

AGENDA

REGULAR MEETING OF CITY COUNCIL

2007 01 15

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2006 12 11 be approved.

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

4. DELEGATIONS/PROCLAMATIONS

- (a) Ted Koski, Alzheimers Volunteer and Family Caregiver will be in attendance concerning Proclamation - National Alzheimers Awareness Month.
- (b) Joyce Ferguson-Mowat, Public Health Inspector will be in attendance concerning Proclamation - Environmental Public Health Week.
- (c) Constables Arthur Rutland and Doug Rix will be in attendance concerning Proclamation - Crime Stoppers Month.
- (d) Jennifer Parrella, Early Literacy Specialist will be in attendance concerning Proclamation - Family Literacy Day.
- (e) Viggio Lundhild, General Manager Sault Hyrdo Operations, Brookfield Power will be in attendance regarding a special announcement to Council.
- (f) The winners of the 2006 Christmas Lighting Awards Program will be in attendance to receive plaques and PUC credit certificates.
- (g) John Woods, Project Manager Bell Mobility and Doug Slomke, Industry Canada will be in attendance to address Council in response to a September 25, 2006 Council resolution concerning cell phone towers. An information package is provided under separate cover.

4. (h) Ann Marie McPhee, on behalf of the Accessibility Advisory Committee will be in attendance concerning agenda item 6.(8)(a).
- (i) Bill Therriault on behalf of Destiny Sault Ste. Marie will be in attendance concerning agenda items 6.(8)(b) and 6.(8)(c).

PART ONE – CONSENT AGENDA

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

Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti

Resolved that all the items listed under date 2007 01 15 - Part One - Consent Agenda be approved as recommended.

- (a) A letter from the Airport Manager, Sault Ste. Marie Airport Development Corporation requesting an exemption to the Noise By-law for events at the Airport Fairgrounds for the winter season is attached for the consideration of Council. The relevant By-law 2007-9 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (b) A letter from the Airport Manager, Sault Ste. Marie Airport Development Corporation concerning its Emergency Response Plan is attached for the information of Council.

Mover - Councillor S. Butland
Seconder - Councillor F. Manzo

Resolved that the letter from the Airport Manager, Sault Ste. Marie Airport Development Corporation dated 2006 12 20 concerning the Airport Emergency Response Measures be accepted as information and REFERRED to the City Solicitor and Fire Chief for review, comments and recommendation back to City Council.

- (c) A letter from Ontario Winter Carnival Bon Soo requesting temporary street closings on Foster Drive and Shore Drive in conjunction with the 2007 Winter Carnival is attached for the consideration of Council. The relevant By-law 2007-8 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (d) Correspondence from AMO and OGRA is attached for the information of Council.

5. (e) A letter from the federal Minister of Finance in response to a Council resolution (concerning the GST Visitor Rebate Program); letters from Tony Martin, M.P. (concerning support for the reinstatement of the GST Tourism Rebate Program and needed capital improvements at the Sault Canada National Historic Site); a letter from FCM (concerning congratulations to Mayor Rowsell on re-election and working with municipalities in the years ahead); and a News Release from the Ministry of Public Infrastructure Renewal (concerning Province expands loan program to municipalities and universities) are attached for the information of Council.
- (f) A letter from the Chair, MPAC Board of Directors concerning an overview of MPAC's current and planned activities is attached for the information of Council.
- (g) A letter concerning the commencement of a study by MTO to investigate options for four-laning Highway 17 from Black Road at Second Line East to the east boundary of the city at Highway 17 (new) through Batchewana First Nation is attached for the information of Council.

(h) **Appointments to Boards and Committees**

Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti

Resolved that all the resolutions under date 2007 01 15 listed under Agenda item 5.(h) 1-48 inclusive are hereby approved.

(1) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo

Resolved that Councillors L. Tridico and F. Fata be appointed to the Algoma Council on Domestic Violence from January 15, 2007 to December 31, 2007.

(2) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti

Resolved that Councillors O. Grandinetti and F. Manzo be appointed to the Algoma District Municipal Association from January 15, 2007 to December 31, 2007.

(3) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo

Resolved that Councillor S. Myers and citizens Guido Caputo and Joe LaRue be appointed to the Algoma Health Unit from January 15, 2007 to December 31, 2007.

(4) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti

Resolved that Councillor J. Caicco be appointed to the Algoma University College Board of Governors from January 15, 2007 to December 31, 2007.

5. (h)
- (5) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillor L. Turco be appointed to the Celebrating International Friendship Committee – Bridgewalk Group from January 15, 2007 to December 31, 2007.
- (6) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor J. Caicco be appointed to the Chamber of Commerce Board of Directors from January 15, 2007 to December 31, 2007.
- (7) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Councillor L. Tridico be appointed to the Children's Aid Society from January 15, 2007 to December 31, 2007.
- (8) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillors F. Manzo, O. Grandinetti, F. Fata and L. Tridico and citizens Irene Oktaba, Jean Wyatt and Duane and Theresa Jones be appointed to the Christmas Lighting Award Program Judging Committee from January 15, 2007 to December 31, 2007.
- (9) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that citizens Marchy Bruni, Frank DelBosco, Robert Dumanski, Art Gualazzi and Michael Sanzosti be appointed to the Committee of Adjustment from January 15, 2007 to December 31, 2010.
- (10) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowswell, Councillors T. Sheehan and D. Celetti, the Chief Administrative Officer and citizens Liliana Arrua and Susan Milne be appointed to the Community Medical Manpower Recruitment Committee from January 15, 2007 to December 31, 2007.
- (11) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Deputy City Clerk and Manager of Quality Improvement (Malcolm White) be appointed to the CQI - Community Performance Report Committee from January 15, 2007 to December 31, 2007.

5. (h)
- (12) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that citizens Karen Montgomery-Jones, Loretta Durat and Fred Pelletier be appointed to the Community Theatre Centre Management Board from January 15, 2007 to December 31, 2007.
- (13) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that citizen Carlo Barban be appointed to the Court of Revision – Local Improvement from January 15, 2007 to December 31, 2007.
- (14) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowswell (ex officio), Councillors B. Hayes and T. Sheehan and citizens Irene Oktaba and Karin Seidemann be appointed to the Cultural Advisory Board from January 15, 2007 to December 31, 2007.
- (15) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Councillors F. Fata, O. Grandinetti and B. Hayes be appointed to the Dangerous Dog Committee from January 15, 2007 to December 31, 2007.
- (16) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillor L. Tridico be appointed to the Downtown Association from January 15, 2007 to December 31, 2007.
- (17) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillor S. Butland, staff representatives from Engineering Department and Public Works and Transportation Department, one Ministry of the Environment representative and citizens Kathy Lemieux, Rosina MacDonald, Ian Thompson and Andrea Welz be appointed to the Environmental Monitoring Committee from January 15, 2007 to December 31, 2007.
- (18) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor L. Turco be appointed to the Federation of Northern Ontario Municipalities (FONOM) from January 15, 2007 to December 31, 2007.

5. (h)
- (19) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that citizens Frank Del Bosco, Roy O'Neill and Luca Robibaro be appointed to the Fence Viewers Committee from January 15, 2007 to December 31, 2007.
- (20) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillors J. Caicco, F. Fata, B. Hayes and T. Sheehan, the Commissioner of Finance, Manager of Budgets and Revenue and Manager of Finance and Audits and Mayor J. Rowswell (non-voting member) and Chief Administrative Officer (non-voting member) be appointed to the Finance Committee from January 15, 2007 to December 31, 2007.
- (21) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillors S. Myers and B. Hayes be appointed to the Gateway Development Team from January 15, 2007 to December 31, 2007.
- (22) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Councillor L. Turco and citizens Cindy Crawford, Terry Henderson, Pamela Jalak, Kelly Marshall, Mike O'Shea and Jean Wyatt be appointed to the Historic Sites Board from January 15, 2007 to December 31, 2007.
- (23) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillor D. Celetti be appointed to the Humane Society from January 15, 2007 to December 31, 2007.
- (24) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowswell and Councillors J. Caicco, D. Celetti, F. Fata, O. Grandinetti and T. Sheehan be appointed to the Municipal Freedom of Information and Protection of Privacy Act (Head) from January 15, 2007 to December 31, 2007.
- (25) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillors S. Myers, P. Mick and F. Manzo be appointed to the Municipal Handbook Committee from January 15, 2007 to December 31, 2007.

5. (h)
- (26) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor B. Hayes and citizens Lloyd Beilhartz, Marchy Bruni, David Ellis, Robert Ewing and Kelly Marshall be appointed to the Municipal Heritage Committee from January 15, 2007 to December 31, 2007.
- (27) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the Manager of Recreation and Culture (Deborah Bourn) be appointed to the Museum Management Board from January 15, 2007 to December 31, 2007.
- (28) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillors D. Celetti and L. Turco, one representative from Social Services Department (Lynn Rosso) and the Planning Division (Jerry Dolcetti or designate) and citizens Debbie Amaroso, Mark Anderson, Don Calvert, Derrick Lavallee, Tony Mancuso, Robert McLeod, Ann Marie McPhee, Catherine Meincke, Diane Morrell, Sylvia Mosher, Louise Primeau, Karen Raybould, Gerard Taylor, Evelyn Theriault, Rick Wark and Giselle Wood-Solomon be appointed to the Ontarians With Disabilities Accessibility Advisory Committee from January 15, 2007 to December 31, 2007.
- (29) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Mayor J. Rowswell (ex officio), Councillors D. Celetti and F. Manzo and citizens Jerry Bumbacco, Gino Cavallo, Richard Craftchick, Deane Greenwood, Mark Kontulainen, Tom Mauro, Susan Milne and Judy Tucci be appointed to the Parks and Recreation Advisory Committee from January 15, 2007 to December 31, 2007.
- (30) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that citizens Carlo Barban, Peter Berlingieri, Robert Carricato, Mario DeVuono, Damon Godfrey, Catherine Meincke and Otto Volpe be appointed to the Planning Advisory Committee from January 15, 2007 to December 31, 2007.
- (31) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Councillors P. Mick and F. Manzo be appointed to the PUC Inc. Board of Directors from January 15, 2007 to December 31, 2007.

5. (h)
- (32) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that citizen Suzanne Farrell be appointed to the Residential Standards Committee from January 15, 2007 to December 31, 2007.
- (33) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillor S. Myers be nominated to the Sault Area Hospital Board of Directors from January 15, 2007 to December 31, 2007.
- (34) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowsell, Councillors P. Mick and S. Butland and citizens Theresa Barone, Paul Beach, Denis Beaulieu, Rico Bruni, Michelle Furgiuele, Brad Madigan, Jessica Merlino, Susan Milne, Joanne Pearson, Lorraine Pezzutto, Parteepan Rasarathnam, Roxanne Rissanen, Kim Seabrook, Diana Taranto, Grace Tridico, Kelly Wallace, Florence Lake, Linda Ryan and Anna Zuccato be appointed to the Sault Ste. Marie Best for Kids Committee from January 15, 2007 to December 31, 2007.
- (35) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Councillors S. Butland, B. Hayes, P. Mick, L. Turco, F. Fata and L. Tridico be appointed to the Sault Ste. Marie District Social Services Administration Board from January 15, 2007 to December 31, 2007.
- (36) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowsell (ex officio) and Councillors J. Caicco and B. Hayes be appointed to the Sault Ste. Marie Economic Development Corporation Board of Directors from January 15, 2007 to December 31, 2007.
- (37) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Mayor J. Rowsell and Councillors P. Mick and T. Sheehan be appointed to the Sault Ste. Marie Emergency Measures Planning Committee from January 15, 2007 to December 31, 2007.
- (38) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillors S. Butland and B. Hayes be appointed to the Sault Ste. Marie Innovation Centre Board of Directors from January 15, 2007 to December 31, 2007.

5. (h)
- (39) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that citizens Michel Aube, Elspeth Belair, Wayne Cohen, Bill Latham, Moyra O'Pallie, Chris Rous, Doreen Simard, Frances Ryan and Karin Seidemann be appointed to the Sault Ste. Marie Library Board from January 15, 2007 to December 31, 2010.
- (40) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Mayor J. Rowswell, Councillor P. Mick and citizen James Greco be appointed to the Sault Ste. Marie Police Services Board from January 15, 2007 to December 31, 2007.
- (41) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Councillors D. Celetti, F. Manzo and S. Myers and citizen Neil DelBianco be appointed to the Sault Ste. Marie Region Conservation Authority from January 15, 2007 to December 31, 2007.
- (42) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor T. Sheehan be appointed to the Sault Ste. Marie Safe Communities Partnership from January 15, 2007 to December 31, 2007.
- (43) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that Mayor J. Rowswell, Councillors S. Butland, J. Caicco, B. Hayes, T. Sheehan and L. Turco and one Parks and Recreation Advisory Committee representative and one Tourism Sault Ste. Marie representative be appointed to the Sault Ste. Marie Sports and Entertainment Centre Steering Committee from January 15, 2007 to December 31, 2007.
- (44) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that Councillor J. Caicco, citizens Gino Cavallo and Deane Stinson, two Downtown Association representatives and one Chamber of Commerce representative be appointed to the Sault Ste. Marie Walk of Fame Selection Committee from January 15, 2007 to December 31, 2007.
- (45) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that Mayor J. Rowswell, Planning Director (Don McConnell) and one Parks and Recreation Advisory Committee representative be appointed to the Sault Trails Advocacy Committee from January 15, 2007 to December 31, 2007.

5. (h)
- (46) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor S. Myers be appointed to the Searchmont Ski Association Inc. from January 15, 2007 to December 31, 2007.
- (47) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor O. Grandinetti be appointed to the Snowmobile Task Committee from January 15, 2007 to December 31, 2007.
- (48) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that one representative from Community Services Department (Joe Cain) be appointed to the St. Mary's River Marine Centre (Norgoma) Board of Directors from January 15, 2007 to December 31, 2007.
- (i) **Council Travel**
Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that Councillor Lou Turco be authorized to travel to an AMO Executive/Board Meeting being held in Toronto (two days in January) at a cost of \$300.00 to the City.
- (j) **Staff Travel Requests**
A report of the Chief Administrative Officer is attached for the consideration of Council.
Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 01 15 be approved as requested.
- (k) **2007 Council Meeting Schedule**
A report of the City Clerk is attached for the consideration of Council. This is in response to a Council resolution dated 2006 12 11.
Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the City Clerk dated 2007 01 15 concerning 2007 Council Meeting Schedule be accepted and the recommended 2007 Council Meeting Schedule be approved.
- (l) **2007 Corporate Membership Fees**
A report of the Deputy City Clerk is attached for the consideration of Council.

5. (l) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Deputy City Clerk dated 2007 01 15 be accepted and the recommendation to proceed with payment of the 2007 Corporate Membership Fees be approved.
- (m) **Boniferro Millworks Inc. - Minutes of Settlement**
A report of the City Tax Collector is attached for the consideration of Council. The relevant By-law 2007-12 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that the report of the City Tax Collector dated 2007 01 15 concerning Boniferro Millworks Inc. - Minutes of Settlement be accepted and the recommendation that Council approve the Minutes of Settlement between the City, MPAC and Boniferro Millworks Inc. for the 2003, 2004, 2005 and 2006 tax years for a total municipal and education tax adjustment in the amount of \$408,535.00 be approved.
- (n) **Finance Committee**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. This is in response to a Council resolution dated 2006 12 11.

Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning Finance Committee be accepted as information.
- (o) **2007 MPAC Fees**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning 2007 MPAC Fees be accepted as information.
- (p) **Consulting Services for Review Options for PUC Distribution Company**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

5. (p) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning Consulting Services for Review Options for PUC Distribution Company be accepted and the recommendation that the firm of Barker Dunn & Rossi (Canada) Inc. in association with BDO Dunwoody LLP and Gowlings be retained to undertake the study at a cost of \$73,150.00 be approved.
- (q) **F. J. Davey Home**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning F. J. Davey Home be accepted as information.
- (r) **2007 Assessment Roll**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning 2007 Assessment Roll be accepted as information.
- (s) **2007 Allocation for the Ontario Municipal Partnership Fund (OMPF)**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning 2007 Allocation for the Ontario Municipal Partnership Fund (OMPF) be accepted as information.
- (t) **Heritage Buildings and the 1923 Pilgrimage of History Plaques Brochure**
A report of the Manager of Recreation and Culture is attached for the consideration of Council. A copy of the brochure is provided under separate cover.

5. (t) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Manager of Recreation and Culture dated 2007 01 15 concerning Heritage Buildings and the 1923 Pilgrimage of History Plaques Brochure be accepted as information.
- (u) **Ermatinger-Clergue National Historic Site - New Brochure**
A report of the Manager of Recreation and Culture is attached for the consideration of Council. A copy of the brochure is provided under separate cover.

Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that the report of the Manager of Recreation and Culture dated 2007 01 15 concerning Ermatinger-Clergue National Historic Site - New Brochure be accepted as information.
- (v) **19th Ontario Provincial Harley Owners Group Rally**
A report of the Recreation Assistant, Recreation and Culture is attached for the consideration of Council.

Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the report of the Recreation Assistant, Recreation and Culture dated 2007 01 15 concerning 19th Ontario Provincial Harley Owners Group Rally be accepted and the recommendation that overnight outdoor camping be allowed at Clergue Park for the participants of the Rally taking place August 2 to 5, 2007, subject to the required approval of Algoma Health Unit, be approved.
- (w) **Steelback Centre Private Suites - Phase II and III**
A report of the Commissioner of Community Services is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Commissioner of Community Services dated 2007 01 15 concerning Steelback Centre Private Suites - Phase II and III be accepted and the recommendation that Council authorize issuing a tender for two options: construction of Phase II; and construction of Phase II and III of the private suites and further that the Sports and Entertainment Centre Steering Committee report back to Council be approved.
- (x) **248 Albert Street West - Property Standards**
A report of the Chief Building Official/Property Standards Officer is attached for the consideration of Council.

5. (x) Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2007 01 15 concerning civic number 248 Albert Street West be accepted and the recommendation that the Corporation hire the forces necessary to remove the debris in the rear yard adding the costs of this action to the taxes of the subject property be approved.
- (y) **408 Devon Road - Property Standards**
A report of the Chief Building Official/Property Standards Officer is attached for the consideration of Council.

Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2007 01 15 concerning civic number 408 Devon Road be accepted and the recommendation that the Corporation hire the forces necessary to remove the appliances and debris and cut the rear yard grass adding the costs of this action to the taxes of the subject property be approved.
- (z) **235 Brown Street - Property Standards**
A report of the Chief Building Official/Property Standards Officer is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2007 01 15 concerning civic number 235 Brown Street be accepted and the recommendation that the Corporation hire the forces necessary to remove debris and used furniture from the property adding the costs of this action to the taxes of the subject property be approved.
- (aa) **42 Penno Road - Property Standards**
A report of the Chief Building Official/Property Standards Officer is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2007 01 15 concerning civic number 42 Penno Road be accepted and the recommendation that the Corporation hire the forces necessary to demolish the building located at 42 Penno Road and add the costs associated with such demolition to the taxes of the subject property be approved.

5. (bb) **Biannual Bridge Inspections - Load Restrictions**
A report of the Director of Engineering Services is attached for the consideration of Council. The relevant By-law 2007-10 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
- Resolved that the report of the Director of Engineering Services dated 2007 01 15 concerning Biannual Bridge Inspections - Load Restrictions be accepted and the recommendations that
1. \$300,000.00 be designated in the 2007 miscellaneous construction budget for provision of temporary bridge decks on nine bridges; and
 2. fabrication and installation of the bridges begin immediately; and
 3. that any surplus in the 2006 capital works budget be applied to this project to reduce the detrimental effects on the annual road resurfacing program be approved.
- (cc) **Engineering Services - MacDonald Avenue, Pine Street to Lake Street**
A report of the Director of Engineering Services is attached for the consideration of Council. The relevant By-law 2007-7 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (dd) **Engineering Services - Shannon Road Reconstruction, Queen Street to Wellington Street**
A report of the Director of Engineering Services is attached for the consideration of Council. The relevant By-law 2007-6 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (ee) **Council Honorariums - One Third Tax Exemption**
A report of the Assistant City Solicitor is attached for the consideration of Council.
- Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
- Resolved that the report of the Assistant City Solicitor dated 2007 01 15 concerning Council Honorariums be accepted and the recommendation that Council take no action and allow the one-third tax exemption to stand be approved.
- (ff) **History of Closing Stores on Boxing Day**
A report of the City Solicitor is attached for the consideration of Council.
- Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
- Resolved that the report of the City Solicitor dated 2007 01 15 concerning History of Closing Stores on Boxing Day be accepted as information.

5. (gg) **Ministry of Transportation - Variable Message Boards Sign**
A report of the City Solicitor is attached for the consideration of Council.
- Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
- Resolved that the report of the City Solicitor dated 2007 01 15 concerning Ministry of Transportation - Variable Message Boards Sign be accepted and the recommendation that the Ministry of Transportation be relieved from the requirement to pay the \$1,200.00 annual fee for the variable message board advertising sign to be located on Trunk Road be approved.
- (hh) **City Sale of 605 Third Line East to 1644365 Ontario Inc.**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2007-3 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (ii) **Ontario Municipal Board Hearing into Temporary Use Approved for 99 Gibb Street (Sam Rainone) - Automobile Repair Garage - By-law 2006-34**
A report of the City Solicitor is attached for the consideration of Council.
- Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
- Resolved that the report of the City Solicitor dated 2007 01 15 concerning Ontario Municipal Board Hearing into Temporary Use Approved for 99 Gibb Street (Sam Rainone) - Automobile Repair Garage - By-law 2006-34 be accepted as information.
- (jj) **Designated Fire Route at Steelback Centre Parking Lot - 269 Queen Street East**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2007-5 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (kk) **Timed Intersection Crossings at Signalized Intersections**
A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council. This is in response to a Council resolution dated 2006 09 11

5. (kk) Mover - Councillor S. Butland
Seconder - Councillor O. Grandinetti
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 01 15 concerning Timed Intersection Crossings at Signalized Intersections be accepted and the recommendation that the city not consider 'timed intersection crossings' for use and that staff meet with the Accessibility Advisory Committee to discuss intersection locations where the existing crosswalk timing can be increased to accommodate the public be approved.
- (ll) **Sole Sourcing of Landfill Site Pump**
A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 01 15 concerning Sole Sourcing of Landfill Site Pump be accepted and the recommendation to sole source the 45-horsepower pump required for the landfill site pumping station from ITT Flygt Canada at the previously approved cost of approximately \$70,000.00 be approved.
- (mm) **Refuse Agreement With the Township of Prince**
A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council. The relevant By-law 2007-2 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (nn) **No Parking Zone on Farwell Terrace**
A report of the Commissioner of Public Works and Transportation is attached for the consideration of Council. This is in response to a Council resolution dated 2006 12 11. The relevant By-law 2007-15 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (oo) **Provincial and Federal Funding for Transit**
A report of the Transit Manager is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Transit Manager dated 2007 01 15 concerning the Federal and Provincial Funding for Transit be accepted as information.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (1) ADMINISTRATIVE

(a) 2007 PUC Interest Payment

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor S. Butland

Seconder - Councillor F. Manzo

Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 01 15 concerning 2007 PUC Interest Payment be accepted and the recommendation that in light of the municipal budget impact for 2007, PUC Inc. provide an explanation of the service impact of not reducing the City interest payment by \$500,000.00 for 2007 be approved.

6. (6) PLANNING

(a) Application No. A-1-07-Z - MRA Holdings Limited - 104 Albert Street West - Donalyn and Larry Rudnicki - Request to Permit a Total of No More Than 6 Dwelling Units on the Subject Property

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

Mover - Councillor S. Butland

Seconder - Councillor O. Grandinetti

Resolved that the report of the Planning Division dated 2007 01 15 concerning Application No. A-1-07-Z - MRA Holdings Limited be accepted and the Planning Director's recommendation that City Council approve the following amendments to Special Exception 52 of By-law 2005-151: 1. That no more than 6 dwelling units be permitted on the subject property; 2. That the required parking is 6 spaces, 3 on-site, and 3 at 42 Manilla Terrace, subject to a definite lease that exceeds 10 years be endorsed.

(b) Application No. A-2-07-Z - Good Old Dad Foods - 185 Industrial Court B - Request to Permit a Coffee Shop and the Retail Sales of Foods Manufactured on Site

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

6. (6)
(b) Mover - Councillor J. Caicco
Seconder - Councillor F. Manzo
Resolved that the report of the Planning Division dated 2007 01 15 concerning Application No. A-2-07-Z - Good Old Dad Food Products be accepted and the Planning Director's recommendation that City Council approve the application by way of a Special Exception to permit a trailer for the retail sale of frozen foods produced on site, coffee and snacks subject to the 3 conditions contained in the report be endorsed.
6. (8) **BOARDS AND COMMITTEES**
- (a) **Development of a Comprehensive Municipal Parking By-law**
A report of the Sault Ste. Marie Accessibility Advisory Committee is attached for the consideration of Council.

Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
Resolved that the report of the Sault Ste. Marie Accessibility Advisory Committee dated 2006 10 24 concerning Development of a Comprehensive Municipal Parking By-law BE REFERRED to the Legal Department and the Public Works and Transportation Department - Parking Division for review including meetings with the Accessibility Advisory Committee and report back to Council with recommendations.
- (b) **The Norgoma - Background and Recommendations - A Report to City Council**
A report of Destiny Sault Ste. Marie is attached for the consideration of Council.

Mover - Councillor S. Butland
Seconder - Councillor F. Manzo
Resolved that the report of Destiny Sault Ste. Marie dated January 2007 entitled 'The Norgoma - Background and Recommendations - A Report to City Council' be accepted and the recommendation to Council to approve Option #4 - Subsidize and Strengthen Existing Norgoma Operations including the 7 recommendations contained therein under Option #4, BE REFERRED to the 2007 Budget Deliberations.
- (c) **Multi Modal Initiative Phase I Market Assessment Final Report**
A report of the Chair/Coordinator Multi Modal Task Force, Destiny Sault Ste. Marie is attached for the consideration of Council. The consultant report is appended under separate cover.

6. (8)
(c) Mover - Councillor J. Caicco
Seconder - Councillor O. Grandinetti
- Resolved that the report of the Chair/Coordinator Multi Modal Task Force, Destiny Sault Ste. Marie concerning Multi Modal Initiative Phase I Market Assessment Final Report dated January 10, 2007 be accepted and the recommendation to proceed to Phase II of the Study, a Feasibility and Infrastructure Assessment focusing exclusively on the road and rail requirements, at an estimated total cost of \$95,000.00 of which the city's portion will not exceed \$28,000.00 as part of the original city portion of \$158,000.00 approved previously by Council from the Economic Diversification Fund be approved.

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

- (a) Mover - Councillor B. Hayes
Seconder - Councillor T. Sheehan
- Whereas there have been several complaints regarding the noise created by blowing horns at the Sault Greyhound games; and
- Whereas Council has been asked to consider banning the use of horns similar to the ban on air horns;
- Now therefore be it resolved that Council request the Commissioner of Community Services to meet with the Sault Greyhound Administration to discuss these concerns and their position and report back to Council.
- (b) Mover - Councillor J. Caicco
Seconder - Councillor S. Butland
- Whereas Team Canada won a gold medal in the World Junior Hockey Championships in Leksand, Sweden under Head Coach Craig Hartsburg; and
- Whereas Craig Hartsburg is also a resident of our fine city and head coach of the OHL Soo Greyhounds; and
- Whereas Craig led Team Canada to its third straight gold medal and its first gold medal in Europe since 1997 by going undefeated in the Tournament Round Robin play, beating Team USA in a dramatic overtime shootout, and by defeating Team Russia 4-2 in the gold medal game;
- Now therefore be it resolved that City Council congratulates Craig Hartsburg on this very prestigious accomplishment and for bringing world wide notoriety to Sault Ste. Marie and the Soo Greyhounds of the OHL.

7. (c) Mover - Councillor L. Tridico
Seconder - Councillor F. Manzo
Resolved that City Council accept the letter from Clifford Thibert dated December 14, 2006 regarding an accident at the intersection of Carmen's Way and Comnee Avenue and regarding flashing amber and red traffic lights to be installed at this intersection of Carmen's Way and Comnee Avenue; and further be it resolved that this letter be referred to the Engineering Department and Public Works and Transportation for a study regarding flashing lights and report back to City Council on cost factor; and further be it resolved that this study be reported back to City Council as soon as possible.
- (d) Mover - Councillor S. Butland
Seconder - Councillor B. Hayes
Be it resolved that City Council request Mr. Phillip Garforth and principals of the Borealis/Gateway Project to provide Council with an update on the progress/timelines of this significant tourism initiative at his/their earliest convenience.
- (e) Mover - Councillor L. Tridico
Seconder - Councillor F. Fata
Whereas demolition of older buildings is making way for construction of new projects in our city; and
Whereas City Council wishes to ensure that the asbestos in these old buildings is properly removed and disposed of;
Now therefore be it resolved that City Council request the city Building Division, when issuing a demolition permit, ensures that properly qualified personnel remove and dispose of the asbestos in a manner as set out using Ministry of the Environment and Ministry of Labour guidelines.

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.

AGREEMENTS

- (a) 2007-2 A by-law to authorize an agreement between the City and The Corporation of the Township of Prince to govern refuse disposal by the Township of Prince at the Sault Ste. Marie Landfill site.

10. (a) A report from the Deputy Commissioner of Public Works and Transportation is on the agenda.
- (b) 2007-6 A by-law to authorize an agreement between the City and Kresin Engineering Inc. concerning the reconstruction of Shannon Road from Queen Street to Wellington Street.
- A report from the Director of Engineering Services is on the agenda.
- (c) 2006-7 A by-law to authorize an agreement between the City and STEM Engineering concerning the reconstruction of MacDonald Avenue from Pine Street to Lake Street.
- A report from the Director of Engineering Services is on the agenda.
- (d) 2007-12 A by-law to authorize the execution of agreements between the City, Boniferro Millworks Inc. and Municipal Property Assessment Corporation concerning the property assessment valuations for the 2003, 2004, 2005 and 2006 taxation years.
- A report from the City Tax Collector is on the agenda.

APPOINTMENTS TO LOCAL BOARDS

- (e) 2007-14 A by-law to appoint members to various Local Boards in the City of Sault Ste. Marie.

FIRE ROUTE

- (f) 2007-5 A by-law to amend Fire Route By-law 81-404.

PROPERTY SALE

- (g) 2007-3 A by-law to authorize the sale of 605 Third Line East.
A report from the City Solicitor is on the agenda.

REGULATION

- (h) 2007-9 A by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

10. (h) A letter from the Airport Manager, Sault Ste. Marie Airport Development Corporation is on the agenda.

STREETS

- (i) 2007-4 A by-law to re-adopt the official street names list.

TAXES

- (j) 2007-13 A by-law to provide for interim tax levies.

TEMPORARY STREET CLOSING

- (k) 2007-8 A by-law to permit the temporary closing of Foster Drive, Bellevue Park access road at Lake Street and Shore Drive to facilitate various Bon Soo events.

A letter from the Ontario Winter Carnival Bon Soo is on the agenda.

TRAFFIC

- (l) 2007-1 A by-law to consolidate amendments to Traffic By-law 77-200.
- (m) 2007-10 A by-law to amend By-law 2006-253, which provides for load limits on specified bridges.

A report from the Director of Engineering Services is on the agenda.

- (n) 2007-15 A by-law to amend Schedule "A" of Traffic By-law 77-200 and repeal By-law 2006-210.

By-laws before Council for THIRD reading which do not require more than a simple majority.

LOCAL IMPROVEMENTS

- (o) 2006-226 A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement on Shannon Road from Queen Street to Margaret Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03.

10. (p) 2006-227 A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Shannon Road from Margaret Street to Wellington Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03.
- (q) 2006-228 A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on MacDonald Avenue from Pine Street to Lake Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03.

By-laws 2006-226, 2006-227 and 2006-228 received First and Second readings on October 30th, 2006.

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

- (a) Councillors S. Butland and J. Caicco have requested Don Elliott, Director of Engineering Services to provide an update on the general operations of the new Water Pollution Control Plant and the continuing complaints of obnoxious odour. See letter from PUC attached.

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Mover - Councillor S. Butland

Seconder - Councillor F. Manzo

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2006 12 11

5:00 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, F. Manzo, P. Mick

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, L. McCoy, J. Dolcetti, D. Elliott

1. ADOPTION OF MINUTES

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2006 11 27 be approved. CARRIED.

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

4. DELEGATIONS/PROCLAMATIONS

- (a) Dianna Taranto, Chair, Community Christmas for Children Planning Committee was in attendance concerning Proclamation - Community Christmas For Children.
- (b) David Poluck, 357 Northern Avenue East was in attendance to inform Council of his intention on behalf of a local group to undertake a process to request that Council revisit the Boxing Day store closing issue in 2007.
- (c) Dominico Stefanizzi, 436 Farwell Terrace and Salvatore Romano, 444 Farwell Terrace were in attendance concerning agenda item 5.(p).

PART ONE – CONSENT AGENDA

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

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that all the items listed under date 2006 12 11 - Part One - Consent Agenda [save and except 5.(p) - referred to Public Works and Transportation] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Township of Madawaska Valley (concerning the doctor shortage in Ontario); and letters from the Minister of Transportation (concerning the new Ontario Bus Replacement Program); the Minister of Municipal Affairs and Housing (concerning reporting requirements for the 2006 Municipal Performance Measurement Program) were received by Council.
- (c) The News Release dated December 4, 2006 from the Northern Ontario School of Medicine concerning Northern Ontario School of Medicine Supports Development of a Clinical Research Institute for Northern Ontario was received by Council.
- (d) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2006 12 11 be approved as requested. CARRIED.

- (e) **Tender for Powered Roller Blinds - Steelback Centre**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2006 12 11 be endorsed and that the tender for the supply and installation of Powered Roller Blinds at the Steelback Centre, required by the Community Services Department be awarded as recommended. CARRIED.

- (f) **Tender for Oils, Greases and Gear Lubricants (2006WA29)**
The report of the Manager of Purchasing was accepted by Council.

5. (f) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that the report of the Manager of Purchasing dated 2006 12 11 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, required by the various City Departments and cooperatively PUC Services Inc. for the year 2007 be awarded as recommended. CARRIED.
- (g) **Proposal for Design, Supply and Placement of an Illuminated Exterior Sign at the Steelback Centre**
The report of the Manager of Purchasing and the Commissioner of Community Services were accepted by Council.
Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Manager of Purchasing dated 2006 12 11 be endorsed and that the proposal for the Design, Supply and Placement of an Illuminated Exterior Sign at the Steelback Centre, required by the Community Services Department be accepted as recommended. CARRIED.
- (h) **Borrowing By-laws for 2007**
The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant By-laws 2006-246 and 2006-252 are listed under Item 10 of the Minutes.
- (i) **2007 Council Meeting Schedule**
The report of the City Clerk was received by Council.
Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that the report of the City Clerk dated 2006 10 16 concerning 2007 Council Meeting Schedule be accepted and the recommendation that Council amend Procedure By-law 99-100 as follows:
Section 3(1) The regular meetings of Council shall be held at 4:30 p.m. twice per month on Monday afternoons be approved; and
Further resolved that Council approve the recommended dates for the 2007 Council Meeting Schedule as amended to include a January 22nd Meeting to review the Procedure By-law and to add a second meeting in July and in August be approved. CARRIED.
- (j) **Parks and Recreation Advisory Committee - 2004 to 2006 Accomplishments**
The report of the Assistant Manager Recreation and Culture was accepted by Council.

5. (j) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Assistant Manager Recreation and Culture on behalf of the Parks and Recreation Advisory Committee dated 2006 12 11 concerning Parks and Recreation Advisory Committee 2004 to 2006 Accomplishments be accepted as information. CARRIED.
- (k) **Update on Carmen's Way Transportation Corridor**
The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that the report of the Commissioner of Engineering and Planning dated 2006 12 11 concerning Update on Carmen's Way Transportation Corridor be accepted as information. CARRIED.
- (l) **Request From Federal Bridge Corporation Limited for the City to Surrender its Five Shares in the St. Mary's River Bridge Company**
The report of the City Solicitor was accepted by Council.

Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Whereas the Corporation of the City of Sault Ste. Marie has, since the mid 1960's, owned five shares in the St. Mary's River Bridge Company (the Company); and
Whereas the Federal Bridge Corporation Limited (FBCL) owns 136 of the 150 issued shares of the Company; and
Whereas the FBCL has requested the City to either transfer the five shares to the FBCL or return the five shares to the Treasury of the Company; and
Whereas the FBCL has issued a letter to the City dated November 27, 2006 indicating the commitment of the FBCL to maintain a majority of local representation on the Joint International Bridge Authority;
Now therefore be it resolved that the Corporation of the City of Sault Ste. Marie accepts the report of the City Solicitor dated 2006 12 11 and that the City authorizes the transfer of its five shares in the Company to the FBCL or in the alternative, the return of the five shares to the Treasury of the Company be approved. CARRIED.
- (m) **Licence of Occupation - Ministry of Transportation**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-247 is listed under Item 10 of the Minutes.

5. (n) **Lane Closing Application - Harris and Buckley Subdivision**
The report of the City Solicitor was accepted by Council. The relevant By-laws 2006-248 and 2006-249 are listed under Item 10 of the Minutes.
- (o) **Lane Closing Application - Connaught Park Subdivision**
The report of the City Solicitor was accepted by Council. The relevant By-laws 2006-250 and 2006-251 are listed under Item 10 of the Minutes.
- (p) **Farwell Terrace - No Parking**
The report of the Commissioner of Public Works and Transportation was received by Council.

Moved by Councillor F. Fata
Seconded by Councillor P. Mick
Resolved that agenda item 5.(p) Farwell Terrace - No Parking BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council. CARRIED.

Councillor D. Celetti declared a pecuniary interest - resides in subject area.

Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that the report of the Commissioner of Public Works and Transportation dated 2006 12 11 concerning Farwell Terrace - No Parking be accepted as information. OFFICIALLY READ NOT DEALT WITH.

Councillor D. Celetti declared a pecuniary interest - resides in subject area.
- (q) **Purchase of Small Excavator**
The report of the Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Public Works and Transportation dated 2006 12 11 concerning Purchase of Small Excavator be accepted and the recommendation that Council authorize the purchase of the Kubota Mini Excavator from Tracks and Wheels for a purchase price of \$75,000.00 less 90% of the 2006 lease payments plus applicable taxes with funds to come from the 2006 equipment budget be approved. CARRIED.
- (r) **Purchase of Used Half-Ton Truck**
The report of the Manager of Equipment and Buildings, Public Works and Transportation was accepted by Council.

5. (r) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that the report of the Manager of Equipment and Buildings, Public Works and Transportation dated 2006 12 11 concerning Purchase of Used Half-Ton Truck be accepted and the recommendation that Council approve the purchase of a 2006 Ford F150 4x2 from Maitland Motors at a cost of \$17,841.00 including trade-in, license fee and taxes with funds to come from the Cemeteries Reserve Fund be approved. CARRIED.
- (s) **Replacement of Ten Gas Fired Heaters in the Transit Vehicle Storage Area**
The report of the Transit Manager was accepted by Council.

Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Resolved that the report of the Transit Manager dated 2006 12 11 concerning Replacement of Ten Gas Fired Heaters in the Transit Vehicle Storage Area be accepted and the recommendation that Council approve the allocation of \$65,000.00 in funding from the Federal Gas Tax for Transit program to replace the ten gas fired heaters with ten gas fired radiant heaters at the Transit garage, 111 Huron Street and that a RFP for the work be issued be approved. CARRIED.
- (t) **Backup Pump for Sault Ste. Marie Landfill Site Pumping Station**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2006 12 11 concerning Backup Pump for Sault Ste. Marie Landfill Site Pumping Station be accepted and the recommendation that Council approve the purchase of a new pump for the Landfill site pump station at a cost of approximately \$70,000.00 with funds to come from the Waste Disposal Site Reserve be approved. CARRIED.
- (u) **Urn Garden Columbariums**
The report of the Manager of Cemeteries was accepted by Council.

5. (u) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Manager of Cemeteries dated 2006 12 11 concerning Urn Garden Columbariums be accepted and the recommendation that staff proceed with the tendering for the construction of four urn garden companion columbarium units (each containing 16 companion niches) at an estimated cost of \$70,000.00 with funds to come from the Cemetery Reserve be approved. CARRIED.

(v) **Biannual Bridge Inspections - Load Restrictions**
The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2006-253 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (1) ADMINISTRATIVE

(a) 2007 Appointments to Boards and Committees - Review of Process and Policy for Making Appointments

The report of the City Clerk was accepted by Council.

Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco

Resolved that the report of the City Clerk dated 2006 12 11 concerning 2007 Appointments to Boards and Committees - Review of Process and Policy for Making Appointments be accepted as information. CARRIED.

Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan

Whereas City Council currently makes a number of citizen appointments on many Boards and Committees; and

Whereas most terms of appointment do not have guidelines for a maximum length of service; and

Whereas some Boards and Committees provide an honorarium for citizens serving and others do not; and

Whereas City Councillors sit on over 50 Boards and Committees, some with more than one Councillor representative;

6. (1) (a) Now therefore be it resolved that all appointments for 2007, save and except the Committee of Adjustment and Library Board, be limited to one year only and further be it resolved that a committee of Council be struck to review and report back within one year regarding length of terms for Citizens appointments, honorariums for Citizens and Council representation on all Boards and Committees. Committee: Councillors Susan Myers, Terry Sheehan, Lou Turco, Mayor John Rowswell ex-officio, Legal and Clerk Department representatives and citizen representative Brady Irwin. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, S. Myers, F. Fata, T. Sheehan, S. Butland, P. Mick

Against: Councillors D. Celetti, O. Grandinetti, L. Tridico, F. Manzo

Absent: Nil

6. (4) **FIRE**

- (a) **Development of the Former MTO Site as an Emergency Response Centre**
The report of the Fire Chief and the Commissioner of Finance and Treasurer were received by Council.

Moved by Councillor T. Sheehan
Seconded by Councillor B. Hayes

Resolved that the resolutions regarding the MTO site BE DEFERRED until:

- 1) A visual inspection for all of City Council is arranged and undertaken to determine the suitability of the building for the proposed Emergency Response Centre usage; and
- 2) A report from both the City Planning Department and Sault Ste. Marie Economic Development Corporation in regards to:
 - a) What potential usages have been proposed in the past by private and public sector entities for this property. Commenting on what was the potential economic/quality of life impact for the community of Sault Ste. Marie
 - b) An analysis of economic/quality of life usages for this property by a general call for ideas from private and public sector businesses. CARRIED.

6. (4)
(a) Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Resolved that the report of the Fire Chief dated 2006 12 11 concerning Development of the Former MTO Site as an Emergency Response Centre be accepted and further that Council authorize the Fire Chief to proceed with the renovation project at the MTO Site in accordance with the plans that have been prepared by the Architect/Engineer and to be funded in accordance with the recommendation of the Commissioner of Finance be approved. OFFICIALLY READ NOT DEALT WITH.

Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2006 12 11 concerning MTO Site Financing Plan be accepted and the recommendation that Council approve the use of funding within the 2006 capital levy to finance the MTO site renovations over a four-year period, and that rental revenue for the Sault Central Ambulance Communications Centre (CACC) be used to finance the balance of the project (Option 1) be approved. OFFICIALLY READ NOT DEALT WITH.

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

(a) Moved by Councillor S. Butland
Seconded by Councillor D. Celetti
Be it resolved that the Butland/Celetti Notice of Motion regarding "no further expenditures on air cargo, multi-modal initiative until such time as the study results are tabled" BE TABLED until such time as deemed appropriate by the mover and seconder. CARRIED.

Moved by Councillor S. Butland
Seconded by Councillor D. Celetti
Whereas Council has commissioned an all-encompassing, phased-in study to evaluate in a systematic manner the economic potential for Sault Ste. Marie to become a transportation corridor to the U.S.A. by land, sea and air; and
Whereas this study is to recommend strategies to pursue the economic benefits of this initiative; and
Whereas the first phase of the study will be tabled in early 2007; and
Whereas Council approved the \$550,000.00 expenditure which hopefully will provide a definitive blueprint to follow in this exercise;

7. (a) Be it resolved that Council not approve any further interim expenditures on the air cargo, multi/intermodal initiative until such time as the study results are tabled for Council's consideration; and
Be it further resolved that Council request of the Economic Development Corporation Board to adopt a similar policy. OFFICIALLY READ NOT DEALT WITH.
- (b) Moved by Councillor B. Hayes
Seconded by Councillor T. Sheehan
Whereas in the recent municipal election there was significant vandalism of election signage resulting in financial burden and inconvenience to those seeking election; and
Whereas it is very difficult to police this type of vandalism; and
Whereas there have been many options considered to reduce this vandalism and associated costs including but not limited to eliminating signage on public property and restricting signage to private property, restricting the location of election signs to street corners only, and establishing parameters surrounding size of signage;
Now therefore be it resolved that City Council direct staff to research these and other options that may be existing in other municipalities and report back to Council. CARRIED.
- (c) Moved by Councillor B. Hayes
Seconded by Councillor P. Mick
Whereas there have been several complaints regarding the safety of pedestrians at the corner of Willow and McNabb; and
Whereas one of the complainants was hit by a vehicle in 2002; and
Whereas due to the proximity of the Social Housing Complex, the YMCA, the Group Health Centre and Krazy Ernie's Food Mart there is significant vehicular and pedestrian traffic at this intersection; and
Whereas there has been a request as one possible solution to install signage reminding drivers to yield to pedestrians;
Now therefore be it resolved that Council direct appropriate staff to review incidents at the intersection of Willow and McNabb and report back to Council on any proposed solutions and costs that would make this intersection safer for pedestrian traffic. CARRIED.
- (d) Moved by Councillor S. Butland
Seconded by Councillor T. Sheehan
Be it resolved that Councillor Butland be authorized to convene an initial, exploratory meeting regarding the feasibility of establishing an indoor soccer facility to accommodate the over 4,000 registered soccer players in our community;

7. (d) The intent would be to establish a smaller steering committee from the original group to facilitate the above process. It would be anticipated that participants at the initial meeting be as follows:
- 1) City Staff - Nick Apostle, Margaret Hazelton and Randy Travaglini;
 - 2) One member from the Parks and Recreation Advisory Committee;
 - 3) Representation from various Sault Amateur Soccer Association members: Clive Wilkinson - President, SASA; Neil Ovey - Sault Youth; Terry Zeppa - Northern Heights; Joe Ceglie - Executive SASA; Mike Kulhan - Executive SASA; T. Brandstetter - Sault Ladies; Joe DiFlumeri - Sault Italian Indoor;
 - 4) Councillors S. Butland and J. Caicco. CARRIED.
- (e) Moved by Councillor B. Hayes
Seconded by Councillor S. Butland
Whereas the Finance Committee was established by resolution of the prior Council; and
Whereas the Finance Committee has been in place for approximately 2 ½ years; and
Whereas a new Council has now been elected; and
Whereas there has been some question as to the need for a Finance Committee and the responsibilities of that committee;
Now therefore be it resolved that the Commissioner of Finance provide to Council a report for the January 15, 2007 meeting on other municipalities that have Finance Committees in place, the reasons our Finance Committee was created, the Terms of Reference for Sault Ste. Marie's Finance Committee, copies from minutes of all prior Finance Committee Meetings as well as identification of what items the Finance Committee is currently working on.
CARRIED.
- (f) Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Whereas the Agawa Canyon Tour Train is the City's largest tourist attraction and possibly Northern Ontario's largest tourist attraction; and
Whereas over the past several years, there has been a succession of ownership changes of this important rail operation, but there has not been a renewal or update of equipment or programming; and
Whereas the numbers of tourists who come to Sault Ste. Marie to experience the Agawa Canyon Tour has decreased annually because of the age and unreliability of the train rolling stock; and
Whereas there have been some discussions involving CN Rail and the senior levels of government for the renewal and update of equipment, thus far not resulting in any action which would curb or reduce the decrease in passengers on the train; and
Whereas it is important that we re-double our efforts to recover our tourism market share with a renewal and update of both equipment and programming for our Agawa Canyon Tour;

7. (f) Now therefore be it resolved that City Council establish a Committee, to be chaired by Councillor James Caicco and to consist of other members of Council, appropriate EDC and City staff, CN representation, and others as required. The said Committee will be tasked with making recommendations to Council and others on how to best renew and update both equipment and programming for the long term success of the Agawa Canyon Tour Train and any related passenger train services that it deems appropriate. CARRIED.

Councillor D. Celetti declared a pecuniary interest - employed by CN Railway.

(g) Moved by Councillor S. Butland
Seconded by Councillor T. Sheehan

Be it resolved that Council approve the closure of St. George's Avenue in the vicinity of St. Basil's High School on the evening of January 25th from 6:00 to 10:00 p.m. to accommodate a group of local filmmakers filming a movie entitled "Good Guys". CARRIED.

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 S. Myers
Seconded by Councillor J. Caicco

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2006 12 11 be approved. CARRIED.

(a) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco

Resolved that By-law 2006-246 being a by-law to authorize the borrowing of \$25,000,000. to finance capital expenditures for short and long term purposes be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.

(b) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco

Resolved that By-law 2006-247 being a by-law to authorize a Licence of Occupation between the City and the Ministry of Transportation for a message board on Trunk Road east of Fournier Road be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.

10. (c) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-248 being a by-law to assume for public use and establish as a public lane, a portion of a lane in the Harris and Buckley Subdivision be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.
- (d) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-249 being a by-law to stop up, close and authorize the conveyance of a lane in the Harris and Buckley Subdivision be read a first and second time this 11th day of December, 2006. CARRIED.
- (e) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-250 being a by-law to assume for public use and establish as a public lane, a lane in the Connaught Park Subdivision be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.
- (f) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-251 being a by-law to stop up, close and authorize the conveyance of a lane in the Connaught Park Subdivision be read a first and second time this 11th day of December, 2006. CARRIED.
- (g) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-252 being a by-law to authorize the borrowing of \$10,000,000. to meet current expenditures until taxes are collected be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.
- (h) Moved by Councillor S. Myers
Seconded by Councillor J. Caicco
Resolved that By-law 2006-253 being a by-law to provide load limits on specified bridges be read three times and passed in Open Council this 11th day of December, 2006. CARRIED.

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

(a) Moved by Councillor L. Turco
Seconded by Councillor S. Myers

Resolved that Council shall meet on January 9, 2007 at 5:00 p.m. in Caucus to make the necessary one-year appointments to 2007 Boards and Committees. CARRIED.

(b) Moved by Councillor F. Manzo
Seconded by Councillor S. Butland

Resolved that this Council shall now go into Caucus to discuss one item containing personal information about identifiable individuals and two items concerning possible land acquisition; and

Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus prior to the next meeting of Council to discuss the same matter(s). CARRIED.

12. **ADJOURNMENT**

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK

Sault Ste. Marie Airport Development Corporation**5(a)**

December 29, 2006

D. Irving
City Clerk
City of Sault Ste. Marie
Fax: 759-2310

Re: Airport Fairgrounds By Law 2002-75;

The Sault Ste. Marie Airport Development Corporation wishes to apply at this time for events scheduled under this by-law for the Winter Season. The events are as follows:

March 9th to 11th – ISR World Series Ice Drags Friday 6:00 pm to 8:30 pm and Saturday and Sunday 11:00 am to 4:00 pm

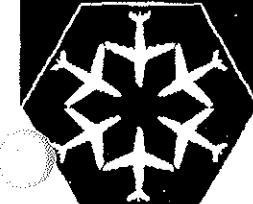
February 17th – Wheels on Ice Show 12:00 pm to 4:00 pm, this show will continue on three more Saturdays as well weather permitting

Given the nature of the events we are required to obtain City Council approval as per Noise By-Laws 4100 and 80-200. Such events are limited to twelve per year.

Thank you,



Terry Bos
Airport Manager



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December 20, 2006

Joe Fratesi, CAO
City Hall
P.O. Box 580 – Civic Centre
Sault Ste. Marie, ON
P6A 5N1

Dear Mr. Fratesi:

RECEIVED

JAN 04 2007

CHIEF ADMINISTRATIVE OFFICER
CITY OF SAULT STE. MARIE

Re: Sault Ste. Marie Airport Emergency Response Measures

The Sault Ste. Marie Airport Development Corporation would like to formally advise the city that effective June 30, 2007 the Sault Ste. Marie Airport will no longer have an on-site Aircraft Rescue and Fire Fighting unit.

CAR 303 regulations were revised effective June 30, 2006, see attached. Under the new regulations only airports with passengers in excess of 180,000 as of June 30, 2007 will be required to provide on-site service. As you can see from our attached passenger levels the Sault Ste. Marie Airport falls well below this level with current passenger counts of under 125,000 and we have yet during the period of our ownership to attain the minimum level to comply with the above regulations. Without this compliance the airport will not be in a position to receive any funding from Transport Canada, or the carriers for assistance in covering the costs associated with providing aircraft rescue and fire fighting services. The SSMADC is in no position to absorb this financial responsibility.

I have had some preliminary discussions with the City's Fire Chief comprising of roles and responsibilities, training, service costs etc. The city presently serves as primary call out on all non aviation emergencies at the airport, and there is an expected reliance on the city, once the aviation emergency is terminated.

Administratively we will be revising our Emergency Response Plan to replace the service as a 9-1-1 assistance. These amendments will take a period of time to complete and a revised Emergency Response Plan will be provided to the city when completed. Attached you will find correspondence from Transport Canada in regards to a NFPA that deals with the requirements in dealing with an Aircraft Rescue and Fire-Fighting Operation. The required response time is similar to requirements of the City's Fire Department attending to an aircraft emergency anywhere inside of the community.



5(b)

We presently have two major fire fighting vehicles and we are in the process of selling one. Our primary truck is in good condition and has a reasonable life expectancy of ten to fifteen years. This vehicle is used as the main equipment for fire fighting. SSMADC is prepared to donate this vehicle to the City of Sault Ste. Marie for its use. If you are not interested in receiving this vehicle as a donation, we will be putting this unit up for sale. If you do accept the Fire Truck as a donation the Sault Ste. Marie Airport Development Corporation will not be responsible in anyway nor provide any maintenance or upkeep on the vehicle.

Thank you for the continued cooperation that the airport receives from the City of Sault Ste. Marie and I look forward to finalizing this arrangement.

Yours truly,



Terry Bos
Airport Manager

CC: Chief Lynn McCoy

Canadian Aviation Regulations (CARs)

Part III - Aerodromes and Airports

Subpart 3 - Aircraft Rescue and Fire Fighting at Airports and Aerodromes

Content last revised: 2006/06/30

(amended 2003/03/01; previous version)

DIVISION I - GENERAL

Interpretation

303.01 In this Subpart,

"aircraft category for fire fighting" means an aircraft category, determined in accordance with section 303.05 for the purpose of fighting fires involving aircraft; (*catégorie d'aéronefs - SLIA*)

(amended 2002/06/10; previous version)

"aircraft fire-fighting standards" means the *Aerodrome and Airport Standards respecting Aircraft Fire Fighting at Airports and Aerodromes* published under the authority of the Minister; (*normes de lutte contre les incendies d'aéronefs*)

"critical category for fire fighting" means the aircraft category that

(a) in respect of a designated airport, is determined in accordance with section 303.07 for the purpose of establishing the required level of service for fighting fires involving aircraft at the airport, and

(b) in respect of a participating airport or aerodrome, is specified for the airport or aerodrome in the *Canada Flight Supplement* and corresponds to the level of service for fighting fires involving aircraft at that airport or aerodrome; (*catégorie critique - SLIA*)

"designated airport" means an airport set out in the schedule to this Subpart; (*aéroport désigné*)

"in response posture" means, in respect of personnel, in a location at or near the airport or aerodrome that will permit an operator to obtain a satisfactory result in a response test referred to in subsection 303.18(4); (*en position d'intervention*)

(amended 2003/03/01; no previous version)

"participating airport or aerodrome" means an airport, other than a designated airport, or an aerodrome, for which a critical category for fire fighting is specified in the *Canada Flight Supplement*. (*aéroport ou aérodrome participant*)

"rescue" means the act of evacuating persons from an aircraft involved in an aircraft accident or incident at an airport by means of fire suppression and then, if circumstances permit, aircraft entry. (*sauvetage*)

(amended 2003/03/01; no previous version)

Application

5(6)

303.02 (1) This Subpart, except subsections 303.03(2) and 303.04(4), applies in respect of a designated airport, which is an airport at which, according to the statistics referred to in subsection 303.06(1), the total of the number of passengers that are emplaned and the number of passengers that are deplaned is more than 180,000 per year.
 (amended 2006/06/30; previous version)

(2) This Subpart, except subsections 303.03(1) and 303.04(1) to (3), sections 303.06 and 303.07, subsection 303.10 (2) and sections 303.11 and 303.12, applies in respect of a participating airport or aerodrome.
 (amended 1998/08/26; previous version)

General Requirements

303.03 (1) The operator of a designated airport shall provide the aircraft fire-fighting vehicles and the personnel required under this Subpart to respond to an aircraft emergency at the airport
 (amended 2006/06/30; previous version)

(a) in the case of an airport listed in the schedule to this Subpart, on the coming into force of these Regulations; and
 (amended 2006/06/30; no previous version)

(b) in any other case, twelve months after the statistics compiled in accordance with subsection 303.06(1) show that the airport meets the criteria for a designated airport set out in subsection 303.02(1).
 (amended 2006/06/30; no previous version)

(2) The operator of a participating airport or aerodrome shall provide the aircraft fire-fighting vehicles and the personnel required pursuant to this Subpart that correspond to the critical category for fire-fighting published in the *Canada Flight Supplement* to respond to an aircraft emergency at the airport or aerodrome.

Hours of Operation of an Aircraft Fire-fighting Service

303.04 (1) Subject to subsection (2), the operator of a designated airport shall
 (amended 1998/08/26; previous version)

(a) at the beginning of each month and after consultation with the air operators that use the airport, establish the hours of operation of an aircraft fire-fighting service for the month and ensure that those hours coincide with at least 90 per cent of the movements during that month by commercial passenger-carrying aircraft at the airport of which the operator receives notice at least 30 days in advance; and

(b) ensure that the critical category for fire fighting and the hours of operation of an aircraft fire fighting service are published in the *Canada Flight Supplement* and in a NOTAM, if the NOTAM is published earlier.
 (amended 2006/06/30; previous version)

(2) Subject to subsection (5), the operator of a designated airport shall provide an aircraft fire-fighting service for the operation at the airport of aeroplanes in respect of which a type certificate has been issued authorizing the transport of 20 or more passengers, if the aeroplanes are operated under
 (amended 2003/03/01; previous version)

(a) Part VI, Subpart 4; or
 (amended 2003/03/01; previous version)

(b) Part VII, Subpart 1 or 5.
 (amended 2003/03/01; previous version)

(3) The operator of a designated airport shall provide an aircraft fire-fighting service until an aircraft referred to in subsection (2) has taken off or landed or the flight has been cancelled.
 (amended 1998/08/26; no previous version)

5(b)

The operator of a participating airport or aerodrome shall establish the hours during which an aircraft fire-fighting service is to be operated and shall ensure that the hours are published in the *Canada Flight Supplement* and in a NOTAM, if the NOTAM is published earlier.
 (amended 1998/08/26; no previous version)

(5) Subsection (2) does not apply in respect of
 (amended 2003/03/01; no previous version)

- (a) a cargo flight without passengers;
- (b) a ferry flight;
- (c) a positioning flight;
- (d) a training flight if no fare-paying passengers are on board;
- (e) the arrival of an aeroplane when the airport is being used for a diversion or as an alternate aerodrome; or
- (f) the subsequent departure of an aeroplane referred to in paragraph (e), if it is conducted in accordance with paragraph 602.96(7)(f).

Aircraft Category for Fire Fighting

303.05 (1) An aircraft category for fire fighting set out in column I of an item of the table to this subsection shall be established for an aircraft based on the aircraft overall length set out in column II of the item and the aircraft maximum fuselage width set out in column III of that item.

Table 303.05(1)

(2) Where the fuselage width of an aircraft that has an overall length within the range set out in column II of an item of the table to subsection (1) is greater than the aircraft maximum fuselage width set out in column III of the item, the aircraft category for fire fighting for the aircraft shall be one category higher than the category set out in column I of that item.

Statistics on the Number of Passengers and Aircraft Movements (amended 2006/06/30; previous version)

303.06 (1) The operator of an airport or aerodrome shall review, at least once every six months, the statistics in respect of the number of emplaned and deplaned passengers resulting from the *Electronic Collection of Air Transportation Statistics* project carried out jointly by the Department of Transport and Statistics Canada for the twelve months preceding the date of the review and determine whether the airport or aerodrome qualifies as a designated airport under subsection 303.02(1).
 (amended 2006/06/30; previous version)

(2) The operator of a designated airport shall compile monthly statistics setting out the number of movements by commercial passenger-carrying aircraft in each aircraft category for fire fighting.

(3) The operator of a designated airport shall, at least once every six months, review the monthly statistics for the twelve months preceding the date of the review and determine the three consecutive months with the highest total

number of movements by commercial passenger-carrying aircraft in all aircraft categories for fire fighting.
 (amended 2006/06/30; previous version) 5(b)

(4) Where the review shows more than one period of three consecutive months having the same total number of movements by commercial passenger-carrying aircraft, the period to be used for the purposes of section 303.07 is

(a) the period involving the highest aircraft category for fire fighting; or

(b) where those periods involve the same highest aircraft category for fire fighting, the period involving the greatest number of movements in that category.

(5) The Minister may, in writing, on application by the operator of a designated airport, authorize the operator to cease providing an aircraft fire-fighting service if the operator demonstrates by means of a risk analysis based on Standard CAN/CSA-Q850-97 entitled *Risk Management: Guideline for Decision-makers* as amended from time to time that the cessation of the aircraft fire-fighting service will not result in an unacceptable risk to aviation safety.
 (amended 2006/06/30; no previous version)

(6) If the Minister issues an authorization under subsection (5), the operator of a designated airport shall submit the content of the authorization for publication in the *Canada Flight Supplement* and in a NOTAM, if the NOTAM is published earlier.

(amended 2006/06/30; no previous version)

(7) The operator of a designated airport shall

(a) retain the monthly statistics referred to in subsection (2) for five years after the date of the review; and
 (amended 2006/06/30; no previous version)

(b) provide them to the Minister at the Minister's request.
 (amended 2006/06/30; no previous version)

Critical Category for Fire Fighting

303.07 (1) The operator of a designated airport shall determine a critical category for fire fighting for the airport based on the number of movements at the airport during the three-month period determined in accordance with subsection 303.06(3) or (4) by commercial passenger-carrying aircraft in the highest and the next highest aircraft categories for fire fighting.

(amended 2006/06/30; previous version)

(2) Where, during the period referred to in subsection (1), the number of movements at the designated airport by aircraft in the highest aircraft category for fire fighting is 700 or more, the critical category for fire fighting is equivalent to that highest aircraft category for fire fighting.

(3) If, during the period referred to in subsection (1), the number of movements at the designated airport by aircraft in the highest aircraft category for fire fighting is less than 700, the critical category for fire fighting shall be determined by decreasing the highest aircraft category for fire fighting by one category.

(amended 2003/06/01; previous version)

(4) If the operator of a designated airport anticipates a period of one or more hours of movements of aircraft of a lower aircraft category for fire fighting only, the operator may reduce the critical category for fire fighting to the highest aircraft category for fire fighting anticipated for that period if the operator

(amended 2003/03/01; no previous version)

(a) documents the anticipated situation; and

(b) notifies the appropriate air traffic control unit or flight service station of the reduced critical category for fire fighting for publication in a NOTAM.

5(6)

DIVISION II - EXTINGUISHING AGENTS AND AIRCRAFT FIRE-FIGHTING VEHICLES

Extinguishing Agents and Equipment

303.08 The operator of a designated airport or of a participating airport or aerodrome shall provide its aircraft fire-fighting service with both the principal and the complementary extinguishing agents and the equipment delivering the agents that meet the requirements set out in the aircraft fire-fighting standards.

Extinguishing Agent and Aircraft Fire-fighting Vehicle Requirements

303.09 Subject to sections 303.10 and 303.11, the operator of a designated airport or of a participating airport or aerodrome the critical category for fire fighting of which is set out in column I of an item of the table to this section shall provide to the aircraft fire-fighting service at the airport or aerodrome the quantities of water and complementary extinguishing agents set out in columns II and III of the item, and the minimum number of aircraft fire-fighting vehicles set out in column IV of that item necessary to provide the total discharge capacity set out in column V of that item.

Table 303.09

Temporary Exemption

303.10 (1) Subject to subsection (2), the operator of a designated airport or of a participating airport or aerodrome does not have to meet the requirements referred to in section 303.09 where those requirements cannot be met because of a personnel shortage or unserviceable equipment at the airport or aerodrome caused by circumstances beyond the control of its operator and a notification of the reduced level of aircraft fire-fighting service at the airport or aerodrome has been given to the appropriate air traffic control unit or flight service station for publication in a NOTAM.

(2) When the condition described in subsection (1) continues for seven days or more, the operator of a designated airport shall, no later than seven days after the onset of the condition,

(a) establish a plan specifying the corrective measures that are necessary to meet the requirements of section 303.09 and the dates by which those measures shall be taken, which dates shall be as early as practicable given the circumstances; and

(b) submit the plan to the Minister.

(3) The operator of a designated airport shall implement the submitted plan by the date specified in the plan.

Authorization Respecting Reduced Requirements

303.11 (1) The Minister may, in writing, on application by the operator of a designated airport, authorize the operator to meet the requirements set out in the table to section 303.09 for a lower critical category for fire fighting than that established for the airport pursuant to section 303.07 where that operator demonstrates that

(a) the critical category for fire fighting was the result of movements by unusually large commercial passenger-carrying aircraft or an unusually high number of movements by commercial passenger-carrying aircraft at the airport and either of these situations is unlikely to be repeated within the next year; or

(b) the number of movements by, or the size of, commercial passenger-carrying aircraft at the airport is

expected to be altered in a manner that would result in a lower critical category for fire fighting.

5(b)

(2) Where a written authorization has been issued pursuant to subsection (1), the operator of the designated airport shall meet the requirements set out in the table to section 303.09 for the lower critical category for fire fighting specified in the authorization and shall ensure that

(a) notification of the reduced level of aircraft fire-fighting service and the period during which the level is reduced is given to the appropriate air traffic control unit or flight service station for publication in the *Canada Flight Supplement* and in a NOTAM, where the NOTAM is published earlier;

(b) procedures are established to restore the level of aircraft fire-fighting service to the previous higher level if the reduction in the number of movements by, or in the size of, commercial passenger-carrying aircraft at the airport is temporary; and

(c) the procedures for a reduction in the level of aircraft fire-fighting service and the procedures referred to in paragraph (b) are set out in the airport operations manual.

Adjustment to Higher Requirements

303.12 Where an increase in the number of movements by, or in the size of, commercial passenger-carrying aircraft at a designated airport results in the establishment for the airport of a higher critical category for fire fighting than the previous category, the operator of the airport shall meet the requirements for that higher category as set out in the table to section 303.09 within one year after the date of establishing the higher critical category for fire fighting.

DIVISION III - PERSONNEL REQUIREMENTS

Minimum Personnel

303.13 During the hours of operation of the aircraft fire-fighting service, the operator of a designated airport or of a participating airport or aerodrome shall ensure that trained aircraft fire-fighting personnel are in response posture and in sufficient number to operate the aircraft fire-fighting vehicles and apply the extinguishing agents required by section 303.09.

(amended 2003/03/01; previous version)

Training of Personnel

303.14 The operator of a designated airport or of a participating airport or aerodrome shall ensure that all personnel assigned to aircraft fire-fighting duties are trained in accordance with the aircraft fire-fighting standards.

Equipment and Protective Clothing

303.15 The operator of a designated airport or of a participating airport or aerodrome shall provide all personnel assigned to aircraft fire-fighting duties with the equipment and protective clothing necessary to perform their duties.

Firefighter Qualifications

303.16 (1) No operator of a designated airport or of a participating airport or aerodrome shall permit a person to act and no person shall act as an aircraft firefighter at the airport or aerodrome unless the person has, within the previous 12 months, successfully completed the training specified in the aircraft fire-fighting standards.

(2) The operator of a designated airport or of a participating airport or aerodrome shall

(a) maintain, for each aircraft firefighter, a training record containing the information specified in the aircraft

5(6)

fire-fighting standards;

- (b) preserve the training record for three years after the aircraft firefighter leaves the service of the airport or aerodrome; and
- (c) at the request of the Minister, provide the Minister with a copy of the training record.

DIVISION IV - RESPONSE READINESS

Personnel Readiness

303.17 The operator of a designated airport or of a participating airport or aerodrome shall ensure that, during the hours of operation of its aircraft fire-fighting service, of the fire-fighting personnel required to be available pursuant to section 303.13, the number of personnel capable of immediate response is sufficient to meet the requirements of the response test referred to in section 303.18.

Response Test

303.18 (1) The operator of a designated airport or of a participating airport or aerodrome shall carry out a response test to evaluate the response time and effectiveness of the aircraft fire-fighting service required to be maintained during the hours of operation specified in section 303.04

(a) every 12 months; and

(b) at any time at the request of the Minister, where the Minister has reasonable grounds to believe that the aircraft fire-fighting service at the airport or aerodrome does not meet the requirements of this Subpart.

(2) The operator of a designated airport or of a participating airport or aerodrome shall give the Minister at least four weeks written notice of the date on which a response test is to be carried out.

(3) The operator of a designated airport or of a participating airport or aerodrome shall provide the Minister with a copy of the results of a response test within 14 days after the date of the test.

(4) A response test at a designated airport or at a participating airport or aerodrome has a satisfactory result if

(a) within three minutes after an alarm is sounded, aircraft fire-fighting vehicles in a number sufficient for applying the principal extinguishing agent at 50 per cent of the total discharge capacity required by section 303.09 are dispatched from their assigned position and, under optimum surface and visibility conditions at the airport or aerodrome, reach the midpoint of the farthest runway serving commercial passenger-carrying aircraft, or another predetermined point of comparable distance and terrain; and

(b) within four minutes after the alarm is sounded, any other aircraft fire-fighting vehicle required by section 303.09 reaches the location referred to in paragraph (a).

(amended 2003/06/01; previous version)

(5) The operator of a designated airport or of a participating airport or aerodrome shall record the results of a response test and shall preserve the records for two years after the date of the test.

(6) If a response test does not have a satisfactory result, the operator of a designated airport or of a participating airport or aerodrome shall

(amended 2003/03/01; previous version)

(a) within six hours after the test, identify the deficiencies that caused the result and notify the appropriate air

traffic control unit or flight service of the critical category for fire fighting that corresponds to the level of service that can be provided, for publication in a NOTAM; and
 (amended 2003/03/01; previous version)

(b) within seven days after the test, if any deficiency is not corrected, submit a plan to the Minister specifying the measures necessary to obtain a satisfactory result and the dates by which they must be taken, which shall be as early as practicable given the circumstances.

(amended 2003/03/01; previous version)

(7) The operator of a designated airport or of a participating airport or aerodrome shall implement the submitted plan by the dates specified in the plan.

DIVISION V - COMMUNICATION AND ALERTING SYSTEM

Requirement

303.19 The operator of a designated airport or of a participating airport or aerodrome shall provide a communication and alerting system that meets the aircraft fire-fighting standards.

Transitional Provisions

303.20 (1) The operator of a designated airport shall

(a) until November 30, 1998, except in respect of aircraft referred to in subsection 303.04(2), maintain the aircraft fire-fighting service that was provided on November 30, 1997; and
 (amended 1998/08/26; previous version)

(b) effective December 1, 1998, meet the requirements for an aircraft fire-fighting service prescribed in subsections 303.03(1) and 303.04(1) and sections 303.07 to 303.19.

(2) The operator of a participating airport or aerodrome shall, effective December 1, 1998, meet the requirements for an aircraft fire-fighting service prescribed in subsections 303.03(2) and 303.04(4), sections 303.08 and 303.09, subsection 303.10(1) and sections 303.13 to 303.19.
 (amended 1998/08/26; previous version)

Schedule (Section 303.01)

[Return to previous page](#)

5(b)

PASSENGER STATS REVIEW
CURRENT AS OF November 30, 2006

MONTH	1998/ 1999	1999/ 2000	2000/ 2001	2001/ 2002	2002/ 2003	2003/ 2004	2004/ 2005	2005/ 2006	2006/ 2007	COMPARISON TO PREVIOUS
APRIL	12,758	13,486	11,852	11,353	10,679	9,987	10,429	10,463	9,989	-4.53%
MAY	14,416	14,445	13,110	11,434	11,451	11,052	10,467	10,739	10,539	-1.86%
JUNE	13,824	13,585	12,898	10,256	11,097	11,005	10,587	10,680	10,852	1.61%
JULY	14,663	13,610	11,537	10,549	10,988	12,453	10,108	9,206	10,304	11.93%
AUGUST	14,815	15,363	12,720	11,352	12,256	12,464	10,542	10,025	10,596	5.70%
SEPTEMBER	14,629	14,060	12,158	8,259	10,882	10,403	9,711	10,025	10,480	4.54%
OCTOBER	19,042	15,023	13,615	10,720	12,667	11,723	10,959	11,391	11,776	3.38%
NOVEMBER	15,412	13,307	12,699	10,007	10,239	10,105	9,726	10,269	11,711	14.04%
DECEMBER	15,701	13,255	12,574	10,023	11,824	11,330	10,207	10,832		6.12%
JANUARY	13,385	11,502	11,646	9,580	10,969	9,821	10,037	10,369		3.31%
FEBRUARY	13,680	11,877	11,505	10,666	11,319	11,039	10,216	9,798		-4.09%
MARCH	13,984	12,507	12,179	10,135	11,407	11,238	10,580	11,122		5.12%
TOTAL	176,309	162,020	148,493	124,334	135,778	132,620	123,569	124,919	86,247	4.17%



Transport
Canada

Transports
Canada

5(b)

PROTECTED - PROTÉGÉ

4900 Yonge Street
4th Floor
Toronto ON M2N 6A5

Your file Votre référence

Our file Notre référence
5151-1-147 (PAD)
RDIMS # 2106531

November 20, 2006

NOV 23 2006

Mr. Terry Bos
Airport Manager
Sault Ste. Marie Airport
RR#1, Box #1
Sault Ste. Marie, ON P6A 5K6

Dear Mr. Bos:

Re: Sault Ste. Marie Airport – Emergency Response Measures

This letter is in response to your correspondence dated November 16, 2006.

