

ADDENDUM #1

REGULAR MEETING OF CITY COUNCIL

2007 09 24

4:30 P.M.

PART ONE – CONSENT AGENDA

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

(p) **Great Northern Road Capacity - Environmental Assessment Preferred
Alternative - Pine Street Extension**

A letter from Don Nelson concerning this item is attached for the information of Council.

(gg) A letter from the Ministry of Government Services in response to a Council resolution concerning gasoline prices is attached for the information of Council.

(hh) **Proposed Amendments to Pedestrian Crossing at Northern Avenue and
Class A & B Truck Routes - Open House Meetings**

A report of the Commissioner of Engineering and Planning is attached for the consideration of Council.

Mover - Councillor B. Hayes

Seconder - Councillor L. Tridico

Resolved that the report of the Commissioner of Engineering and Planning dated 2007 09 24 concerning Proposed Amendments to Pedestrian Crossing at Northern Avenue and Class A & B Truck Routes - Open House Meetings be accepted as information.

(ii) **City Purchase From Ontario Realty Corp. - Approx. 200 Acres in the Black
Road Area**

A report of the City Solicitor is attached for the consideration of Council.

5. (ii) Mover - Councillor P. Mick
Seconded - Councillor L. Tridico
Resolved that the report of the City Solicitor dated 2007 09 24 concerning City Purchase from Ontario Realty Corp. - Approximately 200 Acres in the Black Road Area be accepted and the recommendation that Council authorize the City to acquire from the Ontario Realty Corp. approximately 200 acres of property located north of McNabb Street and south of Second Line extension, east of Black Road, at a price to be negotiated between the parties with a formal agreement to be brought back to Council; and
Further that upon acquiring the property from Ontario Realty Corp., the City would in turn convey the property to Pod Solar Group at the price the City paid to ORC with Pod Solar paying any disbursements incurred by the City be approved.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(d) 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 letter from the solicitor for the applicant requesting a one-month deferral of this rezoning application is attached for the information of Council. Also attached is a letter concerning this item.

Mover - Councillor P. Mick
Seconded - Councillor L. Tridico

Resolved that the Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West BE DEFERRED to the October 29, 2007 Council Meeting at the request of the applicant.

5(1)

September 22, 2007

To Mayor John Roswell,
And Members of Council

After reviewing the Engineering Dept. report back to Council, with regards to the letter from Mr. Harold MacQuarrie, asking for your reasons for not wanting to extend Willow Ave. I fail to see where he got an honest and sensible answer. To simply state that the reason is that Council had already stated that their preference is the extension of Pine is in my opinion silly, irresponsible and totally lacking any credibility. As any sensible and honest person can plainly see, the extension of Pine has nothing to do with the extension of Willow. As mentioned in the Engineering Report they brought up the 2002 truck and traffic study prepared by Reed, Voorhees and Associates Ltd., when the spokesperson for this firm was asked about the extension of Willow he didn't even know where Willow Ave. was. It wasn't even mentioned in their study. Therefore by suggesting the extension of Pine, it has nothing to do with the extension of Willow.

On January 24, 2007 the E.D.C. held a public meeting in the Russ Ramsey room asking for public input on the extension of Willow and the extension of Pine. I met Mayor Roswell there and we had a very lengthy discussion on this matter. He suggested that I had a real passion for the extension of Willow. I admitted that I did but that I had no personal gain only that I felt it was the right thing to do. I told him that I never ever said that I was against the extension of Pine. What I am against is that some people keep trying to make the public believe that it is an alternative to Willow, it is not and they are two different issues altogether. The Mayor agreed with me. The hand written note was included in the E.D.C. report to council, I wrote at the request of the Mayor. He told me, in front of two members of the E.D.C. to write down my reasons for wanting Willow extended and don't mention Pine. He said it would give him something to work with, when I was talking to him on the phone about controlled access road on the M.T.O. property I asked him about the note and he said he was turned down, he couldn't tell me when.

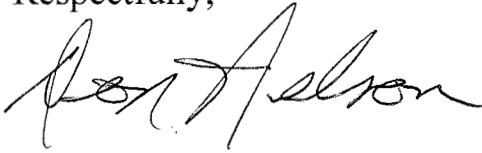
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CITY CLERK
SEP 24 2007
NO.: _____
DIST.: <u>Council</u> <u>file</u> <u>CAO</u>

Engineering legal clerk

5 (P)

In Lorie Botto's letter to Council on September 10, 2007 he mentions in the last paragraph that Council in its decisions earlier this year, has made decisions on the configuration of the access through the E.M.S. site. This I don't believe is true as it is not on the video of that meeting. The controlled access road on the M.T.O. property was never authorized by council and therefore has no legal right to be there. I feel that the members of our elected Council have an obligation to the tax payers to demand that the Mayor ^{TELL} ~~ask~~ them who authorized this road. Someone has over stepped their authority and they have a right to know who.

