

AGENDA

REGULAR MEETING OF CITY COUNCIL

2007 11 13 (TUESDAY)

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover - Councillor F. Fata
Seconder - Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2007 10 29 be approved.

**2. QUESTIONS AND INFORMATION ARISING OUT OF
MINUTES AND NOT OTHERWISE ON AGENDA**

3. APPROVE AGENDA AS PRESENTED

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers

Resolved that the Agenda for the 2007 11 13 City Council Meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- (a) Joanne Elvy, Director, Sault Program for English Learning will be in attendance concerning Proclamation - English as a Second Language Week.
- (b) Janie Bringleson, Branch Coordinator, Canadian Diabetes Association will be in attendance concerning Proclamation - World Diabetes Day.
- (c) Louisa Vanlith, Member, Bahai Community will be in attendance concerning Proclamation - Unity in Diversity Week.
- (d) Stefan Shynkorenko, President, Sault College Student Administrative Council will be in attendance concerning Proclamation - Spread the Net Day.
- (e) Errol Caldwell, Executive Director, Science Enterprise Algoma will be in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

5.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Mover - Councillor F. Fata
Seconder - Councillor S. Myers

Resolved that all the items listed under date 2007 11 13 - Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO and from the Ombudsman of Ontario is attached for the information of Council.
- (b) A letter of request for a temporary street closing on Queen Street East from Simpson to Gore and Pine to Church and on Simpson Street from Victoria to Queen Street in conjunction with the Rotary Santa Claus Parade (December 1, 2007) is attached for the consideration of Council. The relevant By-law 2007-193 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (c) A letter from the Sault College Student Administrative Council concerning "Spread the Net", a nationwide fundraiser to purchase bed nets for families in African nations, is attached for the information of Council.
- (d) **Council Travel**

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers

Resolved that Councillor Lou Turco be authorized to travel to a FONOM Board Meeting being held in Sturgeon Falls, Ontario (2 days in November) at no cost to the City; and to an AMO Board of Directors Meeting being held in Toronto, Ontario (2 days in November) at a cost of \$300.00 to the City.

- (e) **Staff Travel Requests**
A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 11 13 be approved as requested.

- (f) **Tenders for Automotive Supplies and Tire Services**
A report of the Manager of Purchasing is attached for the consideration of Council.

5. (f) Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tenders for the supply of Automotive Supplies and Tire Services, required by the various City Departments and cooperatively for PUC Services Inc., be awarded as recommended.
- (g) **Proposal for Computerized Access Control Solution at Public Works and Transportation Department**
A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the proposal for the supply and installation of a Computerized Access Control Solution, required by the Public Works and Transportation Department, be accepted as recommended.
- (h) **Renewal of Security Services Contract for Civic Centre Parking Division and Public Library**
A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the contract for Security Services, required by the Civic Centre, Parking Division and Public Library, be awarded as recommended.
- (i) **Tender for the Waterfront Lighting System Renovations**
A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the Waterfront Lighting System Renovations, required by the Parks Division of the Public Works and Transportation Department, be awarded as recommended.
- (j) **Tender for Petroleum Products**
A report of the Manager of Purchasing is attached for the consideration of Council.

5. (j) Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the supply and delivery of Petroleum Products, required by the various City Departments and cooperatively Public Utilities Inc., be awarded as recommended.
- (k) **Property Tax Appeals**
A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2007 11 13 be approved and the tax records be amended accordingly.
- (l) **Algoma Tubes Inc. - Minutes of Settlement**
The reports of the City Tax Collector and the Commissioner of Finance and Treasurer are attached for the consideration of Council. The relevant By-law 2007-194 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the reports of the City Tax Collector and the Commissioner of Finance and Treasurer dated 2007 11 13 concerning Algoma Tubes Inc. - Minutes of Settlement be accepted and the recommendation that Council approve the Minutes of Settlement for Algoma Tubes Inc. in the amount of \$734,548.00 with funds to be provided from the Assessment Reserve, Vacancy Rebates and Tax Write-Off accounts be approved.
- (m) **2006 Municipal Performance Measurement Program**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. A report entitled Municipal Performance Measurement Program - 2006 Results is provided under separate cover.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 11 13 concerning 2006 Municipal Performance Measurement Program be accepted as information.

5. (n) **Corporate Strategic Plan 2007 - 2010**
A report of the Deputy City Clerk and Manager of Quality Improvement is attached for the consideration of Council. The Corporate Strategic Plan is provided under separate cover.
- Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
- Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2007 11 13 concerning Corporate Strategic Plan 2007 - 2010 be accepted and the recommendation that Council approve the draft plan in principle, and that the plan and appropriate feedback documents be circulated to Council, staff, associated boards and committees and the community at large for consultation and feedback prior to final approval by Council be approved.
- (o) **Operation of Outdoor Ice Rinks - Policy Update**
A report of the Commissioner of Community Services is attached for the consideration of Council.
- Mover - Councillor F. Fata
Seconder - Councillor S. Myers
- Resolved that the report of the Commissioner of Community Services dated 2007 11 13 concerning Operation of Outdoor Ice Rinks - Policy Update be accepted and the recommendation that Council approve a change to the Policy that would discontinue permits for exclusive use and that the wording of the section on Restricted Hockey Use be reworded "Local hockey organizations will no longer be permitted to have exclusive use of the outdoor rinks except for those organizations that have had permitted use prior to December 21, 2007" be approved.
- (p) **Biosolids Management Study**
A report of the Director of Engineering Services is attached for the consideration of Council.
- Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
- Resolved that the report of the Director of Engineering Services dated 2007 11 13 concerning Biosolids Management Study be accepted and the recommendation that the team of TSH/Dillon be retained to conduct the Biosolids Management Study be approved.
- (q) **Replacement of Gas Boilers at #1 Fire Station**
A report of the Fire Chief is attached for the consideration of Council.

5. (q) Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Fire Chief dated 2007 11 13 concerning Replacement of Gas Boilers at #1 Fire Station be accepted and the recommendation that the gas boilers be replaced at an estimated cost of \$13,700.00 with funds to come from the Fire Capital Reserve account be approved.
- (r) **New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques**
A report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee is attached for the consideration of Council.

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2007 11 13 concerning New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques be accepted and the recommendation that Council approve:
1) the designation of the free standing monuments and plaques on private and public property under Part IV of the Ontario Heritage Act as listed in item 'B' of the report; and
2) the registration of property and buildings bearing plaques which are considered of cultural heritage value or interest to the City as listed in item 'C' of the report be endorsed.
- (s) **Sault Ste. Marie Emergency Response Plan**
A report of the Community Emergency Management Coordinator is attached for the consideration of Council. The relevant By-law 2007-192 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (t) **Report of the Council Committee Reviewing Changes in the Municipal Act**
A report of the Council Committee Reviewing Changes in the Municipal Act is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Council Committee Reviewing Changes in the Municipal Act dated 2007 11 13 be accepted as information and further that the recommendation that the Office of the Ombudsman be used to investigate complaints under Section 239.1 of the Municipal Act be approved.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (3) ENGINEERING

(a) Revoked Connecting Links

A report of the Director of Engineering Services is attached for the consideration of Council.

Mover - Councillor D. Celetti

Seconder - Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2007 11 13 concerning Revoked Connecting Links be accepted and the recommendation that Council approve the following:

- 1) proceed to final design and tendering of the first phase of Wellington Street reconstruction from Trunk to Simpson in 2008; and
- 2) proceed to resurface Trunk to Simpson in 2008, using the present low bidder, with a premium of up to 1.5% on unit prices if justified, and conditional upon receipt of a letter from the MOE denying the Part II order requests; and
- 3) report back to Council on feasibility of including Wellington Street Phase II from Simpson to East in the 2009 Capital Construction Program be endorsed.

6. (6) PLANNING

(a) Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property

A report of the Planning Division is attached for the consideration of Council.

Note: This application was approved in principle on 2007 10 29.

Mover - Councillor F. Fata

Seconder - Councillor S. Myers

Resolved that the report of the Planning Division dated 2007 11 13 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and further that City Council approve the application to permit a Contractor's Yard as an additional permitted use to the "C-4" (General Commercial) zoning subject to the 5 conditions contained in the report.

(b) Downtown Development Initiative Grants Program

A report of the Planning Division is attached for the consideration of Council.

6. (6)
(b) Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Planning Division dated 2007 11 13 concerning the Downtown Development Initiative Grants Program be accepted and the Planning Director's recommendation that City Council approve the 8 funding requests described in this report be endorsed.

6. (8) **BOARDS AND COMMITTEES**

(a) **Science Enterprise Algoma (seA) - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements**

A report of the C.E.O., Economic Development Corporation is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor S. Myers

Resolved that the report of the C.E.O., Economic Development Corporation dated 2007 10 29 concerning Science Enterprise Algoma - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements be accepted and the recommendation:

- 1) that Council support this initiative and the application for funding from the 2007 Economic Development Fund in the amount of \$35,000.00; and
- 2) that Science Enterprise Algoma report to Council on a quarterly basis and that a full report be presented to Council in July 2008 or sooner if this project is successfully expedited be approved.

7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**

(a) Mover - Councillor S. Myers
Seconder - Councillor F. Fata

Whereas the new section of Highway 17 East around Echo Bay and Garden River First Nation is now open to traffic; and

Whereas the Garden River First Nation community has stated that it wishes to have old Highway 17 East named "Highway 17B";

Now therefore be it resolved that Sault Ste. Marie City Council expresses its support for naming the old section of Highway 17 East "Highway 17B"; and

Further that a copy of this resolution be forwarded to Chief Lyle Sayers, Garden River First Nation Council; Jim Bradley, Ontario Minister of Transportation; David Orazietti, MPP Sault Ste. Marie; and to Mike Brown, MPP Algoma Manitoulin.

7. (b) Mover - Councillor S. Butland
Seconder - Councillor J. Caicco
Whereas the Household Special Waste Facility has become a significant component of our waste diversion program; and
Whereas there may be sufficient demand for a year-round operation;
Be it resolved that Public Works and Transportation Department prepare a report on the advisability, costs associated and operational issues as to the consideration of the above.

Two letters concerning year-round operation of the Household Special Waste Facility are attached for the information of Council.

- (c) Mover - Councillor J. Caicco
Seconder - Councillor S. Butland
Whereas fluoridation of the water supply is commonplace in many municipal jurisdictions in Ontario; and
Whereas the issue has not been considered since a referendum over twenty years ago and only another referendum could overturn the decision of that date; and
Whereas health care individuals and agencies (Algoma Health Unit, Dental Association) may have information to contribute to a decision of Council;
Therefore be it resolved that Algoma Health Unit be asked to prepare a report in corroboration with the PUC, appropriate City Staff, other Health Agencies as to what other cities are doing in the Province, the process and associated costs that would be followed to implement the fluoridation of the City's water supply.

8. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

By-laws before Council for **THREE** readings which do not require more than a simple majority.

AGREEMENT

- (a) 2007-194 A by-law to approve the Minutes of Settlement between the City, MPAC and Algoma Tubes Inc. for the 2003, 2004, 2005, 2006 and 2007 tax years.
A report from the City Tax Collector and the Commissioner of Finance & Treasurer is on the agenda.

10. **EMERGENCY MANAGEMENT PLANNING**
- (b) 2007-192 A by-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property within the municipality.
A report from the Community Emergency Management Coordinator is on the agenda.
- OFFICIAL PLAN AMENDMENT**
- (c) 2007-189 A by-law to adopt Amendment No. 134 to the Official Plan.
(510127 Ontario Limited)
- PARKING**
- (d) 2007-188 A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305.
- TEMPORARY STREET CLOSING**
- (e) 2007-193 A by-law to permit the temporary street closing of Queen Street and Simpson Street to facilitate the 2007 Rotary Santa Claus Parade.
- ZONING**
- (f) 2007-190 A by-law to amend By-laws 2007-150 and 2007-151 concerning lands located at 432 Great Northern Road.
(510127 Ontario Limited)
- (g) 2007-191 A by-law to designate the lands located at 432 Great Northern Road as an area of site plan control. (510127 Ontario Limited)
11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**
12. **ADDENDUM TO THE AGENDA**

13.

ADJOURNMENT

Mover - Councillor F. Fata

Seconder - Councillor S. Myers

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 10 29

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, P. Mick

ABSENT: Councillor F. Manzo (illness)

OFFICIALS: J. Fratesi, M. White, L. Bottos, B. Freiburger, D. McConnell, N. Apostle, J. Dolcetti, D. Elliott, K. Streich-Poser, P. McAuley

1. ADOPTION OF MINUTES

Moved by Councillor L. Tridico

Seconded by Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2007 10 15 be approved. CARRIED.

2. QUESTIONS AND INFORMATION ARISING OUT OF MINUTES AND NOT OTHERWISE ON AGENDA

3. APPROVE AGENDA AS PRESENTED

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the Agenda for the 2007 10 29 City Council Meeting as presented be approved. CARRIED.

4. DELEGATIONS/PROCLAMATIONS

- (a) Ken Coulter and Jeff Holmes on behalf of Community Quality Improvement (CQI) were in attendance to present the National Quality Institute Community Building Award to City Council.
- (b) Brian Curran, President and C.E.O., PUC Inc. was in attendance concerning agenda item 6.(8)(a).

4. (c) Travis McCormick, President, Superior Community Skatepark Association was in attendance concerning agenda item 5.(k).
- (d) Dree Pauze was in attendance concerning agenda item 5.(o).
- (e) Alice Corbiere, Bob Collins, Rita Valiquette, Mark Stevenson, Jennifer Tremblay-Hall, Frank Shunock and Frank Sarlo were in attendance concerning agenda item 6.(6)(a).
- (f) Frank Fata was in attendance concerning agenda item 6.(6)(b).
- (g) Peter Bortolussi was in attendance concerning agenda item 6.(6)(d).
- (h) Peter Bortolussi, Brenda Parent, Robert Rattle, Joe Maurice and Jennifer Zufelt were in attendance concerning agenda item 6.(6)(e).

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes

Resolved that all the items listed under date 2007 10 29 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Region of Peel (concerning social housing financing) was received by Council.
- (c) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from July 1, 2007 to September 30, 2007 is \$418,484.00 was received by Council.
- (d) Correspondence from the Ministry of the Environment concerning a Certificate of Approval - Waste Management of Canada Corporation was received by Council.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick

Resolved that the correspondence from the Ministry of the Environment concerning a Certificate of Approval - Waste Management of Canada Corporation BE REFERRED to the appropriate staff for a response. CARRIED.

5. (e) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 10 29 be approved as requested. CARRIED.
- (f) **Tender for Parking Lot Snow Removal - Civic Centre**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated 2007 10 29 be endorsed and that the tender for Civic Centre Snow Plowing and Removal, required by the Building Services Division, Engineering and Planning Department, be awarded as recommended. CARRIED.
- (g) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2007 10 29 be approved and the tax records be amended accordingly. CARRIED.
- (h) **2008 Council Meeting Schedule**
The report of the City Clerk was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the City Clerk dated 2007 10 15 concerning 2008 Council Meeting Schedule be accepted and the recommended 2008 Council Meeting Schedule be approved. CARRIED.
- (i) **Immigration Portal - Contracts With Sudbury for Content Management System Hosting**
The report of the Manager of Information Technology Division was accepted by Council. The relevant By-law 2007-183 is listed under Item 10 of the Minutes.
- (j) **Sault Speed Skating Club Request for Financial Assistance 2007**
The reports of the Commissioner of Finance and Treasurer and the Commissioner of Community Services were accepted by Council.

5. (j) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 10 29 concerning Sault Speed Skating Club Request for Financial Assistance 2007 be accepted and the recommendation TO DENY the request be approved. CARRIED.

(k) **Update - Sault Ste. Marie Skatepark Initiative**
The report of the Supervisor of Community Services was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Supervisor of Community Services dated 2007 10 29 concerning Update - Sault Ste. Marie Skatepark Initiative be accepted and the recommendation that Council authorize City staff to resubmit an application to the Ontario Trillium Foundation Community Program Grant to construct Phase 1 of a concrete skatepark at a cost of \$187,000.00 with funds to be allocated as follows:
1) City of Sault Ste. Marie - \$100,000.00
2) Superior Community Skatepark Association - \$12,000.00
3) Ontario Trillium Foundation - \$75,000.00
be approved. CARRIED.

(l) **Ermatinger-Clergue National Historic Site - Visitor Centre, Summer Kitchen Re-Design and Site Accessibility Project**
The report of the Curator, Ermatinger-Clergue National Historic Site was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Curator, Ermatinger-Clergue National Historic Site concerning Ermatinger-Clergue National Historic Site - Visitor Centre, Summer Kitchen Re-Design and Site Accessibility Project be accepted and the recommendation to hire C. Tossell, Architect for completion of Phase II - Design Development at a cost of \$16,000.00 with funding from Heritage Sault Ste. Marie and a War of 1812 Provincial Planning Grant be approved. CARRIED.

(m) **Proposed Sale of 324 Second Line West**
The report of the City Solicitor was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the City Solicitor dated 2007 10 29 concerning Proposed Sale of 324 Second Line West be accepted and the recommendation to sell a vacant parcel of land located at the northwest corner of Second Line West and Korah Road be approved. CARRIED.

5. (n) **Connecting Links - Request for 2008 MTO Allocation**
The report of the Director of Engineering Services was accepted by Council.
- Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that the report of the Director of Engineering Services dated 2007 10 29 concerning Connecting Links - Request for 2008 MTO Allocation be accepted as information. CARRIED.
- (o) **Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study**
The report of the Land Development and Environmental Engineer was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Land Development and Environmental Engineer dated 2007 10 29 concerning Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study be accepted and the recommendation that Council approve the endorsement of the Memorandum of Understanding with the PUC and further that Engineering Department report back with the results of the Feasibility Study for recommended future action and partnerships based on the study's outcome be approved. CARRIED.
- (p) **Tipping Fee for Non-Hazardous Solid Industrial Waste (Contaminated Waste)**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 10 29 concerning Tipping Fee for Non-Hazardous Industrial Waste (Contaminated Waste) be accepted and the recommendation that the tipping fee be set at 50% of the normal tipping fee or \$32.50 per tonne be approved. CARRIED.
- (q) **Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie**
The report of the Community Coordinator of Social Services Department was accepted by Council. The report entitled Community Plan 2007 - 2009 - Homelessness Partnering Strategy Framework and the report entitled Below the Waterline - A Review of the Efforts to Ameliorate Homelessness in Sault Ste. Marie From 2002 - 2006 were received by Council.

5. (q) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Community Coordinator of Social Services Department dated 2007 10 29 concerning Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie be accepted and the recommendation that Social Services Department continue in their role as the Community Entity for the balance of the term of the Homelessness Partnering Strategy - January 2008 to March 2009 and further that the issues identified in the Updated Community Plan on Homelessness created through comprehensive stakeholder consultation be approved as the homelessness priorities for the city of Sault Ste. Marie. CARRIED.

- (r) **Request for Part Lot Control By-law for Three Lots at Dacey Road and Terry Fox Place**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-186 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

- (a) **Application No. A-8-06-Z.OP and 57T-06-501 - Jane Eva Hedlund, Catherine Shunock, 2062111 Ontario Limited and Frank Frederick Shunock - 1525, 1675, 1707, 1709, 1715 and 1731 Trunk Road and 834 River Road - Request to Rezone to Permit a 39 Lot Single Detached Residential Subdivision**

The report of the Planning Division was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-8-06-Z.OP and 57T-06-501 - Jane Eva Hedlund, Catherine Shunock, 2062111 Ontario Limited and Frank Frederick Shunock be accepted and the Planning Director's recommendation that City Council approve the application for a 39 lot Rural Estate Subdivision and Highway Zone uses subject to the 7 conditions contained in the report be endorsed. CARRIED.

Mayor J. Rowswell declared a pecuniary interest - relative is an objector.

- (b) **Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property**

The report of the Planning Division was received by Council.

6. (6)
(b) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and the Planning Director's recommendation that City Council:
1) Deny the applicant's request to amend the Official Plan (Amendment No. 130) and rezone the subject property in order to locate a contractor's yard on the subject property;
2) Approve Official Plan Amendment and re-designate the front 85m of the subject property from "Residential" to "Commercial" on Land Use Schedule C of the Official Plan, to be consistent with the existing commercial zoning, be endorsed. DEFEATED.

Councillor J. Caicco declared a pecuniary interest - acted as realtor when applicant acquired the property.

Recorded Vote

For: Mayor J. Rowswell, Councillors L. Turco, P. Mick
Against: Councillors B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland
Absent: Councillor F. Manzo

- Moved by Councillor D. Celetti
Seconded by Councillor P. Mick
Resolved that Application No. A-19-07-Z.OP - Frank Fata be approved in principle and be brought back to Council at a future meeting with appropriate conditions. CARRIED.

Councillor J. Caicco declared a pecuniary interest - acted as realtor when applicant acquired the property.

- (c) Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. - 1513 and 1517 Korah Road - Request to Rezone to Create 3 Single Detached Residential Building Lots
The report of the Planning Division was accepted by Council.

6. (6)
- (c) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. be accepted and the Planning Director's recommendation that City Council DEFER Application No. A-23-07-Z until November 26, 2007 be endorsed. CARRIED.
- (d) **Application No. A-24-07-Z.OP - 510127 Ontario Limited - 432 Great Northern Road - Request to Rezone to Permit the Construction of a 1,950 Sq. Meter Office Building Outside of the Downtown**
The report of the Planning Division was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-24-07-Z.OP - 510127 Ontario Limited be accepted and that the proposed resolution to approve the application and to permit a 1,950 sq. metre (21,000 square foot) office building as an additional permitted use to the "C-4" (General Commercial) zoning subject to approval of Official Plan Amendment No. 134 and that the property be designated as subject to site plan control be endorsed. CARRIED.
- (e) **Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. - 817 Third Line East - Request to Develop a Serviced 193 Lot Residential Subdivision**
The report of the Planning Division was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. be accepted and the Planning Director's recommendation that City Council approve the Draft Plan of Subdivision subject to the 21 conditions contained in the Planning Division report dated 2007 10 15 subject to the following modifications:
Condition #7 - That as part of the finalization of the Subdivision Agreement, the developer be required to pay cash-in-lieu of parkland for the deficiency in dedicated park space, which will be used to purchase playground equipment for the subdivision. The cost of constructing walking trails throughout the development shall be applied to any required cash-in-lieu amount.
Condition #13 - The proposed walking trails shall be constructed to the 3.0 metres asphalt Hub Trail standard where significant pedestrian traffic is expected be endorsed. CARRIED.

6. (8) **BOARDS AND COMMITTEES**

(a) **2007 Third Quarter Shareholder Report**

The report of the President and C.E.O., PUC Inc. was accepted by Council.

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the President and C.E.O., PUC Inc. dated 2007 10 29 concerning PUC Inc. 2007 Third Quarter Shareholder Report be accepted as information. CARRIED.

. 7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**

(a) Moved by Councillor F. Fata

Seconded by Councillor D. Celetti

Resolved that City Council accept the petition from the parents of children attending Kiwedin Public School who wish to have a 40 km (hr) flashing school crossing light installed nearby the school and further that the request be forwarded to the Public Works and Transportation Department for review and report back to Council. CARRIED.

(b) Moved by Councillor S. Butland

Seconded by Councillor P. Mick

Whereas Council voted to continue with present snow/ice removal from the end of driveways; and

Whereas there is an acceptance by all that this does present a hardship for a segment of our community; and

Whereas the Sault Ste. Marie Branch of the Canadian Red Cross does administer and provide a long-standing, subsidized program to eligible residents; and

Whereas community involvement may leverage increased funding from the provincial government;

Be it resolved that Council consider a \$50,000.00 allocation to the Red Cross for the purpose of expanding the program; and

Be it further resolved that this resolution be forwarded to Budget 2008.
OFFICIALLY READ NOT WITH DEALT WITH.

(c) Moved by Councillor D. Celetti

Seconded by Councillor F. Fata

Whereas the paving of Farwell Terrace has been completed, be it resolved that City staff study and report back to Council on a request for a 4-way stop to be installed at the intersection of Henrietta Street, Farwell Terrace and Devon Road in addition to speed signs being installed, in addition to Police (radar) enforcement on Farwell Terrace to protect school children and the public from high speed traffic. CARRIED.

7. (d) Moved by Councillor S. Butland
Seconded by Councillor D. Celetti
Whereas the future of the Sault Ste. Marie Casino was recently discussed by City Council at its regular meeting on October 15, 2007; and
Whereas Council was asked to confirm its continued support for our community's casino, resulting in a narrowly passed resolution on a 6-5 vote; and
Whereas it is now apparent that there may have been some confusion surrounding the intent of the resolution because of the use of the words "temporary" and "permanent" during its discussion; and
Whereas Sault Ste. Marie's casino exists in our City as a result of a vote of its ratepayers and is indeed a permanent casino, though part of it is in a temporary structure which will require replacement in the foreseeable future; and
Whereas it is important that City Council clearly shows its strong and continuous support for the Sault Ste. Marie Casino as we urge OLG and the Province to consider construction of the permanent building;
Now therefore be it resolved that Council reaffirms its support for the location of a charity casino in Sault Ste. Marie on an ongoing basis. CARRIED.

Councillor B. Hayes declared a pecuniary interest - employed by Ontario Lottery and Gaming.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, D. Celetti, O. Grandinetti, F. Fata, T. Sheehan, S. Butland, P. Mick
Against: Councillors S. Myers, L. Tridico
Absent: Councillor F. Manzo

8. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

Moved by Councillor L. Tridico
Seconded by Councillor P. Mick

Resolved that all the by-laws listed under Item 10 of the Agenda and Addendum #1 under date 2007 10 29 be approved. CARRIED.

10. (a) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-176 being a by-law to adopt Amendment No. 129 to the Official Plan be read three times and passed in Open Council this 29th day of October, 2007. (T. Gareau) CARRIED.
- (b) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-177 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 333 Wellington Street West and further be it resolved that By-law 2007-178 being a by-law to designate 333 Wellington Street West as an area of site plan control be read three times and passed in Open Council this 29th day of October, 2007. (T. Gareau) CARRIED.
- (c) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-181 being a by-law to amend Schedule "A" of Traffic By-law 77-200 regarding parking on Spadina Avenue be read three times and passed in Open Council this 29th day of October, 2007. CARRIED.
- (d) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-182 being a by-law to adopt Amendment No. 132 to the Official Plan be read three times and passed in Open Council this 29th day of October, 2007. [Sar-Gin Developments (Sault) Limited] CARRIED.
- (e) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-183 being a by-law to authorize an agreement between the City of Sault Ste. Marie and the City of Sudbury with respect to administering an immigration portal be read three times and passed in Open Council this 29th day of October, 2007. CARRIED.
- (f) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-184 being a by-law to assume for public use and establish as a public street a portion of Nelson Street shown as Part 3 on Plan 1R-11431 be read three times and passed in Open Council this 29th day of October, 2007. CARRIED.

10. (g) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-185 being a by-law to stop up, close and authorize the conveyance of an unopened portion of Nelson Street to the abutting owners of 553 Nelson Street be read a first and second time this 29th day of October, 2007. CARRIED.

(h) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-186 being a by-law to designate Lot 1, Lot 2 and Lot 15, Plan M-409 located at the corner of Dacey Road and Terry Fox Place as not being subject to part lot control be read three times and passed in Open Council this 29th day of October, 2007. CARRIED.

11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**

(a) Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan
Resolved that By-law 99-100 (Council Meeting Procedure) be suspended so that this meeting can continue beyond the five hour time limit. CARRIED.

12. **ADJOURNMENT**

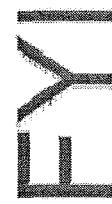
Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK



200 University Ave, Suite 801
 Toronto, ON M5H 3C6
 Tel.: (416) 971-9856 | Fax: (416) 971-6191
 E-mail: amo@amo.on.ca



MEMBER COMMUNICATION

FYI N°: 07-022

To the attention of the Clerk and Council
 October 30, 2007

FOR MORE INFORMATION CONTACT:
 Brian Rosborough, Director of Policy
 (416) 971-9856 ext 318

AMO Welcomes New Cabinet

Toronto, Ontario, October 30, 2007 – Municipal experience has again found its way into Ontario's Cabinet in a number of key positions, including the Honourable Jim Watson, the new Minister of Municipal Affairs and Housing.

"Jim Watson's knowledge of and appreciation of the municipal order of government is a solid foundation for continuing the progress on a number of pressing municipal government needs," said AMO President, Doug Reycraft. "We look forward to working with Minister Watson over the coming months on the number one priority of municipal governments in Ontario: the Provincial-Municipal Fiscal and Service Delivery Review".

AMO also welcomed the appointment of the Honourable Dwight Duncan as Minister of Finance.

"We look forward to working with Finance Minister Dwight Duncan on completing the Review in February, in time for the 2008 provincial budget," said Reycraft. "Minister Duncan's appointment reaffirms Premier McGuinty's commitment to creating a new and sustainable provincial-municipal fiscal relationship in Ontario."

The appointment of a number of other former municipal officials to key Cabinet posts continues to demonstrate the Premier's understanding that municipal governments have important interests and responsibilities in many policy and program delivery areas that fall under a number of different ministries, including services for children, labour, and environment.

Reycraft said, "AMO is anxious to meet with the new Ministers and their Parliamentary Assistants. We believe both orders of government, working together can strengthen our communities and our province."

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



ONE Funds

*** * Northern Ontario * ***

“Meet and Greet” Information Sessions

You are invited to attend a no-cost information session designed to inform/educate municipal staff and officials about the variety of new and exciting investment options available through the ONE Funds municipal investment program.

The ONE Funds program has been expanded to include options for all municipal investment objectives. With two new investment products the ONE Funds is perfectly positioned to provide a vehicle for municipal money with an investment timeline of anywhere from 1 month to 10+ years.

These free “meet and greet” sessions are a great opportunity for municipal officials to learn about ONE Fund product enhancements and new offerings. Also hear from our professional fund managers about how they manage municipal risk exposure while ensuring strong rates of return for all program members.

Learn about ONE Funds product enhancements, including:

- The exciting NEW Equity Fund and how it has provided exceptional returns since inception;
- The NEW Corporate Bond Fund product and how it can help your municipality reduce the cost of capital infrastructure projects 4+ years into the future;
- Significant changes that have been made to the existing ONE Money Market and Bond Fund to ensure enhanced fund performance going forward.

Hear about the variety of benefits that participation in the ONE Funds can provide your municipality:

- Low-cost access to professional fund management
- Peer oversight and independent third party program review
- Regulatory/legal compliance
- Access to investment products unavailable to individual municipalities
- Professional accounting of your investment activity

A free light lunch will be provided at all sessions. Space is limited at each venue so please register early!

5(a)

ONE Funds - Meet and Greet Information Sessions

Session Registration:

Date	Location	Address	Indicate the session you will attend
Wednesday, November 21, 2007	NORTH BAY Holiday Inn Express Hotel and Suites 705-476-7700 www.hiexpress.com/northbayon	1325 Seymour Street North Bay, ON P1B 9V6	<input type="checkbox"/>

Session Details: *Light lunch at 12:30pm, session from 1:00pm – 3:30pm*

Wednesday, January 30, 2008	THUNDER BAY Valhalla Inn 1-800-964-1121 www.valhallainn.com	1 Valhalla Inn Road, Thunder Bay, ON P7E 6J1	<input type="checkbox"/>
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Session details: *Continental Breakfast at 9:00am, session from 9:30-12:00 noon, light lunch provided.*

Please FAX the completed registration form to AMO/LAS, attention:
LAS Program Coordinator @ (416) 971-6191

Registration Information:

Name	
Position	
Municipality	
Telephone #	
Email Address	

The ONE Funds is a municipal pooled investment program designed specifically for the municipal sector that has consistently provided strong rates of return. Established in 1993, the funds are designed, developed and managed by municipalities for municipalities. Jointly operated by LAS (a subsidiary of the Association of Municipalities of Ontario) and CHUMS (a subsidiary of the Municipal Finance Officers' Association of Ontario), the ONE Funds provide Ontario municipalities with access to a range of investment options unavailable to them directly.



The Public Sector Group of Funds

Local Authority Services, 200 University Avenue, Suite 801, Toronto, ON, M5H 3C6
Tel: 416-971-9856 Fax: 416-971-6191



Open Meetings

The Ontario Government's Ombudsman, André Marin, has made several comments recently in the media about the use of closed-door meetings by municipal governments. They are consistent with views that he presented in November 2006 during the Committee hearings stage of Municipal Act amendments.

Regrettably, the Ombudsman is making sweeping generalizations about municipalities on the basis of presumption.

AMO has made its own views known to the Ontario Government during committee hearings and in MOU discussions. AMO wants to share them again with you, as well as considerations related to the new meetings investigator position.

Key Messages:

- The Ontario Government and its Ombudsman do not have a monopoly on integrity:
 - If it is appropriate for the Provincial Ombudsman to be appointed and paid by the Provincial Government, it is appropriate for municipal councils to appoint and pay for a qualified individual to investigate the appropriateness of a decision to close a meeting for a matter.
 - If the Province can be trusted to respect the work of their Ombudsman, Ontario's municipalities can be trusted to respect their municipal equivalent.
- We respect the Ombudsman's interest in open and transparent government, however we have a much greater appreciation for the degree to which municipalities conduct their affairs in full view of the public.
- Municipal councils address a wide variety of business through Council meetings and a relatively small number of those circumstances provide for closed meetings under the Municipal Act. These include matters pertaining to labour relations or employee negotiations; litigation or potential litigation; solicitor-client privilege; security of property; personal matters about identifiable individuals, including employees; and proposed or pending acquisition or disposition of land.
- The vast majority of municipal debates and decisions occur in full view of the public, which is in sharp contrast to the Provincial and Federal Governments where most significant public policy decisions are made in closed Cabinet and caucus meetings, or in closed discussions between party representatives.
- AMO expects that it would be highly unlikely for a council to appoint a member of their municipal staff to this position, even though the legislation does permit it, and we have not heard of this happening.
- AMO is confident that municipal governments will consider the Act as it specifically speaks to impartiality, credibility, confidentiality, and independence with respect to the investigation process.

AMO
November 2, 2007

Contact: Pat Vanini, Executive Director, (416) 971-9856, ext. 316, e-mail: pvanini@amo.on.ca

5(a)

Closed Meetings

October 22, 2007

Dear Clerk/Administrator/Council:

As of January 1, 2008, the provisions of the *City of Toronto Act, 2006* and the *Municipal Act, 2001* relating to investigation of closed meetings will come into effect. Under these new legislative provisions, the Office of the Ombudsman of Ontario will have the responsibility of investigating complaints about closed meetings if the municipality in question has not appointed an investigator.

I would like to take this opportunity to provide you with some general information regarding our Office's processes and how it will be dealing with this new jurisdiction. Attached for your information and assistance is some additional information in the form of a "frequently asked questions" document. This information can also be found on the Ombudsman's website at www.ombudsman.on.ca.

The Ombudsman's Office will be maintaining information about closed meetings on its website and will be available to the public and municipalities as a resource. The Ombudsman's services are free of charge. Our Office is independent from government and functions in an impartial and confidential manner, conducting thorough, objective and credible investigations.

The Ombudsman's process has proven effective in resolving tens of thousands of cases on an annual basis. When we receive a complaint, our normal practice is to contact the parties involved and first attempt to resolve issues informally. If this is unsuccessful, a formal investigation may be launched. Prior to launching an investigation, notice is given in writing to the organization that is the subject of the complaint – in the case of complaints about closed meetings, notice would go to the relevant municipality or local board. Under the *Ombudsman Act*, the Ombudsman also has discretion to decline to investigate a complaint.

Given that the Ombudsman will have jurisdiction to investigate complaints about closed meetings in any case where a municipality has not appointed an investigator for this purpose, it is important that all Ontario municipalities provide our Office with up-to-date information regarding any investigator(s) they may appoint. This will also assist the Ombudsman's Office in providing appropriate referral information to complainants in cases where municipalities have appointed investigators.

Bell Trinity Square
483 Bay Street, 10th Floor, South Tower, Toronto, ON M5G 2C9
483, rue Bay, 10^e étage, Tour sud, Toronto (Ontario) M5G 2C9
416-586-3300
416-586-3485 1-866-411-4211

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CITY CLERK	
OCT 31 2007	
NO.:	50797
CIAO	
DIST.:	L. Bottos

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- 2 -

We would appreciate it if you could notify our Office of any investigator(s) appointed by your municipality, including name and contact information. In addition, please provide us with any Council minutes confirming the investigator's appointment, and any relevant bylaw relating to the terms and conditions governing the investigator. This can be done by e-mail at info@ombudsman.on.ca or by mail, addressed to the attention of Sherrie Nicholson, Ombudsman Ontario, Bell Trinity Square, 483 Bay Street, 10th Floor, South Tower, Toronto, ON, M5G 2C9.

If you have any questions, please feel free to visit our website or contact us via e-mail at info@ombudsman.on.ca or by phone at 1-800-263-1830.

Yours truly,



Barbara Finlay
Deputy Ombudsman

Encl.

O Ombudsman

ONTARIO'S WATCHDOG · CHIEN DE GARDE DE L'ONTARIO

Investigating Closed Municipal Meetings: Frequently Asked Questions

Municipalities and local boards in Ontario are required to pass bylaws setting out the procedure for holding meetings. The law now requires that public notice be given that a meeting will be held. All meetings must be open to the public unless they come within limited exceptions.

As of January 1, 2008, the *City of Toronto Act, 2006* and the *Municipal Act, 2001* provide that any person may request an investigation into whether a municipality or local board has complied with the open meeting requirements or the procedural bylaw relating to any meeting or part of a meeting that was closed to the public.

If a municipality has not appointed an investigator, the Ombudsman of Ontario has authority to investigate complaints about closed meetings. The Ombudsman's investigations are conducted at no cost to those who complain or to municipalities or local boards. The Ombudsman's process respects the values of independence, impartiality, confidentiality and a credible investigative process and has been proven effective in resolving tens of thousands of cases per year in a timely manner.

Who must hold an open meeting?

All municipal and local boards – except conservation authorities, police services boards, school boards, and public library boards – are required to hold meetings that are open to the public, subject to some exemptions.

When can a meeting be closed to the public?

A municipal or local board meeting, or part of a meeting, may be closed if the subject matter being considered concerns:

- the security of the property of the municipality or local board;
- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.

A meeting may also be closed if it is held for the purpose of educating or training the members, so long as no member discusses or otherwise deals with any matter during the closed meeting in a way that materially advances the business or decision-making of the council, local board or committee.

In addition, meetings must be closed if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act* if the council, board, commission or other body is the head of an institution for the purposes of that Act.

Can members vote during a closed meeting?

Generally, meetings are not supposed to be closed to the public during the taking of a vote. However, voting in a closed meeting is permitted if the closed meeting is otherwise authorized and the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the City; to officers, employees or agents of a local board or of a committee of either of them; or to persons retained by or under a contract with the municipality or local board.

Does a municipal council or local board have to follow a specific procedure to close a meeting?

Yes, in order to close a meeting a specific process must be followed: The municipality, local board, or committee must state by resolution that a closed meeting will be held and state the general nature of the matter to be considered at the closed meeting. Public notice of a meeting is required even if the meeting is closed. In the case of meetings for the purpose of educating or training members, the subsection of the *Municipal Act* authorizing meeting closure for this purpose must also be cited.

Does a municipal body have to keep a record of a closed meeting?

A municipal council, local board or committee, must record without comment all resolutions, decisions and other proceedings, whether the meeting is open or closed.