Under the new proposed regulations respecting emergency response measures at an airport the responsibility of the airport will be, in part, to identify:

“... the community organizations capable of providing assistance in an emergency; and any additional resources available at the airport and in the surrounding area. ... “

You are encouraged to review the details of this proposed regulation in Canada Gazette Part I at the following web address:

<http://canadagazette.gc.ca/partI/2006/20061007/html/regle7-e.html>

We do not anticipate imposing on the airport operator any requirements other than planning, coordination, lines of authority and relationships and the fact that the various organizations need to be fully aware of their roles identified in the plan. Discussions need to take place between the airport operator and the chosen agencies to ensure that the expectations are met without jeopardizing safety of the intervening agencies.

.../2

5(b)

- 2 -

Guidance to this effect can be found in the National Fire Protection Association (NFPA) 402, Guide for Aircraft Rescue and Fire-Fighting Operations, documentation that the fire fighting community normally has access to.

If you have any questions regarding this matter, please contact me at 905-405-3306.

Yours truly,



Greg Cross
Civil Aviation Safety Inspector
Aerodromes and Air Navigation
Ontario Region
Telephone: 905-405-3306
Facsimile: 416-952-0050



ONTARIO WINTER CARNIVAL

Bon Soo

P.O. Box 781 · Sault Ste. Marie, Ontario, CANADA P6A 5N3

Phone: (705) 759-3000 · Fax: (705) 759-6950 · E-mail: mrbonsoo@bonsoo.on.ca



5(c)

RECEIVED
Sgt. D. J. Gosselin
Sgt. D. J. Gosselin
RECEIVED
Sgt. D. J. Gosselin
Sgt. D. J. Gosselin

December 12, 2006

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

Dear Mayor John and City Councillors,

To ensure a safe carnival site at the Roberta Bondar Park, Pavilion and Foster Drive, the Bon Soo Board and Staff present the following Street Closure Document for your approval.

With the relocation of Bon Soo's home to Bellevue Park the requested street closure for Foster Drive will be reduced in size as well as in length of time. This will result in maintaining a safe environment of Bon Soo participants as well as reducing the impact that the larger and longer street closures have had on businesses in the past.

The Roberta Bondar Place (Government Services Building), Station Tower, Docks Riverfront Grill have been advised of the proposed closures. For the past twelve (12) years these businesses have been very cooperative allowing Bon Soo to close the majority of Foster Drive for the entire opening weekend of Bon Soo.

For 2007, Bon Soo is requesting the closure of Foster Drive from Spring Street (not including the intersection of Foster Drive and Spring Street) to St. Marys River Drive from 5:00 PM to 10:00, PM Friday, February 2nd, 2007 (Bon Soo opening night). G4 Securities have been secured to ensure the necessary safety measures are implemented for all carnival pedestrians using Foster Drive.

The goal of all Bon Soo organizers is to create a safe site for all, with minimal disruption to few. In the Spirit of Bon Soo, we hope the proposed NEW Street Closure Document will be approved for the pleasure of the many families of Sault Ste. Marie and visitors alike.

Sincerely,


Anna Lisa Gioia, Event Coordinator

Att/ Temporary Street Closure Document

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000ADDRESS: BOK 781 POSTAL CODE: P6A 5N3

The above person hereby makes application for the closing of

FOSTER DRIVE

(Name of street to be closed)

from (SEE ATTACHED) to _____
(reference points - street numbers, cross streets, etc.)

on the _____ day of _____, 20 _____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL BON SOOAPPROVALS SECTION:

- | | |
|---|---|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
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 |
|---|---|

John E. Sather
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 759-4534
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 OfficialCITY CLERK SECTION:City Council approval was received on _____
(date) _____ (By-law No.)

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000

ADDRESS: BOX 781 POSTAL CODE: P6A 5N3

The above person hereby makes application for the closing of
FOSTER DRIVE

(Name of street to be closed)

from (SEE ATTACHED) to _____
(reference points - street numbers, cross streets, etc.)

on the _____ day of _____, 20 ____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL BON SOO

APPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 759-7348
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

Lynn McCay

Signature of Official

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

- Transit/Parking
Telephone 759-5438/759-5320
Fax 759-4634
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.)

11/28/2006 TUE 14:03 FAX 705 759 6950 BON SOO Winter Carnival

002
002/003

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000ADDRESS: BOK 781 POSTAL CODE: P6A 5N3The above person hereby makes application for the closing of
FOSTER DRIVE

(Name of street to be closed)

from (SEE ATTACHED) to _____
(reference points - street numbers, cross streets, etc.)

on the _____ day of _____, 20 ____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL BON SOOAPPROVALS SECTION:

- | | |
|---|---|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
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 759-5438/759-5320
Fax 759-4534
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.)

11/28/2006 TUE 14:02 FAX 705 759 6950 BON SOO Winter Carnival

002/003

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000ADDRESS: Box 781 POSTAL CODE: P6A 5N3The above person hereby makes application for the closing of
FOSTER DRIVE

(Name of street to be closed)

from (SEE ATTACHED) to _____
(reference points - street numbers, cross streets, etc.)

on the _____ day of _____, 20 ____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL Bon SooAPPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 759-7348
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 759-5438/759-5320
Fax 759-4534
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 OfficialCITY CLERK SECTION:City Council approval was received on _____, _____
(date) (By-law No.)

11/28/2006 TUE 14:00 FAX 705 759 6950 BON SOO Winter Carnival

Done

002/003

5(c)

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on the _____ day of _____, 20 ____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL BON SOOAPPROVALS SECTION:

- | | |
|---|---|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
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 759-5438/759-5320
Fax 759-4534
111 Huron Street |
|---|---|

Signature of Official

Signature of Official

- | |
|--|
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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.) _____

12/08/2006 FRI 15:18 FAX 705 759 6950 BON SOO Winter Carnival

002/002

5(c)

TEMPORARY STREET CLOSURES DOCUMENTTEMPORARY CLOSURE of FOSTER DRIVE from St. Mary's River Drive to Spring Street not including intersection)

A. Friday, February 2, 2007 from 5 pm to 10 pm that same evening.

* Closure at Foster Drive and Elgin.

* Closure at bottom of Spring Street (at Northern Breweries) on the West side of Foster Drive.

* There will be NO other street closures for Bon Soo 2007 for down on Foster Drive. Ample Parking will be made available to the public for Opening Night, with no disruption of customer traffic to Docks other than from Elgin Street. The only affected building for the 5 hours on Friday, February 2 would be the Ontario Reality Corporation.

Two (2) Security Officers will be hired to assist with the large opening night crowd on Friday, February 2, 2007 at both Elgin Street and Spring Street closures.

Traffic access will NOT be interrupted after these designated times.

B. Polar Bear Swim Day

Bon Soo's intent for 2007 is to close off access to Bellevue Park at the South end of Lake Street for both Opening and Closing Weekend (Feb. 3 and 4, Feb. 10 and 11). There by leaving Lake Street open to traffic. Officer is hired to control Pedestrian Traffic at that intersection.

NEW - Bon Soo 2007

2. TEMPORARY CLOSURE of Shore Drive for 10 days of Bon Soo

This will be the official entrance to Bon Soo's new home of Tim Horton's Winter Playground. Public will still have access to the first parking lot as well as access to the parking lots at Ontario Forest Research Institute. This would help with any traffic concerns that may arise at the intersection during this congested time period. The City of SSM has also allowed the Public Parking at the Pine Street Marina.

Yes, I approve of the Temporary Street Closure as indicated in the above document.

Jim Eg St 4/4/03

Signature
Sault Ste. Marie Blues
Company/Organization

09 Dec 06

Date

TEMPORARY STREET CLOSURES DOCUMENT759 6950-
5(c)TEMPORARY CLOSURE of FOSTER DRIVE from St. Mary's River Drive to Spring Street not including intersection)

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Yes, I approve of the Temporary Street Closure as indicated in the above document.


Signature

Company/Organization

Dec 11

Date

12/12/2006 TUE 9:10 FAX 705 759 6950 BON SOO Winter Carnival

002/002

5(c)

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NEW - Bon Soo 2007

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Yes, I approve of the Temporary Street Closure as indicated in the above document.

nature
Algoa Central Properties Inc)
Company/Organization

(Station Hall

December 12 | 06
Date

TEMPORARY STREET CLOSURES DOCUMENT

5(c)

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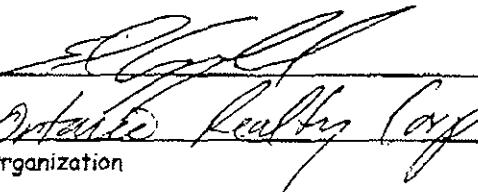
NEW - Bon Soo 2007

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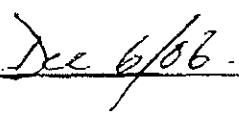
Yes, I approve of the Temporary Street Closure as indicated in the above document.

Signature



Company/Organization

Date



5(d)



393 University Ave, Suite 1701
Toronto, ON M5G 1E6
Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

ALERT N°: 06/074

To the attention of the Clerk and Council
December 20, 2006

FOR MORE INFORMATION CONTACT:
Pat Vanini, AMO Executive Director
(416) 971-9856 ext 316

Municipal Act Amendments Receive Third Reading Sign Up for AMO Education Sessions

Issue: Bill 130, *Municipal Statute Law Amendment Act*, 2006 passed on December 19. It focuses on replacing prescribed and very specific authority with broad permissive powers. This will provide municipal governments with more local autonomy and the flexibility to meet their communities' expectations. It also affects how councils will fulfill their responsibilities.

Background:

The *Municipal Act* is the cornerstone of the provincial-municipal relationship. The Province committed to reviewing the Act in June 2004 and has repeatedly stated that it is intended to come into effect on January 1, 2007. Many of the policy positions of the Association have found their way into the Bill, including positions that were not included in the Bill that introduced a new Act in 2001.

Bill 130 moves the province toward a more mature relationship by removing it from micro-managing municipal governments and instead provides broader, accountable authority for municipal governments to operate. Broader authority and less prescriptiveness signal that the Province believes the municipal order of government is respected, responsible, and accountable. Ontario's municipalities will be better positioned to strengthen good governance, encourage economic growth, and promote a high quality of life as a result of improvements in this legislation. A copy of the redlined Bill that includes Standing Committee amendments is available on the province's legislative website and has been linked to this Alert.

AMO Education Sessions:

AMO recommends that municipal officials enrol in training programs as the changes to the Municipal Act are extensive and profound.

Starting in January, AMO will be conducting full day workshops on the changes proposed by Bill 130. The sessions will cover areas including, but not limited to: accountability, local boards, delegations, roles of Council and Heads of Council, open meetings and much more.

Designed and facilitated by former municipal staff, these sessions will be held throughout the province, and are open to all municipal officials. Further information on the sessions can be found on the AMO website at www.amo.on.ca. Go to Events/Awards and check out the schedule of the 14 sessions to be held across the province or call Navneet Dhaliwal at 416-971-9856.



Association of Municipalities of Ontario

393 University Ave, Suite 1701
Toronto, ON M5G 1E6
Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

ALERT N°: 06/073

To the attention of the Clerk and Council
December 18, 2006

FOR MORE INFORMATION CONTACT:
Patricia Swerhone, Senior Policy Advisor
(416) 971-9856 Ext. 323

Ontario Municipal Partnership Fund (OMPF) Allocations for 2007

Issue:

The Province has announced an additional investment of \$61 million in Ontario Municipal Partnership Fund (OMPF) base funding and is providing "special assistance" one-time funding to ensure that no municipality will receive less funding in 2007 than the level of funding announced under the 2006 OMPF.

Background:

In a letter sent to Heads of Council today from Minister of Finance Greg Sorbara and Minister of Municipal Affairs and Housing John Gerretsen, the Province announced that while the basic structure of the OMPF remains unchanged for 2007, they have introduced specific refinements to the grant thresholds and parameters in an effort to be more responsive to changing municipal circumstances.

These refinements are projected to bring the 2007 OMPF funding to \$824 million, including:

- \$290 million for the Social Programs Grant;
- \$199 million for the Equalization Grant;
- \$267 million for the Northern and Rural Communities Grant; and,
- \$68 million for the Police Services Grant.

A further increase to the OMPF base is a positive step by the Province. As well, consistent with AMO's advice, the Province has further extended the "stable funding guarantee" such that no municipality will receive less funding in 2007 than the level of funding announced under the 2006 OMPF allocation in March 2006. Those municipalities that were otherwise projected to see lower OMPF funding in 2007 will receive additional "special assistance" as part of this recent allocation notice.

All 2007 OMPF Allocation Notices as well as the technical guide and brochure will be posted on the Ministry of Finance website at <http://www.fin.gov.on.ca/english/community/ompf>. Any questions regarding specific allocations can be directed to info.ompf@ontario.ca for response.

Action: AMO will continue its advocacy efforts on all matters that impact Ontario's municipalities, and will continue to monitor the OMPF and report on any refinements to our member municipalities.

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

Association of
Municipalities of Ontario



5(d)



393 University Ave, Suite 1701
Toronto, ON M5G 1E6
Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

ALERT N°: 06/071

To the attention of the Clerk and Council
December 11, 2006

FOR MORE INFORMATION CONTACT:
Laurel McCoshan, Policy Advisor
(416) 971-9856 ext 315

Court of Appeal Addresses Payment of the Ontario Health Premium

Issue: In a series of rulings, the Ontario Court of Appeal upheld the findings of labour arbitrators in cases related to the payment of the Ontario Health Premium (OHP).

Background:

Prior to 1990, a number of employers made Ontario Health Insurance Plan (OHIP) contributions on behalf of their employees. These arrangements were generally negotiated through collective agreements. Although employee OHIP contributions were eliminated in 1990 and replaced with an employer health payroll tax, some collective agreements retained provisions related to the payment of employee contributions in the event that OHIP is reinstated.

These provisions were brought into question with the introduction of the Ontario Health Premium (OHP) in 2004. The OHP was implemented through an amendment to the *Income Tax Act*. Described by the government as an "income-based premium", the amount of the premium is based on the taxable income of the employee. Unions, however, have argued that the premium reawakened provisions in collective agreements relating to employers' obligations to pay OHIP premiums on behalf of their employees. Some employers refused to pay the OHP, contending that it was in fact a tax, not a premium. Since the old collective agreements covered premiums only, they argued that the unions could not stretch them to apply to the new OHP.

This difference of opinion was embodied by the filing of several grievances. Some arbitrators agreed with the unions while others sided with the employers. Six of these cases were appealed and are now the subject of the rulings by the Ontario Court of Appeal.

Analysis:

In four of the six cases, arbitrators ruled in favour of unionized workers at the Toronto Transit Commission, National Steel Car, the Hamilton Fire Department and the Lapointe-Fisher Nursing Home in Guelph. In these cases, the arbitrators determined that the old OHIP premium was not fundamentally different from the new OHP tax/premium. The fact that collective agreements contained wording tied to Ontario health insurance costs was more important than the nature or purpose of the OHP.

Member Communication

In the other two cases, which involve academic and support staff at colleges of applied arts and technology, the arbitrators determined that the employers were not obligated to pay the premium on behalf of employees. In these cases, the arbitrators attached more significance to the wording of the individual collective agreements and ruled that the nature of the surcharge or its amount was not contemplated at the time of bargaining.

All six rulings illustrated the Court's preference to uphold the decisions of labour arbitrators on questions related to the payment of the OHP. Reaffirming "patent unreasonableness", the highest standard of review, the Court indicated that arbitrators' rulings would not be overturned as long as decisions demonstrated logic. Discrepancies in arbitrators' rulings illustrate systemic problems inherent in the current system of arbitration.

Many municipal collective agreements still contain language obliging the municipality to pay "OHIP Premiums" (or some variant of this), should they be reintroduced by the government. Municipalities should be aware of whether their existing collective agreement language may require them to pay the OHP on behalf of their employees. In anticipation of a possible request for such payment in upcoming negotiations, Councils may also wish to consider the development of a municipal strategy to ensure a consistent and equitable compensation structure for their workforces.

Action: AMO will continue to monitor the situation. Members are asked to keep us informed of any local developments.

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

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Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

ALERT N°: 07/001

To the attention of the Clerk and Council
January 10, 2007

FOR MORE INFORMATION CONTACT:
Patricia Swerhone, Senior Policy Advisor
(416) 971-9856 Ext. 323

Canada and Ontario Announce Approval of COMRIF "Intake Three" Projects

Issue:

COMRIF Intake Three results were announced today by the Honourable Tony Clement, the federal Minister responsible for COMRIF, and the Honourable Leona Dombrowsky, Ontario Minister of Agriculture, Food and Rural Affairs.

Background:

Intake Three of the COMRIF program was launched in June 20, 2006, and closed on September 19, 2006. Through Intake Three, nearly 300 applications were received by the COMRIF Joint Secretariat and reviewed through a competitive and merit-based process of application evaluation.

The announcement today commits a total of \$93 million in combined federal and provincial investment in 72 communities across Ontario. COMRIF Intake Three funding will support municipal infrastructure projects in the areas of water and wastewater, solid waste management and roads and bridges.

Details of the announcement, including a backgrounder listing all approved projects, is available on the COMRIF website at www.comrif.ca.

While AMO has worked in partnership with Canada and Ontario on the development, promotion and monitoring of the COMRIF program, AMO did not play any role in the assessment of project applications or the selection of projects for approval.

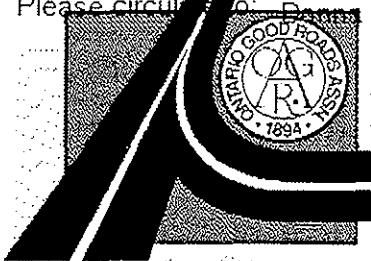
Action:

AMO continues to advocate for the stable infrastructure funding needed to make Ontario's communities sustainable and competitive.

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



Please circulate to: P. Irving



Working for Municipalities

Heads UP

Alert

Keeping members informed.

January 4, 2007

Conference Housing Status

Rooms at the conference hotels, including the overflow hotels, are essentially sold-out. Some rooms are available on certain nights of the conference but not for all three nights.

Every year a significant number of rooms that are booked are later cancelled. We ask that you review your room bookings. All rooms not required should be cancelled as soon as possible by sending a fax (416) 203- 8477 or email housing@torcvb.com to the housing bureau.

If you have not submitted a housing form for the conference, please download the form from the website www.ogra.org or www.roma.on.ca and fax the completed form to the housing bureau. The housing bureau will maintain a waiting list from the forms received and back-fill reservations as they become available. Please note that there will not be a separate waiting list for each hotel. You will receive an acknowledgement by fax or email as soon as your room request has been filled.

CONTACTS

Housing Changes or Cancellations:

email: housing@torcvb.com
fax: 416-203-8477

General Housing Information:

email: cathy@ogra.org

ONTARIO GOOD ROADS ASSOCIATION

6355 KENNEDY ROAD, UNIT #2, MISSISSAUGA, ON L5T 2L5
TEL: (905) 795-2555 FAX: (905) 795-2660 EMAIL: info@ogra.org

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Minister of Finance

Ministre des Finances

Ottawa, Canada K1A 0G5

DEC 18 2006

2006FIN199081

Ms. Donna P. Irving
City Clerk
The Corporation of the City of Sault Ste. Marie
99 Foster Drive
P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

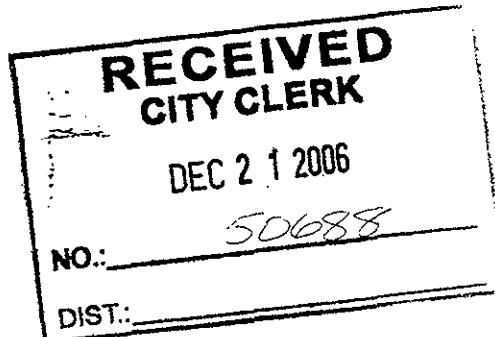
Dear Ms. Irving:

Thank you for your correspondence of October 18, 2006 regarding the elimination of the Goods and Services Tax (GST) Visitor Rebate Program. Please excuse the delay in replying.

In Budget 2006, Canada's new Government committed to undertake a comprehensive review of its expenditure programs to ensure that programs focus on results for money. The Visitor Rebate Program was among the programs that were reviewed and it was determined that this program did not represent good value for taxpayers' dollars. The program is also very costly to administer. It costs one cent to collect every dollar of tax revenue, but it costs 10 cents for every dollar sent out to pay rebate claims under this program. Only a small portion of the foreign visitors who come to Canada apply for the rebate. Also, as noted by members of the tourism industry, the program is an inefficient way to promote tourism in Canada and therefore does not fulfil the purpose for which it was created.

We recognize the contribution that tourist dollars make to the Canadian economy. That is why we will continue to support Canada's tourism industry and ensure it remains internationally competitive. For instance, we currently invest about \$350 million each year directly into the tourism industry through a variety of means. Examples include:

- The Canadian Tourism Commission's global efforts to promote Canada;
- Funding and oversight of national parks and heritage sites; and
- Substantial investments in Canadian gateways, our vital transportation infrastructure and national security.



Canada

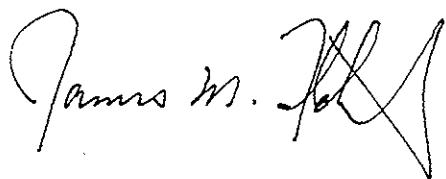
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- 2 -

The reduction of the GST rate to 6 percent – and eventually 5 percent – will also make Canada a more affordable destination and will benefit all visitors.

Thank you for communicating your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James M. Flaherty". The signature is fluid and cursive, with "James M." on the left and "Flaherty" on the right, separated by a small gap.

James M. Flaherty

October 16, 2006 City Council Meeting Minutes
Clerk's Department

(b) Moved by Councillor T. Sheehan
Seconded by Councillor J. Curran

Whereas the Federal government recently announced spending cuts totalling about \$1 billion annually, which cuts include the elimination of GST rebates to foreign tourists; and

Whereas the elimination of these rebates will negatively impact the Ontario Tourism Industry at a point in time when the industry can least absorb it; and

Whereas the Ontario Chamber of Commerce takes the position that tourism should be treated as an "export industry", one that should be GST exempt; and

Whereas exempting exports from consumption taxes, such as GST, is consistent with global taxation policies which contribute to export promotion of goods and services in Canada; and

Whereas many of Canada's international competitors have such a tax rebate program and provide comsumption tax exemption for exports; and

Whereas the Ontario tourism and travel related industries contribute more than \$20 billion dollars to Ontario's GDP (roughly 4% of Ontario's economy, based on 2004 figures), accounting for in excess of 300,000 jobs and contributing in excess of \$9 billion in taxes to all three levels of government; and

Whereas the GST rebate has traditionally been marketed by the Ontario tourism industry as an incentive to attract foreign visitors;

(b) Now therefore be it resolved that City Council urges the Federal Minister of Finance and the Federal government to consider reinstating the GST Tourism Rebate Program as an important tool for the recovery of the vital local, provincial and national tourism industries and further that copies of this resolution be sent to the Sault Ste. Marie Chamber of Commerce; Ontario Chamber of Commerce; the Ontario Minister of Tourism; Tony Martin, Sault Ste. Marie M.P.; Brent St. Denis, Algoma Manitoulin M.P.; and David Orazietti, Provincial M.P.P. CARRIED.

Tony Martin
Member of Parliament

Room 811, Justice Bldg.
Ottawa, ON
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Tel: (613) 992-9723
Fax: (613) 992-1954
E-mail: martin.t@parl.gc.ca

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Dec. 6, 2006

LLC 12 2006
NO.: 50673
DIST. C. Agenda

The Hon. James M. Flaherty
Minister of Finance
Department of Finance Canada
140 O'Connor St.
Ottawa, ON

Dear Jim:

I write in support of the City of Sault Ste. Marie Council resolution on Oct. 16, 2006 supporting the reinstatement of the GST Tourism Rebate Program as an important tool for the recovery of the vital local, provincial and national tourism industries.

The Sault Ste. Marie Chamber of Commerce has also cited compelling evidence for a review of his decision. There was no meaningful consultation with businesses. As well, the ending of the exemption will detrimentally affect businesses who deal in package tours and those who deal in trade shows and conventions. In effect, as the Sault Chamber of Commerce has noted, the cost of holding or attending a convention in Canada or coming as part of a package has now risen a full 6 per cent.

In the House of Commons on Oct. 30, 2006, I said:

"In my community, which is a border community, the government did not support the cut in the GST rebate to tourists who come into our country. "We are living in very difficult times now with the fear of terrorism and the agenda of the American government to put in place the western hemisphere initiative, to put gunboats on our Great Lakes, to build fences and to erect towers. All of those things send the wrong message but that is under the control of the U.S. government.

"However, Canada has control over things like the GST rebate.

The rebate is an enticement or a little bit of a carrot for Americans who are looking at Canada as possibly a good place to have a vacation and perhaps buy a few items. The Americans now receive a rebate on their GST but the government intends to cut that.

"The Chamber of Commerce in my community, which came to one of the pre-budget consultations I had in my community during the constituency week, said that its number one priority



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when it was looking at the budget and what the government was doing in my community, which is very tourism oriented, was to stop the cut of the GST rebate. The rebate is only one of a few things that businesses have in their arsenal to compete and do well in the tourism industry.

"On behalf of my Chamber of Commerce and of all of those tourism organizations across my region I would ask the government not to cut the GST rebate and to put that rebate back in place because it is important and very helpful."

Ontario tourism and travel related industries contribute more than \$20 billion dollars to Ontario's GDP, roughly four per cent according to 2004 figures. The GST rebate has been marked by the tourism industry as an incentive and local groups have assisted American tourists in informing them and otherwise facilitating their claim.

With the Western Travel Hemisphere Initiative and other border security issues, tourism is already facing formidable challenges. We do not need to further discourage American tourists.

Of interest on this subject is the Ontario Chamber of Commerce position that tourism should be treated as an export industry, one that should be GST exempt... Many of Canada's international competitors have a tax rebate program and provide consumption tax exemption for exports.

Yours sincerely,



Tony Martin MP
Sault Ste. Marie

Cc: Robert Dumanski, Sault Ste. Marie chamber of Commerce
Donna P. Irving, City Clerk, Sault Ste. Marie

Tony Martin
Member of Parliament

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DEC 11 2006

NO.: 50668

DIST.:

December 6, 2006

Hon. Rona Ambrose
Minister of the Environment
The Honourable Rona Ambrose
Minister of the Environment
10 Wellington St; 28th Floor
Gatineau, QC K1A 0H3

Dear Rona:

Two major tourist attractions in my riding that are operated through Parks Canada are in need of significant capital improvements.

The Sault Canal is a National Historic Site linking Lake Superior and Lake Huron in the heart of central Canada. It needs road repairs, landscaping and repairs to the west entrance approach lock wall which has been cordoned off for many years due to safety concerns. The City of Sault Ste. Marie has passed a resolution supporting this capital work for the locks and canal.

Fort St. Joseph, on St. Joseph's Island, would enhance its status as a tourist attraction with investment in the St. Joseph Island National Park Road as well as a dock to draw water traffic.

The paved road is broken up and is in deplorable condition.

A dock would offer water access to the fort, a modern day recognition for the fact that the fort was established there to be the centre of shipping. The dock would enhance the fort as a tourist attraction for several reasons: it is located near busy routes for recreational boaters; there is an attraction at Drummond Island for American mariners and other



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concentration of American boats nearby at Detour and Mackinac; Canadian and American tourists could also be ferried to the fort with regular trips down the St. Mary's River on the lock tour boats. Having an exciting destination for a river cruise would make for a fine tourist package.

This is much needed capital work that makes even more sense as Sault Ste. Marie is poised to draw more tourists into the area with the opening of the Borealis theme park in the next year.

Yours sincerely,

Tony Martin MP
Sault Ste. Marie

cc: Joel Lafrance, Historic Sites Manager
City of Sault Ste. Marie
Destiny Sault Ste. Marie
St. Joseph Island Chamber of Commerce
Gerry Neave

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News Release Communiqué



Ontario

Ministry of Public
Infrastructure Renewal

Ministère du Renouvellement
de l'infrastructure publique

For Immediate Release
December 8, 2006

PROVINCE EXPANDS LOAN PROGRAM TO MUNICIPALITIES AND UNIVERSITIES

All Capital Projects Now Eligible, New Classes Of Borrowers Added

LONDON – The McGuinty government is enhancing Infrastructure Ontario's highly successful OSIFA Loan Program to provide financing for all capital expenditures by municipalities and universities, Minister of Municipal Affairs and Housing John Gerretsen announced today.

"The loan program is one of many tools the province is using to tackle the infrastructure deficit and get more infrastructure built sooner," said Gerretsen. "Our government has listened to and acted on requests from Ontario's municipalities and universities to enhance Infrastructure Ontario's Loan Program."

The expanded program will further stimulate infrastructure investments to improve local police and fire stations and equipment, as well as ferries, docks and airports. With these changes to the program, local hydro utilities, transit corporations, universities' federated and affiliated colleges, and not-for-profit long-term care service providers are also eligible to apply for affordable loans for key infrastructure projects.

"The Infrastructure Ontario loan program has been a valuable financing tool for municipalities," said Doug Reycraft, President, Association of Municipalities of Ontario. "Expanding the eligibility of qualifying projects will provide flexibility in building key infrastructure projects for our local communities."

To date, Infrastructure Ontario has committed to providing more than \$2.8 billion in affordable loans to municipalities and universities. The investments have stimulated more than 1,200 infrastructure projects to support priorities such as clean water, sewage, waste management, road and bridge improvements, teaching and learning facilities, as well as recreational and sports facilities.

The enhancement of Infrastructure Ontario's Loan Program will help renew and build strong communities. This funding initiative builds on *ReNew Ontario*, the government's five year, \$30 billion plus investment plan to renew and modernize public infrastructure.

For more information, please visit www.infrastructureontario.ca and www.ontario.ca/pir.

- 30 -

Contacts:

Wilson Lee
Minister's Office

Doug DeRabbie
Infrastructure Ontario

Backgrounder

Document d'information



PROVINCE EXPANDS LOAN PROGRAM TO MUNICIPALITIES AND UNIVERSITIES

INFRASTRUCTURE ONTARIO

Infrastructure Ontario is a Crown corporation dedicated to the renewal of the province's hospitals, courthouses and other key public assets. Ensuring appropriate public control and ownership, Infrastructure Ontario uses alternative financing and procurement to rebuild vital infrastructure, on time and on budget.

Infrastructure Ontario also provides Ontario municipalities and universities with access to affordable loans to build and renew local public infrastructure. Infrastructure Ontario's affordable loan program was originally developed by the Ontario Strategic Infrastructure Financing Authority (OSIFA), which has since been consolidated into Infrastructure Ontario. The loan program is an innovative financing vehicle created to help Ontario universities, municipalities and other broader public sector partners renew and build critical public infrastructure. Renewing Ontario's public infrastructure contributes to improving the quality of public services and building strong and prosperous communities.

Affordable Loan Program Broadened

The McGuinty government announced today an expansion of Infrastructure Ontario's highly successful loan program to provide affordable financing for all infrastructure expenditures by municipalities and universities. The program now includes municipal borrowing for investments to improve:

- Municipal administration buildings
- Local police and fire stations
- Emergency vehicles and equipment
- Ferries and docks
- Municipal airports

New Borrowers Eligible

Further changes to the program mean that local hydro utilities, transit corporations, universities' federated and affiliated colleges such as St. Michael's College and University College at the University of Toronto, and not-for-profit long-term care service providers are also eligible to apply for affordable loans for key infrastructure projects.

The expansion of the loan program is in response to the advice from stakeholders to further stimulate infrastructure investments in such areas as transit, energy conservation and public safety. By enlarging the loan eligibility to include municipal corporations, such as local hydro utilities and transit corporations, universities' federated and affiliated colleges and not-for-

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profit long-term care service providers, the program will strengthen their capacity to finance and build new infrastructure projects and improve the delivery of these critical public services.

Over 200 Clients with More than 1,200 Projects

To date, Infrastructure Ontario has committed to providing more than \$2.8 billion in affordable loans to over 200 municipalities and universities. The investments have stimulated more than 1,200 infrastructure projects to support priorities such as clean water, sewage, waste management, road and bridge improvements, teaching and learning facilities as well as recreational and sport facilities.

To check current lending rates or for further information, please visit Infrastructure Ontario's website at www.infrastructureontario.ca, or call toll-free 1-800-230-0937.

- 30 -

Contact:

Doug DeRabbie
Infrastructure Ontario
416-326-1006

Disponible en français

www.ontario.ca/pir
www.infrastructureontario.ca

December 20, 2006

His Worship Mayor John Rowswell
City of Sault Ste. Marie
99 Foster Drive
P.O. Box 580
Sault Ste. Marie, ON
P6A 5X6

Dear Mayor Rowswell:

On behalf of FCM, I extend congratulations and warmest wishes to you on your re-election as Mayor of the City of Sault Ste. Marie.

As an elected member of the first order of government, you know that municipal governments are about more than roads and sewers, as important as these are. We are also recreational providers, economic development officers and community planners. We are front-line workers and the first line of response in a crisis. We play a fundamental role in sustaining and improving the quality of life of all Canadians.

FCM's advocacy efforts on behalf of municipal governments have produced significant results in the past year. We were encouraged by Finance Minister Flaherty's recent Economic Update, reaffirming the commitment that the federal government made to municipalities in its 2006 budget. The decision to extend the federal gas-tax transfer for two more years—an additional \$4 billion to be shared by every municipal government—is an important first step toward a longer term plan to erase the municipal infrastructure deficit.

We will continue to urge the government to extend current infrastructure commitments through a clear infrastructure policy statement in Budget 2007, and we will continue to work with all Members of Parliament and all parties in the House of Commons to continue the progress we have made over the past several years.

We wish you well in your responsibilities and look forward to working with you in the years ahead.

Sincerely,

James Knight
Chief Executive Officer

JK:km



Councillor Gloria Kovach
Guelph, ON
President
Présidente

Councillor Gord Steeves
Winnipeg, MB
First Vice President
Premier vice-président

Maire Jean Perrault
Sherbrooke, QC
Deuxième vice-président
Second Vice President

Mayor Basil Stewart
Summerside, PE
Third Vice President
Troisième vice-président

Director Hans Cunningham
Regional District of
Kootenay, BC

Vice President at large
Vice-président hors cadre

James Knight
Chief Executive Officer
Chef de la direction

24 rue Clarence Street
Ottawa, Ontario K1N 5P3

(613) 241-5221

(613) 241-7440

federation@fcm.ca
Web site/site Web : www.fcm.ca

Centre for Sustainable
Community Development
Centre pour le développement
des collectivités viables

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International Centre for
Municipal Development
Centre international pour le
développement municipal

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international@fcm.ca

Policy, Advocacy and
Communications Department
Service des politiques, promotion
des intérêts et communications

(613) 241-7440

policy@fcm.ca

Events and membership
Événements spéciaux et adhésion

(613) 244-1500







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MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 7, 2006

RECEIVED
DECEMBER 11 2006
MUNICIPAL PROPERTY ASSESSMENT CORPORATION

Mayor John Rowswell
City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

Dear Mayor John Rowswell:

I would like to congratulate you and the members of council on your success in the November 13 Municipal Elections. As a Councillor for the Region of Niagara, I know how much time, dedication and hard work is involved in running for office and serving the residents of a community as a member of Council.

I am writing, as Chair of the Municipal Property Assessment Corporation (MPAC), to provide you with an overview of MPAC's current and planned activities.

If you would like to learn more about MPAC and Ontario's assessment process, I invite you to contact your local Municipal Relations Representative to arrange a presentation to Council in the new year. We have found these presentations to be valuable both for new and experienced members of Council. They provide an opportunity to ask questions and to meet some of the MPAC representatives in your area.

As you may know, MPAC has more than 1,500 employees in offices across Ontario. We are responsible for accurately assessing some 4.5 million properties, as well as preparing lists of electors for municipal elections and municipal population counts.

The following provides a brief overview of MPAC's activities and a look ahead at what you can expect in the coming year.

Cancellation of the 2006 and 2007 Assessment Updates

Last March, the Ombudsman of Ontario made a number of recommendations designed to increase the accuracy of information MPAC has about properties and improve customer service.

I am pleased to say that MPAC has taken action on all 20 of the recommendations that fall within its jurisdiction. However, three of the recommendations have significant cost implications. When the report was released, we made a commitment to consult municipalities before we took further action on these three recommendations. In the next few weeks, we will be sending you a Discussion Guide that outlines the issues and asking for your input on these issues.

In June, the Minister of Finance cancelled the province-wide assessment updates for 2006 and 2007, to give MPAC more time to consult with municipalities and implement the Ombudsman's recommendations.

We are currently reviewing the cost savings that will result from the delay in assessment updates, as we expect to see some savings in printing and postage costs for Property Assessment Notices and the hiring of additional temporary staff to deal with customer enquiries during the notice-mailing period. Our review will include the proposed Ombudsman's implementation plan and the results of our municipal consultations. Any savings will be reflected in our annual budget and in the costs that municipalities will ultimately bear.

Over the next two years, we will continue working on a wide range of day-to-day activities. For example, we will be inspecting about 355,000 properties annually, adding \$30 to \$40 billion (over two years) to municipal assessment rolls as new developments and subdivisions are completed, and processing all sales of property in the province – about 480,000 a year.

During the month of November, we mailed about one million Property Assessment Notices to properties that have had alterations affecting assessed value or other data changes, including ownership or school support changes, Request for Reconsideration or Assessment Review Board adjustments, new construction, demolitions or improvements. We expect to mail a similar number of notices in 2007. An information kit has been sent to all Municipal CAOs/Clerks.

2006 Enumeration

In preparing the 2006 Voter Notification Files, we identified, for the first time, those individuals with "unconfirmed citizenship." This was done at the request of the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) because of growing concerns about the number of unconfirmed citizenships on the list of electors. Identifying people with unconfirmed citizenships on the electronic Voter Notification Files allowed election officials to decide whether they wanted to ask for proof of citizenship at the polling station or to undertake some other form of verification.

MPAC relies on a number of sources to develop lists of electors and the Ontario Population Reports. These sources include changes in property ownership and/or school support, discussions with taxpayers, and information from 700,000 occupancy questionnaires we send to property owners and tenants every year.

MPAC also mails municipal enumeration forms to households across Ontario prior to each municipal election requesting information including age and citizenship. This year, we mailed more than 2.4 million forms. Fewer than one million were returned.

Over the coming months, we will be consulting with municipalities, municipal associations and other interested stakeholders to review the 2006 enumeration. Our goal is to improve the accuracy of lists of electors and population counts.

We are also working with the Ontario Ministry of Government Services to obtain access to birth and death information across the province. In the past, we have been unable to obtain this information because of interpretations of the province's privacy legislation. This has been a significant barrier to improving the accuracy of the lists of electors and municipal population counts.

Seasonal Campgrounds

In October, the Superior Court of Justice ruled that seasonal trailers were not assessable. This is the latest in a series of differing court rulings and policy decisions on the issue over the past 20 years.

Seasonal trailers represent a significant amount of assessment for some municipalities and there may be additional implications as a result of the decision. MPAC, with the support of a number of municipalities where this is an issue, has decided to appeal the decision.

We will provide you with more information on this matter as it is made available.

Provincial Land Tax

In October, the province introduced new legislation to change the way property taxes are levied on land in areas that have not been incorporated as municipalities. MPAC has been given responsibility for assessing that land, which is located primarily in northern Ontario. The province will hold public meetings to review the proposed changes. If the legislation is passed, we will work closely with local officials and property taxpayers who are affected, to ensure a smooth transition from the current system.

Mayor John Rowswell

December 7, 2006

Page 4 of 4

Other Activities

In addition to the above activities, we are now in the final stages of implementing our new Integrated Property System (IPS). IPS replaces our existing Ontario Assessment System, which is over 20 years old and, as you can appreciate, out of date.

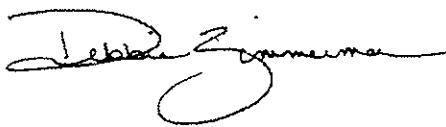
IPS will allow us to provide municipalities and taxpayers with more detailed information than ever before. We are currently working on a number of fronts to improve both our transparency and our customer service. Some of these changes are already being seen. For example, we have doubled the number of properties that a taxpayer can review to determine if his or her assessed value is correct, from 12 properties to 24..

You will see even more of these improvements implemented before the next province-wide assessment update in 2008.

In closing, I would like to once again congratulate you and all members of Council on being elected. We look forward to working with you for the next four years.

If you would like any further information or to arrange a presentation to your Council, please contact your local Municipal Relations Representative or Arthur Anderson at (877) 635-6722, extension 6993.

Yours truly,



Debbie Zimmerman
Chair, MPAC Board of Directors

Copy Municipal CAOs, Clerks and Treasurers (*via e-mail*)
MPAC Board of Directors
Carl Isenburg, President and Chief Administrative Officer, MPAC



January 5, 2007

Mayor John Rowswell
City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

Re: G.W.P. 357-94-00
Highway 17 Four-Laning from Black Road at Second Line East to the East Boundary
of the City of Sault Ste. Marie at Highway 17 (New)
Preliminary Design, Class Environmental Assessment

Dear Mayor Rowswell:

The Ministry of Transportation (MTO) is initiating a study to investigate options for four-laning Highway 17 from Black Road at Second Line East to the East Boundary of the City of Sault Ste. Marie at Highway 17 (New), through Batchewana First Nation (BFN). The purpose of this letter is to inform you of the commencement of this study.

In 1996, MTO completed a Planning and Preliminary Design Study which recommended the realignment and four laning of Highway 17 from Black Road in the City of Sault Ste. Marie, easterly to Bar River Road. An Environmental Study Report (ESR) was filed in 1996 with the understanding that:

- MTO would proceed with preparing the preliminary design, detail design and construction of the sections of Highway 17 (New) east of BFN,
- MTO would continue to pursue completing studies within BFN.

MTO is now commencing those studies.

The study will follow the *Class Environmental Assessment (EA) for Provincial Transportation Facilities (2000)* process for a Group 'A' project.

External agency and public consultation will take place throughout the study. Two Public Information Centres (PICs) will be held to enable the public and interest groups an opportunity to discuss the study with members of the project team. Notices providing the time and location of the PIC will be published in local newspapers and delivered by mail to government agencies, property owners and interested individuals or groups.

Upon completion of the study, the improvements will be documented in a Transportation Environmental Study Report which will be prepared and made available for public review.

Please find attached a copy of the study area key plan.

Please provide any comments by **February 5, 2007** on the attached comment form or in a separate letter. Should you require further information regarding this project, please feel free to contact any of the project team members listed on the following page.



5(g)

Mr. Gord Firth, P. Eng.
Consultant Project Manager
McCormick Rankin Corporation
2655 North Sheridan Way
Mississauga, Ontario L5K 2P8

Phone: (905) 823-8500 (call collect)
Direct : (905) 829-6246
Fax: (905) 823-8503
email: gfirth@mrc.ca

Yours truly,

A handwritten signature in black ink, appearing to read "Gord Firth".

Gord Firth, P.Eng.
Consultant Project Manager

c: Kevin Morphet, MTO
Jane Haddow, MTO
Mike Bricks, Ecoplans Limited
Encl.

Mr. Kevin Morphet, P. Eng.
Project Manager
Ministry of Transportation
Suite 420 Roberta Bondar Place
70 Foster Drive
Sault Ste. Marie, Ontario P6A 6V4
Phone: (705) 945-5796
1-877-366-0669 ext. 5796
Fax: (705) 945-6830
email: kevin.morphet@ontario.ca

5(g)

Highway 17 Four-Laning
G.W.P. 357-94-00

AGENCY COMMENT FORM

Type of Project: Preliminary Design

Environmental Assessment Type: Group 'A', Class EA for Provincial Transportation Facilities.

Project Location: Highway 17 – from Black Road at Second Line East to the East Boundary of the City of Sault Ste. Marie at Highway 17 (New).

Agency Name & division/branch:

COMMENTS:

1. Does your organization wish to participate in this project?

YES

NO

2. If yes to the above, please provide the contact name, telephone #, address and e-mail for future correspondence.

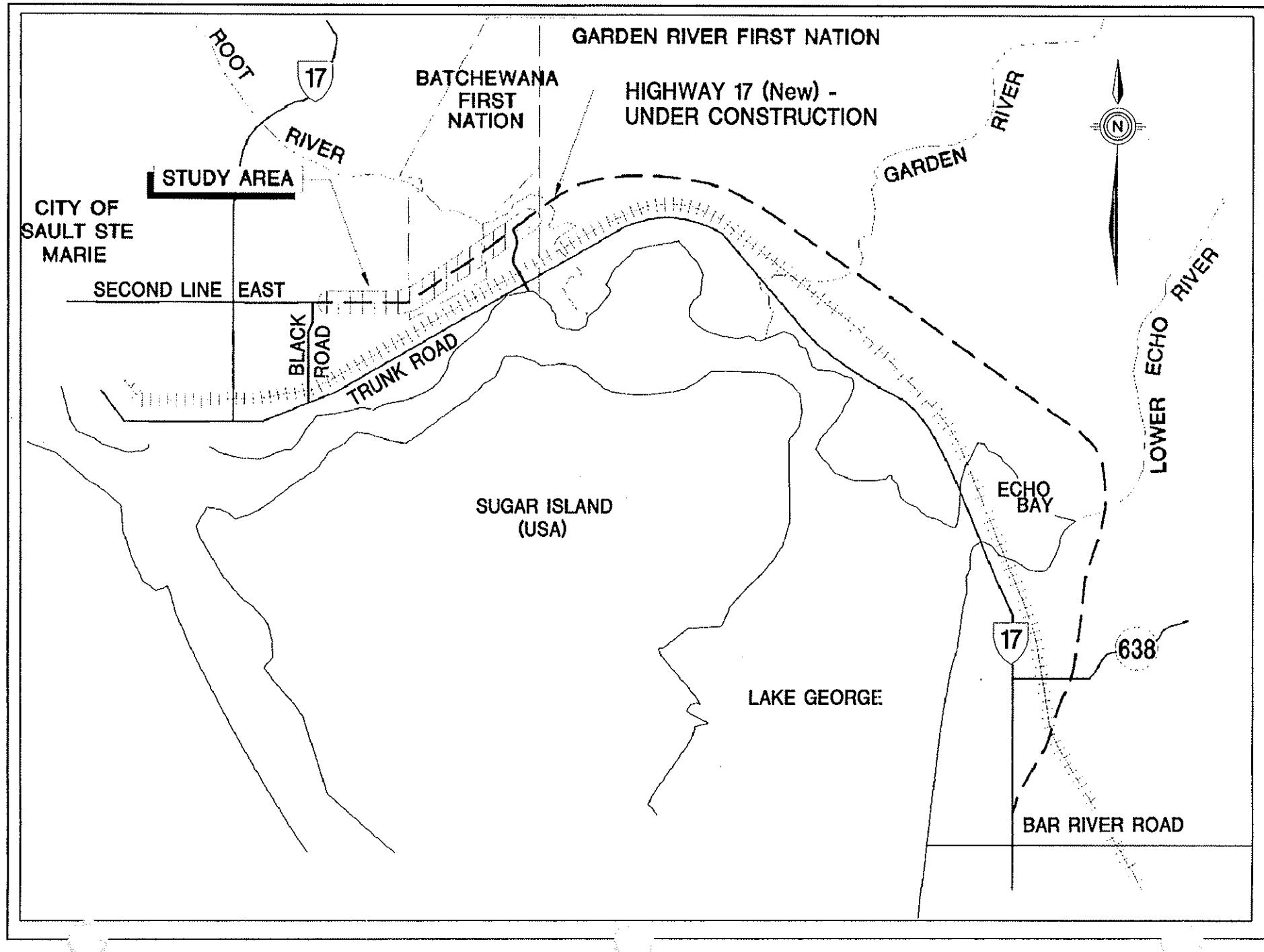
3. Please identify any concerns your agency may have at this time.

For further information regarding this project, please contact the Consultant Project Manager Mr. Gord Firth, McCormick Rankin Corporation at (905) 823-8500 (call collect) or gfirth@mrc.ca.

PLEASE FAX THIS FORM BACK BY February 5, 2007.

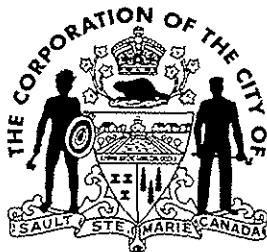
FAX#: (905) 823-2669

ATTN: Mr. Mike Bricks, MCIP, RPP
Ecoplans Limited
2655 North Sheridan Way
Mississauga, Ontario L5K 2P8



5(j)

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 01 15

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. Jamie Coombs – Eng. & Planning – Building Division**
Training
January 2007
Etobicoke, ON
Estimated total cost to the City - \$ 1,561.98
Estimated net cost to the City - \$ 1,561.98

- 2. Frank Bentrovato – Eng. & Planning – Building Division**
Training
January 2007
Etobicoke, ON
Estimated total cost to the City - \$ 1,741.98
Estimated net cost to the City - \$ 1,741.98

- 3. Don Maki & Mark Fiacconi – Eng. & Planning – Building Division**
OBOA Chapter Meeting
January 2007
Elliott Lake, ON
Estimated total cost to the City - \$ 148.00
Estimated net cost to the City - \$ 148.00

4. Paul Milosevich – Fire Services

Principles of Adult Learning

January 2007

Gravenhurst, ON

Estimated total cost to the City - \$ 225.00

Estimated net cost to the City - \$ 225.00

5. Dave Peddle – Fire Services

Application of Adult Education Principles

January 2007

Gravenhurst, ON

Estimated total cost to the City - \$ 225.00

Estimated net cost to the City - \$ 225.00

6. Frank Brescacin – Fire Services

Fire Cause Determination

January 2007

Gravenhurst, ON

Estimated total cost to the City - \$ 225.00

Estimated net cost to the City - \$ 225.00

7. Rod Fremlin – Fire Services

Company Officer 503, 504, 505

February 2007

Gravenhurst, ON

Estimated total cost to the City - \$ 225.00

Estimated net cost to the City - \$ 225.00

8. Nick Apostle, Norm Fera, Nick Apostle – Community Services Dept.

OHL All Star Game Review

January 2007

Saginaw, Michigan

Estimated total cost to the City - \$ 1,360.00

Estimated net cost to the City - \$ 1,360.00

9. Joe Cain – CSD – Community Centres & Marine Facilities

North Channel Marine Tourism Council

Throughout 2007 – 5 meetings plus annual general meeting

Spanish, ON

Estimated total cost to the City - \$. 137.00

Estimated net cost to the City - \$ 137.00

10. Carl Rumieli – Engineering & Planning

Ontario Good Roads Association

January 2007

Mississauga, ON

Estimated total cost to the City - \$ 756.50

Estimated net cost to the City - \$ 756.50

5(j)

11. Nuala Kenny - Legal

Municipal Government Liability Seminar

January 2007

Toronto, ON

Estimated total cost to the City - \$ 1,878.70

Estimated net cost to the City - \$ 1,878.70

Respectfully submitted,

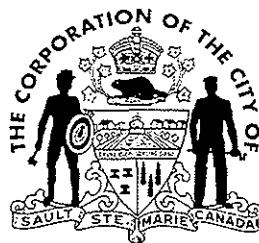


JMF: bb

Joe Fratesi
CHIEF ADMINISTRATIVE OFFICER



5(k)



2007 01 15

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: 2007 COUNCIL MEETING SCHEDULE

At the 2006 12 11 meeting, Council passed the following resolution:

Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco

Resolved that the report of the City Clerk dated 2006 10 16 concerning 2007 Council Meeting Schedule be accepted and the recommendation that Council amend Procedure By-law 99-100 as follows:

Section 3(1) The regular meetings of Council shall be held at 4:30 p.m. twice per month on Monday afternoons be approved; and

Further resolved that Council approve the recommended dates for the 2007 Council Meeting Schedule as amended to include a January 22nd Meeting to review the Procedure By-law and to add a second meeting in July and in August be approved. CARRIED.

The attached 2007 Council Meeting Schedule is recommended for Council's approval.

Respectfully submitted,

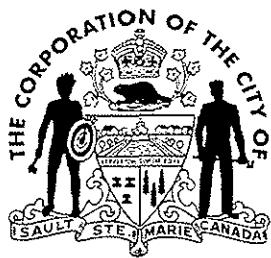
DONNA P. IRVING
CITY CLERK

Att.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(K)



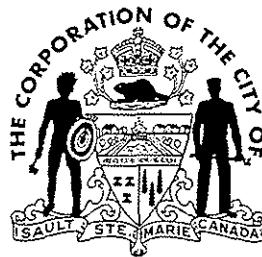
2007 COUNCIL MEETING SCHEDULE

<u>Date</u>	<u>Start Time</u>	<u>Planning</u>
January 9 (Caucus - Boards and Committees)	5:00 p.m.	
January 15	4:30 p.m.	5:30 p.m.
January 22 (Special Procedure By-law Review)	4:30 p.m.	
January 29	4:30 p.m.	5:30 p.m.
February 12	4:30 p.m.	5:30 p.m.
February 26	4:30 p.m.	5:30 p.m.
March 12	4:30 p.m.	5:30 p.m.
March 26	4:30 p.m.	5:30 p.m.
April 16	4:30 p.m.	5:30 p.m.
April 30	4:30 p.m.	5:30 p.m.
May 14	4:30 p.m.	5:30 p.m.
May 28	4:30 p.m.	5:30 p.m.
June 11	4:30 p.m.	5:30 p.m.
June 25	4:30 p.m.	5:30 p.m.
July 9	4:30 p.m.	5:30 p.m.
July 23	4:30 p.m.	5:30 p.m.
August 13	4:30 p.m.	5:30 p.m.
August 27	4:30 p.m.	5:30 p.m.
September 10	4:30 p.m.	5:30 p.m.
September 24	4:30 p.m.	5:30 p.m.
October 15	4:30 p.m.	5:30 p.m.
October 29	4:30 p.m.	5:30 p.m.
November 13 (Tuesday)	4:30 p.m.	5:30 p.m.
November 26	4:30 p.m.	5:30 p.m.
December 10	4:30 p.m.	5:30 p.m.

Approved by Council January 15, 2007
City Clerk's Department

5(1)

Malcolm White CMO, CMM III
 Deputy City Clerk &
 Manager of Quality Improvement



City Clerk's Department

2007 01 15

Mayor John Rowswell
 And Members of City Council

RE: 2007 CORPORATE MEMBERSHIP FEES

The following Corporate Membership Fees are coming up for renewal:

	<u>2007 Renewal</u>	<u>2006 Fees</u>
1. Algoma District Municipal Association	\$ 300.00	\$ 300.00
2. Association of Municipalities of Ontario	\$ 9,594.36	\$ 9,303.96
3. Canadian Institute of Forestry	\$ 300.00	\$ 300.00
4. Chamber of Commerce	\$ 331.70	\$ 331.70
5. Federation of Canadian Municipalities	\$ 8,749.66	\$ 8,525.96
6. Federation of Northern Ontario Municipalities	\$ 2,000.00	\$ 2,000.00
7. Great Lakes and St. Lawrence Cities Initiative	\$ 5,000.00	\$ 5,000.00
8. Ontario Good Roads Association	\$ 1,641.04	\$ 1,607.28
9. Ontario Traffic Conference	<u>\$ 420.00</u>	<u>\$ 420.00</u>
	\$ 28,336.76	\$ 27,788.90

5(1)

(2)

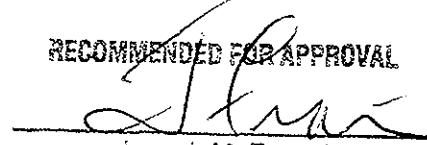
This is submitted to Council for authorization to proceed with payment.

Respectfully submitted,

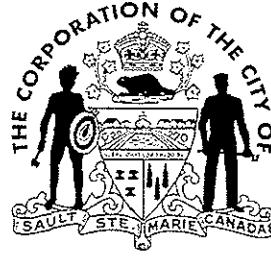


Malcolm White
Deputy City Clerk &
Manager of Quality Improvement

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



2007 01 15

Mayor John Rowswell and
 Members of City Council

RE: BONIFERRO MILLWORKS INC – MINUTES OF SETTLEMENT

Background

Boniferro Millworks Inc. had appealed their property assessment for the years 2003, 2004, 2005 and 2006 pursuant to Section 40 of the Assessment Act for the property located at 45 Third Line West.

The Municipal Property Assessment Corporation (MPAC) and Boniferro Millworks Inc. have agreed upon Minutes of Settlement for the four year period 2003 through 2006 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 the property assessment valuation based on testimony from all interested parties.

Cost of Settlement

Year	Original CVA Assessment	Revised CVA Assessment	Assessment Reduction	Municipal Taxes	Education Taxes
2003	3,268,000	700,000	2,568,000	34,791	25,153
2004	2,947,000	700,000	2,247,000	41,377	27,788
2005	2,870,000	700,000	2,170,000	84,837	55,357
2006	<u>3,029,000</u>	<u>700,000</u>	<u>2,329,000</u>	<u>115,547</u>	<u>72,501</u>
Total	12,114,000	2,800,000	9,314,000	\$276,552	\$180,799
Less Vacancy rebate adjustment for 2003 and 2004			(29,122)	(19,694)	
Total Tax Adjustment			\$247,430	\$161,105	

2007 01 15

Page 2.

It is important to note that the tax capping process once again limited the impact of this settlement. Had tax capping not been in place, the full impact of this assessment reduction would have resulted in a municipal tax reduction of \$425,000 and an education tax reduction of \$284,000. As a result Boniferro Millworks will only see a total municipal and education tax adjustment of \$408,535.

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 industrial properties. It was determined through the appeal process that Boniferro Millworks was utilizing the sawmill operation only and had abandoned the hardwood veneer operation. Of the 220,000 sq ft of buildings located on the property only 50,000 sq ft. is being used for the sawmill operation. Much of the structures attributed to the hardwood veneer operation are either in a state of disrepair or have been demolished resulting in an assessment reduction.

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 to the ARB, Boniferro Millworks was seeking an assessed value of \$160,000 based on the purchase price in 2003.

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 Boniferro Millworks Inc. for the 2003, 2004, 2005 and 2006 tax years. An appropriate by-law appears on the agenda for approval.

5(m)

2007 01 15

Page 3.

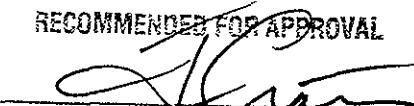
Respectfully submitted,

P. Liepa
City Tax Collector

Recommended for Approval:

W.F.
W. Freiburger
Commissioner of Finance & Treasurer.

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

5(m)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2003 taxation year for the property described as:Roll Number: 57 61 050 043 087 00 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie CityBetween: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO. 31

And:

BONIFERRO Mill Works BONITAR INC.
[Signature]

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
57 61 050 043 087 00			\$3,268,000	\$700,000
	CT	CT	82,133	67,190
	LT	LT	3,106,182	632,810
	LU	N/A	79,685	0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Date

Complainant (Bonifero Mill Works)

Dec 4, 2006

Date

Municipality

Date

Date of Hearing:	Hearing No.:	Complaint No.:
DD	MM	YY



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

5(m)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2004 taxation year for the property described as:Roll Number: 57 61 050 043 087 00 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie CityBetween: **MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO. 31**And: **BONIFERRO MILL WORKS INC.**

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
<u>57 61 050 043 087 00</u>			\$2,947,000	\$700,000
	CT	CT	74,065	67,190
	LT	LT	2,801,075	632,810
	LU	N/A	71,860	0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Bonifero Mill Works Inc.]

Date

Date

Municipality

Date

Date of Hearing:	Hearing No.:	Complaint No.:
DD	MM	YY



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

5(m)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2005 taxation year for the property described as:Roll Number: 57 61 050 043 087 50 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie City

Between: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO.

31

And:

BONIFERRO MILL WORKS INC.

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
57 61 050 043 087 50			\$2,870,000	\$700,000
	CT	CT	79,545	67,190
	LT	LT	2,790,455	632,810
				0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Bonifero Mill Works Inc.]

Municipality

Date

Dec. 4, 2006

Date

Date

Date of Hearing:			Hearing No.:	Complaint No.:
DD	MM	YY		



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

5(m)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2006 taxation year for the property described as:Roll Number: 57 61 050 043 087 50 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie CityBetween: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO. 31And: BONIFERRO MILLS WORKS INC.

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
<u>57 61 050 043 087 50</u>			\$3,029,000	\$700,000
	CT	CT	82,988	67,190
	LT	LT	2,946,012	632,810
				0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Boniferro Mill Works Inc.]

Date

Date

Municipality

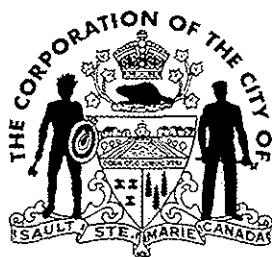
Date

Date of Hearing:			Hearing No.:	Complaint No.:
DD	MM	YY		



William Freiburger, CMA
 Commissioner of Finance
 and Treasurer

Finance Department



2007 01 15

Mayor John Rowswell and
 Members of City Council

Re: Finance Committee

This report is to address the following resolution passed December 11, 2006.

Moved By: Councillor B. Hayes
 Seconded By: S. Butland

Whereas the Finance Committee was established by resolution of the prior Council; and

Whereas the Finance Committee has been in place for approximately 2 ½ years; and Whereas there has been some question as to the need for a Finance Committee and the responsibilities of that committee;

Now therefore be it resolved that the Commissioner of Finance provide to Council a report for the January 15, 2007 meeting on other municipalities that have Finance Committees in place, the reasons our Finance Committee was created, the Terms of Reference for the Sault Ste. Marie's Finance Committee, copies from minutes of all prior Finance Committee Meetings as well as identification of what items the Finance Committee is currently working on.

Survey of Other Communities

The attached detailed survey of 17 municipalities (Exhibit A) was prepared for a report to Council on September 8, 2003 (Exhibit B) that approved the creation of the Finance Committee.

A general observation from the survey is that communities either had a committee system or no committees. There is no standard approach to a committee structure for municipalities.

Committees are a function of a method of governance by a Council. It is the preference of the Council to utilize committees or disband them.

Reasons for the Finance Committee

Attached is the Council report that listed the terms of reference for the Finance Committee (Exhibit C) and the highlighted items are listed below.

Minutes of Finance Committee Meetings

Attached in Exhibit D are the minutes from Finance Committee Meetings.

Projects Currently under Consideration

1. New Financial Information System
2. Review of capital structure for PUC
3. PSAB Accounting Regulation Changes
4. Review of grants under the Grants Policy
5. Policy updates for Tax Collections, Purchasing and Investments
6. Tax Policy

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachments

RECOMMENDED FOR APPROVAL
J. Fratesi

Joseph M. Fratesi
Chief Administrative Officer

City of Sault Ste. Marie**SUMMARY OF FINANCE/AUDIT COMMITTEE SURVEY**

MUNICIPALITY	POPULATION	COMMITTEE STRUCTURE	OTHER RELATED COMMITTEES
Chatham-Kent	103,824	NO	No Audit Committee
North Bay	53,989	COMMITTEE SYSTEM no separate finance/audit committee	General Government Committee Public Works Committee Community Services Committee
Greater Sudbury	157,456	COMMITTEE SYSTEM finance committee	Finance Committee - Committee of the Whole Priorities Committee - Committee of the Whole Planning Committee
City of Thunder Bay	112,488	AUDIT COMMITTEE	Created in March 2002 No Finance Committee Audit Committee 3 outside representatives and 2 Councillors Reviews year end statements
City of Brantford	78,463	COMMITTEE SYSTEM	Audit Committee - Part of a Corporate Services Committee
City of Kingston	108,158	NO	No Finance or Audit Committee
City of Kawartha Lakes	65,084	COMMITTEE SYSTEM no separate finance/audit committee	Recent Amalgamation Financial Issues handled by a Corporate and Human Resources Committee
City of Sarnia	69,850	NO	No Finance or Audit Committee
City of Peterborough	67,666	AUDIT COMMITTEE	Audit Committee Mayor and 2 Councillors No terms of reference Only role is to receive financial statements
City of Guelph	94,201	COMMITTEE SYSTEM reviewing role of an audit committee	Finance and Administration Committee Community Services Committee Planning, Environment and Transportation Committee

City of Sault Ste. Marie**SUMMARY OF FINANCE/AUDIT COMMITTEE SURVEY**

City of Barrie	91,022	COMMITTEE SYSTEM no separate finance/audit committee	Corporate Services Committee - deals with Financial Issues
City of Belleville	42,855	NO AUDIT COMMITTEE	Disbanded Committee system 3 years ago
City of Cornwall	44,999	Audit Committee	Meets 4 or 5 times per year or as required
City of Brockville	19,970	COMMITTEE SYSTEM	Finance/Administration Community Services/ Economic Development Environment/Planning/Development
City of Oakville	132,696	COMMITTEE SYSTEM	Community Services Administrative Services Budget Committee - review budget
City of Oshawa	133,544	COMMITTEE SYSTEM	Strategic Initiatives Development Services Operational Services Finance/Budget - use Committee of the Whole when Council deals with financial, budget or management matters
City of Timmins	44,179	Discontinued Committee System	Had 4 Committees Administrative Services Community Services Planning & Development Engineering & Operations Services Finance and Budget were dealt with by Council as a Whole.

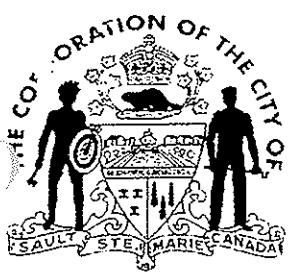


Exhibit B - 1
5(n)

CITY COUNCIL RESOLUTION

Date: September 8, 2003

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

B. Hayes
N. DelBianco

Resolved that the report of the Commissioner of Finance and Treasurer be approved and that a Finance/Audit Committee be established with three Councillors to review and recommend approval of the annual audit process and review the budget; and Further be it resolved that the role of the Committee be reviewed by Council after one year of operation.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED
 DEFERRED

SIGNATURE

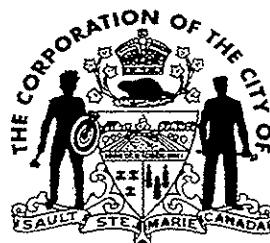
- C.A.O.
 City Solicitor
 Comm. Finance/Treasurer
 Comm. Eng. & Planning
 Comm. Human Resources

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

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

B. Hayes

WILLIAM FREIBURGER, CMA
Commissioner of Finance and Treasurer
Finance Department



September 8, 2003

Mayor John Rowswell
and Members of City Council

RE: FINANCE AND AUDIT COMMITTEES

"Whereas the role of Council is to ensure the financial integrity of the municipality; and
Whereas the role of Council is to ensure that administrative practices and procedures
are in place to implement the decisions of Council; and

Whereas numerous requests for funding come forward on a regular basis; and
Whereas controls exist to assist in managing risk and promoting effective governance;
and

Whereas ongoing monitoring activities should be conducted to periodically assess risk
and the effectiveness of controls to manage risk;

Now therefore be it resolved that City Council request the Finance Department to
prepare a report identifying municipalities that currently have a Finance and/or Audit
Committee in place and the structure and terms and conditions of that committee."

Survey

Various municipalities of similar size were surveyed and the results are attached in
Exhibit A along with a comparison with larger municipalities.

Observations

There are a variety of municipal governance structures. Some communities like North Bay, Brantford and Barrie have a standing committee structure that divides municipal responsibilities by function. For example, a General Government Committee would handle all financial issues along with Legal, Human Resources and any other administrative function.

Other functional committees relate to such issues as Social Services, Public Works and Development.

A municipality with a committee system may have committee meetings one week and
then have a Council meeting the following week.

The City of Greater Sudbury has a Priorities Committee that meets the day before the Council meeting.

The standing committee system requires additional time commitments from Council and staff.

A concern with committees may be that the members of Council on a committee receive more information on a subject than those members of Council who are not on the committee.

In May 2003, the City of Timmins eliminated the committee system. The attached Exhibit B is an article from the Timmins Daily Press concerning committees.

AUDIT COMMITTEES

Requirements for an Audit Committee

An Audit Committee is not required under the Municipal Act.

Audit Committees have been mandatory since 1970 for Ontario companies that offer securities to the public. Its principal purpose is to review the company's affairs primarily by examining the audited annual financial statements prepared by management.

CICA Regulation

The Canadian Institute of Chartered Accountants (CICA) establishes auditing standards.

Section 5751 of the CICA Handbook (Exhibit C) became effective with respect to audits of financial statements relating to periods ending on or after December 15, 2002.

The section relates to communications with those having oversight responsibilities for the financial reporting process.

Section 5751.04 states that when an entity does not have an audit committee, the auditor communicates directly with the board of directors or other governing body that has retained oversight responsibility for the financial reporting process.

Listed below are some of the issues that the auditor should communicate to the Audit Committee or the governing body.

- The audit and non-audit services that the auditor is providing.
- The level of responsibility assumed by the auditor under generally accepted auditing standards.
- A summary of the audit approach.
- Matters that have a significant effect on the qualitative aspects of accounting principles used in the entity's financial reporting.
- Other matters arising from the audit that in the judgement of the auditor, are important and relevant to the Audit Committee.
- The auditor at least annually should communicate to the auditor's independence in a letter to the Audit Committee.

Objectives of an Audit Committee

- Help Council meet its fundamental responsibilities of protecting the municipal assets and managing operations as efficiently as possible.
- Provide better communication between the auditor and council and promote better understanding of the audit process.
- Increase the credibility and objectivity of the municipality's financial report.

Finance/Audit Committees

A Finance/Audit Committee can have a wider scope beyond the annual audit. Listed below are some possible responsibilities for a Finance/Audit Committee.

- Recommend approval of financial statements to Council.
- Discuss with external auditors the internal control standards and recommendations for improvements.
- Participate in and recommend the appointment of the external auditors and review fees.
- Review auditor's performance.
- Review operating and capital budgets.
- Review variance and financial reporting.

- Review the budget process.
- Review financial computer systems.
- Review operational procedures.
- Review the efficiency and effectiveness of programs.

Terms of Reference

Attached is information from the below listed municipalities relating to committees.

Exhibit D – Procedural By-law from the City of North Bay relating to Committees.

This is an example of a committee system with finance responsibilities under a General Government Committee.

Exhibit E – Procedural By-law from the City of Greater Sudbury relating to Committees, Advisory Panels and Public Meetings.

The Finance Committee is a Committee of the Whole. The Chair of the Committee calls meetings as required. The Finance Committee receives the Auditors report, reviews current financial performance, reviews the budget timetable and establishes priorities for capital projects. See page E13.

Exhibit F – Terms of Reference for an Audit Committee from the City of Thunder Bay.

Exhibit G – Information report to the Finance and Administration Committee of the City of Guelph on the role of an Audit Committee.

Exhibit H – City of Ottawa Audit Committee.

Exhibit I – Peel Region Terms of Reference for Audit Sub-Committee Operations.

Exhibit J – By-law for the City of Mississauga to establish an Audit Committee.

Exhibit K – City of Peterborough Audit Committee Minutes.

Exhibit L – Brantford Audit Committee criteria.

Other cities, such as Kingston, Sarnia and Chatham-Kent have no Finance or Audit Committees.

The City's Auditor has a booklet called Guide to Forming and Running an Effective Audit Committee that is available in the Finance Department.

Comments

An Audit Committee can have a narrow range of responsibility dealing with the annual audit and related issues.

A Finance Committee can deal with specific financial issues such as budget and audit or can be used to include all financial issues.

Standing Committees that meet on a regular basis would require additional time commitments by staff and Council.

Budget review can be done by a Committee of Council or by the Committee of the Whole with all members, as is our current practice. There are a variety of approaches by municipalities and it comes down to the preference of Council.

A committee allows for more in depth review and discussion of topics by Councillors with related expertise. The committee can then provide recommendations to Council. A concern could be that the flow of information in a committee from staff is being received by a select number of Councillors. Minutes from committee meetings would be forwarded to Council.

Options

Listed below are possible options for Council.

1. Auditors report to Council as Committee of the Whole when financial statements are presented to Council. All financial issues are presented to the entire Council for approval, as is the current practice.
2. An Audit/Finance Committee of Council is established to address audit issues as required under Section 5751 of the CICA Handbook. The committee could have three Council Members and recommend the financial statements to Council for approval. Exhibit L from the City of Brantford and Exhibit G from the City of Guelph are good examples of terms of reference for an Audit Committee. The committee would meet 3 or 4 times a year or at the request of the Committee Chair. The scope of the committee would include reviewing and recommending approval of the annual audit process and the review of the budget or other issues as requested by Council. After issues are discussed and approved by the committee, they are placed on the Council agenda for approval.
3. A Finance/Audit Committee could be established to address all financial issues. A committee would meet on a regular basis to review all financial issues and recommend them for approval to Council. This may lead to the committee system where three or four committees review all staff reports.

RECOMMENDATION

If Council believes a committee would be helpful, the second option of establishing a Finance/Audit Committee to review and recommend approval of the annual audit process and review the budget is recommended and the role of the committee would be reviewed after one year of operation.

If Council approves the committee, the terms of reference will be developed based on the attached examples for approval.

It is further recommended that the composition of the committee be determined by the newly elected Council in December of this year when Council deals with Boards and Committee appointments.

This is provided for the information of Council.

Respectfully submitted,



W. Freiburger
Commissioner of
Finance and Treasurer

WF/kl
Attach.