Respectfully,

A handwritten signature in cursive script, appearing to read "Don Nelson". The signature is written in dark ink and is positioned below the word "Respectfully,".

Don Nelson

**Ministry of
Government Services**

Office of the Assistant Deputy Minister

Policy and Consumer Protection
Services Division777 Bay Street, 5th Floor
Toronto ON M7A 2J3

Tel: (416) 326-2826

Fax: (416) 325-6192

**Ministère des
Services gouvernementaux**

Bureau du sous-ministre adjoint

Division des politiques et des services
de protection du consommateur777, rue Bay, 5^e étage
Toronto (Ontario) M7A 2J3

Tél: (416) 326-2826

Téléc: (416) 325-6192



September 17, 2007

Doug Reycraft
Association of Municipalities of Ontario
200 University Ave., Suite 801
Toronto, ON M5H 3C6

Dear Mr. Reycraft:

I am responding on behalf of Minister Phillips to your letter of August 10, 2007 regarding gasoline prices. Please accept my apologies for not responding by August 31, 2007, as indicated in the Ministry's interim response as more time than anticipated was needed to complete our research.

Minister Phillips wrote to Commissioner Scott, on behalf of the Minister of Energy, in September 2005 regarding the high prices and significant variances between gasoline prices in various regions across Ontario. Minister Phillips also expressed concern that the prices in Ontario appeared to be rising more quickly than in neighbouring U. S. states and requested Commissioner Scott investigate the gasoline markets in Ontario.

Commissioner's Scott's response indicated that the Competition Bureau had been tracking wholesale and retail gasoline prices across Canada to ensure that wholesalers and retailers were not engaged in anti-competitive activities. The Commissioner pointed out that stations charging high prices in anticipation of shortages is not contrary to the Competition Act. However, action would be taken if rising prices were a result of collusion among retailers.

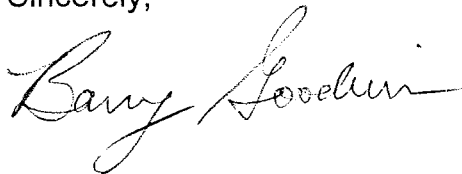
The Competition Bureau has conducted five major investigations related to the gasoline industry over the last 17 years and has never uncovered any evidence of a conspiracy to limit competition in gasoline supply or of abusive behaviour by dominant firms in the petroleum market. The Bureau has found that market forces, such as supply and demand and rising crude oil prices, caused price spikes. Prices also fell to historic lows after each price increase.

- 2 -

I have taken the liberty of forwarding the municipal council resolutions regarding high and fluctuating gasoline prices to my colleague at the Ministry of Energy, Mr. Rick Jennings, Assistant Deputy Minister, Office of Energy Supply, for his consideration. The Ministry of Energy is responsible for monitoring gasoline prices across Ontario and provides a weekly gasoline report and other gasoline pricing information on its website: www.energy.gov.on.ca.

I hope the information I have provided you is useful, and thank you again for your interest in this important issue.

Sincerely,



Barry Goodwin
A/Assistant Deputy Minister
Policy and Consumer Protection Services Division

Cc: Rick Jennings, ADM, Office of Energy Supply
Sheridan Scott, Commissioner, Competition Bureau of Canada
Malcolm White, Deputy City Clerk, City of Sault Ste. Marie
Nina Brancaccio, City Clerk's Assistant, City of Barrie
Catherine Conrad, City Clerk, City of North Bay
Frank Gillis, President, Federation of Northern Ontario Municipalities (FONOM)

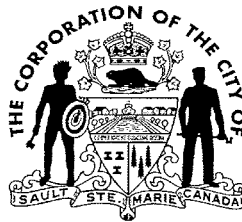
2007 06 11 City Council Meeting Minutes
Clerk's Department

- (c) Moved by Councillor S. Myers
Seconded by Councillor L. Turco
Whereas the recent skyrocketing increase of gas prices has taken a jump within Sault Ste. Marie of about ten cents per litre; and
Whereas this appears to be one of the highest per litre costs for gas in the province; and
Whereas it still seems to be an unknown as to why gas per litre in Eastern Ontario and Southwestern Ontario is averaging \$.15 per litre less than in Sault Ste. Marie and other northern cities; and
Whereas we are approaching the summer tourist season when traditionally Sault Ste. Marie and many Ontario cities benefit economically from increased automobile tourist arrivals and these high prices in Sault Ste. Marie and from northern cities may deter such tourism and hurt our economy for the coming season;
Therefore be it resolved that a letter be sent to AMO and FONOM calling for an immediate strong lobbying effort to all M.P.P.'s demanding an action plan to address this inequitable situation within the province; and
Further be it resolved that such letter be copied along with this resolution to Sault Ste. Marie and Algoma M.P.P.'s. CARRIED.