Who can ask for an investigation relating to a closed meeting?

Any person or corporation may ask for an investigation relating to a closed meeting.

What municipal bodies can be investigated for failing to hold an open meeting?

The investigation provisions cover municipalities and local boards, which include:

- municipal councils;
- municipal boards, including boards of health or planning boards;
- transportation commissions;

- any other board, commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities.

Who investigates closed meeting complaints?

If a municipality has appointed an investigator, he or she will investigate complaints about closed meetings. If the municipality has not appointed an investigator, the Ontario Ombudsman may investigate. Once the Ontario Ombudsman has received a complaint, the Ombudsman will retain jurisdiction over a complaint even if an investigator is subsequently appointed by the municipality.

Complaints may be made to a municipality or local board or to the Ontario Ombudsman. If the Ombudsman receives a complaint about a municipality where an investigator has been appointed, the complaint will be referred to that investigator. Similarly, it is expected that municipalities and local boards will refer complaints to the Ontario Ombudsman when no investigator has been appointed.

How will the Ombudsman know if a local investigator has been appointed?

The Ontario Ombudsman is encouraging municipalities to notify his office if an investigator has been appointed, and to provide the investigator's contact information. The Ombudsman's Office will contact a municipality in cases where no notification has been received.

Does the Ombudsman have the ability to conduct investigations in both English and French?

Yes, the Ombudsman's office can conduct investigations in either English or French.

Does the Ombudsman charge a fee to either the municipality or the person bringing the complaint?

No, there is no fee charged by the Ombudsman to either the municipality or the person bringing the complaint to our Office. In keeping with the tradition of ombudsman offices around the world, the Ombudsman's services are free of charge in order to ensure they are fully accessible to everyone.

Will the Ombudsman notify the municipality or local board when a complaint is received?

The Ombudsman's usual process is to document and confirm the details of a complaint, and then to contact the municipality or local board to advise them of the complaint and obtain information. If the complaint cannot be resolved informally, a formal investigation may be commenced. In the case of a formal investigation, the head of the municipality or local board will be notified.

Can closed meetings prior to January 1, 2008 be investigated?

The investigation provisions apply to meetings held on or after January 1, 2008. As a general rule, legislative provisions only apply on or after their commencement date.

What powers of investigation does the Ombudsman have with respect to closed meeting complaints?

The investigative powers set out in the *Ombudsman Act* – including the power to issue summonses, inspect premises and compel municipal officials and staff to provide information and documents – apply to investigations of closed meeting complaints.

Will the Ombudsman investigate every complaint received?

The Ombudsman's Office will conduct an initial review of each complaint regarding open meetings. Not all complaints will necessarily result in a formal investigation. Some cases will be resolved informally, and there may also be circumstances when an investigation is otherwise considered unnecessary.

Will the Ombudsman establish time frames for the municipality or local board to respond to a complaint?

The time frame for responding to a complaint will depend on the nature of the circumstances. As a general rule, the Ombudsman expects timely responses so that complaints may be resolved without undue delay.

What happens to municipal documents after an Ombudsman investigation?

The Ombudsman's practice is to return original documents. Copies of documents retained in the Ombudsman's file are kept confidential. The Ombudsman is not subject to the *Municipal Freedom of Information and Protection of Privacy Act* or the *Freedom of Information and Protection of Privacy Act*.

What can the Ombudsman do if he finds a meeting was improperly closed or procedural requirements were contravened?

If the Ombudsman concludes, after an investigation, that there was a contravention of the procedural bylaw relating to a closed meeting, or that the closed meeting provisions were contravened, he may report his opinion and reasons to the municipality or local board, and make recommendations to address his concerns.

Will the Ombudsman's reports about closed meetings be made public?

Yes, once an Ombudsman report is provided to the municipality or local board, that body is required to make it public. Copies of the reports may also be found on the Ombudsman's website, www.ombudsman.on.ca.

5(b)

DATE: November 6 2007
TO: City Clerk's Office
FAX NO: 759-2310
FROM: David K. Marshall
NO OF PAGES: 3 (including cover sheet)
SUBJECT: Rotary Santa Claus Parade
Temporary Street Closure Application

Please find attached correspondence regarding our Application for Temporary Street Closure for the Rotary Santa Claus Parade.

The Street Closure Approval Process form has been faxed to the various City Departments and we are waiting the signed forms returned. These will be forwarded to you upon our receipt of same.

Please advise if this request can be put on the agenda for Tuesday, November 13, 2007 council meeting.

Thank you for your assistance.

If you have any questions do not hesitate to contact me at 942-1300.

Regards,



David K. Marshall
Parade Marshal

5(b)

November 6, 2007

The Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario P6A 5N1

Attention: Donna Irving, City Clerk

RE: 2007 Rotary Santa Claus Parade

Dear Mrs. Irving:

It is that time of year again and the Rotary Santa Claus Parade is fast approaching. On behalf of the Rotary Club of Sault Ste. Marie I am applying for Temporary Street Closures as follows:

Date: Saturday, December 1, 2007

Parade Start Time: 1800 Hours

Closure of Queen Street East from Simpson Street to Gore Street

Hours: 1730 Hours to approximately 1930 Hours on December 1, 2007

Closure of Queen Street East from Pine Street to Church Street

Hours: 1730 Hours to approximately 1830 Hours on December 1, 2007

Closure of Simpson Street from Victoria Avenue to Queen Street East

Hours: 1730 Hours to approximately 1830 Hours on December 1, 2007

Temporary Street Closure Approval Forms have been faxed to the various City Departments and once same are returned we will forward directly to you.

We thank you for your cooperation and assistance. If you have any questions please do not hesitate to contact the undersigned at 942-1300.

Yours very truly,



David K. Marshall
Parade Marshal

DM/cm
Enclosures

Nov. 8, 2007 11:16AMAA
Nov. 6, 2007 1:55PM /65-754-2110

No. 0654 P. 10001/001
CLERK'S DRAFT SSMARIE No. 0628 P. 1E R2/02

CRAWFORD & CO. SSAR

5(b)

NOV 07 2007

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: DAVID K. MARSHALL

FAX: 942-3060
TELEPHONE: 942-1300

ADDRESS: 180 Bay Street, Suite 102A POSTAL CODE: N0B 6S2

The above person hereby makes application for the closing of

BAY STREET EAST

(Name of street to be closed)

from See Attached Letter to See Attached Letter
(reference points - street numbers, cross streets, etc.)

on the 1st day of December, 2007 from _____ am/pm to _____ am/pm
for the purpose of ROTARY SANTA (WALK PARADE)

APPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East
2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3385/949-3387
Fax 949-2341
72 Tancred Street

Jay St. 04/07
Sgt. at the Official

Signature of Official

3. Public Works & Transportation Dept. 4. Transit/Parking
Telephone 541-7000
Fax 541-7010
128 Sackville Road
- Telephone 759-5320
Fax 759-5834
111 Huron Street

Signature of Official

Signature of Official

5. Central Ambulance Communication Centre
(C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East
(Rear of Plummer Hospital)
6. Downtown Association
Telephone 942-2919
Fax 942-6368
496 Queen Street East
(Queen Street closings ONLY)

Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
(date) _____ (By-law No.)

5(b)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: DAVID K. MARSHALL

FAX: 942-3060

TELEPHONE: 942-1300

ADDRESS: 185 BON STREET, SUITE 102A POSTAL CODE: P6R 6S2

The above person hereby makes application for the closing of

QUEEN STREET EAST

(Name of street to be closed)

from See Attached Letter to See Attached Letter
(reference points - street numbers, cross streets, etc.)on the 1st day of DECEMBER, 2007 from _____ am/pm to _____ am/pmfor the purpose of ROTARY SANTA CLAUS PARADEAPPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 759-7348
Fax 759-7820 949-3446
580 Second Line East

Signature of Official

2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tandem Street

Signature of Official

3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road

Signature of Official

4. Transit/Parking
Telephone 759-5438/759-5320
Fax 759-5834
111 Huron Street

Signature of Official

5. Central Ambulance Communication Centre (C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital)

Signature of OfficialCITY CLERK SECTION:

City Council approval was received on _____ (date) (By-law No.)

Nov. 8, 2007 11:16AM

Nov. 6, 2007 10:13AM 705-759-2318

CITY WORKS CENTER

CLERK'S DEPT SSMARIE

No. 0654 P. 2002

No. 0620 Y. 1/2 01/02

CRAWFORD & CO. SSM

NOV 06 2007

5(b)

TEMPORARY STREET CLOSURE - APPROVAL PROCESS RECEIVED

CONTACT NAME: DAVID K. MARSHALL

FAX: 942-3060

TELEPHONE: 942-1300

ADDRESS: 180 Bay Street, Suite 102A POSTAL CODE: P6R 6S2

The above person hereby makes application for the closing of

GILLEN STREET EAST

(Name of street to be closed)

from See Attached Letter to See Attached Letter

(reference points - street numbers, cross streets, etc.)

on the 1st day of DECEMBER, 2007 from _____ am/pm to _____ am/pm

for the purpose of Rotary Spring Clean Up Parade

APPROVALS SECTION:

- | | |
|--|---|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
Fax 759-7820 949-3446
580 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tancred Street |
|--|---|

Signature of Official

Signature of Official

- | | |
|--|---|
| 3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road | 4. Transit/Parking
Telephone 759-5438/759-5320
Fax 759-5834
111 Huron Street |
|--|---|


Signature of Official

Signature of Official

- | |
|--|
| 5. Central Ambulance Communication Centre (C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital) |
|--|

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
(date) _____ (By-law No.) _____

Nov. 8, 2007 11:16AM
Nov. 6, 2007 10:08AM/05-759-2310

No. 0654-
CLERK'S DEPT CRAWFORD & MARSHAL No. 0621

P. 50001/001
P. 1: 01/02

RECEIVED

5(b)

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: JANIS K MARSHAL

FAX: 942-3060
TELEPHONE: 942-1300

ADDRESS: 180 Bay Street, Suite 102A POSTAL CODE: P6R 6S2

The above person hereby makes application for the closing of

GULLIVER STREET EAST

(Name of street to be closed)

from Self Attached letter to Self Attached letter
(reference points - street numbers, cross streets, etc.)

on the 15 day of December, 2007 from _____ am/pm to _____ am/pm

for the purpose of ROTARY SPRINGS CHRISTMAS PARADE

APPROVALS SECTION:

- | | |
|--|---|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
Fax 759-7820 949-3446
580 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tanager Street |
|--|---|

Signature of Official

Signature of Official

3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road

4. Transit/Parking
Telephone 759-5438/759-5320
Fax 759-6834
111 Huron Street

Signature of Official

Signature of Official

5. Central Ambulance Communication Centre (C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital)

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
(date) _____
(By-law No.) _____

11/Nov. 8, 2007 11:29AM 705 945 6883

SAULT C.R.C.C.

No. 0660 P. 101/001

Nov. 8, 2007 11:28AM 705 945 6883

CLERK'S DEPT LGMARIE

No. 0657 P. 1/2 02/02

5(b)

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: DAVID K MARSHALL FAX: 942-3040
TELEPHONE: 942-1300

ADDRESS: 180 Bay Street, Suite 102A POSTAL CODE: P0A 1S2

The above person hereby makes application for the closing of

Queen Street East

(Name of street to be closed)

from See Attached Letter to See Attached Letter
(reference points - street numbers, cross streets, etc.)

on the 1st day of December, 2007 from _____ am/pm to _____ am/pm
for the purpose of Rotary Santa Claus Parade

APPROVALS SECTION:

- | | |
|---|---|
| 1. Police Services, Traffic Dept.
Telephone 949-6300 ext 348
Fax 759-7820
680 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tancred Street |
|---|---|

Signature of Official

Signature of Official

- | | |
|--|---|
| 3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road | 4 |
|--|---|

- | | |
|---|--|
| Transit/Parking
Telephone 759-5320
Fax 759-5834
111 Huron Street | |
|---|--|

Signature of Official

Signature of Official

- | | |
|--|--|
| 5. Central Ambulance Communication Centre
(C.A.C.C.)
Telephone 946-1227
Fax 946-6883
969 Queen Street East
(Rear of Plummer Hospital) | 6. Downtown Association
Telephone 942-2919
Fax 942-6308
496 Queen Street East
(Queen Street closings ONLY) |
|--|--|

DWright
Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
(date) _____ (By-law No.) _____

UV-Nov. 8, 2007 011:16AM DOWNTOWN ASSOCIATION
NOV. 6, 2007, 2:03PM 701 759-2910

FAX: 705 949-0654 P. 4 P. 001
CLERK'S DEPT ESMARIE No. 0633 P. 1 E 02/02

CRAWFORD & CO. SSM

5(b)

NOV 06 2007

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: DAVID K. MARSHALL FAX: 942-3040
TELEPHONE: 942-1300

ADDRESS: 180 BAY STREET SUITE 102A POSTAL CODE: P1A 6S2

The above person hereby makes application for the closing of

Broad Street East

(Name of street to be closed)

from See Attached Letter to See Attached Letter
(reference points - street numbers, cross streets, etc.)

on the 15th day of December, 2007 from _____ am/pm to _____ am/pm
for the purpose of Ronney Santa Claus Parade

APPROVALS SECTION:

- | | |
|--|---|
| 1. Police Services, Traffic Dept
Telephone 949-6300 ext 318
Fax 759-7820
580 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tancred Street |
|--|---|

Signature of Official

Signature of Official

- | | |
|--|--|
| 3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road | 4. Transit/Parking
Telephone 759-5320
Fax 759-5834
111 Huron Street |
|--|--|

Signature of Official

Signature of Official

- | | |
|--|--|
| 5. Central Ambulance Communication Centre
(C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East
(Rear of Plummer Hospital) | 6. Downtown Association
Telephone 942-2919
Fax 942-6368
496 Queen Street East
(Queen Street closings ONLY) |
|--|--|

Signature of Official

Signature of Official

Cindy Crawford

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
(date) _____ (By-law No.) _____



Student Administrative Council

November 5, 2007

His Worship, The Mayor & Honourable Members of Council
The Corporation of the City of Sault Ste Marie
Civic Centre
99 Foster Drive
Sault Ste Marie, Ontario

Re: Spread the Net

Your Worship,

The Sault College Student Administrative Council, with the Sault College of Applied Arts & Technology, are currently participating in a nation wide campus challenge under the auspices of UNICEF Canada. The campus challenge "Spread the Net" is a nationwide fundraiser to purchase bed nets for families in African nations, to prevent the spread of malaria.

The fundraiser is unique in that it presents a very tangible goal – one net at a cost of ten dollars will save the lives of up to 5 family members.

Ultimately, the Sault College Student Administrative Council hopes to win this campus challenge, and receive the prize of a segment of Rick Mercer's "The Mercer Report" being filmed on our campus.

Please join us in curbing the spread of malaria and bringing Mr. Mercer to Sault Ste Marie, by consenting to the following requests:

1. That Your Worship and Honourable Members of Council proclaim Saturday, November 18, 2007 "Spread the Net Day" within the municipal boundaries of Sault Ste Marie. This day is the day of our public rummage sale on campus.
2. That Your Worship and Honourable Members of Council agree to purchase 100 bed nets at a rate of \$10 per net to the credit of the Sault College Spread the Net Team.

I truly hope that Your Worship will see the benefits of having Mr. Mercer attend our campus, as it will ultimately improve the profile of our fair City.

Should you have any questions, comments or concerns regarding this request please feel free to contact me at 705.759.2554 extension 2707.

5(c)

Best Regards,



Stefan E. Shynkorenko
SAC President
Sault College Student Administrative Council
"The Student Voice enhancing the SC experience"
www.scsac.ca

C: Susan Miller – Co-Chair, Spread the Net Campaign

Dr. Ron Common – President of the Sault College of Applied Arts & Technology

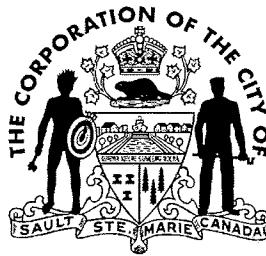
Mr. Joe Nardi – Chair of the Sault College Board of Governors

WWW.SCSAC.CA

443 Northern Avenue • Sault Ste. Marie ON • P0A 5L3 • Tel 705-759-2554 ext. 2707 • Fax 705-254-4126

5(e)

Joseph M. Fratesi, B.A. LL.B.
Chief Administrative Officer



99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
Canada P6A 5N1
(705) 759-5347
(705) 759-5952 (Fax)
E-Mail:
j.fratesi@cityssm.on.ca
b.berlingieri@cityssm.on.ca

2007 11 13

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

The following staff travel requests are presented to you for approval:

1. **Frank Gencarelli – Social Services – Ontario Works Division**
Temp. Care Assistance Training Session
November, 2007
Toronto, ON
Estimated total cost to the City - \$ 887.90
Estimated net cost to the City - \$ 443.95

2. **Jeff Cole – Public Works & Transportation – Parks Division**
Hazard Tree Cutting & Technical Rigging
November, 2007
Cambridge, ON
Estimated total cost to the City - \$ 1,531.70
Estimated net cost to the City - \$ 1,531.70

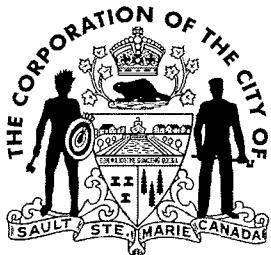
Yours truly,

Joseph M. Fratesi
Chief Administrative Officer

JMF: bb

5(f)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 11 13

Mayor John Rowswell and
Members of City Council,
Civic Centre.

Re: Tenders for Automotive Supplies and Tire Services

Attached hereto for your information and consideration are summaries of the tenders received for the supply of Automotive Supplies and Tire Services as required by the various City Departments and cooperatively for PUC Services Inc., for the year 2008.

The tenders were publicly advertised and tender documents mailed to all firms on our bidders lists. Public openings of the tenders were held October 17, 2007 with Councillor L. Tridico representing City Council.

Each tendered proposal has been carefully evaluated and analyzed as to quality, availability of supply, dependability of vendor and price. Summary sheets have been prepared illustrating the weighted cost ratings, various pricing methods and discounts which will more readily assist you in identifying the proposals offering the lowest cost and greatest value.

RECOMMENDATION

The tenders providing the lowest cost rating or prices and offering the greatest value have been identified on their respective summary sheets and are recommended to you for acceptance as follows:

<u>Tender</u>	<u>Firm</u>	<u>Price/Cost Rating</u>
Automotive Fasteners	Rastall Nuts & Bolts	\$326.32 Cost Rating
Automotive Filters	All North Sales & Service	\$ 65.13 Cost Rating
Automotive Lamps	Traction	\$ 32.97 Cost Rating
Automotive Belts & Hoses	Traction	\$124.06 Cost Rating
Protective Lighting	All North Truck Centre	\$203.04 Cost Rating
Automotive Batteries	Lakeway Truck Centre	\$798.49 Cost Rating
Floor Dry Compound	Traction	\$0.1803 per lb.
New Tires & Tire Repairs	G.C.R. Tire Centres	\$62,466.03 Cost Rating
New Bus Tires & Retreading	G.C.R. Tire Centres	\$49,923.50 Cost Rating

...2

5(f)

- 2 -

This report is submitted for Council's approval.

Respectfully submitted,



Ralph Robertson
Manager of Purchasing

RR:nt
Attach.

Recommended for approval,



W. Freiburger
Commissioner of Finance & Treasurer



RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2007

FILE: 2007WA24

**SUMMARY OF TENDERS
AUTOMOTIVE FASTENERS AND RELATED ITEMS**

<u>DESCRIPTION</u>	<u>Barnes Group (Fastener Centre)</u> <u>Sault Ste. Marie, ON</u>			<u>Fastenal</u> <u>Sault Ste. Marie, ON</u>			<u>Rastall Nut & Bolt</u> <u>Sault Ste. Marie, ON</u>		
	<u>Net List</u>	<u>Disc.</u>	<u>Net/100</u>	<u>Net List</u>	<u>Disc</u>	<u>Net/100</u>	<u>Net List</u>	<u>Disc</u>	<u>Net/100</u>
1/4" x 1" NF Gr.5 Cap Screw	\$3.93	0%	\$3.93	\$5.97	0%	\$5.97	\$2.79	5%	\$2.65
1/4" NF Gr. 5 Hex Nut	\$1.35	0%	\$1.35	\$2.46	0%	\$2.46	\$1.38	5%	\$1.31
5/16" x 1" NF Gr.5 Cap Screw	\$5.51	0%	\$5.51	\$9.32	0%	\$9.32	\$3.88	5%	\$3.69
5/16" NF Gr. 5 Hex Nut	\$1.76	0%	\$1.76	\$3.70	0%	\$3.70	\$2.03	5%	\$1.93
1/2" x 1" NF Gr.5	\$14.57	0%	\$14.57	\$26.92	0%	\$26.92	\$11.36	5%	\$10.79
9/16" x 4" NF Gr.5	\$51.11	0%	\$51.11	\$91.65	0%	\$91.65	\$43.45	5%	\$41.28
3/4" x 2" NF Gr.5	\$62.57	0%	\$62.57	\$89.05	0%	\$89.05	\$45.38	5%	\$43.11
7/8" x 3" NF Gr.5 Cap Screw	\$116.78	0%	\$116.78	\$156.00	0%	\$156.00	\$93.17	5%	\$88.51
7/8" NF Gr. 5 Hex Nut	\$23.61	0%	\$23.61	\$62.83	0%	\$62.83	\$30.51	5%	\$28.98
3/8" x 1-1/2" Carriage Gr.5	\$15.67	0%	\$15.67	\$12.40	0%	\$12.40	\$8.10	5%	\$7.70
3/8" NC Gr. 5 Hex Nut	\$2.21	0%	\$2.21	\$4.78	0%	\$4.78	\$2.15	5%	\$2.04
5/8" x 2" Gr. 8 FL Plow	\$45.47	0%	\$45.47	\$61.89	0%	\$61.89	\$37.61	5%	\$35.73
5/8" x 2-1/2" Gr. 8 FL Plow	\$54.49	0%	\$54.49	\$66.95	0%	\$66.95	\$43.83	5%	\$41.64
5/8" NF Gr. 8 Hex Nut	\$39.06	0%	\$39.06	\$31.62	0%	\$31.62	\$17.85	5%	\$16.96
			<u><u>\$438.09</u></u>			<u><u>\$625.54</u></u>			<u><u>\$326.32</u></u>

Note: The low tendered prices are boxed above.

It is my recommendation that the low tendered prices, submitted by Rastall Nut & Bolt, be accepted.

Ralph Robertson
Manager of Purchasing

(t)5

FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2007
FILE: #2007WA24

SUMMARY OF TENDERS
AUTOMOTIVE AIR & OIL FILTERS

All North Truck Centre Sault Ste. Marie, ON				Lakeway Truck Sault Ste. Marie, ON				Traction Sault Ste. Marie, ON				Trio Auto Sault Ste. Marie, ON			
Lubrifiner	Jobber	Disc.	Net	Fleetguard	List	Disc	Net	Donaldson	Distributor	Disc	Net	Wix	Jobber	Disc	Net
LFP911	\$14.07	43%	\$8.02	LF3333	\$23.77	55%	\$10.70	P551670	\$18.93	46%	\$10.22				
LFH4223	\$19.57	43%	\$11.15	HF6243	\$26.54	55%	\$11.94	P550223	\$24.68	46%	\$13.33				
LFP2160	\$13.09	43%	\$7.46	LF3620	\$20.78	55%	\$9.35	P552100	\$18.56	46%	\$10.02				
LFP791	\$6.56	43%	\$3.74	LF654	\$9.26	55%	\$4.17	P555680	\$6.81	46%	\$3.68				
LFP5570	\$5.01	43%	\$2.86	LF3342	\$7.68	55%	\$3.46	P555570	\$5.25	46%	\$2.84				
LS40F	\$5.01	43%	\$2.86	FF110	\$7.65	55%	\$3.44	P550540	\$8.72	46%	\$4.71				
PH8A	\$3.84	43%	\$2.19	LF3313	\$7.31	55%	\$3.29	P550008	\$5.48	46%	\$2.96				
LP132	\$8.45	43%	\$4.82	LF509N	\$9.14	55%	\$4.11	P550132	\$9.43	46%	\$5.09				
LAF7797	\$38.65	43%	\$22.03	AF853	\$63.72	55%	\$28.67	P181007	\$54.61	46%	\$29.49				
			\$65.13				\$79.13				\$82.34				

Note: The low tendered prices are boxed above.

It is my recommendation that the low tendered prices, submitted by All North Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

5 (t)

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2007

FILE: #2007WA24

**SUMMARY OF TENDERS
AUTOMOTIVE LAMPS & MINI BULBS**

<u>All North Truck Centre</u> <u>Sault Ste. Marie, ON</u>				<u>Lakeway Truck</u> <u>Sault Ste. Marie, ON</u>				<u>Traction</u> <u>Sault Ste. Marie, ON</u>			
Grote	Jobber	Disc.	Net	G.E.	List	Disc.	Net	Sylvania/ G.E.	List	Disc.	Net
57	\$0.50	40%	\$0.30					57	\$0.36	0%	\$0.36
194	\$0.40	40%	\$0.24					194	\$0.28	0%	\$0.28
1003	\$1.25	40%	\$0.75					1003	\$0.52	0%	\$0.52
1004	\$0.90	40%	\$0.54					1004	\$0.54	0%	\$0.54
1156	\$0.65	40%	\$0.39		No Price List Supplied			1156	\$0.31	0%	\$0.31
1157	\$0.67	40%	\$0.40		No Price List Supplied			1157	\$0.31	0%	\$0.31
3057A	\$2.50	40%	\$1.50		No Price List Supplied			3057A	\$1.30	0%	\$1.30
3156	\$1.30	40%	\$0.78		No Price List Supplied			3156	\$0.79	0%	\$0.79
3157	\$1.30	40%	\$0.78		No Price List Supplied			3157	\$0.64	0%	\$0.64
H4651	\$13.50	40%	\$8.10		No Price List Supplied			H4651	\$4.76	0%	\$4.76
H4656HO	\$23.50	40%	\$14.10		No Price List Supplied			H4656HO	\$8.50		\$8.50
H6054	\$17.00	40%	\$10.20		No Price List Supplied			H6054LL	\$10.25	0%	\$10.25
9004LL	\$9.10	40%	\$5.46		No Price List Supplied			9004LL	\$4.41	0%	\$4.41
			<u><u>\$43.54</u></u>		No Price List Supplied						<u><u>\$32.97</u></u>

Note: The low tendered prices are boxed above.

It is my recommendation that the low tendered prices, submitted by Traction, be accepted.

Ralph Robertson
Manager of Purchasing

5(t)

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2007

FILE: #2007WA24

**SUMMARY OF TENDERS
AUTOMOTIVE BELTS & HOSES**

Lakeway <u>Sault Ste. Marie, ON</u>				Traction <u>Sault Ste. Marie, ON</u>				Trio Auto <u>Sault Ste. Marie, ON</u>			
Goodyear	Jobber	Disc.	Net	Goodyear	Jobber	Disc.	Net	Goodyear	Jobber	Disc.	Net
				13465	\$10.19	22%	\$7.95	13465	\$10.19	10%	\$9.17
				24437	\$21.15	22%	\$16.50	24437	\$21.15	10%	\$19.04
No Price List Supplied				15340	\$10.40	22%	\$8.11	15340	\$10.40	10%	\$9.36
				17461	\$14.53	22%	\$11.33	17461	\$14.53	10%	\$13.08
				15495	\$9.81	22%	\$7.65	15495	\$9.81	10%	\$8.83
				15335	\$10.34	22%	\$8.07	15335	\$10.34	10%	\$9.31
				17633	\$21.06	22%	\$16.43	17633	\$21.06	10%	\$18.95
				4081195	\$42.00	22%	\$32.76	4081195	\$42.00	10%	\$37.80
				17581	\$19.57	22%	\$15.26	17581	\$19.57	10%	\$17.61
							\$124.06				\$143.15

Note: The low tendered prices are boxed above.

It is my recommendation that the low tendered prices, submitted by Traction, be accepted.

Ralph Robertson
Manager of Purchasing

(t) 5

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Multi Department Inventory & Maintenance Charge Out Items**

**Received: October 17, 2007
File No. 2007WA24**

**SUMMARY OF TENDERS
AUTOMOTIVE PROTECTIVE LIGHTING**

All North Truck Centre <u>Sault Ste. Marie, ON</u>				Lakeway Truck <u>SSM, ON</u>				Traction <u>SSM, ON</u>				Reyco Automotive <u>SSM, ON</u>			
Grote	Jobber	Disc	Net	Grote	List	Disc	Net	Grote	Jobber	Disc	Net	Grote	Jobber	Disc	Net
50862	\$7.80	40%	\$4.68					50862	\$7.80	39.5%	\$4.72	50862	\$7.90	15%	\$6.72
50882	\$20.50	40%	\$12.30	No price list supplied				50882	\$20.50	39.5%	\$12.40	50882	\$20.50	15%	\$17.43
61161	\$11.25	40%	\$6.75					61161	\$11.25	39.5%	\$6.81	61161	\$11.25	15%	\$9.56
64271	\$92.00	40%	\$55.20					64271	\$92.00	39.5%	\$55.66	64271	\$94.00	15%	\$79.90
642914	\$190.00	40%	\$114.00					642914	\$190.00	39.5%	\$114.95	642914	\$200.00	15%	\$170.00
90303	\$1.25	40%	\$0.75					90303	\$1.25	39.5%	\$0.76	90303	\$1.10	15%	\$0.94
90383	\$15.60	40%	\$9.36					90383	\$15.60	39.5%	\$9.44	90383	\$15.60	15%	\$13.26
			<u>\$203.04</u>								<u>\$204.74</u>				<u>\$297.81</u>

Note: The low tendered prices are boxed above.

It is my recommendation that the low tendered prices, submitted by All North Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(t)g

FINANCE DEPARTMENT

PURCHASING DIVISION

BUDGET: Multi Department Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2007

FILE: #2007WA24

**SUMMARY OF TENDERS
AUTOMOTIVE BATTERIES**

<u>All North Truck Centre</u> <u>Sault Ste. Marie, ON</u>			
<u>Exide</u>	<u>Distributor</u>	<u>Disc</u>	<u>Net</u>
30H42	\$119.95	10%	\$107.96
COM-8D-P	\$239.95	10%	\$215.96
24F72	\$94.95	10%	\$85.46
27F72	\$104.95	10%	\$94.46
COM-8D-PDT	\$224.95	10%	\$202.46
COM-4D-P	\$209.95	10%	<u>\$188.96</u>
			<u><u>\$895.26</u></u>

Meets Requirements

<u>Lakeway Truck</u> <u>Sault Ste. Marie, ON</u>			
<u>Battery Direct</u>	<u>List</u>	<u>Disc</u>	<u>Net</u>
BSGA31S	\$107.05	20%	\$85.64
BSGA8D	\$244.89	20%	\$195.91
BSG24F72	\$101.97	20%	\$81.58
BSG27F72	\$105.10	20%	\$84.08
BSGA8DST	\$255.03	20%	\$204.02
BSG4D	\$184.07	20%	<u>\$147.26</u>
			<u><u>\$798.49</u></u>

Meets Requirements

<u>Traction</u> <u>Sault Ste. Marie, ON</u>			
<u>HP Plus/East Penn</u>	<u>List</u>	<u>Disc</u>	<u>Net</u>
31PHD	\$82.95	0%	\$58.07
8DHD	\$159.95	0%	\$159.95
DT24/27	\$107.56	0%	\$107.56
27F950	\$87.53	0%	\$87.53
8DHDS	\$188.15	0%	\$188.15
4DHD	\$120.95	0%	<u>\$120.95</u>
			<u><u>\$722.21</u></u>

Does not meet Requirements

Note: The low tendered prices, meeting requirements for acceptable product, are boxed above.

It is my recommendation that the low tendered prices, submitted by Lakeway Truck Centre, be accepted.

Ralph Robertson
Manager of Purchasing

(t)9

FINANCE DEPARTMENT**PURCHASING DIVISION****BUDGET: Multi Department Inventory & Maintenance Charge Out Items****Received: October 17, 2007****File No. 2007WA24****SUMMARY OF TENDERS
FLOOR DRY COMPOUND**

<u>Firm</u>	<u>Brand</u>	<u>Price Per Bag & Size</u>	<u>Price Per Pound</u>	<u>Remarks</u>
Fastenal Canada Sault Ste. Marie, ON	Moltan Safe-T-Sorb	\$7.25/25 lbs.	\$0.2900	Price firm for one year.
Traction Sault Ste. Marie, ON	HallChem AB6618-15	\$5.95/33 lbs.	\$0.1803	Price firm for one year.
Trio Automotive Sault Ste. Marie, ON	Qualisorb AB628N	\$6.92/20 lbs.	\$0.3460	Price firm for one year.
Weber Supply Sault Ste. Marie, ON	Toronto Salt	\$10.50/50 lbs.	\$0.2100	Price firm for one year.

Note: The low tendered price meeting requirements is boxed above.

It is my recommendation that the low tendered prices, submitted by Traction, be accepted.

Ralph Robertson
Manager of Purchasing

(t)5

SUMMARY OF TENDERS
NEW TIRES AND TIRE REPAIRS

		G.C.R. TIRE CENTRES				KAL-TIRE TRUE SERVICE				ROYAL TIRE SERVICE					
		SSM. ON				SSM. ON				SSM. ON					
NEW TIRES	QTY	UNIT LIST	DISC.	UNIT NET	TOTAL	UNIT LIST	DISC.	UNIT NET	TOTAL	UNIT LIST	DISC.	UNIT NET	TOTAL		
P235/75 R15 XL	15	194.00	45%	106.70	1,600.50	170.25	25%	127.69	1,915.31	222.10	45%	122.16	1,832.33		
LT215/85 R16AT-E	16	236.00	45%	129.80	2,076.80	236.62	25%	177.47	2,839.44	220.00	45%	121.00	1,936.00		
LT235/85 R16AT-E	20	255.00	45%	140.25	2,805.00	233.30	25%	174.98	3,499.50	239.30	45%	131.62	2,632.30		
LT245/85 R16AT-E	10	256.00	45%	140.80	1,408.00	239.61	25%	179.71	1,797.08	265.50	45%	146.03	1,460.25		
Sub Total:					7,890.30				10,051.33				7,860.88		
12R22.5 16 ALL	20	707.27	52%	339.49	6,789.79	465.52	NET	465.52	9,310.40	723.18	48.75%	370.63	7,412.60		
385/65 R22.5 18 STEER	10	902.32	52%	433.11	4,331.14	577.82	NET	577.82	5,778.20	850.68	48.75%	435.97	4,359.74		
245/70 R19.5 16 ALL	8	438.90	52%	210.67	1,685.38	217.80	NET	217.80	1,742.40	406.90	48.75%	208.54	1,668.29		
11R22.5 16 DRIVE	18	634.02	52%	304.33	5,477.93	432.70	NET	432.70	7,788.60	651.78	48.75%	334.04	6,012.67		
305/70 R22.5 18 ALL	25	442.90	NET	442.90	11,072.50	FS/	620.00	NET	620.00	15,500.00	GY/	557.00	NET	557.00	13,925.00
1400-24 16 PLY G-2	4	902.32	52%	433.11	1,732.45	937.00	35%	609.05	2,436.20	920.37	48.75%	471.69	1,886.76		35,265.05
Sub Total:					31,089.19				42,555.80						
RETREADING															
11R22.5 DR TRAC/22	40			UNIT NET	TOTAL			UNIT NET	TOTAL		UNIT PRICE	DISC.	UNIT NET	TOTAL	
				160.66	6,426.40			185.00	7,400.00		295.45	48%	153.63	6,145.36	
11R22.5 COM TRAC/21.5	10			168.46	1,684.60			185.00	1,850.00		297.92	48%	154.92	1,549.18	
12R22.5 DR TRAC/GRIP/22	20			165.86	3,317.20			185.00	3,700.00		295.42	48%	153.62	3,072.37	
12R22.5 WA/LUG/26	5			187.98	939.90			185.00	925.00		338.74	48%	176.14	880.72	
1400X24 GRIPPER/28	4			389.61	1,558.44			185.00	740.00		475.00	0%	475.00	1,900.00	
Casing Charge	40			100.00	4,000.00			90.00	3,600.00		95.00	0%	95.00	3,800.00	
Sub Total:					17,926.54				18,215.00					17,347.64	
FLAT REPAIRS								UNIT PRICE	TOTAL		UNIT PRICE	DISC.	UNIT PRICE	TOTAL	
Passenger & Light Trucks	75			6.00	450.00			8.00	600.00		7.50	562.50			
Trucks to 50,000 GVW	120			8.00	960.00			10.00	1,200.00		10.50	1,260.00			
Graders & Loaders	30			24.00	720.00			25.00	750.00		25.00	750.00		2,572.50	
Sub Total:					2,130.00				2,550.00						
MOUNT/DISMOUNT								UNIT PRICE	TOTAL		UNIT PRICE	DISC.	UNIT PRICE	TOTAL	
Passenger & Light Trucks	240			4.00	960.00			6.00	1,440.00		5.00	1,200.00			
Trucks to 50,000 GVW	250			7.00	1,750.00			10.00	2,500.00		10.50	2,625.00			
Graders & Loaders	30			24.00	720.00			25.00	750.00		25.00	750.00		4,575.00	
Sub Total:					3,430.00				4,690.00						
TOTAL:					\$62,466.03				\$78,062.13					\$67,621.06	

NOTE: The low tendered prices, meeting specifications, are boxed above.

It is my recommendation that the low tendered prices, meeting specifications, submitted by G.C.R. Tire Centres, be accepted.

Ralph Robertson
Manager of Purchasing

5/4

FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: Inventory & Maintenance Charge Out Items

RECEIVED: October 17, 2006
FILE: #2007WA25

SUMMARY OF TENDERS
NEW BUS TIRES AND RETREADING

		G.C.R. TIRE CENTRES <u>SSM, ON</u>			KAL-TIRE TRUE SERVICE <u>SSM, ON</u>			ROYAL TIRE SERVICE <u>SSM, ON</u>		
<u>NEW BUS TIRES</u>	<u>QTY</u>	<u>BRAND</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>	<u>BRAND</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>	<u>BRAND</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
305/70 R22.5 18 PLY	40	Bridgestone	442.90	17,716.00	Michelin	620.00	24,800.00	Goodyear	557.00	22,280.00
12 R22.5 R192 16 PLY	30	Bridgestone	494.40	14,832.00	Michelin	630.00	18,900.00	Goodyear	575.00	17,250.00
Sub Total:				<u><u>32,548.00</u></u>		<u><u>43,700.00</u></u>				<u><u>39,530.00</u></u>
<u>RETREADING</u>			<u>UNIT PRICE</u>	<u>TOTAL</u>		<u>UNIT PRICE</u>	<u>TOTAL</u>		<u>UNIT PRICE</u>	<u>TOTAL</u>
10.5"-12R 22.5 24/32	60		180.98	10,858.80		210.00	12,600.00		185.00	11,100.00
12.0"-305/70 R22.5 24/32	30		183.89	5,516.70		250.00	7,500.00		185.00	5,550.00
CASINGS	10		100.00	1,000.00		90.00	900.00		95.00	950.00
Sub Total:				<u><u>17,375.50</u></u>		<u><u>21,000.00</u></u>				<u><u>17,600.00</u></u>
TOTAL:				\$49,923.50		\$64,700.00				\$57,130.00

NOTE: The low tendered prices, meeting specifications, are boxed above.