City of Sault Ste. Marie

SUMMARY OF FINANCE/AUDIT COMMITTEE SURVEY

MUNICIPALITY	POPULATION	COMMITTEE STRUCTURE	OTHER RELATED COMMITTEES
Chatham-Kent	103,824	NO	No Audit Committee
North Bay	53,989	COMMITTEE SYSTEM no separate finance/audit committee	General Government Committee Public Works Committee Community Services Committee
Greater Sudbury	157,456	COMMITTEE SYSTEM finance committee	Finance Committee - Committee of the Whole Priorities Committee - Committee of the Whole Planning Committee
City of Thunder Bay	112,488	AUDIT COMMITTEE	Created in March 2002 No Finance Committee Audit Committee 3 outside representatives and 2 Councillors Reviews year end statements
City of Brantford	78,463	COMMITTEE SYSTEM	Audit Committee - Part of a Corporate Services Committee
City of Kingston	108,158	NO	No Finance or Audit Committee
City of Kawartha Lakes	65,084	COMMITTEE SYSTEM no separate finance/audit committee	Recent Amalgamation Financial Issues handled by a Corporate and Human Resources Committee
City of Sarnia	69,850	NO	No Finance or Audit Committee
City of Peterborough	67,666	AUDIT COMMITTEE	Audit Committee Mayor and 2 Councillors No terms of reference Only role is to receive financial statements
City of Guelph	94,201	COMMITTEE SYSTEM reviewing role of an audit committee	Finance and Administration Committee Community Services Committee Planning, Environment and Transportation Committee

City of Sault Ste. Marie**SUMMARY OF FINANCE/AUDIT COMMITTEE SURVEY**

City of Barrie	91,022	COMMITTEE SYSTEM no separate finance/audit committee	Corporate Services Committee - deals with Financial Issues
City of Belleville	42,855	NO AUDIT COMMITTEE	Disbanded Committee system 3 years ago
City of Cornwall	44,999	Audit Committee	Meets 4 or 5 times per year or as required
City of Brockville	19,970	COMMITTEE SYSTEM	Finance/Administration Community Services/ Economic Development Environment/Planning/Development
City of Oakville	132,696	COMMITTEE SYSTEM	Community Services Administrative Services Budget Committee - review budget
City of Oshawa	133,544	COMMITTEE SYSTEM	Strategic Initiatives Development Services Operational Services Finance/Budget - use Committee of the Whole when Council deals finance, budget or management matters
City of Timmins	44,179	Discontinued Committee System	Had 4 Committees Administrative Services Community Services Planning & Development Engineering & Operations Services Finance and Budget were dealt with by Council as a Whole.

Comparison of Municipal Internal Audit Functions

Description:	City of Sault Ste. Marie	City of Mississauga	Region of York	Region of Sudbury	Region of Peel	City of Hamilton	City of Windsor	Region of Halton	City of Toronto	City of Winnipeg
Population	80,000	600,000	677,000	160,000	988,000	490,000	197,000	387,000	2,400,000	684,000
Number of Staff in Internal Audit	1	6	3	2	7	5.5	4 - 5	2	26	10
Reporting Structure Internal Audit Reports to:	Commissioner of Finance	City Manager and Audit Committee	CAO and Audit Committee	CAO	Commissioner of Finance	Audit Committee	CAO	Commissioner Corp. Services and CAO	Audit Committee	City Council through Audit Committee
Audit Committee	no	yes	yes	no	yes	yes	yes	Finance Committee	yes	yes
Size of Audit Committee	n/a	3 councillors, rotating basis, plus mayor		n/a	4 members	Mayor and 6 councillors			6 councillors	
Audit Committee meeting frequency	n/a	6-8 meetings a year	3-4 meetings a year	n/a	quarterly basis and other as needed				6-7 times a yr	

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The Daily Press

TIMMINS • ONTARIO • CANADA

• Tuesday, 17 July, 2001

Committee system not working: councillor

One city councillor is looking for a change.

Coun. Bill Gvozdanovic says councils committee system doesn't work for those councillors who have to work for a living.

Despite a round table discussion on the committee versus committee of the whole system, no action was taken.

Gvozdanovic, who is serving his first term as Ward 3 councillor, told council Monday night he would like to attend other committee meetings but can't because they generally take place while he is at work.

Last term council went to a committee of the whole system whereby all eight councillors meet to discuss issues like public works, administration, planning and development and community services.

When the new council took over after last November's municipal election, councillors returned to the committee system. Currently, two councillors serve on each of four committees.

Although Gvozdanovic is not a representative on the administration service committee, he said he would like to attend the meeting.

But the committee meets early Thursday when the councillor is working.

If there is concurrence, I would invite discussion on this, Gvozdanovic said Monday night.

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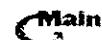
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SPECIAL

Shania Twain
Take 2 Theatre
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Loose Cannon
Cyberpoint
Ever Wonder
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He suggested the eight councillors should meet once a month to allow each committee to report on its activities.

Coun. Tom Laughren agreed.

I think Coun. Gvozdanovic raises a good point. I would support giving it a try.

He suggested holding regular committee-of-whole meetings on Mondays alternating with regular council meetings similar to the practice before the 2000 municipal election.

While Coun. Denis Saudino said by going this route the committee system would be abolished meaning everyone is responsible and no one is responsible.

Gvozdanovic insisted he does not want to abolish the committee system.

You have a committee system because you're supposed to rely on one another as colleagues to handle the work, Mayor Jamie Lim said.

Councillors aren't the only ones involved if night meetings are called, said Coun. Joe Harwood. The additional meetings would impose a burden on city staff.

Harwood said this suggestion should be referred to staff for their input.

The mayor ended discussion but no decision was made.

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- >> Assurance Handbook
 - >> Assurance Recommendations
 - >> General Assurance and Auditing [Sections 5000 - 5900]
 - >> 5751 - Communications With Those Having Oversight Responsibility for the Financial Reporting Process
-

GENERAL ASSURANCE AND AUDITING

SECTION 5751

communications with those having oversight responsibility for the financial reporting process

External References

Effective date. The Recommendations in this Section are effective with respect to audits of financial statements relating to periods ending on or after December 15, 2002.

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Example letter relating to annual independence discussions with audit committees

INTRODUCTION

- .01 In performing an audit of an entity's financial statements, the auditor communicates with those having oversight responsibility for the financial reporting process.¹ This Section provides guidance for such communications.
- .02 The application of this Section depends on the ownership and corporate

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governance structure of the entity, as discussed in paragraphs 5751.07-10.

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- .03 For convenience, those with oversight responsibility for the financial reporting process are referred to in this Section as the "audit committee" even when such a committee does not formally exist.
- .04 When an entity does not have an audit committee, the auditor communicates directly with the board of directors or other governing body that has retained the oversight responsibility for the financial reporting process.
- .05 While the requirements of this Section can be met through communication with the audit committee whether or not in writing, as discussed in paragraph 5751.34, the auditor would, whenever possible, engage the audit committee in dialogue in order to facilitate a deeper understanding of the specific issues by both parties.
- .06 This Section does not deal with additional legal, regulatory or other requirements that may affect the entity. For example, for public sector audits, matters that may be of interest to the governing body, or included in the mandate of the auditor, are often broader than the matters discussed in this Section and could include:
 - (a) compliance with legislative and related authorities;
 - (b) accounting for and safeguarding of assets;
 - (c) adequacy of management control systems;
 - (d) economy and efficiency in the administration of resources; and
 - (e) effectiveness of programs.

The auditor would, however, refer to the guidance in this Section in determining the appropriate manner in which to communicate such matters.

Entities with public accountability

- .07 This Section applies to all entities with public accountability. For the purposes of this Section, entities having public accountability include:
 - (a) public enterprises, regulated financial institutions and rate-regulated enterprises all as defined in DIFFERENTIAL REPORTING, CICA HANDBOOK – ACCOUNTING Section 1300);
 - (b) co-operative business enterprises;
 - (c) not-for-profit organizations (as defined in FINANCIAL STATEMENT PRESENTATION BY NOT-FOR-PROFIT ORGANIZATIONS, CICA HANDBOOK – ACCOUNTING Section 4400);
 - (d) pension plans; and
 - (e) governments and other entities in the public sector (as described in the Introduction to Public Sector Accounting Recommendations in the CICA Public Sector Accounting Handbook).
- .08 * *For entities with public accountability, the auditor should communicate with the audit committee as required by this Section, using professional judgment in deciding the substance of the communication to meet each requirement. [DEC. 2002 **]

Entities without public accountability

- .09 This Section also applies to entities without public accountability. Such entities can have ownership and governance structures that range from simple to complex. The auditor considers how to apply the requirements of this Section by determining where the entity fits within this range. In determining with whom to communicate, the auditor considers whether an

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individual or committee has oversight responsibilities and the authority to act on the auditor's findings. The auditor then uses professional judgment in determining the substance of such communications. For example:

- (a) Where an entity without public accountability has ownership and a corporate governance structure that is very similar to that of a publicly listed company, the auditor would consider applying the requirements of this Section as if the entity were an entity with public accountability.
- (b) Where an entity has a single owner-manager, knowledgeable about the day-to-day operations of the business, the auditor considers the extent to which the owner-manager may already be aware of certain matters that the auditor is required to communicate by this Section. The auditor may conclude that it is not necessary to communicate separately on such matters to the owner-manager. However, the auditor would communicate other matters discussed in this Section that the auditor believes would be of importance to the owner-manager.

.10 * *For entities without public accountability, the auditor should communicate in a letter to the audit committee matters relating to the auditor's independence, as required by paragraph 5751.32, and consider communicating with the audit committee as otherwise required by this Section, using professional judgment in deciding the substance of those communications. [DEC. 2002 *]*

COMMUNICATING PRIOR TO THE COMPLETION OF THE AUDIT

Planning

.11 The audit committee can play an important role in the audit planning process by:

- (a) providing information and perspectives to assist the auditor in updating the auditor's knowledge and understanding of the business (see KNOWLEDGE OF THE ENTITY'S BUSINESS, Section 5140); and
- (b) identifying additional areas of concern for the auditor to consider when undertaking the audit.

.12 The auditor communicates with the audit committee the audit and non-audit services the auditor is providing to the entity and its related entities. This will enable the audit committee to assess whether the services the auditor is providing will give the audit committee all the communications it needs. Should the audit committee request additional work over and above the audit, the auditor would normally confirm in writing with the audit committee the additional work the auditor has agreed to undertake.

Responsibility assumed by the auditor

.13 When the auditor is performing an audit in accordance with generally accepted auditing standards, the auditor communicates with the audit committee the level of responsibility assumed under those standards with respect to the financial statements covered by the auditor's report. Such communications cover the following matters:

- (a) management is responsible for the preparation of the financial statements, which includes responsibilities related to internal control, such as designing and maintaining accounting records, selecting and applying accounting policies, safeguarding assets and preventing and detecting error and fraud;
- (b) the auditor's responsibility is to express an opinion on the financial statements based on an audit thereof;

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- (c) an audit is performed to obtain reasonable but not absolute assurance as to whether the financial statements are free of material misstatement and, owing to the inherent limitations of an audit, there is an unavoidable risk that some misstatements of the financial statements will not be detected (particularly intentional misstatements concealed through collusion), even though the audit is properly planned and performed;
- (d) the audit includes:
 - (i) assessing the risk that the financial statements may contain misstatements that, individually or in the aggregate, are material to the financial statements taken as a whole;
 - (ii) examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements;
 - (iii) assessing the accounting principles used and their application; and
 - (iv) assessing the significant estimates made by management;
- (e) a sufficient understanding of internal control will be obtained to plan the audit and, when control risk is assessed below maximum, sufficient appropriate audit evidence will be obtained through tests of controls to support the assessment, but the scope of the auditor's review of internal controls will be insufficient to express an opinion as to the effectiveness or efficiency of the entity's controls; and
- (f) the auditor will express an opinion as to whether the financial statements present fairly in all material respects, in accordance with generally accepted accounting principles, the financial position, results of operations and cash flows of the entity.

The audit approach

- .14 The auditor, after developing the audit approach, communicates with the audit committee aspects of the approach that the auditor believes would be helpful to the audit committee in discharging its responsibilities. Such aspects could include:

- (a) the general approach to the audit;
- (b) areas of the financial statements identified by the auditor, management or the audit committee as having a high risk of material misstatement and the auditor's response thereto;
- (c) the materiality and audit risk levels on which the audit is based;
- (d) the preliminary assessment of internal control, the planned extent of audit work related to internal control and the effect of any control reliance on year-end procedures;
- (e) how matters communicated with the audit committee during the planning process (see paragraph 5751.12) affect the planned nature and scope of the audit, including any extensions of its scope requested by the audit committee or management;
- (f) other specific items likely to be of particular interest to the audit committee, including matters set out in this Section (for example, see paragraph 5751.16);
- (g) the effects of new developments in accounting standards, or legislative or regulatory requirements, on the entity's financial reporting;
- (h) other areas of concern that the audit committee or management identifies;

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- (i) planned reliance on other auditors, how the expectations will be communicated to the other auditors and how their findings will be communicated to the audit committee;
 - (j) use of the work of and co-ordination with the work of the internal audit department;
 - (k) use of specialists; and
 - (l) the timing of the audit.
- .15 • Prior to the completion of the audit, the auditor should communicate the following with the audit committee:
- ✓ (a) the audit and non-audit services that the auditor is providing to the entity and its related entities (see paragraph 5751.12);
 - ✓ (b) the level of responsibility assumed by the auditor under generally accepted auditing standards (see paragraph 5751.13); and
 - ✓ (c) a summary of the audit approach (see paragraph 5751.14). [DEC. 2002 *]

COMMUNICATING MATTERS ARISING FROM THE AUDIT

Matters set out in other assurance standards concerning communications with the audit committee

- .16 Matters set out in other assurance standards concerning communications with the audit committee include:
- (a) fraud and misstatements arising from error (see THE AUDITOR'S RESPONSIBILITY TO CONSIDER FRAUD AND ERROR IN AN AUDIT OF FINANCIAL STATEMENTS, Section 5135);
 - (b) illegal or possibly illegal acts (see MISSTATEMENTS — ILLEGAL ACTS, Section 5136);
 - (c) significant weaknesses in internal control identified by the auditor (see INTERNAL CONTROL IN THE CONTEXT OF AN AUDIT, Section 5220); and
 - (d) related party transactions identified by the auditor which are not in the normal course of operations and which involve significant judgments made by management concerning measurement or disclosure (see AUDIT OF RELATED PARTY TRANSACTIONS, Section 6010).

Matters that have a significant effect on the qualitative aspects of accounting principles used in the entity's financial reporting

- .17 The primary responsibility for establishing an entity's accounting principles rests with management. To assist the audit committee in its review of the financial statements, the auditor communicates with the committee his or her professional judgments on the qualitative aspects of accounting principles used in the entity's financial reporting. Such communication is best accomplished through an open and frank discussion with the audit committee and management. The discussion would include items that have a significant effect on the understandability, relevance, reliability and comparability of the financial statements.² Examples of items for communication include:
- (a) The initial selection of and changes in significant accounting policies, including the adoption of new accounting pronouncements, which encompass the specific principles and their method of application. The communication could include the effect of the timing and method of adoption of a change in accounting policy on the current and future earnings of the entity and the timing of a change in accounting

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- policies in relation to expected new accounting pronouncements.
- (b) The effect of significant accounting policies in controversial or emerging areas, or those unique to an industry.
 - (c) The existence of acceptable alternative policies and methods, and the acceptability of the particular policy or method used by management. The communication could include identification of the financial statement amounts that are affected by the choice of principles as well as information concerning accounting principles used by peer group companies.
 - (d) The effect on the financial statements of significant unusual transactions. The communication could address the effect of these transactions on the risks and rewards to the entity, and on the comparability of financial condition and performance among past and future periods.
 - (e) The issues involved, and related judgments made by management, in formulating particularly sensitive accounting estimates and disclosures (for example, disclosures related to going concern, subsequent events and contingency issues). The communication with the audit committee may include major items for which reserves and estimates are significant, including how such reserves and estimates are determined and subsequently monitored. To the extent that judgments and estimates involve a range of possible outcomes, the communication could indicate how the recorded estimate relates to the range and how various selections within the range would affect the financial reporting.
 - (f) The basis for the auditor's conclusions regarding the reasonableness of the estimates made by management in the context of the financial statements taken as a whole.
 - (g) The factors affecting asset and liability carrying values, including the entity's bases for determining useful lives assigned to tangible and intangible assets. The communication could include an explanation of the manner in which factors affecting carrying values were selected and how alternative selections would have affected the financial condition and earnings of the entity.
 - (h) The timing of transactions that affect the recognition of revenues or avoid recognition of expenses.

Other matters arising from the audit that are important and relevant to the audit committee

- .18 The audit committee often considers information, other than the annual and interim financial statements, that management prepares and includes in the annual or interim report. The auditor's responsibility relating to the annual report is set out in THE AUDITOR'S INVOLVEMENT WITH ANNUAL REPORTS, Section 7500. The auditor communicates this responsibility with the audit committee, the procedures he or she performed, and the results thereof.
- .19 When the financial statements of an entity (primary entity) include financial information from financial statements of a component entity (a subsidiary, investee [other than a portfolio investment], or joint venture; or an entity whose financial information from financial statements is included with those of the primary entity), the auditor communicates with the audit committee those matters relating to the component entities that in the auditor's judgment are of significance in the context of the primary entity (for example, weaknesses in systems of internal control that have resulted, or could result, in material errors in the primary entity's consolidated financial

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statements).

- .20 The auditor communicates with the audit committee any disagreements with management about matters that individually or in the aggregate could be significant to the entity's financial statements or the auditor's report, whether or not subsequently resolved. The auditor need not report initial differences of opinion arising from incomplete facts or preliminary information that are later resolved to the auditor's satisfaction.
- .21 In some cases, management may decide to consult with other accountants about auditing and accounting matters. When the auditor is aware that such consultation has occurred, the auditor would communicate with the audit committee as appropriate. If the auditor finds that the consultation has not occurred in accordance with REPORTS ON THE APPLICATION OF ACCOUNTING PRINCIPLES, AUDITING STANDARDS OR REVIEW STANDARDS, Section 7600, this would be communicated with the audit committee.
- .22 The auditor communicates with the audit committee any major issues discussed with management in connection with the initial or recurring appointment of the auditor, including, among other matters, discussions regarding the application of accounting principles and auditing standards, and fees.
- .23 The auditor informs the audit committee of any serious difficulties encountered while performing the audit, including significant delays in management providing information required for the audit and an unnecessarily brief timetable in which to complete the audit.
- .24
 - ♦ *The auditor should communicate with the audit committee matters arising from the financial statement audit. Such matters include:*
 - (a) *matters set out in other assurance standards concerning communications with the audit committee;*
 - (b) *matters that have a significant effect on the qualitative aspects of accounting principles used in the entity's financial reporting; and*
 - (c) *other matters arising from the audit that, in the judgment of the auditor, are important and relevant to the audit committee, including matters previously agreed with the audit committee to be communicated.*

The auditor would refer to paragraphs 5751.16-.23 for guidance on the matters to communicate. [DEC. 2002 *]

COMMUNICATING MATTERS THAT BEAR ON INDEPENDENCE

- .25 The auditor communicates relationships that affect independence with the audit committee to help it understand independence issues. The auditor also discloses to the audit committee, in a letter, substantially in the form set out in the Appendix, all relationships between the auditor and his or her related business or practice ³ and the entity and its related entities that in the auditor's professional judgment may reasonably be thought to bear on independence. The auditor of an entity with public accountability (see paragraph 5751.07) would disclose to the audit committee the total fees charged for audit and for non-audit services provided by the auditor and his or her related business or practice to the entity and its related entities during the last year. This disclosure would be in the form agreed with the audit committee (for example, by type of services or within specific dollar ranges). The audit committee's expectations are normally determined and agreed before such discussion is finalized.
- .26 In determining which relationships to report to the audit committee, the

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auditor would consider relevant rules and related interpretations, prescribed by the appropriate provincial institute / ordre and applicable legislation, covering such matters as:

- (a) holding a financial interest, either directly or indirectly, in a client;
 - (b) holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
 - (c) personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
 - (d) economic dependence on a client; and
 - (e) provision of services in addition to the audit engagement.
- .27 The auditor does not omit the reporting of a relationship solely because he or she has concluded that independence is not impaired. The auditor considers whether the audit committee would view the discussion and disclosure of the relationship as beneficial to furthering its understanding of auditor independence in the entity's specific circumstances.
- .28 For entities with foreign reporting obligations, the auditor would also consider additional requirements for independence in legislation to which the entity or auditor may be subject, such as securities, incorporating or other governing legislation, and in the relevant standards of professional conduct for auditors in those jurisdictions.
- .29 In addition to communicating with the audit committee relationships that bear on independence, the auditor confirms his or her independence in the letter referred to in paragraph 5751.25. However, since the Rules of Professional Conduct / Code of Ethics of the provincial institutes / ordre deal with the concept of independence in terms of objectivity, the auditor's confirmation is made in that context. The auditor would confirm that, in his or her professional judgment, he or she is objective within the meaning of the Rules of Professional Conduct / Code of Ethics of the appropriate provincial institute / ordre.⁴ Where an entity also has reporting obligations in a foreign jurisdiction that requires the auditor to confirm his or her independence to the audit committee, the auditor may do so in the letter referred to in paragraph 5751.25.
- .30 This letter is presented at an audit committee meeting prior to issuing the auditor's report on the entity's annual financial statements. Communication with the audit committee about independence matters is, however, an ongoing process. To enhance the effectiveness of this process, the auditor considers communicating to the audit committee significant new matters at the time the relationship is established or the matter is first identified, rather than waiting until the final audit committee meeting. When communication takes place early in the audit cycle, the auditor and the audit committee establish a protocol to update the audit committee of any new or proposed relationships that occur after the initial communication.
- .31 To assist the audit committee in understanding matters bearing on the auditor's independence, the auditor would communicate with, and may wish to include in the letter to, the audit committee information on relevant safeguards designed to ensure the auditor's continued independence. This would normally include safeguards:
- (a) created by the profession as a whole, such as education and experience requirements and the external review of quality control systems by provincial institutes / ordre;
 - (b) within the auditor's own firm, such as policies and procedures

intended to promote quality control; to enable the identification of interests or relationships; and the appropriate communication of independence issues and internal accountability procedures such as rotation of personnel, concurring partner reviews and internal inspection / monitoring programs; and

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- (c) within the entity, such as the entity's employment of staff of sufficient calibre and in sufficient numbers to ensure that the auditor would not be requested to perform managerial functions; internal procedures for objective choice in commissioning non-audit engagements; appointment of the auditor by persons independent of management; and a corporate governance structure that provides appropriate oversight and communications regarding the auditor's services.

The entity has a critical role to play in establishing its own safeguards to ensure the auditor's independence. The communication of safeguards within the entity would identify whether such safeguards were strong and, if not, how the auditor had implemented compensating safeguards within his or her own firm.

- .32 • *The auditor at least annually should communicate the following matters relating to the auditor's independence in a letter to the audit committee:*
- (a) *Confirmation of the auditor's independence.*
 - (b) *Disclosure of all relationships between the auditor and his or her related business or practice and the entity and its related entities that in the auditor's professional judgment may reasonably be thought to bear on the auditor's independence.*
 - (c) *When the entity is publicly accountable, as described in paragraph 5751.07, disclosure of the total fees charged for audit and for non-audit services provided by the auditor and his or her related business or practice to the entity and its related entities during the last year. Information on components of such fees should be sufficiently detailed to meet the needs of the audit committee.* [DEC. 2002 *]

- .33 The Appendix provides an example of the form of letter under paragraph 5751.32.

FORM AND TIMING OF COMMUNICATIONS

- .34 The auditor's communication with the audit committee of matters that bear on independence would be in a letter as required by paragraph 5751.32. The auditor's communication of other matters required to be communicated by this Section would preferably be in writing. The decision whether to communicate orally or in writing is, however, affected by such factors as:
- (a) the size, operating structure, legal structure and communication process of the entity;
 - (b) the nature, sensitivity and significance of the matters being communicated;
 - (c) the extent to which the recipient of the communication is also involved with the ongoing activities of the entity and thus has first-hand knowledge of the matters being communicated;
 - (d) the extent of ongoing contact the auditor has with the addressees; and
 - (e) the arrangements made with respect to periodic meetings or reporting of significant matters.

- .35 When the auditor communicates in writing matters identified during the financial statement audit, the communication would:
- (a) indicate that it is intended solely for the use of the audit committee to

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- assist it in discharging its responsibilities with respect to the financial statements and is not intended for any other purpose;
 - (b) disclaim any obligation on the part of the auditor to any third party who may rely on it;
 - (c) indicate that any communication by the auditor of matters identified during the financial statement audit is a by-product of that audit; and
 - (d) indicate that the audit would not necessarily identify all matters that may be of interest to the audit committee in fulfilling its responsibilities.
- .36 It is usually helpful for the auditor to review with management in advance the information that each intends to communicate with the audit committee, and how this information is to be communicated. Certain matters that are the responsibility of management (for example, those concerning the entity's operations and financial results, and the selection of accounting policies) are best communicated in a report from management on which the auditor may comment. Certain other matters (for example, those concerning audit findings) are best set out in a communication from the auditor on which management may comment. If the auditor disagrees with a report from management or considers it to be misleading or incomplete, he or she would bring that to the attention of the audit committee. It is normally beneficial for the auditor and management to be present for the audit committee discussion of all such communications to be satisfied that each is appropriately addressed.
- .37 It is good practice for the auditor to also meet at least annually with the audit committee without management present as this allows for a full and frank discussion between the auditor and the audit committee. The opportunity to discuss matters "in camera" would be encouraged as a routine practice in order to avoid any sense of conflict with management when these discussions take place.
- .38 The auditor keeps copies of written communications with the audit committee, and notes of audit committee discussions at which the auditor is present, on matters specifically related to the audit of the financial statements. Such notes would be compared to the minutes of the audit committee and differences resolved.
- .39 In determining when to communicate with the audit committee, the auditor is guided by the significance of the specific matter and an assessment of its urgency. Matters that affect the board of directors' approval of the annual financial statements would be communicated prior to such approval. Other matters not affecting that approval are communicated to the audit committee at an appropriate time in relation to the significance or urgency of the matter, the audit committee's regular cycle of meetings, and the need to allow the audit committee members sufficient time to consider important matters prior to a meeting. In some circumstances, the auditor may need to request a special meeting or to communicate directly to the audit committee chair.
- .40 The auditor would consider whether matters communicated as a result of the previous financial statement audit ought to be recommunicated and/or, when appropriate, communicated directly with the board of directors.
- .41 This Section provides guidance to the auditor on communication with the audit committee of matters arising from the audit. When no such matters have been identified there is no requirement to communicate this fact. However, the auditor may be asked by the audit committee to make such a communication. When preparing the communication, the auditor would be guided by COMMUNICATION WITH MANAGEMENT OF MATTERS IDENTIFIED

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DURING THE FINANCIAL STATEMENT AUDIT, paragraphs 5750.17-.18.

- .42 Once the auditor has communicated (or determined that management has communicated) a matter to the audit committee, his or her communication responsibility to the entity is usually at an end. It is not normally the auditor's role to pass judgment on the committee's decision, except to the extent that it affects his or her report on the financial statements. In situations where the auditor considers the audit committee's action inappropriate, the auditor may need to communicate directly with the board of directors. In circumstances where the auditor cannot resolve situations within the entity, the auditor may have an obligation under statute or regulation to report to outside authorities. The auditor may need to seek legal advice concerning the best manner of reporting to outside authorities, in view of the auditor's general obligation to preserve client confidentiality.

APPENDIX

EXAMPLE LETTER RELATING TO ANNUAL INDEPENDENCE DISCUSSIONS WITH AUDIT COMMITTEES

The following example provides a sample letter relating to annual independence discussions with audit committees and confirming that the auditor is independent of the entity in connection with an audit of financial statements under generally accepted auditing standards.

Date

The Audit Committee [or the Board of Directors]

[Entity]

Dear Audit Committee Members:

I have been engaged to audit the consolidated financial statements of [Entity] (the Company) for the year ending December 31, 20...

Canadian generally accepted auditing standards (GAAS) require that I communicate at least annually with you regarding all relationships between the Company and me that, in my professional judgment, may reasonably be thought to bear on my independence.

In determining which relationships to report, these standards require me to consider relevant rules and related interpretations prescribed by the appropriate provincial institute / ordre and applicable legislation, covering such matters as:

- (a) holding a financial interest, either directly or indirectly, in a client;
- (b) holding a position, either directly or indirectly, that gives the right or responsibility to exert significant influence over the financial or accounting policies of a client;
- (c) personal or business relationships of immediate family, close relatives, partners or retired partners, either directly or indirectly, with a client;
- (d) economic dependence on a client; and
- (e) provision of services in addition to the audit engagement.

[Since this company is registered with the US Securities and Exchange Commission, I must also consider additional requirements for independence of auditors contained in relevant legislation and standards of professional conduct in the United States.]

I have prepared the following comments to facilitate my discussion with you regarding independence matters. [After the initial year of reporting, this last sentence might be revised to read: "I have prepared the following comments to facilitate my discussion with you regarding independence

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matters arising since [Date], the date of my last letter.]

I am aware of the following relationships between the Company and me that, in my professional judgment, may reasonably be thought to bear on my independence. The following relationships represent matters that have occurred from [Date] to [Date].

[Describe any significant relationships or matters bearing on the auditor's independence, and also discuss the appropriate safeguards in place.]

[OR]

I am not aware of any relationships between the Company and me that, in my professional judgment, may reasonably be thought to bear on my independence, that have occurred from [Date] to [Date].

[The total fees charged to the Company for audit services were \$[Amount] and for non-audit services were \$[Amount] during the period from [Date] to [Date]. The Appendix provides an analysis of these services according to the types of services and dollar ranges agreed with you.]

GAAS requires that I confirm my independence to the audit committee. However, since the Rules of Professional Conduct of the Institute of Chartered Accountants of [Province] deal with the concept of independence in terms of objectivity, my confirmation is to be made in that context. Accordingly, I hereby confirm that I am objective with respect to the Company within the meaning of the Rules of Professional Conduct of the Institute of Chartered Accountants of [Province] as of [Date].⁵

[I further confirm that as of [Date] I am an independent public accountant with respect to the Company within the meaning of the Securities Acts administered by the US Securities and Exchange Commission and the requirements of the Independence Standards Board.]

This report is intended solely for the use of the audit committee, the board of directors, management, and others within the Company and should not be used for any other purposes.

I look forward to discussing with you the matters addressed in this letter at our upcoming meeting on [Date].

Yours truly,

.....

CHARTERED ACCOUNTANT

Endnotes

1. AUDIT OF FINANCIAL STATEMENTS — AN INTRODUCTION, paragraph 5090.03, describes the term "those with oversight responsibility for the financial reporting process".

2. These characteristics of accounting information are discussed in FINANCIAL STATEMENT CONCEPTS, CICA HANDBOOK – ACCOUNTING Section 1000.

3. "Related business or practice" has the meaning ascribed to it in the Rules of Professional Conduct of the provincial institutes and is synonymous with the term "related functions" in the Code of Ethics of the Ordre des comptables agréés du Québec.

4. When the entity is subject to legislative independence requirements that go beyond the objectivity requirements of the Rules, it would disclose compliance with such requirements.

5. In Québec, the appropriate wording would be "within the meaning of the Code of Ethics of the Ordre des comptables agréés du Québec."

[1] * See explanation of effective date at the beginning of this Section.

[2]

Records

51. The Clerk shall endorse on every by-law the dates of the three readings thereof.
52. Every by-law passed by Council shall be numbered, sealed with the corporate seal, signed by the Mayor and the Clerk and the by-law shall be entered in a by-law register to be kept by the Clerk.

Minutes

53. There shall be attached to every Minutes of the proceedings of the Council a progressive marginal number of each year and every document or certified copy or Minute communicated to any Committee of the Council as hereinbefore required shall bear the number of the Resolution to which it refers.

Documents

54. All original documents, including by-laws, contracts, agreements, deeds, leases, bonds or other securities, addressed to or considered by the Council, shall remain in the custody of the City Clerk.

Correspondence

55. All correspondence addressed to the Mayor or the Council, which refers to the business of the Corporation, shall be included in the information section of the Council agenda for the Mayor and Councillors and shall be referred by the City Clerk in consultation with the Chief Administrative Officer to the appropriate staff for response to the Council within six weeks.
56. Every communication to be considered by Council shall be in writing.
57.
 - a) All correspondence relating to a matter previously referred to a Standing Committee shall be referred by the Clerk to the Standing Committee to which it properly belongs unless otherwise directed by the Committee Chair.
 - b) If a correspondent complains of a present personal grievance requiring immediate remedy, the complaint may be considered and disposed of forthwith.

PART 5 - STANDING COMMITTEES

Striking Committee

58.
 - a) A Striking Committee to recommend appointments to Boards, Commissions and Standing Committees shall consist of the Mayor and the Council.
 - b) The Mayor shall be the Chair of the Striking Committee.
 - c) Councillors shall select Committee position and membership in the order of electoral finish.
59.
 - a) At the first regular meeting of a newly elected Council:
 - i) all required appointments to local boards and commissions shall be appointed for the term of the Council unless otherwise provided by statute or by law.
 - ii) the following Standing Committees shall be appointed:
 1. General Government
 2. Community Services
 3. Engineering and Works
 - b) The Striking Committee shall recommend appointments to local Boards, Commissions and Committees which may be required during the life of the Council.

Standing Committees

60.
 - a) The Mayor shall be a member of each Standing Committee ex officio.
 - b) Four Councillors shall be appointed to the General Government Committee.

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- c) Three Councillors shall be appointed to each of the Engineering and Works Committee and the Community Services Committee.
61. A majority of the members of a Standing Committee, including the Mayor, shall constitute a quorum.
62. The Clerk shall attend all meetings of Standing Committees to record all reports as directed by the Chair thereof.
63. All completed reports of Standing Committees shall be presented for adoption at the next Council meeting.

General Government Committee

64. The General Government Committee shall have jurisdiction over the Office of the Chief Administrative Officer and the Corporate Services Division, including:

Administrative Approvals	Council Liaison
General Administration	Policy Development
Special Project Co-ordination	Access North Bay
Administrative Support	Council Support
Finance and Assessment	Health and Safety
Human Resources	Information Systems & Technology
Insurance and Risk Management	Legal Services
Licensing	Parking Administration
Provincial Offences Administration	Local Board Liaison
Purchase and Inventory	Realty Management
Records Management	Training and Development
Vital Statistics	

Engineering and Works Committee

65. The Engineering and Works Committee shall have jurisdiction over the Engineering and Environmental Services Division and the Public Works and Services Division including:

Construction Contract Administration	Construction Management
Drafting	Engineering and Design
Environmental Services	Infrastructure Planning
Service Contract Administration	Sewage Treatment
Survey and Inspection	Traffic Planning and Engineering
Waste Management and Recycling	Water Treatment
Arena Buildings	Building & Facility Repair & Maintenance
Cemeteries	City Hall Maintenance
Fleet and Equipment Maintenance	Marina and Government Dock
Parking Lot Maintenance	Parks and Pathways
Roads and Traffic	Sewage Collection
Stormwater System	Water Distribution
Winter Control and Snow Dump	

Community Services Committee

66. The Community Services Committee shall have jurisdiction over the Community Services Division, including:

Building Services	Chief Commanda II
Crossing Guards	Development Administration
Economic Development	Emergency Planning and Operations
Fire Protection	Building & Fire Code Inspection and Enforcement
Tourism	North Bay Airport
Land Use Planning	
Marketing & Promotion	
Leisure Services	Transit Services

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Standing Committee Procedures

67. The Clerk shall prepare a list of matters referred to each Standing Committee prior to Standing Committee meetings, together with a list of all outstanding requests on reports and the proposed due date of such report.

The agenda for a Standing Committee meeting will be selected from the items referred to it by Council that are on that Committee's file and should be announced by the committee chair at the preceding Council meeting whenever possible. The Chair of each Standing Committee may consult with the Chief Administrative Officer and the Managing Director of the Business Unit and advise the Clerk of the matters to be dealt with.

The Chair shall provide a draft recommendation on each matter by 4 p.m. of the Wednesday before a Committee meeting and advise the Clerk of any members of the public who are to be invited to or allowed to address the Council in Committee meetings.

The Clerk will ensure that available relevant documentation is circulated to all members of Council on the Friday preceding the standing committee meeting, with a draft recommendation for the standing committee to consider. Draft recommendations will be taken from the staff report unless the Committee Chair advises otherwise.

Where no staff report exists, or no recommendation is contained therein, or where the Committee Chair wants a different draft recommendation to be considered, it will be the responsibility of the Committee Chair to provide an appropriate draft recommendation to the Clerk for circulation. The order of business at the Standing Committee Meetings will be:

- i) any scheduled statutory public meeting (chaired by the chair of the appropriate Standing Committees);
- ii) any special public presentation (chaired by the Mayor);
- iii) Standing Committee meetings (chaired by the chair of the appropriate Standing Committee);
- iv) other business (chaired by the Mayor).

Standing Committees shall consider only those matters referred to it by Council.

The Chair of each Standing Committee shall:

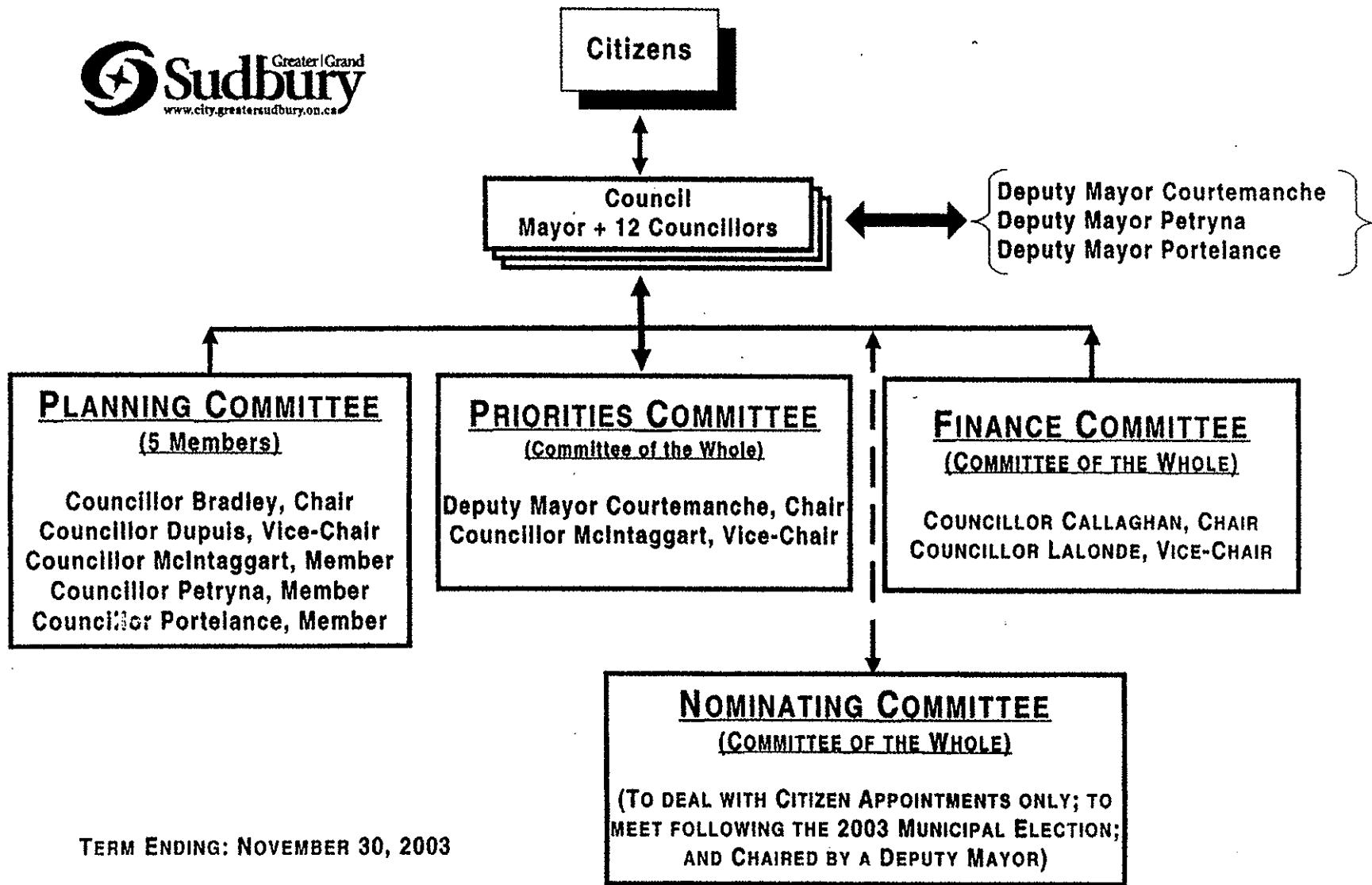
- i) introduce the other members of the committee and identify the subject matter;
- ii) read the draft recommendation;
- iii) request a report from or accommodate questions of the Chief Administrative Officer and staff, or interested members of the public as required at the discretion of the Chair;
- iv) consider comments by the members of the Committee; and
- v) consider comments by the other members of the Council.

At the conclusion of the discussion, the Committee Chair and the City Clerk shall settle the wording of the recommendation to be proposed to the next Council meeting and the Chair shall poll the members of the Committee on such recommendations.

Public presentations shall not be permitted during Standing Committee unless approved by the Mayor or the Chair, and noted on the Committee Agenda. The Mayor shall be the Chair for all public presentations, except those comprising part of a scheduled statutory public meeting.

COUNCIL GOVERNANCE

(EFFECTIVE DECEMBER 12, 2002)



Council Procedure

Committees
Advisory Panels
Public Meetings

PART VI - COMMITTEES- ADVISORY PANELS - PUBLIC MEETINGS**ARTICLE 32**
COMMITTEES OF COUNCIL**32.1 General Responsibility of all Committees**

It shall be the responsibility of all Committees of Council:

- (a) To take into consideration during deliberations and any resulting recommendations Council's "One Community - One Vision - One Direction: Mapping the Vision for the City of Greater Sudbury", as set out in Article 1 and as amended from time to time by Council.
- (b) To consider and report on any and all matters referred to it by Council.
- (c) To provide direction and guidance to staff, through the Chief Administrative Officer, set priorities and ensure co-ordination among the policies, programs and services of the Municipality;
- (d) To provide a forum for public participation and for detailed discussion of Council's decision-making; and,
- (e) To promote accountability. [amended by By-law 2002-348P]

32.2 Reporting

[repealed by By-law 2002-348P]

32.3 Authority of Committees

All Committees shall have the full authority to exercise or perform any power or duty delegated under this or any other by-law. [amended by By-law 2002-348P]

32.4 Expenditure of Funds by Committees

Committees shall not recommend the expenditure of any funds not provided for in the current year's budget approved by Council unless their recommendation specifically identifies the expenditure as unbudgeted and further identifies a source of funds for the expenditure. [amended by By-law 2002-348P]

32.5 Committees Established

Effective the first day of January, 2003 the following Committees of Council shall be established:

- (1) Planning Committee;
- (2) Priorities Committee;
- (3) Finance Committee; and
- (4) Nominating Committee.

[repealed and re-enacted by By-law 2002-348P]

ARTICLE 33

PLANNING COMMITTEE, PRIORITIES & FINANCE COMMITTEE

33.1 Planning Committee - Established and Composition

The Planning Committee shall be composed of five (5) Members appointed by Council, one (1) of whom shall be appointed as Chair and one (1) other Member who shall be appointed as Vice-Chair.

33.2 Appointment of Members, Chair and Vice-Chair

- (1) At the first regular meeting of Council following its Inaugural Meeting, or as soon after the commencement of the term as is reasonably possible, Council shall by by-law appoint five (5) Members of Council to be Members of the Planning Committee to hold office for the term of Council or until their successors are appointed in accordance with this by-law.
- (2) Annually Council shall appoint one (1) of the five (5) Members of the Planning Committee as Chair and one (1) of the five (5) Members shall be appointed as Vice-Chair both of whom shall hold office for one year or until their successors are appointed in accordance with this By-law. Nothing in this By-law shall prohibit any member of the Planning Committee from being appointed Chair for consecutive terms. [repealed and re-enacted by By-law 2002-348P]

33.3 Planning Committee - Chair to Vote

The Chair, and in the absence of the Chair, the Vice-Chair, shall preside at every meeting of the Planning Committee and shall vote on all questions.

33.4 Planning Committee - Chair - Service

No Member of Council shall simultaneously serve as a Deputy-Mayor and Chair of Planning Committee.

33.5 Planning Chair - Year 2002

[repealed by By-law 2002-348P]

33.6 Authority of Vice-Chair

The Vice-Chair of the Planning Committee shall serve in circumstances where the Chair is absent from the City, absent through illness, or refuses to act and while so acting in the place and stead of the Chair shall have and may exercise all the rights, powers and authority of the Chair in the absence of the Chair.

33.7 Hearing of Applications

The Planning Committee shall hear all applications and hold all public hearings under the *Planning Act*, *Drainage Act*, *Development Charges Act*, the *Condominium Act* and any other statute which requires the Council of a municipality to hold public hearings on matters related to the development or use of land, and shall make recommendations to City Council on all planning matters.

33.8 Planning Committee Meetings - by-monthly - Tuesday

There shall be a Planning Meeting held on the second and fourth Tuesday of each month, at 7:00 o'clock in the evening except in the months of July, August and December, when one meeting shall be scheduled on a day and time designated by the Chief Administrative Officer.

33.9 Planning Committee - Mandate

The Planning Committee shall hear matters and make decisions regarding issues dealing with the disposition of surplus municipal lands, street name approvals, street name changes - building renumbering, road and lane closures, disposition or opening of footpaths, matters involving heritage designations, land use issues including land acquisitions and expropriations, and except where otherwise provided either in this by-law or the *Municipal Act*, all hearings which are subject to or governed by the provisions of the *Statutory Powers Procedures Act*, including business and taxicab licensing matters.

33.10 Priorities Committee - Meetings - by-monthly - Wednesday

The Priorities Committee shall meet on the second and fourth Wednesday of each month except in the months of July, August and December, when it shall meet in the second week of December, and shall be a Committee of the Whole.

33.11 Time and Location of Meetings

All meetings of the Priorities Committee shall commence at the hour of 7:00 o'clock in the evening, and be held in the Council Chamber, Tom Davies Square, Sudbury. [amended by By-law 2002-348P]

33.11.1 Automatic - 10 p.m. - exception - resolution

All Priorities Committee meetings shall be automatically adjourned at the hour of 10 p.m., if in session that hour, unless otherwise determined by resolution passed by a majority of the Members present. [enacted by By-law 2002-348P]

33.11.2 Continuation - automatic adjournment - exception

Where by Article 33.11.1 a meeting continues past 10 p.m., the meeting shall be deemed to be automatically adjourned at the hour of 11 p.m. and each hour thereafter unless such proceedings be continued past that hour with the unanimous consent of all Members present. [enacted by By-law 2002-348P]

33.12 Chair - Priorities Committee

A Deputy-Mayor shall be appointed annually to serve as the Chair of the Priorities Committee. Nothing in this By-law shall prohibit a Deputy-Mayor from being appointed Chair of Priorities Committee for consecutive terms. [repealed and re-enacted by By-law 2002-348P]

33.13 Vice-Chair - Priorities Committee

A Vice-Chair of the Priorities Committee shall be appointed annually by Council, to serve in circumstances where the Chair is absent from the City, absent through illness, or refuses to act and while so acting in the place and stead of the Chair, shall have and may exercise all the rights, powers and authority of the Chair in the absence of the Chair. [repealed and re-enacted by By-law 2002-348P]

33.14 Appointment of Chair and Vice-Chair in subsequent Council Terms

[repealed by By-law 2002-348P]

33.15 Responsibilities of the Chair and Vice-Chair

The Chair and Vice-Chair, when presiding, shall be responsible to ensure that:

- (1) the Committee deals with policy issues effectively;
- (2) public dialogue and communication on policy matters is effective and co-ordinated;
- (3) the needs of the Committee for administrative support, analysis and advice are provided through the Office of the Chief Administrative Officer;
- (4) the Committee is organized appropriately to carry out its workload.

[amended by By-law 2002-348P]

33.16 Priorities Committee - Chair to Vote

The Chair, and in the absence of the Chair, the Vice-Chair, shall preside at every meeting of the Priorities Committee and shall vote on all questions.

33.17 Organization of the Priorities Committee

[repealed by By-law 2002-348P]

33.18 Terms of Reference - Community Viability Sub-Committee

[repealed by By-law 2002-348P]

33.19 Terms of Reference - Public and Intergovernmental Affairs Sub-Committee

[repealed by By-law 2002-348P]

33.20 Terms of Reference - Financial and Program Accountability Sub-Committee [repealed and re-enacted by By-law 2002-267P] [repealed by By-law 2002-348P]

33.21 Finance and Efficiencies Sub-Committee - Established

[repealed by By-law 2002-267P]

33.22 Finance and Efficiencies Sub-Committee - Composition

[repealed by By-law 2002-267P]

33.23 Finance and Efficiencies Sub-Committee - Chair to Vote

[repealed by By-law 2002-267P]

33.24 Finance and Efficiencies Sub-Committee - Chair - Year 2002

[repealed by By-law 2002-267P]

- 33.25 **Finance and Efficiencies Sub-Committee - Terms of Reference**
[repealed by By-law 2002-267P]
- 33.26 **Appointment of Chairs and Vice-Chairs for Sub-Committees**
[amended by By-law 2002-267P] [repealed by By-law 2002-348P]
- 33.27 **Appointment of Chairs for Year Ending November 30, 2002**
[repealed by By-law 2002-348P]
- 33.28 **Sub-Committees Chairs to Vote**
[repealed by By-law 2002-348P]
- 33.29 **Calling of Joint Meetings**
[repealed by By-law 2002-348P]
- 33.30 **Priorities Committee and Sub-Committee Agenda**
[repealed by By-law 2002-348P]
- 33.31 **Rotation of Sub-Committees on Agenda**
[repealed by By-law 2002-348P]
- 33.32 **Rules of Debate in Sub-Committees**
[repealed by By-law 2002-348P]

33.33 Sub-Committee's Report to Priorities Committee

[repealed by By-law 2002-348P]

33.34 Confirmation of Reports and Recommendations of Sub-Committees

[repealed by By-law 2002-348P]

33.35 Requirement for Recommendation to Council

The Priorities Committee shall not forward any item on its Agenda to Council without a recommendation.

33.36 No Action Binding on Council

No action of the Priorities Committee shall be binding on Council or the Municipality and no action shall be taken unless Council has adopted the report of the Priorities Committee.

[amended by By-law 2002-348P]

33.37 Cancellation of Meetings

The Clerk on the direction of the Chief Administrative Officer may cancel any meeting of the Priorities Committee.

33.38 Finance Committee - established

The Finance Committee shall be a meeting of the Committee of the Whole and shall meet at such times and location as determined by the Chair of the Finance Committee.

[enacted by By-law 2002-348P]

33.39 Finance Committee - Appointment of Chair and Vice-Chair

A Chair and Vice-Chair for the Finance Committee shall each be appointed annually by Council, both of whom shall hold office for that year or until their successors are appointed in accordance with this By-law. Nothing in this By-law shall prohibit a Member from being appointed Chair of Finance Committee for consecutive terms. [enacted by By-law 2002-348P]

33.40 Finance Committee - Chair to Vote

The Chair, and in the absence of the Chair, the Vice-Chair, shall preside at every meeting of the Finance Committee and shall vote on all questions. [enacted by By-law 2002-348P]

33.41 Finance Committee - Mandate

The Finance Committee shall be responsible in each year for reviewing current and capital budgets of the City and for making recommendations to Council, and shall meet throughout the year as required to:

- (a) review the City's current financial performance;
- (b) receive and review Auditor's and variance reports;
- (c) review the timetable and guidelines for the preparation of the following year's current budget; and
- (d) establish priorities for capital projects for the following year's budget.

And shall hold at least one public meeting prior to the budget each year to receive public input on budget matters. [enacted by By-law 2002-348P]

*City of Thunder Bay Audit Committee Terms of Reference***City of Thunder Bay Audit Committee – Terms of Reference****Committee Composition**

The Audit Committee shall be comprised of two members of Council and three citizen appointees. The City Manager, General Manager – Finance and Manager – Accounting are identified as permanent resource personnel to the Audit Committee and shall attend meetings as required, with at least one of the foregoing at each meeting. The attendance of additional staff members at Committee meetings shall be at the discretion of the City Manager or provision may be made to meet privately with administration and with external auditors, where necessary. A representative of the City's external auditors will be invited to attend the initial meetings of the Committee, and as needed in the longer term.

Term of Office

External members of the Audit Committee, initially appointed to November 30, 2003, will be appointed for two or three-year terms beginning December 1, 2003 with termination dates staggered to ensure an overlap of terms and continuity of experience. Vacancies shall be filled within two months of occurrence, when possible. Council representatives shall be appointed annually or for the balance of their elected term at the discretion of City Council.

Qualification of External Members

Qualifications of external Members shall include:

1. Appropriate academic qualifications in accounting and/or business management; and/or a equivalent combination of business experience and knowledge
2. Independence of judgement from, and no financial self-interest in, the Municipality.
3. Must be eligible to be an elector in the City of Thunder Bay.

Meetings

The Audit Committee shall meet on a regular basis at the call of the Committee Chair at least four times a year on the first Tuesday of the month in February, April, June and October. Additional meetings may be authorized by the Chair at the request of any member of the Committee, or at the request of the City's auditors.

Role and Mandate

The Audit Committee is responsible for providing, on behalf of City Council, oversight on matters relating to financial reporting and assurance that an effective control and governance framework is in place.

Functions of the Audit Committee

Through reports provided by internal departments, the City's auditors, and resource information as requested (by the Committee), the Committee shall fulfill the following *primary functions*:

1. External Auditors Oversight
 - a. Recommend to Council the appointment or reappointment of external auditors for the City.
 - b. Review and approve the terms of the audit engagement, anticipated fees, scope of the audit and any non-audit services provided.
 - c. Ensure that the external auditors are independent and review factors that may impact on this independence.
 - d. Ensure that the external auditors are satisfied that the accounting estimates and judgements made by management and management's selection of accounting principles, reflect an appropriate application of generally accepted accounting principles.
 - e. Discuss with the external auditor the annual evaluation of the internal control systems, if appropriate, and the auditor's recommendations for improvement.
 - f. Review the any/all management letter prepared by the external auditors, agree with management on the appropriate course of action, and make recommendations to Council, where necessary.
 - g. Meet with the external auditors to discuss all material issues and ensure that any matter that the external auditors bring forth has been given adequate attention, determining the appropriate disposition, where necessary.
 - h. Review the performance of the external auditor and approve the fees for the audit.
 - i. Meet regularly with the external auditors to build an effective reporting relationship. Provide an open avenue of communication between the external auditors and Council.
2. Financial Statements Oversight
 - a. Receive and review the annual audited financial statements with management and the external auditors and recommend their approval to Council.
 - b. Review any report which, to the extent that such a report discusses the financial position or operating results, accompanies published financial statements to ensure consistency with the annual audited financial statements.
 - c. Ensure that adequate discussion and disclosures take place in respect of selection of or changes in accounting policies, accounting for large or unusual transactions, judgements, contingencies or estimates made by management that have a material affect on the financial statements.
 - d. Examine any changes in standards, regulations or legislation that affect financial reporting and control.

And the following *secondary functions* :

3. Risk Management and Internal Control Oversight
 - a. Ensure that the City has appropriate systems in place to identify and manage principal business risks that could impact the financial reporting of the City.

- b. Assess the effectiveness of the overall process for identifying principal business risks and report to Council thereon.
 - c. Ensure that the Corporation has implemented appropriate systems of internal control in order to:
 - Ensure compliance with legal, ethical and regulatory requirements;
 - Ensure compliance with the City's policies and procedures, including conflict of interest guidelines and code of conduct; and
 - Provide adequate safeguards of the City's assets and the proper recording of its transactions.
 - d. Ensure that the systems of internal control are operating effectively.
 - e. Supervise the investigation of any instances of non-compliance and make recommendations to Council thereon.
4. General and Administrative
- a. Review the Audit Committee terms of reference annually. Make recommendations to Council for any updates of the terms of reference.
 - b. Provide a summary of all meetings of the Committee to Council.
 - c. Provide an annual report to the Council on the activities of the Audit Committee that identifies how it fulfilled its role and mandate.

Finance and Administration

Subject	Role of Audit Committee
Recommendations	None. Information purposes only.
Background	<p>At the previous Finance and Administration Committee meeting held October 16, 2002, staff were requested to provide information on the role of the Audit Committee. The following information provides a brief overview of the purpose and function of the Audit Committee.</p> <p>OVERALL OBJECTIVES</p> <ul style="list-style-type: none"> • To help ensure the annual audit is conducted in an efficient, cost-effective and objective manner • To oversee the City's financial systems and control systems • To recommend to Council approval of the annual financial statements, including selection of appropriate accounting policies and practices • To recommend the appointment of the external auditor, and the appropriate fee <p>FREQUENCY OF MEETINGS</p> <p>The Committee should meet at least twice each year:</p> <ul style="list-style-type: none"> • before the audit commences to consider audit planning and preparation • subsequent to the completion of the audit to review the audit results. <p>FUNCTIONS OF THE AUDIT COMMITTEE</p> <ol style="list-style-type: none"> 1. Audit Planning and Preparation <ul style="list-style-type: none"> • Review with the auditors the scope of the current year's audit, including areas where the auditors have identified a risk of potential error in the financial condition and/or results of operation • Assess whether appropriate assistance is being provided to the auditors by the organization's staff • Review control weaknesses detected in the prior year's audit, and determine whether all practical steps have been taken to overcome them • Approve the auditor's engagement letter, including audit fees and expenses.

November 20, 2002

Report #Finance
DepartmentPrepared by:
D A Kennedy, C.A.
Director of Finance

Approved by:

D A Kennedy, C.A.
Director of Finance

Finance and Administration

November 20, 2002

Report #

Finance
Department

Prepared by:
D A Kennedy, C.A.
Director of Finance

Approved by:

D A Kennedy, C.A.
Director of Finance

2. Information and Control Systems
 - Enquire about changes in the financial systems and control systems during the year
 - Enquire into the condition of the records and the adequacy of resources committed to accounting and control
 - Enquire into major financial risks found by the organization, and the appropriateness of related controls to minimize their potential impact.
3. Annual Financial Statements
 - Review the financial statements
 - Enquire about changes in professional standards or regulatory requirements
 - Recommend approval of the financial statements to Council.
4. Audit Results
 - Review the auditor's proposed report on the financial statements, in light of the discussion of the statements
 - Review the auditor's 'management letter' documenting weakness in internal control systems and commenting on other matters
 - Meet privately with the auditors to ascertain whether there are concerns that should be brought to the Committee's attention.
5. Auditor's Appointment
 - Meet privately with senior management to ensure that management has no concerns about the conduct of the audit
 - Enquire as to the experience and capabilities of the individuals being proposed to conduct the audit, their objectivity and independence
 - Recommend to Council the auditors to be appointed and the term of appointment.

Alternatives	N/A
Implications	N/A
Funding	N/A



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City of Ottawa

Audit Committee

Members

Chair: Michel Bellemare

Vice Chair: Glenn Brooks

Members: Madeleine Meilleur, Jacques Legendre, Gord Hunter and Wendy Stewart

Ex officio: Mayor

Terms of Reference

The Audit Committee is responsible for providing, on behalf of City Council, oversight on matters relating to financial reporting and assurance that an effective control and governance framework is in place.

Membership

Membership of the Audit Committee shall consist of the Mayor and 6 members of Council as approved by City Council.

General Responsibilities

The Audit Committee shall:

1. Be responsible to Council for all audit matters and those items emanating from:
 - a. the annual attest (or external) audit of the City's financial statements
 - b. assurance reports from the Audit and Consulting Services Branch
2. Provide overall guidance and direction to the Audit and Consulting Services Branch and the City Manager to ensure an effective and independent internal audit function is maintained at the City.
3. Promote an appropriate environment for the management of public funds and ensure a high level of accountability (Corporate Control Framework).
4. Ensure compliance with laws, regulations, policies and support high standards of ethical conduct (Corporate Governance).
5. Ensure active public participation by receiving delegations from the public and holding public hearings as required by statute and Council.
6. Review, revise if necessary and recommend approval to City Council, the annual operating and capital budgets of the Audit and Consulting Services Branch and the external audit fees.

Specific Responsibilities

The Audit Committee shall exercise the following authority:

Administration and General Policy

- Confirm and assure the independence of the internal auditor and the external auditor, including a review of all additional audit, management consulting and other fees of the external auditor.
- Provide an open avenue of communication between the internal auditors, the external auditors and City Council.
- Review and update the Audit Committee Terms of Reference annually.
- Meet with the Director of Audit, the External Auditor and the City Manager in separate sessions to discuss any matters that the Committee or these individuals believe should be discussed in private with the Audit Committee.
- Recommend to City Council the appointment, the dismissal or the suspension of the Director of Audit, including the terms of any related separation agreement.

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External Audit

- Receive and review the Annual Financial Statements with management and the external auditors and recommend their approval to City Council.
- Review any other matters brought to the Committee's attention by the external auditor and determine the appropriate disposition.
- Review any changes in accounting principles and practices followed by the municipality.
- Discuss with the external auditor the annual evaluation of the internal control systems and recommendations for improvements.
- Recommend the selection of the external auditor, and the audit fees to Council, as required.

Internal Audit

- Review and approve the Assurance Work Program from the Audit and Consulting Branch.
- Receive any assurance reports of interest to City Council and recommend to Council the acceptance, amendment or rejection of the report recommendations.
- Monitor the performance of Audit and Consulting Services in carrying out its approved work plan.
- Review reports from Audit and Consulting Services on status and implementation of approved assurance recommendations.
- Receive requests for audit services from other Council Committees and provide direction to the Audit and Consulting Services Branch where appropriate.
- Review the mandate and charter for Audit and Consulting and ensure the Branch is adequately resourced to carry out the approved work plan.

Corporate Control Framework

- Review the City's control processes and systems to ensure compliance with those policies, plans, procedure laws and regulations which could have an impact on operation and reports.
- Review the mechanisms used to safeguard corporate assets and, as appropriate, verify the existence of those assets.
- Appraise the economy, efficiency and effectiveness of programs and resources utilization and determine whether value-for-money is provided by City programs and projects.

Corporate Governance

- Review corporate policies relating to compliance with laws and regulations, ethics, conflict of interest and the investigation of misconduct and fraud.
- Review the clarity and completeness of corporate and program objectives and performance measures.
- Ensure information provided to Council is adequate to support decision-making and provide appropriate and accurate information regarding performance.

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Peel Region
REPORT

March 22, 1995

**CHAIR AND MEMBERS,
AUDIT SUB-COMMITTEE**

SUBJECT: TERMS OF REFERENCE FOR AUDIT SUB-COMMITTEE OPERATIONS

I OBJECTIVE

The objective of this report is to outline a suggested Terms of Reference for the Audit Sub-Committee and recommend a role which best meets the Region's administrative structures and practices.

II DISCUSSION

1. Background

The Audit Sub-Committee was created by Regional Council resolution 95-59-37 to serve as a subcommittee of the Management Standing Committee. The Sub-Committee will allow Members to take a more in-depth look at major financial reporting and external and internal auditor concerns. The operational requirements, role and mandate of the Sub-Committee are discussed below.

2. Operational Requirements

a) Reporting Function

The Audit Sub-Committee will serve in an advisory capacity by making recommendations to the Management Committee. The Audit Sub-Committee will be required to report by way of minutes after each meeting to the next regular meeting of the Management Committee.

b) Membership

The Audit Sub-Committee is comprised of the Regional Chair (ex-officio), the Chair of Management Committee and a Regional Councillor from each of the other two area municipalities not represented by the Chair of Management Committee. The current members are Chair Emil Kolb; Councillor Gael Miles, Chair of Management Committee; and Councillors Marolyn Morrison and Pat Mullin.

c) Term of Appointment

The term of appointment of Committee members will be for a period of 18 months, which coincides with the term of appointment of Standing Committee Chairs and Vice-Chairs. This term is appropriate since the membership of the Committee may change if the Chair of Management Committee is replaced. Members of the Audit Committee are appointed by Regional Council.

d) Election of Chair and Vice-Chair

The Committee will elect from among its members a Chair and Vice-Chair, and this election will be held at the Committee's first meeting of a new term.

e) Quorum

There being four members on the Sub-Committee, any three members would constitute a quorum. All Regional Councillors will be invited to attend Audit Sub-Committee meetings.

f) Meetings

The Sub-Committee will be required to meet on a quarterly basis each year, and at other times as needed, or at the call of the Sub-Committee Chair. The agendas for the meetings will be distributed to the Regional Chair, all Regional Councillors, senior management, both the internal and external auditors, and other internal and external subscribers as appropriate.

The Audit Sub-Committee meetings will be open meetings, and all reports and minutes will be available to the public. For the consideration of confidential matters, such as those noted in the Regional Procedural By-law, the subcommittee may close a meeting to the public if the authority to do so has been approved by motion of Regional Council first.

g) Sub-Committee Resources

Sub-Committee resources will be provided by the Chief Administrative Officer, the Treasurer and Commissioner of Finance, the Regional Clerk and both the internal and external auditors. A designate of the Regional Clerk will serve as the secretary to the Audit Sub-Committee and provide administrative support

3) Goals of the Audit Sub-Committee

The goals of the Audit Sub-Committee are:

- a) Demonstrate a high level of public accountability
- b) Provide assurance to the public that regional services are administered in an efficient, effective, and economical manner
- c) Ensure that responsibilities for financial and other reporting, internal control, and compliance with laws, regulations, and ethics are fulfilled
- d) Ensure impartial, objective, and independent review processes for regional operations
- e) Safeguard the Regional Assets

4. Role and Mandate of Audit Sub-Committee

The role and mandate of the Audit Sub-Committee is to ensure that:

- a) corporate financial reporting and the annual financial statements meet all legislative requirements and are credible and objective; and
- b) responsibilities for sound management practice and management control are fulfilled by management and staff.

This role and mandate is fulfilled by reviewing and overseeing:

- a) corporate financial operations and results from the Chief Administrative Officer and Treasurer and Commissioner of Finance;
- b) the annual financial statement external audit process and the management letters of the external auditors;

- c) the internal audit process and reports on the effective management of regional programs, accuracy and usefulness of corporate performance measurement practices, and effective management and control of regional systems.

5. Major Financial Reporting Practices

The major financial reporting practices at the Region of Peel are the Annual Financial Statements and the Triannual Reports. Reviewing these reports will provide Members with a more detailed understanding of the Region's operations and reporting practices.

6. External Audit Practices

External and internal audit at the Region of Peel are the responsibility of the Treasurer and Commissioner of Finance. An external audit is required under the Regional Municipalities Act. External auditors perform an annual financial statement audit following the requirements of the Institute of Chartered Accountants and the Ministry of Municipal Affairs.

Currently, the annual cycle for the external auditor begins with a planning meeting with the Treasurer at which the scope of the audit for the coming year is established. This is incorporated in the Letter of Engagement which is submitted to the Treasurer. They then begin the interim part of their work usually in the fall of the year looking at whether the systems on which they are relying for financial facts are working satisfactorily. An interim audit management letter is prepared at this time and sent to the Treasurer who obtains management comment on the Letter and submits it to Management Committee(in future to the Audit Sub-Committee). In the following February, the external auditors arrive to perform the year-end part of the audit. From this work they prepare their Audit Opinion Report and subsequently their final audit management letter. The Audit Opinion Report is presented to Management Committee(in future to the Audit Sub-Committee) when the Treasurer presents the Annual Financial Statements. Subsequently, the final management letter is presented to Management Committee(in future to the Audit Sub-Committee) following the same process as the interim letter.

7) Internal Audit Practices

Internal Audit is defined as a professional review service which provides opinions to management and Council on the effective operation of Regional programs and systems. Internal Auditors follow the requirements

of the Institute of Internal Auditors in performing their function. Auditing at the municipal level is different than auditing at the provincial and federal level. At the upper levels there is an Auditor General who reports directly to Parliament or the Legislature and has both an external and internal audit type mandate. Federal and Provincial ministries or departments also have their own internal auditors to review their operations and report to the Deputy Minister.

Internal Audit also operates on an annual cycle. Towards the end of the year the Regional Internal Auditor updates the Long Range Internal Audit Workplan and recommends an Annual Workplan for the approval of the Treasurer and the Chief Administrative Officer. The approved Annual Workplan has in the past been presented to Management Committee(in future to the Audit Sub-Committee) for information with a summary of results from the previous year. Planned internal audits are then performed, and reported to the appropriate Department Head and the Chief Administrative Officer. A summary information copy of each internal audit report has in the past been sent to Management Committee(in future to the Audit Sub-Committee).

These reports review:

- a) Financial and Computer Systems;
- b) Regional Corporate Performance according to the Five Guiding Principles of:
 - Service Quality
 - Financial Performance
 - Public Image
 - Organizational Climate
 - Strategic Direction
- c) Corporate Performance Measurement.
- d) Frauds and Other Investigations
- e) Controls Advice

At the end of the year, the Regional Internal Auditor also prepares a summary report to Audit Sub-Committee on whether management implemented internal audit report recommendations.

8. Guidance on Criteria of Control

Research is being developed at this time on the criteria for control of corporate operations. External and internal auditors rely on controls in rendering their professional opinions in audit reports. They assess the control environment, examine objectives and risks, check control activities and review monitoring practices and changes.

Attached as Appendix A is a summary of control concepts published by the Institute of Chartered Accountants.

9. Recommended Duties of Audit Sub-Committee

Attached as Appendix B is a recommended list of duties for the Sub-Committee for your consideration and approval. It contains 3 sections as outlined below:

Section 1 - Financial Reporting and Financial Statements

Section 2 - External Audit Activities

Section 3 - Internal Audit Activities

When duties were discussed at Management Committee, it was suggested that perhaps Members would find Section 1 and Section 3 most useful while Section 2 would continue to be the responsibility of Management Committee. This would be somewhat limiting however in seeing the overall audit situation. Therefore it is suggested that Members consider the full list of duties.

In preparing this report the Audit Committee mandates from the City of Mississauga, the Peel Board of Education, the City of Calgary and the Region of Halton were reviewed. The Institute of Internal Auditors report on Audit Committees in the Public Sector was also reviewed.

This report has been reviewed by Peat Marwick Thorne and they have concurred with it's contents.

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Audit Sub-Committee
March 22, 1995
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III RECOMMENDATIONS

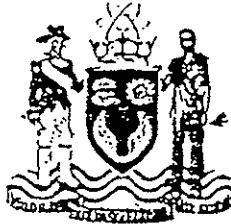
IT IS RECOMMENDED the Audit Sub-Committee Terms of Reference be approved as outlined in this report and accompanying Appendices of the Chief Administrative Officer, dated March 22, 1995, titled Terms of Reference for Audit Sub-Committee Operations

Michael R. Garrett
Chief Administrative Officer

c.c. Legislative Services

[Signature]

[Signature]



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City of
Mississauga

THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 627-93

A by-law to establish an Audit Committee
as a Standing Committee of Council
for the City of Mississauga

WHEREAS the Council of The Corporation of the City of Mississauga on June 23, 1993, endorsed the Audit Committee Charter to demonstrate a high level of public accountability and to provide assurance to the public that municipal services are administered in an efficient, effective and economical manner;

AND WHEREAS Council has responsibilities regarding financial and other reporting, internal control and compliance with laws, regulations and ethics;

AND WHEREAS Council wishes to ensure an impartial, objective and independent assessment of the management of the City;

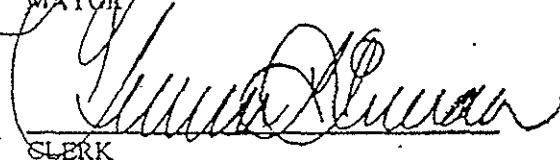
AND WHEREAS the terms of the Audit Committee are set out more particularly as Schedule 'A' hereto;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. There shall be a Standing Committee of Council known as the Audit Committee which shall operate in accordance with the provisions of the Procedural By-law.
2. Schedule 'A' attached to this by-law shall form part of this by-law.

ENACTED and PASSED this 15th day of December, 1993.

Approved
City Solicitor
Mississauga
OB
date 13/12/93


MAYOR

CLERK

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SCHEDULE 'A' TO BY-LAW 1627-93

1. Objective

The Audit Committee assists Council in the provision of effective municipal government by overseeing the administrative systems regarding financial accounting, reporting, internal controls, safeguarding of corporate assets, compliance with legal, ethical and regulatory requirements and the efficient and effective use of resources. The Audit Committee provides a focal point for communication between Council, the External Auditor, the Internal Auditor and management, and facilitates an impartial, objective and independent review of management practices through the internal and external audit functions.

2. Composition

The Audit Committee is comprised of three members of Council who are appointed annually by Council, with the Mayor also being a member ex-officio. The term of office for the Audit Committee runs from January 1 to December 31 in a given year. Two members constitute a quorum. The Mayor, as ex-officio, shall not be counted for the purpose of establishing or fulfilling a quorum.

3. Meetings

At its first meeting of each year the Audit Committee shall elect a Chairperson from among its members.

The Audit Committee shall meet at least four times per year, with additional meetings at the call of the Chairperson in order to properly discharge its responsibilities as set out in this by-law.

Minutes shall be prepared for each Audit Committee meeting and shall be presented to the next succeeding meeting for confirmation.

4. Responsibilities

The Audit Committee is responsible for making recommendations to Council regarding the following:

The External Audit Function

- selecting and dismissing the external auditor,
- reviewing the terms of engagement, fees and scope of the audit and any non-audit services provided,
- reviewing any reports and correspondence from the External Auditor relating to The Corporation of the City of Mississauga, the Mississauga Public Library Board, the Mississauga Hydro-Electric Commission, the Business Improvement Area Boards, and any other local boards or agencies which may be created,
- evaluating the external auditor's performance.

SCHEDULE 'A' TO BY-LAW

621-93

The Internal Audit Function

- reviewing and approving the mandate of Internal Audit and ensuring that all of the City's operations are subject to review by Internal Audit,
- concurring with the appointment or removal of the Director of Internal Audit to assist in safeguarding the independence of the Internal Audit function,
- reviewing the workplan, staffing, and budget of Internal Audit,
- reviewing requests for special studies and investigations made by members of Council,
- reviewing reports from the City Manager and the Director of Internal Audit identifying audit issues and the steps taken to resolve them,
- reviewing the adequacy of the management responses to audit concerns, having regard to the risks and the costs involved,
- reviewing any quality assurance reviews which may have been conducted in accordance with the Institute of Internal Auditor's Standards for the Professional Practice of Internal Auditing.