5(hh)

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 09 24

Mayor John Rowswell
Members of City Council

**Re: Proposed Amendments to Pedestrian Cross at Northern Avenue
and Class A & B Truck Routes**

The above noted reports were presented to City Council on August 13, 2007. As part of the recommendation, public open houses for both are being planned to obtain input from stakeholders and the general public. To maximize the effectiveness of public review and to ensure our Consulting Engineer is present for both sessions, scheduling took longer than was initially anticipated.

Appropriate notification of these meetings is being finalized with the following dates being confirmed:

Northern Avenue Crossing Open House – October 17, 2007

Major stakeholders will be invited to meet 10 – 12 Noon at the Civic Centre
Public Open House will be held from 3 – 7 pm at the Columbus Club Housing, Seniors Complex on Northern Avenue

Class A&B Truck Routes Open House – October 18, 2007 at the Civic Centre

Major stakeholders will be invited from 2:00 – 3:30 pm
Public Open House will be held from 3:30 – 7:00 pm

This report is provided to Council as information.

Respectfully Submitted by,


Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

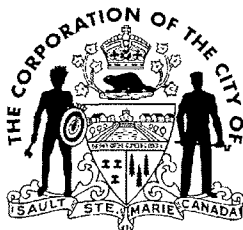
Joseph M. Fratesi
Chief Administrative Officer

/bb

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LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

File No. P.4.5.345

2007 09 24

Mayor John Rowsell and
Members of City Council

**RE: City purchase from Ontario Realty Corp. – approx. 200 acres in the
Black Road area**

BACKGROUND

Approximately two weeks ago the Pod Solar Group announced its plans to locate solar panels in different locations in Sault Ste. Marie. Tonight on your agenda is a report from me regarding property on Leighs Bay Road and Baseline.

Another site identified by Pod Solar is easterly, approximately 200 acres located in the Black Road area. This property is at the present time owned by the Ontario Realty Corp. Pod Solar has approached the Ontario Realty Corp. about acquiring this property from Ontario Realty.

The Ontario Realty Corp. has advised Pod Solar that in order to meet the deadlines facing Pod Solar that, subject to agreement on price, it would be handled more quickly if the ORC dealt with the City and the City in turn transferred the property to Pod Solar. Pod Solar has therefore, through David Livingston of that company, requested that the City approach ORC to acquire the property outlined on the attached map from ORC. Once acquired by the City, once again assuming that the City can agree with ORC on a price, the property would be transferred to Pod Solar at the same price that the City acquires it from ORC. Access to the site during construction would not be through Manitou Park.

RECOMMENDATION

The recommendation is that the City be authorized to acquire from the Ontario Realty Corp. approximately 200 acres of property located north of McNabb Street and south of the Second Line extension, east of Black Road, at a price to be negotiated between the parties, with a formal agreement to be brought back to Council. Upon acquiring the property from ORC, the City would in turn convey the property, subject to perhaps some property being conveyed to Shell Canada near the south end of the property to accommodate the McNabb Street realignment, to Pod Solar Group at the price the City paid to ORC, and also with Pod Solar paying any disbursements incurred by the City.