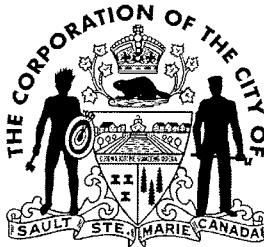
It is my recommendation that the low tendered prices, meeting specifications, submitted by G.C.R. Tire Centres, be accepted.

Ralph Robertson
Manager of Purchasing

(t) 5

5(g)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 11 13

Mayor John Rowswell and
Members of City Council
Civic Centre

**Re: Proposal for Computerized Access Control Solution
at Public Works & Transportation Department**

At present there is no computerized access control for Public Works and Transportation facilities. The proposed system will provide security for both the public and employees, as well as a tracking and attendance for approximately 225 City staff and additional summer staff as needed. The new system will service Public Works, Transit, Cemetery, Parks and Landfill and replace the failing hardware for card reading and card programming, that is no longer supported by the vendor due to its age.

The request for proposal was publicly advertised and documents were forwarded to all firms on our bidders list. As a result, five (5) firms have submitted proposals.

The proposals received for equipment and solutions, including set-up and complete operations have thoroughly been evaluated and reviewed with Mr. Jim Elliott, Deputy Commissioner of Public Works & Transportation, Mr. Larry Girardi, Manager of Administration, P.W.T., and Mr. Frank Coccimiglio, Manager of Information Technology and the Purchasing Division. The proposal best meeting and addressing all of our requirements and concerns, at the lowest cost to the City, has been identified below.

Council had approved \$100,000.00 for funding in the 2007 Budget; \$70,000.00 from reserves and an additional \$30,000.00 from Transit Gas Tax.

RECOMMENDATION

It is therefore my recommendation that the proposal for the supply and installation of a Computerized Access Control Solution, submitted by A.T.S. (Algoma Telephone Systems) of Sault Ste. Marie, ON, in the amount of \$94,365.17, including taxes, Commercial Grade Hardware and Door Upgrades, be accepted.

This report is submitted for Council's approval.

Respectfully submitted,


Ralph Robertson
Manager of Purchasing

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer

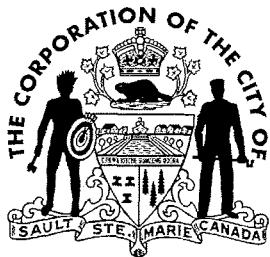
RR:nt
Attach.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
P.O. BOX 580 * CIVIC CENTRE * SAULT STE. MARIE, ONTARIO, CANADA P6A 5B7
TEL: (705) 759-5299 * FAX: (705) 759-1842


Joseph M. Fratesi
Chief Administrative Officer

5(h)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 11 13

Mayor John Rowswell and
Members of City Council,
Civic Centre.

**Re: Renewal of Security Services Contract for Civic Centre
Parking Division and Public Library**

The Canadian Corps of Commissionaires have been providing Security Services to the City as a result of a Request for Proposal in 2005.

The Commissionaires are requesting a two year extension with an increase of 3% in each of the two (2) years as is allowed under the current contract, all in accordance with the same terms and conditions. This increase has been reviewed with Mr. Jerry Dolcetti, Commissioner of Engineering & Planning, and is in line with expectation of the excellent service and unequalled presence.

RECOMMENDATION

It is therefore my recommendation that the contract to provide Security Services for the Civic Centre, Parking Division and the Public Library for a further two (2) year period be awarded to the Canadian Corps of Commissionaires.

This report is submitted for Council's approval.

Respectfully submitted,

A handwritten signature of Ralph Robertson.

Ralph Robertson
Manager of Purchasing

Recommended for approval,

A handwritten signature of W. Freiburger.

W. Freiburger
Commissioner of Finance & Treasurer

RR:nt

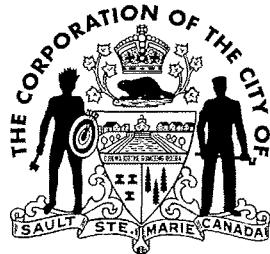
~~RECOMMENDED FOR APPROVAL~~

A handwritten signature of Joseph M. Fratesi.

Joseph M. Fratesi
Chief Administrative Officer

5(i)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 11 13

Mayor John Rowswell and
Members of City Council,
Civic Centre.

Re: Tender for the Waterfront Lighting System Renovations

Attached hereto for your information and consideration is a summary of the tenders received for the Waterfront Lighting System Renovations. This work is adjacent to the Fish Hatchery on Canal Drive and is required by the Parks Division of the Public Works & Transportation Department to accommodate the planned Fish Hatchery demolition.

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders received was held November 2, 2007, with Councillor Susan Myers representing City Council.

The tenders received have been thoroughly evaluated and reviewed with Mr. Pat McAuley, Commissioner of Public Works & Transportation and the low tendered price, meeting specifications, has been identified on the attached summary.

Funding for this project comes from the City Gateway Project Account.

RECOMMENDATION

It is therefore my recommendation that the tender for the Waterfront Lighting System Renovations be awarded to S & T Electrical Contractors, at their total tendered price of \$14,310.00, including taxes.

This report is submitted for Council's approval.

Respectfully submitted,

Ralph Robertson
Manager of Purchasing

Recommended for approval,

W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
P.O. BOX 580 * CIVIC CENTRE * SAULT STE. MARIE, ONTARIO, CANADA P6A 5N1
TEL: (705) 759-5299 * FAX: (705) 759-1842

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

**FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$20,000.00**

**RECEIVED: November 2, 2007
File: 2007CH05**

**SUMMARY OF TENDERS
WATERFRONT LIGHTING RENOVATIONS**

<u>Firm</u>	<u>Total Tendered Price</u> <u>Including G.S.T.</u>	<u>Delivery</u>	<u>Warranty Period</u> <u>Parts & Labour</u>	<u>Remarks</u>
Red Star Electrical Contractors Sault Ste. Marie, ON	\$20,638.20	25 working days	1 year	Meets Specifications
S.& T. Electrical Contractors Sault Ste. Marie, ON	\$14,310.00	30 working days	1 year	Meets Specifications

Note: The low tendered price, meeting specifications, is boxed above.

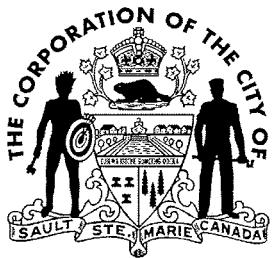
It is my recommendation that the low tendered price, meeting specifications,
submitted by S. & T. Electrical Contractors, be accepted.

Ralph Robertson
Manager of Purchasing

521:

5(j)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 11 13

Mayor John Rowswell and
Members of City Council,
Civic Centre.

Re: Tender for Petroleum Products

Attached hereto for your information and consideration is a summary of the tenders received for the supply and delivery of Petroleum Products, as required by the various City Departments and cooperatively Public Utilities Inc., for the two (2) year period of January 1, 2008 until December 31, 2009.

The tender was publicly advertised and tender documents mailed to all firms on our bidders list. A public opening of the tenders received was held October 31, 2007 with Councillor Frank Fata representing City Council.

The tenders received have been carefully evaluated and analyzed as to quality, availability of supply, dependability of vendor and price. The low tendered prices meeting specifications have been identified on the attached summary.

RECOMMENDATION

It is therefore my recommendation that the tender for the supply and delivery of Petroleum Products, as required by our various departments and cooperatively Public Utilities Inc., be awarded to McDougall Fuels Limited, using a bi-weekly price adjustment.

This report is submitted for Council's approval.

Respectfully submitted,

Ralph Robertson
Manager of Purchasing

Recommended for approval,

W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

RECOMMENDED FOR APPROVAL,

THE CORPORATION OF THE CITY OF SAULT STE. MARIE Joseph M. Fratesi
P.O. BOX 580 * CIVIC CENTRE * SAULT STE. MARIE, ONTARIO, CANADA N6A 5N1
TEL: (705) 759-5299 * FAX: (705) 759-1842

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET; DRAWN FROM VARIOUS DEPARTMENT OPERATIONAL ACCOUNTS**

**Received: Oct. 31, 2007
File: 2007WA22**

**SUMMARY OF TENDERS
PETROLEUM PRODUCTS**

<u>Description</u>	<u>Estimated Annual Consumption(Litres)</u>	<u>MCDOUGALL FUELS</u> <u>S. S. Marie, ON</u>	<u>PETROCANADA</u> <u>Oakville, ON</u>	<u>UPI/ALGOMA AG CENT.</u> <u>Echo Bay, ON</u>
		<u>Price/Litre</u> <u>(inc. taxes)</u>	<u>Price/Litre</u> <u>(inc. taxes)</u>	<u>Price/Litre</u> <u>(inc. taxes)</u>
Unleaded Gasoline	500,000	\$0.9699	\$484,950.00	\$0.9837
UltraLow Sulphur Clear Diesel	1,700,000	\$0.9667	\$1,643,390.00	\$0.9826
Coloured Diesel Fuel	450,000	\$0.8151	\$366,795.00	\$0.8310
Furnace Oil	16,000	\$0.7515	\$12,024.00	\$0.7674
Total Weighted Cost			<u>\$2,507,159.00</u>	<u>\$12,278.40</u>
Remarks		Meets Specifications	Does not meet Specifications Different Cost Base Location Different Cost Base Averaging Different Price Adjustment	Meets Specifications

Note: The low tendered prices are boxed above and will be adjusted bi-weekly starting January 1, 2008.

Comparison Pricing shown above is based on published pricing for Oct. 19, 2007

It is my recommendation that the low tendered prices, meeting specifications, submitted by McDougall Fuels, be accepted.

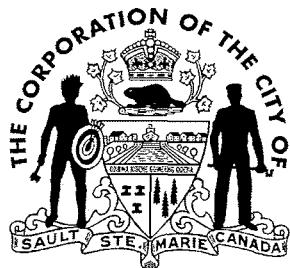
Ralph Robertson
Manager of Purchasing

5(1)(g)

Peter A. Liepa
City Tax Collector

Tax & Licence Division
Finance Department

5(K)



2007 11 13

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: Property Tax Appeals

Attached are listings that summarize applications for adjustments to the Tax Roll pursuant to Section 357 of the Municipal Act, 2001.

The Municipal Property Assessment Corporation (MPAC) has recommended the amount of assessment to be adjusted. Each of the applications has been reviewed individually and recommended as shown.

An appropriate resolution has been prepared for your consideration.

Respectfully submitted,

Peter A. Liepa
City Tax Collector

PAL/bk

Attach.

Recommended for Approval:

William Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink, appearing to read "Fratesi".
Joseph M. Fratesi
Chief Administrative Officer

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2007

DATE: 2007-10-29
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	PROPERTY CLASS	REASON	APPEAL NO.	CANCELLATIONS	TOTAL	
						TAXES	INTEREST	ADJUSTMENT
020 036 004 00	49 Wemyss St	Laitinen Matti Tapani	Residential	D	07-062	66.14	0.34	66.48
030 082 002 00	638 Black Rd	Bethel Bible Chapel	Industrial/Vacant Land	B	07-063	3,740.75	89.40	3,830.15
060 070 014 00	73 Sunnyside Beach Rd	Pearson Stephen John	Residential	D	07-064	283.31	0.00	283.31
060 070 289 00	18 Hess St	McPhee Earl Alexander	Residential	D	07-065	432.66	0.00	432.66
						REPORT TOTAL	4,456.72	89.40
								4,612.60

Certified Correct:

Peter A. Liepa
City Tax Collector

- A. REALTY TAX CLASS CONVERSION
B. BECAME EXEMPT AFTER RETURN OF ROLL
C. RAZED BY FIRE AFTER RETURN OF ROLL

- D. DEMOLISHED AFTER RETURN OF ROLL
E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS
DUE TO REPAIRS OR RENOVATIONS

5(k)

**APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001**

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2006

DATE: 2007-08-13
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	PROPERTY CLASS	REASON	APPEAL NO.	CANCELLATIONS	TOTAL	
						TAXES	INTEREST	ADJUSTMENT
040 029 041 00	304 Cathcart St	Darou Frank Earl	Commercial	E	07-061	1,770.29	15.21	1,785.50

Certified Correct:

REPORT TOTAL **1770.29** **15.21** **1785.50**

Peter A. Liepa
City Tax Collector

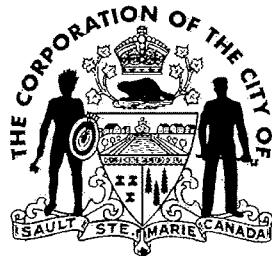
- A. REALTY TAX CLASS CONVERSION
 - B. BECAME EXEMPT AFTER RETURN OF ROLL
 - C. RAZED BY FIRE AFTER RETURN OF ROLL

- D. DEMOLISHED AFTER RETURN OF ROLL
 - E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
 - F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS DUE TO REPAIRS OR RENOVATIONS

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5(1)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 11 13

Mayor John Rowswell and
Members of City Council

Re: Algoma Tubes Minutes of Settlement

This report is to outline the sources of funding for the Algoma Tubes Minutes of Settlement of \$734,548 as outlined in the report of the City Tax Collector dated 2007 11 13.

Three sources are identified to fund the assessment appeal.

1. During the 2007 budget deliberations, \$252,986 of the 2006 surplus was allocated to the Assessment Reserve.
2. We estimate the Vacancy Rebate Account will be \$207,000 under budget after education adjustments are made.
3. The balance of \$274,562 will be funded from the Tax Writeoff Account that is estimated to be at its budget amount of \$1,000,000 after education adjustments are made.

Conclusion

After the Minutes of Settlement are processed, the City has no reserves for significant assessment appeals.

We have updated the Province with information concerning tax appeals but have not received an indication if Special Assistance is forthcoming.

RECOMMENDATION

Council approve the Minutes of Settlement for Algoma Tubes Inc. and funding be provided from the Assessment Reserve, Vacancy Rebate, and Tax Writeoff Accounts.

Respectfully submitted,

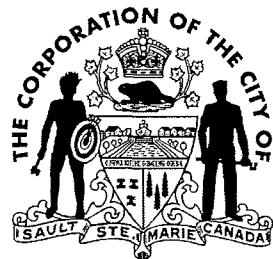
W. Freiburger, CMA
Commissioner of Finance and Treasurer

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

WF/kl

5(1)



2007 11 13

Mayor John Rowswell and
Members of City Council

RE: ALGOMA TUBES INC – MINUTES OF SETTLEMENT

Background

Algoma Tubes Inc. had appealed their property assessment for the years 2003, 2004, 2005, 2006 and 2007 pursuant to Section 40 of the Assessment Act for the property located at 547 Wallace Terrace.

The Municipal Property Assessment Corporation (MPAC) and Algoma Tubes Inc. have agreed upon Minutes of Settlement for the five year period 2003 through 2007 inclusive.

The City is required to sign these Minutes of Settlement. If the City does not agree to the Minutes of Settlement, a hearing will be scheduled before the ARB at which time an appointed Chairperson will then determine what assessed value should be placed on the property based on testimony from all interested parties.

Cost of Settlement

<u>Year</u>	<u>Original CVA Assessment</u>	<u>Revised CVA Assessment</u>	<u>Assessment Reduction</u>	<u>Municipal Taxes</u>	<u>Education Taxes</u>
2003	17,007,000	8,000,000	9,007,000	100,343	78,338
2004	16,930,000	8,000,000	8,930,000	105,985	77,648
2005	16,930,000	10,000,000	6,930,000	231,759	164,026
2006	17,806,000	13,000,000	4,806,000	216,326	145,005
2007	17,440,000	13,000,000	4,440,000	217,204	133,182
Less Vacancy rebate adjustment for 2005 and 2006				(5,036)	(3,255)
Less New Taxes Office Building for 2006 and 2007				(132,033)	(86,739)
Total Tax Impact				734,548	508,205

It also should be noted that as result of these Minutes of Settlement the Current Value Assessment for the 2008 tax year will be returned at \$16,270,000 which includes the new office building.

Reasons for Assessment Reduction

Mr. Rick Moffat was retained to handle the appeal on behalf of the municipality due to the complexity of these type of large industrial properties. It was determined through the discovery process, Algoma Tubes Inc. was initially utilizing only different parts of the production line early on and since then have expanded , relined and added to it over the last 5 years.

Options

Mr. Moffat recommends that the Minutes of Settlement as presented be approved.

If Council decides not approve the Minutes of Settlement, the matter will go to the ARB before a Chairperson who will determine what assessed value should be placed on the property.

The risk of an ARB hearing is that in their submission, Algoma Tubes Inc. was seeking an assessed value of \$4,710,000 which was the purchase price of the land and buildings.

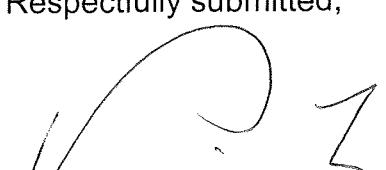
If the City rejects the proposed settlement, we would become the appellant at the ARB hearing and would have to determine the level of assessment that would require the use of legal and expert evaluators. In this process the City would have to prove MPAC incorrect and have to establish and justify a new valuation and the method of valuation that would be extremely costly and difficult to defend.

RECOMMENDATION

City Council approve the Minutes of Settlement between the City, MPAC and Algoma Tubes Inc. for the 2003, 2004, 2005, 2006 and 2007 tax years. An appropriate by-law appears on the agenda for approval.

Respectfully submitted,

P. Liepa
City Tax Collector

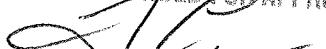


Recommended for Approval:

W. Freiburger
Commissioner of Finance & Treasurer



RECOMMENDED FOR APPROVAL

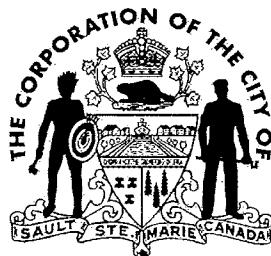


Joseph M. Fratesi
Chief Administrative Officer

5(m)

William Freiburger, CMA
Commissioner of Finance
and Treasurer

Finance Department



2007 11 13

Mayor John Rowswell and
Members of City Council

RE: 2006 MUNICIPAL PERFORMANCE MEASUREMENT PROGRAM

Please find attached under separate cover the 2006 results under the Municipal Performance Measurement Program.

Staff reviewed the City's Performance Measures in relation to other Northern Ontario communities and provided comment where appropriate.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

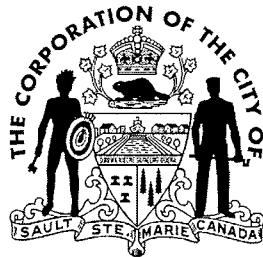
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(n)

Malcolm White B.P.H.E., CMO
Deputy City Clerk &
Manager of Quality Improvement



City Clerk's Department

2007 11 13

Mayor John Rowswell and
Members of City Council

RE: CORPORATE STRATEGIC PLAN 2007 – 2010

Please find attached under separate cover a draft copy of the Corporate Strategic Plan. As Council is aware, the draft plan has been developed through two workshop meetings, one with Council and the Senior Management Team (SMT) and one with the SMT and division head staff.

As outlined in previous reports, the Corporate Strategic Plan provides Council's direction and focus to the nine corporate departments that report to Council through the Chief Administrative Officer. The plan is meant to complement and be linked to the budget process, the performance evaluation system and annual department work plans. Council will also use the plan to assist in setting key result areas (KRA's) for the Chief Administrative Officer under the City's performance evaluation system.

The elements of the plan are as follows:

A vision statement (describing the future of the corporation), a mission statement (describing the purpose of the Corporation), key corporate value statements and the strategic directions by which the corporation will achieve its goals, and by extension, its vision.

Having the plan available in draft form allows for more meaningful consultation and methods of providing comments and feedback by staff, associated boards, committees and organizations and interested members of the community at large. Over the next three weeks we will provide the draft plan and comment/feedback methods for the above mentioned groups in various ways including printed materials, website and e-mail and a public consultation meeting. It is anticipated that the final plan will be presented to Council for approval at the December 10, 2007 Council Meeting.

Recommendation

That Council approve the draft plan in principle, and that the plan and appropriate feedback documents be circulated to Council , staff, associated boards and committees and the community at large for consultation and feedback prior to final approval by Council.

Respectfully submitted,

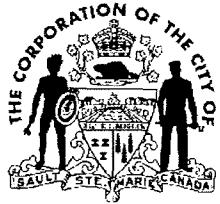
Malcolm White
Deputy City Clerk and
Manager of Quality Improvement

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(0)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

November 13, 2007

Mayor John Rowswell
and Members of City Council

Operation of Outdoor Ice Rinks – Policy Update

In response to shifting demands and the use of the outdoor rinks, staff is recommending a minor change in the policy that governs their use. Specifically, given there are only three outdoor rinks that support hockey (William Merrifield Rink, Esposito Rink, and Anna McCrea Rink) staff suggests that permits for exclusive use of these rinks be discontinued.

There are couple of groups that have permitted the use of an outdoor rink for the past several years. Staff is suggesting that these groups be allowed to have a permitted hour of use at an outdoor rink but at a later time in the evening. We have spoken with these groups and they understand the rationale for the policy change and are fine with the proposed change to their previously permitted time.

Attached for Council's information is a memo that details the recent history of the outdoor rinks, and the existing policy on their operation / use.

The section of the policy titled "RESTRICTED HOCKEY USE" would be changed to the following:

Local hockey organizations will no longer be permitted to have exclusive use of the outdoor rinks except for those organizations that have had permitted use prior to December 31, 2007.

Recommendation

It is recommended that Council approve a change to the Policy on OPERATION OF OUTDOOR ICE RINKS that would discontinue permits for the exclusive use of them, and that the wording of the section on RESTRICTED HOCKEY USE be reworded to:

Local hockey organizations will no longer be permitted to have exclusive use of the outdoor rinks except for those organization that have had permitted use prior to December 31, 2007.

Respectfully submitted,

A handwritten signature of Nicholas J. Apostle.

Nicholas J. Apostle
Commissioner Community Services

jb/council/outdoor ice rinks

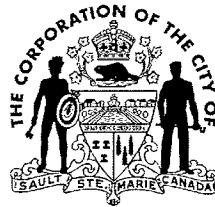
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RECOMMENDED FOR APPROVAL
A handwritten signature of Joseph M. Fratesi.
Joseph M. Fratesi
Chief Administrative Officer

5(0)

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

MARGARET HAZELTON, C.M.M.
SUPERVISOR OF RECREATION



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

2007 10 19

Memo To: Mr. N. Apostle, Commissioner Community Services

Subject: **Outdoor Ice Rinks Update**

The City of Sault Ste. Marie maintains and operates three boarded outdoor ice rinks with adjacent "skating-only pads", as well as, the Art Jennings Speed Skating Oval. William Merrifield Rink is located on Henrietta Street servicing the west end, Esposito Rink located on Queen Street West services the central area and Anna McCrea services the east end of the community. The Art Jenning Speed Skating Oval is located at the Queen Elizabeth Sports Complex, which services ice skating only.

Historically, there have been two neighbourhood outdoor rinks operated by the Bay View Recreation Committee (Mike Zuke outdoor rink) and Northern Neighbourhood Community Facilities (Littner Park, Eastside Rink). The City supported these volunteer operated rinks each year by setting up the rink boards; however, the supervision, ice maintenance, snow removal and legal liability were the responsibility of the volunteer organization. In 2006 Mike Zuke outdoor rink officially ceased operation due to lack of volunteers and resources. The City of Sault Ste. Marie has just been notified that the Northern Neighbourhood Community Facilities (Littner Park, Eastside Rink) will not open this season. The volunteer committee at the Eastside Rink has requested a year's grace to try to regroup and rejuvenate, as they try to recruit volunteers to support the operation of the rink. They will continue to insure the rink shack with the goal of operating in the 2008 - 2009 season.

The City of Sault Ste. Marie has seen a substantial increase in community use of outdoor ice rinks over the last several years by hockey enthusiasts of all ages. Evening usage alone on each rink has been averaging a minimum of 100 attendees and weekend usage at least double that. With the closure of the neighbourhood outdoor rinks we anticipate a further increase of users.

Fifteen years ago, the City operated 12 outdoor ice rinks across the City. At that time the City allowed organized groups to book one hour books of time from 6:00 – 7:00 p.m. at any of the outdoor rinks, at no cost. The majority of this time was booked by hockey teams. Since that time the City has not changed their policy even though the number of rinks has been reduced dramatically. While the user group with a permit is using the ice surface, it has forced others to stand by the rink boards for the hour unable to participate or play. This has caused concern for many parents whose children use the rinks.

Recommendation

It is our recommendation that effective immediately, private exclusive ice time permits not be granted for outdoor ice time usage at all City operated outdoor ice rinks. There would be two exceptions to this policy. The Sault Speed Skating Club would continue to use the Art Jennings Speed Skating Oval for training and competition purposes. Forestry Services would be provided a permit for use of Anna McCrea Outdoor Rink on Tuesdays from 9:00 to 10:00 p.m. Both these groups have had consistent permits for ice time dating back over 15 years and thus our recommendation to grandfather exclusive use permits to them.

The change in policy would allow open access to all users of City operated outdoor rinks, encouraging the participation of healthy active living lifestyle for all.

Submitted by,



Margaret Hazelton
Supervisor of Recreation

li/rec&cult/sports/outdoor ice rink/2007/outdoor rink council

cc: J. Cain



INFORMATION MANUAL

D-IV-4

Subject: OPERATION OF OUTDOOR ICE RINKS

Department/Division: Community Services – Recreation and Culture

Source: Council Resolution

Date: 1994 12 31

Page: 1 of 2

PURPOSE The following outlines the policy on outdoor rinks.

OUTDOOR RINKS The City of Sault Ste. Marie operates and maintains 4 outdoor ice rinks throughout the City which include:

1. Esposito Park
2. William Merrifield School
3. Anna McCrea School
4. Queen Elizabeth Oval

In addition, these rinks have patio rinks for skating only.

HOURS OF OPERATION Boarded Rinks:
Tuesday through Sunday – 3 p.m.– 10 p.m.

Queen Elizabeth Oval:
Monday to Friday – noon to 4 p.m., 6 --10 p.m.
Saturday and Sunday – 9 a.m. – 10 p.m.

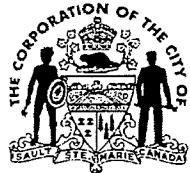
The above hours vary slightly from year to year depending upon conditions.

SCHEDULING OF ACTIVITIES The Recreation Assistant schedules the rinks.

RESTRICTED HOCKEY USE Generally, local hockey organizations are permitted to have exclusive use of these rinks for one hour each day during the period scheduled for hockey.

RINKS CLOSED All outdoor ice rinks are closed each year when ice conditions deteriorate to an unsafe level.

NEIGHBOURHOOD RINKS The Eastside Rink is maintained and operated by community volunteers. Hours of operation vary according to volunteer availability.



INFORMATION MANUAL

D-IV-4

Subject: OPERATION OF OUTDOOR ICE RINKS

Department/Division: Community Services – Recreation and Culture

Source: Council Resolution

Date: 1994 12 31

Page: 2 of 2

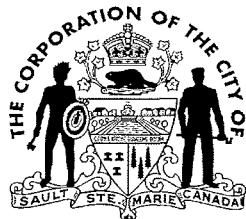
Ice times are subject to weather as well as ice conditions. Each rink has a contact person who is the liaison with the Recreation Assistant. The rink designate schedules all hours and activities.

Where appropriate, Operating Agreements are established between the Outdoor Ice Rink Neighbourhood Committee and the City of Sault Ste. Marie.

5(p)

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

2007 11 13

Mayor John Rowswell
Members of City Council

Re: Biosolids Management Study

At the 2007 04 16 meeting, Council approved the hiring of an engineering consultant to conduct a study to determine the most appropriate means of addressing the treatment, management and ultimate fate of the biosolids produced at our two wastewater treatment plants.

In accordance with our policy for retaining consultants for specialized work, a Request for Proposal was issued to qualified consultants. Proposals were received from the following consulting teams:

- Walker Engineering/R.V. Anderson/Golder Associates
- Kresin Engineering/Hatch Mott MacDonald
- Toten Sims Hubicki/Dillon Consulting
- EarthTech Canada
- Conestoga Rovers Associates (declined invitation due to conflict of interest)

All proposals were reviewed by a committee of engineering and public works staff and it is recommended that this work be awarded to the team of TSH/Dillon Consulting. The cost of this work is difficult to estimate. An amount of \$50,000 was approved in the 2007 sewer surcharge budget for this work. The consultant estimates for this work ranged from \$49,500 to \$144,000. The level of effort is uncertain as it is much like an Environmental Assessment. The price quoted by TSH/Dillon was the lowest at \$49,500. It is believed that there is an economy of scale for this team, as it is responsible for the landfill EA, and TSH was part of the design team for the East End Plant. The Engineering Department will budget additional funds in 2008, in the event the additional effort is required. An engineering agreement will be brought to Council at a later date.

Recommendation

It is recommended that the team of TSH/Dillon be retained to conduct the Biosolids Management Study

Respectfully submitted

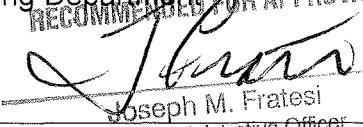
Recommended for Approval



Don J. Elliott, P. Eng.
Director of Engineering Services



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department



Joseph M. Fratesi
Chief Administrative Officer

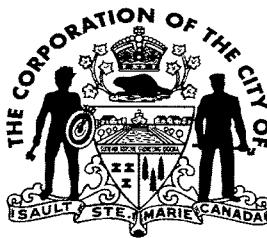
F:\ENGINEERING DATA\COUNCIL\D. Elliott\2007\Biosolids Management Study 2007 11 12.doc

5(q)

Fire Chief Lynn D. McCoy

Division Heads:

Paul Milosevich – Prevention
Marcel Provenzano - Suppression
David Stokes – EMS
Jim St. Jules – Support Services



Emergency Direct "911"
Emergency Phone (705) 949-3333
Business Phone (705) 949-3335
Fire Prevention Phone (705) 949-3377
Emergency Medical Services (705) 949-3387
Fax Phone (705) 949-2341

FIRE SERVICES
72 Tancred Street
Sault Ste. Marie, Ontario
P6A 2W1

November 13, 2007

Mayor John Rowswell
and Members of Council

Re: Replacement of gas boilers #1 Fire Station

Fire Services staff identified in their supplementary requests during the 2007 budget preparations that the gas boilers at #1 Fire Station need to be replaced. These units control the heat at this station and are the original units installed when the facility was constructed in 1983.

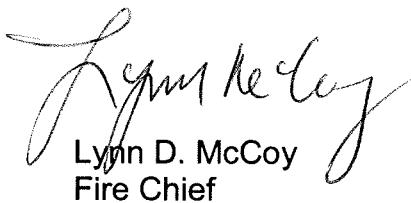
Repairing the units and sourcing of replacement parts has become costly and difficult due to the age of the equipment.

The lowest quote obtained by Fire Services staff to supply and install the boilers is \$13,700.

Recommendation

The existing boilers have reached the end of their serviceable life. Therefore, it is recommended that they be replaced and that further, the funds to cover this project are taken from the fire capital reserve account.

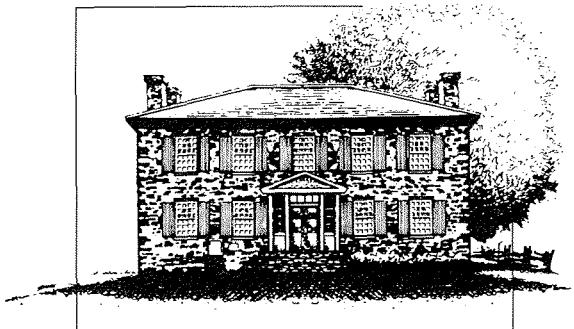
Respectfully submitted for the consideration of Council,



Lynn D. McCoy
Fire Chief

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



2007 11 13

*Sault Ste. Marie
Municipal Heritage Committee*

Mayor John Rowswell
and Members of City Council

New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques

Background

In 1923, the New Ontario Soldiers' Reunion and Discovery Week celebrations which took place between August 4th and 8th was a significant event in the history of Sault Ste. Marie. To quote Dr. Robert Ewing: "Its purpose was to commemorate the contribution of soldiers from "New Ontario", as Northern Ontario was known in World War I, and to mark the City's part in the history of Canada. Inspired by James Curran, the Editor of the Sault Star, the event brought back to the Sault over 1,000 men from the District of Algoma who had served in the war, as well as a large number of visitors. Two monuments and eleven "tablets" or plaques were put up under the auspices of the Sault Historical Society, the New Ontario War Memorial was unveiled, the cornerstone of the war memorial on the Court House grounds was laid, and the Historic Sites and Monuments Board of Canada erected a plaque at the site of the first canal in Sault Ste. Marie. Collectively, these reflect significant events in the discovery and early history of Sault Ste. Marie ". The significance of the event and the monuments and plaques erected during that week is outlined in the attached report authorized by Dr. Ewing.

To date, some of these monuments and plaques have been designated under Part IV of the Ontario Heritage Act, while others remain undesignated for various reasons. This report to you and the subsequent action which is requested, is a measure to further protect those important reminders of our history. The following is a summary of the status of the various monuments and plaques.

A. Designated Monuments and Plaques

Monuments and plaques currently designated under Part IV of the Ontario Heritage Act include:

1. Hudson's Bay Company plaque located on the St. Marys Paper Company head office at 75 Huron Street.
2. North West Company plaque located on the St. Marys Paper Company head office at 75 Huron Street.
3. French Explorers plaque on a stone cairn located at the site of the first canal on Huron Street.
4. Sault Ste. Marie Cenotaph located on the lawn of the Sault Ste. Marie Courthouse on Queen Street.

5. The Capture of Michilimackinac plaque located on the Old Post Office building (now Sault Ste. Marie Museum) at the northwest corner of Queen Street East and East Street.
6. The Early Missionaries – Jesuit Memorial monument located at the site of Precious Blood Cathedral on Queen Street East.

B. Free standing monuments and plaques on private and public property and not designated under Part IV of the Ontario Heritage Act

The Sault Ste. Marie Municipal Heritage Committee proposes that the following monuments and plaques be designated under Part IV of the Ontario Heritage Act. Under the Act, private property owners are given 30 days notice to file an objection to the designation once a motion is passed by City Council.

1. Louis Joliet plaque erected on a pedestal located outside the entrance to the electrical generating station on Huron Street on private property owned by the Brookfield Power Corporation.
2. The Voyageurs plaque on a stone cairn located on public property in front of the Sault Ste. Marie Transit building on the west side of Huron Street.
3. Red River Expedition plaque on a stone cairn on public property located at the southeast corner of Queen Street West and Huron Street.
4. The Great War of 1914 - 1918 Veteran's War Memorial monument and plaque located on public property at the top of Gore Street at Wellington Street.

C. Plaques on private buildings not designated under Part IV of the Ontario Heritage Act

The Sault Ste. Marie Municipal Heritage Committee proposes that the following plaques be registered according to Part IV of the Ontario Heritage Act as those of cultural heritage value or interest under subsection 27(1.2). If a property is included under subsection 27(1.2) the owner of the property shall not demolish or remove a building on the property unless the owner gives Council 60 days notice in writing. Such notice would allow the City and the S.S.M. Municipal Heritage Committee an opportunity to meet with the owner of the property to discuss the heritage value of the plaque.

1. Simon Francis Daumont located on a building at the northwest corner of Queen Street West and Gore Street.
2. Champlain's Map located on the Royal Trust building at the northwest corner of Queen Street East and Elgin Street.
3. Sault du Gaston located on the former Scotiabank building on the northeast corner of Queen Street and Spring Street.
4. Jean Nicolet located on the Bank of Commerce building at the northwest corner of Queen Street East and Brock Street.
5. Ojibways of Pawating located on the Royal Bank building at the northeast corner of Queen Street East and Brock Street.

At their May 2, 2007 meeting the members of the Sault Ste. Marie Municipal Heritage Committee approved the following resolution:

Moved by: A. McGregor
Seconded by: K. Marshall

"Resolved that the following process be implemented for the preservation of the Soldiers Reunion Plaques.

- Part I Designate free standing plaques not on any designated properties.
- Part II List those of Cultural interest that are on buildings that are not designated.
- Part III Those already designated as part of the designated buildings."

CARRIED

Recommendation

The Sault Ste. Marie Municipal Heritage Committee requests that City Council approve:

1. The designation of the free standing monuments and plaques on private and public property under Part IV of the Ontario Heritage Act as listed above in item B; and
2. The registration of property and buildings bearing plaques which are considered of cultural heritage value or interest to the City of Sault Ste. Marie as listed above in item C.

Respectfully submitted for your consideration,

Roger Kinghorn, Chairperson
Sault Ste. Marie Municipal Heritage Committee

jb/rec&cult/historic/ssmmhc/proposed designation/soldiersreunion/reporttocouncil

cc: L. Bottos, City Solicitor
J. Dolcetti, Commissioner of Engineering and Planning
N. Apostle, Commissioner Community Services

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

HERITAGE DESIGNATION REPORT ON THE NEW ONTARIO SOLDIERS' REUNION AND DISCOVERY WEEK MONUMENTS AND PLAQUES.

Location:

- Jesuit Missionary Memorial - in front of Precious Blood Cathedral, Queen Street East
- Capture of Michilimackinac, 1812 - Sault Ste. Marie Museum (the Post Office in 1923), Queen Street East and East Street
- Ojibways of Pawating - at the Royal Bank, Queen Street East and Brock Street
- Jean Nicolet, Explorer, 1634 - at the Bank of Commerce, Queen Street East (at Brock Street)
- Sault Du Gaston, 1622 - Scotia Bank building (Imperial Bank), Queen Street East and Spring Street
- Champlain's Map, 1632 - Cochrane Building, Queen Street East and Elgin Street
- Simon Francis Daumont, Sieur St. Lusson, 1671 - building at west corner of Queen Street East and Gore Street
- To the Voyageurs - cairn, west side Huron Street, south of Queen Street West
- Red River Expedition, 1870 - cairn, southeast corner Huron and Queen Street West
- North West Company, 1783 - St. Marys Paper Co. office building, Huron Street
- Hudson's Bay Company, 1821 - St. Marys Paper Co. office building, Huron Street
- Map of Louis Joliet, 1674 - F.H.Clergue Generating Station
- Brule Memorial, 1622 - Sault Locks
- First Sault Ste. Marie Canal - cairn, St. Marys Paper Co. office building
- Veterans' War Memorial - Gore and Wellington Streets

Reason for Designation:

These plaques and monuments were erected during the Soldiers' Reunion and Discovery Week held in Sault Ste. Marie between August 4 and 8, 1923. Its purpose was to commemorate the contribution of soldiers from "New Ontario" as Northern Ontario was known, in World War I and to mark the city's part in the history of Canada. Inspired by James Curran, the editor of the Sault Star, the event brought back to the Sault over 1,000 men from the District of Algoma who had served in the war, as well as a large number of visitors. Two monuments and eleven 'tablets' or plaques were put up under the auspices of the Sault Historical Society, the New Ontario War Memorial was unveiled, the cornerstone

of the war memorial on the Court House grounds was laid and the Historic Sites and Monuments Board of Canada erected a plaque at the site of the first canal in Sault Ste. Marie. Collectively, these reflect significant events in the discovery and early history of Sault Ste. Marie.

