

AGENDA

REGULAR MEETING OF CITY COUNCIL

2007 11 26

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

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

Resolved that the Minutes of the Regular Council Meeting of 2007 11 13 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover - Councillor F. Fata
Seconder - Councillor T. Sheehan

Resolved that the Agenda for the 2007 11 26 City Council Meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- (a) Elaine Pitcher, Chair Board of Directors; Ron Gagnon, President and C.E.O.; Brady Irwin, Vice President Public Affairs, Sault Area Hospital; and Harry Koskenoja, Project Manager will be in attendance with an update on the new Sault Area Hospital Project.
- (b) Michael Gaudette, President, Sault Ste. Marie Safe Communities Partnership will be in attendance with an update on the Program activities.
- (c) Diane Lajambe, Branch Manager, Sault Ste. Marie and District Office, Canadian Red Cross will be in attendance concerning agenda item 5.(g) Seniors Home Program.

PART ONE – CONSENT AGENDA

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

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

Resolved that all the items listed under date 2007 11 26 - Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO, OGRA and FONOM is attached for the information of Council.

Mover - Councillor L. Turco
Seconder - Councillor S. Myers

Whereas the Federation of Northern Ontario Municipalities (FONOM) has represented the 110 municipalities in Northeastern Ontario for the past 48 years; and

Whereas FONOM held a Leadership Summit in Timmins in October 2007 where it was overwhelmingly supported by more than 200 participants as the unified voice of Northeastern Ontario; and

Whereas as a result of that Summit, FONOM has created seven task forces to deal with priorities from the Summit (Natural Resources, Energy, Business, Transportation, Education, Health, Government Services);

Now therefore be it resolved that the City of Sault Ste. Marie supports FONOM as the Unified Voice of Northeastern Ontario and in its creation of these task forces to focus on these priorities; and

Further that a copy of this resolution be forwarded to FONOM.

Mover - Councillor L. Turco
Seconder - Councillor S. Myers

Whereas the Council of the City of Sault Ste. Marie has indicated its support for the Federation of Northern Ontario Municipalities (FONOM) as the Unified Voice of Northeastern Ontario; and

Whereas FONOM has undertaken to form seven task forces to pursue the major issues of concern to Northeastern Ontario; and

Whereas FONOM has suggested a fee of \$0.05 per capita from its member municipalities to help fund this ambitious research and lobbying effort;

Now therefore be it resolved that Sault Ste. Marie City Council hereby commits financial support of FONOM in the amount of \$0.05 per resident of our municipality for a total contribution of \$3,745.00 with funds to come from the Corporate Membership Fees account; and

Further that a copy of this resolution be forwarded to FONOM.

5. (b) Correspondence from Tay Valley Township (concerning surface rights owners and mining rights); the Township of MacDonald, Meredith and Aberdeen Additional (concerning Highway 17 4-lane from Bar River Road to Trunk Road); the Municipality of Morris-Turnberry (concerning a request to the Province to develop a tire rebate program); and the City of Waterloo (concerning use and sale of cosmetic chemical pesticides) is attached for the information of Council.
- (c) A petition from residents of the west side of Tuckett Street requesting sidewalk snowplowing this winter is attached for the information of Council.

Mover - Councillor D. Celetti
Seconder - Councillor T. Sheehan

Resolved that the petition from residents of Tuckett Street requesting sidewalk snowplowing on the west side of Tuckett Street commencing this winter BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council.

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

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

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 11 26 be approved as requested.

- (e) **Vacant Unit Tax Rebate Program - Commercial and Industrial Properties**
A report of the City Tax Collector is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor T. Sheehan

Resolved that pursuant to Section 364 of the Municipal Act, 2001, the adjustments, under the vacant unit tax rebate program, for tax accounts outlined on the City Tax Collector's report of 2007 11 26 be approved and the tax records be amended accordingly.

- (f) **Staffing Complement - Fire Services Support Services Division**
Reports of the Chief Administrative Officer and Fire Chief are attached for the consideration of Council.

5. (f) Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Chief Administrative Officer dated 2007 11 26 concerning Staffing Complement - Fire Services Support Services Division be accepted and the recommendation that Council authorize the hire of a second mechanic in accordance with the recommendation of the Fire Chief be approved.
- (g) **Seniors Home Program**
A report of the Commissioner of Community Services is attached for the consideration of Council. This is in response to a Council resolution dated 2007 03 12. Note: See agenda item 7.(a).
Mover - Councillor D. Celetti
Seconder - Councillor T. Sheehan
Resolved that the report of the Commissioner of Community Services dated 2007 11 26 concerning Seniors Home Program be accepted as information.
- (h) **Steelback Centre - Phase 2 and 3 of the Private Suites**
A report of the Commissioner of Community Services is attached for the consideration of Council.
Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Commissioner of Community Services on behalf of the Steelback Centre Working Committee dated 2007 11 26 concerning Steelback Centre - Phase 2 and 3 of the Private Suites be accepted and the recommendation that Council approve hiring EPOH Inc. to update the drawings for Phase 2 and 3 of the Private Suites along with providing possible options for the construction of both phases including order of magnitude costs; and
Further that the estimated cost of \$80,000.00 for the architect be applied to the project if it goes forward, or that it be funded from the Steelback Centre seat charge account if it does not go forward, be approved.
- (i) **Skatepark Project**
A report of the Commissioner of Community Services is attached for the consideration of Council.
Mover - Councillor F. Fata
Seconder - Councillor T. Sheehan
Resolved that the report of the Commissioner of Community Services dated 2007 11 26 concerning Skatepark Project be accepted and the recommendation that Council approve hiring PGM Design Associates to provide detailed drawings of a phased in skatepark at an estimated cost of \$10,000.00 to \$20,000.00 with funds to come from the \$100,000.00 City share that has been provided for this project be approved.