Respectfully submitted,

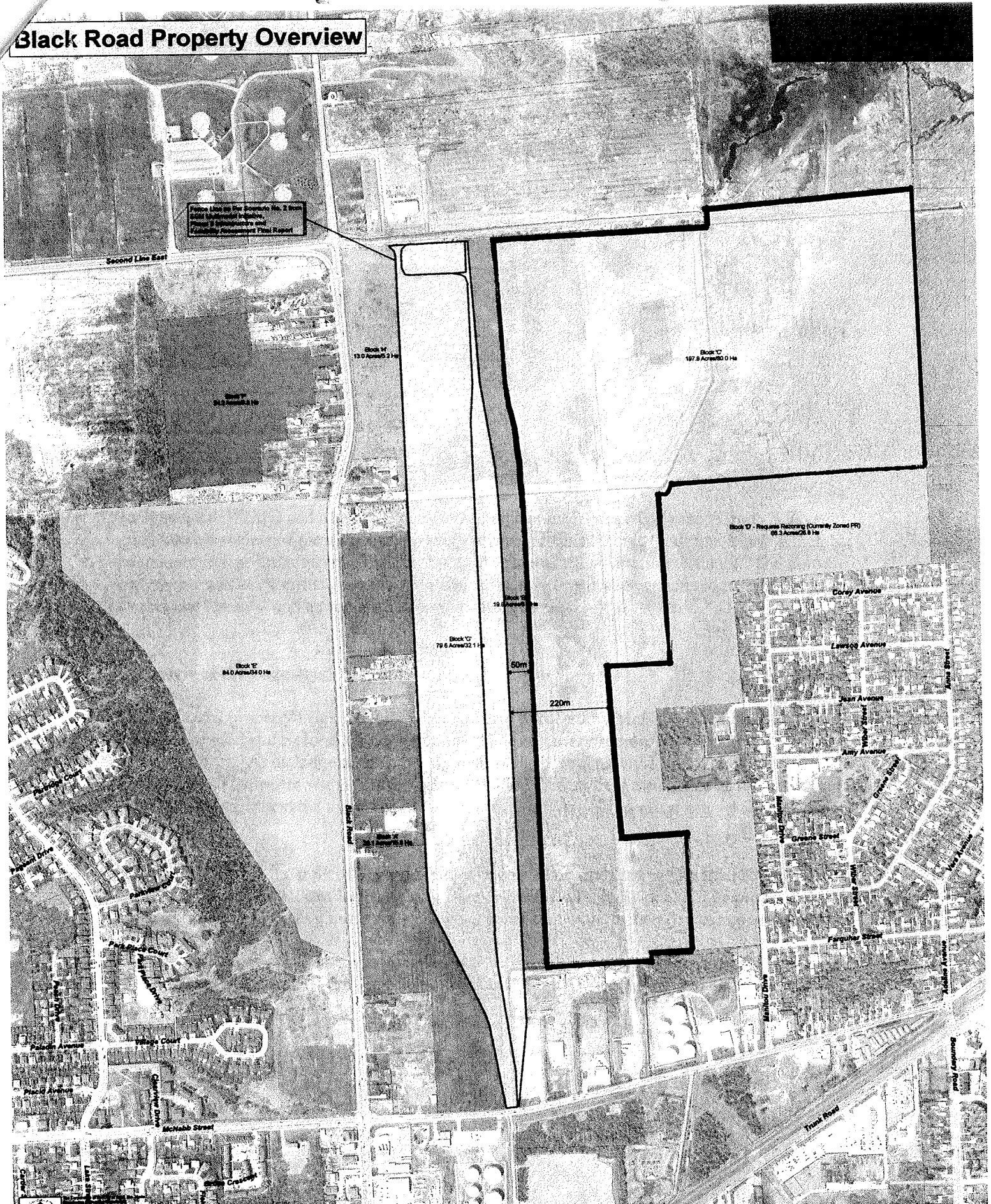


Lorie Bottos
City Solicitor

LB/jl
Attach.



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer



6(b)(d)

SKEGGS PACIOCCO
LAWYERS

FREDERICK J. SKEGGS, B.A., LL.B.
JOHN PAUL PACIOCCO, B.A., LL.B.
169 EAST STREET
SAULT STE. MARIE, ON P6A 3C8
TEL: (705) 942-0235
FAX: (705) 942-3597

VIA FAX TRANSMISSION: 759-2310

September 24, 2007

City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

Attention: Clerk

Dear Sir/Madam:

Re: Application No. A-19-07-Z.OP
92 and 100 Second Line West

Frank Fata has an application before council this evening concerning his property on Second Line.

He just received planning staff's comments last Thursday and he requires time to respond to these comments.

He, therefore, asks for a deferral of his application to a future council meeting. He says he needs a minimum of one month.

Mr. Fata will be in attendance this evening before City council but in the circumstances, he will not be prepared to proceed.

I am at present only retained by him to write this letter so any further contact may be made directly with Mr. Fata.

Yours truly,
SKEGGS PACIOCCO



Frederick J. Skeggs

FJS/lgm

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Sept. 24/07

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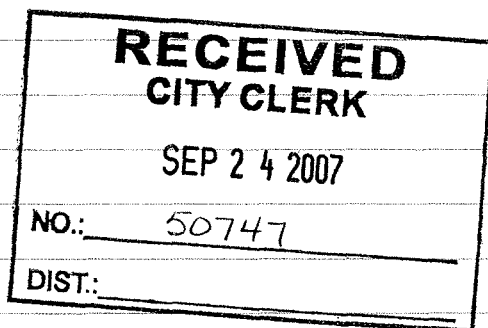
D. P. Irving, City Clerk
P.O. Box 580
SS Marie, On.
P6A 5N1

Re: Application A-19-07-2.0P

To whom it may concern:

Our question regarding the rezoning to Frank Fata's request to permit a "contractor's yard" is:

- Will there be a fence around the property so that everything in the yard will not be visible to neighbors on each side & especially to Second Line. and also
- this fence should also act as a buffer to neighbors in the area, if noise will be a factor.
- how will this affect traffic on Second Line? (slow moving & heavy trucks into & out of the proposed area)



Respectfully submitted -

Hugh & Ann Lowe
106 Laura St.
SSM. On. P6C 2G4