Financial and Other Reporting

- reviewing the annual financial statements of the City and its local boards prior to presentation to Council,
- reviewing financial and fiscal policies, practices and procedures (eg. accrual policy, deferred revenue policy, policies for establishing reserves, reserve funds, etcetera),
- reviewing information used for decision making (including management reports, affirmations, etcetera), as to integrity, timeliness and comprehensiveness,
- reviewing significant current or pending litigation and outcome, where applicable.

Internal Control

- reviewing the adequacy of the internal control systems for safeguarding assets, including the review of policies and procedures,
- reviewing management and program performance regarding the efficiency, effectiveness and economy in the use of resources,
- reviewing the effectiveness of corporate reporting systems regarding administrative and program performance (for example, budget monitoring systems).

SCHEDULE 'A' TO BY-LAW 627-93

Compliance

- reviewing the level of compliance with legislation, regulations, corporate objectives, policies and ethics,
- reviewing the adequacy of the systems established to ensure compliance,
- reviewing by-laws and policies specifically regulating the conduct of members of council, staff, and suppliers (for example, personnel, fraud and theft policies, conflict of interest policy, purchasing by-law, budget control by-law, expense claims policy, etcetera),
- reviewing significant cases of employee conflicts of interest, misconduct, or fraud and their resolution.

General

- reviewing and approving the scope, terms of reference and fees of professional services retained for purposes related to the Audit Committee's responsibilities,
- receiving an annual report from the City Manager summarizing progress made in resolving issues raised by both internal and external audit,
- providing opportunities for private discussion of sensitive matters raised by the External Auditor, the City Manager, or the Director of Internal Audit relating to personnel, legal, or other matters which could be prejudicial to the corporate interest if discussed in open committee,
- reviewing the Audit Committee Mandate periodically and recommending modifications to Council, as necessary,
- any other matter which could come within the purview of internal or external audit.

Audit Committee Charter

Whereas Council wishes to demonstrate a high level of public accountability and to provide assurance to the public that municipal services are administered in an efficient, effective and economical manner, and whereas Council has responsibilities regarding financial and other reporting, internal control and compliance with laws, regulations and ethics, and whereas Council wishes to ensure an impartial, objective and independent assessment of the management of the City, now therefore be it enacted that an Audit Committee be established in the following terms:

Objective

The Audit Committee assists Council in the provision of effective municipal government by overseeing the administrative systems regarding financial accounting, reporting, internal controls, safeguarding of corporate assets, compliance with legal, ethical and regulatory requirements and the efficient and effective use of resources. The Audit Committee provides a focal point for communication between Council, the External Auditor, the Internal Auditor and management, and facilitates an impartial, objective and independent review of management practices through the internal and external audit functions.

Composition

The Audit Committee is comprised of three members of Council who are appointed annually by Council, with the Mayor also being a member ex officio. The term of office for the Audit Committee runs from January 1 to December 31 in a given year. Two members constitute a quorum.

Meetings

At its first meeting of each year the Audit Committee shall elect a Chairperson from among its members.

The Audit Committee shall meet at least four times per year, with additional meetings at the call of the Chairperson in order to properly discharge its responsibilities as set out in this by-law.

Minutes shall be prepared for each Audit Committee meeting and shall be presented to the next succeeding meeting for confirmation.

Responsibilities

The Audit Committee is responsible for making recommendations to Council regarding the following:

The External Audit Function

- selecting and dismissing the external auditor,
- reviewing the terms of engagement, fees and scope of the audit and any non-audit services provided,
- reviewing any reports and correspondence from the external auditor relating to the Corporation of the City of Mississauga, the Mississauga Public Library Board, the Mississauga Hydro-Electric Commission, the Business Improvement Area Boards, and any other local boards or agencies which may be created,
- evaluating the external auditor's performance,

The Internal Audit Function

- reviewing and approving the mandate of Internal Audit and ensuring that all of the City's operations are subject to review by Internal Audit,
- concurring with the appointment or removal of the Director of Internal Audit to assist in safeguarding the independence of the Internal Audit function,
- reviewing the workplan, staffing, and budget of Internal Audit,
- reviewing requests for special studies and investigations made by members of Council,
- reviewing reports from the City Manager and the Director of Internal Audit identifying audit issues and the steps taken to resolve them,
- reviewing the adequacy of the management responses to audit concerns, having regard to the risks and the costs involved,
- reviewing any quality assurance reviews which may have been conducted in accordance with the Institute of Internal Auditor's Standards for the Professional Practice of Internal Auditing,

Financial and Other Reporting

- reviewing the annual financial statements of the City and its local boards prior to presentation to Council,
- reviewing financial and fiscal policies, practices and procedures (eg. accrual policy, deferred revenue policy, policies for establishing reserves, reserve funds, et cetera),
- reviewing information used for decision making (including management reports, affirmations, et cetera), as to integrity, timeliness and comprehensiveness,
- reviewing significant current or pending litigation and outcome, where applicable

Internal Control

- reviewing the adequacy of the internal control systems for safeguarding assets, including the review of policies and procedures,
- reviewing management and program performance regarding the efficiency, effectiveness and economy in the use of resources,
- reviewing the effectiveness of corporate reporting systems regarding administrative and program performance (for example, budget monitoring systems),

Compliance

- reviewing the level of compliance with legislation, regulations, corporate objectives, policies and ethics,
- reviewing the adequacy of the systems established to ensure compliance,
- reviewing by-laws and policies specifically regulating the conduct of members of council, staff, and suppliers (for example, fraud and theft policy, conflict of interest policy, purchasing by-law, budget control by-law, expense claims policy, et cetera),
- reviewing significant cases of employee conflicts of interest, misconduct, or fraud and their resolution,

General

- reviewing and approving the scope, terms of reference and fees of professional services retained for purposes related to the Audit Committee's responsibilities,

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- receiving an annual report from the City Manager summarizing progress made in resolving issues raised by both internal and external audit,
- providing opportunities for private discussion of sensitive matters raised by the External Auditor, the City Manager, or the Director of Internal Audit relating to personnel, legal, or other matters which could be prejudicial to the corporate interest if discussed in open committee,
- reviewing the Audit Committee Mandate periodically and recommending modifications to Council, as necessary,
- any other matter which could come within the purview of internal or external audit.

AGENDA
AUDIT COMMITTEE
GENERAL COMMITTEE ROOM
MONDAY, JULY 29, 2002 - 4:45P.M.

1. Review and adoption of the minutes of September 10, 2001 Audit Committee Meeting as attached.
 - Items arising from the minutes of September 10, 2001
 - Recommendation:

That the minutes of September 10, 2001 Audit Committee Meeting be adopted and approved.
2. Review and adoption of the minutes of March 25, 2002 Audit Committee Meeting as attached.
 - Items arising from the minutes of March 25, 2002
 - Recommendation:

That the minutes of March 25, 2002 Audit Committee Meeting be adopted and approved.
3. Review of the 2001 Financial Report (Richard Freymond)
 - Recommendation:

That the 2001 Financial Report as presented be adopted and submitted to the Province of Ontario

That the Treasurer=s Report on the 2001 Financial Report for the City of Peterborough be received.
4. Auditors briefing to the audit committee and Management Letter
 - Bob Correll (KPMG)
 - Bob Fisher (CBHT)

-Recommendation:

That staff be directed to prepare a Request for Proposal for an actuarial study for the year ending December 31, 2002 which would review the City=s benefit programs and provide estimates of the City=s obligations under those benefits plans and its WSIB obligations.
- Brief Recess before City staff and Councillors discuss item #5.
5. Audit Appointment for 2002 to 2006

6. Other Business

Distribution List

Her Worship - Sylvia Sutherland

Councillor Ayotte

Councillor Leal

Councillor Clarke

Councillor Doris

City Administrator - Ron Chittick

Director of Finance and Administrative Services - Brian Horton

Manager of Financial Services - Sandra Clancy

Chief Accountant - Richard Freymond

Bob Correll, KPMG

Bob Fisher, HTM

B-65
5(n)

MINUTES
AUDIT COMMITTEE
GENERAL COMMITTEE ROOM, CITY HALL
MONDAY, JULY 29, 2002 - 4:45 P.M.

PRESENT: Councillor Doris - Chairman
Her Worship - Sylvia Sutherland
Councillor Ayotte
Councillor Leal
Councillor Clarke
City Administrator - Ron Chittick
Manager of Finance - Sandra Clancy
Chief Accountant - Richard Freymond
KPMG - Bob Correll
KPMG - Krista Alexander
CBHTM - Bob Fisher

ABSENT: Director of Finance & Administrative Services - Brian Horton

The meeting was called to order at 4:45 P.M.

1. Review and adoption of the minutes of the September 10, 2001 Audit Committee Meeting.

Items arising from the minutes of September 10, 2001 - None

Recommendation:

That the Minutes of the September 10, 2001 Audit Committee meeting be adopted and approved as circulated.

- Moved by Councillor Clarke - Carried.

2. Review and adoption of the minutes of the March 25, 2002 Audit Committee Meeting.

Items arising from the minutes of March 25, 2002 - None

Recommendation:

That the Minutes of the March 25, 2002 Audit Committee meeting be adopted and approved as circulated.

- Moved by Councillor Ayotte - Carried.

B-66
5(n)

3. Review of the 2001 Financial Report

Richard Freymond reviewed the highlights of the 2001 financial report beginning with a brief review of the specific local boards and entities that were included in the 2001 financial report compared with those which were included in the past 2 years.

Recommendation

That the 2001 Financial Report as presented be adopted and submitted to the Province of Ontario and, that the Treasurer=s Report on the 2001 Financial Report for the City of Peterborough be received.

- Moved by Her Worship - Sylvia Sutherland.
- Carried.

4. **Auditor=s comments on the 2001 Financial Statements and external audit examination.**

Bob Correll indicated that the audit is completed and an unqualified opinion has been rendered on the consolidated financial statements.

Areas of Audit focus were highlighted including an assessment on internal controls, accounting for the transferred housing stock and associated liabilities, landfill closure and post closure and continued refinement to notes and financial statement presentation. Also noted was the necessity of reviewing and updating existing accruals for post employment benefits.

On behalf of KPMG, Bob confirmed their independence as auditors and as such, he was not aware of any matter that would impair their independence in performing the City's audit.

Bob Fisher commented on the highlights of local boards and agencies of the City. Specifically mentioned is possibly reducing through amalgamation some the Utility distribution companies.

Recommendation

That staff be directed to prepare a Request for Proposal for an actuarial study for the year ending December 31, 2002 which would review the City's benefit programs and provide estimates of the City's obligations under those benefits plans and its WSIB obligations.

- Moved by Councillor Ayotte.
- Carried.

B-67
5(n)

NOTE: Prior to discussion of point # 5, the Auditor's left the room.

5. Audit Appointment for 2002 to 2006.

Sandra Clancy reported to the committee that City staff are confident that proposed fees for audit services are reasonable. In addition, staff have been pleased with the level of knowledge, expertise and local presence that the present arrangement offers the City.

Recommendation

1) That:

- a) The audit firms of KPMG and Collins Barrow Humpage Taylor be appointed as auditors of the City of Peterborough and its local boards at a total annual fee for 2002 of \$81,500.
- b) The appointment be for the five year term 2002 through 2006 subject to satisfactory annual reviews.
 - Moved by Councillor Ayotte.
 - Carried.

NOTE: at this point, the Auditor's re-joined the meeting.

6. New Business

None

Comments:

On behalf of the City, Ron Chittick thanked KPMG, CBHTM and City staff for their efforts during the 2001 audit.

Recommendation

Moved by Councilor Leal that the meeting be adjourned.

- Carried.

B-68
5(n)

MINUTES
AUDIT COMMITTEE
GENERAL COMMITTEE ROOM, CITY HALL
MONDAY, MARCH 25, 2002 - 4:45 P.M.

PRESENT: Councillor Doris - Chairman
Mayor Sutherland
Councillor Ayotte
Councillor Leal
Councillor Clarke
City Administrator - Ron Chittick
Director of Finance & Administrative Services - Brian Horton
Manager of Finance - Sandra Clancy
Chief Accountant - Richard Freymond

The meeting was called to order at 4:45 P.M.

The purpose of the meeting was for staff to seek preliminary direction from the Audit Committee on the appointment of Auditors for the five-year term 2002 – 2006 inclusive.

Sandra provided some brief comments regarding the initial appointment of the partnership of KPMG and Collins Barrow Humpage Taylor as the City's auditors for the five-year term ending December 31st, 2001. During that time there were many significant changes in the scope and complexity of the City's audit and staff have been pleased with the level of service and financial expertise that the audit firms have provided.

Various members of the committee spoke in favor of maintaining the present audit relationship provided that the overall fee structure is competitive and that any subsequent fee increases are reasonable.

Staff were asked to investigate these issues and report back to the Audit Committee.

Recommendation

Moved by Mayor Sutherland that the meeting be adjourned.
- Carried.

Finance Policy #19

5(n)

Date Approved: May 22, 2001

Subject: AUDIT COMMITTEE

Objective:

THAT an Audit Committee of Council be established in an effort to:

- (i) help Council meet their responsibilities, especially for accountability;
- (ii) provide better communication between Council and external auditors;
- (iii) enhance the external auditor's independence;
- (iv) increase the credibility and objectivity of financial reports; and
- (v) strengthen the role of Council by facilitating in depth discussions between Council, management and external auditors;

Policy:

1. The Council of the Corporation of the City of Brantford shall form an audit committee to be composed of the Members of the Corporate Services Sector Committee. Three members of the audit committee shall constitute a quorum.
2. Any member of the audit committee may be removed or replaced at any time by the Council of the Corporation of the City of Brantford and shall at any time cease to be a member of the audit committee upon ceasing to be a member of Council. Subject to the foregoing, each member of the audit committee shall hold office as long as they are members of the Corporate Services Sector Committee.
3. The audit committee shall generally assume responsibility for matters relating to the financial position and financial reporting of the Corporation of the City of Brantford and shall review, report and make recommendations to Council as to such matters. The audit committee will have authority and responsibility for the following:
 - (a) review of management's recommendations for the appointment of an external auditor;
 - (b) review of the terms of the external auditor's engagement, the appropriateness and reasonableness of the proposed audit fees and any unpaid fees;
 - (c) review of any engagements for significant "non-audit services" to be provided by the external auditor's firm or its affiliates, together with estimated fees, and consideration of the impact on the independence of the external auditor;
 - (d) review of the audit plan with the external auditor and with management;

- (e) review with management and with the external auditor any proposed changes in major accounting policies and key estimates and judgements of management that may be material to financial reporting;
 - (f) question management and the external auditor regarding significant financial reporting issues discussed during the fiscal period and the method of resolution;
 - (g) review of any problems experienced by the external auditor in performing the audit, including any restrictions imposed by management or significant accounting issues on which there was a disagreement with management and the committee may communicate directly with the external auditor relating to such matters;
 - (h) review the audited annual financial statements and the corresponding annual reports of the Corporation of the City of Brantford, in conjunction with the report of the external auditor, and the obtaining of an explanation from management of all significant variances between comparative reporting periods;
4. In addition, Council may refer to the audit committee such matters and questions relating to the financial position and the financial reporting of the Corporation of the City of Brantford as Council may from time to time see fit.
5. Audit committee meetings shall be held as part of the Corporate Services Sector meetings and audit committee agenda items will form part of the Corporate Services Sector agenda; provided that notice of every such meeting with an audit committee agenda item shall be given to the auditors of the Corporation of the City of Brantford and that items can be added to the agenda whenever requested by the auditors.

:dr

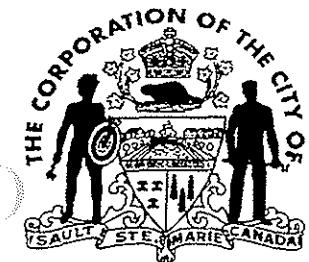


Exhibit C - 1
5(h)

CITY COUNCIL RESOLUTION

Date: January 26, 2004

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

S. Butland
J. Collins

Resolved that the report of the Commissioner of Finance and Treasurer dated 2004 01 26 concerning Terms of Reference for the Finance Committee be approved.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED
 DEFERRED



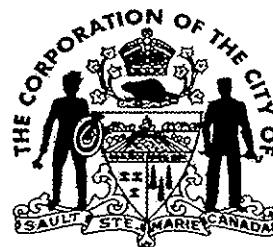
SIGNATURE

- 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
-

WILLIAM FREIBURGER, CMA
Commissioner of Finance and Treasurer
Finance Department



January 26, 2004

Mayor John Rowswell
 and Members of City Council

RE: FINANCE COMMITTEE TERMS OF REFERENCE

This report will present the Terms of Reference for the Finance Committee.

Finance Committee Terms of Reference

Committee Composition

The Finance Committee shall be comprised of 3 members of Council and 3 Senior Finance Staff. A representative of the City's external auditor will be invited to attend the initial meetings of the committee and as needed in the longer term.

The Committee Chair is Councillor B. Haynes along with Councillor J. Caicco and Councillor J. Collins.

Meetings

The Finance Committee shall meet on a regular basis at the call of the Committee Chair at least 4 times a year on the first Thursday of the month in February, April, June and October. Additional meetings may be authorized by the Chair at the request of any member of the Committee, at the request of the City's auditors, or at the request of any member of Council.

Role and Mandate

- The Finance Committee will review and advise City Council on matters relating to financial reporting and assurance that an effective control and governance framework is in place.

Functions of the Finance Committee

1. Audit Planning and Preparation

- Review with the auditors the scope of the current year's audit, including areas where the auditors have identified a risk of potential error in the financial condition and/or results of operation
- Assess whether appropriate assistance is being provided to the auditors by the organization's staff
- Review control weaknesses detected in the prior year's audit, and determine if all practical steps have been taken to overcome them
- Approve the auditor's engagement letter, including audit fees and expenses

2. Information and Control Systems

- Enquire about changes in the financial systems and control systems during the year
- Enquire into the condition of the records and the adequacy of resources committed to accounting and control
- Enquire into major financial risks found by the organization and the appropriateness of related controls to minimize their potential impact

3. Annual Financial Statements

- Receive and review the unaudited and audited financial statements of the Corporation whether interim or year-end and report to Council prior to the Council's approval thereof
- Review audited financial statements, in conjunction with the report of the external auditor, and obtain an explanation from management of all significant variances between comparative reporting periods
- Recommend approval of the financial statements to Council
- Enquire about changes in professional standards or regulatory requirements

4. Audit Results

- Review the auditor's proposed report on the financial statements
- Review the auditor's management letter documenting weaknesses in internal control systems and commenting on other matters
- Meet privately with the auditors to ascertain whether there are concerns that should be brought to the committee's attention

5. Auditor's Appointment

- Meet privately with senior management to ensure that management has no concerns about the conduct of the audit
- Enquire as to the experience and capabilities of the individuals being proposed to conduct the audit and their objectivity and independence
- Recommend to Council the auditors to be appointed and the term of the appointment

6. Duty to Report

- Prepare a report to Council describing the Finance Committee's activities during the past reporting period
- Prepare a report to Council discussing actions it has taken and the assistance the committee has had in fulfilling its duties

Additional Responsibilities Beyond the Scope of Audit

- Monitor the City's current financial performance
- Review and receive variance reports and recommend approval to Council
- Review the timetable and guidelines for the preparation of the following year's operating budget
- Establish priorities for capital projects for the following year's budget
- Review internal controls and internal audit issues
- Review treasury functions including investments and debts

Recommendation

Council approve the Terms of Reference for the Finance Committee.

Respectfully submitted,



W. Freiburger, CMA
Commissioner of
Finance and Treasurer

WF/kl

Minutes of the Finance Committee Meeting

5(n)

2004 01 15

Present: Mayor J. Rowswell
Councillor B. Hayes, Chair
Councillor J. Collins
Councillor J. Caicco
J. Fratesi
W. Freiburger
S. McLellan

1. A discussion was held concerning citizen appointees on the Committee. Information was received from the City's Auditor, DBO Dunwoody L.L.P., raising concerns about outside appointees. The Committee may look at outside assistance for specific issues and Staff stated that outside expertise could be hired to review specific issues. No citizen's will be appointed to the Committee.
2. The Committee will review the 2004 Budget before it is presented to Council.
3. Staff presented a list of Finance Department priorities that will be discussed at the next meeting.
4. Terms of Reference for the Finance and Audit Committee were approved as amended and will be presented to City Council on January 27, 2004.
5. The next meeting will be held a week after the January 27, 2004 Council meeting.

W. Freiburger
Commissioner of Finance and Treasurer

Minutes of the Finance Committee Meeting

2004 02 04

Present: Councillor B. Hayes, Chair
Councillor J. Collins
W. Freiburger
S. McLellan
F. Coccimiglio

Absent: Councillor J. Caicco

1. The minutes of the Finance Committee meeting of January 15, 2004 were approved.
2. Moved: Councillor Collins
Seconded: Councillor Hayes

The report of the Commissioner of Finance concerning 2004 Finance Department Priorities dated January 15, 2004 be approved.

3. Mr. Scott McLellan, Manager of Budgets and Revenue, updated the Committee on the Revenue Review process. Mr. McLellan was asked to review expected revenue from cruise ships.
4. Mr. Frank Coccimiglio, Manager of Information Systems, discussed the computer system software review process.
5. The next meeting will be held with BDO Dunwoody LLP, to discuss the annual audit.

c.c. Mayor Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO

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5(n)

Minutes of the Finance Committee Meeting

2004 04 13

Present: Councillor B. Hayes, Chair
Councillor J. Caicco
Councillor J. Collins
W. Freiburger
S. McLellan
F. Coccimiglio
S. Schell

The City Auditor's BDO Dunwoody LLP, met with the Committee to discuss the 2003 audit.

c.c. Mayor Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO

Minutes of the Finance Committee Meeting

2004 04 20

Present: Councillor B. Hayes, Chair
Councillor J. Collins
W. Freiburger
S. McLellan
S. Schell

Absent: Councillor J. Caicco

The meeting was called to order at 12:05 by Chair Councillor Bryan Hayes.

1. Peter Vaudry and Mary Jane York from the Physician Recruitment and Retention Committee made a presentation concerning their report of March 2004. Jackie Thoms spoke of the International Graduation Program for foreign physicians. Dr. Willet discussed the attrition rates for local physicians.
2. The Draft Operating Service Agreement as presented in Agenda Item 3 was discussed. Councillor Hayes recommended the Physician Recruitment and Retention Committee report to the Finance Committee at the end of January each year. The Committee accepted the recommendation and the agreement will be amended.
3. A letter from Mayor Rowswell dated 2004 04 08 concerning Physician Doctor's Recruitment was discussed.
4. Resolutions

Moved By: Councillor Collins
Seconded By: S. McLellan

The report of the Commissioner of Finance and Treasurer dated 2004 04 05 concerning the 2004 Physician Recruitment Program be recommended to City Council for approval.

Moved By: Councillor Hayes
Seconded By: W. Freiburger

The report of the Physician Recruitment and Retention Committee dated March 2004 be received as information.

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- 2 -

Moved By: Councillor Collins
Seconded By: Councillor Hayes

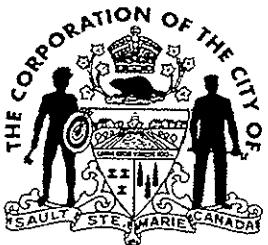
The Draft Operating Service Agreement be recommended to City Council for approval as amended.

Moved By: Councillor Collins
Seconded By: Councillor Hayes

The letter from Mayor Rowswell dated 2004 04 08 concerning Physician Doctor's Recruitment be accepted as information.

Moved By: W. Freiburger
Seconded By: S. McLellan

The meeting be adjourned.



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5(n)

Minutes of the Finance Committee Meeting

2004 08 17

Present: Councillor B. Hayes, Chair
Mayor J. Rowswell
Councillor J. Caicco
W. Freiburger
S. McLellan
S. Schell

Absent: Councillor J. Collins

1. Shelley Schell presented the 2003 financial statements. A future meeting will be held with the City Auditor, BDO Dunwoody LLP and then the financial statements will be recommended to Council for approval.

Shelley Schell will attach some explanatory notes to the financial statements when they are presented to City Council.

2. Shelley Schell presented a report concerning Community Foundations. Councillor Caicco requested that staff investigate the use of tax receipts for donations to the arena and skate board park projects. The Community Foundations report will be presented to Council.

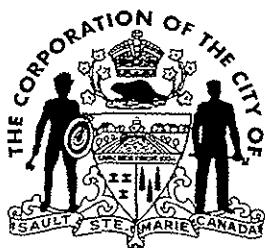
Attached is note from Shelley Schell outlining the conditions for a charitable donation to a municipality.

3. The Committee discussed a staff review of the budget process in order to have the budget approved at an earlier date, preferably in December. Scott McLellan had concerns about this goal since many important sources of information are not available in December. A Council resolution will be presented to have staff report on the budget process.

4. The Committee discussed public input sessions for the 2005 budget. The Committee agreed on two sessions in October, we will review the possibility of having one meeting in the East end and the other in the West end. Scott McLellan will prepare a budget overview for the sessions and develop a public input form. A resolution will be presented at Council for this initiative.

The meeting was adjourned by the Chair, Councillor Bryan Hayes.

- c. Mayor J. Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO



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5(n)

Minutes of the Finance Committee Meeting

2004 12 22

Present: Councillor B. Hayes, Chair
Mayor J. Rowswell
Councillor J. Caicco
Councillor J. Collins
J. Fratesi
W. Freiburger
S. McLellan
S. Schell
D. Scott

1. Don Scott, Manager of Transit discussed the rationale for the price increase for the 20 ride punch pass from \$30 to \$35. The punch pass was originally introduced as a convenient method to purchase 20 rides at the regular transit fare price. When the last fair increase occurred, the punch pass was not increased. It was not the intention of Transit to sell the 20 punch pass card at a discounted price.

In a survey of 6 other communities, including Guelph, North Bay, Oakville, Sarnia, Sudbury and Thunder Bay, Sault Ste. Marie had the lowest transit fare at \$1.75. Other fares were either \$2.00 or \$2.25.

Recommendation

**Sault Ste. Marie Transit review the current fare structure for 2006.
The increased punch pass fee be recommended to Council for approval.**

2. Shelley Schell, Manager of Finance and Audits presented the 2003 Municipal Performance Measures.

Recommendation

When the 2004 performance measurers are completed, a comparison with the 2003 and prior year indicators will be provided along with a variance analysis from the originating department.

3. Scott McLellan, Manager of Budgets and Revenue reported on the results of the 2005 Budget Survey, Mr. McLellan verbally summarized the written comments submitted to the City and highlighted the fact that the public believes the City is responsible for the construction of the new hospital.

Also presented was a final score sheet of municipal priorities as submitted by the public from the City web site and information sessions.

Recommendation

The actual role of the City in the construction of a new hospital be more clearly communicated to the public. – COMMUNICATIONS OFFICER

The Finance Department continue the practice of Public Budget Input Sessions.

The 2005 Public Budget Input Survey results will be distributed and reviewed by the Senior Management Team.

4. Scott McLellan stated that staff would prefer to provide Council with the current activity summaries and delete the line by line details. The cost centre highlight sheets would be provided that list wages, benefits, materials and capital items. Additional sheets had previously been provided that listed each account. For example, for employee benefits the line item detail listed the following accounts for each activity; CPP, GROUP INSURANCE, DENTAL, EMPLOYEMENT INSURANCE, OMERS, EMPLOYER HEALTH TAX, DENTAL and LONG TERM DISABILITY.

Our budget focus is on activity costing with a cost breakdown for each major expense group, i.e. wages, benefits, materials and capital items, instead of a line by line listing.

The Finance Department will provide line by line account detail upon request.

Recommendation

The budget be presented on an activity cost basis.

5. A Council resolution dated October 18, 2004 had referred the issue of Council travel to the Finance Committee. The City had approved policy changes relating to international travel on October 7, 2002.

Councillor Hayes suggested the Council travel budget be divided into separate allocations for both the Mayor and Council. He further suggested that a Council resolution not be required for travel as long as the travel was within the approved budget limits. The Mayor stated that the requirement for a Council resolution has caused delays in booking the most cost effective travel options resulting in higher travel costs for the City.

Staff suggested a review of the \$2,000 allocation per Councillor since the cost of travelling to the AMO Conference exceeds the limit imposed many years ago.

D-9
5(n)

Staff also proposed the current per diem allowance of \$55 per day be maintained with an option to reduce the per diem for meals supplied at conferences or events based on a set allowance for a breakfast, lunch or supper. A discussion was held to determine if the per diem should be converted to a fixed rate for breakfast, lunch and supper with no allowance for incidentals.

The Mayor will provide the Committee with travel policy recommendations for consideration at a future Finance Committee Meeting.

6. The City response to the 2003 Management Letter from the City's Auditor was reviewed.

The meeting was adjourned by the Chair, Councillor Bryan Hayes.

- c. Mayor J. Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO
Department Heads

Minutes of the Finance Committee Meeting

2005 01 18

Present: Councillor B. Hayes, Chair
Councillor J. Caicco
Councillor J. Collins
W. Freiburger
S. McLellan
S. Schell

Mayor Rowswell had submitted the attached letter to the Committee with suggestions for policy changes to the City travel policy.

The Committee agreed to the following suggestions.

1. Domestic travel within North America will not require a Council resolution. International travel will require the approval of Council.
2. The Mayor suggested a separate budget allocation of \$24,000 for travel.
3. The travel allocation for Councillors' would be increased based on higher travel costs. Currently, the limit is \$2,000 per year and \$3,000 for members appointed to boards. The total Council travel allocation in 2004 was \$20,000 for both Mayor and Council.

It was determined by staff that an average trip to the AMO conference costs about \$2,300, therefore, the \$2,000 allocation should be updated to \$2,500.

Staff will review Council travel and recommend an allocation based on one trip per year to AMO and an additional allocation for 2 trips as approved by Council and 2 trips for members on boards. Staff will recommend either one global account for all Councillor's or individual accounts.

4. The Treasurer will approve Council travel expense reports instead of the Mayor.
5. Inflationary increases be added to travel budgets each year.
6. An intergovernmental travel allocation was suggested to fund travel related to special projects.

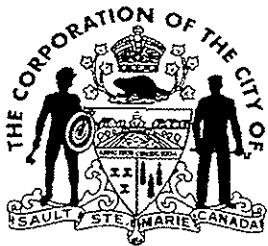
5(n)

7. It was suggested that staff travel budgets be updated at the same time as Council travel. A historical review will be provided for staff travel costs over the last 5 years.
8. To accommodate disabilities, physical limitations and fatigue for flights exceeding 4 hours in duration, the City would allow reimbursement for business class travel.
9. The per diem be increased from \$55.00 to \$66.00 to account for the incidental costs of travel. An optional guideline will be provided to deduct the cost of meals that are provided at events.
10. Staff will report actual costs for Council travel at six months, nine months and yearend.

Staff will bring recommendations to the next Finance Committee concerning budget allocations for travel.

c.c. Mayor Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO

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5(n)



Minutes of the Finance Committee

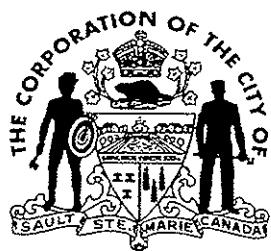
2005 03 04

Present: Councillor B. Hayes, Chair
Councillor J. Caicco
Councillor J. Collins
W. Freiburger
S. McLellan
S. Schell

1. Approval of the January 18, 2005 Meeting Minutes.
2. Peter Liepa, Assessment and Collections Supervisor discussed changing the capped tax rate from 5% to 10% and implementing a minimum tax cap of \$250.00. The goal of the City is to minimize the number of taxpayers involved in the tax capping calculation. Changes to the Municipal Act have provided municipalities with new tax policy options for tax capping. The Committee approved the changes which will be presented to Council during the 2005 Budget.
3. Frank Coccimiglio, Manager of Information Systems provided an update on the systems review process.
4. A new Grants Policy as presented by Shelley Schell, Manager of Finance and Audits is provided for approval. The Committee approved the policy and recommended it be presented to Council for approval.
5. A report by the Commissioner of Finance and Treasurer concerning Travel Policy Revisions was provided for approval. The recommendations will be included on the 2005 Budget Supplementary List.

c.c. Chair Councillor B. Hayes

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5(n)



Finance Committee Meeting Agenda

Biggins Room, Civic Centre

12:00 noon

2005 09 23

This meeting is held in Caucus due to issues relating to identifiable individuals and the security of the property of the municipality.

1. Meeting with the City Auditor, BDO Dunwoody LLP, Chartered Accountants to approve the 2004 financial Statements and performance measures.
2. Review of the 2005 six month financial statement.

Councillor B. Hayes
Chair, Finance Committee

D-14
5(n)

Minutes of the Finance Committee Meeting

2005 09 27

Present: Councillor B. Hayes, Chair
Mayor J. Rowswell
Councillor J. Caicco
Councillor J. Collins
W. Freiburger
S. McLellan
S. Schell

1. Terrance P. Greco, CA, VP of Finance Services, PUC Inc. presented an update of financial information from the PUC. Mr. Brian Curran, President & CEO of PUC Inc. was also in attendance. The presentation was made in response to the following June 13, 2005 Council resolution.

Moved by Councillor B. Hayes
Seconded by Councillor N. DelBianco

Whereas regulatory burden in both the electrical and water sectors continues to increase; and

Whereas the need for a higher rate of capital replacement in our electrical distribution system will put additional pressure on the P.U.C. cash flow; and

Whereas it has been noted in the President and C.E.O.'s Annual Report that if the financial structure to reduce the debt load does not change it will be extremely difficult to meet future cash flow obligations; and

Whereas the sustainability of the dividend to the City may be in jeopardy;

Therefore be it resolved that Council refer the financial report and statements of the P.U.C. to the Finance Committee for review and report back to Council.

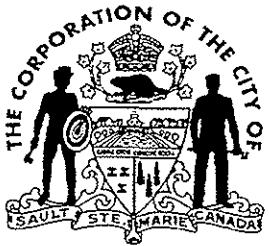
The Finance Committee approved the report of the Commissioner of Finance and Treasurer recommending the establishment of a working group of City and PUC staff along with Councillor Bryan Hayes to address such issues as interest payments to the City, PUC capital structure, the state of PUC infrastructure, valuation of the PUC and the role of non-core business units in PUC.

2. Deborah Loosemore and Dr. Celia Ross, President of Algoma University College presented an overview of the University and benefits received from City grants. AUC requested the City continue the \$20,000 grant to the Arthur A. Wishart Library and \$20,000 for Scholarships.

.../2

3. The 2006 Budget Schedule was reviewed..
4. The 6 month Financial Statement was reviewed.
5. A discussion of the possible options to fund the 2006 Economic Diversification Fund was referred to the next Finance Committee meeting.

c.c. Mayor Rowswell
Chair Councillor B. Hayes
City Councillors
J. Fratesi, CAO



D - 16

5(n)

Minutes of the Finance Committee Meeting

Ramsay Room, Civic Centre

2005 12 09

Present: Councillor B. Hayes, Chair
Councillor J. Caicco
J. Fratesi
W. Freiburger
S. McLellan
S. Schell
F. Coccimiglio
P. Leipa

1. Approval of the Minutes of the Meeting of September 27, 2005.
2. F. Coccimiglio, Manager of Information Technology, provided an update of the financial software review process. He indicated a consultant would review our financial software and provide an opinion as to whether the City should purchase new software or upgrade the existing system.
3. P. Leipa, Acting City Tax Collector, reviewed the current policy for Tax Relief for Low Income Seniors and Disabled Persons along with Assessment Act options for the disabled persons. The Tax Division will increase the advertising for this program and include information in the annual tax brochure.
4. S. Schell, Manager of Finance and Audits, provided a report recommending that an \$11,000 outstanding loan to the Sault Ste. Marie Museum from 1987 be forgiven and funding be provided from the 2005 Unforeseen Expense. The Museum had requested the funds for a construction project due to a shortfall from a funding campaign. The financing for this loan will be recommended to Council when the 2005 transfer to reserves are approved.

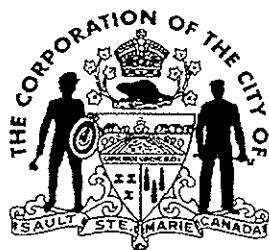
5(n)

5. Funding options for the 2006 Economic Diversification Fund were discussed. The two funding options are an allocation from the tax levy and the use of one time funding from surplus or other revenues. B. Strapp, CEO, Economic Development Corporation, will provide a supplementary request in the 2006 budget for \$500,000 from the 2006 tax levy plus an additional \$500,000 from surplus or other one time revenues. City Council has already allocation \$300,000 for the Gateway Project and \$165,000 for Multi Module from the 2006 Economic Diversification Fund.
6. B. Strapp, CEO, Economic Development Corporation, made a presentation regarding policy options for the Economic Diversification Fund to address a Council resolution dated November 28, 2005. Mr. Strapp will work with Mr. Freiburger, Commissioner of Finance and Treasurer to develop criteria and a process of accountability for EDF funds. Recommendations will be provided to the Finance Committee for review.
7. The status of the Algoma University College 2006 grant was discussed. The \$40,000 grant would be recommended for 2006 with a further review in 2007.

c.c. Chair, Councillor B. Hayes

D-18

5(n)



Minutes of the Finance Committee Meeting

Thompson Room, Civic Centre

2006 01 27

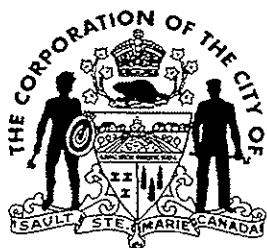
Present: Councillor B. Hayes, Chair
Mayor J. Rowswell
Councillor J. Caicco
Councillor J. Collins
J. Fratesi
L. Bottos
W. Freiburger
S. McLellan
S. Schell

1. Approval of the Minutes of the Meeting of December 9, 2005.
2. A draft Travel by-law based on previous Council resolutions was reviewed. The City Solicitor will bring the Travel by-law to Council for approval. The Committee recommended that travel by the Mayor for meetings with Federal, Provincial and municipal representatives would not require a Council resolution. This condition is subject to Council approval when the by-law is presented to Council.
3. S. Schell, Manager of Finance and Audits reviewed 2006 grant requests under the Grants Policy. A list will be presented to Council for approval.
4. City staff will contact the PUC to arrange a meeting to discuss future capital structure changes at the PUC.
5. Mr. Scott McLellan, Manager of Budgets and Revenue will co-ordinate a process to prioritize the 2006 capital from current/supplementary list as presented in the 2006 Budget. Councillor Hayes is co-ordinating a priority setting process with City Council. A Finance Committee meeting will be scheduled to review the two priority lists.

The City is still waiting for the 2006 grant announcement for the Ontario Municipal Partnership Fund. Staff are working on the 2005 audit and a preliminary 2006 budget has been presented to the DSSAB Board for review.

Councillor B. Hayes
Chair, Finance Committee

D-19
5(n)



Minutes of the Finance Committee Meeting

Russ Ramsay Room, Civic Centre

2006 04 24

Present: Councillor B. Hayes, Chair
Mayor J. Rowswell
Councillor J. Caicco
Councillor J. Collins
J. Fratesi
W. Freiburger
S. McLellan
S. Schell
L. McCoy

Mr. Scott McLellan, Manager of Budgets and Revenue presented an overview of the staff recommendations for the 2006 Budget. The presentation highlighted the major capital projects underway in the community along with the recommended capital from current expenditures and future concerns.

Fire Chief Lynn McCoy was present to update the Finance Committee on the business plan to renovation the former MTO site and relocate #4 Firehall and ambulance services to that facility.

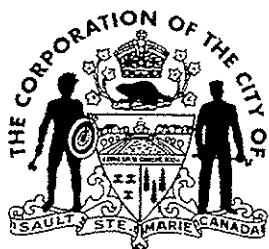
The following resolution was passed at the meeting.

*Moved By: Councillor Bryan Hayes
Seconded By: W. Freiburger*

Resolved that the 2006 Budget as presented by staff be accepted and recommend the 2006 Budget be referred to City Council for consideration and approval.

Councillor B. Hayes
Chair, Finance Committee

D-20
5(n)



Minutes of the Finance Committee Meeting

Thompson Room, Civic Centre

2006 05 23

Present: Councillor B. Hayes
Councillor J. Caiocco
W. Freiburger
S. Schell
F. Coccimiglio

1. Moved By: S. Schell
Seconded By: W. Freiburger

The Minutes of the Meeting of April 24, 2006 be approved.

2. S. Schell, Manager of Finance and Audits had reviewed the Financial Assistance Policy and recommended the following revisions.

Moved By: Councillor B. Hayes
Seconded By: S. Schell

The Finance Committee approve the inclusion of the following 2 new conditions in the Financial Assistance Policy.

- All applications must be received by November 30th of the preceding year.
- Capital Projects are Ineligible for funding.

3. Shelley, Manager of Finance and Audits informed the Finance Committee that the term of our current Auditor, BDO Dunwoody LLP will expire after the 2005 audit and staff will undertake to tender audit services for a five year term. The City is required to appoint an auditor for a period not exceeding five years. This was provided as information for the Finance Committee.
4. F. Coccimiglio, Manager of Information Technology presented a report concerning the acquisition of a new corporate Financial Information System. W. Freiburger, Commissioner of Finance and Treasurer presented a report detailing the costs and timetable for a new financial information system.

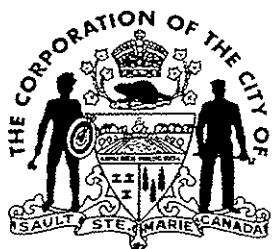
5(n)

Moved By: J. Caiocco
Seconded By: S. Schell

Resolved that the reports of the Commissioner of Finance and Treasurer and the Manager of Information Technology concerning a new corporate Financial Information System be approved;

And Further Be It Resolved that the reports be referred to City Council for consideration and approval.

Councillor B. Hayes
Chair, Finance Committee



D-22
5(n)

Finance Committee Meeting Agenda

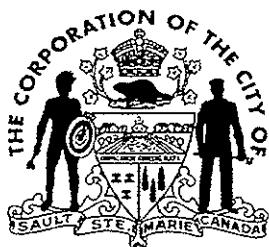
Biggins Room, Civic Centre

12:00 noon

2006 06 27

1. Auditors' Management Letter.
2. Auditors' Letter
3. Sources of Revenue and Expenditure Chart
4. Financial Reporting Summary and Detailed Summary for 2005

D - 23
5(n)



Minutes of the Finance Committee Meeting

Biggings Room, Civic Centre

2006 08 30

Present: Councillor B. Hayes
Councillor J. Caicco
J. Fratesi
B. Strapp
W. Freiburger
S. McLellan
S. Schell

1. Mr. Bruce Strapp, CEO, Sault Ste. Marie Economic Development presented criteria for the Economic Diversification Fund. Councillor Hayes suggested a method be established to evaluate two competing funding proposals. It was agreed that assessment should be the top key performance target followed by net job creation and strategic economic development projects.

Mr. Strapp's report will be presented to Council as information with a request for Council and public input. Revisions to the report will be reviewed by the Finance Committee and the final report will be presented to Council for approval.

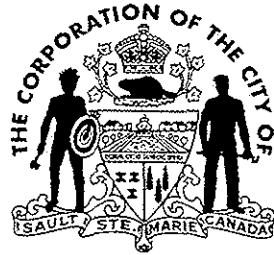
2. Mr. Scott McLellan, Manager of Budgets and Revenue presented a six month financial report as information.

Councillor B. Hayes
Chair, Finance Committee



5(0)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 01 15

Mayor John Rowswell and
Members of City Council

Re: 2007 MPAC Fees

The Municipal Property Assessment Corporation (MPAC) has provided the City with our 2007 charges.

The attached letter indicates the 2007 charge for the City of Sault Ste. Marie will be \$730,519, which is a 3.6% increase over the 2006 charge of \$704,891.

MPAC costs have increased by 2.5% and a further increase of 2.85% was approved to implement the recommendations of the Ombudsman report for a total increase of 5.35%.

MPAC has estimated that the impact of full implementation of the recommendations from the Ombudsman would represent an 11% increase over MPAC's 2006 operating budget. The municipal consultation process in 2007 will help MPAC's Board of Directors determine the extent of any additional costs considered necessary to increase MPAC's engagement with property taxpayers and improve the accuracy of our data.

Our municipal billing from MPAC is based on an average of the proportion of our municipal assessment to all assessment in Ontario, and the proportion of our total number of properties to the total number of properties in all assessment rolls in Ontario.

This is provided for the information of Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Freiburger".

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kf

attachment

RECOMMENDED FOR APPROVAL

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

Joseph M. Fratesi
Chief Administrative Officer



5(0)

MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 13, 2006

RECEIVED

DEC 21 2006

FINANCE DEPARTMENT
TAX & LICENCE DIVISION

City of Sault Ste. Marie
Attention: Garry Mason
City Tax Collector
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

RE: MPAC's 2007 Funding Requirements

To assist in your budget planning, I am writing to provide details of the 2007 funding requirements for the Municipal Property Assessment Corporation (MPAC).

MPAC continues to be one of the lowest cost assessment jurisdictions of similar size in Canada. Over the last six years, we have significantly increased our productivity. The average cost per property valued decreased again in 2006 to \$33.47, compared to \$34.17 in 2000. These figures have not been adjusted for inflation, making the increase in productivity and resulting cost savings even more significant.

In addition to making further improvements to productivity in 2006, MPAC:

- Inspected more than 355,000 properties;
- Added 82,100 new properties to the assessment roll;
- Added approximately \$22 billion in supplementary and omitted assessment to municipal rolls;
- Completed the enumeration for the 2006 municipal elections, processing almost one million municipal enumeration forms and updating ward and poll boundaries for more than three million properties. For the first time, at the request of Municipal Clerks, we also identified electors whose citizenship we could not confirm;
- Ensured severance and consolidations remained up-to-date;
- Continued our successful Community Outreach Program, hosting over 360 meetings with municipalities, government representatives, businesses and property owners;
- Continued to review Requests for Reconsideration (RfRs), appeared at Assessment Review Board hearings and managed the appeal process; and
- Delivered assessment notices to nearly 1 million property owners.

Copy: Bill
Scott
Shelly w/
JL

Office of the President and Chief Administrative Officer
1305 Pickering Parkway, Pickering, Ontario L1V 3P2
T: 905.837.6150 F: 905.831.0040 E: isenbuca@mpac.ca
www.mpac.ca

In 2007, MPAC will continue to meet its ongoing responsibilities. We will:

- Inspect more than 355,000 properties;
- Expect to add approximately 80,000 new properties to the assessment roll;
- Add an estimated \$20 billion in assessed value to the municipal rolls from new construction and additional properties;
- Produce assessment notices for approximately one quarter of Ontario's more than 4.5 million properties; and
- Begin preparations for the 2008 province-wide assessment update.

In addition to inflationary pressures including increased wages, benefits and operating costs, we have budgeted for potential costs related to the implementation of the recommendations made by the Ombudsman in his report earlier this year. These recommendations focused on providing taxpayers with more information, improving the accuracy of our data and improving property taxpayers' experiences with MPAC.

We have taken action on all 20 of the recommendations that fall within our jurisdiction. Before taking additional action on three of the recommendations that have the most significant cost implications, we will consult with municipalities to obtain their views. These will be taken into account in making a final decision on moving forward.

Increase for 2007

To cover the increased costs projected for next year, MPAC's Board of Directors has approved a 2.50% increase in MPAC's funding requirements for 2007.

To budget for potential costs directly related to implementing the recommendations made by the Ombudsman in 2007, the Board has approved a further increase of 2.85%. We have estimated that the impact of full implementation of the recommendations would represent an 11% increase over MPAC's 2006 operating budget. The municipal consultation process in 2007 will help MPAC's Board of Directors determine the extent of any additional costs considered necessary to increase MPAC's engagement with property taxpayers and improve the accuracy of our data.

Under the *Municipal Property Assessment Corporation Act*, MPAC's funding requirements are apportioned to upper- and single-tier municipalities using a formula that reflects the proportionate relationship of an individual municipality's assessed values and total property count to the totals for all municipalities in Ontario. These two indicators are averaged to reflect a 50% weighting for total assessed value and a 50% weighting for total number of properties.

Municipalities will experience differing increases in their individual 2007 charges due to the changes in their assessments and property counts on the 2006 roll. Based on the preliminary assessment data, the charge for your municipality will be approximately \$730,519.

We will confirm the actual impact to your municipality in January 2007, following the return of assessment rolls. As in the past, municipalities will be required to remit their 2007 charges in equal, quarterly installments.

Commitment to Continued Improvement

MPAC's Board of Directors and staff are committed to further improving customer service and product quality. In 2007, we will continue to focus on property inspections and the accuracy of our data. In the spirit of openness and transparency, we will also provide more information and better services to property taxpayers.

If you or your staff have questions, please contact:

Mr. Arthur Anderson
Director, Municipal Relations
Telephone: 905 837-6993
Toll Free: 1 877 635-6722 ext. 6993
E-mail: andersar@mpac.ca

Mr. Gerard Sequeira
Director, Finance and Administration
Telephone: 905 837-6166
Toll Free: 1 877 635-6722 ext. 6166
E-mail: sequeige@mpac.ca

Yours truly,

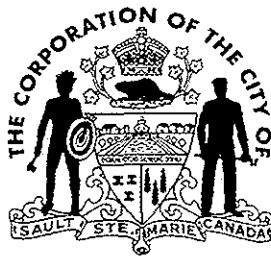


Carl Isenburg
President and Chief Administrative Officer

Copy MPAC Board of Directors
Arthur Anderson
Gerard Sequeira

5(p)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 01 15

Mayor John Rowswell and
Members of City Council

Re: Consulting Services for Review Options for PUC Distribution Company

This report is recommending the selection of a consultant in response to the following Council resolution. A Council report dated October 30, 2006 is also attached that updated Council on the review process.

Moved By: Councillor B. Hayes
Seconded By: Councillor N. DelBianco

Whereas regulatory burden in both the electrical and water sectors continues to increase; and

Whereas the need for a higher rate of capital replacement in our electrical distribution system will put additional pressure on the P.U.C. cash flow; and

Whereas it has been noted in the President and C.E.O.'s Annual Report that if the financial structure to reduce the debt load does not change it will be extremely difficult to meet future cash flow obligations; and

Whereas the sustainability of the dividend to the City may be in jeopardy;
Therefore be it resolved that Council refer the financial report and statements of the P.U.C. to the Finance Committee for review and report back to Council.

A publicly advertised request for proposal was issued through the Purchasing Division and 8 submissions were received.

A committee comprised of Councillor Bryan Hayes, Terry Greco, Vice President Finance, PUC Inc. and myself reviewed the proposals.

The committee recommends the firm Barker, Dunn & Rossi (Canada) Inc. in association with BDO Dunwoody LLP and Gowlings be retained at a cost of \$73,150.

The cost of the study will be jointly funded by the City and PUC Inc. The 2006 City budget approved an allocation of \$40,000 for this study.

5(p)

Recommendation

Barker, Dunn & Rossi (Canada) Inc. in association with BDO Dunwoody LLP and Gowlings be retained at a cost of \$73,150.

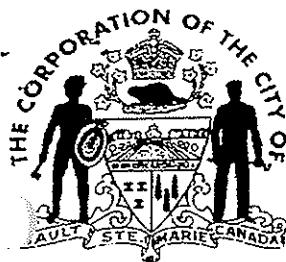
Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachment

J. Fratesi
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer



CITY COUNCIL RESOLUTION

5(p)

Date: October 30, 2006

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

L. Turco
P. Mick

Resolved that the report of the Commissioner of Finance and Treasurer dated 2006 10 30 concerning Study to Review Options for PUC Distribution Company be accepted as information.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED
 DEFERRED

A handwritten signature in black ink, appearing to be "John" or "John H."

SIGNATURE

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

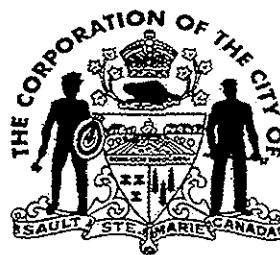
- Comm. Community Services
- Comm. P.W. & Transportation
- City Clerk
- Fire Chief
- Police Chief

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

P.U.C.

William Freiburger, CMA
 Commissioner of Finance
 and Treasurer

Finance Department



2006 10 30

Mayor John Rowswell and
 Members of City Council

Re: Study to Review Options for PUC Distribution Company

The following Council resolution was passed on June 13, 2005.

Moved By: Councillor B. Hayes
 Seconded By: Councillor N. DelBianco

Whereas regulatory burden in both the electrical and water sectors continues to increase; and

Whereas the need for a higher rate of capital replacement in our electrical distribution system will put additional pressure on the P.U.C. cash flow; and

Whereas it has been noted in the President and C.E.O.'s Annual Report that if the financial structure to reduce the debt load does not change it will be extremely difficult to meet future cash flow obligations; and

Whereas the sustainability of the dividend to the City may be in jeopardy;
 Therefore be it resolved that Council refer the financial report and statements of the P.U.C. to the Finance Committee for review and report back to Council.

Background

The PUC public electrical utility was transferred to PUC Inc. in 2000 as a result of Provincial reforms of the electric industry in Ontario.

The electric utility became a Local Distribution Company (LDC) in a company called PUC Distribution Inc. that is wholly owned by PUC Inc. The City is sole shareholder of PUC Inc.

As part of the capital structure of PUC Inc., the City holds \$40,240,000 of notes from PUC Inc. The City has received an annual interest payment of \$2.5 million for the past five years. When the debt level was increased in 2001 to \$40,240,000 it was intended to be a temporary tax planning measure to be reviewed on a periodic basis. P.U.C. Inc. has concerns about their long term ability to maintain the annual interest payment at the current levels which directly impacts on the municipal budget.

These promissory notes issued by PUC Inc. to the City may have to be restructured within 10 years of issue.

5(p)

Review Process

At the September 27, 2005 Finance Committee Meeting, the PUC presented their financial statements and discussed the need for changes to the PUC capital structure.

The Finance Committee approved a working group be established with City and PUC staff along with Councillor Bryan Hayes to address such issues as interest payments to the City, PUC capital structure, the state of PUC infrastructure, valuation of the PUC and the role of non-core business units in PUC. Recommendations from the working group would be brought back to the Finance Committee for review and approval before being forwarded to City Council.

Due to the complexity of this issue, the working group of the Finance Committee requires external expertise to recommend options for a new capital structure and analyze strategic options for the LDC including retaining, divesting and expansion.

The 2006 budget allocated \$40,000 for a study of PUC Inc. to address the above issues.

City and PUC Inc. staff will jointly review the proposals and make recommendations to the City Finance Committee.

A request for proposal has been issued to retain a consultant and once the responses are received and reviewed, the Finance Committee will recommend a consultant to Council before the tender is awarded.

This is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

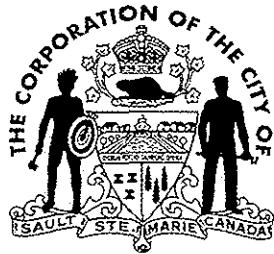
WF/kl

Joseph M. Fratesi
RECOMMENDED FOR APPROVAL
Chief Administrative Officer



5(2)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 01 15

Mayor John Rowswell and
Members of City Council

Re: F.J. Davey Home

In 2005, the City received an interim reimbursement of \$1,139,122.50 from the sale of the old F.J. Davey Home.

The attached letter from the Board of Management for Algoma District Homes for the Aged indicates the final disbursement to the City for the property sale is \$155,242.79.

These funds are considered revenue for 2006.

This report is provided for the information of Council.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Freiburger".

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachments

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

ALGOMA MANOR
135 DAWSON STREET
THESSALON, ONTARIO
P0R 1L0
842-2840
FAX 842-2650

5(q)



December 8, 2006

Dear Sir/Madam:

The Board of Management for the Algoma District Homes passed a resolution at their November 22nd, 2006 meeting authorizing the disbursement of the balance of the net proceeds realized on the sale of its property located at 860 Great Northern Road, Sault Ste. Marie, ON (former F.J. Davey Home).

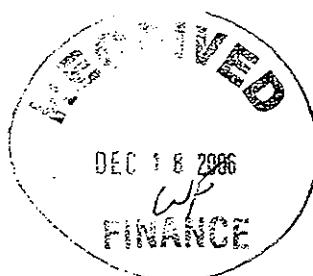
Please find enclosed a spreadsheet which provides the apportionment of the net proceeds calculated in accordance with Ministry of Health and Long-Term Care direction to use the average of ten years contribution to the operation of the F.J. Davey Home, the amount distributed in May 2005 and the final disbursement amount. A summary of the components of the net proceeds can also be found on the spreadsheet.

A cheque is enclosed which represents the final amount to be disbursed to your municipality. This disbursement concludes the Board's transactions with respect to the above noted property.

Yours truly,

Karen Mascarelli, CA
Executive Director of Finance &
Corporate Services

encl.



RECEIVED	
CITY CLERK	
DEC 18 2006	
NO.:	5d679
DIST.:	Finance

ALGOMA DISTRICT HOMES
 FINAL DISBURSEMENT OF NET PROCEEDS ON FJD PROPERTY SALE
 USING AVERAGE OF TEN YEARS EQUALIZATION FACTORS 1995 THROUGH 2004
 Prepared December 5, 2006

MUNICIPALITY	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	TEN YR AVERAGE	TOTAL TO BE DISBURSED	INTERIM DISBURSEMENT	FINAL DISBURSEMENT
Town of Blind River	2.772	2.724	2.699	2.699	2.699	2.699	2.699	2.699	2.699	2.699	2.7088	45,821.09	40,632.00	5,189.09
Town of Bruce Mines	0.383	0.422	0.460	0.460	0.460	0.460	0.460	0.460	0.460	0.460	0.4485	7,809.45	6,727.50	1,081.95
Twp. of Dubreuilville	0.497	0.485	0.514	0.514	0.514	0.514	0.514	0.514	0.514	0.514	0.5094	8,726.21	7,641.00	1,085.21
City of Elliot Lake	5.727	5.243	4.467	4.467	4.467	4.467	4.467	4.467	4.467	4.467	4.6706	75,836.54	70,059.00	5,777.54
Twp. of Hilton	0.304	0.321	0.347	0.347	0.347	0.347	0.347	0.347	0.347	0.347	0.3401	5,891.04	5,101.50	789.54
Village of Hilton Beach	0.141	0.160	0.168	0.168	0.168	0.168	0.168	0.168	0.168	0.168	0.1645	2,852.15	2,467.50	384.65
Twp. of Homepayne	0.866	0.840	0.813	0.813	0.813	0.813	0.813	0.813	0.813	0.813	0.821	13,802.35	12,315.00	1,487.35
Twp. of Jocelyn	0.334	0.362	0.412	0.412	0.412	0.412	0.412	0.412	0.412	0.412	0.3992	6,994.55	5,988.00	1,006.55
Twp. of Johnson	0.500	0.504	0.514	0.514	0.514	0.514	0.514	0.514	0.514	0.514	0.5116	8,726.21	7,674.00	1,052.21
Twp. of Laird	0.627	0.640	0.664	0.664	0.664	0.664	0.664	0.664	0.664	0.664	0.6579	11,272.77	9,868.50	1,404.27
Twp. of MacDonald, Meridith,...	0.882	0.905	0.942	0.942	0.942	0.942	0.942	0.942	0.942	0.942	0.9323	15,992.39	13,984.50	2,007.89
Twp. of Michipicoten	5.852	5.398	5.026	5.026	5.026	5.026	5.026	5.026	5.026	5.026	5.1458	85,326.72	77,187.00	8,139.72
Twp. of Huron Shores	1.533	1.505	1.469	1.469	1.469	1.469	1.469	1.469	1.469	1.469	1.479	24,939.31	22,185.00	2,754.31
Twp. of North Shore	0.784	0.764	0.747	0.747	0.747	0.747	0.747	0.747	0.747	0.747	0.7524	12,681.87	11,286.00	1,395.87
Twp. of Plummer Add'l	0.500	0.503	0.508	0.508	0.508	0.508	0.508	0.508	0.508	0.508	0.5067	8,624.35	7,600.50	1,023.85
Twp. of Prince	0.638	0.654	0.677	0.677	0.677	0.677	0.677	0.677	0.677	0.677	0.6708	11,493.47	10,062.00	1,431.47
City of Saul Ste. Marie	74.274	75.205	76.242	76.242	76.242	76.242	76.242	76.242	76.242	76.242	75.9415	1,294,365.29	1,139,122.50	155,242.79
Twp. of Shedden	0.374	0.375	0.374	0.374	0.374	0.374	0.374	0.374	0.374	0.374	0.3741	6,349.42	5,611.50	737.92
Twp. of St Joseph	1.010	1.048	1.105	1.105	1.105	1.105	1.105	1.105	1.105	1.105	1.0898	18,759.66	16,347.00	2,412.66
Twp. of Tarbutt & Tarbutt Add'l	0.398	0.405	0.407	0.407	0.407	0.407	0.407	0.407	0.407	0.407	0.4059	6,909.66	6,088.50	821.16
Town of Thessalon	0.737	0.732	0.716	0.716	0.716	0.716	0.716	0.716	0.716	0.716	0.7197	12,155.58	10,795.50	1,360.08
Twp. of White River	0.867	0.805	0.729	0.729	0.729	0.729	0.729	0.729	0.729	0.729	0.7504	12,376.28	11,256.00	1,120.28
	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,697,706.37	1,500,000.00	197,706.37

SUMMARY OF NET PROCEEDS:

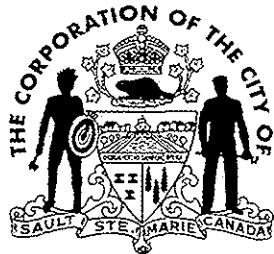
SALE PRICE	1,771,750.00
AUCTION PROCEEDS	11,542.26
INTEREST & OTHER REVENUE	23,820.43
LEGAL & OTHER COSTS OF SALE	(19,225.82)
INSURANCE, UTILITIES AND MAINTENANCE	(90,180.50)
NET PROCEEDS TO BE DISBURSED	1,697,706.37
INTERIM DISBURSEMENT MAY 2005	1,500,000.00
NET TO BE DISBURSED	197,706.37

(b)5



William Freiburger, CMA
Commissioner of Finance
and Treasurer

Finance Department



2007 01 15

Mayor John Rowswell and
Members of City Council

Re: 2007 Assessment Roll

The 2007 assessment roll has been received and the attached summary indicates the 2007 assessment roll will result in revenue loss of \$408,865.31 based on 2006 tax rates.

The Province has frozen the current value re-assessment for 2007 and 2008 at the January 1, 2005 current values.

Property values are still subject to appeal by the property owner.

Tax appeals had a significant impact on the 2007 tax roll.

The large industrial class experienced an assessment reduction of \$15.4 million due to a decrease of \$13 million from Algoma Steel Inc. and \$2.3 million from Boniferro Mill Works Inc.

The residential class had a net increase of \$11.5 million. Included in the total increase was a reduction of \$9.4 million in co-op housing values due to MPAC valuation policy changes.

There are still several significant multi year tax appeals outstanding including Algoma Tubes, Great Lakes Power, and the major malls. Many other commercial and industrial properties are under appeal for 2006.

We have been utilizing the services of Rick Moffatt, a former Assessment Commissioner to represent the City through the assessment appeal process with major taxpayers.

The City has applied to the Province for special assistance for the Algoma Steel Inc. tax appeal refund of \$2.4 million.

- More -

5(r)

Each year an allocation of \$1 million is included in the budget for tax adjustments and appeals. We will continue to review this allocation to determine if it is adequate to finance the tax appeals.

Our goal is to have a stable tax base where we can provide a level of service year after year without significant tax increases due to assessment appeal losses.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kI

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

2006 - 2007 Comparative Assessment Roll Report
 Taxable Assessments
 (2006 Assessment for 2007 Taxation)
 Official Roll Total

5(r)

Taxation Year		2006	2007			*Municipal Taxes
PROPERTY CLASS	RTC/ RTQ	Current Value Assessment	Current Value Assessment	Increase/ Decrease	Percent Change	
1 - RESIDENTIAL	RT	2,616,512,055	2,628,099,225	11,587,170	0.44%	203,798.95
FULL SHARED	RH	57,500	57,500	0	0.00%	-
2 - MULTI-RESIDENTIAL	MT	160,319,055	159,891,455	-427,600	-0.27%	(9,979.82)
3 - COMMERCIAL (OCCUPIED)	CT	393,565,478	396,866,550	3,301,072	0.84%	101,032.79
EXCESS LAND	CU	3,181,670	2,948,455	-233,215	-7.33%	(4,968.70)
VACANT LAND	CX	9,768,690	9,540,790	-227,900	-2.33%	(5,129.52)
FULL SHARED	CH	1,550,500	1,550,500	0	0.00%	-
TAXABLE VACANT LAND SHARED PIL	CJ	75,000	75,000	0	0.00%	-
GENERAL RATE ONLY	CM	1,438,000	1,438,000	0	0.00%	-
3a SHOPPING CENTRES (OCCUPIED)	ST	99,418,690	98,964,960	-453,730	-0.46%	(14,659.97)
3b OFFICE BUILDINGS (OCCUPIED)	DT	7,089,910	7,089,910	0	0.00%	-
3c PARKING LOTS	GT	1,760,900	1,691,000	-69,900	-3.97%	(1,573.29)
4 - INDUSTRIAL (OCCUPIED)	IT	28,842,226	31,267,345	2,425,119	8.41%	80,774.86
EXCESS LAND	IU	371,830	426,371	54,541	14.67%	1,179.22
VACANT LAND	IX	2,451,930	2,651,930	200,000	8.16%	4,552.91
FULL SHARED	IH	3,744,100	3,744,100	0	0.00%	-
TAXABLE VACANT LAND SHARED PIL	IJ	57,000	57,000	0	0.00%	-
4a LARGE INDUSTRIAL (OCCUPIED)	LT	148,793,823	133,379,334	-15,414,489	-10.36%	(769,246.35)
EXCESS LAND	LU	1,681,153	1,791,485	110,332	6.56%	3,578.91
5 - PIPELINE	PT	17,748,000	17,810,000	62,000	0.35%	1,606.47
6 - FARM	FT	1,548,255	1,551,200	2,945	0.19%	6.69
7 - MANAGED FORESTS	TT	702,130	739,530	37,400	5.33%	161.55
TOTAL TAXABLE		3,500,677,895	3,501,631,640	953,745	0.03%	(408,865.31)

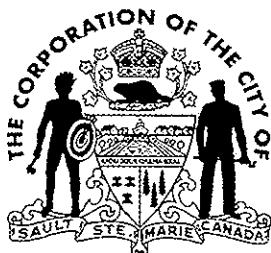
Prepared by: Tax & Licence Division
 Finance Department
 2007 01 05

* Based on 2006 Municipal Tax Rates



5(s)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 01 15

Mayor John Rowswell
and Members of City Council

Re: 2007 Allocation for the Ontario Municipal Partnership Fund (OMPF)

The 2007 allocation for the City of Sault Ste. Marie under the Ontario Municipal Partnership Fund program is \$26,403,830. This is an increase of \$462,739 or 1.8% over the 2006 allocation of \$25,941,091.

Province wide, the OMPF program will provide \$824 million to municipalities, which is an 8% increase over the 2006 funding level.

In 2005, the OMPF program replaced the Community Reinvestment Fund (CRF). In 2004, the City received \$21,448,000 in CRF funding.

The attached schedule details the changes in the 2007 OMPF grant. Listed below are highlights of the major grant components.

Highlights of the 2007 OMPF Grant for Sault Ste. Marie as compared to 2006

Northern Communities Grant increased by \$181,740 to \$7,893,180.

The Province increased the grant per household to \$235 per household from the 2006 level of \$230. The number of households in 2007 is 33,588 as compared to 33,528 in 2006.

Assessment Equalization Grant increased by \$257,681 to \$10,166,551.

The Province increased the threshold assessment to \$187,000 per household from the 2006 level of \$185,000. The subsidy per household was decreased to \$58 per household from the 2006 level of \$60.

Social Programs Grant increased by \$366,423 to \$12,069,085.

This grant provides funding to municipalities with limited property assessment to support the municipal share of eligible social program costs. Funding is provided to municipalities whose costs for these programs exceed the revenue that could be raised by levying .178% per cent property tax on their assessment base.

Based on estimated eligible social service costs of \$20,129,107, the City is expected to levy \$8,060,022 with the balance of \$12,069,085 being eligible for the Social Programs Grant.

The following is the list of Eligible Social Program Costs

- Ontario Works Income Support: 20 per cent
- Ontario Works Administration: 50 per cent
- Ontario Disability Support Program Income Support: 20 per cent
- Ontario Disability Support Program Administration: 50 per cent
- Ontario Drug Benefit: 20 per cent of cost of benefits for Ontario Works and Ontario Disability Support Program recipients and dependents
- Child Care: 20 per cent of cost of child care programs, 50 per cent of administration
- Social Housing: 100 per cent of devolved costs as of 2002
- National Child Benefit: reinvestment of municipal savings

Phase In Adjustment increased by \$343,105 to \$3,724,986.

A phase in adjustment of \$3,724,986 was applied to the 2007 grant as compared to \$3,381,881 in 2006.

Base on the individual grant formulas, the City should have received an additional \$3,724,986 in 2007. The Phase In Adjustment is a capping process on the grant. The grant increase is limited to \$100 per household in 2007 as compared to \$90 in 2006.

As with property taxes, our grant increases are limited in order to fund those municipalities with grant reductions.

The Phase In Adjustment increases to \$150 per household in 2008 and is eliminated in 2009 and beyond which means the City would receive all funds earned. This will be a significant benefit to the City but we must wait to see if the current grant formulas are maintained in future years.

5(s)

Report to Council – 2007 Allocation for the Ontario Municipal Partnership Fund
2007 01 15
Page 3.

Final 2005 and Updated 2006 OMPF Grant

The OMPF grant is based on estimates for 2007 based on 2006 activity. The grant formula is updated in the fall and a final grant allocation is provided when all financial information has been finalized.

The 2005 grant has been confirmed at the reported amount of \$25,529,651. A Fall Update for the 2006 grant was also received and it continues to calculate the 2006 grant at \$25,941,091 as originally reported. The 2006 Fall Update increases the phase in adjustment to \$3,616,154 from the original estimate of \$3,381,881.

It is important to note that the final grant allocation is dependant on actual financial information. The 2005 actual final grant information was provided in December 2006. The Province has guaranteed that no municipality will see a revenue loss in 2007 compared to the funding announced in March 2006.

Public Health Net Benefit

On the 2007 OMPF allocation form a line item indicates other Provincial Initiatives that benefit municipalities.

In Item E.1, it indicates a benefit of \$907,957 for the City of Sault Ste. Marie. The following explanation is provided.

The projected municipal benefit of the Province's increased share of Public Health funding to 75% in 2007 relative to 55% in 2005. This is a two-year cumulative total, which assumes that the growth rate for public health unit budgets in 2006 is repeated in 2007. Actual municipal savings may vary based on public health unit budget approvals.

Staff will be meeting with the Algoma Health Unit to review this information.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kf

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(s)

Report to Council – 2007 Allocation for the Ontario Municipal Partnership Fund
2007 01 15
Page 4.

attachments

1. 2007 OMPF Allocation Notice (Pg. 1.1 – 1.3)
2. Analysis of 2007 OMPF grant compared to 2006 (Pg. 2)
3. OMPF – Sections of the 2007 Technical Guide (Pg. 3.1 – 3.3)
4. 2006 OMPF Original Allocation Notice (Pg. 4)
5. 2006 OMPF Updated Allocation Notice (Pg. 5.1 – 5.3)
6. Letter from Minister of Finance (Pg. 6.1 – 6.3)

Ontario Municipal Partnership Fund (OMPF)
2007 Allocation Notice (See Enclosed Insert)



City of Sault Ste Marie

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2007 Highlights for the City of Sault Ste Marie

- The 2007 OMPF allocation of \$26,403,830 is \$462,739 higher than the March 2006 Announced OMPF allocation.

A. Sum of OMPF Grant Components		\$26,403,830	
1. Social Programs Grant			
a. Assessment Threshold Component		\$12,069,085	
b. Income Threshold Component		-	
2. Equalization Grant			
a. Assessment Equalization Component		\$10,166,551	
b. Farmland and Managed Forest Component		-	
3. Northern and Rural Communities Grant			
a. Rural Communities Component		-	
b. Northern Communities Component		\$7,893,180	
c. Northern and Rural Social Programs Component		-	
d. Stabilization Component		-	
4. Police Services Grant		-	
5. Phase-In Adjustment			
Funding increase limited to \$100 per household compared to 2004 CRF payments		\$3,724,986	
B. Additional Assistance		-	
C. 2007 OMPF Allocation + Additional Assistance (A + B)		\$26,403,830	
D. Grant Allocation Summary	Funding Allocation	Funding Increase Over Prior Year	Funding Increase Over 2004 CRF
1. 2004 CRF Payments	\$21,448,000	-	-
2. 2005 October Announced Total OMPF Allocation	\$25,529,651	\$4,081,651	\$4,081,651
3. 2006 March Announced Total OMPF Allocation	\$25,941,091	\$411,440	\$4,493,091
4. 2007 Total OMPF Allocation + Additional Assistance	\$26,403,830	\$462,739	\$4,955,830
E. Other Provincial Initiatives			\$2,094,519
1. 2007 Estimated Public Health Net Benefit			\$907,957
2. 2007 Estimated Provincial Gas Tax Revenue			\$1,186,562
F. 2007 Total OMPF Allocation, Additional Assistance, Public Health Benefit and Gas Tax (C + E)			\$28,498,349
G. Key OMPF Data Inputs			
1. Total Municipal Social Program Costs		\$20,129,107	
2. Households		33,588	
3. Total Assessment per Household		\$134,813	
4. Policing Costs per Household		\$538	
5. Rural and Small Community Measure		9.6%	
6. Total Household Income		\$1,542,878,740	

Ontario Municipal Partnership Fund (OMPF)
2007 Allocation Notice (See Enclosed Insert)

City of Sault Ste Marie

2007 OMPF Allocation Notice - Line Item Descriptions

A Total 2007 OMPF allocation after phase-in adjustment.