Historical Value:

The plaques and monuments commemorate a series of historical events ranging from the discovery of Sault Ste. Marie by Brule in 1622 to the Red River Expedition in 1870. As such, they form a reminder to citizens of the important role played by the area in the early history of Canada and are a reflection of growing pride in the city and nation epitomised by the Soldiers' Reunion and Discovery Week celebrations.

Architectural Value: Though individually interesting and attractive, the plaques and monuments do not possess particular architectural significance. Their value lies in the context within which they were created and promoted as part of a public celebration.

Contextual Value:

It was said that the participation of Canada in the First World War and the contributions of its military led to an increase in national pride and a renewed interest in, and discovery of, the country's early history.

The Reunion and Discovery Week celebrations were clearly intended to boost civic pride and to promote the city in the eyes of a wider region, as well as to recognise the sacrifices of the soldiers of "New Ontario". As J.W.Curran commented in the Sault Star on August 6,

"Discovery Week is celebrating much beside Brule. Perhaps the discovery that the Sault is something far better than a mere community of 22,000 is not its least interesting and important development."

And again,

"Here we will build a noble city of which it will be a badge of honor to be a citizen We shall also try and build a city that in the spirit of its people shall be a model to all communities."

Sault Ste. Marie, according to contemporary accounts, supported the events with enthusiasm. For example, it was reported in the Sault Star that the 200 soldiers and the Sudbury Regimental Band who arrived on the noon train on August 4

were met by 200 cars and 2,000 citizens and that, in all, 10,000 visitors came to the city by train, boat or car, for Discovery Week. Visitors were accommodated in private homes, commercial establishments, schools and in tent cities set up at Bellevue Park and the Exhibition Grounds. One honoured guest, making a return to the city whose industrial base he founded, was Francis H. Clergue, praised in the Star as having the "genius for finance and organization that turned a despairing little community into a prosperous city." Funds to support the events were raised by a variety of means, including the sale of Booster Club memberships, priced at between \$1 and \$5, which included a draw for a Maxwell, with a value of \$1,650. The cost of the tablets was donated by the Hudson's Bay Company, the Sir Garnet Wolseley Chapter of the IODE, the Lake Superior Paper Co. (two tablets), the Imperial Bank of Canada (two tablets), the Canadian Bank of Commerce, Cochrane-Dunlop Hardware, the Great Lakes Power Co., and Dr. W.A.Adams. The \$2,000 cost of the monument to the early missionaries was provided by the Roman Catholic people of the Sault. With an eye to the bottom line, the Sault Star estimated the Discovery receipts to be \$25,000 as against costs of \$18,000!

The programme for Discovery Week was interesting and varied and reflected the tenor of the times.

Sunday, August 5: Memorial Sunday:

Unveiling of the New Ontario War Memorial at the corner of Gore and Wellington Streets, laying of the cornerstone of the War Memorial at the Court House grounds and the unveiling of the monument to the Jesuit missionaries at Sacred Heart Church (now named Precious Blood Cathedral) on Queen Street were highlights of this day. It was estimated that 20,000 people saw 3,500 walk in the Memorial parade.

Monday, August 6: Amiens Day

Amiens day was marked by "a grand military spectacle". It was advertised as "A Real Attack on the Western Front" and took place at the Fair Grounds at 7.30 pm. A replica of the Snargate trench on the Vimy Ridge sector had been constructed and spectators were promised that a battalion of overseas veterans would attack the 'enemy' entrenchments, complete with rifle and machine gun fire, shrapnel, high explosives and bayonet assaults. Even a tank was to make an appearance. "War is Hell" claimed the advertisements, "Come and see a corner of it."

Tuesday, August 7: Discovery and American Day

On this day a pageant depicting the arrival of Brule was enacted at the Canal grounds and the memorial to Brule and Grenoble and the cairn at the North West Company lock were unveiled. There were two performances of 'Hiawatha' by the Ojibway Indians from Garden River.

Wednesday, August 8: Hiawatha Day

Discovery Week concluded with 'The Pilgrimage of the Tablets' when the eleven historical plaques were unveiled. There were two further performances of 'Hiawatha'

There were concerts, sports events and parades to round out the programme; street dancing took place every night (except Sunday)

In reviewing the programme for the event, Mayor Dawson wrote in an editorial on August 4:

"Sault Ste. Marie is glad to welcome today the returned soldiers who have gathered here for the New Ontario Reunion and also the other visitors who are here for Discovery Week.

The Sault feels that it has every reason to be proud of the fact that its recorded history dates further back than that of any other community in the province of Ontario. 300 years is a short period in the history of the world but it is a long period in the history of North America.

The Sault's strategic position as a centre of commerce has been maintained ever since its discovery in 1622 by Brule. Here was the headquarters for many years, of the coureurs de bois and the adventurous traders of the Indians. Here were the posts in the later 18th Century and the early 19th Century of the North West Company and the Hudson's Bay Company. Today this is the home of the immense steel and paper industry and with the development of the natural resources of the Algoma district, its importance has been increased.

We feel we are welcoming you to no mean city and want you to enjoy its advantages to the full. The latch string is out. The city is yours."

Summary:

The monuments and plaques:

- are reminders of the long history of the Sault Ste. Marie and of a series of significant events,
- reflect the growth of civic pride and consciousness as the city emerged

5(r)

from the First World War and celebrated the Soldiers' Reunion and Discovery Week.

5(s)

SAULT STE. MARIE POLICE SERVICE



580 Second Line East
Sault Ste. Marie, Ontario P6B 4K1

ROBERT DAVIES
Chief of Police

EMERGENCY DIAL 9-1-1
TELEPHONE (705) 949-6300

BOB KATES
Deputy Chief of Police

EXECUTIVE FAX (705) 949-3082
OPERATIONS FAX (705) 759-7820

November 1, 2007

Mayor John Rowswell and Members of Council
City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie ON P6A 5X6

Dear Mayor Rowswell:

Re: Sault Ste. Marie Emergency Response Plan

The Emergency Management and Civil Protection Act R.S.O. 1990 CHAPTER E.9 requires that all municipalities within the Province of Ontario implement mandatory programs in conformity with the regulations developed by Emergency Management Ontario.

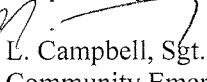
The Emergency Management and Civil Protection Act R.S.O. 1990 CHAPTER E.9 requires that each municipal council must pass a by-law authorizing an emergency management program and a response plan. The plan has no authority until it is adopted by a by-law.

The City of Sault Ste. Marie's Emergency Response Plan is attached as Schedule "A" to the by-law. This new by-law would replace By-Law 2004-231 issued pursuant to the Emergency Management Act which preceded the current legislation. The by-law is included elsewhere in your agenda package.

The Sault Ste. Marie Emergency Management Planning Committee is required by legislation to review the plan annually and is responsible to ensure that the response plan is updated regularly to reflect changes in the community. This review and the changes to the legislation itself have resulted in numerous minor changes to the plan as it was approved in 2004. These changes are not substantive in nature but with the mere number of changes it seemed reasonable to repeal the former by-law rather than list the amendments.

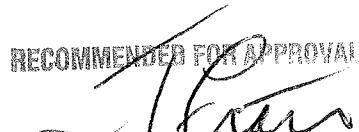
On behalf of members of the Emergency Management Planning Committee for Sault Ste. Marie, I recommend that members of Council accept this report, repeal By-law 2004-31, and enact a new by-law authorizing the Emergency Management Program and the attached Sault Ste. Marie Emergency Response Plan.

Respectfully submitted,


L. Campbell, Sgt.
Community Emergency Management Coordinator

Per

RECOMMENDED FOR APPROVAL

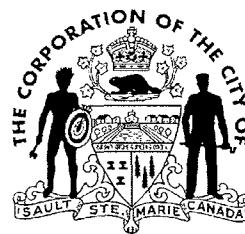

Joseph M. Fratesi
Chief Administrative Officer

Committed to Excellence in our Community

5(+)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. A.3.5

2007 11 13

Mayor John Rowswell and
Members of City Council

RE: Report of the Council Committee reviewing changes in the Municipal Act

Purpose

On February 12th of this year, City Solicitor Lorie Bottos presented to Council a report summarizing amendments to the Municipal Act. At that time, Council appointed a committee made up of Councillors Mick, Turco and Manzo to review the Municipal Act changes and report back to Council. This is the report of the committee.

Attachments

1. The report of the City Solicitor dated 2007 02 12, along with the resolution passed by Council that evening establishing the committee, and
2. The sample Investigator Services Agreement proposed by Local Authority Services Limited of the Association of Municipalities of Ontario.

Comments on Section 239.2 - Investigator vs. Ombudsman

The report of the City Solicitor from February 12th summarizes the more significant changes in the Municipal Act that were introduced by the provincial government. The committee decided to focus on the most pressing decision that must be made by Council. That decision is whether to appoint an investigator under Section 239.2 of the Municipal Act, who could carry out investigations in an

independent manner if a complaint is made as to whether a municipality has complied with Section 239 (items discussed in Caucus) or complied with the Procedure By-law of the municipality. The investigator must be independent, impartial and maintain confidentiality. The reports of the investigator are made available to the public. If the municipality does not appoint an investigator, then any complaints would be investigated by the Ombudsman's office.

The City Solicitor checked with other municipalities to see what course of action they have taken. Many have decided to enter into an agreement with the Local Authority Services Limited (LAS) of AMO. Some of the municipalities that have chosen that option are Caledon, Oakville, Muskoka Lakes (leaning towards LAS), Brampton, Chatham-Kent, Mississauga, North Bay, York Region, City of Vaughan, Kingston, St. Catharines, Kitchener and Fort Erie. Although no final decision has been made in Sarnia, that municipality is leaning towards the LAS option.

The Town of Markham is likely going to appoint an individual or a firm other than LAS. As of the date of the preparation of this report, no decision has yet been made in Peterborough, Hamilton and Burlington.

In Northwestern Ontario, the City of Thunder Bay is going to adopt a solution tailored for that area of the province. It will make arrangements with other municipalities in the region to appoint investigators situated in that area.

Attached is a sample agreement between a municipality and LAS. An agreement with LAS requires a six hundred (\$600) dollar per year retainer. If a complaint is investigated under the agreement, then a fee of one thousand two hundred and fifty (\$1,250) per day is charged, a day being classed as an eight (8) hour day. Daily investigation fees would be billed in hourly increments, where appropriate (clause 11). In addition, all expenses incurred by the investigator are the responsibility of the municipality.

So far, LAS has identified ten (10) investigators, including two (2) from Sudbury and one (1) from Thunder Bay. LAS appointed investigators from across the province, possibly to address concerns that some municipalities might have about travel costs if all the investigators were from Southern Ontario, and also possibly to have investigators who were more familiar with the nature of operations in smaller communities outside of large metropolitan areas in Southern Ontario.

One other option is to appoint a local person or persons to be the investigator. The committee decided against recommending this option because the committee felt it was important to have an investigator who would be seen as being completely independent.

The third option is to decide to have the Ombudsman investigate any complaints. One advantage of using the services offered by the Ombudsman's office is that there is no fee charged to the municipality. Another advantage is that obviously the Ombudsman's office has a great deal of experience in investigating complaints.

Recommendation

After considering the options (using LAS, using the Ombudsman's office or appointing a local investigator), the committee decided to recommend to Council that at least initially the Ombudsman option be selected. The reason for this is that using the Ombudsman, at least initially, will allow other municipalities to determine how well the LAS procedure is working. It will also save the municipality money, certainly the six hundred (\$600) dollar per year retainer fee but also any investigation fees.

It is therefore recommended to Council that the Ombudsman's office be contacted and advised that Sault Ste. Marie has chosen to have the Ombudsman investigate any complaints filed under Section 239.1 of the Municipal Act against Council or a local board. A local board does not include the Police Services Board or Public Library Board (see section 238 of the Municipal Act). Complaints would be filed through the Clerk's office. The Clerk's office would gather the material requested by the Ombudsman's office and send it to that office.

Other changes implemented by Amendments to the Municipal Act

The changes last year from the Municipal Act also allowed the municipalities to adopt Codes of Conduct, appoint Integrity Commissioners, an Ombudsman and an Auditor General. The committee did not feel there was a need at this point for the appointment of any of those positions. It is something Council could look at in the future. Also, the issue of the Code of Conduct could be reviewed in the future if necessary.

Procedure By-law and Public Notice

The attached report from the City Solicitor mentions a new provision in the Municipal Act regarding how notice of meetings is to be given. There was an amendment to the Procedure By-law earlier this year (By-law 2007-31) to provide for notice of meetings to be given by listing them on the City's web page. This applies to meetings of local boards (once again except for Police Services Board and the Library Board) committees of Council as well as meetings of Council.

Adoption of Policies

The new section 270 of the Municipal Act requires that policies be adopted

regarding the sale of land, hiring of employees and procurement of goods and services. The City already does have City approved policies on the sale of land (updated by By-law 2007-150). The report regarding the procurement of goods and services will be at Council later this year. A by-law will be brought to Council soon consolidating into one by-law policies regarding employee hiring.

Conclusion

This is the report of the committee. As matters develop, Council can review some of these issues. In the meantime, the main recommendation of the committee is that, at least initially, the office of the Ombudsman be used to investigate complaints under section 239.1 of the Municipal Act.

Respectfully submitted,

"Pat Mick"

Pat Mick

"Lou Turco"

Lou Turco

"Frank Manzo"

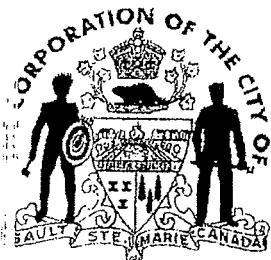
Frank Manzo

LB/jl
Encs.

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



CITY COUNCIL RESOLUTION

5(+)

Date: February 12, 2007

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

S. Myers
F. Fata

Resolved that the report of the City Solicitor dated 2007 02 12 concerning Recent Amendments to the Municipal Act be accepted as information and further that the recommendation that Council appoint a committee to review the Municipal Act changes and report back to Council be approved.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED
 DEFERRED

SIGNATURE

- C.A.O.
- City Solicitor
- Comm. Finance/Treasurer
- Comm. Eng. & Planning
- Comm. Human Resources

- Comm. Community Services
- Comm. P.W. & Transportation
- City Clerk
- Fire Chief
- Police Chief

- Mayor
- Dir. Libraries
- E.D.C.
- Cons. Authority

File No. A.3.5

**REPORT TO: Mayor John Rowswell and
Members of Council**

DATE: 2007 02 12

RE: Recent Amendments to the Municipal Act

On January 1, 2007 the Province proclaimed the Municipal Statue Law Amendment Act, 2006 (formerly referred to as Bill 130) in force, or at least the majority of it. This amendment to the Municipal Act brings about a number of significant changes in the Municipal Act. This is a very lengthy Act and I'll try to summarize the most significant aspects of it as it applies to the City. The format of the Bill is that it has five schedules to it. The first schedule contains amendments to the Municipal Act which are summarized below. Schedule B contains amendments to the City of Toronto Act. Schedule C contains amendments that flow from the amendments to the City of Toronto Act, 2006. The amendments in Schedule D are amendments to other legislation and Schedule E contains mainly amendments to the Ontario Housing Corporation Act.

Summary of Schedule A

Section 2 of the amendments set out a new Purposes section for the entire Municipal Act. The Purposes are:

"Municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under this Act and many other Acts for the purpose of providing good government with respect to those matters."

One further amendment (new Section 3.1) finally provides acknowledgment by the Province that a municipality has the authority to enter into agreements with the Crown in Right of Canada with respect to matters within the municipality's jurisdiction. This has already been happening, for example Fed-Nor agreements.

A new Section 8(1) states that the powers of the municipality under this or any other Act shall be interpreted broadly so as to confer broad authority to enable the municipality to govern its' affairs and to enhance the municipality's ability to respond to municipal issues. Presumably municipality's can rely on this section when there is a legal challenge to a municipal by-law or activity.

A new Section 11.1 introduces a number of definitions into the Act that previously were not contained in the legislation. For example "animal" is defined to mean any member of the animal kingdom, other than a human. In addition there are definitions for a "taxi cab broker", "plumbing business", and "salvage business".

There are new sections put in the legislation that deal with the general powers to delegate Council's authority. If the authority is delegated to an individual, such as an employee of the municipality, the power can only be of a minor nature, such as the power to close a highway temporarily or the power to impose conditions on a license.

A new Section 99.1 is introduced into the Municipal Act. This new section allows a municipality to prohibit and regulate the demolition of residential rental properties or their conversion for purpose other than residential rental property. This authority would be done by way of a by-law. The by-Law can impose conditions on any demolition or conversion. This power only applies to residential rental properties containing less than six dwelling units.

Business Licensing Provisions

Under the previous provisions in the Municipal Act the City was restricted in the types of business licenses it could enact. Previously a business could only be licensed for three purposes; they are for health and safety, nuisance control and consumer protection. In addition the license fee had to bear a relationship to the cost of administering and enforcing the licensing by-law. All those restrictions are gone as a result of the new provisions.

Code of Conduct & Integrity Commissioner

A new Part V.1 entitled "Accountability and Transparency" has been introduced into the Municipal Act. It starts at section 223.1. This section allows municipalities to establish, through by-law, Codes of Conduct for members of Council and local boards. The by-law however, cannot provide that a member who contravenes a code of conduct is guilty of an offence (Section 223.2(2)). Section 223.3 authorizes the municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality to the application of the Code of Conduct and the application of any procedures, rules, and policies of the municipality governing ethical behaviour of members of Council and local boards.

Section 223.4 sets out the procedure whereby the Integrity Commissioner can carry out an inquiry. The municipality and its local boards shall give the Commissioner such information as the Commissioner believes is necessary for an inquiry. The Commissioner has free access to all books, accounts, financial records, and files that the Commissioner believes is necessary.

In Section 223.4(5) the penalties that a municipality may impose on a member of Council or a local Board if that person is found to have contravened the Code of Conduct are set out. The penalties are a reprimand or suspension of remuneration for up to 90 days.

Under Section 223.5 the Commissioner has a duty to preserve secrecy with respect to all matters that come to his/her knowledge in the course of his/her duties. This section prevails over the Municipal Freedom of Information and Protection of Privacy Act.

The Commissioner provides a periodic report to the municipality. The Commissioner may summarize advice he/she has given but shall not disclose confidential information. Reports of the Commissioner must be made available to the public.

Section 223.9 provides for the authority for a municipality to register persons who lobby public office holders. Sub-section 2 of that section sets out the types of items that can be included in a registration system. For example, Council can define "lobby" and exempt certain persons from having to file returns, establish a Code of Conduct for persons who lobby public office holders, prohibit former office holders from lobbying current public office holders.

Ombudsman

Section 223.13 is an important new section. It authorizes but does not require a municipality to appoint an Ombudsman who reports to Council and whose function is to investigate in an independent manner any decision or recommendation made or act done or omitted in the course of administration of a municipality, its local boards and municipally controlled corporations.

The Ombudsman can review a decision, recommendation or act even if the Legislation states that the decision, recommendation or act is final. However, the Ombudsman cannot investigate any decision, recommendation or act if there is a right of appeal (such as a Zoning By-law appeal) until that right of appeal or objection has been exercised. In addition, the Ombudsman cannot review any decision, recommendation or act of any person acting as a legal advisor to the municipality, local board or corporation.

The Ombudsman can carry out an investigation, which shall be conducted in private. The Ombudsman can hear submissions. This section of the Municipal Act prevails over the Municipal Freedom of Information and Protection of Privacy Act.

If a municipality decides to appoint an Ombudsman, all costs associated with that office are borne by the municipality.

Auditor General

Section 223.19 authorizes but does not require a municipality to appoint an Auditor General who reports to Council. The role of the Auditor General is to assist Council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations.

The Legislation contains a duty on the municipality to provide information to the Auditor General regarding financial transactions. The Auditor General is entitled to free access to all books, accounts, financial records, etc. Section 223.22 requires the Auditor General and every person acting under the instructions of the Auditor General to preserve secrecy. Once again, this provision respecting the Auditor General prevails over the Municipal Freedom of Information and Protection of Privacy Act.

Additional Roles for Council

In addition to the role for Council in the current Municipal Act, the Legislation adds two new roles. The two new roles are to ensure that administrative policies, practices and procedures are in place to implement the decisions of Council and to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality.

Additional Role for Head of Council

Under the previous legislation one role of the Head of Council was to preside over Council meetings. This has been expanded to read:

“to preside over Council meetings so that its business can be carried out efficiently and effectively;”.

An additional role for the Head of Council is to provide information and recommendations to the Council with respect to the expanded role of Council described above in this report.

Head of Council as Chief Executive Officer

A new Section 226.1 has been added to identify the Head of Council as Chief Executive Officer. In that capacity the Head of Council shall:

- (a) uphold and promote the purposes of the municipality;
- (b) promote public involvement in the municipality’s activities;
- (c) act as a representative of the municipality both within and outside of municipality, and promote the municipality nationally and internationally;
- (d) participate in and foster activities that enhance the economic, social and environmental well being of the municipality and its residents.

Procedure By-law and Public Notice of Meetings

A new section 238(2.1) requires that the Procedure By-Law contain a provision for public notice of meetings. It is up to Council to decide how that notice is to be given. This applies to local boards too. We will have to put such a provision in our amendments to the Procedure By-law – perhaps notice by way of the City web page.

The Procedure By-law may, with the consent of the Head of Council, designate a member of Council, other than the Head of Council, to preside at meetings of Council. That presiding officer may be designated by secret ballot.

Closed Meetings of Council

There is an expansion of what can be discussed in a closed meeting of Council. Under the title “Education or Training Sessions” the meeting of Council, local board or committee may be closed to the public if two conditions are met. If the meeting is held for the purpose of educating or training of the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business/decision making of the Council, local board or committee, then the meeting can be closed to the public. Presumably this would provide for orientation sessions or perhaps even education sessions on goal setting to be held in closed session.

Three new sub-sections are added to 239. One sub section requires that there shall be a record without note or comment of all resolutions, decisions or other proceedings of the meeting whether it is closed to the public or not. That record must be made by the Clerk in the case of Council meetings or the appropriate officer in the case of local boards or a committee.

Under the new section 239.1 a person may request that an investigation be undertaken as to whether the municipality has complied with Section 239 (section dealing with open and closed meetings of council) or the Procedure By-law. The investigation can be carried out by an investigator appointed for that particular purpose or by the Ombudsman appointed under the Ombudsman Act.

Section 239.2 provides for the appointment of an investigator who will carry out an investigation in an independent manner if a complaint is made as to whether a municipality has complied with Section 239 or the Procedure By-law of the municipality.

An investigator must be independent and impartial. The Investigator must maintain confidentiality. An investigator is not required to be a municipal employee.

An investigator can then make a report if he/she thinks that the meeting was held in closed session contrary to Section 239 or that a Procedure By-law was contravened. The municipality shall ensure that the reports are made available to the public.

Adoption of Policies

Although not new, combined into one section (Section 270) is the requirement for the municipality to adopt policies on the sale of land, hiring of employees and procurement of goods and services.

Restricted Acts After Nomination Day

There are minor changes in this Section 275 of the Municipal Act. Subject to the provisions in Section 275(1), a municipality cannot dispose of any real or personal property after nomination day that has a value of exceeding \$50,000. at the time of disposal. Previously, the qualifier was "the value at the time of acquisition". A new section 275(4.1) is added to allow a municipality to take any action after nomination day in the event of an emergency.

Submission of Budgets from Boards, Commissions, Etc.

Section 290(4) will now allow a municipality to require a board, commission or other body for which the municipality is required by law to levy or tax or provide money to submit the budget to the municipality before a date specified by the local municipality. The previous sub-section 4 had a March 1st date as a deadline. Therefore the municipality can require an earlier date.

There are provisions allowing for multi-year budgets (Section 291). In the case of multi year budgets, the municipality shall review the multi year budget and make any changes as required.

The balance of the amending legislation deals with the financial matters such as submissions of budgets, payment to the Crown (Section 353(4.1)). Paragraph Section 354 deals with the writing off of taxes previously taxes could only be written off after a tax sale. Now a tax sale need not be conducted however, the Treasurer must include a written explanation, of why conducting a tax sale would be ineffective or inappropriate. If the Treasurer can provide that written explanation then the taxes can be written off without conducting a tax sale. However, I think even with the wording of this provision that the tax payer must still be in a tax sale position (taxes owing for 3 years) before the taxes can be written off. One other section provides that if the Treasurer conducts a tax sale and there is no successful purchaser the Treasurer may within two years offer the land for public sale by public auction or public tender without going through tax sale provisions.

Enforcement

All of Part XIV of the Act is repealed. That part deals with enforcement. It is replaced with an entire new Part XIV.

Directors and Officers of a Corporation who knowingly concur in the contravention of a By-law are guilty of an offence (Section 425(3)), upon conviction.

A new section 427 re-states that the minimum fine for the contravention of the By-law dealing with disabled parking is \$300.00.

New provisions re-state provisions that were in the previous Act regarding powers of entry. Any power of entry must be exercised by an employee, officer or agent of the municipality or a member of the police service. Proper identification must be produced on request. There are restrictions on entry into a dwelling unless the consent of the occupier is obtained or the entry is pursuant to a warrant.

A new Section 444 provides that if the municipality is satisfied that a contravention of a by-law has occurred, the municipality may make an order requiring the person who contravened the by-law to discontinue contravening the by-law. The order issued by the municipality must give reasonable particulars of the contravention and the date by which there must be compliance. Failure to comply with this order is an offence and subject to a fine.

Section 447.1 which existed prior to this amendment has been re-enacted. It allows the municipality to apply to the Superior Court of Justice to close premises if the municipality can establish that the premises are creating a public nuisance. Example of factors that the Court will consider in determining whether a public nuisance exists is whether the premises are encouraging trespassers to the property, interference of use of highways and other public places, increasing garbage, noise or traffic, activities that have a significant impact on property values, an increase in harassment or intimidation or the presence of graffiti. Before bringing such an application the municipality must obtain the consent of the Chief of Police and give notice to the Attorney General. If the Attorney General opposes the application the municipality may not proceed with the application.

An example of where this provision was used was the Town of Newmarket employing it to close down a composting operation, Halton Recycling Limited. Approximately 1,200 complaints had been filed with the Ministry of Environment and the town concerning odour. The Ministry of Environment according to the Court decision did not take any action on the complaints that were filed over a period of two years. The town used this section to take Halton Recycling to court to have it closed down.

Section 447.2 provides for inspections of buildings containing marijuana grow operations.

Regulations Regarding Provincial Interests

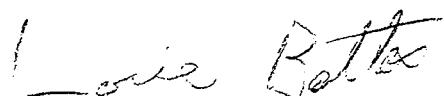
A new section, Section 451.1 is introduced to the Municipal Act. This allows the Provincial government to make regulations imposing limits and conditions on the powers of a municipality under Sections 9, 10, and 11 of the Municipal Act and also part IV of the Act, (Licensing and Registration).

Recommendation

Many of the changes introduced by the Municipal Statute Law Amendment Act, 2006 are technical in nature. However I have tried to highlight some of the more significant changes that will impact on Council's operations. This report is presented for Council's information.

My recommendation is that Council appoint a committee to review these Municipal Act changes. The Committee can recommend to Council whether any changes are necessary in Council's current practices. The Committee could be assisted by appropriate staff from the City Clerk's office, legal department and other departments as required.

Yours truly,



Lorie Bottos
City Solicitor

LAB/np

[Signature]
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

INVESTIGATOR SERVICES AGREEMENT

This Agreement made this _____ day of _____, 2007

BETWEEN

**The Corporation of the Municipal Name
(the "Municipality")**

-and-

**Local Authority Services Limited
("LAS")**

(each a "Party" and together the "Parties")

RECITALS

WHEREAS effective January 1, 2008, Section 239.1 of the *Municipal Act, 2001*, as amended (the "Act"), will permit a person to request an investigation of whether a municipality or local board has complied with Section 239 of the Act and/or a procedure by-law enacted pursuant to Subsection 238 (2) of the Act in respect of a meeting or part of a meeting that was closed to the public;

AND WHEREAS the investigation of the relevant municipality or local board must be undertaken by an Investigator appointed by the municipality pursuant to Sections 9, 10, 11, and 239.2 of the Act or by an Ombudsman appointed pursuant to the *Ombudsman Act* if the municipality has not appointed an Investigator under the Act;

AND WHEREAS the Municipality deems it desirable that all requests for an investigation be undertaken in the public interest by an appointed independent and impartial investigator (the "Investigator");

AND WHEREAS the Municipality deems it desirable to appoint LAS as the Investigator to investigate all requests received by the Municipality after January 1, 2008 pursuant to the Act respecting any meeting of the Municipality's council, a local board, or a committee of either of them;

AND WHEREAS LAS is dedicated to providing services to Ontario municipalities, and is interested in acting as the Investigator for the Municipality on the terms and conditions set out in this Agreement;

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

Appointment

1. Pursuant to the Act, the Municipality hereby appoints LAS to provide the Investigator Services in accordance with the Act, for all requests for an investigation of the Council and Committees of the Municipality and, the Local Boards, and/or their Committees. For the purposes of this Agreement, "committee" and "local board" shall have the meaning as defined in Section 238 of the Act.
2. Within thirty (30) days of the execution of this Agreement, the Municipality hereby agrees to provide to LAS or its delegate a list of all of the Local Boards and Committees to whom this Agreement applies. The Municipality further agrees to give notice in writing of this Agreement and the appointing by-law to each of the Local Boards and/or Committees affected by this Agreement

Powers

3. The Municipality hereby grants to LAS those powers and duties outlined in Section 239.2 of the Act, and as set out in Schedule "A" to this Agreement.
4. LAS agrees to undertake timely, impartial, and independent investigations and they shall be confidential as required by Section 239.2(5)(b) of the Act.
5. The Parties agree not to disclose any confidential information related to the Services to any party (other than a Party's legal counsel, accountants or other advisors who have a need to know such information and have agreed to keep such terms confidential) except information as agreed to by the parties or to comply with any applicable law. Either Party shall be entitled to all remedies available at law or in equity to enforce or seek relief in connection with this confidentiality obligation.

Delegation

6. The Parties acknowledge and agree that LAS, pursuant to Section 239.2(6) of the Act, may delegate all of its powers and duties as Investigator to a third party (the "Delegate"). Any and all rights and obligations of LAS under this Agreement shall also be assigned to the Delegate accordingly. LAS agrees to promptly notify the Municipality of the name of the Delegate.

7. The Parties agree to indemnify and save harmless each other from and against all liabilities, losses, suits, claims, demands, damages, expenses, costs (including all legal costs), fines and actions of any kind or nature whatsoever arising out of or in connection with any breach of any representation, warranty, covenant or any provision under this Agreement, provided that the Party not at fault gives prompt written notice of any such losses or claims to the other Party.
8. Notwithstanding Section 7, no Party shall be responsible for any liability in respect of a third-party claim arising under this Agreement due to the wilful misconduct, gross negligence, or bad faith of the other Party.
9. LAS shall not be liable under this Agreement for any consequential, special, or indirect damages whatsoever and the maximum aggregate amount of indemnification payable by LAS under this Agreement for any reason whatsoever shall not exceed the Fees.

Process

10. Upon receipt of a request for an investigation regarding the Meeting, it is agreed that the Clerk of the Municipality shall forthwith forward the following documents to LAS or the Delegate, as appropriate:
 - 1) The original request for an investigation;
 - 2) A certified copy of the municipal procedure by-law and, if applicable, the procedure by-law for the Local Board;
 - 3) A certified copy of the municipal notice by-law and, if applicable, the notice by-law for the Local Board;
 - 4) A certified copy of the agenda with all relevant attachments relating to the Meeting;
 - 5) A certified copy of the notice given for the Meeting;
 - 6) A certified copy of the minutes of the Meeting;
 - 7) A contact list for all members of the Council, Local Board or Committee for which the request is made and for all persons present at the Meeting;
 - 8) Such other information or documentation that the Clerk of the Municipality deems relevant; and
 - 9) Such other information or documentation that LAS or the Delegate may from time to time deem relevant to the investigation.

Fees

11. The Municipality agrees to pay fees and expenses of LAS or the Delegate for the Services (the "Fees"):
 - 1) A retainer fee of Six Hundred Dollars (\$600) per term plus applicable taxes, payable upon execution of this Agreement;
 - 2) A daily investigation fee of One Thousand Two Hundred Fifty Dollars (\$1,250.00) plus all applicable taxes;

- i) A day consists of eight (8) working hours;
 - ii) Daily investigation fees will be billed in hourly increments where appropriate
- 3) All legal fees incurred by LAS or the Delegate arising out of a claim made by a third-party regarding this Agreement; and
- 4) All reasonable expenses incurred during the course of providing the Services, including but not limited to any costs associated with transportation expenses, meals, report preparation including translation costs where appropriate, and out-of-pocket administrative costs.
12. The investigation fee shall be billed by LAS or its Delegate, as appropriate.
13. The retainer fee shall be billed by LAS.
14. Any investigation fee submitted by the Delegate shall be deemed to be a debt owed to both LAS and the Delegate until paid in full.

Additional Services Provided by LAS or the Delegate

15. LAS agrees to create and maintain, or cause the Delegate to create and maintain, a password protected website to which the Municipality shall have access during the Term. The website will include the following features:
- a. Information and updates on closed meeting procedures;
 - b. The panel of personnel hired by LAS or the Delegate to fulfill the Services, including experience; and
 - c. Access to all reports made by LAS or the Delegate.
16. Upon execution of this Agreement by the Parties, LAS agrees to provide the Municipality with an information package including but not limited to: an appointing by-law, educational materials, etc.

Term

17. The term of this Agreement shall be two (2) years commencing on the first day of January 2008, or any later day as agreed upon by the Parties, and ending on December 31, 2009 (the "Term").

Renewal

18. Subject to Section 17 herein, this Agreement shall automatically renew from year to year unless and until terminated by either Party upon ninety (90) days prior written notice on the same terms and conditions contained herein except that the retainer fee and investigation fee may be adjusted by LAS, in its sole discretion, acting reasonably. LAS agrees to invoice the Municipality for the retainer fee related to the renewal period at least one hundred and twenty (120) days prior to

the commencement of the renewal term and the Municipality agrees to pay such invoice at least thirty (30) days prior to the commencement of the renewal term.

Termination

19. This Agreement may be terminated by either Party on ninety (90) days written notice to the other Party provided that any investigations commenced prior to the termination date shall be completed pursuant to this Agreement and the appointing by-law, and all related Fees shall be paid as set out herein.

Dispute Resolution

20. Any controversy, dispute, difference, question or claim arising between the Parties in connection with this Agreement that cannot be resolved by a manager from each Party (collectively, the "Dispute") shall be settled in accordance with this Article.
21. The aggrieved Party shall send the other Party written notice identifying the Dispute, its position on the Dispute and the remedy sought. Upon receipt of such written notice, a senior officer of the other Party shall enter into good faith negotiations with a senior officer of the aggrieved Party to resolve the Dispute.
22. If the Dispute has not been resolved within thirty (30) days after such written notice has been given, either Party may avail itself of any process or means legally available to resolve the Dispute.

Miscellaneous

23. All provisions herein shall enure to the benefit of and be binding upon the Parties and their respective successors and permitted assigns.
24. Any provision of this Agreement that is prohibited or unenforceable in any jurisdiction shall not invalidate the remaining provisions hereof and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render unenforceable such provision in any other jurisdiction. In respect of any provision so determined to be unenforceable or invalid, the Parties agree to negotiate in good faith to replace the unenforceable or invalid provision with a new provision that is enforceable and valid in order to give effect to the business intent of the original provision to the extent permitted by law and in accordance with the intent of this Agreement.
25. This Agreement, including any Schedule attached hereto, constitutes the entire Agreement between the Parties with respect to the subject matter hereof and cancels and supersedes any prior agreements, undertakings, declarations, commitments, representations, written or oral, in respect thereof. This Agreement shall be read with all changes of gender or number required by the context.

26. No modification of or amendment to this Agreement shall be valid or binding unless set forth in writing and duly executed by each of the Parties and no waiver of any breach of any term or provision of this Agreement shall be effective or binding unless made in writing and signed by the Party purporting to give the same and, unless otherwise provided, shall be limited to the specific breach waived.
27. Each of the Municipality and LAS shall from time to time execute any and all documents and perform such other acts as may be necessary or expedient to further the purposes of this Agreement and the transactions contemplated hereby.
28. Time shall be of the essence of this Agreement.
29. The Municipality and LAS are not and shall not be deemed to be partners or joint venturers with one another and nothing herein shall be construed so as to impose any liability as such on any of them. The Municipality agrees that LAS shall perform its obligations under this Agreement as an independent contractor, and shall not be deemed to be a trustee for any person, whether or not a party to this Agreement, in connection with the discharge by LAS of such obligations.
30. This Agreement shall be governed by and interpreted in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable herein.
31. All notices which may be necessary or proper for either Party to serve upon the other shall be served by delivery to the Party to whom the notice is to be given or sent postage pre-paid to the following addresses or by facsimile transmission to the facsimile number set out below.:.

To Municipality:

Facsimile Number: XXX

To LAS:

200 University Avenue, Suite 801
Toronto, Ontario M5H 3C6

Facsimile Number: (416) 971-6191

All such notices shall be conclusively deemed to have been given and received upon the day the same is personally delivered or, if mailed or sent by facsimile as aforesaid, three (3) business days after the same is mailed as aforesaid. Either

Party may at any time by notice in writing to the other change its address for service of notice.

32. This Agreement may be executed in several counterparts, each of which so executed being deemed to be an original, and such counterparts together shall constitute but one and the same instrument and notwithstanding their date of execution shall be deemed to be made and dated as of the date hereof.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

5(4)

Municipal Name and LAS have respectively executed and delivered this Agreement as of the date first set out above.

Municipal Name

Mayor

Clerk

I have authority to bind the corporation

Local Authority Services Limited

**Nancy Plumridge
President & Secretary Treasurer**

I have authority to bind the corporation

SCHEDULE “A”

The following are the relevant statutory authorities enacted at the time of execution of this Agreement:

The Municipal Act, 2001, as amended

Investigator

239.2 (1) Without limiting sections 9, 10 and 11, those sections authorize the municipality to appoint an investigator who has the function to investigate in an independent manner, on a complaint made to him or her by any person, whether the municipality or a local board has complied with section 239 or a procedure by-law under subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public, and to report on the investigation. 2006, c. 32, Sched. A, s. 104.

Powers and duties

(2) Subject to this section, in carrying out his or her functions under subsection (1), the investigator may exercise such powers and shall perform such duties as may be assigned to him or her by the municipality. 2006, c. 32, Sched. A, s. 104.

Matters to which municipality is to have regard

(3) In appointing an investigator and in assigning powers and duties to him or her, the municipality shall have regard to, among other matters, the importance of the matters listed in subsection (5). 2006, c. 32, Sched. A, s. 104.

Same, investigator

(4) In carrying out his or her functions under subsection (1), the investigator shall have regard to, among other matters, the importance of the matters listed in subsection (5). 2006, c. 32, Sched. A, s. 104.

Same

(5) The matters referred to in subsections (3) and (4) are,

- (a) the investigator’s independence and impartiality;
- (b) confidentiality with respect to the investigator’s activities; and
- (c) the credibility of the investigator’s investigative process. 2006, c. 32, Sched. A, s. 104.

Delegation

(6) An investigator may delegate in writing to any person, other than a member of council, any of the investigator’s powers and duties under this Part. 2006, c. 32, Sched. A, s. 104.

Same

(7) An investigator may continue to exercise the delegated powers and duties, despite the delegation. 2006, c. 32, Sched. A, s. 104.

