regarding Chimney Fire Safety in the Eganville Leader.

Our messaging on social media continued over the Christmas Holidays and into the New Year. The focus was Emergency Preparedness, specifically the preparation of emergency kits for use in vehicles. We also shared posts from our partners in emergency management throughout the month. The data shows we had over 14,330 views, for a total of 1088 followers on our Facebook page.

Education

Firefighters Dunne and Rutz have begun their NFPA 1021 Fire Officer I course.

Chief Selle and CAO Unrau attended the Ontario Association of Fire Chiefs Labour Relations Seminar.

CO-OP Student

Ben Kranz, a grade 12 student at Bishop Smith, has completed his semester with the PFD. Ben was a great student, respectful and hard working. We wish Ben luck in his final semester of High School, and with his future endeavors in post-secondary education.

The Co-op placement for 2nd semester will begin in early February.



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Vulnerable Occupancy Inspections and Drills

A Vulnerable Occupancy inspection was conducted at the Pembroke Regional Hospital.

The Vulnerable Occupancy Fire Drill was conducted in December for the PRH.

Emergency Management

The Emergency Exercise Planning Committee was put together in January with representation from all departments of the City.

EOC/Training Room

The EOC/training room hosted in-house training sessions and Departmental meetings.

The room also hosted the Community Safety Working Group in January.

Pembroke Professional Firefighters Association (Lo. 488)

In January, the Association made their annual donation of \$500 to the St. Joseph's Food Bank.

Career Firefighter Training

This month's training focused on:

- **Suppression:** Fire Suppression Techniques; Personal Protective Equipment; Building Construction; Fire Service Knots; Ventilation and Positive Pressure Attacks; NFPA 1700 Guide for Structural Fire Fighting; Aircraft Response; Pre-Fire Planning; Small Engines on the Fire Ground
- **Rescue:** Search and Rescue; Firefighter Survival Techniques; Water/Ice Rescue; Hazmat Operations
- **SCBA:** Donning and Doffing; Maintenance and Inspections
- **Driver:** Boat Operations; Aerial Operations
- **Prevention:** Preplanning and Plan Reviews; Ontario Fire Code & Inspection Orders; Lithium Ion Batteries
- **Administration:** Policies, SOPs and Procedures; Health, Wellness & Safety; Fire Protection and Prevention Act; Leadership in the Fire Service; Post Incident Reviews; NFPA 1021 Fire Officer I

Volunteer training for this month:

- Personal Protective Equipment
- Structural Search
- Victim Removal
- Firefighter Survival
- SCBA



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Recreational Open-Air Burning

Year/Month	Number of new permits	Number of Inspections	Renewals	Dollars collected	Total Number of Permits to date	Total dollars collected
2024	129	139	64	\$16,100	193	\$16,100
January 2025	2	2	0	\$200	2	\$200

Smoke Alarm Program

Year/Month	Number of Inspections	Number Tested	Alarms Missing	Alarms not Working	Batteries Replaced	Alarms Installed
2024	171	419	17	33	16	70
January 2025	18	34	3	3	3	3

Inspections & Consultations

Type of Inspection or Consultation	# Completed
Assembly	25
Health Care and Long-Term Care Facility	22
Residential	59
Mercantile and/or Business	4
Industrial	16
Hotel or Motel	1
Recreational Burn Permit Site Inspections	2
Total number of inspections or consultations completed this month	129
Total number of violations found since the last report	11
Total number of outstanding violations repaired since the last report	12
Total number of Fire Safety Plans reviewed and/or approved	4



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Incidents

Type of Incident	# attended
Fires/Explosions	4
Over Pressure Rupture/Explosion	0
Pre-Fire Conditions/ No Fire	18
Open- Air Burning	0
False Fire Calls	3
Public Hazards	3
Carbon Monoxide	7
Rescue	10
Medical	0
Other Responses	2
Total Responses	47
Estimated Dollar Loss	\$115,100

False Alarms

Year/Month	Letter of Warning	Fine Issued	Fines Paid	Fines Cancelled	Fines Outstanding
2020	21	6	5	0	2
2021	29	8	8	2	0
2022	16	12	8	0	4
2023	20	6	5	0	1
2024	37	8	8	0	0
January 2025	0	0	0	0	0

Respectfully yours,

Scott Selle,
Fire Chief