A1 to A4 The four OMPF grants are summarized in the OMPF brochure and described in detail in the OMPF technical guide – both of these documents can be found on the Ministry of Finance's website at:
<http://www.fin.gov.on.ca/english/community/ompf/>

A5 The Phase-In Adjustment limits a municipality's increase to \$100 per household compared to 2004 CRF payments.

B Municipalities projected to see lower funding in 2007 compared to March 2006 Announced OMPF are eligible for Additional Assistance.

C Sum of the 2007 OMPF allocation and Additional Assistance.

D Grant allocations for 2004, 2005, 2006 and 2007.

E1 The projected municipal benefit of the Province's increased share of Public Health funding to 75% in 2007 relative to 55% in 2005. This is a two-year cumulative total which assumes that the growth rate for public health unit budgets in 2006 is repeated in 2007. Actual municipal savings may vary based on public health unit budget approvals.

E2 The 2007 estimated provincial gas tax revenue that the municipality is projected to receive during the 2007 calendar year.

F Sum of Line C and Line E.

G1 Refers to the costs that municipalities are responsible for under existing cost-sharing arrangements with the province. Includes municipal costs for Ontario Works, Ontario Disability Support Program, Ontario Drug Benefit, Child Care, Social Housing and the reinvestment of National Child Benefit Savings. Details supporting the calculation of these costs are included in the Social Programs Cost Report.

G3 Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.

G4 Refers to the projected 2007 eligible police costs per household.

G5 Represents the proportion of a municipality's population that resides in rural areas or small communities.

G6 Refers to the total household income for all residents of the municipality.

Grant Allocations for the City of Sault Ste Marie

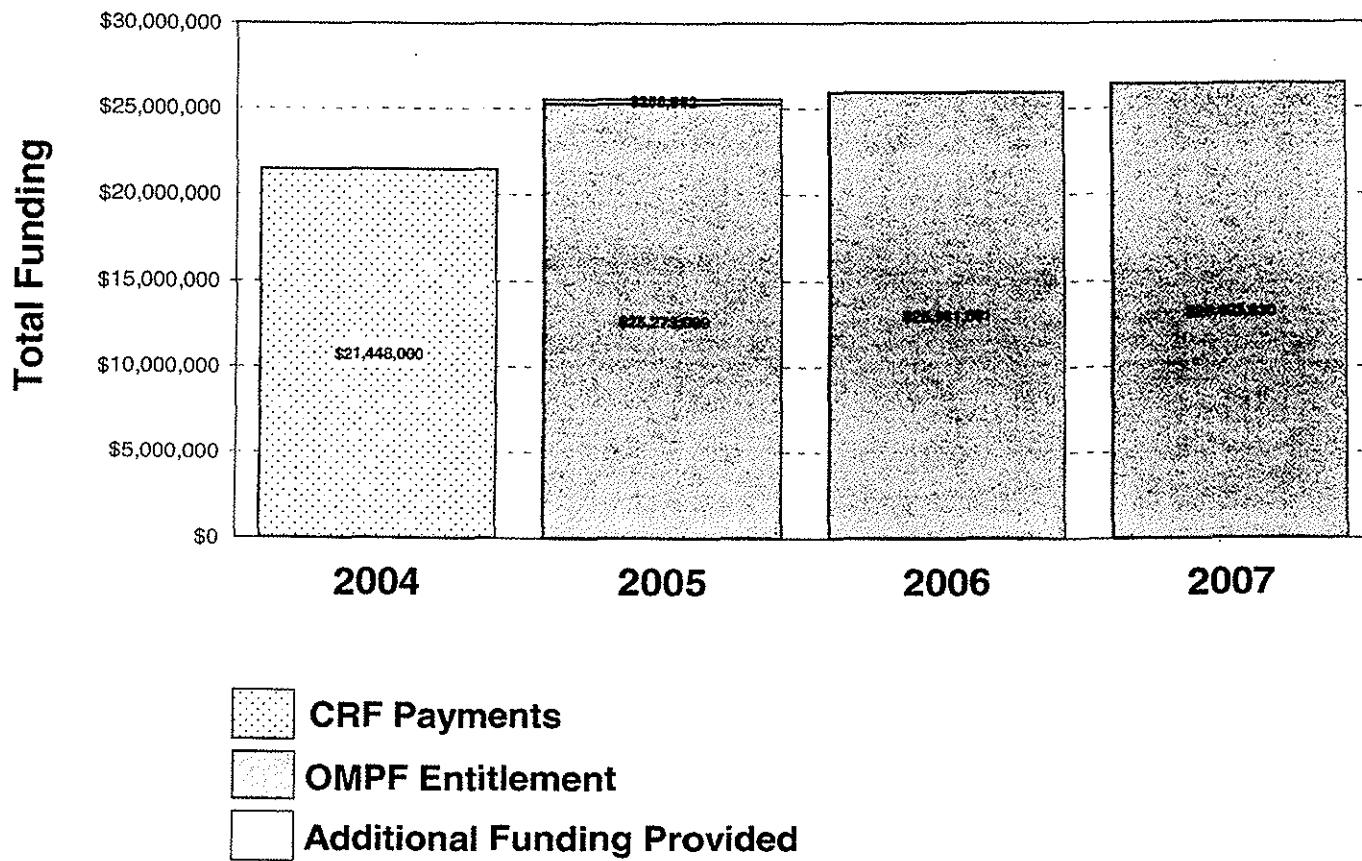


Chart Data

	2004	2005	2006	2007
CRF Payments	\$21,448,000	-	-	-
Base OMPF Funding	-	\$25,273,099	\$29,322,972	\$30,128,816
Phase-In Adjustment	-	-	\$-3,381,881	\$-3,724,986
Additional Assistance	-	\$256,552	-	-
Total Funding	\$21,448,000	\$25,529,651	\$25,941,091	\$26,403,830

Data Sources:

2004 CRF Payments
2005 October Announced OMPF Allocation
2006 March Announced OMPF Allocation

Issued: December 18, 2006

2.
5(s)

2007 Ontario Municipal Partnership Grant

City of Sault Ste. Marie

2007 vs 2006
Variance
Increase

Grant Allocation	2007	2006	(Decrease)
<i>Northern Communities Grant</i>			
\$235 per household x 33,588 households		7,893,180	
\$230 per household x 33,528 households		7,711,440	
Increase in Northern Communities Grant			181,740
<i>Assessment Equalization Grant</i>			
2007 Threshold Assessment	187,000		
Sault Ste. Marie Assessment per house	<u>134,813</u>		
Variance per house	<u>52,187</u>		
Divide by \$10,000	<u>5.21870</u>		
Multiply by the \$58 per every\$10,000 of assessment	<u>58</u>		
Multiply by the number of homes	<u>302.68</u>		
	<u>33,588</u>		
	10,166,551	10,166,551	
2006 Threshold Assessment	185,000		
Sault Ste. Marie Assessment per house	<u>135,743</u>		
Variance per house	<u>49,257</u>		
Divide by \$10,000	<u>4.9257</u>		
Multiply by the \$60 per every\$10,000 of assessment	<u>60</u>		
Multiply by the number of homes	<u>295.54</u>		
	<u>33,528</u>		
	9,908,870	9,908,870	
Increase in Equalization Grant			257,681
<i>Social Programs Grant</i>			
Increase in the Social Programs Grant	12,069,085	11,702,662	366,423
Details not provided			
2007 grant based on funding social programs whose costs exceed the revenue that could be raised by levying a .18% tax rate on the assessment base.			
2006 grant based on funding social programs whose costs exceed the revenue that could be raised by levying a .18% tax rate on the assessment base.			
Subtotal	30,128,816	29,322,972	805,844
<i>Phase In Adjustment</i>			
2007 Maximum increase of \$100 per household based on the 2004 CRF	- 3,724,986		
2006 Maximum increase of \$90 per household based on the 2004 CRF	- 3,381,881		
Increase in Phase In Adjustment			343,105
Total Grant	26,403,830	25,941,091	462,739

PHASE-IN STRATEGY

In 2006, the four-year phase-in strategy introduced in March 2005 was extended by two years to provide further support to municipalities seeing lower funding in 2009 and 2010.

The resulting phase-in parameters are provided below:

Phase-In Parameters	2005	2006	2007	2008	2009	2010
Maximum Per Household Increase (\$)	80	90	100	150	-	-
Maximum Per Household Decrease (\$)	0	0 (See note A)	0 (See note B)	50	75	100
Maximum Municipal Decrease (\$)	0	0 (See note A)	0 (See note B)	1,000,000	1,500,000	2,000,000

Per household revenue changes under the OMPF are compared to payments each municipality received under the CRF in 2004 and are expressed as the residential tax impact per household.

There will be no limit on funding increases after 2008.

Notes:

Note A: The maximum decrease for 2006 was the lesser of \$10 per household or \$250,000. However, with additional assistance, no municipality saw revenue losses in 2006, compared to funding announced in 2005.

Note B: The maximum decrease for 2007 is the lesser of \$25 per household or \$500,000. However, with additional assistance, no municipality will see revenue losses in 2007, compared to funding announced in March 2006.

APPENDIX B — DATA SOURCES

Data	Year	Source
Live Program Costs*		
Social Assistance	2007 projections based on 2006 actuals and service contract amounts, and 2006 inter-municipal cost shares	Ministry of Community and Social Services (MCSS) Ministry of Children and Youth Services (MCYS)
Child Care		
Reinvestment of National Child Benefit Savings	2006 projection based on 2005 actuals	MCSS/MCYS
Ontario Provincial Police (OPP)	2007 projected costs	OPP
Municipal Police	2007 projected costs based on 2005 actuals	Projection based on municipal Financial Information Returns (FIR)
Other Program Costs		
Social Housing	2002 devolved costs and 2006 inter-municipal cost shares	Ministry of Municipal Affairs and Housing, Consolidated Municipal Service Managers, and District Social Services Administration Boards
Weighted Assessment	2007 returned roll and 2007 starting tax ratios	Municipal Property Assessment Corporation (MPAC) and municipal tax rate bylaws
Farmland and Managed Forest Tax Revenue	2006 returned roll and 2006 tax rates	
Estimated Own Purpose Taxation	2005	Municipal FIRs
Estimated Payments in Lieu Revenues		
Demographic & Income Data		
Number of Households	2006	MPAC Enumeration
Rural and Small Community Measure	2001	Census, Statistics Canada
Total Household Income	2001	Census, Statistics Canada
* Note: Live Program Costs and Cost Shares will be updated in-year to reflect more up-to-date costs.		

APPENDIX C — SUMMARY OF 2007 REFINEMENTS AND UPDATES

The following table summarizes the refinements and updates to OMPF grant parameters:

Description, Benefit Type and Eligibility Criteria	2005	2006	2007
I. Social Programs Grant			
1. Assessment Based			
• Percentage of Weighted Assessment	0.20%	0.18%	0.178%
• Reinvestment of National Child Benefit Savings	Not included	Included	Included
2. Income Based			
• Per household limit of the Income Threshold Component	n/a	\$35	\$50
• Reinvestment of National Child Benefit Savings	n/a	Included	Included
II. Equalization Grant			
1. Assessment Equalization			
• Average Assessment per household	\$170,000	\$185,000	\$187,000
• Funding for each \$10,000 in assessment value	\$62	\$60	\$58
2. Farmland and Managed Forest Assessment			
	Single-tier: up to 150% of single-tier revenue	Single-, lower-, and upper-tiers: up to 300% of their respective revenues	Single-, lower-, and upper-tiers: up to 300% of their respective revenues
	Lower-tier: up to 150% of total upper- and lower-tier revenue		
	Upper-tier: Not eligible		
III. Northern and Rural Communities Grant			
1. Rural Communities			
• Per household funding	\$150	\$153	\$156
2. Northern Communities			
• Per household funding	\$225	\$230	\$235
3. Northern and Rural Social Programs			
• Percentage of tax revenue	15%	14%	13%
• Reinvestment of National Child Benefit savings	Not included	Included	Included
IV. Police Service Grant			
• Per household funding level	50% of eligible costs over \$150 per household	50% of eligible costs between \$150 and \$750 per household, and 75% of eligible costs over \$750 per household	50% of eligible costs between \$150 and \$750 per household, and 75% of eligible costs over \$750 per household
Phase-In Strategy			
• Grant Reductions after 2008	No limit after 2008	\$75 per household to a maximum of \$1.5 million in 2009; \$100 per household to a maximum of \$2 million in 2010	\$75 per household to a maximum of \$1.5 million in 2009; \$100 per household to a maximum of \$2 million in 2010

Ontario Municipal Partnership Fund (OMPF)
2006 Allocation Notice (See Enclosed Insert)



Ontario

City of Sault Ste Marie

80101

2006 Highlights for the City of Sault Ste Marie

- The 2006 OMPF allocation of \$25,941,091 is \$411,440 higher than the 2005 OMPF allocation.

A. 2006 OMPF Allocation and Phase-In Adjustment (A1 + A2 + A3 + A4 + A5)		\$25,941,091
1. Social Programs Grant		\$11,702,662
2. Equalization Grant		\$9,908,870
a. Assessment Equalization		-
b. Farmland and Managed Forest		-
3. Northern and Rural Communities Grant		\$7,711,440
a. Rural Communities		-
b. Northern Communities		-
c. Northern and Rural Social Programs		-
d. Stabilization		-
4. Police Services Grant		-
5. Phase-In Adjustment		-\$3,381,881
Funding increase limited to \$90 per household compared to 2004 CRF payments		
B. Additional One-Time Special Assistance		-
C. 2006 OMPF Allocation + Additional One-Time Special Assistance (A + B)		\$25,941,091
D. Grant Allocations for 2004, 2005 & 2006		
1. 2004 CRF Payments	Funding Allocation	Funding Increase Over Prior Year
2. 2005 Total OMPF Allocation	\$21,448,000	\$4,081,651
3. 2006 Total OMPF Allocation + Additional One-Time Special Assistance	\$25,529,651	\$411,440
		\$4,493,091
E. Other Provincial Initiatives		
1. 2006 Estimated Public Health Net Benefit		<i>to be determined</i>
2. 2006 Estimated Provincial Gas Tax Revenue		<i>to be determined</i>
F. 2006 Total OMPF Allocation, Additional One-Time Assistance, Public Health Benefit and Gas Tax (C + E)		<i>to be determined</i>
G. Key OMPF Data Inputs		
1. Total Municipal Social Program Costs		\$19,894,824
2. Households		33,528
3. Total Assessment per Household		\$135,743
4. Policing Costs per Household		\$521
5. Rural and Small Community Measure		9.6%

5.1
5(s)**Fall 2006 Update****Ontario Municipal Partnership Fund (OMPF)
2006 Allocation Notice**

City of Sault Ste Marie

80101

2006 Highlights for the City of Sault Ste Marie

- Based on the March 2006 OMPF allocation, the City of Sault Ste Marie received \$411,440 more than the payment it received through the Fall 2005 updated OMPF allocation.

A. Sum of OMPF Grant Components - Updated Fall 2006	\$25,941,091																												
1. Social Programs Grant																													
a. Assessment Threshold Component	\$11,936,944																												
b. Income Threshold Component	-																												
2. Equalization Grant																													
a. Assessment Equalization Component	\$9,908,870																												
b. Farmland and Managed Forest Component	-																												
3. Northern and Rural Communities Grant																													
a. Rural Communities Component	-																												
b. Northern Communities Component	\$7,711,440																												
c. Northern and Rural Social Programs Component	-																												
d. Stabilization Component	-																												
4. Police Services Grant	-																												
5. Phase-In Adjustment																													
Funding increase limited to \$90 per household compared to 2004 CRF payments	-\$3,616,164																												
B. Additional One-Time Special Assistance	-																												
C1. March 2006 Announced Total Allocation (Line C of March 2006 Allocation Notice)	\$25,941,091																												
C2. 2006 In-Year Update Payment (If Applicable)	-																												
D. Grant Allocations for 2004, 2005 & 2006	<table border="1"> <thead> <tr> <th></th><th>Funding Allocation</th><th>Funding Increase Over Prior Year</th><th>Funding Increase Over 2004 CRF</th></tr> </thead> <tbody> <tr> <td>1. 2004 CRF Payments</td><td>\$21,448,000</td><td>-</td><td>-</td></tr> <tr> <td>2. 2005 Fall Updated Total OMPF Allocation</td><td>\$25,529,651</td><td>\$4,081,651</td><td>\$4,081,651</td></tr> <tr> <td>3. 2006 March Announced Total Allocation</td><td>\$25,941,091</td><td>\$411,440</td><td>\$4,493,091</td></tr> </tbody> </table>		Funding Allocation	Funding Increase Over Prior Year	Funding Increase Over 2004 CRF	1. 2004 CRF Payments	\$21,448,000	-	-	2. 2005 Fall Updated Total OMPF Allocation	\$25,529,651	\$4,081,651	\$4,081,651	3. 2006 March Announced Total Allocation	\$25,941,091	\$411,440	\$4,493,091												
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E. Other Provincial Initiatives	\$1,392,904																												
1. 2006 Estimated Public Health Net Benefit	\$429,571																												
2. 2006 Estimated Provincial Gas Tax Revenue	\$963,333																												
F. March 2006 Announced Total Allocation with Public Health Benefit and Gas Tax (Line C1 + Line E)	\$27,333,995																												
G. Key OMPF Data Inputs	<table border="1"> <thead> <tr> <th></th><th>March 2006</th><th>November 2006</th><th>% Change</th></tr> </thead> <tbody> <tr> <td>1. Total Municipal Social Program Costs</td><td>\$19,894,824</td><td>\$20,129,107</td><td>1.2%</td></tr> <tr> <td>2. Households</td><td>33,528</td><td>33,528</td><td></td></tr> <tr> <td>3. Total Assessment per Household</td><td>\$135,743</td><td>\$135,743</td><td></td></tr> <tr> <td>4. Policing Costs per Household</td><td>\$521</td><td>\$529</td><td>1.5%</td></tr> <tr> <td>5. Rural and Small Community Measure</td><td>9.6%</td><td>9.6%</td><td></td></tr> <tr> <td>6. Total Household Income</td><td>\$1,542,878,740</td><td>\$1,542,878,740</td><td></td></tr> </tbody> </table>		March 2006	November 2006	% Change	1. Total Municipal Social Program Costs	\$19,894,824	\$20,129,107	1.2%	2. Households	33,528	33,528		3. Total Assessment per Household	\$135,743	\$135,743		4. Policing Costs per Household	\$521	\$529	1.5%	5. Rural and Small Community Measure	9.6%	9.6%		6. Total Household Income	\$1,542,878,740	\$1,542,878,740	
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5.2
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Fall 2006 Update

Ontario Municipal Partnership Fund (OMPF) 2006 Allocation Notice

City of Sault Ste Marie



80101

2006 OMPF Allocation Notice - Line Item Descriptions

A Sum of Fall 2006 Updated OMPF Grant components.

A1 to A4 The four OMPF grants are summarized in the OMPF brochure and described in detail in the OMPF technical guide – both of these documents can be found on the Ministry of Finance's website at:
<http://www.fin.gov.on.ca/english/community/ompf/>

A5 The Phase-In Adjustment limits a municipality's increase to \$90 per household compared to 2004 CRF payments.

B Municipalities projected to see lower funding in compared to the level announced in March 2006 are eligible for Additional One-Time Special Assistance.

C1 The total OMPF and Additional One-Time Special Assistance announced in March 2006.

C2 If applicable, the amount of the In-Year Update payment that will be provided to the municipality. Calculated as the amount by which Line A exceeds Line C.

E1 The projected benefit of the Province's increased share of Public Health funding to 65% in the 2006 calendar year.

E2 The 2006 provincial gas tax revenue that the municipality is estimated to receive during the 2006 calendar year.

F Sum of Line C1 and Line E.

G1 Refers to the costs that the municipality is responsible for under existing cost-sharing arrangements with the Province. Includes municipal costs for Ontario Works, Ontario Disability Support Program, Ontario Drug Benefit, plus Child Care and Social Housing costs. In 2006, this amount also includes the reinvestment of National Child Benefit Savings. Details supporting the calculation of these costs are included in the Social Programs Cost Report.

G3 Refers to the total assessment for a municipality weighted by the tax ratio for each class of property (including payments in lieu of property taxes retained by the municipality) divided by the total number of households.

G4 Refers to the projected 2006 eligible police costs per household.

G5 Represents the proportion of a municipality's population that resides in rural areas or small communities.

G6 Refers to the total household income for all residents of the municipality.

6.1
5(s)

Ministry of Finance

Office of the Minister

Frost Building South
7 Queen's Park Cr
Toronto, ON M7A 1Y7
Tel (416) 325-0400
Fax (416) 325-0374
www.fin.gov.on.ca

Ministry of Municipal Affairs and Housing

Office of the Minister

777 Bay Street
Toronto, ON M5G 2E5
Tel (416) 585-7000
Fax (416) 585-6470
www.mah.gov.on.ca



Ontario

December 18, 2006

Dear Head of Council:

We are pleased to announce the release of the Ontario Municipal Partnership Fund (OMPF) allocations for 2007.

The government is increasing OMPF funding to \$824 million in 2007, \$61 million or 8% more than the 2006 OMPF funding announced last March, and a \$206 million or 33.3% increase over funding received in 2004. This increase reflects our government's commitment to supporting municipalities.

As you know, the OMPF is the Province's main transfer payment to municipalities. The OMPF assists municipalities with their social program costs, includes equalization measures, addresses challenges faced by northern and rural communities, and responds to policing costs in rural communities.

While the basic structure of the OMPF will remain unchanged in 2007, we have introduced further refinements to ensure that the OMPF grants continue to remain up to date and responsive to municipal financial needs.

We are also pleased to advise that additional assistance will be available to municipalities to ensure that the 2007 funding is not less than the funding levels announced in March 2006. The Deputy Ministers of Finance and Municipal Affairs and Housing will provide the details of this additional assistance for affected municipalities.



.../2

Heads of Council
Page 2

Municipal Treasurers and Clerk-Treasurers will also be provided with the details of all OMPF grant enhancements along with *2007 Allocation Notices* and *2007 Cash Flow Notices*. This information and other supporting materials will be posted in both English and French on the Ministry of Finance website:

<http://www.fin.gov.on.ca/english/community/ompf/>
<http://www.fin.gov.on.ca/french/community/ompf/>

For your reference, we have enclosed a brochure, the *Ontario Municipal Partnership Fund 2007*, which provides general information on OMPF grant refinements. The *OMPF Technical Guide* will also be revised to reflect all data updates and specific grant modifications. Any queries can also be directed to the OMPF e-mail address at info.ompf@ontario.ca.

The OMPF is a key component of the government's overall program to support municipalities. Other components include:

- Delivering more than \$1.6 billion in provincial gas tax revenues to municipalities by 2010;
- Investing \$1.2 billion in public transit, roads, and bridges through Move Ontario, which includes \$400 million in 2006 for municipal roads and bridges, with an emphasis on rural and northern communities;
- Increasing the provincial share of public health funding to 75% in 2007;
- Investing \$300M between 2006 and 2008 to move towards a 50:50 partnership for the cost of municipal land ambulance services by 2008;
- Providing \$298 million toward the \$900 million fund for the Canada-Ontario Municipal Rural Infrastructure Fund;
- Assisting more than 200 municipalities with up to \$2.8 billion in low-cost, longer term loans, for more than 1,200 local projects, through Infrastructure Ontario's OSIFA loan program; and
- Providing \$70 million in 2007 to support investments in local infrastructure in rural and small municipalities across Ontario.

6.3
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Heads of Council
Page 3

Finally, as you know, the government has recently expanded its partnership with the municipal sector to examine a better arrangement for delivering and funding municipal services. The OMPF will be included in this Provincial-Municipal Fiscal and Service Delivery Review, which will look broadly at funding, service delivery, accountability, and governance issues to ensure that the best possible services can be delivered in an affordable way.

We remain committed to our partnership with municipalities, and we believe that by working together on shared challenges, we will develop a plan to make sure communities across the province continue to prosper in the years to come.

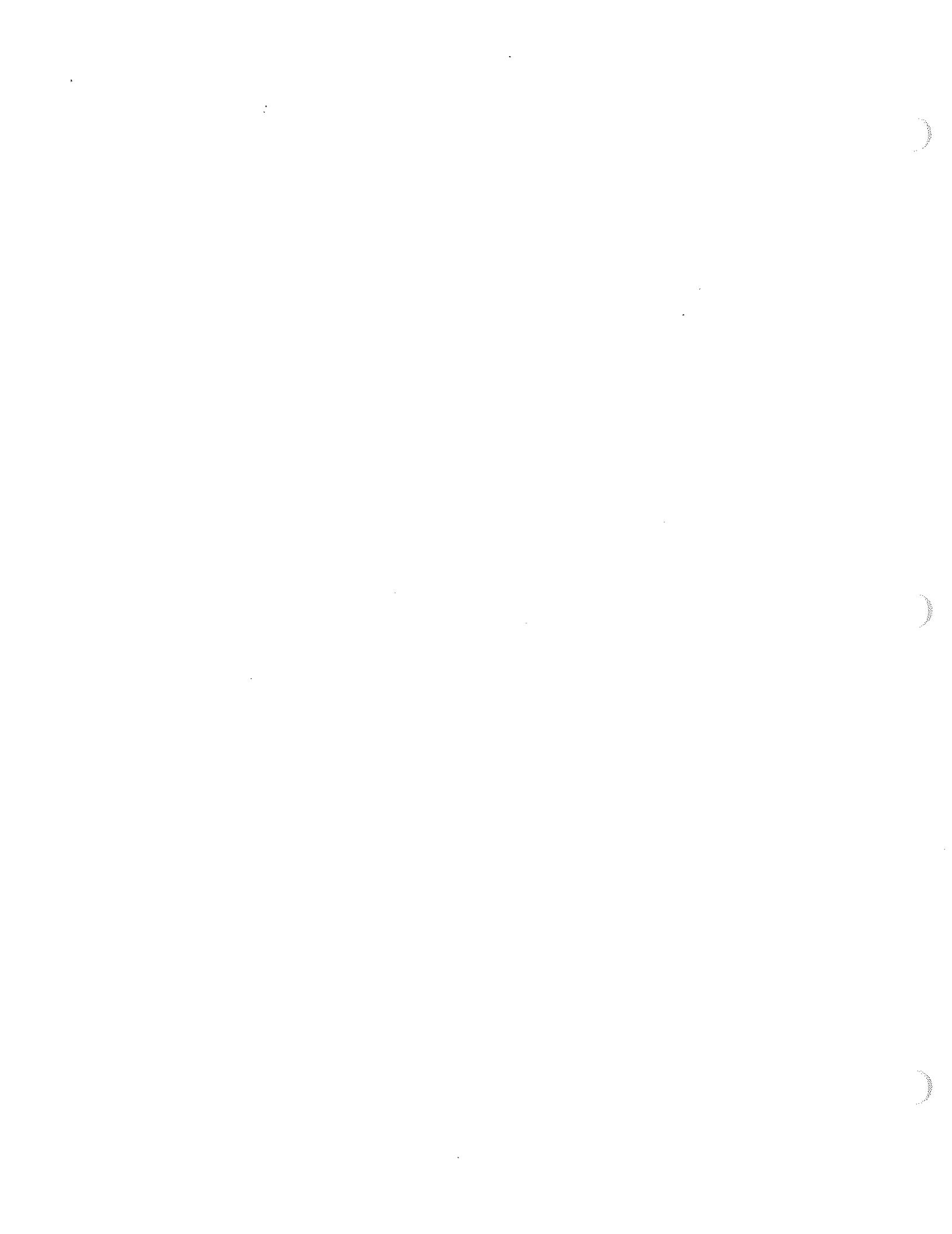
Yours sincerely,



Greg Sorbara
Minister of Finance

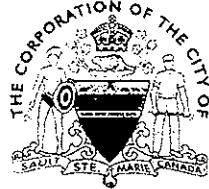


John Gerretsen
Minister of Municipal Affairs and Housing



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DEBORAH BOURN, B.A., R.D.M.R., C.M.M.III
MANAGER RECREATION & CULTURE



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION

Cultural
Historic Sites
Leisure Services/Leadership
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

2007 01 15

Mayor John Rowswell
Members of City Council

HERITAGE BUILDINGS AND THE 1923 PILGRIMAGE OF HISTORY PLAQUES BROCHURE

In 2006 City Council approved the request of the Sault Ste. Marie Municipal Heritage Committee to reprint the "*Heritage Buildings and the 1923 Pilgrimage of History Plaques Brochure*". The brochure was originally produced in the year 2000 as part of the municipality's millennium celebrations and is given free of charge to visitors to our various local heritage museums, historic sites, and cultural institutions.

The 2006 brochure has been updated to also include the following properties designated under Part IV of the Ontario Heritage Act since 2000:

- ◆ The North West Company Lock at 75 Huron Street
- ◆ The Sault Ste. Marie Memorial Tower at 269 Queen Street East
- ◆ The Sault Ste. Marie & District Courthouse at 426 Queen Street East
- ◆ The Sault Ste. Marie Cenotaph at 426 Queen Street East
- ◆ The Rotary Welcome Cairns on Russ Ramsay Way
- ◆ The Ontario Provincial Air Service Hangars at 69 Church Street and the
- ◆ The Forestry Insect Laboratory at 875 Queen Street East

Appended for your information is a copy of the brochure. Additional copies may be acquired at the office of the Recreation & Culture Division.

Distributed on behalf of the Sault Ste. Marie Municipal Heritage Committee,

Deborah Bourn

Deborah Bourn
Manager Recreation & Culture

l/mhc/2006/Memo re heritage brochure council

cc: Members of the M.H.C.

attachments

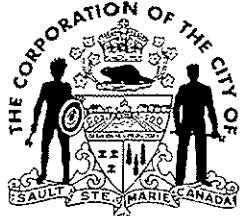
RECOMMENDED FOR APPROVAL

J. Fratesi
Joseph M. Fratesi
Chief Administrative Officer



5(u)

DEBORAH BOURN, B.A., R.D.M.R., C.M.M.III
MANAGER RECREATION & CULTURE



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Cultural
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Roberta Bondar Tent Pavilion
Seniors Services
Sports/Events/Development

2007 01 15

Mayor John Rowswell
Members of City Council

ERMATINGER•CLERGUE NATIONAL HISTORIC SITE

In 2005, City Council gave permission for the Historic Sites Board to make plans for the Interpretation/Restoration of the Ermatinger Old Stone House. The Historic Sites Board received funding from FedNor and a private bequest for a capital project in the amount of \$400,000.00 outlined as:

The Ermatinger Old Stone House Project includes the development of supportive interpretation program and conservation maintenance to ensure that this important national historic building continues to be a significant and sustainable national attraction in the tourism/cultural infrastructure of Sault Ste. Marie.

On Friday, June 9, 2006 the Members of the Historic Sites Board hosted an "Official Re-Opening of the Restored Ermatinger Old Stone House" at the Ermatinger•Clergue National Historic Site. The event provided the board and staff with an opportunity to thank the many individuals, companies, groups and organizations that have assisted the Corporation of the City of Sault Ste. Marie and the Historic Sites Board with the site developments to date.

Appended for your information is a copy of the new brochure for the Ermatinger•Clergue National Historic Site. You are invited to visit this national historic site in the spring of 2007.

Distributed on behalf of the Sault Ste. Marie Historic Sites Board.

Deborah Bourn

Deborah Bourn
Manager Recreation & Culture

lirec&cult/hsb/06/memo re ecnhs brochure council

cc: Members of the H.S.B.
K. Fisher, Curator

attachments

RECOMMENDED FOR APPROVAL

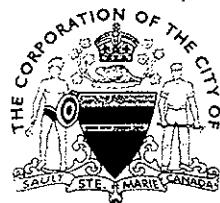
[Signature]
Joseph M. Fratesi
Chief Administrative Officer



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DEBORAH BOURN, B.A., R.D.M.R., C.M.M.III
MANAGER RECREATION & CULTURE

MARGARET HAZELTON, C.M.M.
RECREATION ASSISTANT



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

2007 01 15

Mayor John Rowswell
and Members of City Council

19th Ontario Provincial Harley Owners Group Rally

The 19th Ontario Provincial Harley Owners Group Rally will be taking place August 2 to the 5, 2007. This major event will be utilizing various City owned facilities such as the Steelback Centre, the Roberta Pavilion and Clergue Park. The attached report outlines from the organizers the event that will draw 1,500 visitors to our community with a total of 760 hotel and motel rooms been blocked to accommodate participants.

The focus of the H.O.G. Rally will occur in the downtown central core and hill areas. A component of the H.O.G. Rally event has always been the availability of an overflow outdoor camping location to accommodate approximately 40-50 small tents. City Council approval to waive the existing By-Law and allow overnight camping for this event in the upper portion of Clergue Park would be appreciated.

The event organizers will provide all necessary amenities and security for the use of Clergue Park for overnight camping to include approvals from the Algoma Health Unit. There will be no alcohol, outdoors cooking or fires permitted. Participants would arrive to the designated secure site by motorcycle and their small tent set up adjacent to their bike. The camping area would be supervised at all times and admittance would be by permit only.

We are in support of the 19th Ontario Provincial H.O.G. Rally and would recommend council approval for use of City property as outlined in their attached report. The H.O.G. Rally organizers have agreed to pay all applicable fees attached to accommodate their event.

Your support and approval of their request would be appreciated.

Respectfully submitted,

A handwritten signature in black ink that reads "Margaret Hazelton".

Margaret Hazelton
Recreation Assistant

Recommended for Approval

A handwritten signature in black ink that reads "Nicholas J. Apostle".

Nicholas J. Apostle
Commissioner Community Services

li/Special events/Hog Rally 2007/council report clergue park

cc: N. Apostle, Commissioner Community Services
D. Bourn, Manager Recreation & Culture
R. Travaglini, Manager of Parks

attachment

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink that reads "Joseph M. Fratesi".

Joseph M. Fratesi
Chief Administrative Officer

5(v)



Sault Ste. Marie H.O.G.® Chapter – 9985

Ray Wright Director
45 Autumn Drive, Sault Ste. Marie,
Ontario, Canada,
P6A 4X1

Paul Taillefer Asst. Director
521 Charles St. Sault Ste. Marie,
Ontario, Canada,
P6C 3L7

Margaret Hazelton
Recreation Assistant
City of Sault Ste. Marie
99 Foster Dr.
Sault Ste. Marie, Ont.
P6A 5N1

November 3, 2006

Dear Margaret:

**Re: 19th ONTARIO PROVINCIAL H.O.G. RALLY
PROPOSED USE OF CITY OWNED PROPERTIES**

Further to our meeting of Nov. 1, 2006, this letter is being forwarded to you to present to Council, for approval for the uses of City properties as outlined.

The rally proposed for Aug. 2 - 3- 5th, 2007, has been in the planning stages for approximately 15 months, at this time. We have already made arrangements with the Steelback Centre for use of this facility for our main venue, utilizing many of the services which are provided in the complex. The Roberta Bondar Pavilion is also being used for activities on one evening, and we are working with various other groups in the City for their support also to their benefit.

A total of 760 hotel and motel rooms have been tentatively blocked for the participants for the rally. It is hoped that the event will draw some 1200 to 1500 visitors to our community. To date all of the rooms which we have blocked in the downtown central core, and hill area, have been reserved, and we are now starting to suggest the smaller motels in the area for booking rooms.

The reason for this letter is to request the use of city properties for various activities which are part of the rally and will make this event successful. The properties which we are hoping to be able to use are namely Clergue Park, which we would like made available to us for overflow outdoor accommodations. Past history has an expectant occupancy of this area of approximately 40 - 50 tents only. We are willing to provide all of the necessary amenities for the use of this area. This will include portable privies, hand wash stations, and grey water collection facilities.

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-2-

These requirements can and will be all arranged according to the guidelines of the Algoma Health Unit. There would be no outdoor cooking or live fires allowed in this area during the time of the event. Users of this area will begin to arrive on the afternoon of Aug. 2, 2007 and will depart by noon on Aug. 5, 2007. Security during the period of use, will be provided by our organizing committee and will be on a 24 hour basis.

It is anticipated that a security trailer will be placed on site, which will also be manned 24 hours per day, and auxiliary lighting put in place for the evening and nighttime. There is also a need for a large shade tent, which we will provide, but we understand that locates will have to be done in advance to ensure that there are no problems with utilities which may be located in this area.

Our requirements for the use of the area would be snow fencing around the entire area, so that security can be easily managed. Also needed are picnic tables for use by those tenting in this area.

The second area which we would request the use of is the area known as the North green space, located adjacent to the north parking lot at the Civic Centre. We are hoping to use this area for the on bike games, which will be held on the Saturday afternoon. This is the area which was used during past rallies held in the city known as "Let It Ride". There are no requirements for us for this site, other than being allowed to use the grassed area for the games and the parking lot for vehicle parking.

It would be appreciated if consideration to these requests be given, and that a timely response be received, as there is still a lot of planning to do, and time is starting to run short.

If you require any further information regarding the use of these two areas or our requirements, do not hesitate to contact me at any time at my home at 946-0841.

Thank you for your assistance, and we are anticipating working closely with you to make our event a successful one and a benefit to the City of Sault Ste. Marie.

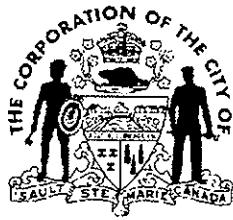
Yours truly,



Paul A. Taillefer
Co-Cordinator
19th Ontario Provincial H.O.G. Rally



Ray Wright
Co-Cordinator



5(w)

2007 01 15

Mayor John Rowswell
and Members of City Council

Steelback Centre Private Suites - Phase II and III

Background

Presently there are 13 private suites, as incorporated in the original design. As a result of the success of the "sales event" for the private suites that took place in June 2005, a tender was issued for Phases II & III. The design for Phase II consists of up to 13 suites and Phase III up to an additional 16 suites. Attached is a copy of the report that went to the previous Council on November 14, 2005 which outlines the process and the rationale for not going ahead with Phase II & III when the facility was being built.

In addition, the structural columns and items such as mechanical and electrical systems have been designed in the existing facility to allow for the additional suites to be constructed at a later date. Furthermore, since the facility has been open, additional requests for suites have been received, adding to the waiting list.

Next Steps

The construction and tender documents including the drawings need only to be updated in order to proceed to the tendering phase.

With Council's approval, staff will move towards issuing a tender for two options: construction of Phase II, and construction of Phase II & III. A report would then be brought back to Council for consideration.

The timing of this matter is such that the tender process should commence by the end of January in order to start construction this spring.

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Recommendation

It is recommended that Council approve the issuing of a tender for two options: construction of Phase II, and construction of Phase II and III of the private suites; and further that the Sports and Entertainment Centre Steering Committee report back to Council.

Respectfully submitted,

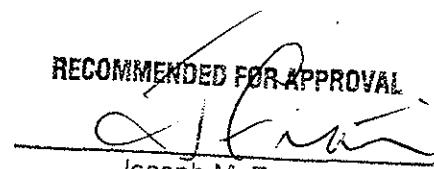


Nicholas J. Apostle
Commissioner Community Services

jb/council/2007/steelback centre private suites

attachment

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

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2005 11 14

Mayor John Rowswell
and Members of City Council

Sault Ste. Marie Sports and Entertainment Centre – Luxury Suites - Phase II & III

The following resolution was passed at the July 11, 2005 Council meeting:

"Resolved that the report of the Commissioner of Community Services dated 2005 07 11 concerning Sports and Entertainment Centre – Luxury Suites be accepted and the recommendation that E.P.O.H. Inc. proceed as outlined in their July 5, 2005 letter to determine the cost of proceeding with Phase II and III of the luxury suites at the Centre and further that their findings be reviewed by the Sports and Entertainment Centre Steering Committee and report to Council with a recommendation on whether to proceed be approved."

Background

The July 11, 2005 report on this matter is attached as a reference.

Phase I suites consists of 13 luxury suites and a media/press box. The cost of this phase is included in the original tender for the new facility.

The detailed design for Phase II & Phase III suites was completed and sent to the contractor for pricing in September. At the October 21, 2005 Sports and Entertainment Centre Steering Committee meeting the costs were received. Phase II suites came in at \$1,657,444.00 while the cost for Phase II & Phase III was \$3,047,234.00. Design fees of \$140,000.00 are not included in the above costs. In addition, the contractor noted that the completion of the project would be extended to December 2006 as a result of implementing the extra suites.

The July 11, 2005 report to Council outlined the concept that the financing of any additional construction for luxury suites would be self-financed from the licensing fees from the suites. Earlier in the project we received information from our cost estimator stating that Phase II suites should be in the neighbourhood of \$1,000,000.00 maximum, which meant a pay back of approximately 15 years. The increase in the cost for Phase II suites only translates into a pay

5(w)

back of approximately 30 years. This is not a prudent time frame for the payment of capital items.

The infrastructure required to construct the additional suites is in the base construction tender. This means that structural columns, and items such as mechanical and electrical systems have been designed to allow for the additional suites to be constructed at a later date. Furthermore, the detailed design of Phase II and Phase III suites belongs to the City and any future tender will not require the design work to be performed.

Recommendation

The Sports and Entertainment Centre Steering Committee passed the following resolution for Council's consideration:

Moved by: Councillor L. Turco
Seconded by: Mark Kontulainen

"Resolved that the Committee recommends that given the financial cost of implementing Phase II/III cannot be self-funded from the licensing fees from the suites to be constructed, and given the delay to the project that would be incurred by going ahead with this additional construction, that Council approve not to proceed with the construction of Phase II/III suites at this time, and further that a future City Council review the suites expansion project."

Respectfully submitted on behalf of the Sault Ste. Marie Sports and Entertainment Centre Steering Committee,



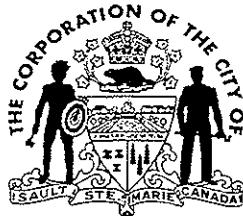
Nicholas J. Apostle
Commissioner Community Services

jb/concences/memorial gardens new/council report/sec luxury suites phase II III

attachment

Jerry D. Dolcetti, RPP
Commissioner

Don W. Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING DEPARTMENT

Building Division

Tel: (705) 759- 5410
Fax: (705) 541-7165

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2007 01 15

File No. 2630

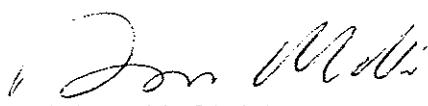
Mayor John Rowswell and
Members of City Council

Re: 248 Albert Street West

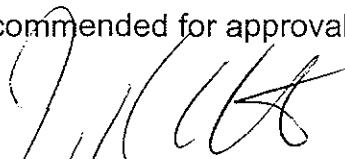
During the course of the past 2 months we had been attempting to get the owner to bring the above noted property into compliance with the minimum standards by-law. The rear yard of the property has a large pile of debris which must be removed from the property. The order to clean up issued to the owners October 13, 2006 has not bee complied with.

It is our recommendation that the corporation hire the forces necessary to carry out the order dated October 13, 2006 by removing the large pile of debris in the rear yard (see photo attached). The costs associated with this action are to be added to the taxes for the subject property. A resolution to this effect appears elsewhere on your agenda.

Respectfully submitted

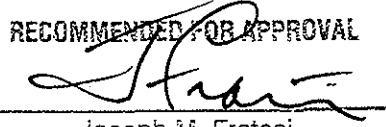

Don W. Maki, CBCO
Chief Building Official
Property Standards Officer

Recommended for approval


Jerry D. Dolcetti, RPP
Commissioner Engineering
and Planning

DWM/ds

RECOMMENDED FOR APPROVAL

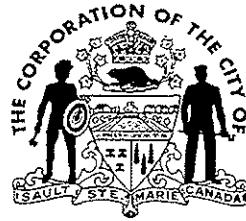

Joseph M. Fratesi
Chief Administrative Officer



5(y)

Jerry D. Dolcetti, RPP
Commissioner

Don W. Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING DEPARTMENT

Building Division

Tel: (705) 759-5410
Fax: (705) 541-7165

2007 01 15

File No. 14046

Mayor John Rowswell and
Members of City Council

Re: 408 Devon Road

An order under the Building Code Act was issued to the above noted property to remove debris and used appliances from the yard as well as cut the grass in the rear yard in order to comply with the minimum standards by-law. Our understanding is that the owner is losing possession of the house and does not want to clean up the property. Attempts to have the property cleaned have been made since May of this year.

It is our recommendation that the corporation hire the forces necessary to carry out the order dated October 17, 2006 by removing the used appliances, debris and cutting the grass in the rear yard. The cost associated with this action are to be added to the taxes for the subject property. A resolution to this effect appears elsewhere on your agenda.

Respectfully submitted

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

Recommended for approval

Jerry D. Dolcetti, RPP
Commissioner Engineering
and Planning

DWM/ds

RECOMMENDED FOR APPROVAL

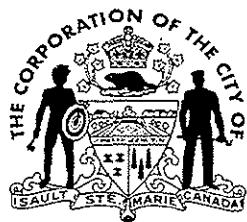
Joseph M. Fratesi
Chief Administrative Officer



5(2)

Jerry D. Dolcetti, RPP
Commissioner

Don W. Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING DEPARTMENT

Building Division

Tel: (705) 759-5410
Fax: (705) 541-7165

2007 01 15

File No. 10753

Mayor John Rowswell and
Members of City Council

Re: 235 Brown Street

During the course of the last 2 months we have been attempting to have the owner bring the above noted property into compliance with the Minimum Standards By-law. An order was issued November 3, 2006 to have the owners remove debris and used furniture from the property (see attached photos). The order remains outstanding.

It is our recommendation that the corporation hire the forces necessary to carry out the order dated November 3, 2006 by removing the used furniture and debris from the property.

Respectfully submitted

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

Recommended for approval

Jerry D. Dolcetti, RPP
Commissioner Engineering
and Planning

DWM/ds

RECOMMENDED FOR APPROVAL

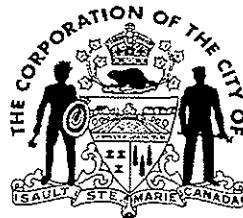
Joseph M. Fratesi
Chief Administrative Officer



5(aa)

Jerry D. Dolcetti, RPP
Commissioner

Don W. Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING DEPARTMENT

Building Division

Tel: (705) 759-5410
Fax: (705) 541-7165

2007 01 15

File No. 9390

Mayor John Rowswell and
Members of City Council

Re: Civic No. 42 Penno Road

During the course of summer we have been attempting to have the above noted property brought up into compliance with the minimum standards by-law. The owners have made some attempts to solve some minor problems through patching up. However the building is in such a state that it is not readily repairable. The owner wants at this time to replace the building and is pursuing this avenue.

AT this time however the building remains and its deteriorated state is quite evident. A second order has been issued and is in non-compliance. The order addresses such things as rotted roof members, a review of the structural integrity of the foundation and replacement of floor structural elements. It is our recommendation that the corporation hire the forces necessary to demolish the building, cap any sewers and grade the site to a safe condition. The costs associated with this action are to be added to the taxes for the subject property. A resolution to this effect appears elsewhere on your agenda.a

Respectfully submitted

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

Recommended for approval

Jerry D. Dolcetti, RPP
Commissioner Engineering
and Planning

DWM/ds

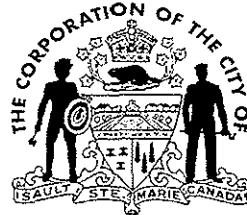
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer



5(bb)

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

January 15, 2007

Mayor John Rowswell
Members of City Council

RE: Biannual Bridge Inspections – Load Restrictions

At the 2006 12 11 meeting, Council approved a by-law placing load restrictions on nine single-lane, 80 year-old bridges in response to recommendations from the consulting engineer who conducted our bi-annual bridge inspections.

This is a major inconvenience for heavy vehicles. The attached electronic mail from our consultant provides the justification for allowing winter maintenance equipment and emergency vehicles over these bridges. The attached letter describes a temporary solution in order to lift the load restrictions until permanent repairs or replacement is completed.

The recommended temporary solution involves the placement of prefabricated checker plate/steel I-beam bridge structures on the existing bridge decks, with approach ramps as required. These structures are commonly used in the logging industry, and could potentially be sold to that industry when we are finished with them.

The budget estimate for this temporary solution, including provision and placement of the bridges, approach work and engineering is \$300,000. In discussion with the Finance Department, it is necessary to use the miscellaneous construction budget for this work. The engineering department is requesting approval to begin fabrication and installation of the temporary structures prior to final budget approval in March or April. This will allow for a more timely removal of the bridge loading restrictions. A \$300,000 allowance will be provided in the 2007 miscellaneous construction budget. These funds would normally be used for road resurfacing. We are currently summarizing construction costs for 2006. If there is a surplus in the capital construction budget for 2006, we request the approval of Council to apply it to the cost of the temporary bridges.

The recommended long-term permanent repair or replacement program is being prepared by the consultant. The Engineering Department will be requesting \$4.5 million supplementary funding over 9 years to address one bridge per year. This is only a budget figure. Four of the nine bridges are shared with Prince Township as they are on perimeter roads. We will investigate any joint funding opportunities with Prince Township throughout the process.

5(bb)

Recommendations

The Engineering Department recommends that Council approve that:

- \$300,000 be designated in the 2007 miscellaneous construction budget for provision of temporary bridge decks on nine bridges.
- Fabrication and installation of the bridges begin immediately
- Any surplus in the 2006 capital works budget be applied to this project to reduce the detrimental effects on the annual road resurfacing program.

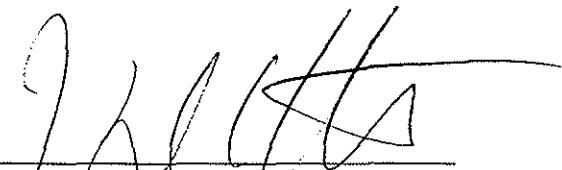
An amendment to Bylaw 2006-253 authorizing emergency and winter maintenance vehicles to cross the bridges, is found elsewhere on this evening's agenda.

Respectfully submitted



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

Recommended for Approval



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb

F:\DATA\COUNCIL\J.D. Elliott\2007\Biannual Bridge Inspections - 2007 01 15.doc



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

5(bb)

Don Elliott

From: John McDonald [j.mcdonald@mrweng.ca]
Sent: December 21, 2006 11:48 AM
To: Don Elliott; Pat McAuley; PCassan@wishartlaw.com
Subject: Bridge Load Limits

Don, Pat and Paul - below is an email from Bob Wood.

Bridge Load Limits - Reference: Canadian Highway Bridge Code CSA-S6-00

- 1) Code requires bridges to be posted for Gross Vehicle Weights
- 2) The Code permits single posting limits based upon engineering judgment
- 3) The Code states "A reinforced concrete bridge need not be posted if it has been carrying normal traffic without sign of excessive cracking or deformation. Such a structure shall be inspected at intervals recommended by the evaluator."
- 4) It is our opinion that these structures would have been designed to at least H20, H20-S16 loadings;
 - (A) Gross Vehicle Weight 18 to 20 tonnes,
 - (B) Single Axle Load 15 to 16 tonnes,
 - (C) Double Axle Load 1.2 meters apart, 7 to 8 tonnes.
- 5) The drawing for the 1962 widening of Municipal Bridge No. 16 states design to H20 loading and no fill is shown on the bridge deck.

Due to the above, we recommend that the posting installed remain in place based upon item 1,2,4 and 5. We recommend that emergency and snow plough equipment that have previously been used over these structures continue to do so based upon item 3.

We recommend that a load test be conducted on the five 10 tonne posted structures be conducted utilizing the heaviest axle load vehicle required to cross the structure and measurements be taken to ensure no excessive deformations or cracking occur. Based upon the load testing, provide a vehicle exemption or upgrade the bridge posting. Establish a program to replace or upgrade these structures.

Robert .G.H. Wood, P.Eng.
President
M.R. Wright & Associates Co. Ltd.
✉ (705) 945-5090
📠 (705) 949-3026

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5(b)



ENGINEERING OFFICE

Member of Consulting Engineers of Ontario

Member of Association of Consulting Engineers of Canada

Certificate of Authorization Professional Engineers Onta



Structural

Civil & Municipal

Environmental

Geotechnical

Mechanical & Electrical

Inspection & Testing

7546

December 17, 2006

Mr. Don Elliott, P.Eng
Director of Engineering Services
Corporation of the City of Sault Ste. Marie
Engineering Department
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

Re: Removal of Municipal Bridge Load Restrictions

Dear Sir:

As per your request, we have reviewed options to remove the 10 tonne load postings on the 5 bridge structures on Base Line and Town Line.

These five structures are noted as follows:

1. Municipal Bridge No. 19 Location: Town Line Road, 0.5 km South of Base Line, over Big Carp River, 20 ft Span – single lane
2. Municipal Bridge No. 13 Location: Town Line Rd. 1.3 km South of Second Line over the Little Carp River, 20 ft Span – single lane
3. Municipal Bridge No. 14 Location: Base Line, 0.6 km West of Town Line Rd, 20 ft Span – single lane
4. Municipal Bridge No. 15 Location: Base Line, 0.8 km West of Town Line over the Big Carp River 20 ft Span – single lane
5. Municipal Bridge No. 16 Location: Base Line, 0.5 km East of Town Line over the Little Carp River 25 ft Span - two lane widened 1962

The first four structures are the original narrow single lane bridges. The last structure was widened in 1962 and may have been reinforced at that time. As previously noted, our concern with this structure is that the centre remaining, existing single lane structure appears to be covered with a 600 mm depth of fill, but this may hide a new concrete deck or similar reinforcing conducted in 1962. We would request that you review municipal files to establish what repairs were conducted in 1962.

w:\correspondence\7500\7546\7546 jm tempory recommendations dec 18 06.doc

5(bb)

We have identified the permanent and temporary repair options that would re-instate full design load capacity to these bridges as follows:

- a. Replace structure with new bridge or multiple culverts.
- b. Replace deck and beam structure with new concrete deck and beams on original abutments as recommended in 1968 Proctor & Redfern report.
- c. Pour new reinforced concrete deck over the existing structure using the existing structure as formwork.
- d. Install temporary prefabricated steel bridge structure over the existing bridge deck, structure to be purchased or rented.

All of the above take time to implement and are listed in order longest to shortest time period. We have also considered various options of temporary shoring the existing structure but have discontinued this as not a viable option.

It is our opinion, that a cost effective temporary solution would involve the installation of prefabricated checker plate with steel I-Beams, bridge structures, similar to those commonly used in logging operations. These temporary steel structures would be installed over of the existing bridge decks. This added structural capacity would remove load postings. Fill would be required to adjust the approaches to a suitable grade.

Estimate of costs associated with the installation of the recommended temporary prefabricated unit installations are as follows:

20 ft Deck Span	\$12,500 – supply only
30 ft Deck Span	\$17,500 – supply only
Installation	\$4,600
Fill and Grading	\$4,000

We have enclosed our design of these temporary logging bridges used by many forestry firms and supplied by Rock Support Inc., in Elliot Lake. The advantage of these structures is that they are portable and can be resold after use or retained for other temporary crossings.

At your request we have prioritized the bridges in order of replacement priority. We ask you to please review these with respect to vehicular access and serviceability to members of the public. Please note, we are assuming the bridges with the 10 tonne load limit would rank above the bridges with the 16 tonne limit. Additionally, we have ranked the structures in order of condition, however, we cannot say for certain based on visual observations which structures have a greater load carrying capacity.

The five bridges identified to be posted for a 10 tonne load limit are as follows in order of condition priority;

1. Municipal Bridge No. 19 Location: Town Line Road, 0.5 km South of Base Line, over Big Carp River, 20 ft Span
2. Municipal Bridge No. 13 Location: Town Line Rd. 1.3 km South of Second Line over the Little Carp River, 20 ft Span
3. Municipal Bridge No. 14 Location: Base Line, 0.6 km West of Town Line Rd, 20 ft Span

5(bb)

4. Municipal Bridge No. 15 Location: Base Line, 0.8 km West of Town Line over the Big Carp River
20 ft Span
5. Municipal Bridge No. 16 Location: Base Line, 0.5 km East of Town Line over the Little Carp River
25 ft Span

Additionally, four structures are identified to be posted for a 16 tonne load limit in order of condition priority;

1. Municipal Bridge No. 9 Location: Old Goulais Bay Road, 1.1 km north of Fifth Line, 20 ft Span
2. Municipal Bridge No. 31 Location: Old Goulais Bay Road, 1.4km north of Fifth Line, 20 ft Span
3. Municipal Bridge No. 12 Location: Town Line Road, 0.8 km South of Second Line, Over the Little Carp River, 20 ft Span
4. Municipal Bridge No. 17 Location: Carpin Beach Road, 1.3 km South of Base Line, Over the Little Carp River, 20 ft Span

We trust you will find the above acceptable for your information. We have attached drawings to illustrate our proposal for your use as information. Should you wish to proceed with the recommended option, please feel free to contact the undersigned.

Yours truly,



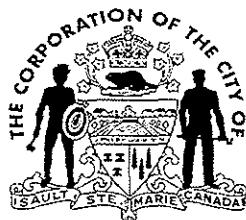
For R.G.H. Wood, P.Eng

RGHW/jm

5(cc)

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

January 15, 2007

Mayor John Rowswell
Members of City Council

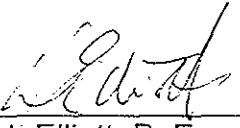
RE: Engineering Services – MacDonald Avenue, Pine St. to Lake St.

At the regular meeting of 2006 09 25, Council approved retaining the firm of STEM Engineering for the design and contract administration of the reconstructing of MacDonald Avenue from Pine St. to Lake St.

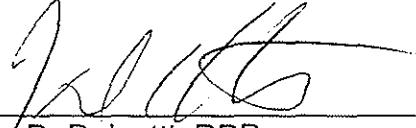
By-Law 2007-7, authorizing execution of an engineering agreement between the Municipality and STEM Engineering will be found elsewhere on Council's agenda and is recommended to you. The estimated cost to provide these services amounts to approximately \$283,190.

Respectfully submitted

Recommended for Approval

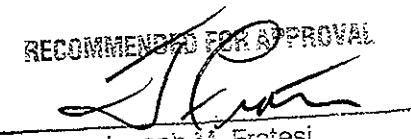


Don J. Elliott, P. Eng.
Director of Engineering Services



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

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Our File: A-06-7-05



8 Queen Street East
Sault Ste. Marie, Ontario
P6A 1Y3 Canada

p. 705.942.6628
f. 705.942.7515

www.stemeng.ca
mail@stemeng.ca

5(cc)

December 1, 2006

Corporation of the City of Sault Ste. Marie
99 Foster Drive, Civic Centre
P.O. Box 580
Sault Ste. Marie, ON
P6A 5N1

Project # 06131

Attention: Carl Rumieli, P. Eng.

Subject: MacDonald Avenue Reconstruction
Agreement for Professional Consulting Services

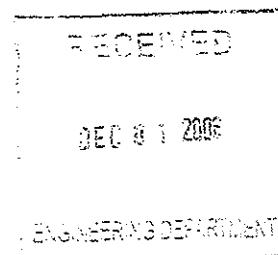
Enclosed please find three (3) copies of the Agreement for Professional Consulting Services for the City's approval. Please return one signed copy to us for our files.

If you have any questions, please contact us at 942-6628.

A handwritten signature in black ink that reads "Miller".

Shirley Miller
For
Randy Beltramin, P. Eng.

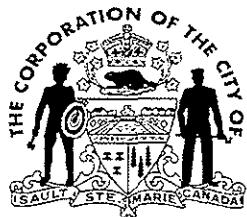
/sm
Encl. (3)



5(dd)

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

January 15, 2007

Mayor John Rowswell
Members of City Council

**RE: Engineering Services
Shannon Road Reconstruction, Queen St. to Wellington St.**

At the regular meeting of 2006 09 25, Council approved retaining the firm of Kresin Engineering for the design and contract administration of the reconstructing of Shannon Road from Queen St. to Wellington St.

By-Law 2007-6, authorizing execution of an engineering agreement between the Municipality and Kresin Engineering Inc. will be found elsewhere on Council's agenda and is recommended to you. The estimated cost to provide these services amounts to approximately \$403,500. It is noted that this covers reconstruction of Shannon Road from Queen St. to Margaret in 2007 and from Margaret to Wellington in 2008.

Respectfully submitted

Recommended for Approval



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



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb



RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

F:\DATA\COUNCIL\2007\Engineering Services - Shannon Reconstruction 2007 01 15.doc

5(dd)

Engineering Corporation

536 Fourth Line East
Sault Ste. Marie, ON P6A 5K8
Tel: 705-949-4900
Fax: 705-949-9965
Email: info@kresinengineering.ca

December 19, 2006
KEC Ref. No. 0651

0651 mk ltr d elliot - agreement

Mr. Don Elliott
City of Sault Ste. Marie
Civic Centre
P.O. Box 580
Sault Ste. Marie, ON
P6A 5N1

Dear Mr. Elliott,

Re: Shannon Road Reconstruction

Please find enclosed three (3) copies of the engineering agreement for the above-mentioned project prepared in accordance with the City's standard consultant agreement format.

Please execute the agreements and return one (1) copy to us at your earliest convenience.

We look forward to working with you on this project.

Yours Very Truly,
Kresin Engineering Corporation


Michael Kresin, P. Eng.

Encl.

MK/ab

0651 mk ltr d elliot - agreement

POLARIS

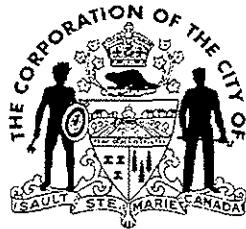
DEC 20 2006

Engineering Agreement

5(ee)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. L.5.1

2007 01 15

Mayor John Rowswell and
Members of City Council

RE: Council Honourariums

In accordance with the provisions of the former Municipal Act City Council passed a resolution on June 24th, 2002 deeming one-third of the remuneration paid to the elected Members to be incidental to the discharge of duties. This created a tax savings for some Members of Council. A copy of the resolution is attached to this report. Under the new Municipal Act, section 283(5) states that if City Council passed such a resolution under the old Municipal Act and that resolution has not been revoked the resolution becomes a by-law. The Act further indicates in section 283(7) that at least once per term City Council must review the one-third tax exemption by-law. If City Council fails to review such a by-law the exemption is forever lost and cannot be reinstated.

Some municipalities do not utilize the one-third tax exemption. Generally, these are larger cities where city councils are included in pension and disability plans. The pension and disability plans are linked to remuneration. In Sault Ste. Marie there is no such linkage. Accordingly, I do not think there is any advantage in repealing the by-law that allows for the one-third tax exemption.

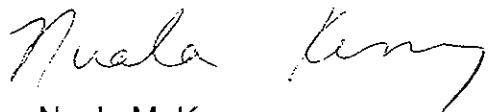
I am also attaching a letter from Enrico Pino, Manager of Accounting, outlining the estimated annual tax savings for continuing with the one-third tax exemption for both the Mayor and Council.

5(ee)

RECOMMENDATION

I recommend that City Council take no action and allow the one-third tax exemption to stand.

Respectfully submitted,

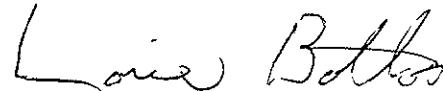


Nuala M. Kenny
Assistant City Solicitor

NMK/dh

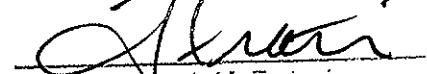
Attachment(s)

Recommended for approval,



Lorie Bottos
City Solicitor

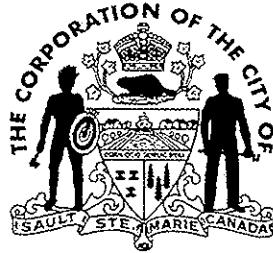
RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

5(ee)

Enrico Pino
Manager of Accounting



Finance Department
Accounting Division

2006 12 12

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

MEMO TO: Nuala Kenny
Assistant City Solicitor
Legal Department

DEC 12 2006

LEGAL DEPARTMENT

RE: COUNCIL HONORARIUM – ONE-THIRD TAX FREE EXEMPTION

In preparing your report to Council, I wish to provide you with the income tax and CPP savings should Council decide to retain the one-third exemption. Please note that Employment Insurance premiums do not apply to elected officials.

Using the 2006 tax rates and assuming the basic personal exemption only, I have calculated the tax and CPP savings that would result for the Mayor and Councillors. The calculations are based on the honorarium and car allowance amounts currently being paid to members of Council.

Estimated annual tax savings of continuing with the one-third exemption (honorarium and car allowance):

Mayor	\$6,438.34
Councillors	\$1,844.96

Our current practice is to reflect the one-third exemption on the Council member's annual T4-slip. This practice will continue if Council opts to maintain the one-third tax free allowance for the 2006-2010 term.


E. Pino
Manager of Accounting

EP/kl

c. W. Freiburger



CITY COUNCIL RESOLUTION

5(ee)

Agenda Item

Date: June 24, 2002

MOVED BY
SECONDED BY

Councillor
Councillor

F. Manzo
J. Caicco

Whereas subsection 255(1) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that one-third of the remuneration paid to the elected members of councils and their local boards shall be considered as expenses incident to the discharge of their duties as members of council or local board; and

Whereas subsection 255(2) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, provides that the provisions of subsection 255 (1) shall only continue to apply to members of council or its local boards after January 1, 2003 if the municipality passes a resolution before January 1, 2003 stating its intention that the provisions of subsection 255(1) shall continue to apply to elected members of council and its local board; and

Whereas the Council of the Corporation of the City of Sault Ste. Marie hereby deems it desirable to continue the provisions of subsection 255(1) of the Municipal Act beyond January 1, 2003.

Now therefore be it resolved that it is the intention of this Council that the provisions of subsection 255(1) continue to apply to the elected members of this Council and its local boards on and after January 1, 2003.

R.V. 12-1

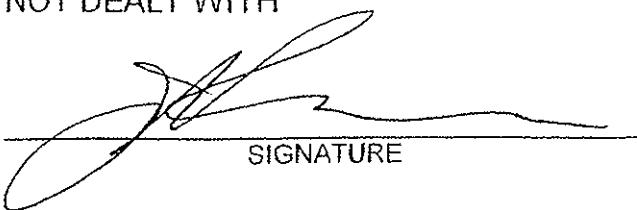
CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED

OFFICIALLY READ NOT DEALT WITH


SIGNATURE

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

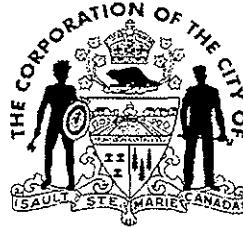
Comm. Community Services
 Comm. P.W. & Transportation
 City Clerk
 Fire Chief
 Police Chief

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

5(ff)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. R. 1.2.5.

REPORT TO: Mayor John Rowswell and
Members of Council

REPORT FROM: Lorie A. Bottos, City Solicitor

DATE: 2007 01 15

RE: History of Closing Stores on Boxing Day

At the December 11th Council meeting Mr. David Poluck appeared at Council. He indicated to Council that he would be back before Council in 2007 with a request that City Council enact a by-law to require retail shops to close on Boxing Day, December 26th. At the conclusion of Mr. Poluck's presentation I was asked to prepare a summary of the history of Boxing Day closing for retail business establishments in Sault Ste. Marie.

Until 1996 Boxing Day was the holiday defined in the Retail Business Holidays Act. Retail business establishments (with some exceptions) were required to close on December 26th. In 1996 the Provincial Government amended the Retail Business Holiday Act to delete Boxing Day as a defined holiday. The Municipal Act of the day authorized municipalities to pass by-laws requiring retail business establishments to close on Boxing Day. In 1996 the Council was petitioned to pass a by-law prohibiting shops to open on Boxing Day. City Council amended the City's closing by-law to prohibit retail business establishments opening on Boxing Day. That is By-law 3832. The exemptions were for licensed hotels or taverns, retail gasoline service stations, confectionary stores, and drug stores.

In December of 2001 City Council considered a request from the General Manager of the Canadian Tire Store to amend the by-law to allow retail business establishments to open on Boxing Day. A resolution dated December 17, 2001 was passed denying the request from Canadian Tire. That resolution went on to request that input be obtained

from the local retailers and Chamber of Commerce prior to any amendment being made to the store closing By-law 3832. Notices were also sent to representatives of local unions and the District Labour Council. A full debate was held by Council on April 8, 2002. At the meeting City Council passed a resolution on a 9 to 2 vote (with two pecuniary interests declared) directing staff to amend By-law 3832 to delete the definition of "Holiday". The effect of that amendment would be to allow retail establishments to remain open on Boxing Day. At the April 22, 2002 meeting By-law 2002-68 was passed by Council. That by-law allowed stores to remain open on Boxing Day and Civic Holiday.

Earlier in my report I mentioned that the Municipal Act in 1996 had Boxing Day as a defined holiday. When the new Municipal Act came in effect on January, 2002, the section in the new Municipal Act, Section 148 (3) that dealt with closing of retail business establishments, no longer specifically identified Boxing Day as a holiday that could be enacted by a by-law. Instead Section 148 (3) stated that:

"A local municipality may require retail business establishments to be closed to the public for any period of time proclaimed by the head of Council as a Civic Holiday."

A by-law passed under Section 148 (3) would not apply to the sale of the goods and services in connection with prepared meals or living accommodation for the sale of liquor under a license or permit issued under the Liquor License Act. Also, a by-law passed under this Section 148 could provide for a fine of not more than the greater of \$50,000.00 and the gross sales of the retail business establishment for the period the establishment was open in contravention of the by-law. Sub-Section 2 of Section 148 defines a retail business establishment to mean the premises "where goods or services are sold or offered for sale by retail."

On October 18, 2004 the matter of Boxing Day was back before Council. In the summer of 2004 Mr. Poluck had contacted Councillor Hayes with inquiries about whether the City could facilitate a vote from registered vendors specific to opening or closing on Boxing Day. There was some e-mail correspondence on that issue. The end result was Nuala Kenny's report to Council dated 2004 10 18 explaining to Council what the procedure would be for having retail business establishments close on Boxing Day. Two resolutions were voted on at Council on October 18, 2004. The first resolution was defeated. That resolution would have deferred any decision on the matter of Boxing Day until further input was obtained and the conclusion of any challenge to the Greater Sudbury Boxing Day By-law was addressed. The second resolution, which passed, directed staff to bring forward a by-law requiring retail business establishments to remain closed on Boxing Day. That resolution passed on a 6 to 5 vote.

The issue went back before Council on November 1, 2004 with a by-law in accordance with Council instructions. That by-law, had it passed, would have

been By-law 2004-196. The by-law was similar to the City of Greater Sudbury by-law. The by-law lost on a 7 to 5 vote on November 1, 2004. Therefore retail business establishments were allowed to remain open on Boxing Day.

Mayor Rowswell did make a proclamation regarding Boxing Day. In that Proclamation Mayor Rowswell asked retail businesses to close on Boxing Day. The proclamation did not require stores to close nor did it declare Boxing Day to be a civic holiday. A copy of that Proclamation is attached.

Procedure For Boxing Day Closing

If Council decides to require retail business establishments to close on Boxing Day, that could be done in one of two ways. One way would be to amend By-law 3832 (the current store closing by-law) to add a definition of Holiday to mean any day proclaimed by the Mayor to be a holiday. The next step would be for the Mayor to issue a Proclamation declaring Boxing Day to be a Civic Holiday. The net effect of the by-law and proclamation would be to require stores to close on Boxing Day. In addition By-law 3832 should be amended to update the fine.

Under the current by-law the maximum fine is \$5,000.00. The fine should be consistent with what is permitted in the Municipal Act. The Municipal Act permits the fine to be the greater of \$50,000.00 or the gross sales of the retail business establishment during the period the establishment was open in contravention of the by-law.

The simpler way to proceed is to enact a separate by-law dealing with the closing of retail business establishments on Civic Holidays proclaimed by the Mayor. This by-law would be similar to the proposed By-law 2004-196, which was prepared for the November 1, 2004 meeting but not passed. A copy of that draft by-law.

City of Greater Sudbury By-law

Mr. Ron Swiddle, the City Solicitor for the City of Greater Sudbury has advised that Sudbury By-law 2004-205 remains in force. Retail establishments in that city were to be closed on December 26, 2006. Mr. Swiddle advised me in mid-December that several retail chains threatened to open on Boxing Day; however, I have not received any further information as to whether retail stores were opened and charges laid. Mr. Swiddle did advise that there were no charges laid under this by-law. Stores are complying.

RECOMMENDATION

This background report is provided as requested by City Council. Does Council want any additional information?

Respectfully submitted,



Lorie Bottos
City Solicitor

LAB/dh

DH \Reports to Council\2007 Reports\Boxing Day

Attachments:

1. City By-law 3832 - store closing by-law.
2. Proclamation of Mayor dated October 18, 2004.
3. Draft by-law (previously presented to Council on November 1, 2004 and defeated)
4. Greater Sudbury By-law 2004-205.



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

OFFICE CONSOLIDATION

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 3832

REGULATIONS: (R.1.2.) A by-law to require the closing of shops and to repeal By-law No. 3479.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie pursuant to Section 355 of The Municipal Act, R.S.O. 1970, Chapter 284, and amendments thereto, ENACTS as follows:

1. In this by-law

- (a) "closed" means not open for the serving of any customer;
- (b) "shop" means a building or part of a building, booth, stall or place where goods are exposed or offered for sale by retail, and barbers' shops, beauty parlours, shoe repair shops, shoe shine shops, and hat cleaning and blocking businesses, but does not include
 - (i) a place where the only trade or business carried on is that of a licensed hotel or tavern, victualling house or refreshment house,
 - (ii) a retail gasoline service station,
 - (iii) a confectionery store,
 - (iv) a drug store.
- [Amended by By-laws 4269, 75-38, 76-277, 83-262, 96-210, 2000-102 and 2002-68]
- (c) "Supermarket" means a store where various kinds of food stuffs are offered and kept for a retail sale, including fresh, frozen, prepared and preserved groceries, meats, poultry, fish, fruit, dairy produce, garden produce, beverages and bakery products and as an accessory use, goods or merchandise may be kept for retail including hardware, patent medicine, toilet preparations, personal hygiene products, household supplies, magazines and pharmacies."