Status

(8) An investigator is not required to be a municipal employee. 2006, c. 32, Sched. A, s. 104.

Application

(9) Subsection 223.13 (6) and sections 223.14 to 223.18 apply with necessary modifications with respect to the exercise of functions described in this section. 2006, c. 32, Sched. A, s. 104.

Report and recommendations

(10) If, after making an investigation, the investigator is of the opinion that the meeting or part of the meeting that was the subject-matter of the investigation appears to have been closed to the public contrary to section 239 or to a procedure by-law under subsection 238 (2), the investigator shall report his or her opinion and the reasons for it to the municipality or local board, as the case may be, and may make such recommendations as he or she thinks fit. 2006, c. 32, Sched. A, s. 104.

Publication of reports

(11) The municipality or local board shall ensure that reports received under subsection (10) by the municipality or local board, as the case may be, are made available to the public. 2006, c. 32, Sched. A, s. 104.

Ombudsman

223.13

Powers paramount

(6) The powers conferred on the Ombudsman under this Part may be exercised despite any provision in any Act to the effect that any such decision, recommendation, act or omission is final, or that no appeal lies in respect of them, or that no proceeding or decision of the person or organization whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question. 2006, c. 32, Sched. A, s. 98.

Investigation

223.14 (1) Every investigation by the Ombudsman shall be conducted in private. 2006, c. 32, Sched. A, s. 98.

Opportunity to make representations

(2) The Ombudsman may hear or obtain information from such persons as he or she thinks fit, and may make such inquiries as he or she thinks fit and it is not necessary for the Ombudsman to hold any hearing and no person is entitled as of right to be heard by the Ombudsman, but if at any time during the course of an investigation it appears to the Ombudsman that there may be sufficient grounds for him or her to make any report or recommendation that may adversely affect the municipality, a local board, a municipally-controlled corporation or any other person, the Ombudsman shall give him, her or it an

opportunity to make representations respecting the adverse report or recommendation, either personally or by counsel. 2006, c. 32, Sched. A, s. 98.

Application of *Ombudsman Act*

(3) Section 19 of the *Ombudsman Act* applies to the exercise of powers and the performance of duties by the Ombudsman under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(4) For the purposes of subsection (3), references in section 19 of the *Ombudsman Act* to "any governmental organization", "the *Freedom of Information and Protection of Privacy Act*" and "the *Public Service Act*" are deemed to be references to "the municipality, a local board or a municipally-controlled corporation", "the *Municipal Freedom of Information and Protection of Privacy Act*" and "this Act", respectively. 2006, c. 32, Sched. A, s. 98.

Note: On the day the Statutes of Ontario, 2006, chapter 35, Schedule C, section 134 comes into force, subsection (4) is amended by the Statutes of Ontario, 2006, chapter 35, Schedule C, subsection 134 (3) by striking out "the *Public Service Act*" and substituting "the *Public Service of Ontario Act, 2006*". See: 2006, c. 35, Sched. C, ss. 134 (3), 137 (1).

Duty of confidentiality

223.15 (1) Subject to subsection (2), the Ombudsman and every person acting under the instructions of the Ombudsman shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her duties under this Part. 2006, c. 32, Sched. A, s. 98.

Disclosure

(2) The Ombudsman may disclose in any report made by him or her under this Part such matters as in the Ombudsman's opinion ought to be disclosed in order to establish grounds for his or her conclusions and recommendations. 2006, c. 32, Sched. A, s. 98.

Section prevails

(3) This section prevails over the *Municipal Freedom of Information and Protection of Privacy Act*. 2006, c. 32, Sched. A, s. 98.

D

No review, etc.

223.16 No proceeding of the Ombudsman under this Part shall be held bad for want of form, and, except on the ground of lack of jurisdiction, no proceeding or decision of the Ombudsman is liable to be challenged, reviewed, quashed or called in question in any court. 2006, c. 32, Sched. A, s. 98.

Testimony

223.17 (1) The Ombudsman and any person acting under the instructions of the Ombudsman shall not be called to give evidence in any court, or in any proceedings of a

judicial nature, in respect of anything coming to his or her knowledge in the exercise of his or her functions under this Part. 2006, c. 32, Sched. A, s. 98.

Same

(2) Anything said or any information supplied or any document or thing produced by any person in the course of any investigation by or proceedings before the Ombudsman under this Part is privileged in the same manner as if the inquiry or proceedings were proceedings in a court. 2006, c. 32, Sched. A, s. 98.

Effect on other rights, etc.

223.18 The rights, remedies, powers, duties and procedures established under sections 223.13 to 223.17 are in addition to the provisions of any other Act or rule of law under which any remedy or right of appeal or objection is provided for any person, or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Part limits or affects any such remedy or right of appeal or objection or procedure. 2006, c. 32, Sched. A, s. 98.

Ombudsman Act, R.S.O. 1990, CHAPTER 0.6

Evidence

19. (1) The Ombudsman may from time to time require any officer, employee or member of any governmental organization who in his or her opinion is able to give any information relating to any matter that is being investigated by the Ombudsman to furnish to him or her any such information, and to produce any documents or things which in the Ombudsman's opinion relate to any such matter and which may be in the possession or under the control of that person. R.S.O. 1990, c. O.6, s. 19 (1).

Examination under oath

- (2) The Ombudsman may summon before him or her and examine on oath,
- (a) any complainant;
 - (b) any person who is an officer or employee or member of any governmental organization and who, in the Ombudsman's opinion, is able to give any information mentioned in subsection (1); or
 - (c) any other person who, in the Ombudsman's opinion, is able to give any information mentioned in subsection (1),

and for that purpose may administer an oath. R.S.O. 1990, c. O.6, s. 19 (2).

Secrecy

(3) Subject to subsection (4), no person who is bound by the provisions of any Act, other than the *Public Service Act*, to maintain secrecy in relation to, or not to disclose, any matter shall be required to supply any information to or answer any question put by the Ombudsman in relation to that matter, or to produce to the Ombudsman any document or thing relating to it, if compliance with that requirement would be in breach of the obligation of secrecy or non-disclosure. R.S.O. 1990, c. O.6, s. 19 (3).

Note: On a day to be named by proclamation of the Lieutenant Governor, subsection (3) is amended by the Statutes of Ontario, 2006, chapter 35, Schedule C, subsection 94 (3) by striking out “the *Public Service Act*” and substituting “the *Public Service of Ontario Act, 2006*”. See: 2006, c. 35, Sched. C, ss. 94 (3), 137 (1).

Providing personal information despite privacy Acts

(3.1) A person who is subject to the *Freedom of Information and Protection of Privacy Act* or the *Personal Health Information Protection Act, 2004* is not prevented by any provisions in those Acts from providing personal information to the Ombudsman, when the Ombudsman requires the person to provide the information under subsection (1) or (2). 2004, c. 3, Sched. A, s. 94.

Idem

(4) With the previous consent in writing of any complainant, any person to whom subsection (3) applies may be required by the Ombudsman to supply information or answer any question or produce any document or thing relating only to the complainant, and it is the duty of the person to comply with that requirement. R.S.O. 1990, c. O.6, s. 19 (4).

Privileges

(5) Every person has the same privileges in relation to the giving of information, the answering of questions, and the production of documents and things as witnesses have in any court. R.S.O. 1990, c. O.6, s. 19 (5).

Protection

(6) Except on the trial of any person for perjury in respect of the person’s sworn testimony, no statement made or answer given by that or any other person in the course of any inquiry by or any proceedings before the Ombudsman is admissible in evidence against any person in any court or at any inquiry or in any other proceedings, and no evidence in respect of proceedings before the Ombudsman shall be given against any person. R.S.O. 1990, c. O.6, s. 19 (6).

Right to object to answer

(7) A person giving a statement or answer in the course of any inquiry or proceeding before the Ombudsman shall be informed by the Ombudsman of the right to object to answer any question under section 5 of the *Canada Evidence Act*. R.S.O. 1990, c. O.6, s. 19 (7).

Prosecution

(8) No person is liable to prosecution for an offence against any Act, other than this Act, by reason of his or her compliance with any requirement of the Ombudsman under this section. R.S.O. 1990, c. O.6, s. 19 (8).

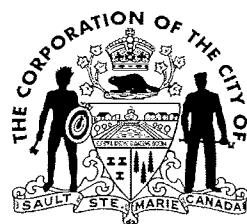
Fees

(9) Where any person is required by the Ombudsman to attend before him or her for the purposes of this section, the person is entitled to the same fees, allowances, and expenses as if he or she were a witness in the Superior Court of Justice, and the provisions of any Act, regulation or rule in that behalf apply accordingly. R.S.O. 1990, c. O.6, s. 19 (9); 2006, c. 19, Sched. C, s. 1 (1).

6(3)(a)

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

2007 11 13

Mayor John Rowswell
Members of City Council

Re: REVOKED CONNECTING LINKS

BACKGROUND

In March of 2006, the Ministry of Transportation divested itself of several kilometers of streets designated as provincial connecting links after construction of the transportation corridor. The Ministry provided a cash settlement of \$9 million as payment for their share of rehabilitation for these roads. Although MTO provides 75% of road reconstruction costs for connecting links, the \$9 million was not the full 75% share. However, it was recommended to Council that the offer be accepted, since it was significantly more money than the last time connecting links were revoked.

For the information of Council, in 1997, without consulting the City, MTO revoked Andrew Street, Gloucester Street and Pim/Great Northern Road from Wellington to Second Line as connecting links. A grant for rehabilitation was provided, however, it fell far short of the City's needs. We were able to reconstruct Andrew, design Gloucester and conduct an EA to reconfigure the Pim Street Hill. That is as far as the funding took us. We have since reconstructed Gloucester by blending it into our 5 year capital reconstruction program.

It is important to note that the \$9 million lump sum will not be sufficient to reconstruct all revoked connecting links. It was a financial settlement, which was intended to be the Provincial share of the reconstruction/resurfacing costs identified in the 5-year connecting link plan. While it is desired that we stretch the \$9 million as far as possible, it must be recognized that the attached list represents work totaling in excess of \$15 to \$18 million. Many reconstruction items are not shareable with the MTO including all costs relating to sanitary sewers, new sidewalks, some turning lanes, and storm sewers in excess of 27" diameter.

CURRENT REVOKED CONNECTING LINK PROJECTS

Three projects are currently underway. The status of each is as follows:

Lyon's Avenue Resurfacing – Korah Road to Wellington Street Underpass

This project has been completed in 2007. It included the provision of an eastbound left turn lane to Wellington which has been desired for many years. The asphalt was recycled in place, and the road was provided with new curbs and a 50 mm surface course of new

asphalt. The final cost of this project, including engineering, is estimated to be **\$1,550,000**, all of which will come from the \$9 million settlement.

Trunk Road Resurfacing – Black Road to Wellington Street

Council was advised at the 2007 10 15 meeting of our problems getting the Part II order request review completed for this project. It has been delayed one year. We have exchanged correspondence with the low tenderer, and a premium of 1.5% has been suggested as a budget figure by the contractor in order to construct the works in 2008. The Engineering Department is of the opinion that this additional cost is reasonable, and it is recommended to Council. It is approximately \$30,000. The final cost to the City for this project is estimated to be **\$2,150,000**, all of which will come from the \$9 million settlement. It is noted that the additional construction and engineering cost due to the request for a Part II order is approximately \$40,000.

Wellington Street Reconstruction – Trunk Road to East Street

In accordance with Council approval, design of the reconstruction of this portion of Wellington Street is proceeding with the intention of tendering the first phase in March 2008. Council is advised that an Open House is scheduled for Thursday, November 15, 2007, for the residents and businesses on this street. The Open House is a courtesy that we provide for recipients of local improvement notices. Local improvement charges are applied to this project for sanitary sewer only, not class A paving.

The status of this project under the Environmental Assessment Act is that it falls under Schedule A, which means it is pre-approved. The design will essentially replace the existing road platform, and all underground services. A westbound left turn lane will be provided on Wellington at Elizabeth Street.

This is a major reconstruction project that will need to be phased over two years. It will be necessary to close Wellington Street for extended periods of time during the summers of 2008 and 2009. Every effort will be made to reduce the inconvenience, however, it must be recognized that east/west traffic will necessarily be re-routed to Queen Street and MacDonald Avenue. At present, the intention is to reconstruct Wellington between Trunk and Simpson in 2008 and from Simpson to East Street in 2009.

The predesign cost estimate for this project totals **\$9,947,000**, of which **\$7,789,000** is City cost. The total costs for this project can be summarized as follows:

Wellington Street Reconstruction Cost Summary	City Costs (from revoked connecting link \$9 million)	City Costs (sanitary – from sewer surcharge)	PUC Costs
2008 works (Trunk to Simpson)	\$3,672,000	\$ 614,000	\$1,292,000
2009 works (Simpson to East)	\$2,950,000	\$ 553,000	\$ 866,000
Totals	\$6,622,000	\$1,167,000	\$2,158,000

6(3)(a)

This project will expend the remainder of the \$9 million grant. The expenditure is summarized as follows:

Lyons Avenue	\$ 1,550,000
Trunk Road	\$ 2,150,000
Wellington Phase I	\$ 3,672,000
Wellington Phase II	<u>\$ 2,950,000</u>
Total	\$10,322,000
Less grant	<u>\$ 9,000,000</u>
Additional Required	\$ 1,322,000

The completion of Wellington reconstruction in 2009 will require additional capital funding of \$1,322,000. It will be evaluated together with the 2009 Capital Works Program. After the \$9 million grant is expended, it is proposed to place the remaining revoked connecting links on the attached list for consideration, together with all other city streets for future capital improvements utilizing our road management scoring system.

Recommendations

It is recommended that Council approve the following:

- Proceed to final design and tendering of the first phase of Wellington Street reconstruction from Trunk to Simpson in 2008; and
- Proceed to resurface Trunk Road in the spring of 2008, using the present low bidder, with a premium of up to 1.5% on unit prices, if justified, and conditional upon receipt of a letter from the MOE denying the Part II order requests.
- Report back to Council on feasibility of including Wellington Street Phase II from Simpson to East in the 2009 Capital Construction Program.

Respectfully submitted

Recommended for Approval



Don J. Elliott, P. Eng.
Director of Engineering Services



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

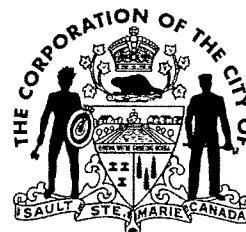
RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

RECONSTRUCTION PLAN FOR CONNECTING LINKS REVOKED IN 2006

August, 2006				
PROGRAM YEAR	STREET NAME	FROM	TO	COMMENTS
2007	Lyons Ave.	Korah Rd.	Wellington St.	Considered a candidate for mill and overlay or cold in place asphalt recycling, further review required. Review granular depths and condition of sewers.
	Trunk Rd.	Lake St.	Black Rd	Considered a candidate for mill and overlay or cold in place asphalt recycling, further review required. Review granular depths and condition of sewers. Add fifth lane where required.
	Trunk Rd.	Wellington St.	Lake St.	Considered a candidate for mill and overlay or cold in place asphalt recycling, further review required. Review granular depths and condition of sewers. Add fifth lane where required.
	Wellington St.	Church St.	Trunk Rd.	Design for reconstruction
	Wellington St.	East St.	Church St.	Design for reconstruction
2008 & beyond	Wellington St.	Church St.	Trunk Rd.	Full reconstruction
	Wellington St.	East St.	Church St.	Full reconstruction
	Huron St.	Cathcart St.	Queen St.	Full Reconstruction - preliminary design is complete
	Queen St.	Pim St.	Church St.	Resurfacing required - possible reconstruction together with Queen from Church to Simpson
	Cathcart St.	Gore St.	Huron St.	Reconstruction, MTO identifies pavement rehabilitation, City to review needs and confirm.
	Huron St.	Cathcart St.	Wellington St.	Resurfacing required - possible reconstruction
	Wellington St.	East St.	Gore St.	May need resurfacing
Other links revoked	Bay St.	Tancred St.	Elgin St.	No needs identified by the MTO, City wanted to review granulars, curbs, s-walks and drainage.
	Bay St.	Elgin St.	East St.	No needs identified by the MTO, City wanted to review granulars, curbs, s-walks and drainage.
	Bay St.	East St.	Queen St.	No needs identified by the MTO, City wanted to review granulars, curbs, s-walks and drainage.
	Bay St.	Queen St.	Tancred St.	No needs identified
	Wellington St.	Huron St.	Hudson St.	No needs identified
	Wellington St.	Lyon's Ave.	Hudson St.	No needs identified
	Korah Rd.	Second Line	Lyons Ave.	No needs identified
	Church St.	Queen St.	Wellington St.	No needs identified
	Second Line	John St.	Korah Rd.	No needs identified

6(3)(a)



2007 11 13

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Application No. A-19-07-Z.OP – filed by Frank Fata.

SUBJECT PROPERTY:

Location – Located on the north side of Second Line West, approximately 335m (1,099') west of its intersection with People's Road. Civic No. 92 & 100 Second Line West. Zone Map 1-91.

Size – Approximately 39m (128') frontage x 131m (429.8') depth; 0.51 ha (1.26 acres).

Present Use – Vacant building.

Owner – Frank Fata.

Comments

On October 29, 2007, City Council approved in principle, Application No. A-19-07-Z.OP, to permit a contractor's yard at 92/100 Second Line West, subject to 'appropriate conditions'.

Aimed at minimizing the off-site impacts of the contractor's yard, the conditions outlined in this report are shown on the attached Site Plan proposed by City staff. Most of the conditions specific to this development can be implemented and enforced through Site Plan Control, which already exists on the subject property.

The following documents are attached to this report:

1. Pictures of the subject property – Taken on November 5, 2007.
2. Pending Work Order – Issued by the City's Building Division in June 2007, the work order requires a number of repairs to the soffit, fascia, roof, and stucco siding.
3. Existing Site Plan – Drafted in 1977 for the funeral home, the most recent revision to this site plan was June 2002 (Paintball Facility). It is important to note that the proposed hedgerow along the west lot line does not exist.

4. Site Plan proposed by Applicant – Includes some fencing between the building and west lot line in order to visually screen the outdoor storage area from Second Line West.
5. Site Plan proposed by City Staff – Includes fencing around the entire use and increased landscaping.

Fencing

Visually solid wood fencing at least 1.8m (6') high shall surround the entire compound area, which represents the outdoor storage aspect of the use. No outdoor storage will be permitted beyond the compound area. A visually solid wood fence at least 1.8m (6') high shall also be constructed along the west lot line, commencing from 4.5m north from the front lot line, and connecting with the fence surrounding the 'Compound Area'. The fencing will act as a visual screen from the residential properties surrounding the subject property. The fencing has also been designed to provide screening from Second Line West.

It is important to note that the proposed fencing is in accordance with Section 4.9 of Zoning By-law 2005-150, which requires a 1.8m visually solid fence, wherever a non-residential zone abuts a residential zone. In this case, residential zones abut the property to the west and north. If Council wishes to reduce the proposed fencing along the west and north edges of the use, an amendment to Section 4.9 of the Zoning By-law will be required.

It should be noted that outdoor storage is not permitted in this zone with the exception of vehicles and equipment used in construction with the contractor's operations.

Landscaping

There are landscaped areas in front of the existing building; however, they have not been maintained for some time. It is important to provide an aesthetically pleasing streetscape along Second Line, which is the western 'gateway' into the community. The Zoning By-law requires a minimum of 50% of the required front yard to be landscaped. Site Plan Control will be utilized to ensure that sufficient landscaping is provided.

Access

The site plan attached proposes a second access driveway to the rear of the property, along the eastern lot line. The access would be approximately 5.2m (17') wide, and will require PWT approval, as well as a new curb cut onto Second Line West. There will also be a fence/gate located between the eastern wall of the subject property, and eastern lot line. The applicant and his easterly neighbour have been in discussions to continue this fence to the north-western

corner of 88 Second Line West. This fencing is a welcome addition, as it will further screen the rear of 92/100 and 88 Second Line West, which has substantial outdoor storage at the rear of the property.

The 2 entrances and fencing will separate the contractor's yard from the remainder of lot, as well as the residentially zoned properties to the west.

Rezoning the Rear Portion of the Property from Commercial to Residential

The rear 46.2m of the subject property is presently zoned General Commercial (C4), although it remains designated Residential on Land Use Schedule C of the Official Plan. Surrounded on 3 sides by residential zones, the use of this portion of the lot for commercial purposes, and more specifically a contractor's yard is inappropriate. A condition of final approval of this application should include the rezoning of this portion from commercial to residential. Although there is no immediate residential development potential, the rezoning will clearly prohibit any future commercial expansions and is consistent with the zoning on the abutting properties.

Pending Work Order

There is a pending work order to fix the existing building on the site. The building is structurally sound; however exterior repairs to the stucco, roof, soffit, and fascia are required. Some work has commenced upon the soffit, however at this point the work order remains incomplete. The completion of the work order, to the satisfaction of the Chief Building Official will be required prior to the issuance of a final occupancy permit.

SUMMARY

Experience has shown that Contractor's yards tend to become unsightly. Even though a contracting business may not be expanding, refuse and building materials tend to pile up over time. If and when the Contracting business expands, the issue gets even worse. The subject property is large enough to support a sufficiently sized operation. Given the size of the property, the surrounding residential land uses, and Second Line West as a 'gateway' into the community, care must be taken to minimize off-site impacts.

Minimum distance separations and setbacks are generally utilized to minimize impacts such as noise dust and odour. In this case, sufficient setbacks and minimum distance separations cannot be achieved. The most suitable way to minimize impacts, especially the aesthetic or visual impact, is through visually solid fencing, landscaping, and rezoning the rear portion to expressly prohibit any expansion of the Contractor's Yard.

6(6)(a)

Given the outstanding work order on this property, City Council may wish to defer finalizing the zoning until the conditions of the work order have been complied with.

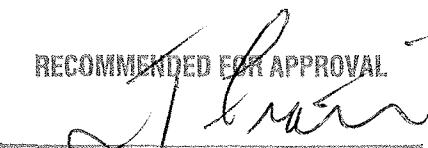
Should City Council approve the application, the following resolution is proposed.

Proposed Resolution – That City Council approve the application to permit a Contractor's Yard as an additional permitted use to the C4 (General Commercial) Zoning subject the following conditions:

1. Official Plan Amendment - The approval of Official Plan Amendment 130.
2. Rezoning - That the rear 46.5m (152.43') of the subject property be rezoned from General Commercial (C4) Zone, to Single Detached Residential (R2).
3. Fencing - That a minimum 1.82m (6') visually solid fence be constructed;
 - a. To completely surround the portion of the property described as the 'Compound Area'.
 - b. Along the west lot line, commencing from a distance of approximately 4.5m (14.76') back from the front lot line, and extending to within 46.5m (152.43') of the rear lot line.
4. Landscaping – That a minimum of 50% of the required front yard be landscaped.
5. Pending Work Order - That the applicant complete all work to the existing building, as per the pending work order, to the satisfaction of the Chief Building Official.

PT/pms

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

92/100 Second Line West



6(6)(a)

92/100 Second Line West



66(a)

6(6)(a)

BUILDING DIVISION

IN THE MATTER OF THE BUILDING CODE ACT, S.O. 1992,C.23,
Subsection 15.2(2), as amended;

AND IN THE MATTER OF BY-LAW 94-54

of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

O R D E R

Registered Mail

I, Don W. Maki, Chief Building Official of the City of Sault Ste. Marie, in the District of Algoma, Property Standards Officer, in and for the City of Sault Ste. Marie;

DOES HEREBY GIVE NOTICE to FRANK FATA, 235 CHESHIRE ROAD, SAULT STE. MARIE, ON P6C 2W8 that the property more particularly described as

Plan H651 Lot 27 PT 28 29 RCP RP 1R3215 Part 2, City of Sault Ste. Marie, District of Algoma, Civic No. 92 Second Line West,

does not comply with the standards prescribed in By-law No. 94-54, as amended, passed by the Council of the Corporation of the City of Sault Ste. Marie;

DO THEREFORE REQUIRE that on or before JUNE 29, 2007, (a) repair and paint exterior stucco to match existing – section 4.6.4 By-law 94-54, (b) paint and repair all exterior soffit, sections 4.6.3 & 4.6.4 By-law 94-54, (c) paint and repair all exterior fascia board, sections 4.6.3 & 4.6.4. By-law 94-54, (d) replace roofing to make leak proof, section 4.8.1. By-law 94-54 in accordance with Section 4.1.2 of By-law 94-54.

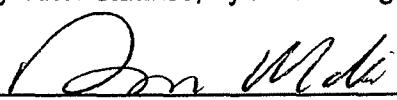
YOU ARE HEREBY FURTHER ADVISED that By-law No. 94-54, as amended, provides that if such order(s) are not done within the specified time limit the owner of the residential property is guilty of an offense and is liable upon summary conviction to a fine of not more than \$25,000 or \$50,000 for Corporations, exclusive of costs.

YOU ARE HEREBY GIVEN NOTICE that in addition to any other remedy and to any penalty imposed under this By-law, as amended, where any person who is in default in doing any matter or thing directed or ordered to be done pursuant to this By-law, as amended, the municipality can undertake to carry out the repair, demolition, clearance etc. at the expense of the property owner, to be recovered in like manner as municipal taxes in accordance with subsection 15(9) and/or issue a further order prohibiting the occupancy of the building in accordance with section 15(5)(a) and (b).

YOU ARE HEREBY FURTHER GIVEN NOTICE that subsection 15.3(1) of the Building Code Act, as amended reads as follows:

"An owner or occupant who has been served with an order made under subsection 15.2. (2) and who is not satisfied with the terms or conditions of the order may appeal to the committee (Residential Standards Appeal Committee) by sending notice of appeal by registered mail to the secretary of the committee within fourteen (14) days after being served the order." An order that is not appealed within the time referred to in subsection (1) shall be deemed to be confirmed as per subsection 15.3(2)

THE ORDER HEREIN merely recognizes the existing use of the subject property. The Order is not to be taken as an acknowledgment or admission of the legality of the said use, having regard to applicable zoning by-laws nor is the Order to be taken as making any comments on compliance with any other statutes, by-laws or regulations, except as specifically mentioned in the said Order.



Don W. Maki, CBCO
Chief Building Official
Property Standards Officer

DATED AT SAULT STE. MARIE, ONTARIO, on this 4thth day of June 2007.
7632/lk/ds

Additional Property Identifier(s) and/or Other Information

6(6)(a)

SCHEDULE "B" AGREEMENT 77-399

Existing Site Plan

NOT TO SCALE
THIS IS AN IMPERIAL
DRAWING AT A
ONE TO ONE UNIT



NORTH

REVISED: JUNE 14, 2002

FUTURE PROPOSED 66' R.D.W.
AS PER NEIGHBOURHOOD PLAN
TO BE CONVEYED TO CITY
'IF AND WHEN' PERMANENT
DEVELOPMENT OF THE
INTERIOR LAND OCCURS

RESIDENTIAL ZONED LAND

152.43'

63.3' CEDAR TREES

15' GRASSED AREA

OUTDOOR ACTIVITY AREA

MAXIMUM 90' X 130'
18' HIGH REMOVEABLE
SCREEN BARRIER

ACTIVITY AREA MAY BE SITUATED
CLOSER TO REAR WALL OF BUILDING

449.02'

FUTURE PROPOSED 66' R.D.W.
AS PER NEIGHBOURHOOD PLAN
TO BE CONVEYED TO CITY
'IF AND WHEN' PERMANENT
DEVELOPMENT OF THE
INTERIOR LAND OCCURS

134' APPROX

MINIMUM 10' WIDE PLANTED BUFFER AREA

MINIMUM 4' HIGH CONIFEROUS TREES TO BE PLANTED AT 9' INTERVALS

17 PARKING SPACES
MINIMUM 22' VIDE PAVED PARKING AISLE

STORAGE ENCLOSURE

12'

11'

10'

9'

8'

7'

6'

5'

4'

3'

2'

1'

0'

PARTLY GRAVELLED DRIVE

279.75'

30' ACCESS

FUTURE PROPOSED
ROAD WIDENING
TO BE CONVEYED TO CITY
'IF AND WHEN' REQUIRED

92 SECOND LINE WEST

ENDORSSATION
This SITE PLAN AMENDING SCHEDULE "B"
77-399

to AGREEMENT BY-LAW

has been ENDORSED by

D.B. McCONNELL, City Planning Director

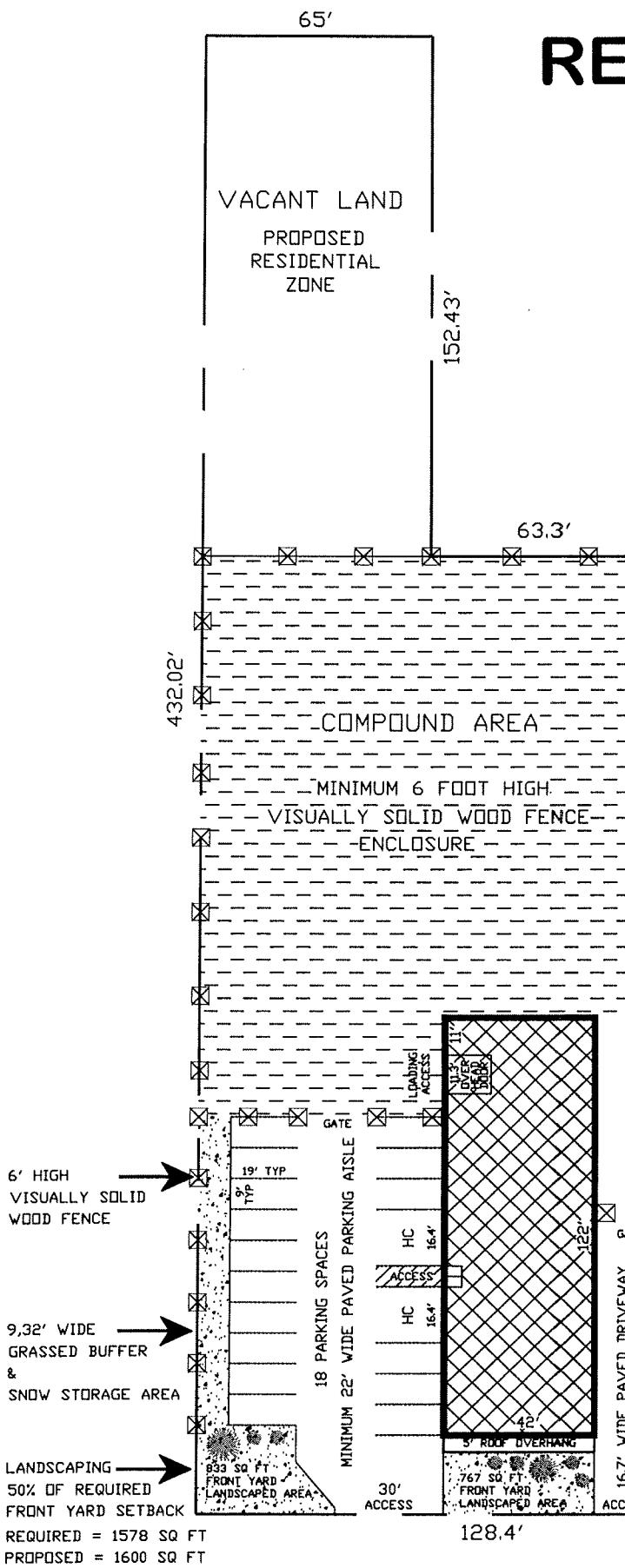
Frank FATA, Subject Property Owner

This 21 Day of June 2002

SITE PLAN for 92 SECOND LINE WEST

6(6)(a)

RECOMMENDED STAFF SITE PLAN PROPOSAL

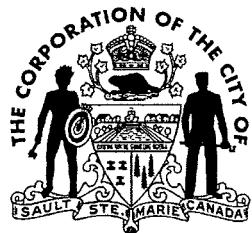


NOT TO SCALE
IMPERIAL SCALE
DRAWN AT ONE TO ONE

NOTE
ACCESS LOCATIONS / SIZES
TO BE VERIFIED

92 SECOND LINE WEST

6(6)(a)



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Application No. A-19-07-Z.OP – filed by Frank Fata.

SUBJECT PROPERTY:

Location – Located on the north side of Second Line West, approximately 335m (1,099') west of its intersection with People's Road. Civic No. 92 & 100 Second Line West. Zone Map 1-91.

Size – Approximately 39m (128') frontage x 131m (429.8') depth; 0.51 ha (1.26 acres).

Present Use – Vacant building.

Owner – Frank Fata.

REQUEST:

The applicant, Frank Fata is requesting a rezoning from "C.4" (General Commercial) zone to "C.4.S" (General Commercial) zone with a Special Exception.

CONSULTATION:

Engineering – No objections.

Building Division – See attached memo.

PUC Services Inc. – See attached letter.

Fire Services – No objection.

Community Services Dept. – No concerns.

Conservation Authority – No objections.

PREVIOUS APPLICATIONS:

Over the years, the property has been subject to a number of rezoning applications. In 1972 the property was rezoned from general business to neighbourhood business. At that time the property was utilized as an automobile sales and repair establishment. In 1976 an application was made to rezone the property back to general business, with a special exception to permit the storage,

wholesale, and retail sale of vinyl and aluminum products, as well as other building materials. While Council approved the application, Planning records indicate that it was never finalized by the applicant, and the property remained zoned local business. Later in 1976, an application was approved to rezone the property back to general business in order to permit a funeral home.

Conformity with the Official Plan – The property is designated “Residential” on Land Use Schedule “C” of the Official Plan. In light of the request to permit a contractor’s yard, an Amendment by way of a notwithstanding clause to the residential policies of the OP is required.

Comments

Over the years there have been a number of uses conducted at 92/100 Second Line West. In the 1950’s, an auto-body shop and wrecking yard conducted business on the site. The applicant also notes that Sam Niro Construction operated a contractor’s yard from the property. City records do not confirm this use. It may have been operated illegally or prior to amalgamation (1967). More recently, an auctioneer’s establishment, the sales, repair and maintenance of automobiles, and a funeral home were operated from the site.

The applicant, Frank Fata, is requesting an Official Plan Amendment and rezoning by way of a Special Exception to permit a contractor’s yard on the subject property. Mr. Fata notes considerable interest in locating a contractor’s yard on the property. The proposed use would consist of the outdoor storage of heavy equipment, with no immediate plans for the outdoor storage of other goods and materials. The building would be utilized for the servicing and repair of equipment associated with the contractor’s yard. The applicant further notes that if granted this request he will be able to secure the funds necessary to fix the building, which is need of repair.

The character of the area is a mixture of commercial and residential land uses. The north side of Second Line, starting at the subject property and heading east to the corner of Peoples Road is zoned General Commercial (C4), however there are a few remaining residential uses within this block. West and north of the subject property is residential, while there is a commercial block on the south side of Second Line, southwest of the subject property. The original intent was to maintain this area as a local or neighbourhood commercial district, to service nearby residents. Second Line West is a busy arterial road, and the imminent commercialization of the area is appropriate.

An industrial use such as a contractor’s yard is not appropriate for the area, given the size of the subject property, and the residential land uses to the west and north. The existing building and the size of the property have the capacity to house a substantial contractor’s yard. While the uses could be limited to a specific area on the property,

6(6)(a)

past experiences with contractor's yards has shown that the outdoor storage component tends to expand over time. Enforcing such limitations is difficult.

The existing buildings are quite close to the travelled portion of the recently widened Second Line right of way. Aesthetically, a contractor's yard in this area is not appropriate. Pushing the operation towards the rear of the property might screen the use from Second Line, but increase the impact upon the residential uses abutting the property to the north. As mentioned earlier, enforcing such site limitations becomes very difficult, especially if the use expands.

Attached to this report, correspondence from Building Division notes that there is a work order posted to fix the exterior of the building on the subject property. Building Division will act on this matter once Council has heard this application. A review of the Building files also notes that there have been some issues with the abutting lot to the east. Ongoing inspections have been initiated in an effort to clean up the property. As such, the immediate area has a history of issues, related specifically to the deteriorating building on the subject property, and the improper and unsightly outdoor storage of goods and materials on surrounding lots. More importantly, there is an ongoing effort from the Building and Planning Divisions to clean up this area. The introduction of a contractor's yard on the subject property would further deteriorate the area. Care must be taken to protect the sensitive nature of the commercial/residential interface.

Planning Director's Recommendation - That City Council:

1. Deny the applicant's request to amend the Official Plan (Amendment No. 130) and rezone the subject property in order to locate a contractor's yard on the subject property.
2. Approve Official Plan Amendment and re-designate the front 85m of the subject property from "Residential" to "Commercial" on Land Use Schedule C of the Official Plan, to be consistent with the existing commercial zoning.

PT/pms

PUBLIC HEARING – 2007 09 24, Council Chambers, Civic Centre

Pat Schinners

From: Don Maki
Sent: August 22, 2007 8:54 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-19--07-Z-OP

Hi Don

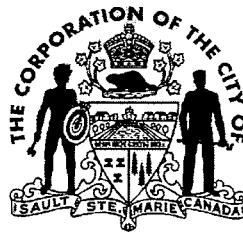
The above noted property has a work order posted to fix up the exterior of the building. The work order is confirmed and the city can initiate the repairs to the exterior. A requisition has been prepared to have the work done.

Don Maki CBCO
Chief Building Official
Building Division
Engineering and Planning
705-759-5399

6(6)(a)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

2007-09-12

SEP 12 2007

Planning Division

Mr. Don McConnell
Planning Director

Dear Don:

**Re: Frank Fata - Application A-19-07-Z.OP
92 and 100 Second Line West**

If your recommendation is to permit a contractor's yard at this property, my suggestion is that the contractor's yard be limited to the northerly portion of the property so that the contractor's yard does not exist right on Second Line West. Contractor's yards tend to get unsightly and it is not the type of appearance that would enhance Second Line in this area.

Yours truly,

A handwritten signature in black ink.

L.A. Bottos
City Solicitor

LAB/lz



765 Queen Street East, P.O. Box 9000
Sault Ste. Marie, Ontario P6A 6P2

66)(a)

August 24, 2007

Donald B. McConnell, RPP
Planning Director
The Corporation of The
City of Sault Ste. Marie
P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

FAXED: (705) 541-7165

Dear Sir:

Re: A-19-07-Z.OP
92 & 100 Second Line West

Premised on Burnside's Area Groundwater Management and Protection Study Report dated June 2003, the subject area appears to be outside the recharge area and capture zones. Accordingly we wish to confirm that we have no objection to the above application but suggest that any storage or handling of toxic substances be adequately managed.

Yours truly,

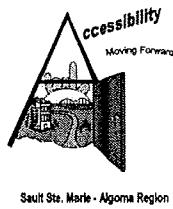
PUC SERVICES INC.

Claudio Stefano

Claudio Stefano, P. Eng. MBA
Manager of Engineering

CS*jf

6(6)(a)



Sault Ste. Marie - Algoma Region

August 30, 2007

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – A-19-07-Z.OP

92 &100 Second Line West

Dear Mr. McConnell

The Accessibility Advisory Committee makes the following recommendations in respect of barriers to access for person with disabilities on the subject rezoning application.

Exterior

1. Parking: Follow Comprehensive Zoning Bylaws for Accessible Parking
2. Walkways & Sidewalks: Make sure path of travel is adequate and safe.
3. Curb Cuts: Utilize as necessary to prevent establishment of barriers
4. Ramping: As necessary for easy access to doors – prevention of barriers.
5. Green space access: As applicable to commercial space
6. Transit Access: Where applicable
7. Lighting: At all entrances
8. Signage: Parking appropriate signage. Any other as required.
9. Other: All Commercial sites should have the same consistency.

Thank you for your attention to these recommendations.

Sincerely,
Catherine Meincke

6(6)(a)

**AMENDMENT NO. 130
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the Official Plan.

LOCATION:

Lots 28 and 29, and part of Lot 27, Plan H651, RP 1R3215, located on the north side of Second Line West, approximately 335m west of its intersection with Peoples Road. Civic No. 92 and 100 Second Line West.

BASIS:

This Amendment is necessary in view of the request to redevelop the property for the storage of vehicles, transportable storage units, and personal storage facilities.

The existing zoning does not match to the Residential policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan re-designating the subject property from "Residential" to "Commercial".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Residential" to "Commercial".

INTERPRETATION

The provisions of the Official Plan as amended from time to time will be applied to this Amendment.

6(6)(a)

FARWELL

CHURCHILL AVENUE

SECOND LINE

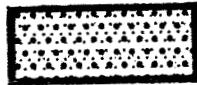
SUBJECT
PROPERTY

WEST

LAURA

PEOPLES ROAD

OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



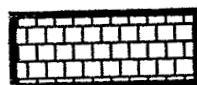
RESIDENTIAL



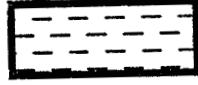
INDUSTRIAL



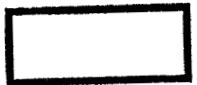
PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 130

Residential to Commercial



2004 ORTHO PHOTO

Metric Scale
1 : 3000

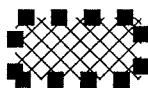
APPLICATION A-19-07-Z-OP

92 Second Line West

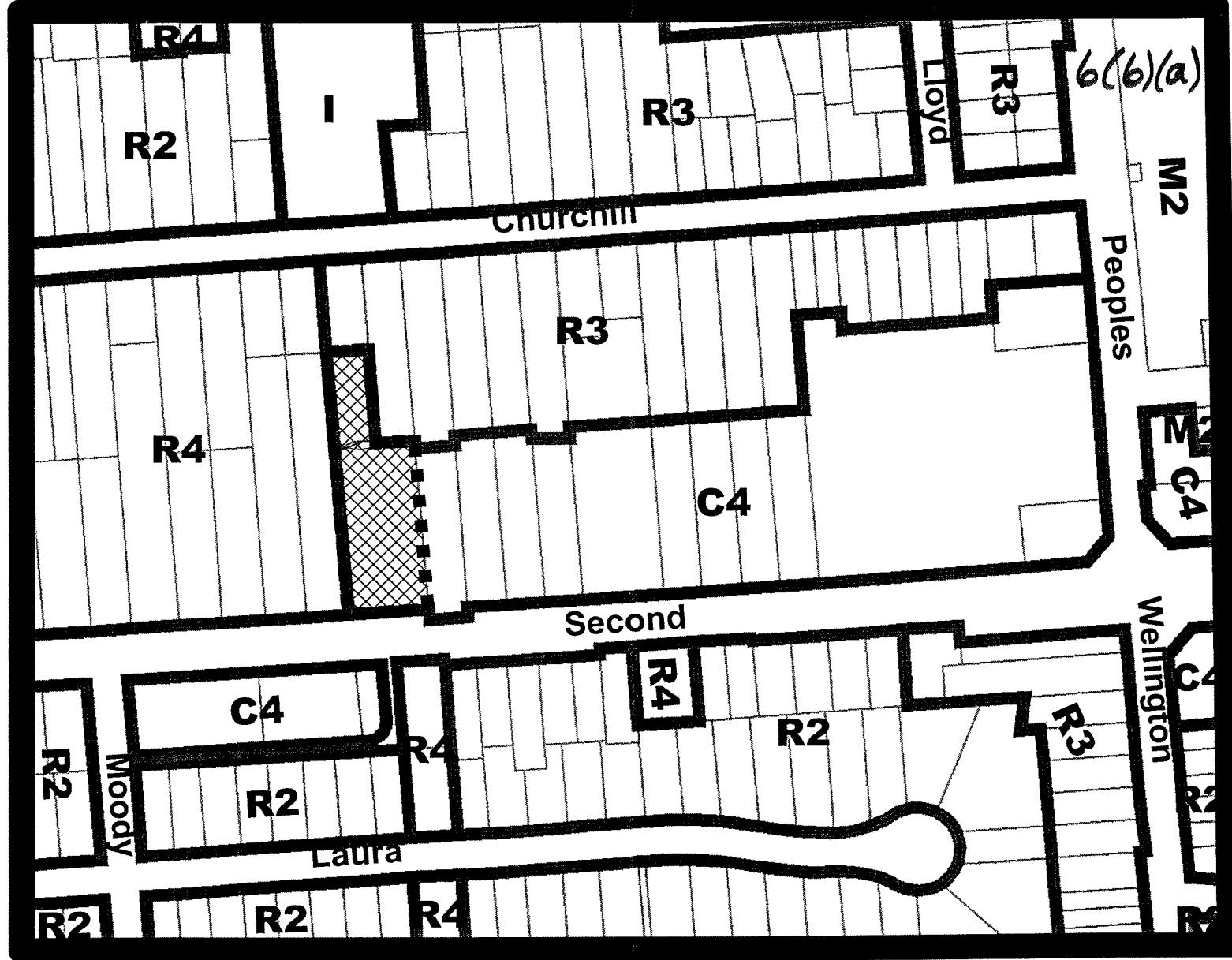


Map 1-91

August 2007



SUBJECT PROPERTY - 92 Second Line W



EXISTING ZONING MAP

APPLICATION A-19-07-Z-OP
92 Second Line West



Metric Scale
1 : 3000

Map 1-91

August 2007



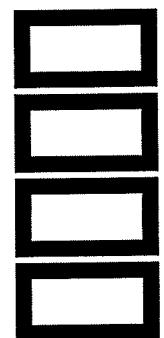
SUBJECT PROPERTY - 92 Second Line W

ZONING



R2

R3



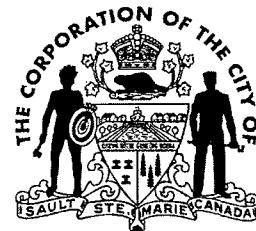
R4

C4

I

PR

6(6)(b)



2007 11 13

REPORT OF THE DOWNTOWN DEVELOPMENT INITIATIVE GRANT EVALUATION COMMITTEE

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Downtown Development Initiative Grants
Program

Background

At the April 16, 2007 City Council meeting, Council approved the Downtown Community Improvement Plan (CIP), which allowed the municipality to provide financial incentive grants to private sector developments. At this meeting Council also approved funding from the City's Economic Diversification Fund in support of the program and authorized City Staff to submit an application to OMAFRA's Rural Economic Development program (RED). Since that meeting, the City successfully secured a \$570,000 grant from RED. There is also close to \$80,000 remaining from the original funding for the Economic Feasibility and Downtown Improvement Study, completed by IBI Group.

As part of the Downtown CIP a number of private sector assistance programs were developed to provide financial incentives for new development in the Downtown. These include grants for building restoration and improvements (BRIG); façade improvements (FIG); project feasibility studies (PFSG); electricity conservation projects (ECMG); a municipal tax rebate program (MTIR); a tax cancellation program for brownfield redevelopment (BPTC); and architectural design assistance (ADAP). A summary of the programs has been provided to members of Council.

The implementation of the Downtown Development Initiative called for the hiring of a project manager to oversee the administration of the program and to champion the initiative and programs to Downtown property and business owners. On October 22, Udo Rauk was hired, on a 2 year contract basis (with

the potential for a third year depending on additional funding) by the Downtown Association, as the Project Manager. Mr. Rauk will be reporting to the Evaluation Committee, chaired by City's Planning Director.

During the fall of this year, staff initiated the first round of application intakes for the financial incentive grant programs. Staff received applications from a number of Downtown properties seeking a variety of financial incentives.

To review these potential grant applications, a Downtown Development Initiative Grant Evaluation Committee was formed, based on the recommendations of the approved CIP. Members of the Committee are as follows:

Chair:

Don McConnell, Planning Director

City Representatives:

Bill Freiburger, Commissioner of Finance

Peter Liepa, City Tax Collector

Don Maki, Chief Building Official

Steve Turco, Planner

PUC:

Randy Johnson, Manager Marketing & Communications

Downtown Association:

Alison Walton, Chair

Candy Mitchell, Past Chair

Applicants

On November 5, 2007, the Downtown Development Initiative Grant Evaluation Committee met to review the financial incentive grant applications. The following applications are recommended for approval:

1. Ministry of Natural Resources Hanger, 59 Church Street
Applicant: The Medical Learners Centre, 1 Pim St.
Funding Request: BRIG, FIG, ECMG

A Non Profit corporation, the Medical Learners Centre is planning to extensively renovate the northerly portion of the original Ministry of Natural Resources hanger into a quality high end living and learning environment for medical students and medical and surgical residents. Also known as SHARP (Student Housing and Recruitment Project), this is an approximately \$2 million dollar project. Attached are the planned interior and exterior works.

The project meets the criteria for building redevelopment, and façade improvement, as well as electricity conservation works. The committee is recommending matching grants of \$15,000, \$7,500 and \$5,000 under each respective program.

2. Blu Bar Restaurant, 624 Bay Street (former Peachy's)
Applicant: Maria Moro Franzisi and Partners
Funding Request: BRIG, FIG, PFSG, ECMG

The applicants have purchased the vacant building on the northwest corner of Bell Avenue and Bay Street. The proposal is to turn the vacant building into a restaurant that has drive thru take out section and seasonal patio services. As part of the improvements, the applicants are proposing major façade improvements that will dramatically improve the appearance of the building. The total project is approximately \$400,000 in value. The applicant is also seeking funding to produce construction drawings in order to move forward on this project, as well as funding to assess measures to conserve electricity. Attached are the planned interior and exterior works.

The project is the redevelopment of a vacant building, and creates additional employment and entertainment opportunities in the Downtown. As well, the owners are experienced restaurateurs and will continue to operate their very successful Franzisi's Restaurant on Bruce St. The committee is recommending matching grants of \$15,000, \$7,500, \$5,000 and \$5,000 under each respective program.

3. City Meat Market, 814 Queen St. E.
Applicant: John & Rosina Bruni
Funding Request: ECMG, ADAP

The owners of City Meat Market are looking to identify ways to save on electricity costs for their store which includes a myriad of freezer units. They will be hiring a consultant to do an energy audit. From the energy audit, they will determine what can be done to save energy. The applicant is also seeking funding to retain an architect to review potential façade improvements for aesthetic and safety improvements as well as entrances and barrier free access. The committee is recommending a matching grant of \$5,000 under the ECMG program and a design assistance grant of up to \$2000.

4. Art Gabriel's Men's Wear, 497 Queen St. E.
Applicant: Chuck Drewitt
Funding Request: ADAP

The applicants are requesting a grant to retain an architect to review the exterior of the building, including the back and front for aesthetics improvements and functionality. As well the applicant would like the architect to assess the potential

of unused interior areas for efficiency and new uses. Once complete, the contemplated works will result in additional staff, improved aesthetics, as possibly new entrances into the building. The committee is recommending a design assistance grant of up to \$2000.

5. Scripture Book and Gift Shop, 492 Queen St. E.
Applicant: Wes and Angela DiPetro
Funding Request: ADAP

The applicants are requesting a grant to retain an architect to review the exterior front and back of the building which is in need of upgrades. The review will include barrier free access into building as well as inside the building which has several elevations in the floor. The architect will also look at vacant space in the basement and back of the building for suggestions as to possible renovations. The committee is recommending a design assistance grant of up to \$2000.

6. Smokey's Patio Bar and BBQ Pit, 658 Queen St. E.
Applicant: Craig Burgess
Funding Request: ADAP

The applicants are requesting a grant to retain an architect to review the front of the former Algoma Theatre to determine restoration feasibility taking into consideration the urban design guidelines developed by IBI. The current owners have invested in significant improvements to create a new entertainment attraction for the City in the form of the largest outdoor patio west of Toronto. The applicants are now seeking advice to address façade works. The committee is recommending a design assistance grant of up to \$2000.

7. Top Hat Billiard Club, 654 Queen St. E.
Applicant: Craig Burgess
Funding Request: ADAP

The applicants are requesting a grant to retain an architect to review the front and back of the building and provide suggestions for renewing the facades. The committee is recommending a design assistance grant of up to \$2000.

Note: For Council's information, Smokey's Patio Bar and Top Hat Billiard Club are adjoining properties owned by the same owner but are separate addresses, and have separate tax bills. It was determined by the Evaluation Committee that each building qualifies for separate grant considerations.

8. Marson Development Limited, 485 Queen St. E.
Applicant: Joe and Pam Martella
Funding Request: ADAP

6(6)(b)

The applicants are requesting a grant to retain an architect to review and suggest design solutions for the building. The building houses 5 commercial tenants including Kwik Kopy and June and Friends Hair Salon which are at street level. The applicant is looking to improve the aesthetics of the building and is seeking professional design assistance. The committee is recommending a design assistance grant of up to \$2000.

SUMMARY

The grant requests received to date is a sign of the initial success of the Downtown Development Initiative sparking new investment into this important area of the community. Some of the critical goals of this initiative are to enhance the built form in the Downtown and to create additional employment and entertainment opportunities which will lead to a more vibrant City centre. The projects proposed meet the criteria set out in the Downtown CIP and are recommended for approval.

With respect to the successful grant applications, the evaluation committee is recommending an expiry date of six (6) months for projects involving feasibility and design work, and one (1) year for construction projects. Applicants will be informed of these timelines in their notice of successful application.

Planning Director's Recommendation - That City Council approve the 8 funding requests described in this report.

SDT/pms

No.	Revisions	Date

TAL-VT
A R C H I T E C T I N C

Ron Tolisso, DAA, MRAC
51 Margaret Street, Sault Ste. Marie, Ontario P6A 6J7
Telephone: (705) 253-6280 Fax: (705) 253-2121
Email: talvt@saultlink.on.ca

Seal

BELL AVENUE

Project No.
0705
Drawing Name
PROPOSED SITE PLAN

Scale	AS NOTED	Date	JUNE 2007
Brown by	RT	Drawing no.	
Checked by	RT		
Approved by			

SK1

CAD File Name: 0705SK1

SITE ANALYSIS:

APPROXIMATE AREA OF SITE:		6,700 SQ.FT.
BUILDING AREA:		
EXISTING	2,404 SQ.FT.	
PROPOSED ADDITION	766 SQ.FT.	
PROPOSED COVERED AREA	83 SQ.FT.	
PROPOSED PATIO	288 SQ.FT.	
CENTRAL COMMERCIAL ZONE (C2)		
SETBACKS:		
FRONT YARD (BAY STREET)	REQUIRED	PROPOSED
INTERIOR SIDE YARD	NONE	NA
REAR YARD	NONE	±16'-3" FT.
EXTERIOR SIDE YARD (BELL AVENUE)	NONE	±26'-5" FT.
		NA

PARKING REQUIREMENTS:

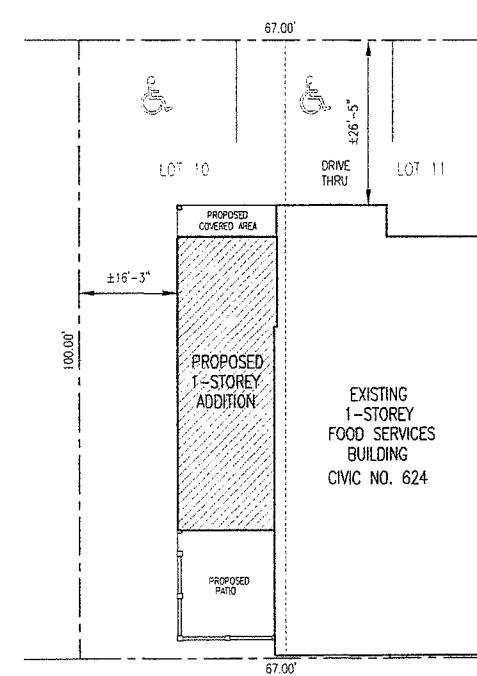
REQUIRED PARKING: FOOD SERVICES	BLDG. CAPACITY	SPACES
2 OF THE 14 SPACES ARE REQUIRED TO BE BARRIER-FREE	138	14
PROPOSED PARKING:		
2 OF THE 14 SPACES ARE PROPOSED TO BE BARRIER-FREE		2
12 PARKING SPACES LOCATED WITHIN 300m OF THE SUBJECT PROPERTY ARE REQUIRED ON NEIGHBOURING LOTS.		

REGISTERED PLAN NUMBER 1779

LOTS 10 & 11 IN THE BELL AND BROWN'S SUBDIVISION IN THE CITY OF SAULT STE. MARIE, DISTRICT OF ALGOA

PROPOSED SITE PLAN ALTERNATE 1

1=20'-0"



BAY STREET

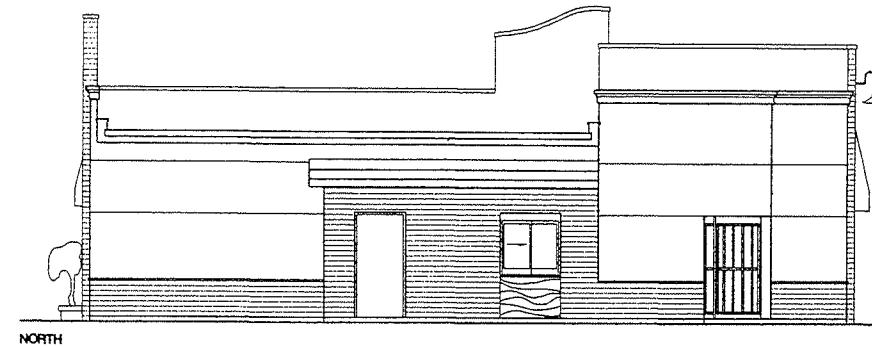
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No.	Revisions	Date

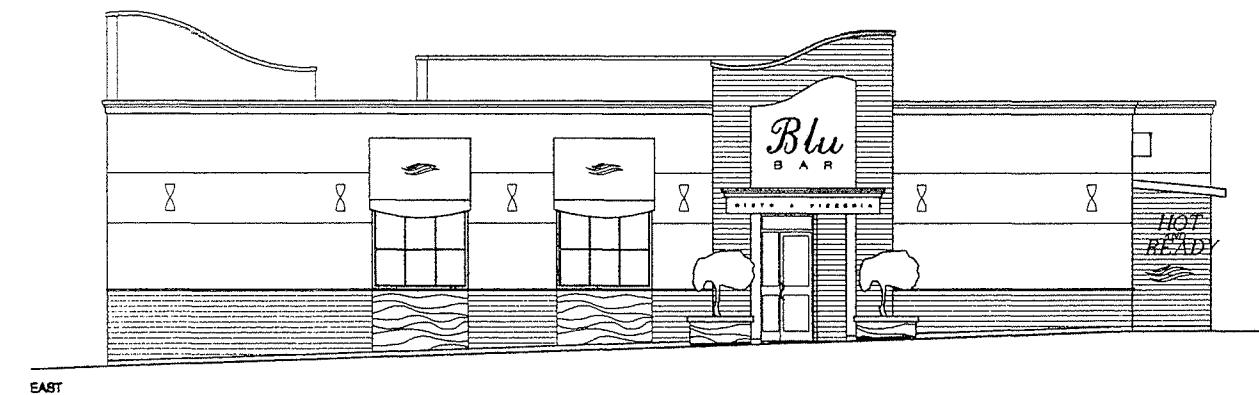
TAL-VT
A R C H I T E C T I N C

Ron Talvitie, OAA, RAIC
51 Margaret Street, Sault Ste. Marie, Ontario P6A 6J7
Telephone (705) 253-0288 Fax (705) 253-2121
Email: talvt@telusplanet.net

Seal



NORTH



EAST

PROPOSED ELEVATIONS ALTERNATE 1
1/8"=1'-0"

Project
BLU BAR RISTO & PIZZERIA

Location
**624 BAY STREET
SAULT STE MARIE, ONTARIO**

Project No.
0706
Drawing Name
PROPOSED ELEVATIONS

Scale	Date
AS NOTED	SEPTEMBER 2007
Drawn by	Drawing no.
RT	
Checked by	
RT	
Approved by	

CAD File Name: 0705SK4

(9)(9)(9)

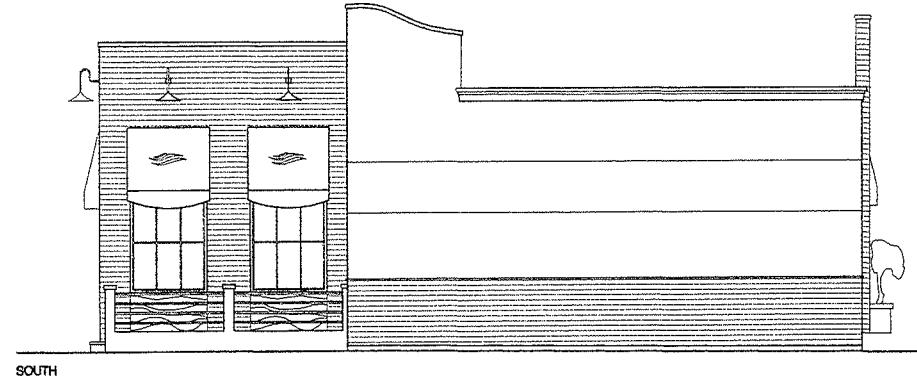
No.	Revisions	Date

TAL-VT

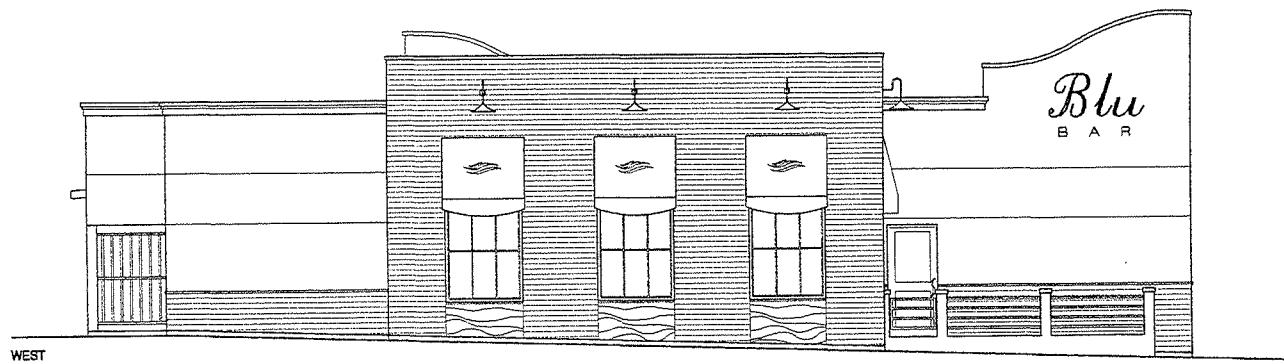
ARCHITECT INC

Ron Talvitie, OAA, NRAC
51 Margaret Street, Sault Ste Marie, Ontario P6A 6J7
Telephone (705) 253-4580 Fax (705) 253-2121
Email: talvt@rogers.com

Seal



SOUTH



WEST

PROPOSED ELEVATIONS

1/8"=1'-0"

ALTERNATE 1

Project
BLU BAR RISTO & PIZZERIA

Location
**624 BAY STREET
SAULT STE. MARIE, ONTARIO**

Project No.
0705

Drawing Name

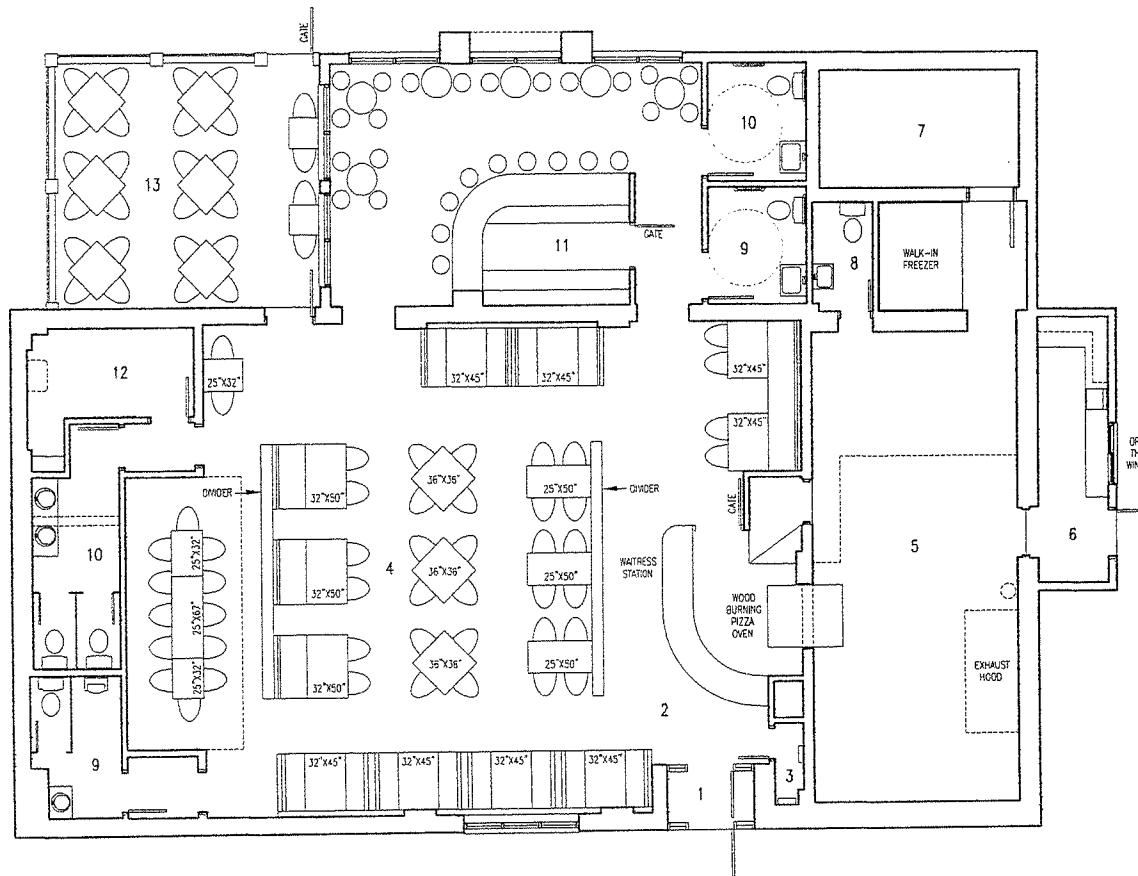
PROPOSED ELEVATIONS

Scale	AS NOTED	Date
		SEPTEMBER 2007
Drawn by		Drawing no.
	RT	
Checked by		
	RT	
Approved by		

CAD File Name: 0705SK4

SK4

6(6)(6)



PROPOSED FIRST FLOOR PLAN

1/8"=1'-0"

ALTERNATE 1

EXISTING BUILDING AREA
AREA OF ADDITION (EXCLUDING PATIO)
TOTAL BUILDING AREA

2,383 s.f.
794 s.f.
3,177 s.f.

1	VESTIBULE	
2	GREETING AREA	
3	ELECTRICAL ROOM	
4	DINING ROOM (82 SEATS)	31'2"x35'0"
5	KITCHEN	13'8"x30'7"
6	TAKE-OUT/STORAGE	4'8"x17'2"
7	WALK-IN COOLER	7'6"x13'4"
8	SERVICE WASHROOM	
9	MENS WASHROOM	
10	WOMENS WASHROOM	
11	BAR (27 SEATS)	15'4"x24'7"
12	OFFICE	5'9"x11'0"
13	PATIO (28 SEATS)	15'5"x17'5"

No.	Revisions	Date

TAL-VT
ARCHITECT INC

Ron Tavelic, OAM, RAIC
51 Margaret Street, Sault Ste Marie, Ontario, P6A 6J7
Telephone (705) 253-8580 Fax (705) 253-2121
Email: talvt@nsn.com

Seal

Project
BLU BAR RISTO & PIZZERIA

Location
**624 BAY STREET
SAULT STE MARIE, ONTARIO**

Project No.
0705

Drawing Name
PROPOSED FIRST FLOOR PLAN

Scale
AS NOTED

Date
MAY 2007

Drawn by
RT

Checked by
RT

Approved by
SK2

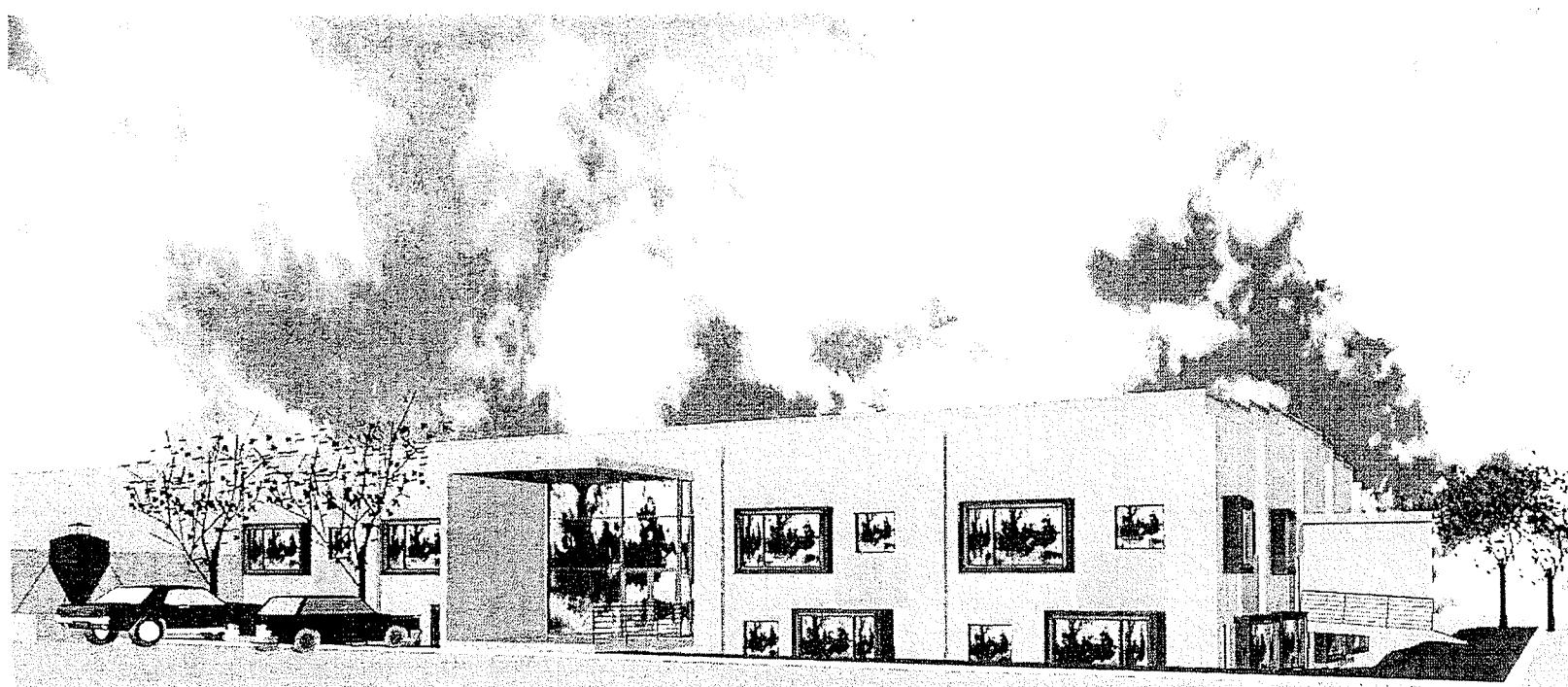
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6/16/07



SHARP
apartments

6(6)(b)



(9)(7)(6)

david ELLIS
architect

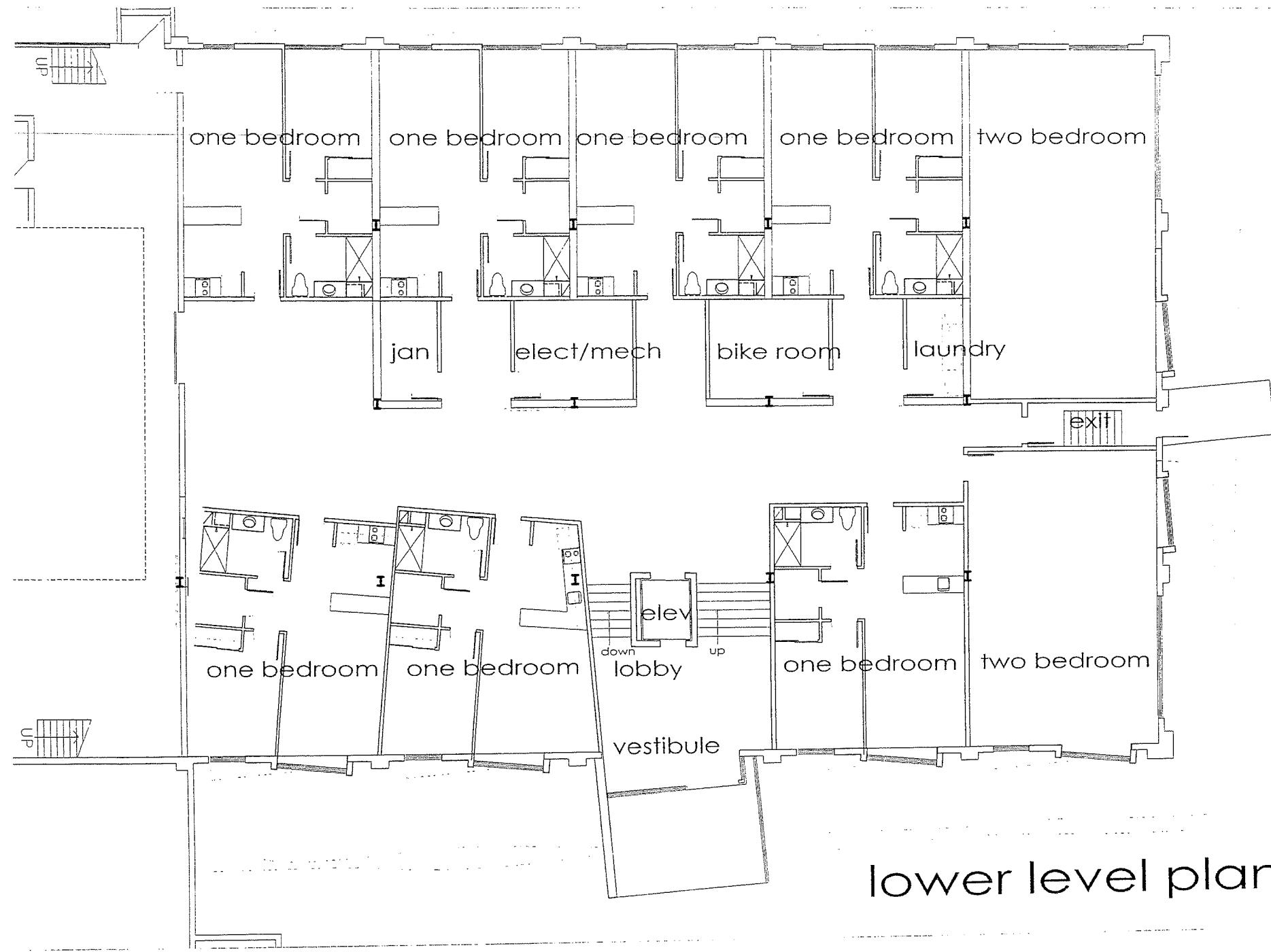
SHARP residences
sault ste. marie

conceptual
lower level
floor plan
0712

(9)(979)

lower level plan

sk-1



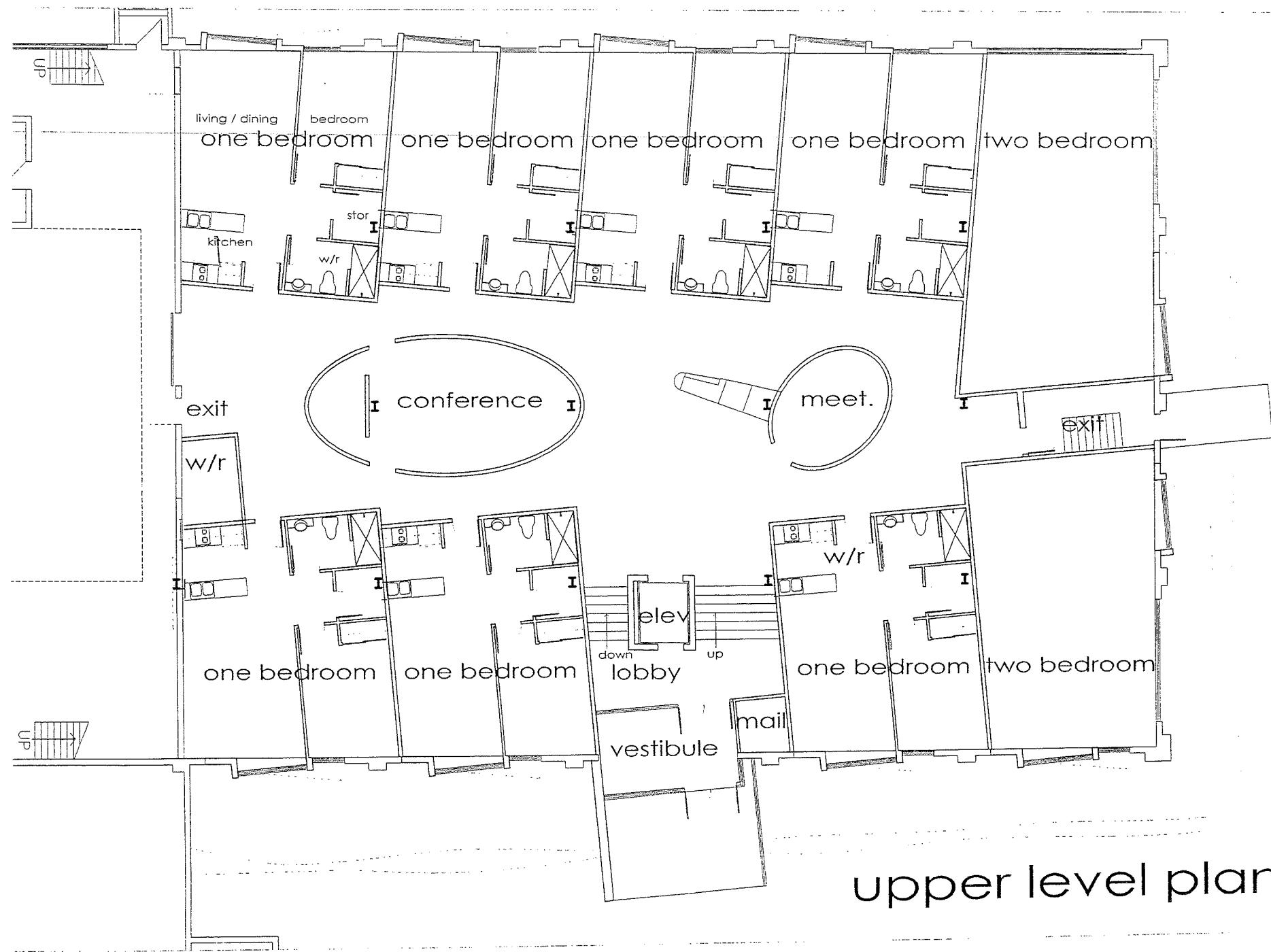
david ELLIS
architect

SHARP residences
sault site. marie

conceptual
upper level
floor plan
0712

(9)(9)(9)

upper level plan sk-2





Sault Ste. Marie
ECONOMIC
DEVELOPMENT
CORPORATION



DEVELOPMENT
Sault Ste. Marie
a division of the SSMEDC



ENTERPRISE
CENTRE
Sault Ste. Marie
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TOURISM
Sault Ste. Marie
a division of the SSMEDC

October 29, 2007

Mayor John Rowswell and
Members of City Council

Re: Science Enterprise Algoma (seA) – Application to EDF
Invasive Species Research Institute (ISRI) – Securing Partnership Agreements

The Sault Ste. Marie Economic Development Corporation received an application from Science Enterprise Algoma (seA) requesting City Council's support of \$35,000 from the EDF to focus on securing federal support for the Invasive Species Research Institute (ISRI). City Council has received a copy of the ISRI Study and Business Plan (attached Executive Summary).