2. (1) During the whole of the year all classes of shops in the City of Sault Ste. Marie shall be closed and remain closed on each Monday Tuesday, Wednesday, Thursday, Friday and Saturday and Sunday during the hours between 12 midnight of each of such days and 5:00 a.m. the next following day.

- (2) The provisions of Section 2(1) do not apply to supermarkets which are allowed to stay open 24 hours per day except on holidays as defined in the Retail Business Holidays Act.

[Amended by By-law 76-277, 98-20, 2000-102, 2002-68, 2004-31]

3. So long as the time commonly observed in the City is one hour in advance of standard time, the times mentioned in Section 355 of the said Act and in this by-law shall be reckoned in accordance with the time so commonly observed and not standard time.

5(f)

4. Every person who contravenes this by-law shall, upon conviction thereof, forfeit and pay at the discretion of convicting Judge or Justice of the Peace a penalty of not more than \$5,000.00 exclusive of costs.
5. By-law 3479 is repealed. [Enacted by By-law 71-393]
6. This by-law takes effect on the 1st day of June 1966 and shall be published once in "The Sault Daily Star" in the week of the passing of this by-law.

READ the first, second and third times and FINALLY PASSED in open Council this 24th day of May, 1966.

"Alexander C. Harry"

MAYOR – ALEXANDER C. HARRY

"Harold Tolley"

CITY CLERK – HAROLD TOLLEY

(Corporate Seal)

OFFICE CONSOLIDATION

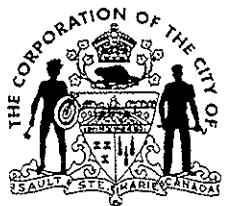
EARLY CLOSING BY-LAW 3832

Amending By-laws and Sections they pertain to.

- | | |
|----------|--|
| 4269 | Passed December 11 th , 1967 – Section 1 (i, ii, iii) |
| 71-393 | Passed October 18 th , 1971 – Section 5 |
| 75-38 | Passed January 20, 1975 – Section 1(b) |
| 76-277 | Passed July 26 th , 1976 – Section 1(b) and Section 2 |
| 83-262 | Passed October 24 th , 1983 – Section 1(b) |
| 96-210 | Passed December 16 th , 1996 – Section 1(b) |
| 98-20 | Passed January 26 th , 1998 – Added 2A to by-law (was repealed by 2000-102) |
| 2000-102 | Passed April 17 th , 1998 – Adds (d) to Section 1 and repeals 2 and 2A (grocery store openings) |
| 2000-102 | Passed April 17, 2002 – Amends 1(d) |
| 2002-68 | Passed April 22, 2002 – Repeals 1(b), Amends 2(1), 2(2) and Repeals Section 3 (Boxing Day and Civic Holiday issue) |
| 2004-31 | Amends Closing Hours 2(1) and repeals 2(3) |

By-laws 97-122 and 98-90 temporarily extended shop hours for restricted periods of time.

5(ff)



OFFICE OF THE MAYOR

PROCLAMATION

WHEREAS Christmas is a special time of year for families; and

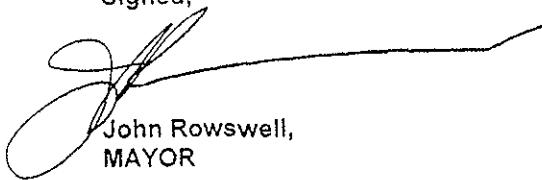
WHEREAS The City of Sault Ste. Marie swells in population at this time of year because family members converge on their hometown to enjoy the great family quality of life we have; and

WHEREAS Many individuals and store owners have petitioned City Council in support of enhancing the community for families by requesting retail stores remain closed on Boxing Day; and

WHEREAS Section 148 of the Municipal Act authorizes the Head of Council to proclaim civic holidays:

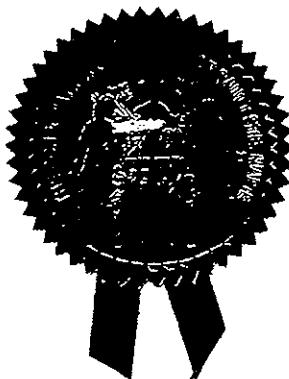
NOW THEREFORE, I, John Rowswell, by virtue of the power vested in me as Mayor of the City of Sault Ste. Marie do hereby proclaim and pronounce December 26th Boxing Day to be an annual Civic Holiday and that Retail Business Establishments shall be closed to the public every year on this date and further, I respectfully ask that retail businesses as outlined in the Retail Business Holidays Act support their employees by closing their stores on this important and now proclaimed Civic Holiday.

Signed,



John Rowswell,
MAYOR

Oct. 18/04



5(ff)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

DRAFT

BY-LAW

REGULATIONS: (R.1.2.5.) A by-law to require certain retail business establishments to be closed on Civic Holidays proclaimed by the Mayor.

WHEARAS Subsection 148(3) of the Municipal Act, 2001, S.O. 2001, c. 25 allows a local municipality to require business establishments to be closed on days proclaimed by the Head of Council as a Civic Holiday;

AND WHEREAS the Council of the City of Sault Ste. Marie wishes to pass such a by-law;

NOW THEREFORE THE Council of the City of Sault Ste. Marie hereby enacts as follows:

1. **DEFINITIONS**

In this by-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the Drug and Pharmacies Regulation Act, R.S.O. 1990, c. H.4. where

- (a) the dispensing of drugs upon prescription is available to the public during business hours; and
- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and
- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicles propelled or driven otherwise than by muscular power, but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

"Neighbourhood Convenience Store" means a shop:

- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail

2. **GENERAL CLOSING**

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall:

- (a) sell or offer for sale any goods or services therein by retail; or
- (b) admit members of the public thereto

5(ff)

on any day proclaimed by the Mayor as a Civic Holiday.

DRAFT

3. **EXEMPTIONS**

- (1) This by-law does not apply to the sale or offering for sale by retail of:
- (a) goods or services in the form of or in connection with prepared meals or living accommodation; or
 - (b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.
- (2) This By-law shall not apply to any of the following retail business establishments:
- i) Art Galleries
 - ii) Automobile Service Stations
 - iii) Bait Shops
 - iv) Book Stores
 - v) Drug Stores
 - vi) Florists
 - vii) Fresh Fruit and Vegetable Shops
 - viii) Marine Supply Shops
 - ix) Magazine and Periodical Stores
 - x) Neighbourhood Convenience Stores
 - xi) Newspaper Stands
 - xii) Public Garage
 - xiii) Souvenir Shops
 - xiv) Tobacco Shops
 - xv) Video Game Shops, or
 - xvi) Video Rental Stores
- (3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. **ENFORCEMENT**

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of :

- a) \$50,000; and
- b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

5. This by-law shall come into force and take effect immediately upon the final passing thereof.

READ THREE TIMES and PASSED in Open Council this day of

MAYOR – JOHN ROWSWELL

CLERK – DONNA P. IRVING

NOTE: This by-law was formerly presented to Council on 2004 11 01 but was not passed.

5/ff)

BY-LAW 2004-205

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO REQUIRE CERTAIN RETAIL BUSINESS
ESTABLISHMENTS TO BE CLOSED ON CIVIC
HOLIDAYS PROCLAIMED BY THE MAYOR**

WHEREAS Subsection 148(3) of the *Municipal Act, 2001*, S.O. 2001, c.25 allows a local municipality to require retail business establishments to be closed on days proclaimed by the Head of Council as a Civic Holiday;

AND WHEREAS the Council of the City of Greater Sudbury wishes to pass such a By-law;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

1. Definitions

In this By-law:

"Automobile Service Station" means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased or washed, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed;

"Bait Shop" means a shop, the principal trade of which is the sale of live bait or artificial bait or both;

"Drug Store" means a pharmacy accredited under the *Drug and Pharmacies Regulation Act*, R.S.O. 1990, c. H.4, where

(a) the dispensing of drugs upon prescription is available to the public during business hours; and

- (b) the principal business of the pharmacy is the sale of goods of a pharmaceutical or therapeutic nature or for hygienic or cosmetic purposes and no other goods are available for sale except as sundries; and

- (c) the total area used for serving the public or for selling or displaying to the public in the establishment is less than 7,500 square feet;

"Motor Vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include a motorized snow vehicle, traction engine, farm tractor, self propelled implement of husbandry or road-building machine;

"Neighbourhood Convenience Store" means a shop:

- i) the principal trade of which is the sale of food and household supplies;
- ii) in which the total area used for serving the public or for selling or displaying to the public is less than 2,400 square feet; and
- iii) in which there are a maximum of three employees for the entire day including the owner or manager;

"Public Garage" includes an automobile service station, a parking station or a parking lot, or a building or place where motor vehicles are hired or kept or used for hire, or where such vehicles or gasoline or oils are stored or kept for sale, and a building or place used as a motor vehicle repair shop or for washing or cleaning motor vehicles; and

"Retail Business Establishment" means a premises where goods or services are sold or offered for sale by retail.

2. General Closing

No person employed by or acting on behalf of a person carrying a retail business in a retail business establishment shall,

- (a) sell or offer for sale any goods or services therein by retail; or
 - (b) admit members of the public thereto,
- on any day proclaimed by the Mayor as a Civic Holiday.

3. Exemptions

- (1) This By-law does not apply to the sale or offering for sale by retail of:
 - a) goods or services in the form of or in connection with prepared meals or living accommodation; or
 - b) liquor under the authority of a licence or permit issued under the Liquor Licence Act, R.S.O. 1990, c. L.19.
- (2) This By-law shall not apply to any of the following retail business establishments:
 - i) Art Galleries,
 - ii) Automobile Service Stations,
 - iii) Bait Shops,
 - iv) Book Stores
 - v) Drug Stores,
 - vi) Florists,
 - vii) Fresh Fruit and Vegetable Shops,
 - viii) Marine Supply Shops,
 - ix) Magazine and Periodical Stores,
 - x) Neighbourhood Convenience Stores,
 - xi) Newspaper Stands,
 - xii) Public Garage,
 - xiii) Souvenir Shops,
 - xiv) Tobacco Shops,
 - xv) Video Game Shops, or
 - xvi) Video Rental Stores.
- (3) This By-law shall not apply in respect of admission to the public to premises for educational, recreational, or amusement purposes in respect of the sale or offering for sale of goods or services incidental thereto.

4. Enforcement

Every person who contravenes the provisions of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, such fine not to exceed the greater of

5(ff)

- a) \$50,000; and
 - b) the gross sales of the retail business establishment in the period the establishment was open in contravention of this By-law.

5. This By-law shall come into force and take effect immediately upon the final passing thereof.

READ A FIRST AND SECOND TIME IN OPEN COUNCIL this 13th day of

~~+ 7/15~~ Mayor
A. Hacké Clerk

**READ A THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN
COUNCIL** this 13th day of July, 2004.

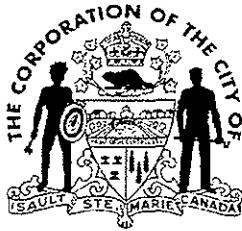
~~J. H. S.~~ Mayor
A. Hatch Clerk



5(99)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. L-318

REPORT TO: Mayor John Rowswell and
Members of Council

REPORT FROM: Lorie A. Bottos, City Solicitor

DATE: 2007 01 15

RE: Ministry of Transportation – Variable Message Boards Sign

At the Council Meeting on December 11th City Council approved by-law 2006-247 which authorized an agreement with the Ministry of Transportation for a variable message board sign that will be located on Trunk Road just east of Fournier Road. The license fee, in accordance with City Council approval policy for all signs, was proposed at \$1,200.00 as an annual fee.

I am attaching a letter dated December 19th, from Maurice Kukoraitis, Field Services Engineer with the Ministry, asking for relief from the \$1,200.00 annual fee. As set out in Maurice's letter there is a distinction between this type of sign, which advises the traveling public on road conditions, and the normal type of sign for which the fee was imposed, which was a commercial advertising sign.

I do not have a difficulty with the request from the Ministry and if Council so agrees than an appropriate resolution appears on your agenda this evening.

Yours truly,

A handwritten signature in black ink that reads "Lorie Bottos".

Lorie Bottos
City Solicitor
LAB/bb

Encl.

RECOMMENDED FOR APPROVAL
A handwritten signature in black ink that reads "Joseph M. Fratesi".
Joseph M. Fratesi
Chief Administrative Officer

5(99)



Ontario

Ministry of Transportation
Operational Services – Sault Ste. Marie
Northeastern Region
Roberta Bondar Place
70 Foster Drive
4th Floor, Suite 420
Sault Ste. Marie, ON P6A 6V4
Tel: (705) 945-6612
Fax: (705) 942-5225

Ministère des Transports
Services Opérationnel – Sault Ste. Marie
Région du Nord-Est
Place Roberta Bondar
70 Foster Drive
4^e étage, bureau 420
Sault Ste. Marie, ON P6A 6V4
Tél : (705) 945-6612
Téléc: (705) 942-5225

December 19, 2006

Lorrie Bottos
City Solicitor
Legal Department
City of Sault Ste. Marie
99 Foster Drive, PO Box 580
Sault Ste. Marie ON
P6A 5 X6

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

LEGAL DEPARTMENT

Dear Mr. Bottos:

**RE: Licence to Occupy City Property
Variable Message Board Sign (VMS)**

I am in receipt of the signed agreement for the above-noted structure to be erected on Trunk Road, west of the new Highway 17 Link Road. It is noted that there is an annual licence fee of \$1,200.00 for this agreement.

The sign structure to be used at this location is an overhead truss structure similar to the structure on Trunk Road, east of Black Road and on Great Northern Road, north of Second Line. These structures are used to span multi-lane roadways and normally support highway directional signs. The proposed structure in this case, will also support a variable message board, which is to be utilized to advise the travelling public of highway road conditions, closures, and other safety related information. It is not a ground mounted advertising sign that would be assessed the \$1,200.00 annual fee.

In light of the distinct difference in purpose and sign structure type, I would ask that the city reconsider the assessment of the \$1,200.00 annual fee for this variable message board sign.

I look forward to hearing from you at your earliest convenience.

Sincerely,

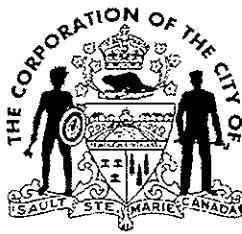
A handwritten signature in black ink, appearing to read "Maurice Kukoraitis".

Maurice Kukoraitis, P. Eng.
Field Services Engineer

5(hh)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

P.4.6.379

REPORT TO: Mayor John Rowswell and
Members of Council

REPORT FROM: Lorie A. Bottos
City Solicitor

DATE: 2007 01 15

SUBJECT: City Sale of 605 Third Line East to
1644365 Ontario Inc.

PURPOSE

The purpose of this report is to authorize the sale of 605 Third Line East to 1644365 Ontario Inc..

ATTACHMENT

1. Aerial photo showing property outlined.
2. Letter from Bruce Strapp to me dated December 5th

COMMENTS

In early November I received an Agreement of Purchase and Sale from 1644365 offering to purchase 4.2 acres from the City for \$107,000.00 with a deposit of \$5,000.00. The offer is without conditions and has a closing date on January 31, 2007.

Normally the City sells land in the Industrial Park at \$35,000.00 per acre. This was approved by a Council resolution dated September 1, 1988. In this case the per acre price being offered works out to \$25,235.00. The reason the reduction from the \$35,000.00 per acre makes sense in this case for the three points identified in Mr. Strapp's letter. I agree that \$35,000.00 per acre is not realistic given the frontage on this property and also the ravine land. Also the City would pay the real estate commission at 5%.

5(h)

One other requirement for Council selling land in the Industrial Park is that a covenant be included in the deed requiring the person to build a building of a certain size within one year of the registration of the deed. In this case the size of the proposed building is 12,000 square feet.

The condition in Mr. Strapp's letter regarding the creation of at least five new jobs is not one I would recommend being included in the covenant. It is too difficult to monitor. The covenant regarding the building of the building is easily enforceable.

RECOMMENDATION

The recommendation from the Economic Development Corporation and the City is that City Council authorize the sale of the 4.24 acres located at 605 Third Line East to 1644365 Ontario Inc. for the purchase price of \$107,000.00 subject to the covenant concerning building a building of at least 12,000 square feet within one year of the registration of the deed and subject to payment of 5% real estate commission out of the sale proceeds.

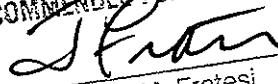
If the purchaser fails to live up to its obligation to build a building then the covenant will require the conveyance to the City of the parcel at the same purchase price without any payment of interest.

By-law 2007-3 authorizing the sale of 605 Third Line East to 1644365 Ontario Inc. appears elsewhere on your agenda.

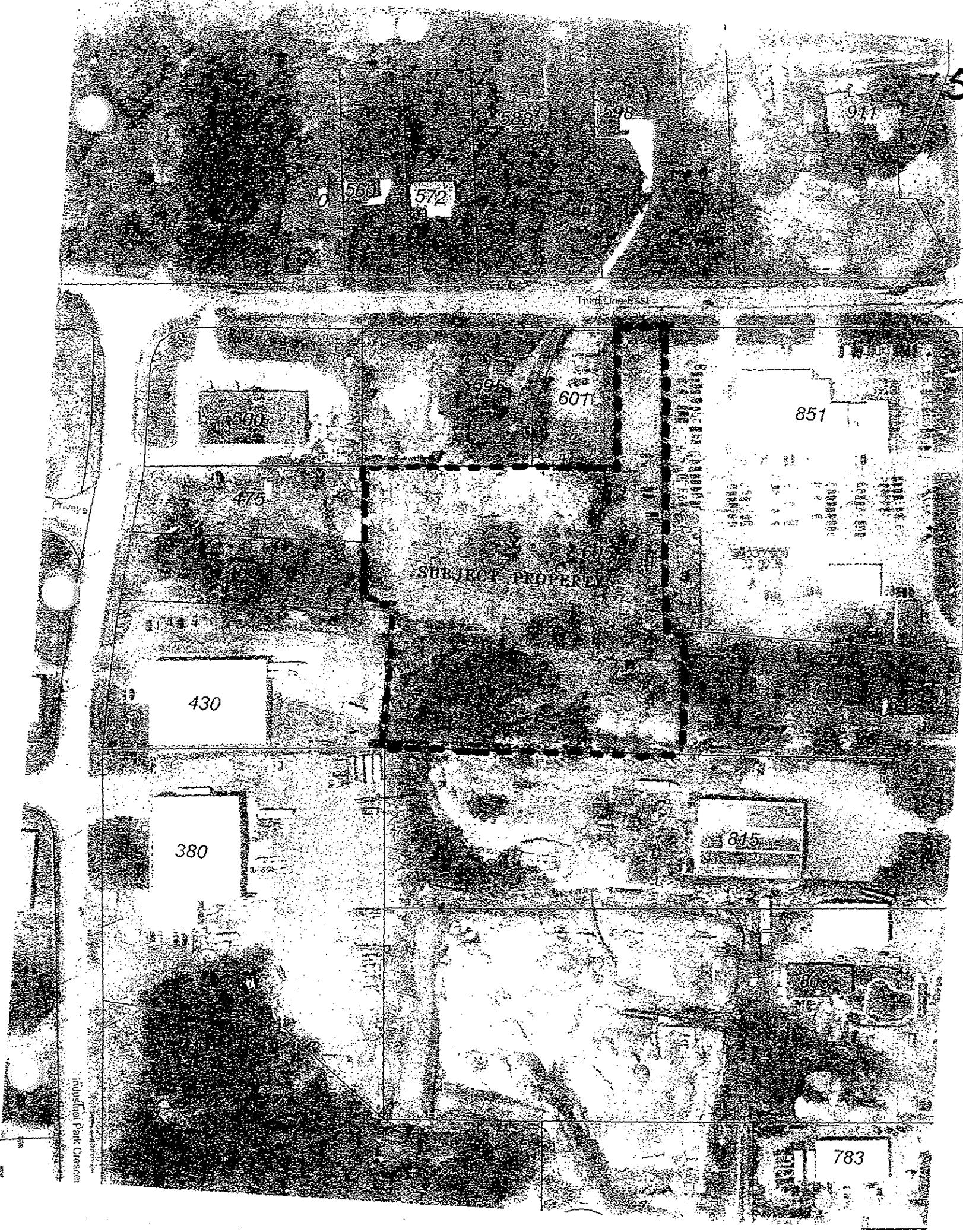
Yours truly,



Lorie A. Bottos
City Solicitor
LAB:bb
Encl.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

57hh





DEVELOPMENT
Sault Ste. Marie
a division of the SSMEDC



ENTERPRISE CENTRE
Sault Ste. Marie
a division of the SSMEDC



TOURISM
Sault Ste. Marie
a division of the SSMEDC

5(h)

December 5, 2006

Lorie Bottos
City Solicitor
City of Sault Ste. Marie

Re: Sale of 605 Third Line East in the Industrial Park.

Lorie:

The letter is to inform you that the Sault Ste. Marie Economic Development Corporation is in full support in the sale of 605 Third Line East in the Industrial Park. The purchaser of the property is 1644365 Ontario Inc which is owned by Mr. Ivan Champagne – Mid Town Construction.

Mr. Champagne would like to purchase the property and build a facility between 12,000-16,000 sq. ft. Currently one existing local tenant will occupy 6,000 sq.ft and will employ three people which will expand to an additional five people. In addition, Mr. Champagne is currently negotiating with other potential tenants to occupy the remaining portion.

The offer for the subject property is \$107,000 for 4.24 acre parcel which is approximately \$25,235/acre. It should be noted that Council by resolution in September 1988 set the cost/acre in the Industrial Park at 35,000/acre. The reasons for the lower cost/acre are as follows:

1. subject property is an interior parcel of land with limited frontage (approx. 56 ft.);
2. subject property has restricted visibility;
3. subject property has a ravine that partially runs through it.

The covenant the SSMEDC wishes to include in the deed subject to City and Council approval of the sale of subject property is the purchaser will be required to build a facility of no less than 12,000 sq.f.t. within one year of registration of the deed and the creation of at least five new jobs.

If there are any further questions, please do not hesitate to contact me.

Open for Business

A handwritten signature in black ink that reads "Bruce Strapp".

D. Bruce Strapp
CEO

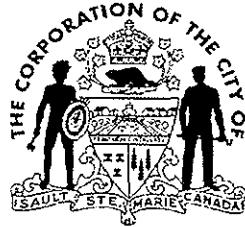
cc. John Febbraro – Director of Industrial Marketing



5(i)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

Zoning File No. 2006-34

REPORT TO: Mayor John Rowswell and Members of Council

REPORT FROM: Lorie Bottos, City Solicitor

DATE: 2007 01 15

RE: **Ontario Municipal Board Hearing into Temporary Use Approved for
99 Gibb Street (Sam Rainone) - Automobile Repair Garage - By-law 2006-34**

The Ontario Municipal Board has appointed February 28th and March 1st, 2007 for the hearing dates for the appeal filed by Mr. George Sawko into the temporary use permitted by Council at 99 Gibb Street. Council passed temporary use By-law 2006-34 on February 6, 2006.

For the new Members of Council, Mr. Rainone has operated an automobile repair garage at 99 Gibb Street for many, many years, more recently under the authority of three-year temporary use by-laws that have been renewed by Council. Mr. Sawko appealed the previous temporary use by-law and an arrangement was worked out at the Board hearing. The Board approved the temporary use by-law last time.

Notice of the Board hearing will be sent to the people to whom the Board has directed that notice be given. In this case that is the property owner, his lawyer and the appellant.

This report is provided for the information of City Council.

Respectfully submitted,

Yours truly,

A handwritten signature in black ink that reads "Lorie Bottos".

L. A. Bottos
City Solicitor

LAB/dh

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink that reads "J. Fratesi".

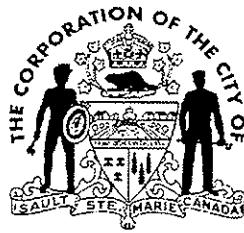
Joseph M. Fratesi
Chief Administrative Officer



5(jj)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. A.3.6

2007 01 15

Mayor John Rowswell and
Members of City Council

RE: Designated Fire Route at Steelback Centre Parking Lot - 269 Queen Street East

I have received a request from Fire Services and Parking to have a fire route designated at the south limit of the Steelback Centre parking lot where the lot abuts the Steelworkers Union Hall. By-law 2007-5 allows a fire route to be created in the parking lot.

RECOMMENDATION

By-law 2007-5 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,

A handwritten signature in black ink that appears to read "Lorie Bottos".

Lorie Bottos
City Solicitor

LAB/dh

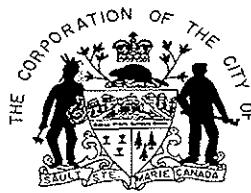
cc: Mr. Paul Milosevich, Assistant Fire Chief
Mr. Art Gagnon, Assistant Manager, Transit/Parking
Mr. Norm Fera, Manager, Community Centres & Marine Facilities

J. Fratesi
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer



5(KK)

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 01 15

Mayor John Rowswell
And Members of Council
Civic Center

SUBJECT: TIMED INTERSECTION CROSSINGS AT SIGNALIZED INTERSECTIONS

On September 11, 2006, Council approved the following resolution:

"Whereas a number of intersections in Sault Ste. Marie are most difficult for seniors or physically handicapped to complete the crossing in the time allotted without fear for their safety; Be it resolved that Council request Public Works and Transportation Department to prepare a report on the implementation and costs thereof of "timed intersection crossings" to accommodate these individuals. Note: Kelowna, British Columbia would appear to be an example of the successful implementation of the above. Several members of the Sault Ste. Marie Accessibility Advisory Committee have endorsed the concept and have recommended specific locations, i.e., Northern Avenue/Great Northern Road intersection adjacent to the Cara Community; Bay and East intersection adjacent to the numerous senior complexes."

Background

This report deals with "timed intersection crossings" where there will be a numerical countdown of the seconds on the crosswalk signals rather than the stop and go hand signals.

Staff from the Public Works and Transportation Department has had discussions with the Sault Ste. Marie Accessibility Advisory Committee on this subject. Attached is a letter from Anne Marie McPhee, Chairman of the Accessibility Advisory Committee that outlines discussions with Staff. It is noted in the letter that the committee does not necessarily agree with timed signals, but wants to lengthen the actual time that a walk signal remains on at a specific location. This will allow even the slowest person enough time to cross the street at a designated location.

Discussion

As part of signalized intersection design, City Staff determines the crossing times for a particular intersection based on the standard set out in the Ontario Traffic Manual (OTM). The standard allows for variable walking speeds that are dependent on the type of people who use the crossing. For

example, crossings frequented by young children, seniors and disabled people would use a walking speed in the area of 1 metre per second.

The crossing time is the sum of the three times. It includes a starting time of approximately five (5) seconds, the time to cross from curb to curb at a given rate of speed and the pedestrian clearance time that allows the pedestrian time to clear the intersection (curb to curb) once that "don't walk signal" appears.

Staff has had discussions with the Ministry of Transportation (MTO) as well as other municipalities concerning the use of timed intersection crossings. The MTO does not identify timed crossing signals as a suitable walk light replacement. The general consensus is that the timed crossings will provide a pedestrian with an indication of the amount of time, but it also provides information to a driver who may speed up to beat the light. There is also a problem with pedestrians who can see the number of seconds left and try to beat the time when they are not physically capable. The use of timed crossings does not necessarily improve the safety for pedestrians.

The changing of crosswalk lights to a timed system will require the changing of signal equipment as well as the reprogramming of the controller. In addition, timed crosswalks must be installed on fixed time controllers and these are only located in the City's downtown core. It is estimated that a typical intersection changed over to a timed crosswalk will cost the City approximately \$12,000 per intersection.

As an alternative to timed crossings, City staff along with the Accessibility Advisory Committee, support an increase to the times of existing crosswalk signals at specified intersections. This is not something new to Public Works and changes have been made to crosswalk times as a result of a request from the public.

The Accessibility Advisory Committee has agreed to develop a list of locations where they feel there may be a requirement for increased crosswalk times. This list is to be given to City staff for review.

Recommendations

It is recommended that the City not consider "timed intersection crossings" for use and that staff meet with the Accessibility Advisory Committee to discuss intersection locations where the existing crosswalk timing can be increased to accommodate the public.

Respectfully submitted,

J. M. Elliott, P. Eng.
Deputy Commissioner

Recommended for approval,

Patrick M. McAuley, P. Eng.
Commissioner

JME:cmr

J. Fratesi
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

**SAULT STE. MARIE
ACCESSIBILITY ADVISORY COMMITTEE**



Sault Ste. Marie - Algoma Region

Ann Marie McPhee, Chair,
Accessibility Advisory Committee
260 Elizabeth St.,
Sault Ste. Marie, ON
P6A 6J3

Mr. Jim Elliot,
Manager, Public Works and Traffic,
99 Foster Drive,
Sault Ste. Marie, ON P6A 5N1

Dear Mr. Elliot,

On September 12th a meeting was attended by members of your staff, members of the Accessibility Advisory Committee including Lynn Rosso, Municipal Accessibility Coordinator and Bob McLeod a Resource Instructor from CNIB. The meeting was designed to address the AAC concern regarding audible pedestrian traffic signals and the potential review with CNIB, the AAC, and municipal staff of the most appropriate placement of a trial unit.

There was lively discussion, regarding need, location and type of unit. Mr. McLeod was to provide a letter from CNIB regarding the need for audible traffic signals in specific locales rather than across the city. Municipal staff made a commitment to investigate types of available signals and activators and arrange a demonstration for the interested parties.

There was also discussion regarding timed traffic signals that had been brought to the department for review on a resolution by council. The discussion concerned "timed " traffic signals versus a lengthening in the timing of the signals. Municipal personnel expressed concern regarding the safety of using "timed signals" as pedestrians tend to under estimate the time required to cross the street and take chances as the numbers decline. This was the method mentioned by Mr. Butland at council.

We would seek to lengthen the actual time that the walk signal remains on in specific locations so that even the slowest person could manage to cross a street in specific locations. The whole system would require review to pinpoint where these crossings are in the best interest of the public safety.

On October 6th, I reviewed this information with Mr. Butland so that he would understand the AAC position supporting the extended timing of walk

5(kk)

light signals and the installation of audible signals in specific locations that were identified by the Traffic Review. I also indicated that the AAC would be willing to cost share on this initial audible light installation to get the program started.

We will support any traffic review that will enhance the safety for all the citizens and visitors to the municipality. Safety is always a primary concern for all of us. We know that you recognize that these issues impact the quality of life for multiple individuals.

We appreciate your time in this matter, and look forward to meeting with you in the future.

Sincerely,

Ann Marie McPhee, Chair, Accessibility Committee

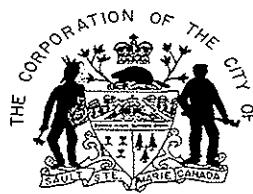
cc Lynn Rosso, Municipal Accessibility Corodinator

Steve Butland Ward 1 Councillor

Ms. Ann Marie McPhee, Chair
Sault Ste. Marie Accessibility Advisory Committee,
260 Elizabeth St., Sault Ste. Marie, ON P6A 6J3
Friday, October 6, 2006

5(11)

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 01 15

Mayor John Rowswell
And Members of Council
Civic Center

SUBJECT: SOLE SOURCING OF LANDFILL SITE PUMP

At the December 11, 2005 Council meeting, Council approved the purchase of a backup pump for the Landfill Site Pumping Station. The cost of a new 45-horsepower pump was estimated at \$70,000.

The Council report of December 11, 2006 failed to mention that it has been past practice to purchase Flygt pumps for the City's pump stations. This is due to the fact that the pumps are compatible with our tools, equipment and training.

Staff is now seeking Council's approval to sole-source the 45-horsepower pump from ITT Flygt Canada.

It is staff's opinion that the cost of the pump along with the service, training and quality of equipment makes the purchase of this pump a fair market value.

Recommendation

It is recommended that Council approve the sole sourcing of the 45-horsepower Flygt pump for the Landfill Site pumping station.

Respectfully submitted,

A handwritten signature of J.M. Elliott.

J.M. Elliott, P. Eng.
Deputy Commissioner

JME:cmr

Recommended for approval,

A handwritten signature of Patrick M. McAuley.

RECOMMENDATION APPROVAL
A handwritten signature of Joseph M. Fratesi.

Joseph M. Fratesi
Chief Administrative Officer

F:\DeptShare\Council 2007\Landfill Site Pump.doc



5(mm)

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 01 15

Mayor J. Rowswell and
Members of City Council

SUBJECT: REFUSE AGREEMENT WITH THE TOWNSHIP OF PRINCE

Background

Prince Township presently sends their refuse to the Sault Ste. Marie landfill site via a refuse collection contractor and pays our tipping fee for this service. Prince Township has had access to our landfill site for many years, but it appears that a formal agreement has never been put into place to formalize the use of our landfill by residents of Prince.

Discussion

During the past five years, there have been major changes in the waste management sector and the City has implemented a new recycling program as well as a number of initiatives that were recommended in the Sault Ste. Marie Solid Waste Management Plan. These recommendations include bag limits, the banning of cardboard, increased tipping fees, etc. All of these initiatives have been put in place in order to increase the limited life of the Sault Ste. Marie landfill site.

The citizens of Sault Ste. Marie are required to follow the regulations of Waste By-law 2004-68. In order to ensure that the Township of Prince follows the Waste By-law and other regulations approved by Council, staff has prepared an agreement outlining the requirements. This agreement provides the City of Sault Ste. Marie and Prince Township with a written rather than a verbal agreement.

This agreement has recently been approved by the Council of Prince Township.

Recommendation

By-law 2007-2 approving the agreement is recommended to Council and is found elsewhere in the agenda.

Respectfully submitted,

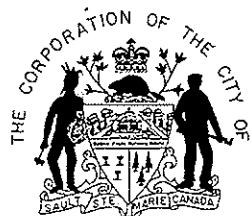
J. M. Elliott, P. Eng.
Deputy Commissioner

Recommended for approval,

Patrick M. McAuley, P. Eng.
Commissioner

JME:cmr
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RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer



CITY COUNCIL RESOLUTION

5(mm)

Date: January 15, 2007

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

RESOLVED THAT the report of the Deputy Commissioner of Public Works and Transportation dated 2006 01 15 concerning the refuse agreement with Prince Township and the recommendations therein be accepted.

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

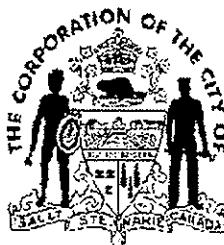
Dir. Libraries

E.D.C.

Cons. Authority

5(nn)

Patrick M. McAuley, P. Eng.
Commissioner



Public Works & Transportation
Department

2007 01 15

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: NO PARKING ZONE ON FARWELL TERRACE

On December 11, 2006 Council passed the following resolution:

"Resolved that agenda item 5(P) - Farwell Terrace No Parking, be referred to the Commissioner of Public Works and Transportation for review and report back to Council."

Discussion

Agenda item 5(P) from the December 11, 2006 Council meeting is attached. Based on concerns Mr. Steffanizzi has with parking in front of his home, staff is prepared to recommend the no parking zone on the east side of Farwell Terrace be reduced to only in front of Mr. Steffanizzi's home at civic 436 Farwell Terrace. All the other residents are content with having parking permitted in front of their homes.

If Council is in agreement, an appropriate amendment to the Traffic By-law is included elsewhere in the agenda.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P.M. McAuley".

Patrick M. McAuley, P. Eng.
Commissioner
Public Works & Transportation

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink, appearing to read "J. Fratesi".

Joseph M. Fratesi
Chief Administrative Officer

PMM\cmr

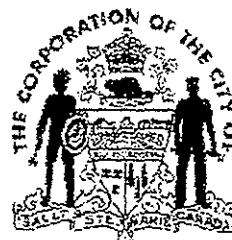
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5(nn)

Patrick M. McAuley, P. Eng.
Commissioner

2006 12 11

Mayor John Rowswell and
Members of City Council
Civic Centre



Public Works &
Transportation Department

RE: FARWELL TERRACE – NO PARKING

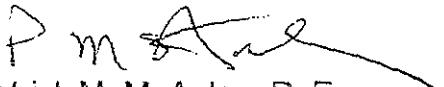
At the September 25, 2006 Council meeting, Council approved the addition of a "no parking" zone on Farwell Terrace between McLean Court and Second Line West, based on a petition received from 4 of the 6 residents and the attached report.

The signs have recently been installed and we have now received another petition requesting the "no parking" zone be removed. This is again signed by 4 of the 6 residents on this section. As noted in the newest petition, ownership of one of the homes has changed, and the owner of one of the other homes disagrees with his tenant's signature on the original petition.

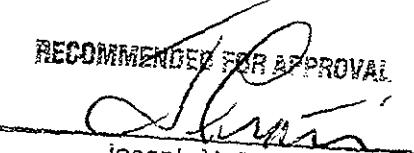
The originators of both petitions, Mr. Steffanizzi of 436 Farwell Terrace and Mr. Romano of 444 Farwell Terrace, have been notified that Council will discuss this issue on December 11, 2006 and they may be in attendance.

Staff seeks direction on whether or not the "no parking" zone should remain in place.

Respectfully submitted,


Patrick M. McAuley, P. Eng.
Commissioner
Public Works and Transportation Department

PMM\cmr


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

\Citydata\pwt\Dept Share\Council 2006\Farwell Terrace ~ No Parking

5(nn)

November 20, 2006

Mr. Patrick McAuley
Commissioner Public Works & Transportation

Dear Mr. McAuley,

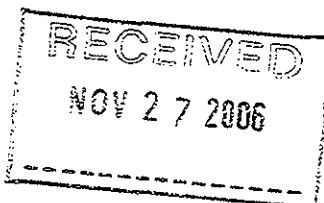
The attached contains the names of the home owners on Farwell Terrace who are strongly opposed to the No Parking signs installed on the block of Farwell Terrace between McLean Court and Second Line.

There are six home owners on this block and 4, most of whom are long time residents of this area, are strongly opposed to this. A previous survey was done prior to the installation of these signs and since then a resident has moved, the new resident is opposed to the no parking and another respondent was a tenant not the home owner. This home owner is opposed to this decision.

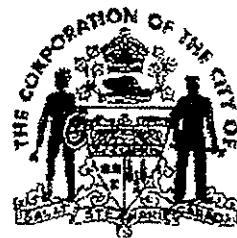
We would like to see this decision to add the no parking on this street rescinded. If there is a need to have no parking on this block, we suggest that the no parking be on the west side of the block, where there are no residents.

Thank you for your consideration and support.

cc. Ward 5 Councillor Frank Fata



Patrick M. McAuley, P. Eng.
Commissioner



5(nn)
Public Works &
Transportation

2006 09 25

Mayor John Rowswell
and Members of Council

RE: NO PARKING – FARWELL TERRACE

The City has received the attached petition from residents on Farwell Terrace asking that “no parking” signs be posted on both sides of Farwell Terrace between Second Line and McLean Court. The petition is signed by residents on the east side only. The owner of the property along the west side (The TDL Group Ltd. – Tim Horton’s) has not signed the petition and in discussions with staff, the manager is not in support of a parking ban on the west side of Farwell Terrace.

Discussion

Farwell Terrace is a 12.2 metre wide street and is wide enough to support two travelled lanes and two parking lanes. As the residents on the east side do not want parking in front of their homes, staff recommends that the appropriate schedule in the Traffic Bylaw be amended to include a “no parking” zone here.

We do not however recommend parking be banned on the west side, as the adjacent property owner is not in agreement, and given the width of the street, parking can be safely accommodated.

If Council is in agreement, the Traffic By-law will be amended accordingly and “no parking” signs will be placed along the east side between McLean Court and Second Line West.

Respectfully submitted,

Patrick M. McAuley, P. Eng.
Commissioner
Public Works and Transportation Department

PMM\cmr

Attachment

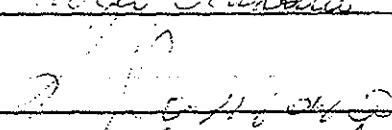
c.c. Lori Bottos, City Solicitor

\Citydata\pwt\Dept Share\Council\2006\No Parking - Farwell Terrace

The Corporation of the City of Sault Ste. Marie
Public Works & Transportation Department
128 Sackville Road ~ Sault Ste. Marie, ON P6B 4T6
Telephone: (705) 759-5201 ~ Fax (705) 541-7010

5(nn)

We the undersigned are opposed to the addition of No Parking signs on Farwell Terrace between McLean Court and Second Line.

Name	Address	Signature
John Begg	424 Farwell (424)	
John Begg	424 Farwell	
Ron Sculino	440 FARWELL TERR	Ron Sculino
John Sculino	444 Farwell Terr	
H. Fairall	432 Farwell Terr	H. Fairall

Mr. Laurie Bottos

(Aug 4/06
5(nn))

We the undersigned a
formally requesting "No PARKING" Sig
be erected on the east side an
west side of Farewell Ter. from
M' LEAN CRT to 2nd Line, for safety
masons.

(Sign + Print)

Name

D. STEFANIZZI

STEFANIZZI

Susie May

Dom Iozzo

Paulette Central

John Caruso

J. Siedly

Address

436 FARWELL TERR

436 FARWELL TERR.

428 Farewell Terr

424 Farewell Terr

424 Farewell Terr.

432 Farewell Terr

424 FARWELL TERR

Phone #

94-97083

949-7083

759-2900

946-2956

946-2956

946-8856

25. 38980

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

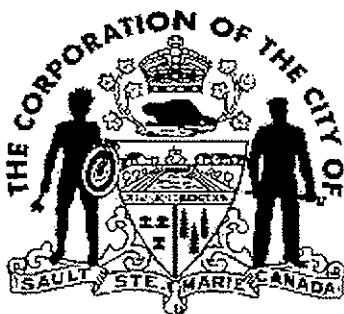
AUG 09 2006

LEGAL DEPARTMENT



5(00)

Mr. Don Scott
Transit Manager



Public Works and Transportation
Department
Transit Division

2007 01 15

Mayor John Rowswell &
Members of City Council
Civic Centre

RE: PROVINCIAL AND FEDERAL FUNDING FOR TRANSIT

INTRODUCTION

The purpose of this report is to provide Council with current information regarding the provincial and federal governments' funding programs for municipal public transportation.

Over the last six years, a number of transit funding announcements have occurred, with the first in September of 2001, when the Government of Ontario announced the Vehicle Renewal Program, now referred to as the Ontario Bus Replacement Program. In October of 2004, the province further announced new funding under the Dedicated Gas Tax for Transit Program, created to promote increased transit ridership.

In March of 2006, in an effort to reduce greenhouse gases, the Government of Canada, following the province's lead, introduced new federal gas tax funding for transit properties across the country.

As of the date of this report, the City of Sault Ste. Marie is eligible to access:

a) Ontario Bus Replacement Program (OBRP)

In December of 2006, the City of Sault Ste. Marie received correspondence indicating that an allocation of \$168,115 is available for our use in 2007 to fund a portion of the replacement costs for conventional or specialized transit vehicles. The \$168,115 in funding is based on our municipality's share of the total planned bus replacements across the province and can only be accessed after a vehicle has been purchased and received by the municipality. This new \$50 million, multi-year capital program requires a city share of 70% funding for specialized and 75% funding for conventional vehicles. The City of Sault Ste. Marie will not access this program in 2007.

b) Federal Public Transit Funds

In March of 2006, the Federal Government announced public transit funds for eligible Ontario municipalities. The distribution of public transit funds in Ontario was based upon ridership, using data accepted by the Ministry of Transportation of Ontario for the allocation of Ontario's Dedicated Gas Tax for Public Transit Funding Program.

The City of Sault Ste. Marie's total share of funding over two years was announced at \$715,069. In September of 2006, the Federal Government of Canada provided the City of Sault Ste. Marie with an initial installment of \$372,545 in federal public transit funding to support the following environmental objectives:

- Reduced Greenhouse Gas (GHG) emissions
- Cleaner air

In an effort to reduce greenhouse gases and provide cleaner air at the Transit Building at 111 Huron Street, staff has committed approximately \$95,000 towards replacing all of the original gas fired heating units in the vehicle storage and administrative office areas. The remaining \$277,545 in funding will be directed towards replacing and improving the R-value of the original 46,000 sq ft. roof at 111 Huron Street.

At this time, it is uncertain if we will receive the second year of federal public transit money as it was rolled into a Transit Capital Trust Fund. Access to the trust has been given to the province; however, at this time, the province has not indicated who will receive the funds or how they will be accessed.

c) Provincial Dedicated Gas Tax Funds for Public Transportation Program

In October of 2004, the Transit Services Division of the Public Works and Transportation Department began to receive our provincial share of 1 cent/litre of gas tax funds. One year later in 2005, our share increased to 1.5 cents/litre. Beginning in October of 2006, we began to receive 2 cents/litre. As a result, for the final quarter in 2006 and the first three quarters in 2007, the City of Sault Ste. Marie will have received a total of \$1,186,562, which is our share of the \$313 million in gas tax funding to 86 transit systems and 104 municipalities.

The dedicated gas tax funding from the province can be used for local public transportation, which constitutes:

- Public transportation capital expenditures that promote increased transit use.
- Public transportation operating expenses linked to ridership growth.
- Capital expenditures that provide improvements to transit security and passenger safety.
- Major bus refurbishment on any fully accessible, or to be made fully accessible, public transportation vehicle.

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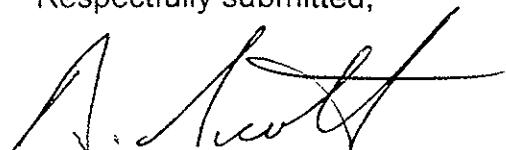
- 3 -

In conclusion, expenditures for provincial dedicated gas tax funding must be above the Ministry of Transportation's projected "baseline spending" for our community. This is based on our own account spending level (original budget before funding) on public transportation for the years 2001 to 2003, which is then adjusted at a rate of 2% per year for inflation. The City of Sault Ste. Marie will meet our "baseline spending" obligations for the year of 2007, which will allow staff to develop and implement the attached ridership growth initiatives. (Figure 1)

There is no fixed date as to when gas funds must be spent. Unspent funds are held in a reserve fund until eligible expenditures are made. The City must report annually the reserve balances, interest and expenditures to the Province. (Figure 2)

This report is provided for the information of Council.

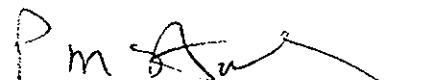
Respectfully submitted,



Don Scott
Transit Manager
Public Works and Transportation

Attachment

Recommended for approval,



Patrick M. McAuley, P. Eng.
Commissioner
Public Works and Transportation

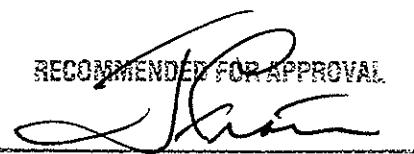

RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

FIGURE 1**Plans for 2007 Dedicated Provincial Gas Tax for Transit Funds include:**

- To acquire Internet Global Positioning System Automatic Vehicle Location (AVL) for our fleet of 26 full size buses. The GPS/AVL system will allow staff to provide high quality, reliable, real time transportation information to our customers. Real-time passenger information has the greatest potential for improving customer service and providing more control over the transit riding experience.
- To acquire computerized scheduling software that will be fully integrated with the City's primary program for payroll.
- Expand our current service with Sault Area Hospital's Renal Dialysis unit. Canadian Health statistics predict an annual growth of dialysis patients between 10 –12% yearly.
- To purchase 10 bus shelters with benches. Each bus shelter will be placed throughout the community with a priority near buildings for seniors.
- On-going support costs for the expanded service of:
 - Parabus
 - Community Bus
 - Sault College/Algoma University Route
 - Great Northern Bus Route
 - Promotion of Youth pass into the School Boards
- To develop a one-year pilot project to provide public transportation service for pockets of residential communities and businesses such as the McQueen subdivision, Crimson Ridge Golf Course and Pawating Place. The fixed-route shared-ride taxi service was initiated in Kitchener, Ontario in the mid-1990s and has proven to be a success. Passengers can board the designated taxi, pay their bus fare and be taken to the nearest convenient transfer location to meet and transfer to a bus.

Projects in the developmental stage for 2007/2008

- Expanded Para Bus service on Saturday and Sunday
- Increase Saturday service from 60-minute to 30-minute frequency for 6 hours per day.
- Supply and Installation of an Automatic Fare Collection System (Fareboxes). To successfully review ongoing daily operations and expanded service requires a comprehensive data collection system. Much of the necessary day-to-day data can be provided by a new fare collection system, which would replace our current outdated DOS based fare collection system purchased in 1989.

- Purchase and installation of "The Next Bus Prediction and Text Message Service", which will allow our customers to know (within the minute) as to when the next bus is due to arrive at their bus stop. The "Next Bus" program will be purchased in conjunction with new fareboxes in 2008, which will allow staff to track customer activity at all bus stops.
- Implement Smart Card program, place order for 40-foot bus and two Para Buses.

FIGURE 2

CORPORATION OF THE CITY OF SAULT STE. MARIE
 PROVINCIAL GAS TAX RESERVE FUND BALANCES - SOURCE FINANCE DEPARTMENT

2006

Total Reserve Balance at December 31, 2005	577,709.62
Estimated 2006 revenue	963,333.00
Estimated 2006 expenditures	
Balance of Transit Route Study	16,062.31
GPS for 11 Transit Vehicles	29,000.00
One new 40' Bus - 2005	416,792.52
One new 40' Bus - 2006	384,611.67
New Bus Shelters	50,000.00
One Parabus	80,050.00
Marketing	47,000.00
Additional Sault College Route (net) Sept-Dec	82,584.00
Additional Parabus Service	23,809.00
Additional Community Bus Service	39,270.00
Additional Great Northern Rd. Route Costs	<u>182,325.00</u> (1,351,504.50)
Estimated Reserve Balance At December 31, 2006	<u>189,538.12</u>

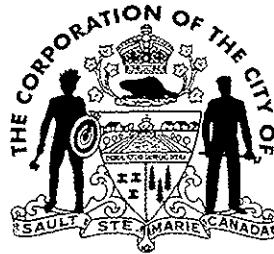
2007

Estimated Reserve Balance At December 31, 2006	189,538.12
Estimated 2007 revenue (January to September, 2007)	889,921.00
Estimated 2006 expenditures	
AVL/GPS for conventional fleet	61,000.00
Computerized scheduling/payroll system	60,000.00
New Bus Shelters	50,000.00
Estimated cost for additional Sault College Route	250,000.00
Estimated cost for additional Parabus Service	30,000.00
Estimated cost for additional Community Bus	50,000.00
Estimated cost for additional Grt Northern Rd. Route	<u>190,000.00</u> (691,000.00)
	<u>388,459.12</u>



6(1)(a)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 01 15

Mayor John Rowswell and
Members of City Council

Re: 2007 PUC Interest Payment

For the past 5 years (2002-2006), the City has received an annual interest payment of \$2,545,400 from the PUC for interest on \$40,240,000 of notes issued to the City as part of the PUC financial capital structure.

In 2001, the City received \$1.5 million interest income. The City has used the interest revenue to reduce the tax levy.

The PUC has indicated in the attached letter that the interest payment will be reduced by \$500,000 in 2007.

The Finance Committee is currently undertaking a review of the PUC capital structure and a consultant has been selected. The approval of the consultant's appointment appears elsewhere on the agenda.

In light of the municipal budget impact for 2007, City Council should ask the PUC to provide an explanation of the service impact of not reducing the interest payment for 2007 to the City. During 2007, the consultant will report their findings and recommend changes to the capital strategy and list other strategic options.

Recommendation

In light of the municipal budget impact for 2007, PUC Inc. provide an explanation of the service impact of not reducing the City interest payment by \$500,000 for 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Freiburger".

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl
attachment

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



6(1)(a)

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

December 19, 2006

Mr. Joe Fratesi
Chief Administrative Officer
City of Sault Ste. Marie
99 Foster Drive
P.O. Box 580
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mr. *Joe* Fratesi:

Re: PUC Inc. Financial Restructuring

In 2001 the financial structure of PUC Distribution Inc. was altered to increase its debt to equity ratio to approximately 90:10. The adjustment was made to provide cash payments to the shareholder without incurring payments in lieu of taxes which would increase electricity rates. At that time it was anticipated that PUC Distribution would receive rate increases in 2002 and again in 2003 to allow it to earn a regulated return on equity of 9.88%. The rate increase in 2003 was delayed until March of 2005 and the proceeds of the increase that year were all required to be spent on promoting conservation and demand management measures.

In our 2004 annual report we advised the City that increased operating costs and the need for greater capital replacement of the electrical distribution system were putting additional pressures on our cash flow. We indicated that "if we do not change our financial structure to reduce our debt load, it will be extremely difficult to meet future cash flow obligations". Again in our 2005 annual report we stated that "In order to achieve the necessary level of capital spending in the future, meet annual expense requirements and continue to provide a reasonable return to the shareholder a new financing structure will be required to be put into place starting in 2007". In 2004 PUC Distribution capital expenditures were \$2.6 million; the 2007 capital budget is \$4.9 million.

Earlier this year we discussed PUC's financial status and the need for a review and revision of its capital structure with the subcommittee of the City's Finance Committee that was created to review various options with respect to PUC Distribution. It was agreed that the revised capital structure could not be addressed until early 2007, which is subsequent to the finalization of PUC's 2007 budget. At the time of the discussions PUC indicated that it would be necessary to reduce the payment to the shareholder by approximately \$500,000 in order to avoid losses additional to those that have been experienced over the last couple of years and to address required operating and capital expenditures to maintain/enhance reliability due to issues experienced over the last several years.

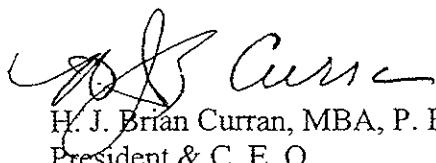
6(1)(a)

Page 2 of 2

The 2007 budgets of PUC Inc. and its affiliates were approved by the Board of Directors on November 29th maintaining the current capital structure but with the reduced payment to the shareholder, pending the results of the capital structure review. The form of the reduction should be discussed to determine the optimal method for tax purposes. In addition to a reduced payment to the shareholder of \$500,000, PUC Distribution's budgeted net income is \$5,000 and there is a projected reduction in cash of \$100,000.

It may also be necessary to delay the first quarter payment to the shareholder due to cash flow issues during the high consumption winter months.

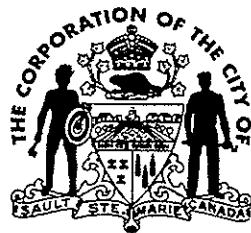
Yours truly,



H. J. Brian Curran, MBA, P. Eng.
President & C. E. O.

cc Terry Greco
Bill Freiburger

6(6)(a)



2007 01 15

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

- TO:** Mayor John Rowswell
and Members of City Council
- SUBJECT:** Application No. A-1-07-Z – filed by M R A Holdings Limited.
- SUBJECT PROPERTY:** Location – The northwest corner of Albert Street West and Andrew Street. Civic No. 104 Albert Street West. Zone Map 1-27
Size – Approximately 10m (33') x 30.5m (100'), 305m² (3,283 sq. ft.).
Present Use – Six unit apartment building.
Owner – Donalyn & Larry Rudnicki.
- REQUEST:** The applicant, M R A Holdings Limited, is requesting a rezoning to permit a total of no more than 6 dwelling units on the subject property, whereas, Special Exception 52 of By-law 2005-151 currently permits a maximum of 5 dwelling units.
- CONSULTATION:** Engineering – No Objections
Building Division – No objections
Legal Department – See attached letter.
Fire Services – See attached letter.
PUC Services Inc. – No comment.
C.S.D. – No concerns.
Conservation Authority – No comments or objections.
E.D.C. – No objections.

PREVIOUS APPLICATIONS:

In April 1986 the applicant, White Drug Store, requested that former Special Exception 544 be altered to permit 6 dwelling units within the existing building. The property was zoned to permit a 4-plex, however the building already supported 6 dwelling units. Initially Planning Staff recommended that City Council deny the application, based largely upon insufficient provision of parking. Later that same year, the applicant was able to secure a lease agreement with a neighbouring property owner for an additional 2 spaces. The result was a total of 5 parking spaces to support the 6-plex. City Council then approved the application. The neighbours appealed Council's decision and the Ontario Municipal Board subsequently amended the By-law to permit no more than 5 dwelling units within the existing building.

Conformity with the Official Plan

104 Albert Street West is designated Residential on Land Use Schedule "C" of Sault Ste. Marie's Official Plan. The proposed addition of 1 dwelling unit to the existing 5-plex conforms to the Residential land use designation. Residential policy "R-4" (Section 2.3.1) of the Official Plan also notes that residential intensification may be permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist.

Comments

The applicant, M R A Holdings Limited is requesting an amendment to Special Exception 52 (formerly 544) to permit an additional dwelling unit within the basement of the existing building.

The original home was built in 1892. In the early 80's extensive renovations including a second storey were added and the single detached residence was transformed into a 4-plex. Prior to 1986 2 additional dwelling units were also added. In 1986 the owner attempted to legalize the 6-plex. The Zoning By-law, which resulted from an OMB hearing, permits no more than 5 dwelling units at 104 Albert Street West. Between then and now, the sixth dwelling unit has existed illegally, even though ownership has changed at least 2 times since 1986. The new owners, M R A Holdings Limited now wish to legalize the additional (sixth) dwelling unit.

The subject property is located on the northwest corner of Albert Street West and Andrew Street. The character of the area is a mixture of residential uses, including single detached dwellings, and converted residences supporting 2, 3 or 4 dwelling units. There are some commercial uses to the southeast of the subject property. The area is centrally located and provides a wide range of

amenities within easy walking distance. Gore Street runs roughly parallel to and one block east of Andrew Street. Given the central location, and character of the area, this property is well suited to residential intensification.

The subject property supports 3 parking spaces on-site. Attached to this report is a memorandum of understanding between the applicants and Mr. Elmer Merini for an additional 3 spaces located at 42 Manilla Terrace, approximately 90m (295') northeast of the subject property. The parking lot at 42 Manilla Terrace benefits a number of uses located at 145 Gore Street. A reduction of 3 parking spaces will not impact the required parking for 145 Gore Street. It is important to note that approval of this application would be conditional upon the applicant securing a definite lease exceeding 10 years. Section 5.3.5 of Zoning By-law 2005-150 permits required parking spaces to be located upon a neighbouring lot so long as it is located within the defined 'downtown'. Given the subject property's close proximity to the defined 'downtown' (Gore Street and Queen Street West), an amendment to Section 5.3.5 of Zoning By-law 2005-150 is appropriate.

The resulting parking ratio of 1 space per dwelling unit is more than sufficient in this area, given its central location, and proximity to amenities including public transit. The applicant has also noted that the majority of renters in this area do not possess vehicles. Minor residential parking shortages generally work themselves out. Tenants will choose not to rent at this location if there is nowhere to park their vehicle(s). The 1986 OMB decision to reduce the number of proposed dwelling units from 6 to 5 was based largely upon the fact that only 5 parking spaces were provided. At this time, the Board felt that 1 space per unit was appropriate, however the applicant was unable to secure a 6th parking space.

Reviewing the site plan and pictures attached to this report; there is some outdoor amenity space on-site. Esposito Park is also located approximately 90m (295') south of the subject property, offering ample year round recreational space for tenants.

Fire Service's correspondence attached to this report notes that at the request of the owner, Fire Services inspected the subject property in November 2005. Fire retro fits could not be ordered until the proper zoning for the 6th unit is established. The applicants are willing to work with Fire Services to ensure that any remaining fire safety concerns are rectified.

Legal Department's correspondence attached to this report expresses some concern with the illegality of the existing situation. Legal notes that the property was zoned as a 5-plex, but has continued to operate illegally as a 6-plex. The applicants in this case are far removed from the owners who illegally converted

6(6)(a)

the 6th dwelling unit. It is also important to note that this was brought to the City's attention as a result of a property transaction, rather than a complaint. Planning staff assesses each application on it's own merit, based upon sound land use planning principals. In this case, the legalization of the 6th dwelling unit makes good planning sense, regardless of whether it exists or not. The legalization of the sixth dwelling unit will not have a negative effect on the neighbourhood.

SUMMARY

According to the Canadian Mortgage and Housing Corporation (CMHC) Sault Ste. Marie's vacancy rate for 2006 is 1%, down from 3.3% in 2005, and 5.8% in 2004. Further, CMHC's 2006 vacancy rate for the downtown is 0.3%, down from 0.9% in 2005. Based upon these statistics, there is a definite need for new rental housing in Sault Ste. Marie, especially in the downtown.

The new Provincial Policy Statement and the City's Official Plan both encourage residential intensification where appropriate. The character of this centrally located neighbourhood, and the provision of 1 parking space per dwelling unit is appropriate and adequate to minimizing any negative impacts to the area. The property is subject to site plan control; however there will be no change to the exterior of the building.

Planning Director's Recommendation - That City Council approve the following amendments to Special Exception 52 of By-law 2005-151:

1. That no more then 6 dwelling units be permitted on the subject property.
2. That the required parking is 6 spaces, 3 on-site, and 3 at 42 Manilla Terrace, subject to a definite lease that exceeds 10 years.

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

PT/pms

PUBLIC HEARING – 2007 01 15, Council Chambers, Civic Centre

6(6)(a)

Oct 12, 2006

15.

3

I Elmer Merini owner of EJM Catering am willing to lease up to ~~two~~ parking spaces to MRA Holdings Ltd for the apartment building they own at 104 Albert St W. I own a vacant property between 32 Manilla Terrace and 50 Manilla Terrace that can be leased for parking to their tenants if needed. If you require any further information contact me during the day at 256-2144.

Elmer Merini

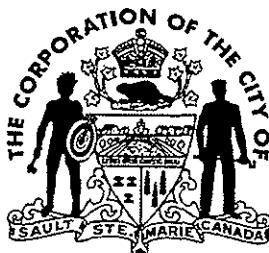
Elmer Merini

Oct 12-2006

Date

Fire Chief Lynn D. McCoy

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



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

6(6)(a)

Emergency Direct "911"

Emergency Phone (705) 949-3333

Business Phone (705) 949-3335

Fire Prevention Phone (705) 949-3377

Emergency Medical Services (705) 949-3337

Fax Phone (705) 949-

December 19, 2006

DEC 21 2006

Planning Director

MEMORANDUM

TO: Donald McConnell, Planning Director

**RE: Application No. A-1-07-Z
104 Albert Street West**

At the request of the owner, Fire Services inspected the above noted property on November of 2005. The intent of this inspection was for general fire code compliance for a Real Estate transaction. During that inspection, Fire Services Inspector Paul Antonello noted several non-compliance issues and also several issues pertaining to separation and egress as a result of apartment 5B.

Further research on this property indicated the original "Retrofit" inspection performed by Fire Services in June of 1997 and compliance letter dated September 1997 was for five units only. This letter specifically stated "*separate investigations should be carried out with respect to zoning by-laws, building codes, maintenance and occupancy standard by-laws and other applicable regulations*". "*This does not deal with any matter other than Fire Safety*".

At some point between 1997 and 2005 unit 5B was installed and as a result created non-compliant issues with respect to fire separation and egress from 5B. Fire Services Inspector Paul Antonello informed our Building Division of the sixth unit. Further research has indicated that the zoning was for five units not six. At this point the Building Division issued a letter to the owner to apply for rezoning.

Please be advised that Fire Services cannot order work to be done to rectify these issues without written confirmation of proper zoning for the sixth unit (apartment 5B).

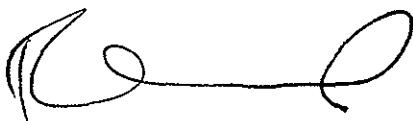
6(6)(a)

Summary

This property currently houses six dwelling units and is non-compliant with the Ontario Fire Code Retrofit 9.5. Please see attached letter to Don Hare Investment Limited dated November 9, 2005. Once a decision is made with regards to the zoning issue, action by either the Building Division or Fire Services will ensue.

It is Fire Services opinion that these issues were known to the previous owner (Mr. Don Hare) and hopefully were disclosed to the current owner.

Yours truly,



Paul Milosevich – Assistant Fire Chief – Fire Prevention
Sault Ste. Marie Fire Services

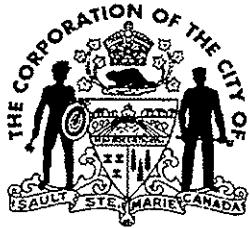
PM/ks

Attachment

6(6)(a)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT



December 18, 2006

Donald B. McConnell
Planning Director

Dear Don:

RE: Application No. A-1-07-Z- M R A Holdings Limited- 104 Albert Street West

This property was subject to an Ontario Municipal Board hearing. The subject property was zoned by the Board as a 5 plex. It was illegally converted prior to the present owners purchasing the property. The current owners recourse should be against the previous owner, if any misrepresentation was made as to the proper zoning. If Council just rezones the property that would encourage others to flout the by-law with the expectation Council will change the zoning if or when they are caught.

Yours truly,

A handwritten signature in black ink that reads "Lorie Bottos".

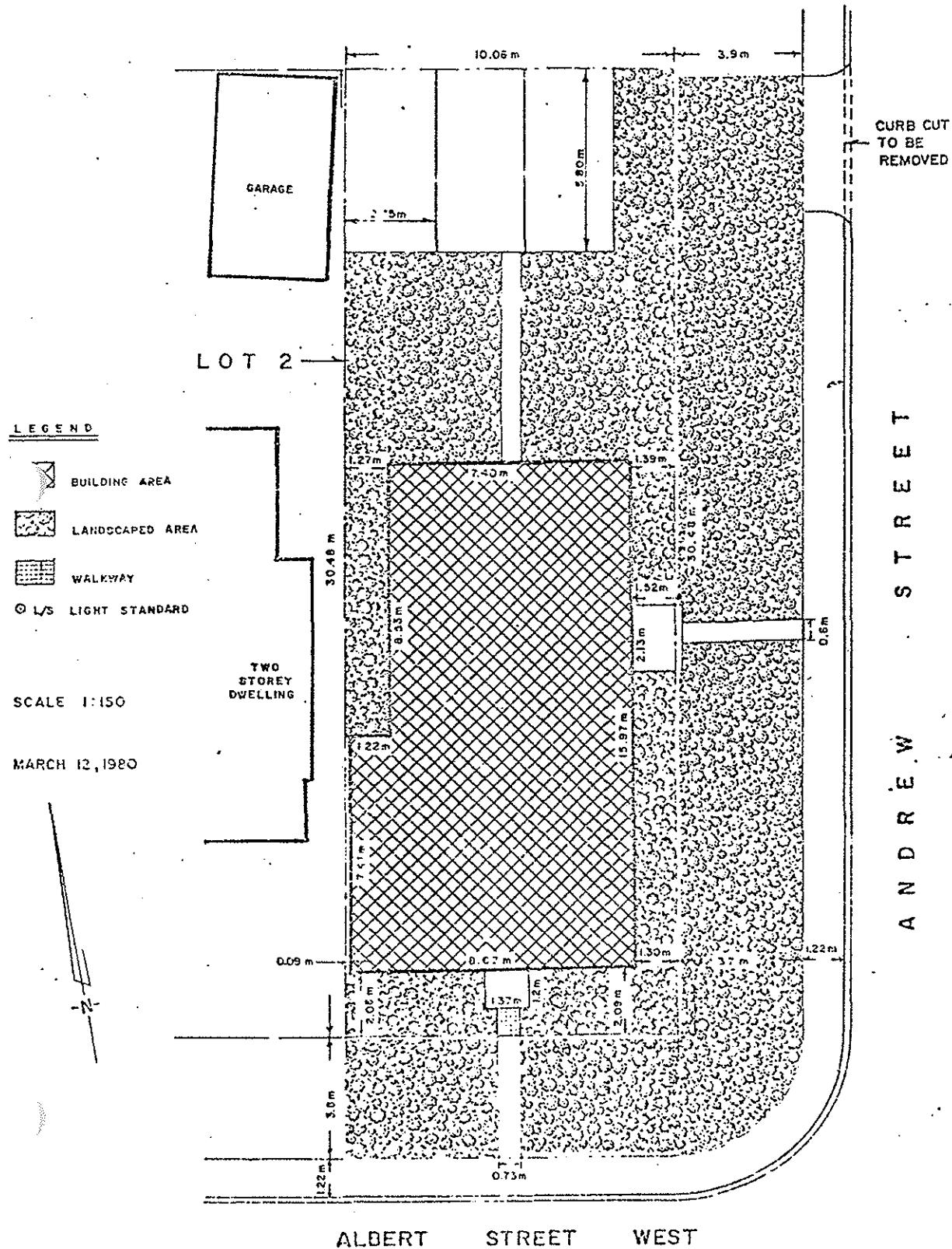
Lorie Bottos
City solicitor
LAB/bb

THIS IS SCHEDULE "B" TO THE AGREEMENT MADE THIS 14TH DAY OF JULY, 1980

6(b)(a)

BETWEEN: MIKE CRISTILLO
and - THE CORPORATION OF THE CITY OF SAULT STE. MARIE

7.92 m LANE

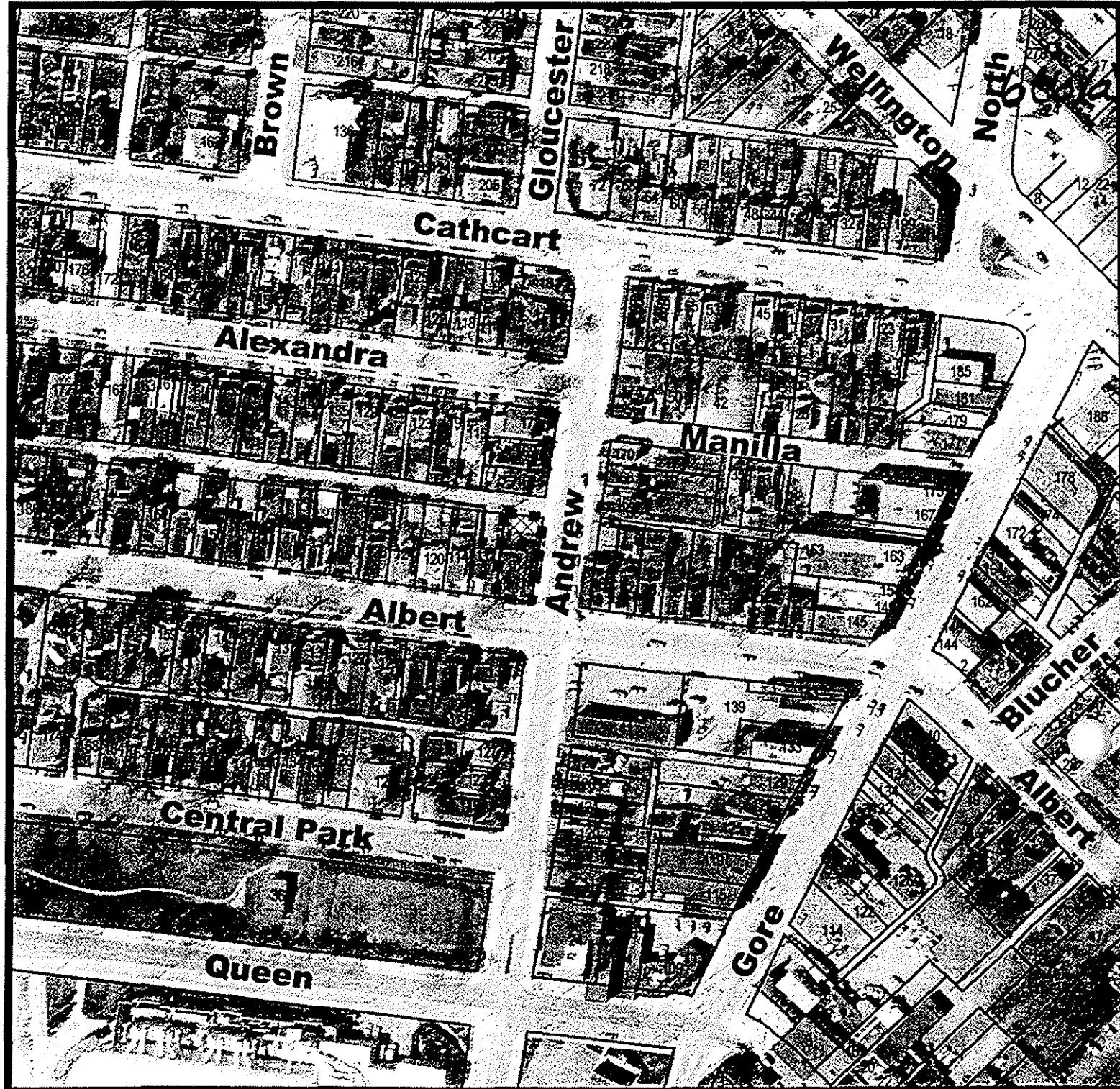


6(6)(a)



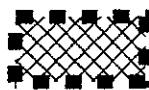
6(b)(a)





2004 ORTHO PHOTO MAP

Application A-1-07-Z



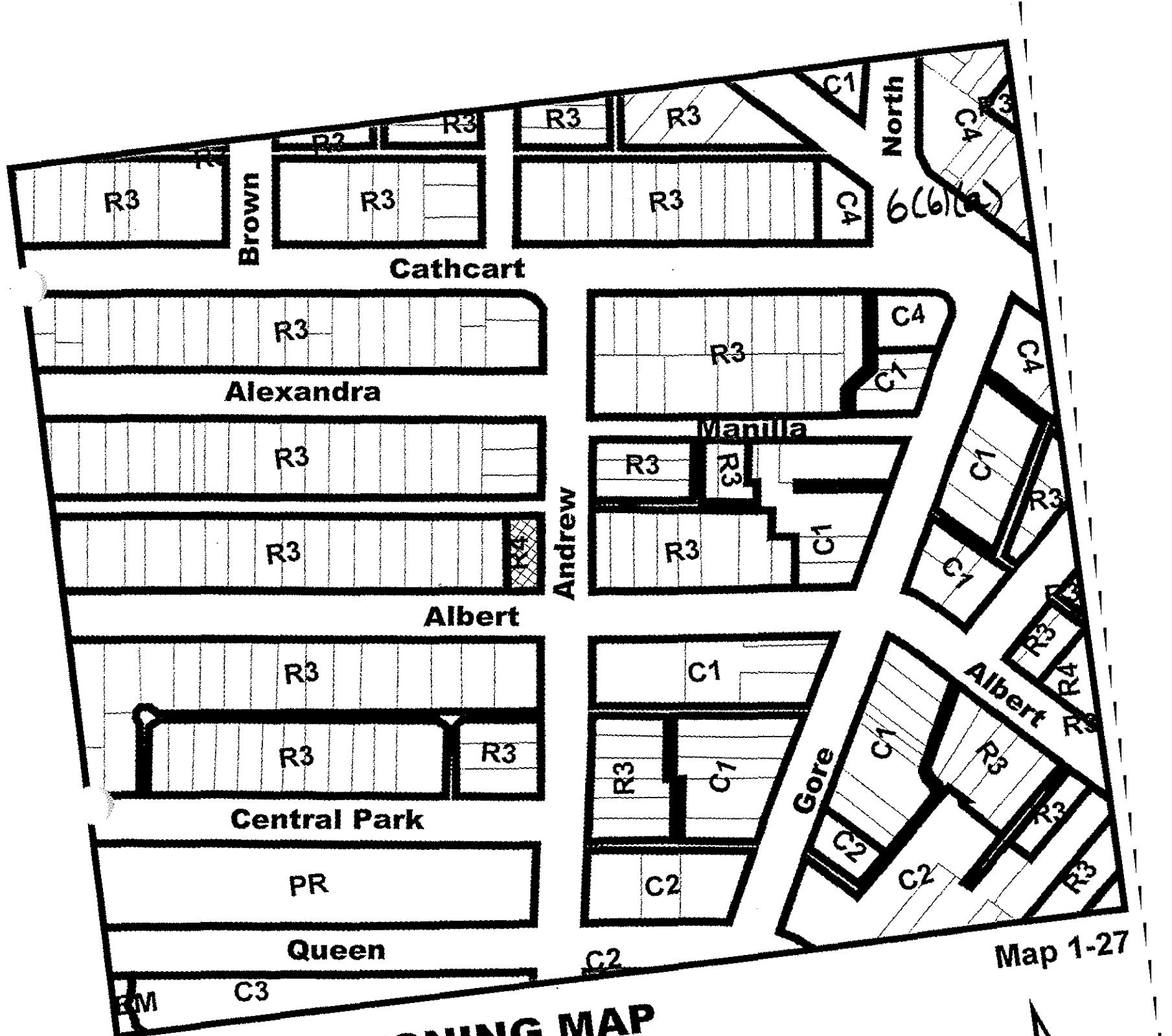
Subject Property - 107 Albert St W

Map 1-27

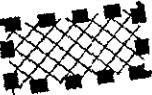


Metric Scale
1 : 2000

Date
December 13, 2006



EXISTING ZONING MAP Application A-1-07-Z

 Subject Property - 107 Albert St W



- C1 - Traditional Commercial Zone
- C2 - Central Commercial Zone
- C3 - Riverfront Zone
- C4 - General Commercial Zone
- R3 - Low Density Residential Zone



- R4 - Medium Density Residential Zone
- EM - Environmental Management Zone
- PR - Parks and Recreation Zone

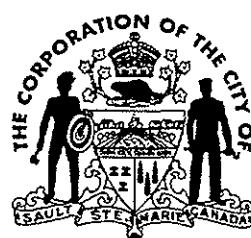
Metric Scale
1 : 2000

Date
December 13, 2006





6(6)(b)



2007 01 15

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

- TO:** Mayor John Rowswell
and Members of City Council
- SUBJECT:** Application No. A-2-07-Z – filed by Good Old Dad Food Products.
- SUBJECT PROPERTY:** Location – Located on the northwest corner of Industrial Park Crescent and Industrial Court "B". Civic No. 185 Industrial Court "B". Zoning Map # 1-112.
Size – Approximately 62m (203.4') x 68m (223.1'), 0.42 ha (1.04 acres).
Present Use – Food manufacturing.
Owner – Good Old Dad Food Products.
- REQUEST:** The applicant, Good Old Dad Food Products is requesting a rezoning to permit a coffee shop and the retail sales of foods manufactured on site. The proposed uses will operate from a serviced trailer located within the exterior side yard of the subject property. The applicant also requires a reduction in the required exterior side yard from 15m (49.2') to 10m (32.8').
- CONSULTATION:** Engineering – No Objections.
Building Division – See attached letter.
Legal Department – No comment.
Fire Services – No objection.
PUC Services Inc. – No comment.
Public Works & Transportation – No comments or objections.
Conservation Authority – See attached letter.
Algoma Health Unit – See attached letter.