The Sault Ste. Marie Economic Development Corporation Board of Directors received a presentation from Errol Caldwell, Executive Director of seA and passed a resolution (see attached SSMEDC Resolution – October 1, 2007) in support of seA's request.

CEO Review of Application

The CEO used the proposed 2007 criteria for the EDF in his review of the seA application.

Benefits (Key Performance Targets)

In reviewing the application, all three Key Performance Targets will be met (e.g., Job Creation, Increased Tax Base, and Strategic Projects). The successful securing of federal and provincial support will solidify this project. The implementation of the ISRI will result in a new research facility in the Sault estimated at \$10 million, with an annual operating cost of \$10 million per year that would support 56 positions. This will enhance scientific capabilities in the Sault and will be a solid addition in supporting Algoma University's future strategy as a fully independent university. This supports Destiny Sault Ste. Marie's strategic focus on science and technology. Destiny SSM supports this request from the City's EDF.

Although the applicant has identified no potential for tax assessment for the City, this needs to be reviewed as to possible transfer grants or other applicable revenues that would be received by the City of Sault Ste. Marie. This will depend upon the ultimate ownership of the facility.



Risk Management

All three levels of government have been supportive of this project. The City has been a lead champion in providing the first contributions to this initiative and it has been supported financially from the Province and Federal governments to complete the IRIS study and business plan.

Presently, the Liberal government has identified establishing the ISRI in the Sault as a key election platform. MNR staff has been key players in supporting this project. The Federal Government has identified Invasive Species as a significant threat to our Canadian forests and has participated in this initiative to date. It is critical to secure the Federal Government as a partner in the matching contribution with the Province for the Sault Ste. Marie Centre. The next steps with the Federal Government will be critical in achieving success on this initiative.

Science Enterprise Algoma operations are financed through memberships and project specific dollars. Mr. Caldwell's arrangement for salary coverage by NRCan will end on December 31st, 2007. Mr. Caldwell has been championing this project with the federal and provincial governments and therefore the request for project financing to cover his contract, travel, and misc. costs for this specific project projected to the end of June 2008.

EDF Balance

The CEO has confirmed with Mr. Bill Freiburger, there is a balance of \$39,500 in the EDF 2007, sufficient to cover the request of \$35,000 for sEA.

Recommendation

1. The SSMEDC recommends that City Council support this initiative and recommends this application for funding from the City's Economic Development Fund 2007.
2. The SSMEDC recommends that sEA would report to City Council on a quarterly basis and that a full report would be presented to City Council in July 2008 or sooner if this project is successfully expedited.

This report and the attached correspondence are submitted for council's approval.

Respectfully submitted,



D. Bruce Strapp
CEO

Cc: Errol Caldwell, Executive Director, sEA
Don McConnell, Director of Planning, City of SSM

attachment(s)

RECOMMENDED FOR APPROVAL

 Joseph M. Fratesi
Chief Administrative Officer

Application for Funding from the Sault Ste Marie Economic Development Fund

1.0 APPLICANT INFORMATION:

Legal Name of business/organization

Sault Ste Marie Economic Development Corp. for Science Enterprise Algoma
 1219 Queen St. E.
 Sault Ste Marie ON P6B 2E5

Names of Officers, Directors & Principals

- Canadian Forestry Service – Dr. Ted Van Lunen, Acting Director General, Great Lakes Forestry Centre
- Ontario Ministry of Natural resources – Mr. Fraser Dunn, Director of Applied Research and Development Branch, located at the Ontario Forest Research Institute (OFRI)
- City of Sault Ste Marie – Mr. Don McConnell, City Planner
- St. Mary's Paper – Mr. Marc Dubé, External Affairs Manager (seA Chair)
- Bio Forest Technologies Inc. – Mr. Craig Howard, President
- Dr. Murray McLaughlin, Canadian Light Source, Saskatoon
- Algoma University – Dr. Celia Ross, President
- Sault College – Colin Kirkwood, Dean Technology and Natural resources
- Group Health Centre – Mr. Greg Punch, Director of Corporate Development
- Mr. Errol Caldwell, Executive Director.

1.1 History of the Organization/Association

Science Enterprise Algoma (seA) is a science economic development organization centered in Sault Ste Marie. It was formed in 2004 with the objective of developing an enhanced natural resources and life sciences infrastructure (Science Park) and economic development opportunities based on the commercialization of research and innovation opportunities originating out of Sault Ste. Marie's science community. The Sault Ste Marie EDC acts as a corporate sponsor for seA through a Memorandum of Understanding and provides corporate support services such as financial/accounting, legal and administrative support. SeA's Executive Director, Mr. Errol Caldwell, is on full time special assignment from the Great lakes Forestry Centre until 28 December 2007 after which other sources of funding will be required. SeA currently has one other contract staff position for office coordination and client relations – communications. Approval has been obtained for several Youth Internships via FedNor and/or NOHFC. Office space is currently provided as an in-kind contribution from the Great Lakes Forestry Centre at 1219 Queen St. E. in Sault Ste Marie. A seA business plan was developed in September 2005.

1.2 Organization Mandate

VISION

To enhance science based economic development in the Algoma Region and Northern Ontario through natural resources and life sciences.

MISSION

seA supports employment and economic growth through commercialization of research results, strengthened community infrastructure and enhancements to science education

SeA enhances community efforts with federal, provincial and municipal governments, private industry, academia and not for profit organizations to build upon existing capacity for science infrastructure and in the commercialization and application of research and innovation based on natural resource sustainability and life sciences. Through partnership arrangements, seA is pursuing marketing and business development skills that will be needed to facilitate the application and commercialization of research and innovation. One example of seA's activities in this area is the recent report on intellectual property awareness and capabilities in the region produced by Gowling Lafleur Henderson LLP.

Sea has led advancement of science applications and capacity building that benefits the broader region of Northern Ontario. A specific example is through Mr. Caldwell's role as a founding member and now Board Director with Innovation Initiatives Ontario North (IION). In addition to this management committee role, seA has a lead role in the delivery of the bioproduct sector component of the pan-northern IION program and was instrumental in a recent provincial funding decision for a Bioprospecting Research Chair located at Algoma University. Pertinent to this EDF request for funding is seA's role in leading a proposal to establish an Invasive Species Research Institute to create infrastructure (\$10.8 million) and add 56 positions for ongoing operations (\$10 million annually) of the institute as part of a larger Biosciences and Technology Convergence Centre associated with Algoma University independence and expansion.

1.3 Key Contact for Initiative

Executive Director – Mr. Caldwell has over 21 years experience in management of research projects within the Great Lakes Forestry Centre and also at a national level. He was founding Chair of the Ontario Federal Council Science Committee and has received several national awards for his efforts in science awareness, capacity building and youth outreach. He was the lead individual and also co-chair for the Youth Science Forum held in Sault Ste Marie in April 2005 and was a leading force behind establishment of IION and local bio-based business efforts. As a research director at GLFC he worked closely with a number of organizations to facilitate research and science advice relating to forest pests including invasive species.

1.4 Contributing Partners

The Great Lakes Forestry Centre of the Canadian Forest Service of Natural Resources Canada has played the lead and coordinating role in seA's formation. Other participating organizations have provided financial and/or in-kind contributions to the consultants' reports as well as other project specific funding requirements. Contributing organizations for the ISRI project currently include:

Natural Resources Canada – Great Lakes Forestry Centre
 Department of Fisheries and Oceans
 Ontario Ministry of Natural Resources
 City of Sault Ste Marie
 Algoma University College
 Canadian Food Inspection Agency
 Environment Canada

1.5 References

Jody Rebek-DiCerbo Director Destiny Sault Ste Marie
 Tom Vair, Executive Director SSM Innovation Centre
 Dr. Celia Ross, President Algoma University College
 Marc Dubé, St. Mary's Paper

2.0 Project Information

The focus of this application is further project management activities that are required to obtain funding for establishment of the ISRI.

- **2.1 Project Description:**

Invasives Species Research Institute (ISRI)

seA has been coordinating efforts to establish an Invasive Species Research Institute in Sault Ste Marie. The institute's focus would be research, information management and science advice for forest and aquatic invasive species and invasive plant species.

A business case was completed in 2005 with funding from the City, OMNR and CFS which confirmed the need for a centre to improve management of forest and aquatic invasives.

A new contract was initiated with MKI consultants with support from federal and provincial government departments and the City to further confirm the rationale for a centre and define its objectives, operations, and implementation and resource requirements. This study was completed in August 2007. The MKI report calls for the establishment of an institute located in Sault Ste Marie in association with Algoma University. Funding requirements include \$10.8 million for capital construction and equipment and approximately \$10 million annually per year for operations and salary

of 56 positions.

As a result of the report and as a consequence of previous discussions with the province and elected officials, support for the ISRI has been included as part of the Liberal Northern Ontario Platform. Discussion with federal politicians has generated expression of non partisan support for the proposal from several elected representatives. Next steps will require travel, project related and personnel costs to pursue federal and provincial matching funds for establishment of ISRI.

ISRI will form a major component of Algoma University's expansion plans for a Biosciences and Technology Convergence Centre, along with a Natural Products Technology Institute, business support organizations, private sector incubator and Algoma U. research and teaching facilities. seA has played a key role in these efforts with financial support from the GLFC and other community contributors. Since GLFC will no longer be providing for Mr. Caldwell's salary after 28 December (date of his official retirement from the federal government), new funds will be required to cover the cost of project management salary, travel and other related expenses as an interim measure leading up to formal ISRI funding.

1.1.1. Objectives

To secure funds for further direct costs associated with obtaining approval and funding for the ISRI from provincial, federal and other sources.

1.1.2. Performance targets

Primary performance target is obtaining funding from provincial and federal governments for establishment of ISRI

1.1.3. Impacts and Limitations of Project

Support of the provincial government looks most promising and efforts will be directed to the federal level which is less certain for funding support. Some other jurisdictions might still desire the institute for their own community. There is still lack of strong support from fish and wildlife interests. Results of the provincial election could have an influence on provincial support.

1.1.4. Methodology and timing (including key dates for progress reports and final report to Council)

Funding requested will cover interim project costs from November 2007 to June 2008. In that period, presentations will be made to provincial and federal officials including the Federal Standing Committee on Finance, senior political and departmental staff, special interest groups and others in order to gain support for the implementation of ISRI.

Once funding is confirmed, an interim Board will need to be established, incorporation papers filed and an Executive Director staffed.

Progress can be documented on a quarterly basis.

1.2. Costs and Financing

1.2.1. Detailed project costs

Expenses

Item	Estimate
Salary costs for seA Executive Director and office support	\$32,000
Travel	\$2,500
Misc. costs	\$500
Total	\$35,000

1.2.2. Financing arrangements (e.g., equity, loans, etc.) and funding partners

Additional funding will be sought from Algoma University, Ontario Ministry of Natural Resources and other sources as available, directly related to this ISRI implementation project.

1.2.3. In-kind contributions

The Great Lakes Forestry Centre provides office space, supplies and other general office support for seA.

1.2.4. Balance, Financial Statements, Cash flow projections (historical and projected)

seA was allocated \$25,000 from the 2006 EDF for expenses associated with ISRI and other science park development activities. With the exception of a small free balance, these funds have been spent according to budget.

1.2.5. Demonstrated need for assistance and supporting documentation and applications to other government assistance programs, etc.

Mr. Caldwell's salary will not be covered by the Great Lakes Forestry Centre as of the end of December. Office and communications support will also be required to assist in project delivery. Several trips will be required to meet with federal and provincial officials to seek ISRI funding and also to meet with organizations who might express support for implementation of the institute.

1.3. Economic Benefits

1.3.1. Description of how the project promotes economic growth and diversification

Full implementation of ISRI will create 56 jobs directly and an estimated equivalent number of positions through added value, service requirements, construction and other revenue streams within the community.

1.3.2. Projected job creation

56 direct jobs to be created.

1.3.3. Potential for tax assessment increase

Since ISRI will be associated with Algoma University this is not likely applicable.

1.3.4. Other economic and community benefits

Invasive species cost Canadians approximately \$14 to \$35 billion annually. ISRI activities will improve ability to mitigate these costs and establishment of additional invasive species. The institute will also work with and encourage activities with the academic and private sectors that could lead to commercial applications. The profile of Sault Ste Marie will be greatly enhanced nationally and internationally as a centre of excellence in forest and aquatic invasive research.

1.4. Community Benefits

1.4.1. How the project complements other local initiatives

ISRI is a cornerstone component of the Biosciences and Technology Convergence Centre planned by Algoma University as part of their future strategic direction as a fully independent university. Several private businesses are currently involved in pest management activities and their position will be enhanced by this initiative.

1.4.2. Impact on the community as a whole

Establishment of ISRI will further solidify the strong research capabilities in the Sault with Natural Resources Canada, Ontario Ministry of Natural Resources and Fisheries and Oceans. It will also provide the mechanism for Algoma University to develop its applied biosciences research and educational program.

6(8)(a)



Sault Ste. Marie
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DEVELOPMENT
CORPORATION**



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**ENTERPRISE
CENTRE**
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TOURISM
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a division of the SSMEDC

**SAULT STE. MARIE
ECONOMIC DEVELOPMENT CORPORATION**
Board of Director's Meeting
Monday, October 1, 2007
Russ Ramsay Board Room – Civic Centre
11:30 am

AGENDA ITEM 2.1

science enterprise Algoma's (seA) Application to EDF
re Invasive Species Research Institute

Resolution Number 2007 10 42

Moved by: Ralph Barker

Seconded by: Brady Irwin

Whereas the Economic Development Fund (EDF) was established by City Council to support job creation, and increase new tax assessment through new investment and economic development projects; and

Whereas the funding application for The Invasive Species Research Institute (ISRI) meets all three key performance targets; therefore

Be it resolved to accept and approve the CEO's Report dated 09 24 2007 and recommend this initiative and application to City Council for approval; and

Furthermore recommend that science enterprise Algoma (seA) continue to report to the SSMEDC Board of Directors on a quarterly basis and that a full report is presented to City Council in July 2008 or sooner if this project is expedited. CARRIED.



6(8)(a)



October 10, 2007

Bruce Strapp, CEO
SSM Economic Development Corp.
3rd Floor, 99 Foster Dr.
Sault Ste. Marie, ON P6A 5X6

Re: Science Enterprise Algoma Economic Development Fund Application

Dear Mr. Strapp:

On behalf of Destiny Sault Ste. Marie (SSM), a cooperative initiative of the SSM Economic Development Corporation (EDC), the City of Sault Ste. Marie, the Community Development Corporation of SSM and area, and the SSM Chamber of Commerce, I want to express support for Science Enterprise Algoma's (seA) application to the Economic Development Fund (EDF).

seA is enhancing SSM's life sciences infrastructure while supporting the development of commercialization opportunities based on local research and innovation. The EDF request will be used to assist in the establishment of an Alien Invasive Species Institute (ISRI). A business case was completed in 2005 and a second study was completed in August 2007 to further confirm the rationale for the centre and define its objectives, operations, and implementation and resource requirements. Over the past few years, this project has gained local, regional and provincial government support and it is crucial to continue the process to sustain a credible reputation.

This report calls for the establishment of the institute located in association with Algoma University. The institute will form a major component of Algoma University's expansion plans for a Biosciences and Technology Convergence Centre, which will focus on research of forest and aquatic invasive species. This results in \$10.8 million in construction and \$10 million in annual operating costs, supporting 56 full-time positions.

Since the Great Lakes Forestry Centre will no longer be providing for Mr. Caldwell's salary after December 28, 2007, the request for the cost of project management salary, travel and other related expenses is an interim measure leading up to formal ISRI funding. It is reasonable and important to ensure the continuance of the project at this critical stage. Therefore Destiny SSM fully supports the request to allocate \$35,000 from the EDF to seA.

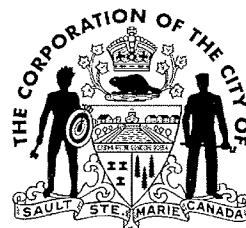
Yours truly,

Jody Rebek
Managing Director

cc Errol Caldwell, seA

99 Foster Drive, 7th Floor, Sault Ste. Marie, Ontario, P6A 5X6
Phone: (705)759.2782 Fax (705) 759.1639
www.destinyssm.com

6(8)(a)



2007 09 24

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Proposed Invasive Species Research Institute

The City has been working with both Federal and Provincial staff to develop an Invasive Species Research Institute (ISRI) in Sault Ste. Marie. The total economic loss from invasive species is estimated at between \$14 and \$35 billion annually in Canada.

Last year, City Council authorized funding for the preparation of an Implementation and Operating Plan for the proposed Institute. Additional funding was provided by the Canadian Food Inspection Agency, Federal Department of Fisheries and Oceans, Ontario Ministry of Natural Resources and science enterprise Algoma.

The report has now been completed and the executive summary is attached. The report confirms a strong rationale for the Institute and support for it to be located in Sault Ste. Marie.

ISRI is envisioned as a non-profit corporation associated with Algoma University, governed by Federal, Provincial, academic and private sector board members, with 56 staff and an operating budget of \$10 million annually. This cost would be shared by the Federal and Provincial governments.

The Provincial Government has already indicated strong support for this approach.

6(8)(a)

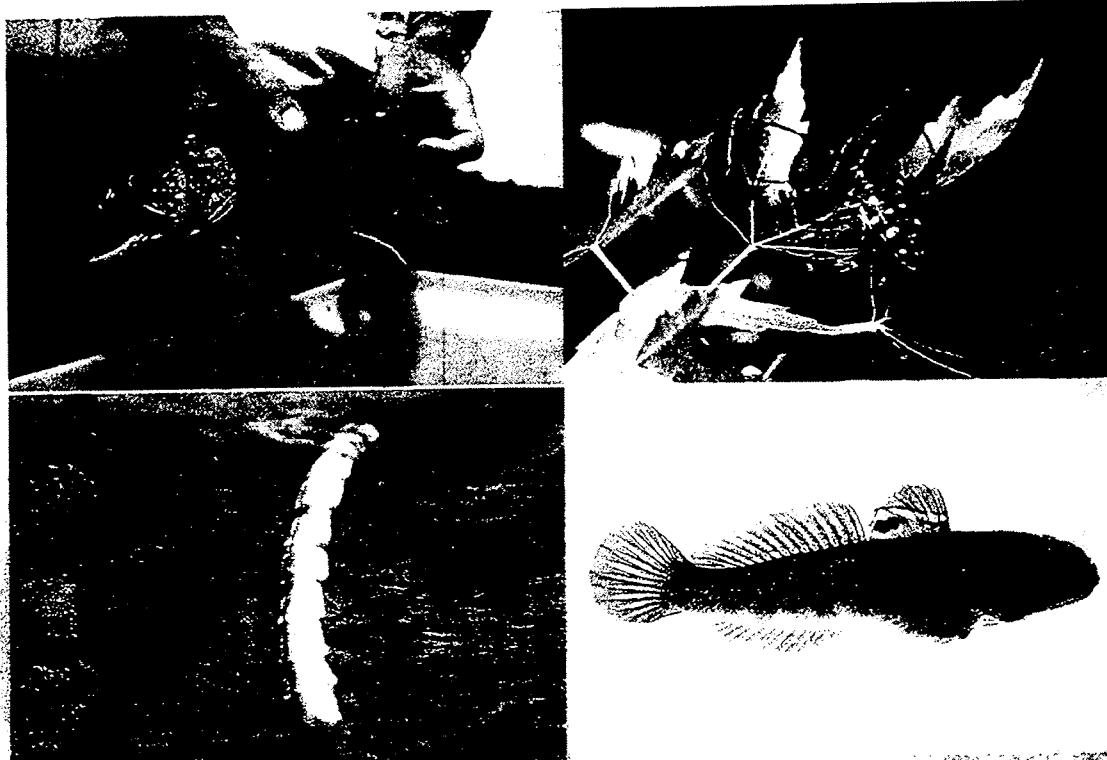
Further discussions and presentations to federal officials are planned over the next few months. Errol Caldwell, Executive Director of science enterprise Algoma will be in attendance at City Council's meeting to summarize the report findings.

Planning Director's Recommendation - That City Council accept this report as information.

DBM/pms

Data\APPL\REPORT\Proposed Invasive Species Research Institute.doc

6(8)(a)

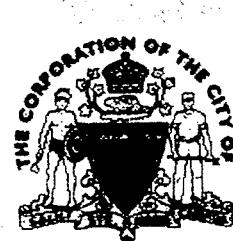


City of Sault Ste. Marie

Implementation & Operating Plan for an Invasive Species Management Centre

Final Report

April 2007





1. Executive Summary

Economic and Ecological Threats from Forest and Aquatic Invasive Species - Biosecurity at Risk

1.1 The Case for an Invasive Species Research Institute

Next to habitat loss, invasive species are the greatest contributor to species extinction and loss of global biodiversity. Factors such as increased global trade and changing climate have profound effects on species distribution outside their normal biological range. The Canadian government provided additional funding to deal with invasive species in 2005. However, there is still a requirement for more resources and improvements in coordination with other organizations if Canada is to adequately address the directions set out in An Invasive Alien Species (IAS) Strategy for Canada (herein referred to as the National Strategy). Additional efforts are required for invasive species research in particular and also to improve information management for improved coordination and emergency response among federal, provincial, municipal governments and other stakeholders. The following facts are pertinent:

- Historical losses from invasive species in Canada average \$7.5 billion annually and the estimated economic costs over the next 5 years ranges between \$13.3 (best case) and \$34.5 billion annually. (Characterized and projected costs of non indigenous species in Canada - Great Lakes Institute for Environmental Research 2004)

- Damage to ecological systems and biodiversity is virtually incalculable. There are numerous examples of native species which have become endangered or under stress due to the ecological impacts of invasive pests e.g. American elm due to Dutch elm disease; American Chestnut due to chestnut blight; butternut decline due to butternut canker; and beech affected by beech bark disease. Native Great Lakes species are threatened due to sea lamprey, zebra mussels and other recent introductions. Invasive plant species such as purple loosestrife have altered large ecosystems.
- Global trade has doubled in 10 years with Ontario being the final destination of approximately 70% of Canadian imports. Most invasive pests arrive in containers with imported goods or are transported in ship ballast or other means of transportation. Less than 1% of these imported goods are inspected. Although phytosanitary requirements have improved considerably, the potential for undiscovered invasive contamination in transported goods remains high.
- There is speculation that, as we experience more global warming, there is potential for more invasives to become established. Climate change has been mentioned as a factor for the unprecedented outbreak of mountain pine beetle in B.C. and an anticipated loss of up to 80% of B.C.'s pine forests by 2013. Although a native insect pest, the



mountain pine beetle is invasive to other Canadian ecosystems and is moving east to other provinces, posing a significant threat to pine species in other provinces.

- * Urban trees are a significant moderator of climate and contribute to reduced carbon emissions. These trees have never been under as much threat as they are now due to invasive diseases and insects like the Asian long horned beetle and emerald ash borer. Costs of tree removal in cities affected by invasive species have skyrocketed. As one example, Windsor has spent over \$2.4 million to date to remove ash trees killed by emerald ash borer. Federal expenditures for the emerald ash borer program in Ontario are \$25 million to date. Toronto estimates that it will cost \$37 million over 5 years to cut and replace trees killed by emerald ash borer once it arrives in the city from SW Ontario. It is estimated that the Asian long horned beetle, if left unchecked, could kill 1.2 billion trees and cause losses of \$669 billion in U.S. cities alone. The Asian long horned beetle is currently under an eradication program in Toronto where approximately 23,000 trees have been cut and chipped. Similarly, the costs of invasive species programs in Halifax (brown spruce longhorned beetle) and B.C. (Asian gypsy moth) have been in the millions.

1.2 Invasive Species Research Institute

The attached implementation and operating plan for the proposed Invasive Species Research Institute (ISRI) was produced by Metropolitan Knowledge International (MKI) on the direction of a steering committee comprised of representatives from the City of Sault Ste. Marie, Destiny Sault Ste. Marie, Science Enterprise Algoma (project lead), the Ontario Ministry of Natural Resources (OMNR), Natural Resources Canada (NRCan) and Fisheries and Oceans Canada. Input was also obtained from the Canadian Food Inspection Agency (CFIA), Environment Canada (EC) and selected stakeholders.

This document makes recommendations for the organizational structure and functions of a not for profit research institute governed by federal, provincial, academic and private sector board members.

The steering committee requested MKI to clearly identify activities of the research institute which would add value to the implementation of the National Strategy, as well as strengthen federal, provincial and municipal roles in addressing issues relating to invasive species that impact forest and aquatic ecosystems. The Institute will provide an opportunity for federal and provincial governments, municipalities, academia and private interests to collaborate on invasive pest research (primary role) and coordinate and consolidate resulting knowledge to maximize value for money, develop and share best practices and provide scientific advice for emergency preparedness and response.

Efforts are currently underway to develop a National Forest Pest Management Strategy for Canada. Invasive species will play a



significant role in the development of this strategy. This is true whether the invaders are alien invasive species imported from other countries e.g. emerald ash borer, or they are native invasive pests which extend their traditional ecological boundaries due to human and/or climate change intervention e.g. mountain pine beetle.

The establishment of an Invasive Species Research Institute will add value to the delivery of action plans for the National Strategy in the following areas:

Research

The Institute will become a focal point for research as one of the key areas identified in the National Strategy. This will be done by:

- Undertaking research on forest invasives, invasive plants and aquatic invasives. Research priorities will be defined through the Board Directors and discussions with other organizations;
- Facilitating coordination and collaborative research with federal, provincial, municipal, academic and other stakeholders for prevention and mitigation of invasive forest pests; and
- Supporting current efforts in research and management of invasive plant species and aquatic invasives.

Research will improve Canada's preparedness for future introductions of targeted invasive species by contributing up-to-date research and associated knowledge, and assisting the province and municipalities in long-term management of invasive pests through research and scientific advice. By helping to protect urban forests

within municipalities we mitigate the potential spread of invasives to larger tracts of natural and commercial forests. Providing a research link to any future National Forest Pest Strategy will improve response times and emergency preparedness.

Infrastructure

The Institute will provide researchers, including international scientists, with access to state-of-the-art research facilities including level 2-3 quarantine facilities and associated laboratories.

As well, the Institute will serve as a location for private sector interests and special interest groups e.g. offices for the proposed Invasive Plant Council of Ontario. Also, a specific space will be allocated to offices and labs for businesses involved with invasive species research and mitigation e.g. pest control technology.

Increasing Resources and Capacity

According to research staff involved in invasives research, current financial and human resources are not sufficient to meet program requirements and staff have been re-assigned from their substantive positions to work in an emergency capacity. The institute will secure incremental resources and staff to reduce current fiscal constraints and staff time demands for invasive pest research and related activities which take a toll on their core programs which often do not include invasive species. This will be accomplished by establishing an institute research capability, as well as managing a research fund for high priority, operationally focused research. ISRI will facilitate access to other sources of research funding that are otherwise not available to government or other partners e.g. through partnerships



with universities and colleges for Canada Foundation for Innovation or NSERC funds.

Knowledge Dissemination

The Institute will be a source of scientific information on invasives for researchers, policy developers, municipalities, importers, other stakeholders and the general public. The purpose will be to make invasive species issues more visible among stakeholders through participation in public outreach activities, such as Environment Canada's Invasive Alien Species Partnership Program (IASPP). The information gathered will also enable the Institute to play a key science advisory role, including a formal role in support of CFIA, to develop science based response plans e.g. Task Force on emergency management.

Training

The Institute will become a focal point for international participants in research, and training in research and management techniques for invasives. It will also establish and maintain a network of first responders who, once trained, can be a first line of defence in the detection of invasives e.g. municipal urban foresters.

1.3 Main Responsibilities

The primary role of the Institute will be in undertaking research within the ISRI and managing research funds directed to external expertise. The Institute will provide support to federal and provincial departments, municipalities, academia, public and private organizations and international collaborators as a centre for excellence in invasive species research and thus will provide associated information regarding forest pests, invasive plants and aquatic invasive species. It is expected that the majority of research and related

activities will be directed to forestry invasives with invasive plant and aquatic invasive activities largely being a support role for ongoing, existing efforts among a number of organizations in this area including Fisheries and Oceans Canada. The roles will focus around research and associated knowledge management in support of the four strategic goals of the National Strategy: prevention, early detection, rapid response and management.

1.4 Organizational Structure

The organization will be formally incorporated as an institute using a not for profit model. It will be jointly funded by federal and provincial governments and core funding agencies. As the Institute matures further funding will accrue from special funding programs through public and private sectors on an individual project basis. The physical infrastructure will be located on Natural Resources Canada and City of Sault Ste. Marie property located in Sault Ste. Marie to maximize the synergies of working relationships with science staff at NRCan and OMNR. Research faculty, including a current Canada Research Chair from Algoma University, will be co-located within the planned infrastructure which will include a state-of-the-art quarantine facility that will be made available to all centre and network participants based on demonstrated need. As the infrastructure for the Institute expands, space will be made available to other scientists and staff of organizations from other locations.

The initial geographic focus of the Institute will be Ontario with a plan to include more of a national focus with the potential future involvement of other provinces and federal facilities located in other regions. Cooperative opportunities with national



and international participants including the U.S. and other countries will be pursued.

The Institute will be governed by a board of directors with three board committees: Research, Information Management and Finance and Audit. Board Directors will represent federal, provincial and municipal organizations, as well as research, academic, private sector and non profit interests. The staffing structure will be phased with the availability of funding and resources. It is estimated that 56 new positions will be required to perform the functions proposed. This figure does not include current staff of local organizations such as the Canadian Forest Service (CFS), Ontario Ministry of Natural Resources (OMNR) or Algoma University who will contribute to the Institute's objectives and use its facilities as members of its network. It will be managed by an executive director who will serve as the overall manager to ensure that all the functions are performed efficiently and effectively. The staff reporting to the executive director will fall into the following categories:

Research

- * To ensure internal research produces the information/knowledge required by the Board and is complementary to research outside the centre;
- * To facilitate research and technology training as required; and
- * To manage a proposal call process for externally sourced research and ensure that the research results are aligned with the research priorities set by the Board.

Information Management

- * To manage communication activities and dissemination of research and science information;
- * To establish and maintain a network of scientists and research organizations;
- * To develop and maintain the science database to ensure that it is complete and up to date.

Quality Assurance

- * To audit the quality of research and information entered into the database to ensure that it is useful and helpful to stakeholders including where certification is required such standards as ISO or Good Laboratory Practices (GLP).

Finance and Administration

- * To manage revenues and expenditures and ensure third party audit;
- * To administer the Institute, its human resources and associated programs, funding programs and activities.

1.5 Institute Location

Although a number of locations could have been considered for the ISRI, the external consultant was directed to build a rationale for locating the facility in Sault Ste. Marie. A number of principles were considered in building this rationale and the recommended location is strongly supported. These considerations include:

- 1) Access to existing research expertise in forest pest management and aquatic invasives management
- * Research centres within NRCan-CFS and OMNR located in Sault Ste.



Marie (SSM) contain significant capacity in Canada with respect to forest invasives research.

- * SSM has a long history of collaborative forestry research among the OMNR, CFS, CFIA, academic faculties, municipalities and other stakeholders, as well as agencies in the U.S. and other countries.
- * Existing researchers in SSM are already familiar with current invasive species threats.
- * This concentration of a strong and existing base of researchers in SSM serves to focus on applied research including risk assessment and building up a national database to catalogue the invasive species likely to enter Ontario.
- * SSM has a long history of managing aquatic invasive species (i.e., sea lamprey) on a long-term basis - a unique qualification and source of expertise.

2) A central location to deal effectively with forest and aquatic invasive issues

- * SSM is centrally located in the Great Lakes where shipping has been an essential activity in the region. SSM is a logical location to extend the research from the lower Great Lakes to the upper Great Lakes. In addition, its proximity to Ann Arbor, Michigan and Duluth, Minnesota presents opportunities for international collaboration. The Institute in SSM can provide the research and scientific knowledge to help shape the bilateral/international regulations.

- * As a major Canadian-U.S. border crossing, SSM has a longstanding relationship and extensive experience in addressing issues related to species crossing international borders.

3) Access to existing infrastructure

- * Property is available adjacent to the existing CFS and OMNR research labs for new construction. Temporary space is available within the Great Lakes Forestry Centre if required to accommodate initial staff needs for the Institute

4) Local community support

- * The Institute has been pursued for a number of years by the City under the lead of Science Enterprise Algoma and with participation of others who are involved in working on invasive species issues from provincial and various federal departments. The values that the centre located in SSM will bring to the implementation of the National Strategy are derived from aligning the expertise and resources currently available in SSM to areas of focus for centre staff.
- * The stakeholders in SSM are motivated and eager to house the Institute as part of a larger Biosciences Centre for sustainable technologies and private sector development. This Biosciences Centre is being planned as part of the future independent Algoma University.



1.6 Financial Considerations

The potential economic and ecological losses associated with invasive species are estimated to be up to \$13 billion, therefore the cost of implementing and operating the Institute provides a significant value.

- Estimate for infrastructure including a state-of-the-art quarantine research facility is \$15 million over a 2-year period beginning April 2008.
- Estimate ongoing operating costs of \$10 million annually, with approximately 35% of this being directed to a competitive research fund for priority, focused research among university, government and private sector applicants. These figures do not include provision for involvement in emergency response. It may be appropriate in this case to allocate additional funds in trust to be used if emergency situations arise.
- Attempts can be made to reduce implementation and operating costs for the facilities via funding programs (academic granting councils, FedNor, NOHFC) and partnerships with private industry and academia including those that might lease space and/or contract services from the centre. Costs of facilities could also be reduced pending funding decisions for the future Biosciences Centre under Algoma University in SSM in which the Institute will be a major tenant.

1.7 Recommendations

- 1) An Invasive Species Research Institute be established with a focus on forestry and aquatic invasive pests, as well as invasive plant species
- 2) The Institute be located in Sault Ste. Marie
- 3) New provincial and federal matching funds be secured to cover capital and operational start up costs and ongoing operations of the Institute including salaries for 56 new positions
- 4) Funding should be established from other sources to eventually reduce (but not eliminate) the need for government grants
- 5) The Institute operate as a not for profit institute associated with Algoma University and their proposed Biosciences Centre
- 6) The Institute be governed by federal, provincial and other stakeholder directors to ensure it maintains a focus for added value to An Invasive Alien Species (IAS) Strategy for Canada and the future National Forest Pest Management Strategy
- 7) The Institute have a regional and international focus for research collaboration, information sharing and training

1.8 Project Steering Committee

Mr. Errol Caldwell, Executive Director, Science Enterprise Algoma

Dr. Taylor Scarr, Provincial Forest Entomologist, OMNR

Dr. Anthony Hopkin, Research Director, Great Lakes Forestry Centre, CFS



Dr. Robert Young, Sea Lamprey Control Centre, DFO

Mr. Don McConnell, City Planner, City of Sault Ste. Marie

Mr. Jamie Caicco, City Councillor, Sault Ste. Marie

Ms. Jody Rebek, Managing Director, Destiny Sault Ste. Marie

Other advisors include representatives from:

- * Natural Resources Canada, CFS
- * Environment Canada
- * Fisheries and Oceans
- * Canadian Food Inspection Agency

Stakeholder Contributors

Please refer to full report appendix

7(b)

Ministry of Health
and Long-Term Care

Ministère de la Santé
et des Soins de longue durée



Sault Ste. Marie Public Health Laboratory Laboratoire de la Santé Publique, Sault Ste. Marie
P.O. 220, 160 McDougall Street C. P. 220, 160 rue McDougall
Sault Ste. Marie ON P6A 5L6 Sault Ste. Marie ON P6A 5L6

Telephone: (705) 254-7132 Téléphone: (705) 254-7132
Facsimile: (705) 945-6873 Télécopieur: (705) 945-6873
Toll Free 1 800 263 0409

October 29, 2007

Mr. Steve Butland
C/o City Hall
99 Foster Drive
Sault Ste Marie ON
P6A 5X6

Dear Mr. Butland:

I am writing to you in my position as Manager of the Ontario Ministry of Health and Long-Term Care's Sault Ste Marie, Public Health Laboratory. We at the Sault Ste Marie Public Health Laboratory were very pleased to learn that Styrofoam could now be recycled at Sault Ste Marie Household Special Waste Facility instead of being sent to the landfill site as garbage. However, we were disappointed to see that the Sault Ste Marie Household Special Waste Facility is now closed for the winter and, therefore, styrofoam cannot be taken there for recycling. We at the Sault Ste Marie Public Health Laboratory generate quite an amount of Styrofoam, especially in the winter months, and have no storage space to keep it until the spring opening of the Sault Ste Marie Household Special Waste Facility. We humbly request that your Committee reconsider the decision to close the Sault Ste Marie Household Special Waste Facility for the winter, or suggest you have other arrangements for the dropping off of styrofoam, please.

Thank you


John H. Jessop, Dip.Bact. M.Sc. RSM (CCM)
Public Health Laboratory
160 McDougall St
Sault Ste Marie, ON P6A 3A8

Cc Randy Roy, The Corp. of the City of Sault Ste Marie Public Works & Transportation

7(b)


McCLELLAND - JOHNSTONE LTD.

669 QUEEN STREET EAST - SAULT STE. MARIE, ONTARIO, CANADA P6A 2A6

TELEPHONE: (705) 942-8110 www.mcclelland-johnstone.ca FAX: (705) 942-4015

October 31, 2007

Steve Butland
99 Foster Drive
Sault Ste. Marie, On P6A 5X6

Dear Steve,

It is my understanding that the hazardous waste depot in the Industrial Park has closed, or will soon close, for the winter months? I bring Styrofoam, batteries, paints and oils there to ensure they will be either recycled or disposed of in an environmentally safe manner. I am also very pleased that, due largely to the Styrofoam collection, this facility reduces the bulk material entering our landfill site, thus extending it's life. When our landfill site eventually does have to close, the expense to our city will be tremendous. Finding another suitable site and preparing it would be enough on it's own, but add the potential, ongoing additional transportation costs should the only site that meets the provincial requirements be several miles out of town, and the problem gets downright scary. We would probably have to give up some other services that we now take for granted in order to be able to afford this basic necessity.

I hope you and council as a whole can find a way to keep our hazardous waste disposal site open year-round. It provides a very valuable service to our community.

Sincerely,



George Johnstone

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2007-194

AGREEMENT: (T.1.2) A by-law to approve the Minutes of Settlement between the City, MPAC and Algoma Tubes Inc. for the 2003, 2004, 2005, 2006 and 2007 tax years.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to the Minutes of Settlement in the form of Schedule "A" hereto dated the 5th day of October, 2007 and made between the City, Municipal Property Assessment Corporation (MPAC) and Algoma Tubes Inc.

2. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

READ THREE TIMES and **PASSED** in open Council this 13th day of November, 2007.

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

(10c)

MEMORANDUM OF AGREEMENT MADE AS OF OCTOBER 5, 2007**BETWEEN:****ALGOMA TUBES INC.****OF THE FIRST PART**

and

MUNICIPAL PROPERTY ASSESSMENT CORPORATION

(hereinafter called "M.P.A.C.")

OF THE SECOND PART

and

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(hereinafter called the "City")

OF THE THIRD PARTY

The parties have agreed to settle section 40 assessment complaints for the 2003 through 2007 taxation years. Those Minutes of Settlement are attached as Schedule "A" hereto.

In addition to resolving the aforesaid complaints, the parties hereto have agreed with respect to certain other matters which are separate and apart from the Minutes and which the parties wish to document in a formal Memorandum of Agreement.

1. Algoma Tubes Inc. and the City understand and agree that M.P.A.C. will issue an omitted assessment effective June 1, 2006 in the amount of \$2,680,000 fully in the commercial CT tax class for the new office building.
2. Algoma Tubes Inc. and the City understand and agree that M.P.A.C. will issue an omitted assessment in the amount of \$2,680,000 fully at the commercial CT tax rate effective January 1, 2007 for the same office building noted in paragraph 1 thereof.

(10c)

2

3. Algoma Tubes Inc. and the City understand that M.P.A.C. will issue omitted assessments in the amount of \$590,000 fully at the IND LT tax rate for rail line with effective dates of January 1, 2005; January 1, 2006; and January 1, 2007.
4. Algoma Tubes Inc. and the City shall have the usual opportunity to file complaints in respect of the assessments noted in paragraphs 1, 2 and 3 hereof should they deem that course of action necessary.
5. It is fully understood by all parties hereto that the omitted assessments referenced herein are not included in the values noted in the Minutes of Settlement attached as Schedule "A" hereto.

Dated at the City of Toronto this day of October, 2007

ALGOMA TUBES INC.

By their counsel Paul R. Cassan
Wishart Law Firm LLP

Dated at the City of Sault Ste. Marie this day of October, 2007

THE CORPORATION OF THE CITY OF SAULT
STE. MARIE

MAYOR - JOHN ROWSWELL

CITY CLERK - DONNA P. IRVING

Dated at the City of Pembroke this day of October, 2007

MUNICIPAL PROPERTY ASSESSMENT
CORPORATION

Per: Dillon Payne
I have authority to bind the Corporation

10(a)

DRAFT

Schedule "A"

ARB File No. BO-47107
Complaint Nos. 1473958, 1632763, 1729171, 1745370,
1825848 & 1930759

ASSESSMENT REVIEW BOARD

IN THE MATTER OF Section 40 of the Assessment Act, R.S.O. 1990,
c. A. 31, as amended;

AND IN THE MATTER OF complaints by James Bowman and Algoma
Tubes Inc. regarding assessments made for the 2003, 2004, 2005,
2006 and 2007 taxation years with respect to premises known
municipally as 547 Wallace Terrace, Sault Ste. Marie, and identified
by assessment roll number 57 61 060 001 001 02 0000

BETWEEN:

JAMES BOWMAN and
ALGOMA TUBES INC. and

Complainants

and

MUNICIPAL PROPERTY ASSESSMENT CORPORATION ("M.P.A.C."),
and THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Respondents

MINUTES OF SETTLEMENT

1. The parties hereto, by their respective solicitors, or on their own behalf, agree to settle the complaints subject to the approval of the Board, as set out below:

(10Ca)

2

Taxation Year/Complaint No.	Original CVA and Partitioning	Revised Current Value Assessment	Revised Tax Class Partitioning
2003 1473958	17,007,000 full amount at IND LT	8,000,000	Full amount at IND LT
2004 1632763	16,930,000 full amount at IND LT	8,000,000	Full amount at IND LT
2005 1729171 & 1745370	16,930,000 full amount at IND LT	10,000,000	Full amount at IND LT
2006 1825848	17,806,000 full amount at IND LT	13,000,000	Full amount at IND LT
2007 1930759	17,440,000 full amount at IND LT	13,000,000	Full amount at IND LT

2. None of the signatories hereto or any person authorized by them shall file or authorize to be filed a request for reconsideration pursuant to section 39.1 of the Assessment Act in relation to the assessment returned for the 2007 taxation year. Any such request for reconsideration previously filed in connection with the 2007 taxation year is hereby withdrawn.

Dated at the City of Toronto this day of October, 2007

ALGOMA TUBES INC.
[in relation to complaint number 1729171 only]

By its duly authorized agent PS Johnson
Valuation Consultants Ltd.

10(a)

3

Dated at the City of Toronto this day of June, 2006

ALGOMA TUBES INC. AND
JAMES BOWMAN
[in relation to complaint numbers 1473958,
1632763, 1745370, 1825848 & 1930759]

By their counsel Paul R. Cassan
Wishart Law Firm LLP

Dated at the City of Sault Ste. Marie this day of October, 2007

THE CORPORATION OF THE CITY OF SAULT
STE. MARIE

MAYOR - JOHN ROWSWELL

CITY CLERK - DONNA P. IRVING

Dated at the City of Pembroke this day of October, 2007

MUNICIPAL PROPERTY ASSESSMENT
CORPORATION

Per: Dillon Payne
I have authority to bind the Corporation

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-192

EMERGENCY MANAGEMENT PLANNING: (R.1.2.5) A By-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property within the municipality.

WHEREAS, the province of Ontario has passed the EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT R.S.O. 1990 CHAPTER E.9, which requires the development and implementation of an Emergency Management Program by the council of a municipality;

AND WHEREAS, this Act requires the Emergency Management Program to conform to standards promulgated by Emergency Management Ontario in accordance with international best practices, including the four core components of mitigation, prevention, preparedness; and response and recovery;

AND WHEREAS, the EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT R.S.O. 1990 CHAPTER E.9 makes provision for the Head of Council to declare that an emergency exists in the community or any part thereof, and also provides that Head of Council with authority to take such action or make such orders as he/she considers necessary and not contrary to law, to implement the emergency response plan and respond to an emergency;

AND WHEREAS, the Act provides for the designation of one or more members of council who may exercise the powers and perform the duties of the Head of Council during his/her inability to act;

AND WHEREAS, the Act authorizes employees of the municipality to respond in accordance with the emergency response plan where an emergency exists but has not been declared to exist.

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. An emergency management program shall be developed and implemented in accordance with the standards published by Emergency Management Ontario.
2. The Head of Council or designated alternate as provided in the plan is empowered to declare an emergency.
3. Certain appointed officials or their designated alternates, as provided in the Sault Ste. Marie Emergency Response Plan are empowered to cause an emergency notification to be issued to members of the Sault Ste. Marie Emergency Operations Control Team and to respond to an emergency in accordance with the plan where an emergency exists but has not yet been declared.
4. The Emergency Management Planning Committee will cause the emergency management program to be reviewed annually and to recommend changes to the program as considered appropriate. The Sault Ste. Marie Emergency Response Plan (Schedule A) maintained pursuant to this by-law shall be available to the public on the City of Sault Ste. Marie website and shall be available to the public for inspection and copying (subject to payment of a fee for making copies) during ordinary business hours at the City Clerk's Office at the Civic Centre located at 99 Foster Drive.

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(c)
(b)

5. EMERGENCY RESPONSE PLAN ADOPTED

The Sault Ste. Marie Emergency Response Plan attached as Schedule "A" of this by-law is hereby adopted.

6. BY-LAWS REPEALED

All previous by-laws pertaining to emergency response planning are hereby repealed.

7. EFFECTIVE DATE

The by-law takes effect on the date of its final passing.

READ THREE TIMES and PASSED in open Council this 13th day of November, 2007.

MAYOR -- JOHN ROWSWELL

CLERK - DONNA P. IRVING

10(b)

SCHEDULE "A" TO BY LAW 2007-192

Emergency Management Program – Review of Supporting Documents

The following is a summary of the proposed changes to the following sections of the plan:

City of Sault Ste. Marie Emergency Response Plan (Intro)
Sault Ste. Marie Emergency Operations Control Team (E.O.C.T.)
Sault Ste. Marie Emergency Management Planning Committee
Sault Ste. Marie Emergency Management Advisory Group
City of Sault Ste. Marie Training Exercises

CITY OF SAULT STE. MARIE EMERGENCY RESPONSE PLAN

Introduction section added on a recommendation by Jeff G. Edwards, Emergency Management Ontario Field Officer.

PURPOSE

1.1 – added comma after effective

EMERGENCY OPERATIONS CONTROL TEAM (E.O.C.T.)

2.1 – removed ‘s’ from Police Services
2.1 iii) changed name to Chief of Police

DECLARATION OF EMERGENCY

3.1 added ‘and Civil Protection ‘to name of Act and added ‘or a Councillor in order of seniority’. We also added a definition of emergency from the Act at the suggestion of Jeff G. Edwards - Field Officer, Emergency Management Ontario.

3.2 changed reference from Major Emergency/Disaster Plan to Emergency Response Plan

3.3 changed reference from ‘Emergency Site Manager (ESM)’ to on-scene ‘Incident Commander’ in second last bullet

ADDITIONAL ASSISTANCE

4.1 added ‘and Civil Protection’ to name of Act

IMPLEMENTATION OF THE PLAN

5.2 added a phrase ‘or to standby for further instructions’

5.3 new section that deals with the lead agency role and designation of an Incident Commander

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EMERGENCY NOTIFICATION OF THE EMERGENCY OPERATIONS CONTROL TEAM

6.0 added 'OPERATIONS' to the name of the EOCT heading

6.1 changed references to the Emergency Management Planning Committee and Emergency Management Advisory Group.

6.2 used lower case for emergency service

6.3 new section to deal with notification of various committee members in the event that normal communications is interrupted; and we added the word 'management' to the committee name Emergency Management Planning Committee.

COMMUNICATIONS PLAN

7.1 added the word 'Control' to the name of the Emergency Operations Team.

7.4 changed the reference to the 'Radio Amateurs of Canada' to 'Amateur Radio Emergency Services (ARES)' and used lower case for word 'Emergency'.

REGISTRATION AND INQUIRY/RECEPTION CENTRES

8.2 added 'Public Health' to the list and removed Canadian Red Cross Society, and Salvation Army and broadened the scope of agencies that may be called on by adding 'and members of Sault Ste. Marie Emergency Management Advisory Group'.

TERMINATION OF EMERGENCY

9.1 added 'or Council as a whole' at the recommendation of EMO.

DUTIES AND RESPONSIBILITIES

10.0 changed the page order in the plan so that section 10.0 follows section 9 and the descriptions of the Emergency Operations Control Team, Emergency Management Planning Committee, Emergency Management Advisory Group, and the Training Exercises follow afterwards.

10.0 f) changed reference from Algoma Health Unit to 'Algoma Public Health'.

10.0 k) changed reference from 'Community Services Department (Transit Division)' to 'Transit Division'

10.0 s) changed reference from 'Algoma Community Care Access Centre' to 'North East Community Care Access Centre'

10C(b)

10.0 t) added reference to 'Incident Commander'

HEAD OF COUNCIL – changed reference to Emergency Operations Centre
COMMUNITY EMERGENCY MANAGEMENT COORDINATOR

1. added 'Civil Protection' to name of Act
2. removed names of specific agencies and reworded text to be more encompassing

SAULT STE. MARIE POLICE SERVICE –

11. reference to Emergency Site Manager changed to 'Incident Commander';
18. added reference to Emergency Management Ontario at the suggestion of the Canadian Military.

SAULT STE. MARIE FIRE SERVICES – text reworded to reflect requests from Fire Services and reference to an Emergency Site Manager changed to 'Incident Commander'

MEDICAL OFFICER OF HEALTH FOR ALGOMA HEALTH UNIT – changed to Algoma Public Health and corrected spelling error of word 'are'

SAULT STE. MARIE BOARDS OF EDUCATION – removed entire section one as these are duties of Chief Administrative Officer and they are listed there.

DEPARTMENT OF SOCIAL SERVICES – renamed section Social Services Department

COMMUNITY SERVICES DEPARTMENT TRANSIT DIVISION – renamed TRANSIT DIVISION and added to by Commissioner the words 'of Public Works and Transportation'

CANADIAN RED CROSS – reworded the section to reflect the duties in the agreement with the City of Sault Ste. Marie

CENTRAL AMBULANCE COMMUNICATION CENTRE – lowered case on words 'major emergency/disaster'

SAULT AREA HOSPITAL 3. changed words from 'assist in determining requests' to 'respond to' requests for provision of medical site teams and triage centers/teams

ALGOMA COMMUNITY CARE ACCESS CENTRE – changed to NORTH EAST COMMUNITY CARE ACCESS CENTRE.

INCIDENT COMMANDER – new section at request of EMO.

SAULT STE. MARIE EMERGENCY OPERATIONS CONTROL TEAM (E.O.C.T.)

MEMBERSHIP – changed reference from Police Chief to ‘Chief of Police’

SUPPORT SERVICES NOTES – changed reference from ‘Community Emergency Planning Officer’ to ‘Community Emergency Management Coordinator’ AND we moved these notes to the text of the document.

TERMS OF REFERENCE – At the direction of EMO we added a clause that indicates that all members will be contacted but not all members must be present at the EOC in order to activate the Team

Also, as recommended by EMO, we added language to the plan that sets out the OPERATING STANDARDS FOR THE EMERGENCY OPERATIONS CENTRE

DECLARATION AND TERMINATION OF AN EMERGENCY

(2) at suggestion of EMO we added ‘or Council as a whole’

(4) added ‘and Civil Protection’ to the Act reference

(7) added text that specifies media releases must receive E.O.C.T. approval and that agencies could be used to disseminate approved messages through their information systems and that the E.O.C.T. will designate a media spokesperson from their members or their staffs.

SAULT STE. MARIE EMERGENCY MANAGEMENT PLANNING COMMITTEE

TERMS OF REFERENCE 1. – added ‘and Civil Protection’ to the reference to the Act. Sections 4, 5, 6, 7, 9, and 10. – added word ‘to’ at front of sentences

SAULT STE. MARIE EMERGENCY MANAGEMENT ADVISORY GROUP

Removed the letter ‘S’ in the word GROUPS

MEMBERSHIP - added ‘Transit Division’

TERMS OF REFERENCE e) removed the word ‘Winter’ from Severe Winter Weather Emergency Policy

In the text we changed the word ‘identifying’ to ‘identify’; added the word ‘their’ in front of ‘organizational plans’; and changed wording to say so that ‘inconsistencies can be corrected’ and duplication minimized.

10(b)

CITY OF SAULT STE. MARIE TRAINING EXERCISES

ROLE OF EMERGENCY MANAGEMENT PLANNING COMMITTEE

2.1 - Added words 'and Civil Protection' to reference of the Act

3.2 – corrected typo of word ‘form’

Respectfully submitted

Bill O'Donnell

Administrative Assistant to the

Community Emergency Management Coordinator

10(c)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW NO. 2007-189

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 134 to the Official Plan.

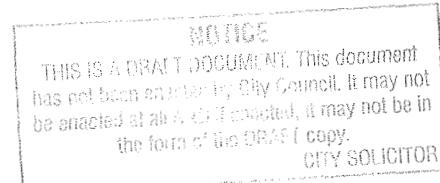
THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows;

1. The Council hereby adopts Amendment No. 134 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 13th day of November, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



10(c)

**AMENDMENT NO. 134
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This amendment is an amendment to the Text of the Official Plan as it relates to the Commercial Land Use policies.

LOCATION:

Located on the east side of Great Northern Road, approximately 85 meters north of its intersection with Second Line East. Civic Number 432 Great Northern Road.

BASIS:

This Amendment is necessary in view of a request to construct a 1,950 sq. meters office building. The current Official Plan policies, as they relate to the Commercial Land Use state that "the Downtown area should be maintained as the primary administrative, business and cultural centre of the community" and that "Construction of major new office buildings of the Downtown area shall be discouraged and new office buildings shall be encouraged to locate in the Downtown core."

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

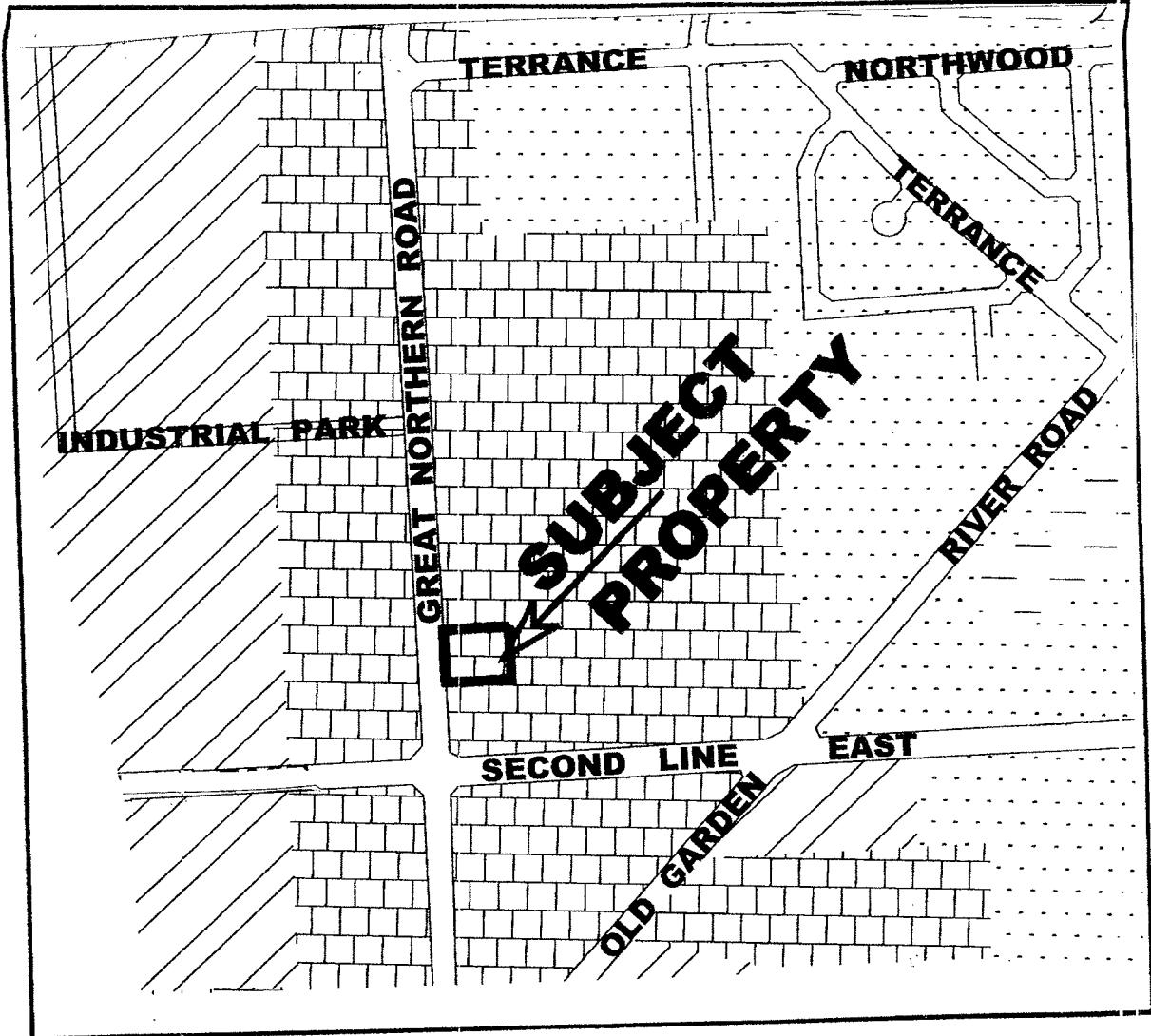
"Special Exceptions"

89. Notwithstanding the Commercial Land Use policies of the Official Plan, lands described as Civic No. 432 Great Northern Road may be used for the development of a 1,950 sq. meters office building, subject to the conditions imposed by Council.

INTERPRETATION

The provisions of the Official Plan as amended from time to time will be applied to this Amendment.

10(c)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



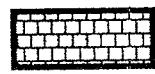
RESIDENTIAL



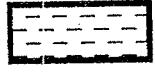
INDUSTRIAL



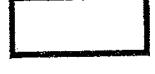
PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 134

10(Cd)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-188

PARKING: (P.1.2.4.) A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the *Police Services Act*, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS AS FOLLOWS:**

1. **SCHEDULE "A" TO BY-LAW 90-305 AMENDED**

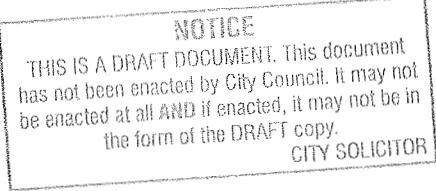
Schedule "A" to By-law 90-305 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

READ THREE times and **PASSED** in open Council this 13th day of November, 2007.

MAYOR – JOHN ROWSWELL



CLERK – DONNA IRVING

10(Cd)

<u>BADGE NO.</u>	<u>SPECIAL CONSTABLE</u>	<u>EMPLOYER</u>	<u>PROPERTY LOCATION</u>
12	ROUSE, BRIAN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
26	MCLEOD, ROD	FLEMING & SMITH	378 QUEEN ST. E & APARTMENTS
30	RENDELL, VERN	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
35	ORR, DEREK	NORPRO SECURITY	ST MARY'S PAPER/SAUTT COLLEGE
37	MILLER, STEVE	NORPRO SECURITY	ST MARY'S PAPER
59	BARONE, MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
109	SEBECIC, JOHN LUDVIC	DENTAL BUILDING	946 QUEEN ST E/216 QUEEN ST E
111	DESCHENE, BERNARD, FREDERIC	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
113	TAYLOR, GARY	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
115	LEE, RICHARD, JOHN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
138	CAIN, JOSEPH	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/ BONDAR MARINA & PARK
151	PARR, DEREK, RAYMOND	NORPRO SECURITY	ST MARY'S PAPER
153	TASSONE, VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACO, PHILIP CAREM	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
178	D'AGOSTINI, ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST
179	DARLOW, LEONARD	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
183	SAXBY, MICHELLE	G4S SECURITY	MARKET MALL / BONDAR PLACE/ALGOMA UNIVERSITY/HOSPITAL
186	HARMAN, JASON	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
190	LALONDE, BRIAN	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/BONDAR MARINA & PARK
191	BROWN, STEVEN, GEORGE	SEPARATE SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
196	SEABROOK, LAURA, LEE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
238	BECK, DESMOND	G4S SECURITY	SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY
240	MASON, STEPHEN	NORPRO SECURITY	ST MARY'S PAPER/SAUTT COLLEGE/REGENT PROP.
241	COGHILL, ROBIN	NORPRO SECURITY	ST MARY'S PAPER/SAUTT COLLEGE/REGENT PROP.
248	CHAN, GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
249	CHO, LINDA	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
253	TRAVSON, TERRANCE (TERRY)	NORTH EAST SECURITY	BELLEVUE MARINA/BONDAR MARINA & PARK
258	LEGACY, STEVEN	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
259	CONNOR, JAMES	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
261	HEINTZMAN, DAVID	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
262	ADAM, CINDY	SAULT COLLEGE	SAULT COLLEGE
263	RECOLLECT, HOLLY	NORPRO SECURITY	ST MARY'S PAPER/SAUTT COLLEGE/REGENT PROP.
267	CORBIEIRE, JOHN, ALLAN	G4S SECURITY	CROSS COUNTRY/ DAVEY HOME/SAULT HOSPITAL/ALGOMA UNIVERSITY
270	NOTTE, KYLE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
274	DAVIS, JAMES	NORPRO SECURITY	ST MARY'S PAPER/SAUTT COLLEGE/REGENT PROP.
275	EBARE, JAMES	G4S SECURITY	DAVEY HOME/SAULT HOSPITAL/308 FARWELL TERR/ALGOMA UNIVERSITY
276	SMITH, DENNIS, ROBERT	G4S SECURITY	DAVEY HOME/SAULT HOSPITAL/ALGOMA UNIVERSITY
280	LEE, MARSHA	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
281	LYPPS, ELEANOR	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
286	O'DELL, SEAN, MICHAEL	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
291	TRANDEMONTAGNE, JORI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE/REGENT PROP.
296	MURDOCK, IESHIA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
297	SWIRE, WILLIAM, JAMES	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
298	MANN, DUSTIN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME
299	DIMMA, WILLIAM, GEORGE	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/ALGOMA UNIVERSITY
300	PAPINEAU, EVAN, LORNE	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
301	COTTINGHAM, EDWARD ALLEN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
305	CATLING, DAVID	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
307	GUREVITCH, JASON	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
308	BELL, TYLER	G4S SECURITY	SAULT HOSPITAL /ALGOMA UNIVERSITY
309	PIGEAU, EDWARD	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
310	MOORE, LORNE	NORPRO SECURITY	SAULT COLLEGE
314	AASEN, PAULINE	KOPRASH BUILDING SERVIC	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
315	FITTON, MICHELLE	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
316	MCCULLOCH, BRANDON	G4S SECURITY	SAULT HOSPITAL/ALGOMA UNIVERSITY
320	PETTENUZZO, LUCAS	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/ELGIN TOWERS
321	LORENZO, COREY	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
325	HEALEY, KATRINA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
327	POZZEBON, IAN	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
329	NOLAN, JESSE, JOHN	NORTH EAST SECURITY	CAMBRIAN MALL /PINE PLAZA/BELLVIEW MARINA/CHURCHILL PLAZA /STEELBAC
330	O'NEILL, ROY	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
331	HAMILTON, SILVI	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
333	LUCIER, ROBERT	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
334	MILLER, BRADLEY	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
335	GROSSO, DONALD	NORTH EAST SECURITY	CHURCHILL & PINE PLAZA/CAMBRIAN MALL
337	RENNISON, JEFF	NOR PRO SECURITY	GROUP HEALTH/SAULT COLLEGE
340	DAMIGNANI, MATTHEW	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
342	PICK, DENNY	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
343	CHILLMAN, JODI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
344	HARPE, KENNETH	DAYS INN	DAYS INN HOTEL
345	SETCHELL, RODDY	NORTH EAST SECURITY	CAMBRIAN MALL/PINE & CHURCHILL PLAZA/STEELBACK/BELLEVUE MARINA
346	HAZELTON, MARGARET	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
347	BEDELL, LUCAS	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
348	LEWIS, PETER	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH CENTRE/ELGIN TOWERS
349	CONWAY, GARY	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
350	HUSBAND, CHRISTOPHER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
351	MCLEOD, JENNIFER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
352	O'CONNOR, DANIEL	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
353	RIPPLINGER, JAYSON	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
354	STEEVES, ROBERT	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
355	TYCZINSKI, TAMARAH	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES

(OCd)

356	ZACK,MOLLI	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
357	BONENFANT,TERRANCE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
358	COLLINS,LESLIE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
359	DEVOE,DAVID	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
360	HALLIGAN,AGNES	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
361	HIGGINSON,HENRY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
362	ROY,ERNEST	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
363	SMELTZER,LESLEY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
364	SMELTZER,PETER	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
365	CLOUSTON,JOHN	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
366	TROINOW,VICTORIA	G4S SECURITY	SAULT AREA HOSPITAL/ALGOMA UNIVERSITY
367	MORIN,NATHAN	NORTH EAST SECURITY	STEELBACK CENTRE
368	WILLET,JORDAN	NORPRO SECURITY	SAULT COLLEGE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-193

TEMPORARY STREET CLOSING: (S.2) A by-law permit the temporary street closing of Queen Street and Simpson Street to facilitate the 2007 Rotary Santa Claus Parade.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto, **ENACTS** as follows:

1. **TEMPORARY STREET CLOSING OF QUEEN STREET AND SIMPSON STREET – SANTA CLAUS PARADE**

The following streets will be temporarily closed to facilitate the 2007 Rotary Santa Claus Parade on Saturday, December 1, 2007.

Closure of Queen Street East from Simpson Street to Gore Street
Hours: 17:30 hours to approximately 19:30 hours

Closure of Queen Street East from Pine Street to Church Street
Hours: 17:30 hours to approximately 18:30 hours

Closure of Simpson Street from Victoria Avenue to Queen Street East
Hours: 17:30 hours to approximately 18:30 hours

2. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

READ THREE TIMES and **PASSED** in open Council this 13th day of November, 2007.

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all. And if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

MAYOR - JOHN ROWSWELL

CLERK - DONNA P. IRVING

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-190

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 432 Great Northern Road.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows:

1. **432 GREAT NORTHERN ROAD; APPROXIMATELY 85M NORTH OF THE INTERSECTION WITH SECOND LINE EAST; CHANGE FROM C.4 TO C.4.S**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on Map 1-95 of Schedule A to By-law 2005-150 and also shown outlined and marked "subject property" on the map attached as Schedule No. 253 hereto is changed from C.4, General Commercial Zone to C.4.S, General Commercial Zone with a "special exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding thereto the following subsection 2(253) and heading as follows:

"2(253) Office Building - 432 Great Northern Road

Despite the provisions of By-law 2005-150, the lands described as being located on Great Northern Road approximately 85 m north of the intersection with Second Line East and having civic No. 432 Great Northern Road, and marked "subject property" on the map attached as Schedule 253 to By-law 2005-151 hereto is changed from C.4, General Commercial Zone to C.4.S, General Commercial Zone with a "special exception" to permit in addition to the uses permitted in a C.4 Zone:

- i) an office building with a gross floor area not to exceed 1,950 m²."

3. **SCHEDULE A**

Schedule "A" hereto forms a part of this by-law.

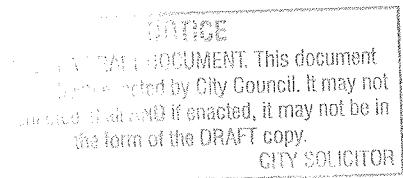
4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law as amended by Official Plan Amendment No. 134.

READ THREE TIMES and PASSED in Open Council this 13th day of November, 2007.

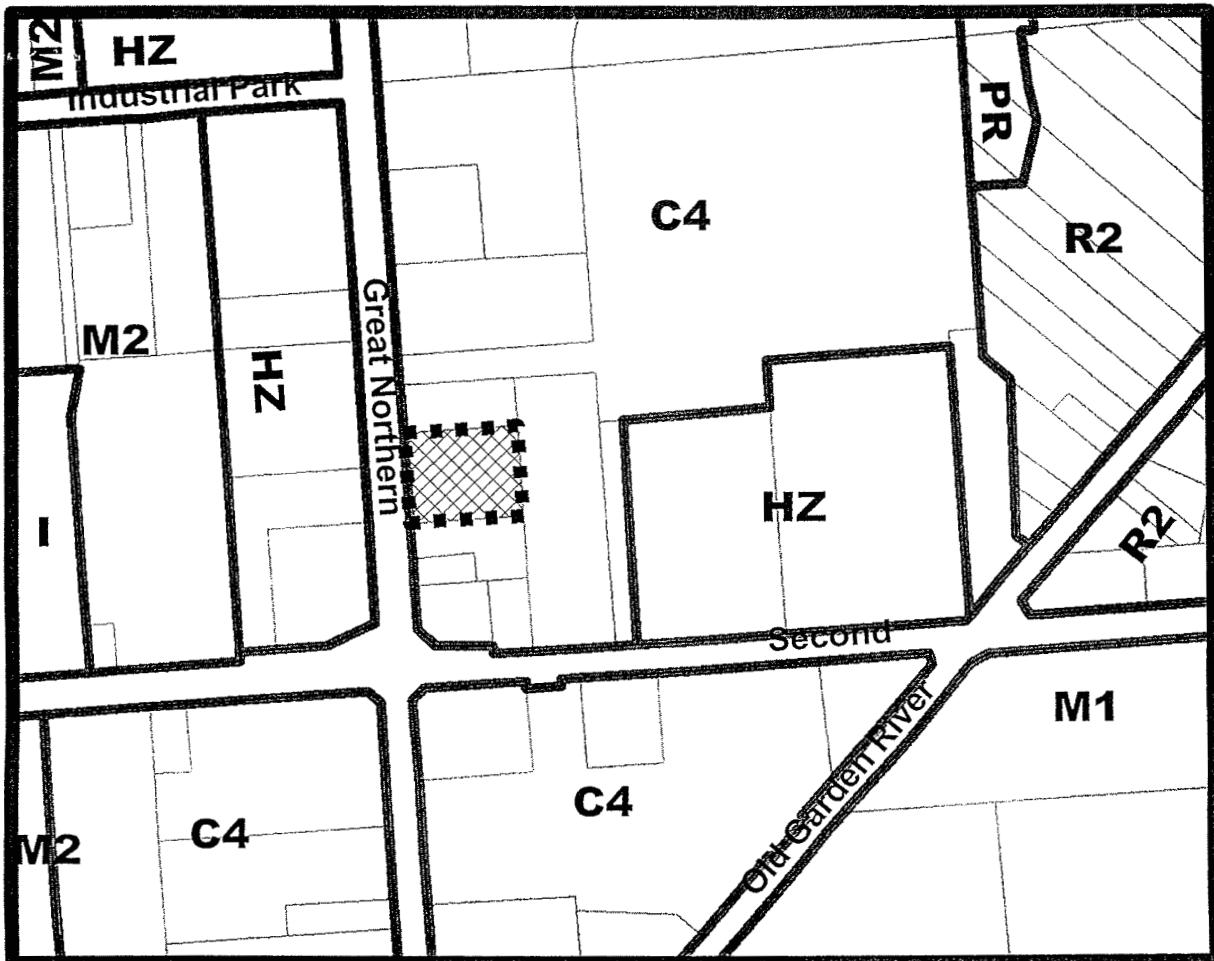
MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING



10(F)

SCHEDULE "A" TO BY-LAW 2007-190 AND SCHEDULE 253 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 13TH DAY OF NOVEMBER, 2007.



EXISTING ZONING MAP

Application A-24-07-Z.OP 432 Great Northern Road

- C4 - General Commercial Zone
- HZ - Highway Zone
- M1 - Light Industrial Zone
- M2 - Medium Industrial Zone
- M3 - Heavy Industrial Zone
- R2 - Single Detached Residential Zone
- I - Institutional Zone
- PR - Parks and Recreation Zone
- SUBJECT PROPERTY - 432 Great Northern



Metric Scale
1 : 4000

Map 1-95

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2007-191

DEVELOPMENT CONTROL: A by-law to designate the lands located at 432 Great Northern Road as an area of site plan control.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. **DEVELOPMENT CONTROL AREA**

The lands described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990, chapter P. 13 and amendments thereto.

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director and in his absence to the Junior Planner of the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the Planning Act as amended, for the lands more particularly described in Schedule "A" to this by-law.

3. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefor to penalty provisions as contained in the Planning Act and the Municipal Act.

5. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

READ THREE TIMES and PASSED in Open Council this 13th day of November, 2007.

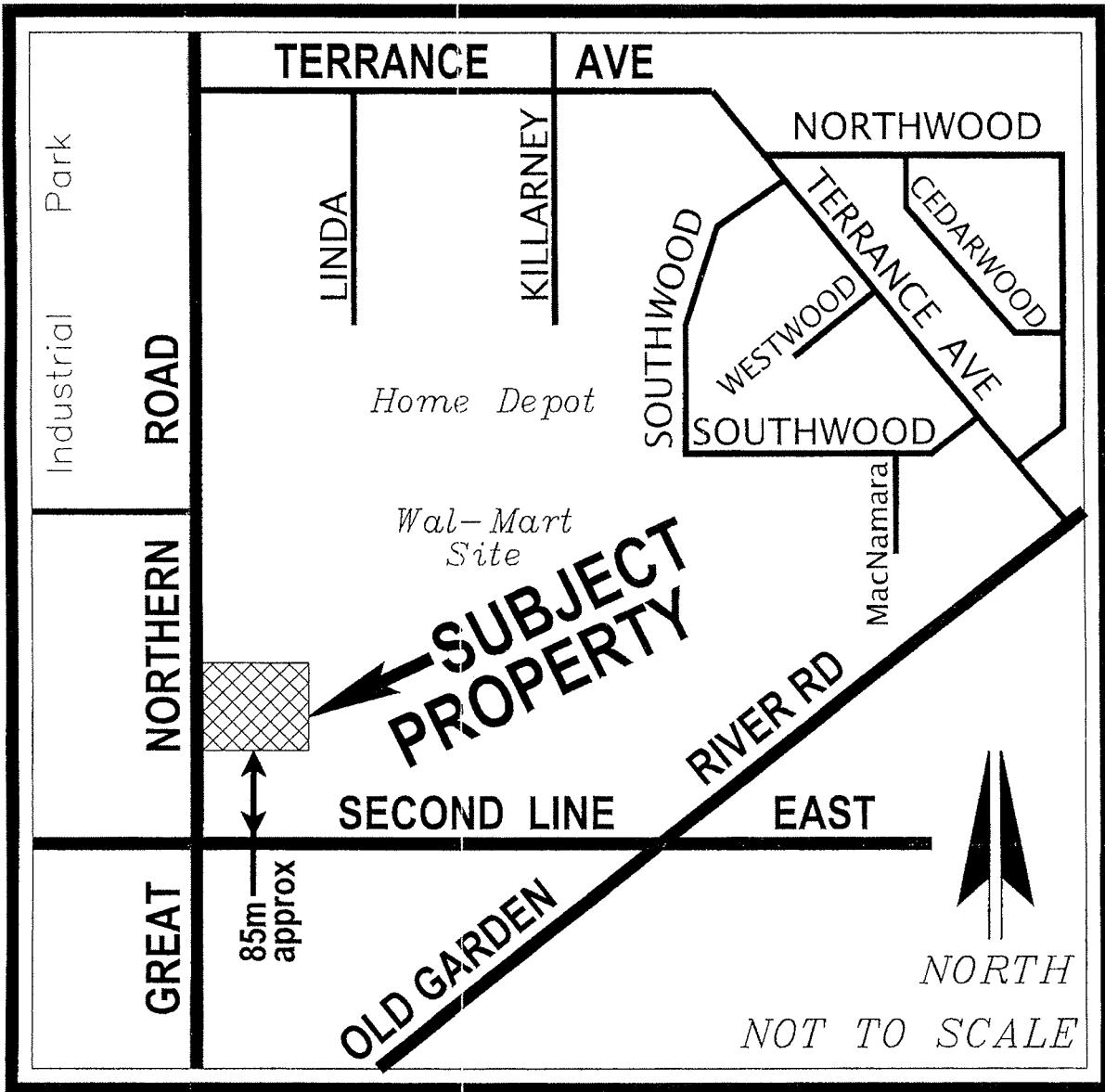
MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

DRAFT DOCUMENT
This document is a DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of a DRAFT copy.
CITY SOLICITOR

10(g)

SCHEDULE "A" TO BY-LAW 2007-191 OF THE CORPORATION OF THE CITY
OF SAULT STE. MARIE BE READ THREE TIMES AND PASSED IN OPEN
COUNCIL THIS 13TH DAY OF NOVEMBER, 2007



A-24-07-Z.OP