6(6)(b)

PREVIOUS APPLICATIONS:

Application 24-71, heard in 1971 rezoned and thus created the industrially zoned lands in the area of Industrial Park Crescent, and Industrial Court "A" and "B". Application 75-76 heard in 1976 slightly altered the zoning of the properties, to better reflect the uses that were relocating to the area. The effect of the application was to rezone the properties from "M-3", (Light Industrial) zone, to "M-2", (Industrial Park) zone (By-law 4500). This rezoning also protected the abutting ravines to the north with the Parks and Recreation zone.

Conformity with the Official Plan

185 Industrial Court "B" is designated 'Industrial' on Land Use Schedule "C" of Sault Ste. Marie's Official Plan. The proposed retail use is very small, clearly secondary to the main use of the property, and appropriate within the Industrial classification. The main use of the property is food manufacturing and will remain industrial and in conformity with the Official Plan.

Comments

The applicant, Good Old Dad Food Products is requesting a rezoning by way of a Special Exception to permit a trailer for the retail sale of foods produced on-site, and Country Style Coffee and snacks. The site plan attached to this report shows that the use will operate from a 2.6m by 11m (8.5'x36') trailer located along the eastern side of the property fronting onto Industrial Park Crescent. One can see from the pictures attached to this report that patrons are serviced from windows along the side of the trailer. There is no indoor seating or amenity area within the trailer.

Ample off-street parking is accommodated along the northeastern corner of the property. Based upon the floor area of the trailer, the required parking for the use is 1 space. In order to provide sufficient employee and customer parking a minimum of 4 off-street parking spaces is required. The northeastern corner of the subject property can easily accommodate at least 4 parking spaces.

While hours of operation cannot be restricted as part of a zoning by-law, the posted hours of Monday to Friday, 6:30 a.m. to 3:30 p.m. highlight the overall intent of the business. The coffee shop is clearly intended to provide services to workers in the surrounding industrial park. Not unlike convenience stores in a residential neighbourhood, small-scale commercial development supporting an industrial, or employment area is appropriate and desirable. The industrial Park in which the proposal is situated can clearly benefit from such a use.

The Conservation Authorities comments attached to this report indicate 2 concerns. First, the trailer is situated in a fill regulated area. As such, a permit from the Conservation Authority will be required as a condition of this rezoning. Second, there is a concern with the drainage of 'grey water' from the daily operations of the 'coffee trailer'. A pipe has been connected into an existing on-site sanitary sewer, so all grey

6(6)(b)

water will be appropriately discharged into the municipal sewage system. Public Works has inspected the connection and is satisfied with the installation.

The Algoma Health Unit's (AHU) correspondence attached to this report notes that the 'coffee trailer' was inspected in August 2006. During this inspection it was noted that the water supply into the food preparation unit was not considered potable. The applicant has stated that the problem has been rectified and a potable water line has been installed, as per the requirements of the AHU requirements. Health inspectors for the AHU will follow up with a final inspection.

Planning Director's Recommendation: That City Council approve the application by way of a Special Exception to permit a trailer for the retail sale of frozen foods produced on-site, coffee, and snacks. The following regulations shall apply to the use:

1. That there be a minimum of 4 parking spaces for the coffee shop/retail sales trailer.
2. That the required exterior side yard be reduced from 15m to 10m.
3. The approval of this application shall be conditional upon the following:
 - (a) That all requirements of the Building Division be satisfied, including the approval of a final occupancy permit for the main building on the property.
 - (b) That all requirements of the Conservation Authority be satisfied.
 - (c) That the potable water installation meet all Algoma Health Unit requirements.

PT/pms

PUBLIC HEARING – 2007 01 15, Council Chambers, Civic Centre

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

6(6)(b)

Pat Schinners

From: Don Maki
Sent: December 18, 2006 2:00 PM
To: Don McConnell
Cc: Pat Schinners
Subject: Rezoning Application A-2-07-Z

Hi Don

Please be advised that our office has yet to issue the final occupancy permit for the addition built in 1992. The previous owner was advised by letter to supply verification that that site was reviewed by the design engineer and that all work was complete in conformity to Ontario Building Code following our final inspection. This remains outstanding however the Design Engineer is no longer practicing now.

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



"Man and Nature"

Sault Ste. Marie Region Conservation Authority

6(6)(b)

January 5, 2007

FAX



PETER TON A 220
~~Don McConnell~~



541-7165

DATE: _____



Conservation Authority Comments:

Application #

A-2-07-Z

Good Old Dad Food Products

185 Industrial Court "B", Sault Ste. Marie

- The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the Development, Interference with Wetlands and Alterations to Shoreline and Watercourses O.Reg.176/06.
- This property is subject to the Shoreline Management Plan.
- This property is subject to Source Water Protection
- A permit is required prior to ANY site grading, excavating, filling, development or construction.
- We have no comments or objections to this application
- Other:

The subject property is under the jurisdiction of the Conservation Authority and therefore will require a permit for any fill or development. From the information provided in the application there is no indication of drainage from the 'trailer'. Our office is concerned with the discharge of 'gray water' from the 'trailer'. Also our office did not receive notice or application of the 'trailer' installation as is required by the regulation.

Sincerely,

Marlene McKinnon
GIS Specialist

File: A-2-07-Z_5Jan07.doc



for healthier communities
Service de santé publique

AA Northan
MD MHSc FRCP(C)
Medical Officer of Health
www.ahu.on.ca

6(6)(b)

January 8, 2007

Blind River
Community Services
Centre
15 Hanes Avenue
POR 1B0
Tel: 1 (705) 356-2551
TF: 1 (888) 211-4739
Fax: 1 (705) 356-2494

Elliot Lake
Algo Centre
151 Ontario Avenue
P5A 2T2
Tel: 1 (705) 848-2314
TF: 1 (888) 211-6749
Fax: 1 (705) 848-1911

Sault Ste. Marie
Civic Centre
99 Foster Drive
P6A 5X6
 1st Floor
 6th Floor
Tel: 1 (705) 759-5287
Fax: 1 (705) 759-1534

126/128 Queen
Street East
P6A 1Y5
Tel: 1 (705) 942-3103
Fax: 1 (705) 942-9915

186 East Street
P6A 3C6
Tel: 1 (705) 759-3935
Fax: 1 (705) 759-2105

63 East Street
Unit 1
P6A 3C4
Tel: 1 (705) 759-1844
Fax: 1 (705) 759-5953

Wawa
18 Ganley Street
PO5 1K0
Tel: 1 (705) 856-7208
TF: 1 (888) 211-8074
Fax: 1 (705) 856-1752

JIM FITZPATRICK
185 INDUSTRIAL COURT B
SAULT STE MARIE ON P6B 5Z9

RE: Re-Zoning Requirements

During an inspection conducted by the Algoma Health Unit in August 2006, it was noted that the water supply into the food preparation unit was not considered potable. There was a requirement to provide potable water into the unit by means of a potable water line that draws from a potable water source. Also, the potable water holding tank for the unit was to be disinfected as to ensure any bacteria that may have been present in the tank would not contaminate the potable water as it entered.

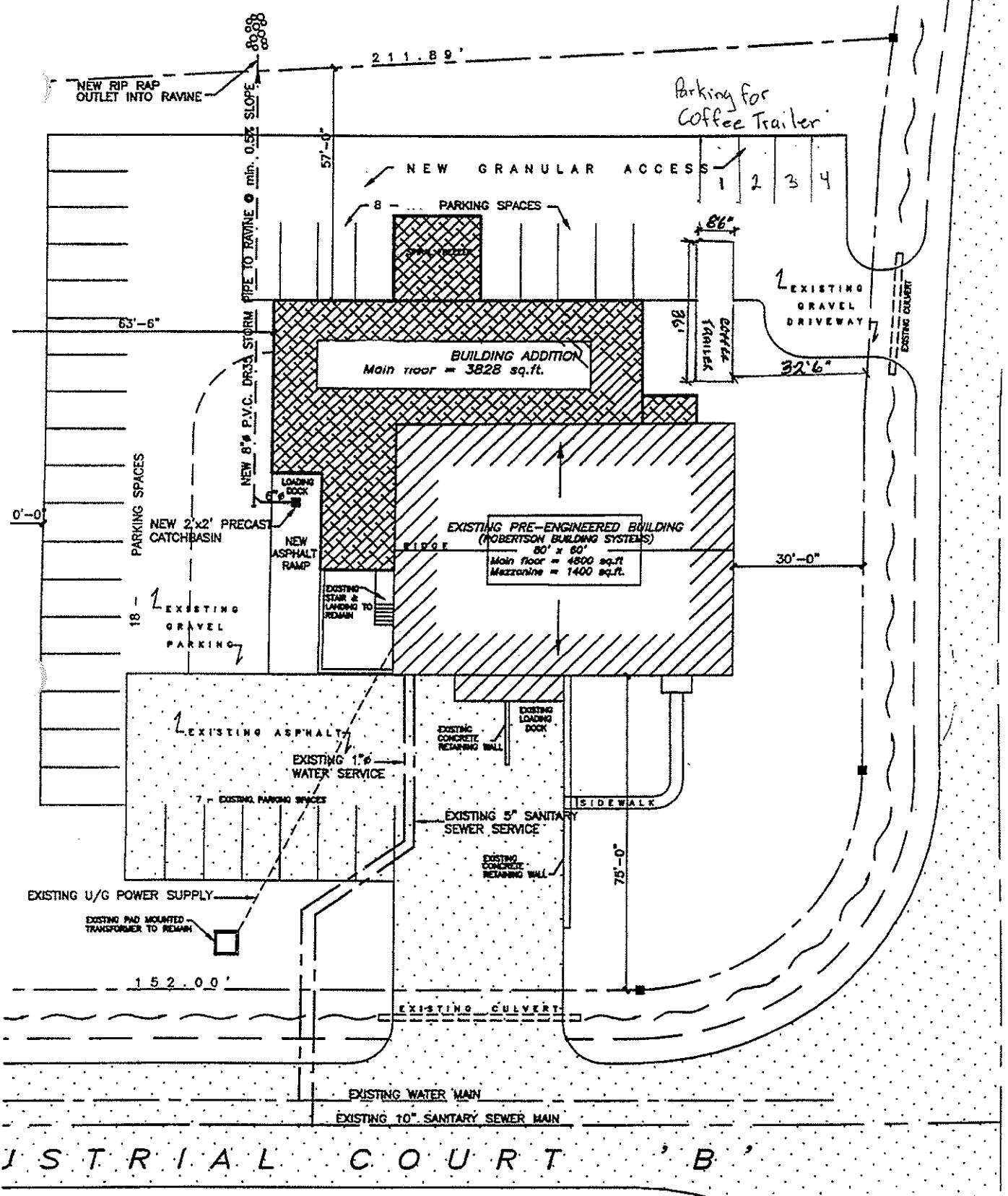
If these requirements have been complied with, the Algoma Health Unit has no objections to the re-zoning of this property to comply with the City of Sault Ste. Marie's zoning laws.

For healthier communities,

Lindsay Nicholson, BSc(EH), CPHI(C)
Public Health Inspector

/ta

6(6)(b)



INDUSTRIAL COURT 'B'

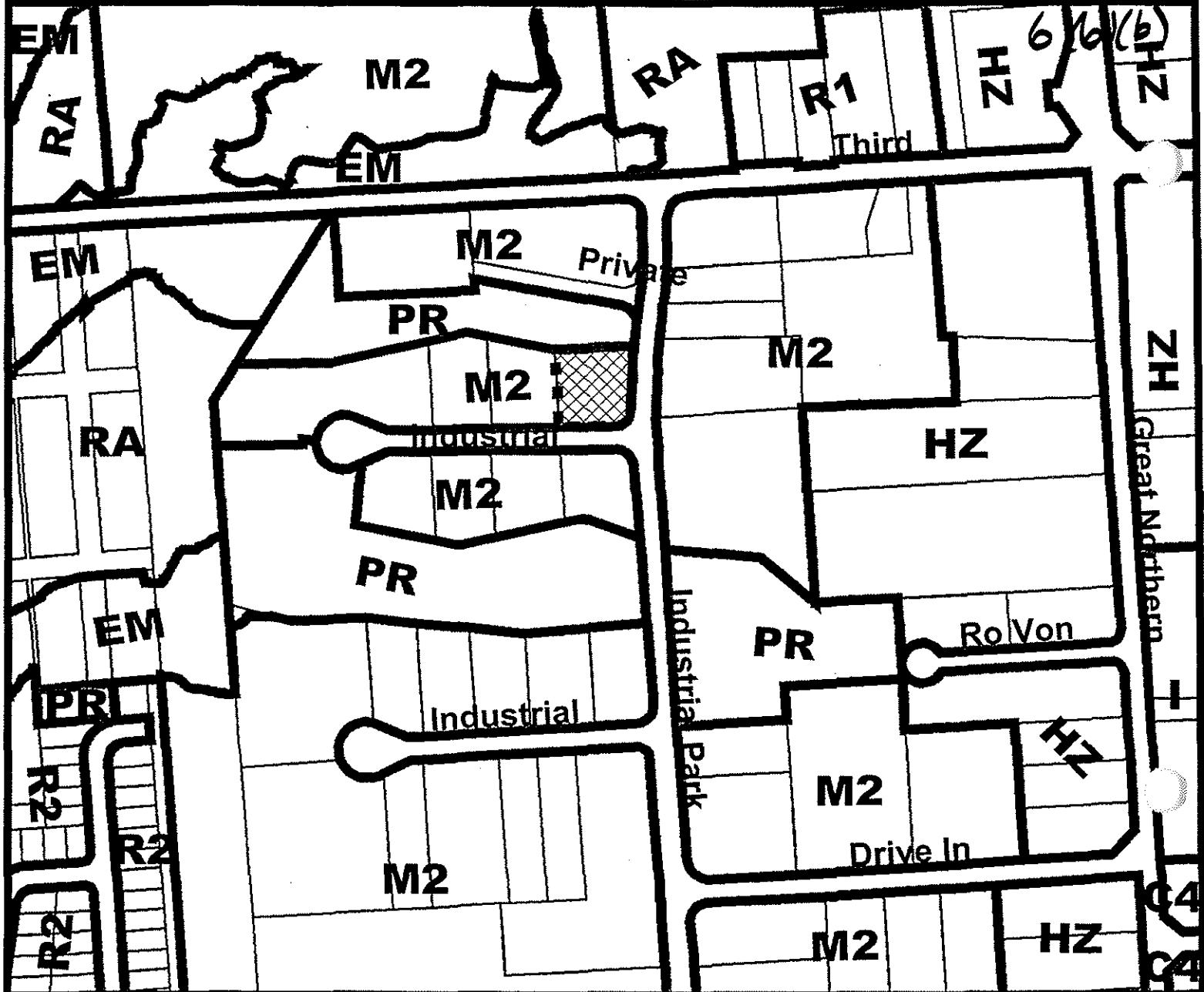
SITE PLAN

6(b)(b)



6(b)(b)





ZONING MAP

Map 1-112
[Map 98]

Application 2-07-Z



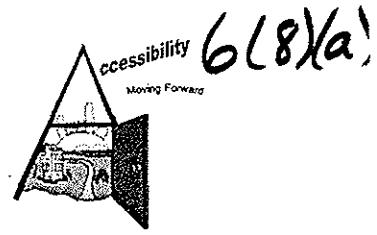
SUBJECT PROPERTY - 185 Industrial Court B

Metric Scale
1 : 5000



<input type="checkbox"/>	C4 - General Commercial Zone	<input type="checkbox"/>	I - Institutional Zone
<input type="checkbox"/>	HZ - Highway Zone	<input type="checkbox"/>	RA - Rural Area Zone; RAhp
<input type="checkbox"/>	M2 - Medium Industrial Zone	<input type="checkbox"/>	EM - Environmental Management Zone
<input type="checkbox"/>	R1 - Estate Residential Zone	<input type="checkbox"/>	PR - Parks and Recreation Zone
<input type="checkbox"/>	R2 - Single Detached Residential Zone		

**SAULT STE. MARIE
ACCESSIBILITY ADVISORY COMMITTEE**



2006 10 24

Sault Ste. Marie - Algoma Region

MAYOR JOHN ROWSWELL,

MEMBERS OF COUNCIL,

CORPORATION OF THE CITY OF SAULT STE. MARIE

MUNICIPAL PARKING BYLAW:

Introduction:

MODEL PARKING BYLAW 2006: "Parking is an integral part of traveling for many persons with disabilities, often overlooked in planning personal travel and public transportation. If the parking component of a trip is not successful, the individual is prevented from accomplishing what they set out to do. This can result in being unable to go to work, go shopping or missing a medical appointment."

"Good parking policy is all about opening up access to a community, its programs and services. Municipalities, which provide leadership by designating parking spaces and providing exemptions from parking restrictions for persons with disabilities, are improving access to activities and opportunities in their communities by residents and visitors. They are also planning for the future where an aging population with disabilities is likely to have an increased need for parking which meets their needs."

Summary:

Identified as barriers in 2004 / 2005 Accessibility Plan "Moving Forward" and subsequently by multiple complaints from persons in the community, the Accessibility Advisory Committee has done a thorough review of Municipal By-Laws 69-150, 77-200, 81-367, 4001, and the Highway Traffic Act. This review has caused us to determine that these bylaws do not meet the current standards

for parking and traffic management inclusive for persons with disabilities.

Recommendation:

We recommend that council consider the development of a comprehensive and inclusive parking bylaw that respects accessibility for all and assures that such a bylaw is enforceable.

We will look forward to working with the department charged with this responsibility. Inclusive in this submission we offer a list of research items reviewed by the committee.

Respectively Submitted,

Ann Marie McPhee, Chair

Accessibility Advisory Committee

6(8)(a)

**SAULT STE. MARIE
ACCESSIBILITY ADVISORY COMMITTEE
REFERENCES FOR PARKING BY-LAW**



Sault Ste. Marie - Algoma Region

References

- The Ministry of Community and Social Services' Model Parking By-Law 2006:
<http://www.cfcs.gov.on.ca/NR/rdonlyres/83A98C75-5EE5-44A1-B2A3-71939F2CF1DC/17modelparkingandtrafficbylawguide.pdf>
- London's Traffic and Parking By-Law, 2006
<http://www.london.ca/CityHall/CorpServices/CityClerks/Bylaws/traffic.pdf>
- Brampton's Parking and Traffic By-law – no longer on line, a print copy is attached.
- City of Brampton Accessible Parking By-Law Information
http://www.city.brampton.on.ca/city_dept/leg_serv/disabled-persons.tml
- New and Alternative Vehicles:
<http://www.mto.gov.on.ca/english/dandy/vehicle/emerging/>
- Accessible Parking Permits:
<http://ogov.newswire.ca/ontario/GPOE/2005/12/01/c1699.html?match=&lang=e.html>
<http://www.mto.gov.on.ca/english/faq/vehicle.htm>
- City of Kingston Parking
<http://www.cityofkingston.ca/residents/transportation/parking>
- Disabled Parking
<http://www.cityofkingston.ca/residents/transportation/parking/disabled.asp>

Ms. Ann Marie McPhee, Chair,
Sault Ste. Marie Accessibility Advisory Committee,
160 Kohler Street, Sault Ste. Marie, ON P6A 3V1

6(8)(a)

Definitions
By-law 93-93 - Consolidated Text

Revision Date 03/07/28 page 20

- | | |
|-------|--|
| (ii) | the absence of the consent of the owner or occupant; |
| (iii) | whether any person is an owner under paragraph (5) of the definition of "owner" or an occupant under paragraph (4) of the definition of "occupant" in Section 2. |
- (b) A document offered as evidence under Subsection (3)(a) shall be admitted without notice under the Evidence Act.
- (c) A municipal law enforcement officer, upon discovery of any vehicle parked or standing in contravention of the provisions of this section may cause it to be moved or taken to and placed or stored in a suitable place, at the owner's expense, and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle which may be enforced in the manner provided by the Repair and Storage Liens Act.

FIRE ROUTES

47. Following designation of fire routes by the Fire Chief and notice under the Fire Marshals Act, R.S.O. 1990, F.17:
- (1) the owner of a property shall erect signs marking private roadways thereon as fire routes;
 - (2) before erecting signs as required, the owner of a property shall obtain direction from and the approval of the Fire Chief or the persons designated by him to give such direction and approval, for all such signs, the wording thereon and the location thereof;
 - (3) each private roadway which is located on a property of which the municipal address or location is listed in Schedule XXII hereto and beside or near which there are signs marking it as a fire route is hereby designated as a fire route;
 - (4) the owner of a property upon which there is a private roadway that has been designated as a fire route:
 - (a) shall maintain the signs marking it as a fire route; and
 - (b) shall keep such private roadway:
 - (i) in good repair;
 - (ii) clear of snow and ice;
 - (iii) free of all obstructions.
 - (5) no person shall park or leave a vehicle at any time on or along any part of a private roadway designated as a fire route; and
 - (6) a Municipal Enforcement Officer upon discovery of any vehicle parked or standing in contravention of the provisions of this section, may cause it to be moved or taken to and placed or stored in a suitable place, at the owner's expense, and all costs and charges for removing, care and storage thereof, if any, are a lien upon the vehicle, which may be enforced in the manner provided by the Repair and Storage Liens Act.

HANDICAPPED PARKING REGULATIONS

48. **Provision of parking spaces for use by handicapped persons**

- (1) Every owner or operator of a public parking area shall provide designated parking spaces for the exclusive use of vehicles operated by or conveying physically handicapped persons, upon which vehicles shall be properly displayed an identifying marker as provided for in this by-law. The minimum number of designated parking spaces which must be provided shall be calculated in accordance with the following table:

Capacity of Public Parking Area (# of parking spaces)	Number of Designated Parking Spaces to be Provided
1-19	0
20-99	1
100-199	2
200-299	3
300-399	4
400-499	5
500 or more	6

- (2) For the purposes of subsection (1), the number of parking spaces comprising the capacity of a public parking area includes any designated parking spaces which shall be provided as required by said section.

Requirements for required parking spaces

- (3) (a) Every owner or operator shall ensure that the designated parking spaces as required shall be:
- (i) 2.7 metres (9 feet) in width;
 - (ii) of the same length as the other parking spaces in the same public parking area;
 - (iii) hard surfaced;
 - (iv) level;
 - (v) located so as to be readily accessible to physically handicapped persons, whether via ramps, depressed curbs or other means and, where the public parking area is intended to serve a particular building or complex, located within easy access of said building or complex;
 - (vi) identified by signs conforming to the requirements of the Ontario Regulation made under the Highway Traffic Act;
 - (vii) kept free from obstructions, kept clear of snow, ice and slush, and be otherwise maintained to the same standards as all other parking spaces in the same public parking area;
- (b) Every owner or operator shall provide on one side of each designated parking space an additional area equal to half the width of the parking space, running the length of each designated parking space, which designated parking space shall be marked in a manner to prevent parking thereon.

Signs

- (4) (a) The handicapped signs referred to in this by-law shall conform with the Ontario Regulation made under the Highway Traffic Act.
- (b) A handicapped sign shall be mounted on a permanent post one (1) metre in height to the bottom, which post is to be located at the end of the designated parking space at the point marking the midpoint in width of the parking space and shall not be located so as to block vehicular access to the designated parking space.
- (c) Every owner or operator of each public parking area in which signs are located pursuant to this by-law shall be responsible for the procurement, installation and maintenance of said signs, and for ensuring that said signs conform with the Ontario Regulations made under the Highway Traffic Act.

Use of parking spaces

-
- (5) (a) No person shall park a motor vehicle in a designated parking space in a public parking area, unless a valid identifying marker is properly displayed upon the motor vehicle.
- (b) No public parking area owner or operator shall authorize any person to park a vehicle which does not properly display a valid identifying marker in a designated parking space.

NO PARKING

49. Where signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule XIV of this by-law during the prohibited times or days set out in Column 4 of the said Schedule.
- ²⁴49.1 The provisions of section 49 shall not apply to vehicles which clearly display in a visible manner a disabled permit.

NO STOPPING

50. Where signs to that effect are displayed, no person shall stop a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule XV of this by-law during the prohibited times or days set out in Column 4 of the said Schedule.

TIME LIMIT PARKING

51. Where signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule XVI of this by-law during the times or days set out in Column 4 of the said Schedule for a longer period than set out in Column 5 of the said Schedule.
- ²⁵51.1 The provisions of section 51 shall not apply to vehicles which clearly display in a visible manner a disabled permit.

ANGLE PARKING

52. Where signs to that effect are displayed, no person shall park a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule XVII of this by-law except at an angle of forty-five degrees (45°) with reference to the curb or boundary of the roadway and having regard to the direction which the vehicle had been proceeding on the side of the highway adjacent to the angle parking zone.

NO STANDING

53. Where signs to that effect are displayed, no person shall stand a vehicle on any highway at the side and between the limits set out respectively in Columns 1, 2 and 3 of Schedule XVIII of this by-law during the prohibited times or days set out in Column 4 of the said Schedule.

IDLING OF VEHICLES

- ²⁶53.1 Where signs to that effect are displayed, no person shall cause or permit a vehicle to stop, stand or park while idling for a period exceeding three (3) minutes on any highway and between the limits set out respectively in Columns 1 and 2 of Schedule XXIX of this by-law during the prohibited times or days set out in Column 3 of the said Schedule.

TOW-AWAY ZONES

54. (1) The highways set out in Column 1 at the side and between the limits set out in Columns 2 and 3 of Schedule XIX of this by-law are hereby designated as tow-away zones.
- (2) Nothing in the provisions of subsection (1) of this section shall preclude an officer from causing to be removed a vehicle found obstructing traffic or snow clearing on any highway not designated as a tow-away zone.

HANDICAPPED LOADING ZONES

6(8)(b)



**THE NORGOMA
BACKGROUND AND RECOMMENDATIONS
A REPORT TO CITY COUNCIL**

January 2007

Executive Summary

Recommendations

It is recommended that the St. Mary's River Marine Centre (SMRMC) be provided with a viable opportunity to pursue their desire to provide SSM with a Great Lakes Heritage tourist attraction that could compliment the existing waterfront and downtown tourism infrastructure.

1. It would be clearly understood by all parties that the Norgoma would not be subsidized by City funding for more than five years.
2. The City would provide SMRMC with an annual subsidy of \$15,000¹/yr. to operate the Norgoma as a Museum ship and tourist attraction for up to five years. With this funding the SMRMC would be expected to operate and maintain the Norgoma. Income from visitation, along with other grants, contributions or partnerships would be used to subsidize any additional costs including capital maintenance and development.
3. During year one the SMRMC, working with the SSMEDC would explore the viability and interest of a possible restaurant partnership e.g. this type of partnership exists elsewhere with respect to chain restaurants and heritage railway stations.
4. SMRMC would strengthen and broaden their board membership and implement administrative procedures that ensure adequate governance, management and decision-making.
5. SMRMC would work with Tourism SSM and other community tourism organizations to strengthen marketing and promotion of Norgoma. This could include a Norgoma Advisory Committee to advise the Board on tourism development opportunities and relevant management of the Norgoma. Members could include key funding, education and tourism organizations.
6. During year one, through a community consultative process SMRMC would develop a vision and five year strategic plan clearly outlining where the ship is going²!
7. SMRMC would enter into a contract with the city that would identify specific annual commitments and measurement criteria associated with the allocation of the annual subsidy. SMRMC would be expected to provide an annual report to the Commissioner of Community Services.

The Alternative

In the event that City Council is unwilling to make the above commitment it is recommended that the City reclaim and dismantle the ship. Estimated cost would be \$100,000.

¹ The Norgoma Board requested \$20,000. It is anticipated that additional funding could come from increased marketing and other avenues.

² E.g. working with tourism organizations, historical associations, youth and the educational community among others.

Rationale for the Recommendation

- The Norgoma is part of the history of the North Channel and SSM. The volunteer SMRMC Board should be provided with a viable opportunity to make the Norgoma a positive aspect of the SSM waterfront.
 - Over the past year the SMRMC, with assistance from Service Canada has undertaken improvements to the vessel at a total cost of \$160,000.
 - It is estimated to cost \$100,000 to dismantle the Norgoma and considerably more to relocate it (should a new site be found).
 - The existing approach to managing the Norgoma requires strengthening, including a clearly articulated vision/direction and assistance and support from the broader community including Tourism SSM and city staff.
- :

Introduction

On November 14, 2005 SSM City Council: “*Resolved that the report of the Commissioner Community Services dated 2005 11 14 concerning M.S. Norgoma Status Report be accepted and the recommendation that Council authorize appropriate staff to meet with the St. Mary’s River Marine Heritage Centre Board.*”

On May 29th, 2006 SSM City Council passed a resolution stating: “*Be it resolved that Destiny SSM be requested to conduct an objective evaluation of the Norgoma and provide Council with recommendations as to next steps;*

Recommendations should consider the benefits and associated costs concerning options evaluated and the recommended option;

It is understood that Destiny would establish an advisory committee and that city staff along with other key players will participate”

Subsequent to the latter motion an advisory committee was established consisting of:

- Bill Therriault, (then Managing Director of SSM) - chair
- Nick Apostle, City Commissioner of Community Services
- Bill Shepherd, SSM Chamber of Commerce
- Ian McMillan, Tourism SSM
- John Bain, St. Mary’s Marine Heritage Centre (Norgoma)

The committee met several times. Although the committee was unable to reach consensus on a recommended approach they did provide solid information and feedback. Using this information this report was prepared by Bill Therriault.

The recommendations contained in this report have been endorsed by the Destiny SSM Steering committee.

History and Ownership

The Norgoma was launched from the Collingwood shipyards in 1950. Her name was taken from the prefix “Nor” used by the Owen Sound Transportation Company for ships of her fleet and “Goma” which refers to the Algoma District. From 1950 to 1963 the Norgoma carried equipment, supplies and passengers on the east-west water route from Georgian Bay to Lake Superior known as the “Turkey Trail”. The Norgoma is the last vessel of the eighty year marine lifeline to the North Channel communities.

From 1964 to 1974 the Norgoma operated as an automobile ferry between Tobermory and South Baymouth.

In 1975 the City of SSM purchased the Norgoma with the intent of operating it as a museum ship and tourist attraction.

In 1981 the City transferred ownership of the Norgoma to the St. Mary’s River Marine Centre (SMRMC), a non profit group interested in operating it as a museum ship and tourist attraction. Conditions for this transfer included that the ship be operated as a museum ship and tourist attraction and that it be maintained in a safe and attractive condition. In the event that the SMRMC did not meet these conditions the City could demand the re-conveyance of the Norgoma to the City for \$1.

Issues and Concerns

Mandate

Two feasibility studies have been conducted to help determine the mandate and needs of the Norgoma (1994 and 2001). The 2001 study indicated that the current location was the best fit if a bed and breakfast was going to be developed along with a land based visitor centre. If this development was not going to occur then the ship would be better located at the Canal. This study also indicated the possibility of establishing a restaurant on board. It is generally acknowledged that the immediate needs are the development of an acceptable museum and tourist attraction. The SMRMC has not discarded the possibility of additional developments but they are unlikely to occur for the next three or four years.

Although the SMRMC Board has indicated that they have a plan that is consistent with the recommendations of the feasibility study, to date there has been no articulated vision and strategy that clearly sets the desired direction for the ship and how it is going to get there. Without this strategic direction and associated measurement criteria the best one could hope for is a somewhat uncoordinated and haphazard progress.

Condition

The ship has not been well maintained and until recently there has been no significant upgrading.

- In the spring and early summer of 2006 (with funding from Service Canada and private contributions totaling \$75,000) the exterior was painted and some deck repairs undertaken.
- An additional \$85,000 is to be spent between October 2006 and January 2007 to complete exterior work and begin interior maintenance and repair
- A website has been developed to promote the vessel.
- The Board has applied for designation of the vessel as a nationally significant heritage artifact and anticipates designation in the spring of 2007.

Operations Funding

Over the past decade the ship has operated as a museum attraction. However the board experienced funding and administration challenges and in 2005 the ship did not open as a tourist attraction. With a \$10,000 one-time grant from City Council it was able to open for the 2006 season. Visitation for 2006 was 1740 with total revenue of \$6532.

Recently the Board identified a need for a contribution from the City of \$20,000/yr plus annual revenues for five years. Their perception is that this funding would enable them to operate and *"refurbish the vessel, develop programs and achieve sustainability i.e. sufficient revenue to cover operating costs."*

Governance and Administration

The existing non profit board acknowledges that they do not have the skills or resources to manage the SMRMC. They have requested City staff assistance to help insure the appropriate administrative functions are carried out. City staff have pointed out that this is not the normal process in dealing with non profit organizations. However, they are available as advisors and will be represented on the Norgoma Board of Directors.

SSM Waterfront/Downtown

In 2005 Destiny SSM developed a SSM Downtown Waterfront Vision that outlined key components of the City's waterfront. Although the Norgoma was recognized in this document as a contributor to the overall waterfront picture it was not considered to be a key/essential component. However, if the ship is to remain anywhere on the waterfront it must be maintained, attractive and a positive contribution to the waterfront/downtown area.

Tourism SSM has indicated that if the ship is operating in an acceptable manner they are prepared to work with the Board to help market it to visiting tourists.

Options

A number of options were evaluated, of which the following are most plausible:

1. Relocation of Norgoma

- Relocation options are limited
- Cost to move ship is estimated to be in excess of \$100,000 plus construction of new docking facilities etc.
- Does not solve the operating cost dilemma
- May reduce opportunities to attract visitors

2. Scrap Norgoma

- Preliminary cost estimates are \$100,000

3. Do Nothing

- SMRMC would proceed to operate in current floundering manner
- Highly probable that the SMRMC would either collapse or become so ineffective that the city would be forced to reclaim ownership of the Norgoma
- City would then be faced with the dilemma of either maintaining or scrapping the Norgoma

4. Subsidize and Strengthen Existing Norgoma Operations

- Council would commit to provide a fixed amount for a prescribed time period with specific parameters around funding allocations
- SMRMC would commit to ensure effective governance practices are implemented including strengthening and diversifying their board membership and administration procedures
- SMRMC would work with City staff and Tourism SSM to strengthen and promote Norgoma image and opportunities
- SMRMC would explore opportunities for long term partnerships e.g. a partnership with a restaurant chain wherein the restaurateur would maintain the essential historic integrity of the ship.

Recommendations

Option #4 is recommended. Under this option the SMRMC would be provided with a viable opportunity to pursue their desire to provide SSM with a Great Lakes Heritage tourist attraction that could compliment the existing waterfront and downtown tourism infrastructure.

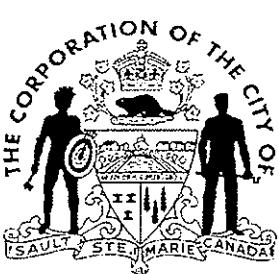
1. It would be clearly understood by all parties that the Norgoma would not be subsidized by City funding for more than five years.
2. The City would provide SMRMC with an annual subsidy of \$15,000³/yr. to operate the Norgoma as a Museum ship and tourist attraction for up to five years. With this funding the SMRMC would be expected to operate and maintain the Norgoma. Income from visitation, along with other grants, contributions or partnerships would be used to subsidize any additional costs including capital maintenance and development.
3. During year one the SMRMC, working with the SSMEDC would explore the viability and interest of a possible restaurant partnership e.g. this type of partnership exists elsewhere with respect to chain restaurants and heritage railway stations.
4. SMRMC would strengthen and broaden their board membership and implement administrative procedures that ensure adequate governance, management and decision making.
5. SMRMC would work with Tourism SSM and other community tourism organizations to strengthen marketing and promotion of Norgoma. This could include a Norgoma Advisory Committee to advise the Board on tourism development opportunities and relevant management of the Norgoma. Members could include key funding, education and tourism organizations.
6. During year one, through a community consultative process SMRMC would develop a vision and five year strategic plan clearly outlining where the ship is going⁴!
7. SMRMC would enter into a contract with the city that would identify specific annual commitments and measurement criteria associated with the allocation of the annual subsidy. SMRMC would be expected to provide an annual report to the Commissioner of Community Services.

The Alternative

In the event that City Council is unwilling to make the above commitment it is recommended that the City reclaim and dismantle the ship (Option #2 above). Estimated cost would be \$100,000.

³ Although the Norgoma Board requested \$20,000, \$5,000 was for capital support. It is anticipated that this funding could come from increased marketing and other avenues.

⁴ E.g. working with tourism organizations, historical associations, youth and the educational community among others.



CITY COUNCIL RESOLUTION

6(8)(b)

Date: May 29, 2006

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

S. Butland
P. Mick

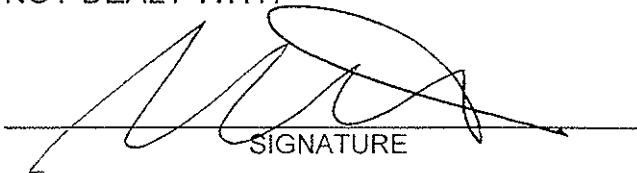
Be it resolved that Destiny SSM be requested to conduct an objective evaluation of the Norgoma and provide Council with recommendations as to next steps;
Recommendations should consider the benefits and associated costs concerning options evaluated and the recommended option;
It is understood that Destiny would establish an advisory committee and that city staff along with other key players will participate.

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
 B. Therriault

6(8)(c)



January 10, 2007

Mayor and City Council

Over the past decade Sault Ste. Marie has undertaken a number of initiatives to evaluate and promote opportunities associated with our strategic location and its potential as a transportation centre.

In early 2005 FedNor commissioned a multi modal management plan. This plan, completed in June 2005, recommended the implementation of a comprehensive and coordinated approach to determining the potential market demand, infrastructure costs and benefits relating to the perceived opportunities. Subsequently council directed that Destiny SSM be the driver for this initiative. Council also authorized the establishment of the Multi Modal Task Force to manage this process.

Over the past year the Multi Modal Task Force has directed activities associated with the funding and selection of a consulting firm to undertake a four phase "Market Assessment and Business Case for Multi Modal Facilities in SSM." In May of 2006 Council approved the Task Force recommendation to proceed with this study on the understanding that "*following the completion of each stage, Council will be provided with a full report and recommendations and will approve proceeding to the subsequent stage.*"

Attached please find the completed Phase I, Market Assessment component of the study. This report, which was prepared by KPMG in partnership with Marshal Macklin Monaghan Inc. and RGF Consultants, was accepted by the Multi Modal Task Force on January 4th and will be presented at the January 15th Council meeting.

Consistent with the findings of this report the Multi Modal Task Force recommends proceeding to Phase II of the study, a Feasibility and Infrastructure Assessment, focusing exclusively on the road and rail requirements. The removal of the air and marine components from the study will result in some cost savings which, if required and subject to future council approval, can be applied to other aspects of the study.

Consistent with Council's earlier direction, the chair of the Multi Modal Task Force has been designated to coordinate interface with Council and respond to any enquiries. If you require any information or explanation regarding this initiative please don't hesitate to contact me at the address below.

Sincerely,

Bill Therriault
Chair/Coordinator, Multi Modal Task Force
Phone 779 2110
E Mail therriault@sympatico.ca



7(c)

Urgent Letter

To

**Frank Manzo
Councillor
City Hall
Sault Ste. Marie Ont.**

**Dec.14/2006
293 Sussex Rd.
Sault Ste. Marie
P6C-3S2**

Dear Mr. Manzo

**I am writing you this letter because, it seems though
You are the only one on Council that is willing to
Step up where there is a Crisis about to occur.**

New Council Excluded.

Crisis;

**On my way home from the station mall on
Thurs. Dec. 14-2006 at 500 p.m.
And getting dark. I noticed quite a commotion
At the intersection of Comnee Ave. and
Carmens Way.
It Seems there had been quite an Accident.**

**There were Fire Trucks, Police Cars,Ambulances Etc.
Traffic was all tied up
Comnee Ave. was Plugged, to John St. on the east
Side of the truck route and all backed up to
Wellington St. on the West Side.**

**Carmens Way was at a stand still, it appeared as though
A Jeep traveling from the Wellington St. Intersection
At the Underpass upon arrival at Comnee Ave.**

**A car ran through the stop sign or stopped and proceeded
Through Carmens Way Crashing into the Jeep and
Pushing this Vehicle onto the Grass, now facing south
Where he came from, spinning his car around and he
To is now facing south.**

**Not hardly witnessed the Accident at the time,the Whole
Intersection is in K-OS.**

(2) 7(c)

There are Heavy Trucks loaded with Lumber, cars,
Pickups, all stopped with no where to go.

A Police Lady is trying to unblock the mess, But She
Has no Flashlight and it is now Dark, there is a total
Confusion with traffic piling up by the minute.

I am now concerned that a second accident might
Occur.

I Travel this road way every day, on several occasions,
I have just missed having an accident at this very
Intersection.

I have witnessed a Fender Bender on one other
Occasion as well!

You Can see the Writing on the Wall, Surely Someone
Is going to get >KILLED<.

I would recommend a Red Flashing Light be Installed
On Comnee Ave, and a Yellow Flashing Light be
Installed on Carmens Way, before its to Late".
Multi car pileups and not to be Ignored either.

While traveling north as I do every day, upon arrival
At Comnee Ave become a Blind Junction, because the
Barricades Block the Vision of the North Bound Traffic.

My Suggestion is Remove one Barricade at Comnee Ave.
To open up the view of travelers, Both on Comnee Ave.
And North Bound Traffic on Carmens Way.

I have called Lorena Trideco as well, to assist with you
In alleviating this >JACK POT<

I would Suggest that all Councillors in wards 4-5-6 get
Together and " HOLLER LIKE HELL" before Tragedy
Occurs,

(3)

7(c)

**Thanking you for your all time
Assistance,
I remain, Yours Truly
Clifford Thibert**

7(c)

(4)

Woman charged following crash

A woman was charged following a two-vehicle crash Thursday that sent one person to Sault Area Hospital. The collision happened at the intersection of Conmee Avenue and Carmen's Way. A SUV northbound on Carmen's Way hit a SUV westbound on Conmee Avenue.

The driver of the second vehicle, a 46-year-old woman, was charged with failing to stop for a stop sign. A male, 49, suffered non-life-threatening injuries, police said. The injured man's SUV was destroyed. The second vehicle was severely damaged.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-2

AGREEMENT: (E.3.4.6) A by-law to authorize an agreement between the City and The Corporation of the Township of Prince to govern refuse disposal by the Township of Prince at the Sault Ste. Marie Landfill Site.

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 an agreement in the form of Schedule "A" hereto dated the 1st day of January, 2007 between the City and The Corporation of the Township of Prince to govern refuse disposal by the Township of Prince at the Sault Ste. Marie Landfill Site.

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 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

NOTICE
THIS IS A DRAFT DOCUMENT. This document
has not been enacted by City Council. It may not
be enacted at all. THIS VERSION WILL ONLY BE USED IN
the form of the DRAFT DOCUMENT.
CITY COUNCIL

SCHEDULE "A"

THIS AGREEMENT made as of the 1st day of January, 2007

BETWEEN

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
(the "City")

- and -

THE CORPORATION OF THE TOWNSHIP OF PRINCE
(the "Township")

WHEREAS pursuant to section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, waste management is within the sphere of jurisdiction of local municipalities;

AND WHEREAS pursuant to section 20 of the Act municipalities may enter into an agreement for their joint benefit on any matter that the municipalities have the power to provide within their own boundaries;

NOW THEREFORE the City and the Township, in consideration of the mutual terms and conditions herein contained, for other good and valuable consideration agree as follows:

1. TERM AND OPTION FOR RENEWAL

- (a) This Agreement shall come into force on the 1st day of January, 2007 and shall continue for a period of two (2) years from that date, terminating on December 31, 2009.
- (b) This agreement may be renewed for a period of one (1) year upon mutual agreement by the parties.

2. RECEIPT OF REFUSE AT CITY LANDFILL SITE

The Township shall be allowed to bring refuse collected within the Township to the City landfill site located at 402 Fifth Line East (the "Landfill") for the term of this Agreement.

3. FEES

- (a) The Township shall pay to the City the tipping fee of \$65.00 per tonne as of January 1, 2007.
- (b) The Township shall pay to the City the amount invoiced to the Township by the City on a monthly basis. Payment shall be made by the Township within thirty (30) days of receipt of the invoice from the City.
- (c) The Township acknowledges that from time to time the City shall raise the tipping fee for refuse deposited at the said Landfill. Therefore, the fee mentioned in sub-clause (a) above is subject to change during the term of this Agreement in accordance with a resolution passed by the Council of the City raising the tipping fee.

4. TERMINATION

The City may by written notice given to the Township at any time terminate this agreement in whole or in part in the event that the Township fails, refuses, neglects or is unable to perform or discharge its obligations under this Agreement, or if the City receives an order or directive from the Ontario Ministry of the Environment which prohibits the City from continuing to accept refuse from the Township.

5. ASSIGNMENT

This Agreement may not be assigned in whole or in part by the Township.

6. DIRECTION OF CITY STAFF

While within the boundaries of the Landfill at 402 Fifth Line East, the employees, contractors and agent of the Township shall follow the direction of City staff. The Township, its employees, agents and contractors shall deposit the refuse where directed by City staff.

7. HOURS OF OPERATION

The Township shall transport refuse to the Landfill during normal landfill hours. As of the date of this agreement those hours are from 8:00 a.m. to 5:00 p.m. Monday to Friday and from April 1st to November 1st from 8:00 a.m. to 2:30 p.m. on Saturday.

8. COMPLIANCE WITH CITY REFUSE COLLECTION BY-LAW 2004-68

The Township is aware of and will make its agents and contractors aware of City of Sault Ste. Marie By-law 2004-68, which regulates refuse collection within the City and sets out definitions for non-collectible recyclables and non-collectible waste. The Township agrees to comply with and have its agents and contractors comply with the requirements of By-law 2004-68, as amended, so that non-collectible recyclables and non-collectible waste is not brought to the Landfill.

9. NOTICE

All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

For the City: Mr. Jim Elliott, Deputy Commissioner
Department of Public Works & Transportation
The Corporation of the City of Sault Ste. Marie
128 Sackville Road
Sault Ste. Marie, ON P6B 4T6

For the Township: Ms. Ann Mitchell, Administrator
The Corporation of the Township of Prince
3042 Second Line West
Sault Ste. Marie ON P6A 6K4

10. WEIGHING OF REFUSE

The parties acknowledge that the contractor retained by the Township collects both City and Township refuse on the same day. For the purpose of calculating the amount to be billed to the Township, the Township agrees to have its contractor collect refuse

separately every two months so that the City can weight the tonnage that is being collected from the Township. This bi-monthly calculation shall form the basis of the invoice sent to the Township on a monthly basis. The parties further acknowledge that this information is required by the Waste Diversion Organization (WDO).

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 1st day of January, 2007.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

Mayor - John Rowswell

Clerk - Donna Irving

THE CORPORATION OF THE TOWNSHIP OF PRINCE
Per:

Reeve - Lou Madonna

Administrator - Ann Mitchell

Legal File No. E.3.4.6 - Garbage Disposal
\agreements\Prince Twp - landfill use 4 dec 06.doc

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-6

AGREEMENT: (E.3.4.) a by-law to authorize an agreement between the City and Kresin Engineering Inc.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, ENACTS as follows:

1. EXECUTION OF DOCUMENTS

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to an agreement between the City and Kresin Engineering Inc. concerning the reconstruction of Shannon Road from Queen Street to Wellington Street.

SCHEDULE "A"

Schedule "A" hereto forms a 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 the 15th day of January, 2006

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

10(b)
This document
is a copy of the original document
submitted to City Council. It may not
be identical to the original document.
It is a PDF copy.
City of Sault Ste. Marie

AGREEMENT
FOR
PROFESSIONAL ENGINEERING SERVICES

MEMORANDUM OF AGREEMENT dated the 1 day of November , A.D. 2006

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to:

Reconstruct Shannon Road between Queen Street and Wellington Street , a length of approximately 1225 metres.

and WHEREAS the reconstruction shall include the complete reconstruction of the roadway, water main, storm and sanitary sewers, hereinafter called the "Project".

and WHEREAS the Client has requested the Engineer to furnish professional services in connection therewith as outlined in Article 2 of this Agreement;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Engineer mutually agree as follows:

- (b) The Client may inspect and audit the books, payrolls, accounts and records of the Engineer during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Engineer, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Engineer claims payment under this Agreement.

1.08 Changes and Alterations and Additional Services

With the consent of the Engineer, the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Engineer shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4.

1.09 Suspension or Termination

The Client may at any time by notice in writing to the Engineer suspend or terminate the Services or any portion thereof at any stage of the undertaking. Upon receipt of such written notice, the Engineer shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Engineer shall be entitled to payment in accordance with Section 3.2.1 for any of the Engineer's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.2.4.

If the Engineer is practising as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Engineer to the date of such termination.

The Engineer may by notice in writing suspend the services, at his sole discretion, on failure of the Client to pay for outstanding services should payment for those services not have been rendered within the time specified under Section 3.3.1 of this Agreement.

1.10 Indemnification

The Engineer shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer as a result of the negligence of the Engineer, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Engineer from and against any and all claim, losses, damages, liability and costs of defence arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligence of the Engineer in the performance of consulting services to the Client within this project.

The Client shall indemnify and save harmless the Engineer from losses arising from the use of the material provided to the Engineer by the Client under Article 2 of this Agreement.

1.11 Insurance

The Engineer agrees to provide the following insurance coverage for the duration of the Project:

Section 1.23.1 (c).

1.17 Specialized Services

The Engineer may engage others for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client.

1.18 Inspection

The Client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Engineer agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20 Confidential Data

The Engineer shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. No such information shall be used by the Engineer on any other project without the approval in writing of the client.

1.21 Arbitration

The Engineer and Client mutually agree that any disputes relating to the completion of the Project shall be resolved through arbitration as follows:

- (a) Any dispute, difference or disagreement between the parties hereto in relation to the Agreement shall be referred to arbitration.
- (b) No person shall be appointed to act as arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Engineer.
- (c) The award of the arbitrator shall be final and binding upon the parties.
- (d) The provisions of The Arbitrations Act, R.S.O., 1990, C-A. 24, as amended shall apply.

1.22 Time

The Engineer shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require and the Client shall have the right to take possession of and use any completed or partially completed portions of the Work notwithstanding any provisions expressed or implied to the contrary.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Engineer, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as

ARTICLE 2 - SERVICES

The following definitions shall apply:

2.1 Engineer's Services for Planning (Class EA) of the Project

The Engineer shall provide the services for planning of the Project and such work shall include the following:

1. Meeting with the Client to confirm the applicable Class EA schedule, and review of the proposed work program, including the preparation of a meeting report.
2. Preparation for (including the production of relevant plans, notices, information sheets, etc.) and participation in a public open house.

2.2 Client's Services for Planning (Class EA) of the Project

The Client shall provide the Engineer with:

1. Confirmation of appropriate Class EA schedule.
2. General direction in the provision of services and approvals within reasonable time as necessary during the currency of this Agreement.
3. Assistance in advertising for, coordinating and conducting any public consultation events.
4. Copies of all related plans, drawings, documents and reports relating to the Project.

2.3 Engineer's Services for Preliminary Design of the Project

The Engineer shall provide the services for preliminary design and such work shall include the following, unless already provided during a previous study:

1. Preparation of preliminary project schedules and construction cost estimates.
2. Preparation and recommendation of alternative concepts and designs considering geometrics, property, cost and environmental features.
3. Development and recommendation of horizontal and vertical alignments for the Project on a plan scale acceptable to the Client.
4. Development of proposed typical cross-sections for the roadway, including number of driving lanes, turning lanes, rights-of-way, curbs and sidewalks, intersecting roads and other cross section elements.
5. Preparation of a design criteria with due consideration being given to such ancillary features as curbs, sidewalks, illumination, signs, signals, fences, landscaping and zone painting.
6. Preparation of a design brief indicating the principle design features, and including an estimate of construction cost.

9. Copies of available sanitary sewage drainage area plans/reports prepared for the study area.
10. Copies of available storm drainage area plans/reports prepared for the study area.
11. Copies of the most current contract documents from adjacent reconstruction projects completed by the City.
12. General direction of the Engineer in the provision of services and approvals within reasonable time as necessary during the currency of this agreement.
13. Any information regarding utilities in the possession of the Client necessary for the preparation of the plans.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses (I) to (13) hereof, inclusive, as being accurate, in the performance of the Engineer's services under this Agreement.

2.5 Engineer's Services for Detailed Design of the Project

The services to be provided by the Engineer in the execution of the detailed design of the Project shall include:

1. Provision of expertise required for the design of all facilities to serve the best interests of the public, with due regard for environmental concerns, capital cost and operating efficiency in accordance with current state of the art and acceptable standards established by the Client and regulatory authorities.
 2. Conducting field survey work, if required, after the design criteria and functional alignment have been established, which shall include all survey work necessary for the estimating of quantities, the detailed setting of alignment and grade to fit controlling natural and artificial topographic and underground features, and design of drains, storm sewers, sidewalks, street lights, sanitary sewers, and water services, and the positioning of all appurtenances associated with the construction of the Project.
 3. Investigation and confirmation of the present location of all above ground utilities, updating of the Client's plans and profiles to show the present location and the proposed location, and preparation of additional drawings required for alternative utility relocation as required by the Client, subject to clause 8 of Section 2.5.
- Underground utilities shall be indicated on the plans and profiles in accordance with information submitted by the respective utility. The Engineer shall be entitled to rely upon the information and direction provided to it by the Utilities as being accurate in the performance of his services under this Agreement.
4. The preparation and submission of preliminary drawings, investigations, and recommendations to the Client, on such alternatives or modifications to the Project that the Engineer in his professional judgement, deems advantageous to the Client.
 5. Advising the Client of the need to seek permission to enter private lands for investigation purposes. Such permission to enter private lands shall be obtained by the Client on behalf of the Engineer.

8. Arranging and making provision for the Engineer's entry and ready access to property (public and private) as well as to the site of the Project, as necessary to enable him to perform his services.
9. Designating in writing an individual to act as his Representative who will transmit instructions to and receive information from the Engineer.
10. Acquisition of any lands that may be required.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to Clauses 1 through 10 hereof, inclusive, as being accurate, in the performance of the Engineer's services under this agreement.

2.7 Engineer's Services for Contract Administration and Construction Supervision of the Project

The Engineer, on behalf of the Client, shall provide a review of the work during construction. It is understood that the Contractor is responsible for discharging his obligations under the terms and conditions of the construction contract, the performance of the Contractor is not the Engineer's responsibility nor are his review services rendered for the Contractor's benefit; and the Contractor is responsible for the quality of the work. It is further understood that only work which has actually been seen during examination of representative samples can be said to have been appraised, and comments on the balance of the work are assumptions based upon extrapolation.

The extent of the Engineer's duties for general review are as follows:

(a) Contract Administrative Services

1. Review, modification and approval of the Contractor's construction schedule, the processing of progress and final payment certificates, and the preparation of progress reports to the Client at such time and in such form and detail as the client may require.
2. The review and checking of formwork drawings and proposed construction methods as warranted, to ensure that the Contractor's drawings and methods comply with the design requirements for the Project.
3. Consideration and recommendation in respect to alternatives of construction methods or material proposed by the contractor, and preparation of change orders.
4. Review of shop drawings submitted to the degree necessary to ensure they conform with the design requirements and contract documents.
5. Provision of recommendations on the validity of charges for additions or deletions and recommendations on the issue of change orders.
6. Processing and issuing of payment certificates.
7. Conducting progress meetings as may be required.

instructions to, and receive information from, the Engineer.

5. Providing material testing services for granulars, concrete and asphalt during construction.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses 1 through 5 hereof, inclusive, as being accurate in the performance of the Engineer's services under this Agreement.

2.9 Milestones

The Engineer shall endeavour to perform the services set forth in paragraphs 2.1, 2.3, 2.5, and 2.7 of this Agreement in the time frames provided for in Schedule "1" attached hereto.

3.2.1.2 Time Expended

All time expended on the assignment, whether in the Engineer's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports, and specifications.

3.2.1.3 Estimate of Fees

The Client shall only be required to pay for those services actually rendered on a time and materials basis. The Engineer estimates that the total fees to be paid for the services outlined in Sections 2.1, 2.3, 2.5, and 2.7 shall not be greater than those fees identified in Schedule "2" of this Agreement. Any subsequent changes or amendments to the estimated fees contained in Schedule "2" shall be in accordance with Section 1.23.2 of this Agreement.

3.2.3 Computer Services and Total Station Survey Services

The usage of computer equipment shall be considered a reimbursable expense, except where a computer is used for design under the percentage fee scale or for the Engineer's normal office administration.

The usage of total station survey equipment shall be considered a reimbursable expense.

3.2.4 Reimbursable Expenses

In addition to the fee, the Engineer shall be reimbursed at cost plus an administrative charge of 5% for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, long distance telephone charges, facsimile charges, printing and reproductions, progress photography and video charges, special delivery and express charges, overtime premium costs, on-site quality control equipment, materials and supplies; and survey supplies.

3.3 Payment

3.3.1 Fees Calculated on a Time Basis

The Engineer shall submit an Invoice to the Client for all Services completed in the immediately preceding month. Interest at the rate of 1½% monthly will be paid on the total outstanding unpaid balance commencing 30 days following the date of issuance of the Engineer's invoice.

In the event that payment is NOT received within 30 days from the date of issuance of an invoice the Engineer may suspend the services as specified under Section 1.09.

10(b)

Schedule "1"

MEMORANDUM OF AGREEMENT dated the 1 day of November, A.D. 2006.

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

Estimated Project Schedule

Key Task	Start	End
1. Planning	Nov. 1, 2006	Dec. 30, 2006
2. Preliminary Design	Dec. 1, 2006	Feb. 1, 2007
3. Detailed Design	Feb. 1, 2007	March 1, 2007
4. Tender	March 1, 2007	May 30, 2007
5. Construction	May 1, 2007	Nov. 30, 2007

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-7

AGREEMENT: (E.3.4.) a by-law to authorize an agreement between the City and STEM Engineering.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, ENACTS as follows:

1. EXECUTION OF DOCUMENTS

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to an agreement between the City and STEM Engineering for the reconstruction of MacDonald Avenue from Pine Street to Lake Street.

SCHEDULE "A"

Schedule "A" hereto forms a 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 the 15th day of January, 2006

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

NOTICE
THIS IS A DRAFT DOCUMENT. This document
has not been voted on by City Council. It may not
reflect the final version of the document.
If you have any questions, or if they need to be in
any way changed, please contact the DRAFT copy.
CITY SOLICITOR

10(c)

M.E.A./C.E.O.1989

AGREEMENT

FOR

PROFESSIONAL CONSULTING SERVICES

MEMORANDUM OF AGREEMENT dated the 28th day of November

A.D. 2006

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the "Client"

THE PARTY OF THE FIRST PART

-AND-

STEM ENGINEERING GROUP INCORPORATED

Hereinafter called the "Consultant"

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to reconstruct MacDonald Avenue from Lake Street on the east to Pine Street on the west.

HEREAFTER called the 'Project' and has requested the Consultant to furnish professional services in connection therewith;

This work will include replacement of the underground infrastructure, reconstruction of the roadway, preparation of tender documents and contract administration.

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Consultant mutually agree as follows:

PROFESSIONAL AGREEMENT

ARTICLE 1 - GENERAL CONDITIONS

1.1 Retainer

The Client hereby retains the services of the Consultant in connection with the Project and the Consultant hereby agrees to provide the services described herein under the general direction and control of the Client.

In this agreement the word Consultant shall mean professionals and other specialists engaged by the Client directly and whose names are party to this Agreement.

1.2 Services

The services to be provided by the Consultant and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.8 are hereinafter called the "Services".

1.3 Compensation

The client shall pay the Consultant in accordance with the provisions set forth in Article 3.

1.4 Staff and Methods

The Consultant shall use current state-of-the-art principles and shall skillfully and competently perform the Services and shall employ only skilled and competent staff who will be under the supervision of a senior member of the Consultant's staff.

1.5 Drawings and Documents

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Consultant for the Client may be used by the Client, for the Project herein described, including "as built" records. The Client has ownership of the drawings.

1.6 Patents

All concepts, products or processes produced by or resulting from the Services rendered by the Consultant in connection with the Project, or which are otherwise developed or first reduced to practice by the Consultant in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be and remain the property of the Consultant and the Municipality.

The Client shall have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Consultant in connection with the Project and for any other municipal purpose or project.

1.7 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Consultant shall keep a detailed record of the hours worked by and salaries paid to his staff employed for the Project.

PROFESSIONAL AGREEMENT

- (b) The Client may inspect and audit the books, payrolls, accounts and records of the Consultant during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Consultant, when requested by the Client, shall provide copies of receipts with respect to any disbursements for which the Consultant claims payment under this Agreement.

1.8 Changes and Alterations and Additional Services

With the consent of the Consultant the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Consultant shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4.

1.9 Suspension or Termination

The Client may at any time by notice in writing to the Consultant suspend or terminate the Services or any portion thereof at any stage of the undertaking. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Consultant shall be paid by the Client for all services performed and for all disbursements incurred pursuant to this agreement and remaining unpaid as of the effective date of such termination.

If the Consultant is practicing as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Consultant to the date of such termination.

1.10 Indemnification

The Consultant shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer as a result of the negligence of the Consultant, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Consultant from and against any and all claim, losses, damages, liability, and costs of defense arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligence of the Consultant in the performance of consulting services to the Client within this project.

1.11 Insurance and Limit of Liability

The Client will accept the insurance coverage specified in this clause as the limit of liability of the Consultant.

- (a) Comprehensive General Liability and Automobile Insurance.

The Insurance Coverage shall be \$ 2,000,000 for general liability and \$ 2,000,000 for automobile insurance. When requested the Consultant shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

PROFESSIONAL AGREEMENT

(b) Professional Liability Insurance.

The Insurance Coverage shall be in the amount of \$ 1,000,000 for each occurrence - \$2,000,000 aggregate. When requested the Consultant shall provide the Client with proof of Professional Liability Insurance carried by the Consultant, and in accordance with APEO Act, 1984 and Regulations therein, and the Ontario Building Code.

(c) Change in Coverage.

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project then the Consultant shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.2.4

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Consultant until (60) days after written notice of such change or cancellations has been personally delivered to the Client.

1.12 Contracting for Construction

Neither the Consultant nor any person, firm or corporation associated or affiliated with or subsidiary to the Consultant shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

Neither party may assign this Agreement without the prior consent in writing of the other.

1.14 Previous Agreements

This agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Consultant is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Consultant, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Consultant with such other authority, department of government or agency.

1.16 Principals and Executives

The use of Principals and Executives on a time basis by the Consultant, will be in accordance with Section 1.23.1 (c).

1.17 Specialized Services

The Consultant may engage others for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client.

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PROFESSIONAL AGREEMENT

1.18 Inspection

The Client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Consultant agrees to obtain the consent of the Client before publishing or issuing any detailed information regarding the Project.

1.20 Confidential Data

The Consultant shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the Client in the course of carrying out the Services provided for herein. No such information shall be used by the Consultant on any other project without the approval in writing of the Client.

1.21 Arbitration

- (a) Any dispute, difference or disagreement between the parties hereto in relation to the Agreement may, with the consent of both parties, be referred to arbitration.
- (b) No person shall be appointed to act as arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Consultant.
- (c) The award of the arbitrator shall be final and binding upon the parties.
- (d) The provisions of The Arbitrations Act, R.S.O., 1980, Chapter 25, as amended shall apply.

1.22 Time

The Consultant shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require and the Client shall have the right to take possession of and use any completed or partially completed portions of the Work notwithstanding any provisions expressed or implied to the contrary.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Consultant, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as not to delay the work of the Consultant.

1.23 Estimates, Schedules and Staff List

1.23.1 Preparation of Estimate of Fees, Schedule of Progress and Staff List

When requested by the Client, the Consultant shall within fourteen days of the execution of this Agreement provide, for approval by the Client:

- (a) An estimate of the total fees to be paid for the services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.

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PROFESSIONAL AGREEMENT

- (c) A Staff list showing the number, classifications and salary ranges of staff and/or hourly rate ranges for Principals and Executives, for which the Consultant will seek payment on a time basis. The Consultant shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Consultant's staff who is to be the liaison person between the Consultant and the Client.

1.23.2 Subsequent Changes in the Estimate of Fees, Schedule of Progress and Staff List

The Consultant will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees beyond those approved under Section 1.23.1 (a).
- (b) Any change in the schedule of progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and salary ranges of the staff provided under Subsection 1.23.1 (c).

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Consultant shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

1.24 Additional Conditions

Electronic Data Files and CAD Files:

The Consultant will deliver to the Client (electronically or on tangible electronic storage media or otherwise) certain CAD Files or electronic data files (the "Files") prepared by the Consultant solely for its own use. It is acknowledged that due to the nature of such electronic "Files", information contained therein could inadvertently be altered or erased by any person having access to them. Therefore, the Consultant gives no warranty or condition to the Client with respect to the Files and the data contained therein. The Files will not be stamped, certified or signed by the Consultant. Any use of the Files by the Client will be at the sole risk of the Client.

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PROFESSIONAL AGREEMENT

ARTICLE 2 -SERVICES

2.1 Engineering Services: STEM Engineering Group Incorporated

The limits of MacDonald Avenue reconstruction shall be from Lake Street on the east, to Pine Street on the west. New construction into each of the intersections shall only extend as far as required to tie into the existing manholes. This project consists of a complete reconstruction including the replacement of the storm sewers, and sanitary sewers and watermains as follows:

- Road Reconstruction with:
 - 12.4m back-to-back curb (local collector road)
 - Sidewalk on one side only
 - Grass boulevards
- Replace Sanitary Sewer (including replacement of sanitary laterals to property line)
- Replace Storm Sewer (including installation of storm laterals to property line)
- Replace Watermain and watermain laterals to property line
- Storm, sanitary and water laterals shall be in the same trench for each property.
- The construction period for this project would be scheduled to generally start in May 2007 and be completed by the fall of 2007.

To accomplish this work, STEM Engineering has been retained to prepare the detailed design and drawings for the City of Sault Ste. Marie. A design brief and MOE application will also be completed for the purpose of obtaining the Certificate of Approval for storm and sanitary sewers.

The pre-design field survey work will be completed by the City and provided to STEM in digital format from the total station survey. Additional field information (i.e. invert, etc.) will be obtained by STEM.

The PUC will submit to STEM information regarding the existing watermains and buried conduits, including planned upgrades to incorporate into the final drawings.

STEM will utilize available geotechnical reports from adjacent road reconstruction projects for the design of sewers and roadways. STEM will arrange for additional geotechnical work should it be considered necessary.

Once the detailed design drawings are complete, STEM will prepare the form of tender and specifications. Tendering of the project and preparation of the contract documents for signing will be completed by STEM.

General review during construction, full time construction supervision and as-built drawings will be completed by STEM.

The detailed scope of Engineering Services is identified in Schedule 'D' of Appendix I and generally consists of the following categories of work.

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PROFESSIONAL AGREEMENT

Category 1

- (a) Special Services
- (b) Geotechnical

Category 2

- (c) Preliminary Design
- (d) Detailed Design and Final Drawings, Preparation of Tenders and Specifications
- (e) Evaluation of Tenders and Recommendations for Award

Category 3

- (f) General Review During Construction and As-builts.
- (g) Full Time Construction Supervision

2.2 Client's Services

To provide Client's services in conformance with Schedule 'D' of Appendix I.

APPENDIX I - Schedule 'D', "Article 2 - Services" as prepared by STEM Engineering Group Incorporated and which describes the services provided for each Category shall form part of this Agreement.

APPENDIX II – Estimated Fee

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PROFESSIONAL AGREEMENT

ARTICLE 3 - FEES AND DISBURSEMENTS

3.1 Definitions

For the purpose of this Agreement, the following definitions shall apply:

(a) Payroll Cost

Payroll Cost is defined as hourly salary plus payroll burden.

- (i) The following formula shall be used to calculate the hourly salary for the billing purposes. Hourly salary equals:

$$\frac{\text{Annual Salary}}{\text{Hours per week} \times 52 \times .85}$$

- (ii) Payroll burden equals fringe benefits expressed as a percentage of salary that provides for health and medical insurance, group life and disability insurance, company and Canada pension employer contribution, Workers' Compensation and Unemployment Insurance, but excludes bonuses or profit sharing. For the purposes of this agreement payroll burden is 12.4 %.

(b) Cost of the Work

- (i) The "Cost of the Work" shall mean the total cost of the Project including all materials, equipment, sales taxes, labour and contractor's overhead and profit, necessary to complete the work for which the Consultant prepares designs, drawings or specifications, for which he is responsible. Where sales taxes are not included in the cost of the work, the fee shall be adjusted upwards by the factor equivalent to the sales taxes. The adjusted fee may be computed to the nearest one-tenth of one percent (1/10%).

- (ii) Wherever the Client furnishes labour or any other service which is incorporated in the work, the current price of labour or other service when the work was executed shall be used to compute the Cost of the Work.

- (iii) Whenever used material or equipment is furnished by or on behalf of the Client, the fair market value of such material or equipment, as though it was purchased new, shall be used to compute the Cost of the Work.

- (iv) In computing the Cost of the Work, no deductions shall be made on account of any penalties or damages claimed by the Client from any contractor or on account of any other sum withheld from any contractor.

- (v) The Cost of the Work shall not include any fees and disbursements due to the Consultant, the Client's engineering and office expenses, or cost of land.

(c) Site

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

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PROFESSIONAL AGREEMENT

3.2 Basis of Payment

3.2.1 Fees Calculated on a Time Basis

3.2.1.1 The Client shall pay the Consultant a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis shall be as follows:

- (a) Principals and Executives on normal assignments \$120.00 per hour. This rate will be reviewed annually and adjusted accordingly.
- (b) Staff on normal assignments - Payroll Cost plus 100%.
- (c) Principals, Executives and staff rendering individual services on assignments for which they are eminently qualified and for which they require little or no assistance including providing expert testimony and attendance at hearings or courts - \$140.00 per hour.
- (d) Services During Construction
 - (i) For all services, except for staff full-time continuously on site:
 - a) Principals and Executives on Normal assignments\$120.00 per hour.
This rate will be reviewed annually and adjusted accordingly.
 - b) Other Staff: Payroll Cost Plus 100%.
 - (ii) For site staff working full time continuously.... Payroll Cost plus 80%.

3.2.1.2 Time Expended

All time expended on the assignment, whether in the Consultant's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports and specifications.

3.2.2 Computer Services

Computer services, except where a computer is used for design under the percentage fee scale or for the Consultant's normal office administration, shall be considered a reimbursable expense.

3.2.3 Reimbursable Expenses

In addition to the fee, the Consultant shall be reimbursed at cost plus an administrative charge of 5%, plus the cost of the additional insurance incurred by the Consultant, for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, long distance telephone charges, teletype and telegraph charges, printing and reproductions, progress photography, advertising for tenders, special delivery and express charges, overtime premium cost, and the cost of providing and maintaining site offices, supplies and equipment, chemical and physical tests.

PROFESSIONAL AGREEMENT

3.3 Payment

3.3.1 Fees Calculated on a Time Basis

The Consultant shall submit an invoice to the Client for all Services completed in the immediately preceding month. Interest at the annual rate of 12 percent (1 percent monthly) will be paid on the total outstanding unpaid balance commencing 30 days after the Client has received the Consultant's invoice.

3.4 Fee Estimate

The following Estimated Fee was calculated as a percentage of the City's estimated cost of the work using the PEO 2001 Fee Guideline. Refer to Appendix II for Calculations.

Estimated Professional Fees:

Design Phase	\$ 143,190.00
Construction Phase	<u>\$ 140,000.00</u>
	\$ 283,190.00

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PROFESSIONAL AGREEMENT

IN WITNESS THEREOF the parties hereto have caused to be executed those presents by their officers properly authorized in that behalf on the day and year first above written.

SIGNED, SEALED AND DELIVERED

In the presence of:

CONSULTANT

STEM ENGINEERING GROUP INCORPORATED



Randy Beltramin, P. Eng.

Principal

CLIENT

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR John Rowswell

City Clerk - Donna P. Irving

APPENDIX I – SCHEDULE D**2.1 Consultants Services for General Municipal Project****CATEGORY NO. 1****(a) Special Services**

1. Advisory Services consisting of the following:
 - appraisals
 - research
 - other special consultation and advice

CATEGORY NO. 2**(b) Preliminary Design**

1. Meet with the appropriate representatives of the municipality and PUC, including the municipal engineer, planning director, works committee or council to:
 - Obtain full information on existing and proposed municipal services, roads and other facilities.
 - Obtain the Client's standard criteria for design.
 - Establish the extent of services to be provided and the manner of presentation.
 - Obtain the Client's practice for the sharing of costs with public authorities with private developers and with the public.
2. Conduct a physical reconnaissance and review topographical maps of the Project areas to ascertain the location, topography, drainage and existing municipal services.
3. Establish the design criteria for the design of the Projects.
4. Recommend environmental parameters for the design.
5. Assemble existing soils data and recommend additional soils programs.

(c) Detailed Design, Final Drawings and Specifications

1. Obtain detailed profiles and cross-sections as necessary for the detailed design and computation of tender quantities.
2. Initiate a soils investigation program.
3. Prepare drawings.

4. Prepare specifications.
5. Prepare construction contract documents.
6. Assist in obtaining approvals.

(d) Evaluation of Tenders and Recommendation for Award

1. Analyze tenders received with regard to completeness, prices, schedule and other requirements of the tender documents.
2. Prepare and submit recommendations to the Client for award of contracts including suitability of Contractor to carry out the work.

CATEGORY NO. 3 AND NO. 4 - SERVICES

Consultant's Services for Construction Administration on Municipal Project

The Consultant, on behalf of the Client, provides a review of the work during construction. The Contractor is responsible for discharging his obligations under the terms and conditions of the construction contract. The performance of the Contract is not the Consultant's responsibility nor is his review services rendered for the Contractor's benefit. The Contractor is responsible for the quality of the work. It is understood that only work which has actually been seen during examination of representative samples can be said to have been appraised, and comments on the balance of the work are assumptions based upon extrapolation.

The extent of the Consultant's duties for general review are as follows:

(e) General Review During Construction and As-Builts

1. Advise the construction Contractor on the Consultant's interpretation of the drawings and specifications and issue supplementary details and instructions during the construction period as required.
2. Review for Client's approval the construction schedule proposed by the Contractor and comment on the procedures, methods and sequence of work.
3. Review shop drawings submitted for general compliance with the design requirements.
4. Consider and advise on alternative methods, equipment and materials proposed by the Contractor.
5. Advise on the validity of charges for additions or deletions and advise on the issue of change orders, when requested.
6. Process Contractor's progress and final requisitions and issue progress certificates for the Client's acceptance.
7. Maintain adequate records related to the construction contracts.
8. Modify contract drawings to show the record drawings work and provide reproducible copies of these drawings to the Client.

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9. Make periodic visits to the site during construction to review general conformity of the work with plans and specifications.
 10. Arrange for the testing and inspection of materials and work, by an authorized inspection and testing company, where the construction contract calls for such testing.
 11. Attend job meetings as deemed necessary.
 12. Report on the progress of construction to the Client.
 13. Complete the as-constructed record drawings (digital and hard copy).

(f) **Resident Staff Services During Construction**

Resident staff services will be provided by the Consultant on a full or part time basis. Such services include:

1. Provide reference line and elevation to the Contractor and, where necessary, check the construction Contractor's line and grade.
2. Report to the Client and make recommendations if the Consultant determines that the Contractor is not carrying out his work in accordance with the Contract Documents or that the Contractor's work does not satisfy the intent of the design or does not substantially conform with plans and specifications.
3. Arrange for or carry out all necessary field testing and inspection of materials and equipment installed.
4. Investigate, report and advise on unusual circumstances, which come to the Consultant's attention during construction.
5. Carry out final inspection at the conclusion of the construction contract, at the end of the maintenance period and as part of the acceptance program of the Client.
6. Obtain and record field information of construction details for the modification of contract drawings to show the work 'as built'.
7. Maintain sufficient data to determine periodic progress of the work.
8. Review construction Contractor's request for payments as to progress, quantities of work completed and materials delivered to the site and advise the Client.

2.2 Client's Services for General Municipal Project

The Client shall provide the Consultant with the following services, notwithstanding that, should the Client be unable to provide any of the services hereunder, services under (1) may be assigned to the Consultant under Section 1.8.

1. Design criteria establishing the type of roadway, number of lanes, design speed, minimum sight distance, maximum grade and maximum curvature and the desirable dimensional arrangement of pavements, medians, shoulders, rights-of-way, intersections, auxiliary turning lanes, bus bays and entrances.
2. Access to and, where necessary, copies of existing plans, profiles or other topographic information showing or pertaining to existing conditions within the Project area.
3. Registered land plans, legal documents and surveys, where necessary, defining the property limits of existing rights-of-way, and other parcels of land affected by the Project, and as required in the acquisition of property and lands for the Project.
4. Specimen contract documents for the guidance of the Consultant in the design of the Project to the standards required by the Client.
5. General direction of the Consultant in the provision of the services and approvals from time to time as necessary during the duration of this Agreement.
6. Soils, foundation and hydrological reports for bridges, where required, for the proper design of the Project.
7. Any information regarding utilities necessary for the preparation of the plans referred to in Section 2.1 in the possession of the Client.
8. Any information, Functional Study or Pre-design Investigation undertaken for the Project or any adjoining property.
9. Any available traffic information or transportation study of the Project area.
10. Arrange and make provision for the Consultant's entry and ready access to property (public and private) as well as to the site of the Project, as necessary to enable him to perform his services.
11. Designate in writing an individual to act as his Representative who will transmit instructions to and receive information from the Consultant.

The Consultant shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses 1 through 9 hereof, inclusive, as being accurate in the performance of the Consultant's services under this agreement.

10(c)

APPENDIX II - ESTIMATED FEE
MACDONALD AVENUE RECONSTRUCTION PORTION

City's Estimated Cost of Work:

\$ 2,400,000.00 (City's estimate without water)
\$ 455,000.00 (Watermain & laterals)
Total: \$ 2,855,000.00

CATEGORY 1, 2, & 3 – DESIGN SERVICES

Percentage Fee based on 2001 PEO Fee Guideline

Table 3 - % Fees for other than building projects.

5.24% on the first \$ 2,000,000.00	\$ 104,800.00
4.49% on the remainder \$ 855,000.00	\$ 38,390.00
· Nominal Fee for Basic Engineering Services	\$ 143,190.00

CATEGORY 4 – RESIDENT SITE SERVICES DURING CONSTRUCTION

Based on 5% of construction budget.	\$ 140,000.00
TOTAL ESTIMATED FEE	\$ 283,190.00

SPECIALTY SERVICES

Fees for specialty services are considered extra to the above. Should those services be required, a separate cost estimate will be provided to the City for review. Upon acceptance of the quotations, the service will be invoiced to the City at a cost, plus 5%.

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2007-12

AGREEMENT: (A.2.3) A by-law to authorize the execution of agreements between the City, Boniferro Millworks Inc., and Municipal Property Assessment Corporation concerning the property assessment valuations for the 2003, 2004, 2005, and 2006 taxation years.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to Minutes of Settlement in the form of Schedule "A" hereto dated the 15th day of January, 2007 and made between the City, Boniferro Millworks Inc., and Municipal Property Assessment Corporation concerning the property assessment valuations for the 2003, 2004, 2005 and 2006 taxation years.

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 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

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

CITY CLERK – DONNA IRVING



SCHEDULE "A"

MUNICIPAL PROPERTY ASSESSMENT CORPORATION

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2003 taxation year for the property described as:Roll Number: 57 61 050 043 087 00 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie City

Between: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO.

31

And:

Bon, Ferro Mill Works BON, FERRO INC.
B

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
57 61 050 043 087 00			\$3,268,000	\$700,000
	CT	CT	82,133	67,190
	LT	LT	3,106,182	632,810
	LU	N/A	79,685	0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant (Bon, Ferro Inc.) Bon, Ferro Mill Works

THE CORPORATION OF THE CITY OF

Municipality SAULT STE. MARIE

Date

Dec. 4, 2006

Date

JANUARY 15, 2007

Date

Mayor - John Rowswell

Date of Hearing:			Hearing No.:	Complaint No.:
DD	MM	YY		

City Clerk - Donna P. Irving



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2004 taxation year for the property described as:Roll Number: 57 61 050 043 087 00 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie CityBetween: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO. 31And: BONIFERRO MILL WORKS INC.

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
<u>57 61 050 043 087 00</u>			<u>\$2,947,000</u>	<u>\$700,000</u>
	<u>CT</u>	<u>CT</u>	<u>74,065</u>	<u>67,190</u>
	<u>LT</u>	<u>LT</u>	<u>2,801,075</u>	<u>632,810</u>
	<u>LU</u>	<u>N/A</u>	<u>71,860</u>	<u>0</u>

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Boniferro Mill Works Inc.]

Date

Date

Municipality

Date

Date of Hearing:			Hearing No.:	Complaint No.:
DD	MM	YY		

(b)(d)



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

10(d)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2005 taxation year for the property described as:Roll Number: 57 61 050 043 087 50 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie City

Between: MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO.

31

And:

BONIFERRO MILL WORKS INC.

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
57 61 050 043 087 50			\$2,870,000	\$700,000
	CT	CT	79,545	67,190
	LT	LT	2,790,455	632,810
				0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Boniferro Mill Works Inc.]

Municipality

Date

Dec. 4, 2006

Date

Date

Date of Hearing:			Hearing No.:	Complaint No.:
DD	MN	YY		



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

10(d)

MINUTES OF SETTLEMENT UNDER SECTION 40 OF THE ASSESSMENT ACT

In the matter of the assessment made for the 2006 taxation year for the property described as:Roll Number: 57 61 050 043 087 50 0000Location/Legal Description: 45 Third Line WestMunicipality: Sault Ste Marie CityBetween: **MUNICIPAL PROPERTY ASSESSMENT CORPORATION ASSESSMENT OFFICE NO.**

31

And: **BONIFERRO MILLS WORKS INC.**

The assessment of the property described above was appealed to the Assessment Review Board under the provisions of Section 40 of the Assessment Act.

The following Settlement was reached between the parties:

Roll Number	Original RTC/RTQ	Revised RTC/RTQ	Original Current Value	Revised Current Value
57 61 050 043 087 50			\$3,029,000	\$700,000
	CT	CT	82,988	67,190
	LT	LT	2,946,012	632,810
				0

It is agreed between the parties that the order of the Assessment Review Board will be made in accordance with the settlement. By signing this settlement, the assessed person hereby acknowledges that the complaint, under Section 40 of the Assessment Act, for the taxation year described above, is settled and no hearing is required by the Assessment Review Board.

Municipal Property Assessment Corporation

Complainant [Bonifero Mill Works Inc.]

Date

Date

Municipality

Date

Date of Hearing:	Hearing No.:	Complaint No.:
DD	MM	YY



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-14

APPOINTMENTS TO LOCAL BOARDS: (L.5.1.1.) A by-law to appoint members to various Local Boards in the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. **APPOINTMENTS TO THE FENCE VIEWERS COMMITTEE**

(a) The following persons are hereby appointed as fence viewers for the City of Sault Ste. Marie pursuant to the Line Fences Act, R.S.O., 1990, chapter L.17 and amendments thereto from January 15, 2007 to December 31, 2007:

Frank DelBosco
Roy O'Neill
Luca Robibaro

(b) **PER DIEM RATE**

Each fence viewer shall be paid the sum of \$25.00 for each day's work done under the Line Fences Act.

2. **APPOINTMENTS TO THE MUNICIPAL HERITAGE COMMITTEE**

The following persons are hereby appointed as members of the Local Municipal Heritage Committee pursuant to Section 28 of The Ontario Heritage Act, R.S.O., 1990, chapter O.18 and pursuant to the terms of By-law 2003-117 from January 15, 2007 to December 31, 2007:

Bryan Hayes
Lloyd Beilhartz
Marchy Bruni
David Ellis
Robert Ewing
Kelly Marshall

3. **APPOINTMENTS TO THE
LOCAL IMPROVEMENT COURT OF REVISION**

The following person is hereby appointed as a member of the Sault Ste. Marie Court of Revision pursuant to section 18 of Regulation 119/03 filed under the Municipal Act 2001, S.O. 2001, c.25 and amendments thereto from January 15, 2007 to December 31, 2007.

Carlo Barban

4. **APPOINTMENTS TO RESIDENTIAL STANDARDS COMMITTEE**

The following person is hereby appointed as a member of the Sault Ste. Marie Residential Standards Committee pursuant to section 31(11) of Planning Act, R.S.O. 1990 c.P.13 and amendments thereto from January 15, 2007 to December 31, 2007.

Suzanne Farrell

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all. It is intended, if may, to be in the form of the DRAFT copy.

10(e)

5. **APPOINTMENTS TO THE PUBLIC UTILITIES COMMISSION**

The following persons are hereby appointed as members of the Public Utilities Commission pursuant to section 195(3) of the Municipal Act until replaced:

Frank Manzo
Pat Mick

6. **APPOINTMENTS TO COMMITTEE OF ADJUSTMENT**

The following persons are hereby appointed members of the Committee of Adjustment pursuant to s. 44 of the Planning Act, R.S.O. 1990, c.P.13 and amendments thereto from January 15, 2007 to December 31, 2010:

Marchy Bruni
Frank DelBosco
Robert Dumanski
Art Gualazzi
Michael Sanzosti

7. **APPOINTMENTS TO PLANNING ADVISORY COMMITTEE**

The following persons are hereby appointed as members of the Planning Advisory Committee pursuant to s. 8 of the Planning Act, R.S.O. 1990, c.P.13 and amendments thereto from January 15, 2007 to December 31, 2007:

Carlo Barban
Peter Berlingieri
Robert Carricato
Mario DeVuono
Damon Godfrey
Catherine Meincke
Otto Volpe

8. **APPOINTMENTS TO MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

(a) The following persons are hereby designated to act as Head for the purpose of administering the Municipal Freedom of Information and Protection of Privacy Act pursuant to s. 3 of the Municipal Freedom of Information and Protection of Privacy Act from January 15, 2007 to December 31, 2007:

John Rowswell
James Caicco
David Celetti
Frank Fata
Ozzie Grandinetti
Terry Sheehan

(b) **POWERS OF HEAD DELEGATED**

Pursuant to s. 49 of the Municipal Freedom of Information and Protection of Privacy Act all of the powers and duties granted or

vested in the Head are hereby delegated to the City Solicitor of the Assistant City Solicitor.

9. **EFFECTIVE DATE**

This by-law shall be effective from the date of its final passing.

READ THREE TIMES and PASSED in Open Council this 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-5

FIRE ROUTE: (A.3.6.) A by-law to amend Fire Route By-law 81-404.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001 and amendments thereto ENACTS as follows:

1. SCHEDULE "B" AMENDED

Schedule "B" to By-law 81-404 is amended by adding thereto the following:

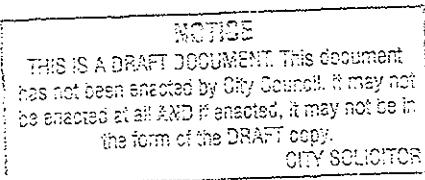
"69. 269 Queen Street East – Steelback Centre Parking Lot."

2. EFFECTIVE DATE

This by-law takes effect on the final day of its passing.

Read THREE times and PASSED in open Council this 15th day of January, 2007.

MAYOR - JOHN ROWSWELL



CLERK - DONNA IRVING



10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-3

PROPERTY SALE (P.4.6.379) to authorize the sale of 605 Third Line East

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, C. 25, ENACTS as follows:

1. LANDS DECLARED SURPLUS

The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

2. SALE AUTHORIZED

The Corporation of the City of Sault Ste. Marie shall sell the lands more particularly described in Schedule "A" hereto to the person or persons and at the consideration shown therefore in the Schedule upon the conditions set out in Schedule "A"

3. EXECUTION OF DOCUMENTS

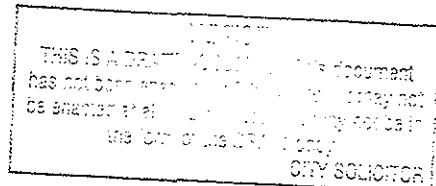
The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to complete the sale.

4. SCHEDULES "A"

Schedule "A" hereto forms part of this by-law.

5. EFFECTIVE DATE

This by-law takes effect on the day of its final passing.



Read THREE times and PASSED in open Council this 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

Confirmation of Co-operation and Representation

10(g)

BUYER: 1644365 Ontario Inc.

SELLER: Corporation of the City of Sault Ste. Marie

For the transaction on the Property known as: 605 Third Line East Sault Ste. Marie, District of Algoma

For the purposes of this Confirmation of Co-operation and Representation, a "Seller" includes a vendor, a landlord, or a prospective, seller, vendor or landlord and a "Buyer" includes a purchaser, a tenant, or a prospective, buyer, purchaser or tenant and a "sale" includes a lease.

The following information is confirmed by the undersigned broker/salesperson representatives of the Brokerage(s). If a Co-operating Brokerage is involved in the transaction, the brokerages agree to co-operate, in consideration of, and on the terms and conditions as set out below.

DECLARATION OF INSURANCE: The undersigned broker/salesperson representative(s) of the Brokerage(s) hereby declare that he/she is insured as required by the Real Estate and Business Brokers Act (REBBA) and Regulations.

DUAL REPRESENTATION

The Listing Brokerage has entered into a Buyer Representation Agreement with the Buyer and represents the interests of the Seller and the Buyer, with their consent, for this transaction. The Listing Brokerage must be impartial and equally protect the interests of the Seller and the Buyer in this transaction. The Listing Broker has a duty of full disclosure to both the Seller and the Buyer, including a requirement to disclose all factual information about the property known to the Listing Brokerage.

However, the Listing Brokerage shall not disclose:

- That the Seller may or will accept less than the listed price, unless otherwise instructed in writing by the Seller;
- That the Buyer may or will pay more than the offered price, unless otherwise instructed in writing by the Buyer;
- The motivation of or personal information about the Seller or Buyer, unless otherwise instructed in writing by the party to which the information applies, or unless failure to disclose would constitute fraudulent, unlawful or unethical practice;
- The price the Buyer should offer or the price the Seller should accept;
- And: the Listing Brokerage shall not disclose to the Buyer the terms of any other offer.

However, it is understood that factual market information about comparable properties and information known to the Listing Brokerage concerning potential uses for the property will be disclosed to both Seller and Buyer to assist them to come to their own conclusions.

The Seller and Buyer consent with their initials to the Listing Brokerage representing both the Seller and the Buyer for this transaction.

SELLER'S INITIALS

BUYER'S INITIALS

Additional comments and/or disclosures by Listing/Buyer Brokerage:

SIGNED BY THE BROKER/SALESPERSON REPRESENTATIVE(S) OF THE BROKERAGE(S) (WHERE APPLICABLE)

Commercial Realty Sault Limited
(Name of Listing Brokerage)

123 March Street, Suite 300

Tel: 949-3908 Fax: 949-6680

(Authorized to bind the Listing Brokerage)

(Name of Co-operating/Buyer Brokerage)

Tel: Fax:

Date: Date:
(Authorized to bind the Co-operating/Buyer Brokerage)

ACKNOWLEDGEMENT

If the Listing Brokerage represents both the Seller and the Buyer for this transaction, the Seller and the Buyer consent to the dual representation as evidenced by their initials above. I have received, read, and understand the above information.

(Signature of Seller) Date:

(Signature of Buyer) Date:

(Signature of Seller) Date:

(Signature of Buyer) Date:



This Agreement of Purchase and Sale dated this..... day of November, 20.. 06.

BUYER, 1644365 Ontario Inc....., agrees to purchase from
 (full legal names of all Buyers)

SELLER, Corporation of the City of Sault Ste. Marie....., the following
 (full legal names of all Sellers)

REAL PROPERTY:
 Address: 605 Third Line East.....fronting on the South.....side of Third Line East.....
 in the City.....Sault Ste. Marie, District of Algoma.....
 and having a frontage of 56 feet.....more or less by a depth of.....more or less and legally
 described as Plan H744 Lot 1 PT 3 PT RP IR7611 PT 1 PT 2.....(the "property").
 (Legal description of land including easements not described elsewhere)

PURCHASE PRICE: One Hundred and Seven ThousandDollars (CDN\$) 107,000.00

DEPOSIT: Buyer submitsupon acceptance
 (Herewith/Upon acceptance/as otherwise described in this Agreement)

Five ThousandDollars (CDN\$) 5,000.00

by negotiable cheque payable to COMMERCIAL REALTY SAULT LIMITED IN TRUST "Deposit Holder"
 to be held in trust without interest pending completion or other termination of this Agreement and to be credited toward the Purchase Price on completion.
 For the purposes of this Agreement, "Upon Acceptance" shall mean that the Buyer is required to deliver the deposit to the Deposit Holder within 24 hours
 of the acceptance of this Agreement.

Buyer agrees to pay the balance as more particularly set out in Schedule A attached.

SCHEDULE(S) A.....attached hereto form(s) part of this Agreement.

1. **CHATTERS INCLUDED:**.....

2. **FIXTURES EXCLUDED:**.....

3. **RENTAL ITEMS:** The following equipment is rented and **not** included in the Purchase Price. The Buyer agrees to assume the rental contract(s), if assumable:

4. **IRREVOCABILITY:** This Offer shall be irrevocable by Buyeruntil 3:00 p.m. on the 30th day of November 06.....

after which time, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Buyer in full without interest.

5. **COMPLETION DATE:** This Agreement shall be completed by no later than 6:00 p.m. on the 31st day of January 2007.....
 Upon completion, vacant possession of the property shall be given to the Buyer unless otherwise provided for in this Agreement.

6. **NOTICES:** Seller hereby appoints the Listing Brokerage as Agent for the purpose of giving and receiving notices pursuant to this Agreement. **Only if the Co-operating Brokerage represents the interests of the Buyer in this transaction**, the Buyer hereby appoints the Co-operating Brokerage as Agent for the purpose of giving and receiving notices pursuant to this Agreement. Any notice relating hereto or provided for herein shall be in writing. This offer, any counter offer, notice of acceptance thereof, or any notice shall be deemed given and received, when hand delivered to the address for service provided in the Acknowledgement below, or where a facsimile number is provided herein, when transmitted electronically to that facsimile number.

FAX No.....(For delivery of notices to Seller) FAX No.(For delivery of notices to Buyer)

7. **GST:** If this transaction is subject to Goods and Services Tax (GST), then such tax shall be in addition to the Purchase Price. The Seller will not collect GST if the Buyer provides to the Seller a warranty that the Buyer is registered under the Excise Tax Act ("ETA"), together with a copy of the Buyer's ETA registration, a warranty that the Buyer shall self-assess and remit the GST payable and file the prescribed form and shall indemnify the Seller in respect of any GST payable. The foregoing warranties shall not merge but shall survive the completion of the transaction. If this transaction is not subject to GST, Seller agrees to certify on or before closing, that the transaction is not subject to GST.

8. **TITLE SEARCH:** Buyer shall be allowed until 6:00 p.m. on the 20th day of January 2007.....(Requisition Date)
 to examine the title to the property at his own expense and until the earlier of: (i) thirty days from the later of the Requisition Date or the date on which the conditions in this Agreement are fulfilled or otherwise waived or; (ii) five days prior to completion, to satisfy himself that there are no outstanding
 work orders or deficiency notices affecting the property, that its present use.....
 may be lawfully continued and that the principal building may be

INITIALS OF BUYER(S):



INITIALS OF SELLER(S):



insured against risk of fire. Seller hereby consents to the municipality or other governmental agencies releasing to Buyer details of all outstanding work orders affecting the property, and Seller agrees to execute and deliver such further authorizations in this regard as Buyer may reasonably require.

9. **FUTURE USE:** Seller and Buyer agree that there is no representation or warranty of any kind that the future intended use of the property by Buyer is or will be lawful except as may be specifically provided for in this Agreement.
10. **TITLE:** Provided that the title to the property is good and free from all registered restrictions, charges, liens, and encumbrances except as otherwise specifically provided in this Agreement and save and except for (a) any registered restrictions or covenants that run with the land providing that such are complied with; (b) any registered municipal agreements and registered agreements with publicly regulated utilities providing such have been complied with, or security has been posted to ensure compliance and completion, as evidenced by a letter from the relevant municipality or regulated utility; (c) any minor easements for the supply of domestic utility or telephone services to the property or adjacent properties; and (d) any easements for drainage, storm or sanitary sewers, public utility lines, telephone lines, cable television lines or other services which do not materially affect the present use of the property. If within the specified times referred to in paragraph 8 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to Seller and which Seller is unable or unwilling to remove, remedy or satisfy or obtain insurance save and except against risk of fire in favour of the Buyer and any mortgagee, (with all related costs at the expense of the Seller), and which Buyer will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and all monies paid shall be returned without interest or deduction and Seller, Listing Brokerage and Co-operating Brokerage shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, Buyer shall be conclusively deemed to have accepted Seller's title to the property.
11. **CLOSING ARRANGEMENTS:** Where each of the Seller and Buyer retain a lawyer to complete the Agreement of Purchase and Sale of the Property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. 1990, Chapter L4 and the Electronic Registration Act, S.O. 1991, Chapter 44, and any amendments thereto, the Seller and Buyer acknowledge and agree that the exchange of closing funds, non-registered documents and other items (the "Requisite Deliveries") and the release thereof to the Seller and Buyer will (a) not occur at the same time as the registration of the transfer/deed (and any other documents intended to be registered in connection with the completion of this transaction) and (b) be subject to conditions whereby the lawyer(s) receiving any of the Requisite Deliveries will be required to hold same in trust and not release same except in accordance with the terms of a document registration agreement between the said lawyers. The Seller and Buyer irrevocably instruct the said lawyers to be bound by the document registration agreement which is recommended from time to time by the Law Society of Upper Canada. Unless otherwise agreed to by the lawyers, such exchange of the Requisite Deliveries will occur in the applicable Land Titles Office or such other location agreeable to both lawyers.
12. **DOCUMENTS AND DISCHARGE:** Buyer shall not call for the production of any title deed, abstract, survey or other evidence of title to the property except such as are in the possession or control of Seller. If requested by Buyer, Seller will deliver any sketch or survey of the property within Seller's control to Buyer as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Trust And Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by Buyer on completion, is not available in registrable form on completion, Buyer agrees to accept Seller's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registrable form and to register same, or cause same to be registered, on title within a reasonable period of time after completion, provided that on or before completion Seller shall provide to Buyer a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, and, where a real-time electronic cleared funds transfer system is not being used, a direction executed by Seller directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **INSPECTION:** Buyer acknowledges having had the opportunity to inspect the property and understands that upon acceptance of this Offer there shall be a binding agreement of purchase and sale between Buyer and Seller.
14. **INSURANCE:** All buildings on the property and all other things being purchased shall be and remain until completion at the risk of Seller. Pending completion, Seller shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, Buyer may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion. If Seller is taking back a Charge/Mortgage, or Buyer is assuming a Charge/Mortgage, Buyer shall supply Seller with reasonable evidence of adequate insurance to protect Seller's or other mortgagee's interest on completion.
15. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if Seller complies with the subdivision control provisions of the Planning Act by completion and Seller covenants to proceed diligently at his expense to obtain any necessary consent by completion.
16. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registrable form at the expense of Seller, and any Charge/Mortgage to be given back by the Buyer to Seller at the expense of the Buyer. If requested by Buyer, Seller covenants that the Transfer/Deed to be delivered on completion shall contain the statements contemplated by Section 50(22) of the Planning Act, R.S.O.1990.
17. **RESIDENCY:** Buyer shall be credited towards the Purchase Price with the amount, if any, necessary for Buyer to pay to the Minister of National Revenue to satisfy Buyer's liability in respect of tax payable by Seller under the non-residency provisions of the Income Tax Act by reason of this sale. Buyer shall not claim such credit if Seller delivers on completion the prescribed certificate or a statutory declaration that Seller is not then a non-resident of Canada.
18. **ADJUSTMENTS:** Any rents, mortgage interest, realty taxes including local improvement rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to Buyer.
19. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Seller and Buyer or by their respective lawyers who may be specifically authorized in that regard.
20. **TENDER:** Any tender of documents or money hereunder may be made upon Seller or Buyer or their respective lawyers on the day set for completion. Money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
21. **FAMILY LAW ACT:** Seller warrants that spousal consent is not necessary to this transaction under the provisions of the Family Law Act, R.S.O.1990 unless Seller's spouse has executed the consent hereinafter provided.
22. **UFFI:** Seller represents and warrants to Buyer that during the time Seller has owned the property, Seller has not caused any building on the property to be insulated with insulation containing ureaformaldehyde, and that to the best of Seller's knowledge no building on the property contains or has ever contained insulation that contains ureaformaldehyde. This warranty shall survive and not merge on the completion of this transaction, and if the building is part of a multiple unit building, this warranty shall only apply to that part of the building which is the subject of this transaction.
23. **LEGAL, ACCOUNTING AND ENVIRONMENTAL ADVICE:** The parties acknowledge that any information provided by the brokerage is not legal, tax or environmental advice, and that it has been recommended that the parties obtain independent professional advice prior to signing this document.
24. **CONSUMER REPORTS:** The Buyer is hereby notified that a consumer report containing credit and/or personal information may be referred to in connection with this transaction.
25. **AGREEMENT IN WRITING:** If there is conflict or discrepancy between any provision added to this Agreement (including any Schedule attached hereto) and any provision in the standard pre-set portion hereof, the added provision shall supersede the standard pre-set provision to the extent of such conflict or discrepancy. This Agreement including any Schedule attached hereto, shall constitute the entire Agreement between Buyer and Seller. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. For the purposes of this Agreement, Seller means vendor and Buyer means purchaser. This Agreement shall be read with all changes of gender or number required by the context.

INITIALS OF BUYER(S):

A handwritten signature consisting of the letters 'JC' enclosed in a circle.

INITIALS OF SELLER(S):

An empty oval shape for initials.



10(g)
26. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

SIGNED, SEALED AND DELIVERED in the presence of: IN WITNESS whereof I have hereunto set my hand and seal:

(Witness)

[Signature]
(Buyer/Authorized Signing Officer)

(Seal)

DATE *Nov 3/06*

(Witness)

[Signature]
(Buyer/Authorized Signing Officer)

(Seal)

DATE

I, the Undersigned Seller, agree to the above Offer. I hereby irrevocably instruct my lawyer to pay directly to the Listing Brokerage the unpaid balance of the commission together with applicable Goods and Services Tax (and any other taxes as may hereafter be applicable), from the proceeds of the sale prior to any payment to the undersigned on completion, as advised by the Listing Brokerage to my lawyer.

SIGNED, SEALED AND DELIVERED in the presence of: IN WITNESS whereof I have hereunto set my hand and seal:

(Witness)

[Signature]
(Seller/Authorized Signing Officer)

(Seal)

DATE

(Witness)

[Signature]
(Seller/Authorized Signing Officer)

(Seal)

DATE

SPOUSAL CONSENT: The Undersigned Spouse of the Seller hereby consents to the disposition evidenced herein pursuant to the provisions of the Family Law Act, R.S.O.1990, and hereby agrees with the Buyer that he/she will execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

(Witness)

[Signature]
(Spouse)

(Seal)

DATE

CONFIRMATION OF ACCEPTANCE: Notwithstanding anything contained herein to the contrary, I confirm this Agreement with all changes both typed and written was finally accepted by all parties at.....a.m./p.m. this.....day of....., 20.....

[Signature of Seller or Buyer]

INFORMATION ON BROKERAGE(S)

Listing Brokerage.....	Tel. No.....
Co-op/Buyer Brokerage COMMERCIAL REALTY S LTD 123 MARCH ST, 3RD FLOOR	Tel. No. [705]949-3908

ACKNOWLEDGEMENT

I acknowledge receipt of my signed copy of this accepted Agreement of Purchase and Sale and I authorize the Agent to forward a copy to my lawyer.

[Signature]
(Seller)

DATE.....

I acknowledge receipt of my signed copy of this accepted Agreement of Purchase and Sale and I authorize the Agent to forward a copy to my lawyer.

[Signature]
(Buyer)

DATE.....

Address for Service.....

DATE.....

Seller's Lawyer.....

DATE.....

Address.....

DATE.....

Tel. No.

FAX No.

Tel. No.

FAX No.

FOR OFFICE USE ONLY

COMMISSION TRUST AGREEMENT

To: Co-operating Brokerage shown on the foregoing Agreement of Purchase and Sale:
In consideration for the Co-operating Brokerage procuring the foregoing Agreement of Purchase and Sale, I hereby declare that all moneys received or receivable by me in connection with the Transaction as contemplated in the MLS Rules and Regulations of my Real Estate Board shall be receivable and held in trust. This agreement shall constitute a Commission Trust Agreement as defined in the MLS Rules and shall be subject to and governed by the MLS Rules pertaining to Commission Trust.

DATED as of the date and time of the acceptance of the foregoing Agreement of Purchase and Sale.

Acknowledged by:

[Signature]
(Authorized to bind the Listing Brokerage)

[Signature]
(Authorized to bind the Co-operating Brokerage)



This Schedule is attached to and forms part of the Agreement of Purchase and Sale between:

BUYER, 1644365 Ontario Inc., and

SELLER, Corporation of the City of Sault Ste. Marie

for the purchase and sale of 605 Third Line East

Sault Ste. Marie, District of Alg.....dated the.....day of November....., 2006.....

Buyer agrees to pay the balance as follows:

The Buyer agrees to pay the balance of the purchase price, subject to adjustments, by bank draft or certified cheque, to the Seller on the completion of this transaction.

The Buyer shall have the right at any time prior to closing, to assign the within Offer to any person, persons or corporation, either existing or to be incorporated, and upon delivery to the Seller of notice of such assignment, together with the assignee's covenant in favour of the Seller to be bound hereby as Buyer, the Buyer hereinbefore named shall stand released from all further liability hereunder.

This form must be initialed by all parties to the Agreement of Purchase and Sale.

INITIALS OF BUYER(S):

A handwritten signature consisting of the letters 'Y' and 'C' intertwined.

INITIALS OF SELLER(S):

An empty oval space for initials.



10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2007-9

REGULATIONS: (R.1.2.1.) being a by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

The Council of the Corporation of the City of Sault Ste. Marie, pursuant to Section 129 of the Municipal Act, 2001 S.O. 2001 c. 25 ENACTS as follows:

1. **EXEMPTION FROM NOISE CONTROL BY-LAWS**

Despite the provisions of By-law 80-200 or By-law 4100, the discharge of noise from the area bounded at the Airport Fairgrounds shall be deemed not to be violations of either By-law 80-200 or By-law 4100 on the following dates and times to facilitate various events:

ISR World Series of Ice Drags:

Friday, March 9, 2007 - from 6:00 p.m. to 8:30 p.m.
Saturday, March 10, 2007 - from 11:00 a.m. to 4:00 p.m.
Sunday, March 11, 2007 - from 11:00 a.m. to 4:00 p.m.

Wheels on Ice Show:

Saturday, February 17, 2007 - from 12:00 p.m. to 4:00 p.m.
Saturday, February 24, 2007 - from 12:00 p.m. to 4:00 p.m.
Saturday, March 3, 2007 - from 12:00 p.m. to 4:00 p.m.
Saturday, March 10, 2007 - from 12:00 p.m. to 4:00 p.m.

2. **EFFECTIVE DATE**

This by-law is effective on February 17, February 24, March 3, March 9, March 10, and March 11, all in 2007.

READ THREE TIMES and PASSED in Open Council this 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

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

CITY CLERK – DONNA IRVING



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-4

STREETS: (S.2) a by-law to re-adopt official Street names list.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 11 of The Municipal Act., S.O. 2001, Chapter 25 ENACTS as follows:

1. **SCHEDULE "A" TO BY-LAW 2007-4**

Schedule "A" to this by-law is the official list of street names for The Corporation of the City of Sault Ste. Marie.

2. **BY-LAW 2006-02 REPEALED**

By-law 2006-02 are hereby repealed.

3. **EFFECTIVE DATE**

This by-law takes effect on the date of its final passing.

READ THREE times and PASSED in open Council this 15th day of January, 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

CITY CLERK - DONNA P. IRVING

OFFICIAL SAULT STE. MARIE, ONT. STREET NAMES LIST

SCHEDULE "A" to BY-LAW 2007-04

LAST REVISED: December 18, 2006

DATE PRINTED: December 18, 2006

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Official Street Name	Map Location Index
A	
Abbott Street	M7
Adelaide Street	L6
Adeline Avenue	P6
Admiral Drive	J5
Adrian Drive	P7
Airport Road	E7
Alagash Drive	F10
Albert Street East	M7
Albert Street West	L7
Alberta Avenue	M7
Albion Street	N7
Alden Road	J6
Alexandra Street	L7
Alfred Street	K5
Algoma Avenue	M7
Allard Street	N6
Allen Street	L7
Allen's Side Road	I5
Alpine Street	J5
Alsworth Place	N7
Amber Street	P7
Amherst Street	J5
Amy Avenue	P6
Anderson Road	I5
Andrew Street	L7
Angelina Avenue	O7
Anich Road	J3
Anita Boulevard	M6
Anna Street	P6
Appaloosa Avenue	I5
Arbor Drive	J5
Arcade Street	J5
Arden Street	J5
Argyle Road	N8
Arizona Avenue	O7
Aronson Drive	L3
Arthur Street	O8
Ascot Avenue	J5
Ashgrove Avenue	P7
Asquith Street	J6
Assunta Drive	J5
Atlantic Street	M7
Atlas Street	O8
Atwater Street	J5
Aubin Road	I3
Autumn Drive	P7
Avery Road	I4
Avon Avenue	J5
B	
Back Road	P3
Bainbridge Street	L6
Barber Boulevard	P8
Barrett Street	L5
Barton Street	G8
Base Line	J6
Base Line A	H7
Bay Road	Q7
Bay Street	M8
Bay Street West	L7
Beatrice Street	M7
Beaumont Avenue	L4
Beech Street	M6
Bell Avenue	M8
Bellevue Avenue	M7
Bennett Boulevard	O8
Beverley Street	L7
Biggins Avenue	M8
Bingham Street	M7
Birch Street	M7
Birchland Court	N7
Birchwood Street	P8
Birkshire Place	N4
Bishop's Court	N8
Bitonti Crescent	L5
Black Road	O7
Blake Avenue	M7
Bloor Street West	L6
Blucher Street	L7
Blue Jay Court	N6
Boehmer Boulevard	N6
Bonney Street	K6
Borden Avenue	J6
Borron Avenue	M7
Boston Avenue	N7
Boundary Road	P7
Bowker Street	P7
Boydell Place	L6
Bretton Road	N7

B Cont.	
Brien Avenue	N7
Bristol Place	P7
Broad Street	P7
Broadview Drive	J5
Brock Street	M7
Brookfield Avenue	J6
Broos Road	I5
Brown Street	L7
Bruce Street	M7
Bruie Road	K3
Brunswick Avenue	K5
Burton Road	O7
Bush Street	L6
Byrne Avenue	L6
C	
Cabot Crescent	M5
Caddy Avenue	O8
Caesar Road	O7
Caledon Street	N6
Cambridge Place	O7
Cameron Avenue	M7
Cameron Lane	M8
Campbell Avenue	N7
Canal Drive	L7
Capp Avenue	O7
Carlbert Street	P8
Carleton Avenue	L6
Carmel Road	O7
Carmen's Way	L6
Carol Court	P7
Carpin Beach Road	G6
Cartier Street	N7
Carufel Avenue	K6
Case Road	P3
Cathcart Street	L7
Cedar Street	M7
Cedawood Drive	N5
Celene Court	P7
Centennial Avenue	P8
Central Creek Drive	K5
Central Park Avenue	L7
Central Street	K6
Centre Street	P7
Chambers Avenue	P7
Champlain Street	M6
Channelview Lane	E10
Chapple Avenue	N6
Charles Street	L6
Charlotte Drive	N7
Chartwell Drive	P7
Chatfield Drive	L5
Chelten Avenue	K5
Cheshire Road	K5
Chestnut Street South	M7
Chestnut Street	M7
Chicora Crescent	P7
Chippewa Street	J5
Chlebus Street	N7
Church Street	M8
Churchill Avenue	L5
Churchill Boulevard	N8
Clement Street	O7
Clergue Street	M6
Collins Avenue	O8
Conmee Avenue	L6
Connaught Avenue	K6
Connor Road	P2
Cooper Street	K5
Copernicus Drive	P7
Corey Avenue	P6
Comwall Street	L6
Coronation Street	L3
Cottage Lane	G8
Couison Avenue	N8
Country Club Place	O8
Courtney Crescent	P7
Crawford Avenue	N7
Creek Road	G4
Creery Avenue	N7
Crestview Court	N5
Crestwood Avenue	P8
Cumberland Avenue	K6
Cunningham Road	N7
Curran Drive	N7

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D	
D'Youville Road	M8
Dablon Street	N6
Dacey Road	Q7
Dalgleish Road	F10
Danby Road	N8
Dauphin Drive	P7
Dawson Avenue	L5
Dell Avenue	P8
Dennis Street	L7
Denwood Drive	P7
Des Chenes Drive	E10
Devon Road	K6
Diane Street	L5
Digby Crescent	J5
DiTommaso Court	N2
Doncaster Road	K5
Donna Drive	K5
Douglas Street	K6
Dovercourt Road	K6
Drake Street	O8
Drive In Road	M5
Dryden Avenue	J6
Dufferin Street	M7
Dundas Street	L6
Durban Road	J5
Dyment Street	K6
E	
Eagle Drive	N6
East Balfour Street	J6
East Braemar Bay	L4
East Champagne Drive	P8
East Dunrobin Bay	L4
East Perth Bay	L4
East Street	M8
Eastern Avenue	P7
Eastwood Street	N5
Eden Square	J6
Edinburgh Street	L7
Edison Avenue	K5
Edmonds Avenue	K5
Edward Street	N8
Elaine Court	P7
Elgin Street	M7
Elizabeth Street	N7
Elliott Road	L5
Ellis Road	I6
Elm Avenue	M6
Elmwood Avenue	M6
Erie Street	G8
Essex Lane	P8
Estelle Street	L6
Euclid Road	M7
Everett Street	L5
F	
Fairmount Drive	O7
Fairview Avenue	L5
Fallgren Road	Q7
Farquhar Street	P7
Farwell Terrace	L6
Fauquier Avenue	M7
Ferguson Avenue	N7
Ferns Avenue	M7
Fields Square	O7
Fifth Avenue	K6
Fifth Line East	O3
Fifth Line West	L3
Findlay Drive	N7
First Avenue	K6
Fish Hatchery Road	O3
Florin Drive	O8
Foothill Road	J4
Ford Street	Q8
Forest Avenue	N7
Fort Creek Drive	M5
Foster Drive	M8
Fournier Road	Q6
Fourth Avenue	K6
Fourth Line East	M4
Fourth Line West	K3
Francis Street	M7
Franklin Street	L6
Front Street	M8
Frontenac Street	Q6

	G
Gagnon Road South	D7
Garden Avenue	O8
Garth Street	G8
Gehng Drive	N6
George Lane	L7
George Street North	L7
George Street South	L7
Georgina Street	O8
Gibbs Street	P7
Gillies Street	L6
Gladstone Avenue	M7
Gladwyn Road	M6
Glasgow Avenue	J6
Glen Avenue	P8
Glengary Gate Crescent	N4
Glenholme Drive	O8
Glenwood Avenue	P7
Gloucester Street	L7
Goetz Street	K6
Golf Range Crescent	O8
Gordon Avenue	M8
Gore Street	L7
Gouin Street	M8
Goulais Avenue	J6
Grace Street	M7
Grand Boulevard	M6
Grandhaven Crescent	M6
Grandmont Crescent	M6
Grandriver Crescent	M6
Grandview Avenue	M6
Grandville Crescent	M6
Grandy Road	M6
Grangemill Road	M6
Granite Street	M6
Gravelle Street	O8
Great Northern Road	M4
Greene Street	P6
Greenfield Drive	L4
Greenview Court	P8
Greenview Lane	P8
Griffon Street	P7
Grosvenor Avenue	M7
	H
Hadley Park	N8
Hamilton Avenue	M7
Hampton Road	K5
Hardiman Avenue	M6
Hardwood Street	P7
Hare Avenue	J6
Hargreaves Avenue	M6
Harriet Street	F10
Harris Street	L3
Harry Street	M6
Harten Street	N8
Haviland Crescent	N7
Hawthorne Avenue	M7
Headway Street	P8
Healy Street	O8
Hearst Street	M7
Heath Road	P8
Heavenor Street	N8
Henfetta Avenue	L6
Henry Street	K5
Herbert Street	M7
Herkimer Street	G7
Herrick Street	M8
Hess Street	G8
Highcrest Street	M5
Highland Court	M5
Hill Street	L5
Hillside Drive	L5
Hocking Avenue	K6
Holden Street	L5
Hood Street	J4
Hudson Street	L7
Hughes Street	M7
Hugill Street	O8
Huntington Park	O8
Huron Street	L7
Hussey Street	O8
Hynes Street	M8
Idaho Drive	O7
Illinois Avenue	O7
Indiana Drive	O7
Industrial Court A	M5
Industrial Court B	M5
Industrial Park Crescent	M5
Irwin Avenue	O7

James Street	L7
Jean Avenue	P6
Jemmette Street	P7
Joel Court	P7
John Street	L7
Johnson Avenue	L5
Joseph Street	P7
K	
Kehoe Avenue	L6
Kensington Terrace	N8
Kent Avenue	N6
Kent Crescent	L4
Kerr Drive	P7
Keys Street	K5
Killarney Road	N5
King Street	M7
Kingsford Road	K5
Kingsmount Boulevard	O7
Kitchener Road	M6
Knox Avenue	M6
Kohler Street	M8
Koprash Court	N7
Korah Road	K5
L	
LaBelle Avenue	N7
Laird Street	M7
Lake Street	O7
Lamming Avenue	K5
Landslide Road	P4
Langdon Crescent	M6
Langdon Road	K5
Lansdowne Avenue	M7
LaRonde Avenue	N7
LaSalle Court	M5
Laura Street	L6
Laurentian Drive	N6
Laurier Avenue	J6
Laurier Place	M6
Lawson Avenue	P6
Leigh's Bay Road	H5
Lennox Avenue	L6
Leo Avenue	N8
Leslie Street	N6
Letcher Street	K6
Lethbridge Street	L4
Lewis Road	O7
Lidstone Street	L5
Linstedt Street	N7
Lloyd Street	L5
London Street	M7
Lorna Drive	P8
Lorraine Avenue	O7
Lothian Avenue	M6
Louise Avenue	P8
Lucy Terrace	M8
Lynn Road	M7
Lyons Avenue	L6
M	
MacDonald Avenue	N7
MacMurray Avenue	P7
Macnamara Drive	M5
Madeleine Street	O8
Main Street	G8
Maki Road	I4
Malabar Drive	N6
Manilla Terrace	L7
Manitou Drive	P6
Manor Road	N8
Maple Street	M7
March Street	M7
Marconi Street	N7
Marettta Street	L6
Margaret Street	O8
Mark Street	O8
Market Street	P7
Marsh Street	L6
Marwayne Avenue	N6
Mary Avenue	M5
Mayfair Avenue	L4
McAllen Street	J7
McCrea Street	N8
McCulloch Street	K5
McDougald Street	M7
McFadden Avenue	K6
McGregor Avenue	N8
McKenzie Avenue	K6
McLean Court	L6
McMeeken Street	N8
McNabb Street	O7
McNeice Street	P8
McPhail Avenue	N8
McQueen Road	J4
Meadow Lane	O7
Meadow Park Crescent	O7

M Cont.	
Megginson Drive	P7
Melrose Avenue	M7
Melville Road	P7
Metzger Street	K6
Millcreek Drive	N5
Millenium Court	L5
Millwood Street	P8
Moluch Street	N7
Montcalm Road	M5
Montgomery Avenue	N7
Moody Street	P7
Morin Street	L6
Morrison Avenue	M6
Moss Road	K4
Mount Pleasant Court	I4
Muriel Drive	Q7
Murphy Street	Q7
Murray Street	P7
Murton Avenue	K6
N	
Nelson Street	L6
Nettleton Street	L3
Newcastle Drive	J5
Niagara Drive	M5
Nichol Avenue	K5
Nicolas Avenue	O7
Nino Drive	M6
Nixon Road	I6
Nokomis Beach Road	C9
Norden Crescent	N7
North Eden	J6
North Street	M6
Northern Avenue East	M6
Northern Avenue West	M6
Northland Road	L6
Northridge Road	M5
Northwood Street	N5
O	
Oak Park Crescent	P8
Oakbine Avenue	M6
Oakland Avenue	M7
Oakwood Drive	N7
Ohio Drive	O7
Old Garden River Road	N5
Old Goulaie Bay Road	L4
Old Highway 17 North	N2
Ontario Avenue	N7
Oregon Road	O7
Oriole Street	J4
Orion Street	N7
Oryme Avenue	M6
Oxford Street	M7
P	
Pageant Drive	N7
Palace Drive	N6
Paladin Avenue	N7
Palomino Drive	I5
Panoramic Drive	N6
Par Avenue	P8
Paradise Avenue	N7
Parasol Crescent	N6
Pardee Avenue	M7
Park Place Court	N6
Park Street	P7
Parkdale Drive	O8
Parkelane Court	E7
Parker Avenue	N7
Parkewood Drive	F7
Parkinworth Place	Q7
Parkland Crescent	Q7
Parkshore Court	P8
Parkshore Drive	P8
Parkview Court	N6
Parliament Street	L6
Partridge Court	O6
Passmore Road	N6
Patricia Avenue	K6
Patrick Street	L6
Peach Drive	N6
Peacock Crescent	N6
Peer Street	Q6
Pelican Drive	N6
Penna Road	L5
Pentagon Boulevard	N7
Peoples Road	L5
Pilgrim Street	M8
Pim Street	M7
Pine Shore Drive	F9
Pine Street	N7
Pinemore Boulevard	N6
Pinto Drive	I5
Pittsburgh Avenue	J6
Placid Avenue	N7
Plaintree Drive	N6

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P Cont.	
Pleasant Drive	N6
Plummer Court	O6
Pointe Aux Pins Drive	F10
Pointe Des Chenes Crescent	E10
Pointe Louise Drive	F10
Pond Street	K5
Poplar Avenue	N7
Portage Lane	L7
Powley Road	N3
Pozzebon Crescent	L5
Prentice Avenue	K6
Pretoria Hill	J5
Primrose Drive	N6
Prince Charles Crescent	O6
Princess Crescent	N7
Princeton Drive	N6
Promenade Drive	N7
Putney Road	N7
Q	
Queen Street East	P8
Queen Street West	L7
Queensgate Boulevard	Q7
R	
Railroad Avenue	M7
Ranger Street	J4
Rankin Road	P7
Ransome Drive	I6
Ravina Street	N7
Raymond Street	K6
Red Pine Drive	F9
Reid Street	M6
Retta Street	O8
Rex Avenue	I6
Richmond Place	J5
River Road	Q7
Riverin Avenue	P6
Riverside Drive	O8
Riverview Avenue	N8
Ro Von Court	M5
Robin Street	P7
Rockport Road	J5
Roosevelt Avenue	J6
Rosedale Place	M7
Rosita Street	I6
Ross Street	P7
Rossmore Road	K5
Routledge Avenue	N7
Rowell Avenue	J6
Royal Road	J5
Royal York Boulevard	Q7
Royce Avenue	I6
Rush Avenue	N6
Rushmere Drive	J5
Russ Ramsay Way	M8
Ruth Street	L6
S	
Sackville Road	M6
Salsbury Avenue	M7
Sand Road	F9
Schultz Side Road	N2
Second Avenue	K6
Second Line East	N5
Second Line West	K5
Selby Road	K5
Selkirk Road	M5
Seventh Avenue	K6
Seventh Line East	N1
Shafer Avenue	L6
Shannon Road	O8
Sharon Crescent	N6
Shattruck Drive	C7
Sheppard Street	N8
Sherbourne Street	L6
Sherbrook Drive	L5
Sherwood Parkway	L5
Shingwauk Street	O8
Shore Drive	N8
Shoreview Court	Q7
Short Street	L6
Silver Birch Drive	O7
Silverdale Avenue	L5
Sircooe Street	G8
Simon Avenue	P8
Simpson Street	N7
Sinclair Street	L7
Sisson Street	N7
Sixth Avenue	K6
Sixth Line East	O2
Sixth Line West	G2
Smale Avenue	N7
Snowden Crescent	K5
Snowden Street	K5
Softwood Drive	Q7
South Eden	J6

S Cont.	
South Gladstone Avenue	M7
South Market Street	P7
Southwood Drive	N5
Spadina Avenue	J6
Spring Street	M7
Spruce Street	M7
St. Andrew's Terrace	L6
St. Basil's Drive	J5
St. George's Avenue East	M7
St. George's Avenue West	L6
St. James Street	L7
St. Mary's Avenue	M6
St. Mary's River Drive	L7
St. Michael's Square	J5
St. Patrick Street	L6
St. Thomas Street	M8
Stanley Street	N8
State Street	O7
Stevens Street	M6
Strand Avenue	M6
Summit Avenue	M7
Sunlea Street	J5
Sunnydale Road	L5
Sunnyside Beach Road	C8
Sunset Court	I6
Sunset Drive	I6
Superior Drive	M5
Sussex Road	K5
Sutton Place	P7
Swartz Street	L6
Sydenham Road	K5
T	
Taber Street	O8
Tadcaster Place	N6
Tallack Boulevard	L4
Talon Avenue	Q6
Talwood Drive	N6
Tamarack Avenue	Q6
Tancred Street	L7
Taskar Drive	P8
Teal Avenue	Q7
Terrance Avenue	N5
Terry Fox Place	P7
Texas Avenue	O7
The Crescent	M7
The Drive	N7
Third Avenue	K6
Third Line East	L4
Third Line West	J4
Thorneloe Crescent	O8
Tilley Road	N6
Toronto Street	L7
Towers Street	M8
Town Line Road	G6
Trelawne Avenue	M7
Trunk Road	O7
Tucket Street	O7
Turner Avenue	K6
U	
Upton Road	N7
V	
Val Street	P8
Valhalla Place	O8
Van Daele Street	M6
Varsity Avenue	P8
Venn Street	J4
Vera Avenue	P6
Victor Emmanuel Avenue	K6
Victoria Avenue	N8
Victoria Street	G8
Village Court	N6
Vivian Avenue	K6
W	
Wallace Terrace	K6
Walls Side Road	C6
Walnut Street	M6
Walters Street	K5
Wardell Road	J4
Warren Avenue	I6
Wawanosh Avenue	M6
Wayne Court	P7
Weeks Street	P7
Welcome Avenue	O8
Weldon Avenue	N7
Wellington Street East	M7
Wellington Street West	L6
Wemyss Street	M7
Wentworth Street	G8
West Balfour Street	J6
West Braemar Bay	L4
West Dunrobin Bay	L4
West Perth Bay	L4
West Street	L7

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W Cont.	
Westchester Drive	J5
Westgate Drive	J5
Westridge Road	M5
Westwood Crescent	N5
White Oak Drive East	M6
White Oak Drive West	M6
Whitney Avenue	J6
Wiber Street	P6
Wigle Street	M4
Wilcox Avenue	M7
Wilding Avenue	K6
Wildwood Avenue	K5
Wilks Street	J5
Williams Street	Q7
Willoughby Street	N6
Willow Avenue	N6
Willowdale Street	Q7
Wilson Street	M7
Windsor Street	N7
Winfield Drive	J5
Winston Avenue	K5
Wishart Park Road	N4
Wireless Avenue	N7
Woodcroft Avenue	K6
Woodhurst Drive	M5
Woodlawn Avenue	Q7
Wood Park Court	I7
Woodward Avenue	M8
Wright Street	K6
Y	
Yates Avenue	J6
York Street	L6
Young Street	K6

12(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-13

TAXES: (T.1.3.) A By-Law to Provide for Interim Tax Levies

WHEREAS Section 317 of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, provides that the council of a local municipality, before the adoption of estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie enacts as follows:

1. In this by-law the following words shall be defined as:

"Act" shall mean the *Municipal Act, 2001* S.O. 2001, C.25, as amended

"Minister" shall mean the Minister of Finance;

"MPAC" shall mean the Municipal Property Assessment Corporation;

"Treasurer" means the treasurer of the Corporation of the City of Sault Ste. Marie or a person delegated the Treasurer's powers and duties under s.286(5) of the Act and By-law 2006-199, being the City Tax Collector.

2. The amounts levied shall be as follows and payable to the Treasurer:

- 2.1 For the Residential, Pipeline, Farm and Managed Forest property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2006 in accordance with Section 317(3) paragraph 2 of the Act.

- 2.2 For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2006, in accordance with Section 317(3) paragraph 2 of the Act.

3. For the purposes of calculating the total amount of taxes for the year 2006 under paragraph 2, if any taxes for municipal and school purposes were levied on a property for only part of 2006 because assessment was added to the Tax Roll during 2006, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.

4. The provisions of this by-law apply in the event that assessment is added for the year 2007 to the Tax Roll after the date this by-law is passed and the tax levy shall be imposed and collected.

5. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.

6. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the installment dates set out below. The penalty shall be one percent (1%) of the amount on the first day of default and on the first day of each calendar month during which the default continues, but not after the end of 2007.

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7. Following December 31, 2007, interest charges of one percent (1%) shall be imposed upon the amount in default on the first calendar day of each month during which the default continues.
8. The final tax levy imposed by this by-law shall be paid in two installments due on the following dates:
 - 8.1 One-half (1/2) thereof on the 5th day of March, 2007;
 - 8.2 One-half (1/2) thereof on the 7th day of May, 2007.
9. A notice specifying the amount of taxes payable, may be mailed or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law by the Treasurer.
10. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Tax roll under Section 340 of the Act.
11. The Treasurer may adjust the interim levy of a property if the taxes imposed by this by-law are in excess of 50% of the taxes levied on that property in 2006, adjusted to annualize any assessment changes that occurred during 2006, adjusted to annualize any assessment changes that occurred during 2006. No adjustment shall reduce the 2007 interim levy below 50% of the adjusted tax amount.
12. The subsequent levy for the year 2007 to be made under the Act shall be reduced by the amount to be raised by the levy imposed by this by-law.
13. The provisions of Section 317 of the Act, apply to this by-law with necessary modifications.
14. The Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under section 7 of this by-law in respect of non-payment or late payment of any taxes or any installment of taxes.
15. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
16. By-law 2006-20 is hereby repealed
17. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

18. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

Read THREE times and PASSED in open Council this 15th day of January 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

NO. 103

THIS IS A COMPLIANCE COPY	RECORDED
BY	IRVING, DONNA P.
ON	JAN 15, 2007
CITY OF ST. JOSEPH	

100

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-8

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of Foster Drive, Bellevue Park access road at Lake Street, and Shore Drive to facilitate various Bon Soo Events.

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 CLOSING OF FOSTER DRIVE FROM ST. MARY'S RIVER DRIVE TO SPRING STREET**

The Council hereby authorizes the closing to vehicular traffic of Foster Drive from St. Mary's River Drive to Spring Street (not including the Spring Street intersection) on the following date to facilitate various Bon Soo Events:

Friday, February 2, 2007 from 5 p.m. until 10 p.m.

Closure at Foster Drive and Elgin Street
Closure at Spring Street (at Northern Breweries)

There will be NO other street closures for Bon Soo for Foster Drive. Ample parking will be made available to the public for Opening Night with no disruption of customer traffic to Dock's other than from St. Mary's River Drive. The only affected building for the five hours on Friday, February 2 would be the Ontario Realty Corporation.

Two Security Officers will be hired to assist with the large opening night crowd on Friday, February 2, 2007 at both St. Mary's River Drive and Spring Street closures.

Traffic access will NOT be interrupted after these designated times.

2. **TEMPORARY CLOSURE OF THE ACCESS TO BELLEVUE PARK AT SOUTH END OF LAKE STREET**

The Council hereby authorizes the closing to vehicular traffic of the access to Bellevue Park at the south end of Lake Street on the following dates and times to facilitate various Bon Soo Events:

Opening Weekend - Saturday, February 3, 2007 from 7 a.m. continuously to Sunday, February 4, 2007 at 10 p.m.

Closing Weekend - Saturday, February 10, 2007 from 7 a.m. continuously to Sunday, February 11, 2007 at 10 p.m.

Lake Street will remain open to traffic.

A security officer will be hired to control pedestrian traffic at that intersection.

NOTICE

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CITY SOLICITOR

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3. **TEMPORARY CLOSURE OF SHORE DRIVE EAST OF PINE**

The Council hereby authorizes the closing to vehicular traffic of Shore Drive east of Pine Street (Tim Horton's Winter Playground) from Friday, February 2, 2007 at 5 p.m. continuously to Sunday, February 11, 2007 at 10 p.m. to facilitate various Bon Soo Events.

A security officer will be hired to control pedestrian traffic at that intersection.

Public will have access to the first parking lot as well as access to the parking lots at the Ontario Forest Research Institute. The City is also allowing public parking at the Pine Street Marina.

4. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

READ THREE times and **PASSED** in open Council this 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK-DONNA P. IRVING

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-1

TRAFFIC: A consolidation of amendment to Traffic By-law 77-200.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie pursuant to the provisions of paragraph 123 of Section 210 of the Municipal Act, R.S.O. 1990, chapter M. 45 and amendments thereto, ENACTS as follows:

1. **BY-LAW 77-200 SCHEDULES AMENDED**

Schedules A to Z inclusive to Traffic By-law 77-200 are amended by renumbering the items in each schedule to form consecutive numerical order, so that the said schedules are in the form of the schedules attached hereto as Schedules A to Z inclusive.

2. **SCHEDULES**

Schedules A, AA, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, hereto form part of this By-law 2000-1 and By-law 77-200.

3. **EFFECTIVE DATE**

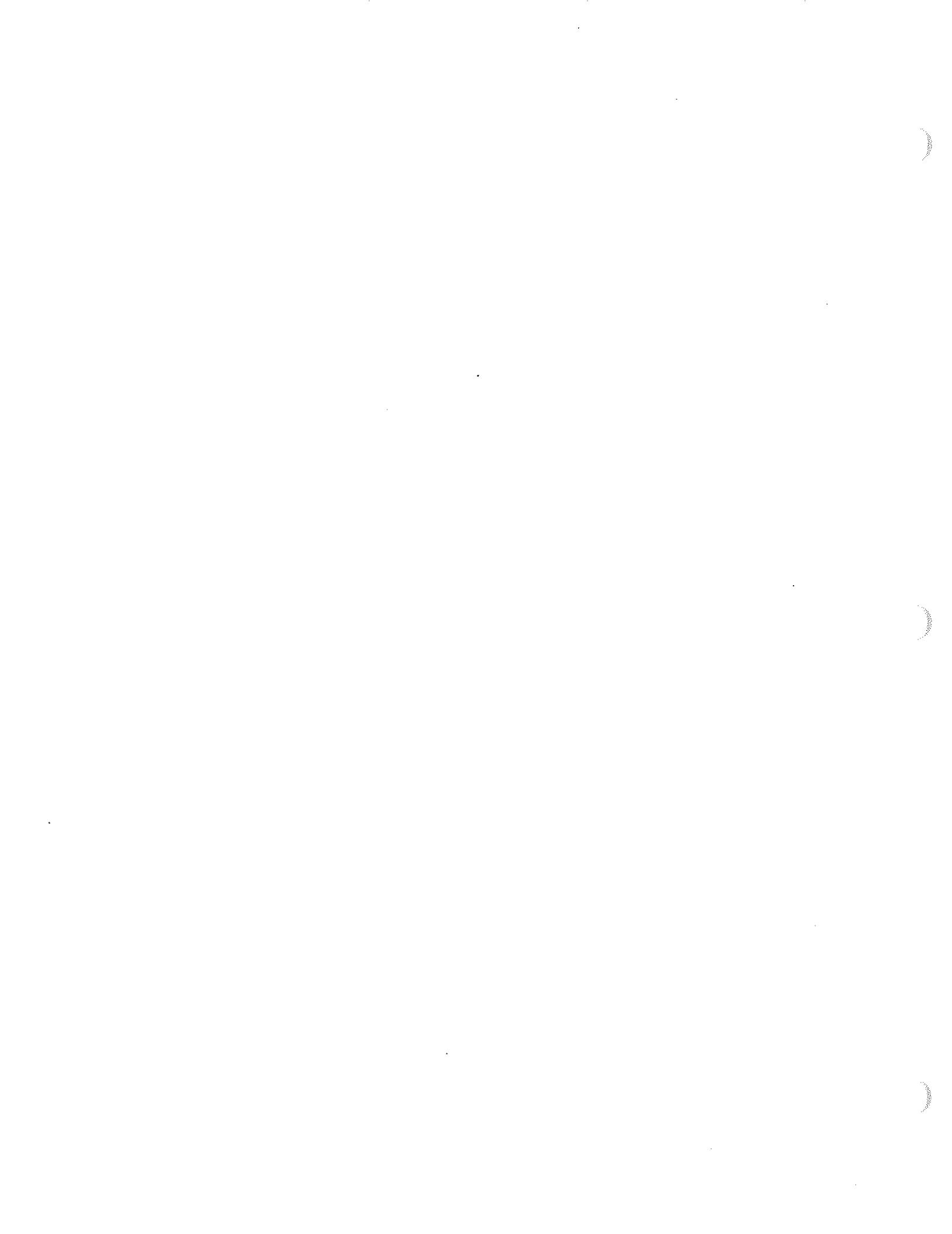
This by-law shall not become effective until approved by the Ministry of Transportation nor shall any particular provision thereof become effective until the sign or signs, if, any, applicable to such particular provision has or have been erected and is or are on display.

READ THREE TIMES and PASSED in Open Council this 15th day of January, 2007.

MAYOR – JOHN ROWSWELL

CLERK ~ DONNA P. IRVING

YESTERDAY
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
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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-10

TRAFFIC: (T.2.2.) A by-law to amend By-law 2006-253, which provides for load limits on specified bridges.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant Section 123(2) of the Highway Traffic Act, R.S.O. 1990, C.H.8 and amendments thereto, **ENACTS** as follows:

1. BY-LAW 2006-253 AMENDED

By-law 2006-253 is hereby amended by inserting the following clause after clause 1 in the said by-law:

"1.1 EXCEPTION FOR EMERGENCY VEHICLES

The weight restrictions listed in paragraph 1 above do not apply to Emergency Vehicles, as defined by the *Highway Traffic Act*, when those Emergency Vehicles are responding to an emergency."

2. EFFECTIVE DATE

This by-law shall take effect as of December 11, 2006.

READ THREE TIMES and **PASSED** in open Council this 15th day of January, 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



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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-15

TRAFFIC: (T.2.1.) A by-law to amend Schedule "A" to Traffic By-law 77-200 and to repeal By-law 2006-210.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions of Section 11 of the Municipal Act, 2001, S.O. c. 25 and amendments thereto ENACTS as follows:

1. Schedule "A" to Traffic By-law 77-200 is amended thereto by adding the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>	<u>PROHIBITION</u>
Farrell Terrace	east	south limit of 436 Farwell Terrace	north limit of 436 Farwell Terrace	any time

2. **BY-LAW 2006-210 REPEALED**

By-law 2006-210 is repealed.

3. **EFFECTIVE DATE**

This by-law takes effect on the final day of passing.

READ THREE TIMES and PASSED in Open Council this 15th day of January, 2007.

MAYOR - JOHN ROWSWELL

CLERK - DONNA P. IRVING

This document
is a copy of the original.
The original may not
be located or may not be in
readable condition.
Date: 10/20/2007
City Solicitor



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2006-226

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement on Shannon Road from Queen Street to Margaret Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be born by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual installments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 15 day of January 2006 2007

MAYOR -JOHN ROWSWELL

CITY CLERK- DONNA P. IRVING

FIRST reading: October 30th, 2006

SECOND reading: October 30th, 2006

THIRD reading: January 15, 2007

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2006-226

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2004-5-01	Shannon Road	Queen Street	Margaret Street	500m	375/450mm	37	1044.321m	\$196,000.00

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**CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3**

SCHEDULE "B"

BY-LAW 2006-226

JOB NUMBER	STREET	FROM	TO	LENGTH	WIDTH	#OF P.D.C.	ASSESSABLE FRONTAGE	ESTIMATED COST
A-2004-7-02	Shannon Road	Queen Street	Margaret Street	500m	12.8m	37	1044.321m	\$768,000.00



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2006-227

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement Shannon Road from Margaret Street to Wellington Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be born by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 15 day of January 2006 2007

MAYOR -JOHN ROWSWELL

CITY CLERK- DONNA P. IRVING

FIRST reading: October 30th, 2006

SECOND reading: October 30th, 2006

THIRD reading: January 15, 2007

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2006-227

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2007-5-02	Shannon Road	Margaret Street	Wellington Street	738m	375mm/450mm	68	1315.087m	\$256,900.00

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CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2006-227

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2007-7-02	Shannon Road	Margaret Street	Wellington Street	738m	12.8m	68	1315.087	\$1,245,000.00

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2006-228

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement on MacDonald Avenue from Pine Street to Lake Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be born by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 15th day of January, 2007

"JOHN ROWSWELL"
MAYOR -JOHN ROWSWELL

"DONNA P. IRVING"
CITY CLERK- DONNA P. IRVING

1ST reading: October 30th, 2006

2ND reading: October 30th, 2006

3RD reading: January 15, 2007

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2006-228

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-5-05	MacDonald Ave.	Pine Street	Lake Street	923m	250mm	47	1490.395m	\$242,600.00

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CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2006-228

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-7-05	MacDonald Ave.	Pine Street	Lake Street	923m	12.8m	47	1490.395m	\$1,321,700.00

CR/al
2006 10 30





Notice to Residents - East End Odor Concerns

Residents of the City's east end in the area of the Water Pollution Control Plant have recently been affected by increased odors emanating from the plant.

This notice is being circulated to the residents in an effort to provide an explanation of the cause of the odors and to reassure everyone that the problem is temporary and will be corrected in the near future.

The increased odors are a result of the commissioning of the new treatment plant and decommissioning of the old facilities. The odors originate from the old primary clarifiers that are now out of service while still containing sewage that has not yet been treated. Since these clarifiers are no longer in use, the effluent they contain is stagnant and is going septic, resulting in the offensive odors.

Until this time, it has not been possible to empty the old clarifiers due to startup of the new plant. The old plant had to be kept in standby, ready for use at any time, in the event problems were encountered with the new facilities.

We are now confident the new plant is reliably online and it is now safe to decommission the old plant. That work involves transferring the effluent in the old clarifiers, through manual processes involving pumps and vacuum trucks, to the new plant. The process is relatively slow due to the physical restrictions imposed by the construction that is ongoing and by external constraints such as limited transportation facilities and limited ability for the landfill to accept the sludge.

PUC staff are working overtime to process the effluent and we are doing everything we can to expedite the process. We are also actively pursuing potential means to control the odors in the short term through odor masking or odor neutralizing products.

However the current physical constraints dictate that the situation will probably not be resolved before the end of September. The situation will improve as we progress with decommissioning of the old clarifiers and may be cleared up sooner than anticipated. However, it may be the end of September before we can confidently say that the offensive odors will be eliminated.

We apologize for the inconvenience imposed upon you by this situation and we ask for your understanding during this critical time in the upgrade to the old plant.

Again, please be assured this situation is temporary and it will be corrected within the near future.

Should you have any questions or concerns, please contact PUC Services at 759-6522.