5. (j) **Waste Management of Canada Corporation - Application for a Certificate of Approval for Transfer Station - Comments to MOE**
A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Land Development and Environmental Engineer dated 2007 11 26 concerning Waste Management of Canada Corporation - Application for a Certificate of Approval for Transfer Station (120 Industrial Court 'A') - Comments to MOE be accepted and the recommendation that Council endorse the finalization of the letter to the MOE and submission prior to the November 30, 2007 deadline be approved.
- (k) **Batchewana First Nation of Ojibways - Sewer Service Agreement**
A report of the Municipal Services Engineer is attached for the consideration of Council. The relevant By-law 2007-204 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (l) **Extension of Urban Service Line in Two Locations on Queen Street East and Third Line East (Fox Run Subdivision) and Repeal of By-law 2006-213**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2007-203 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (m) **One-Year Pilot Project to Measure the Effectiveness of Biodiesel Fuel on the Operation, Maintenance and Economics of One Older City Bus**
A report of the Transit Manager is attached for the consideration of Council. This is in response to a Council resolution dated 2007 10 15.

Mover - Councillor D. Celetti
Seconder - Councillor T. Sheehan
Resolved that the report of the Transit Manager dated 2007 11 26 concerning One-Year Pilot Project to Measure Effectiveness of Biodiesel Fuel on the Operation, Maintenance and Economics of One Older City Bus be accepted and the recommendation that Council endorse Transit Services to proceed with a one-year pilot project with one older bus to measure the effectiveness of biodiesel fuel on the operation, maintenance and economics based on a formula of up to 20% be approved.
- (n) **Free Weeks (Waiving of Landfill Gate Fee) - Fall and Spring**
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 2007 04 30.

5. (n) Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 11 26 concerning Free Weeks (Waiving of Landfill Gate Fee) - Fall and Spring be accepted and the recommendation that Council continue with 'Free Weeks', one in the Spring and one in the Fall and that additional staff and police be used to control the increased traffic when warranted be approved.

- (o) **Sidewalk Plowing - Boston Avenue**
A report of the Commissioner of Public Works and Transportation is attached for the consideration of Council.

Mover - Councillor F. Fata
Seconder - Councillor T. Sheehan
Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 11 26 concerning Sidewalk Plowing - Boston Avenue be accepted and the recommendation that the sidewalks on the east and west sides of Boston Avenue from Breton Road to the north end be added to the sidewalk snowplow route and that the associated costs to plow and sand these sidewalks be added to the Winter Maintenance Cost Centre be approved.

PART TWO – REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**
6. (6) **PLANNING**
- (a) **Application No. A-26-07-OP - Mike and Orlando Battisti - 86 Old Goulais Bay Road - Request to Rezone in Order to Facilitate the Severance of the Subject Property, to Create One Additional Rural Residential Lot**
A report of the Planning Division is attached for the consideration of Council. This item was deferred at the 2007 10 29 Council Meeting.

Mover - Councillor D. Celetti
Seconder - Councillor S. Myers
Resolved that the report of the Planning Division dated 2007 11 26 concerning Application No. A-26-07-OP - Mike Battisti be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 136, which facilitates the severance of the subject property by way of a notwithstanding clause to the Rural Area policies, for one additional rural residential lot, be endorsed.

6. (6)
(b) **Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. - 1513 and 1517 Korah Road - Request to Rezone to Create 3 Single Detached Residential Building Lots**

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

Mover - Councillor D. Celetti
Seconder - Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2007 11 26 concerning Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. be accepted and the Planning Director's recommendation that City Council approve the application and rezone 1513 and 1517 Korah Road from Medium Density Residential Zone (R4) to Low Density Residential Zone (R3), and that Council remove the Site Plan Control Designation from 1513 and 1517 Korah Road only, be endorsed.

- (c) **Gateway Project - Next Steps**

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

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

Resolved that the report of the Planning Division dated 2007 11 26 concerning the Gateway Project - Next Steps be accepted and the Gateway Project Committee recommendation that City Council authorize the Gateway Project Team to prepare and issue a new Request for Qualifications (RFQ) for a major tourism project on the Gateway property be endorsed.

- (d) **Industrial Community Improvement Plan**

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

Mover - Councillor F. Fata
Seconder - Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2007 11 26 concerning the Industrial Community Improvement Plan be accepted and the Planning Director's recommendation that City Council authorize the preparation of a Community Improvement Plan for selected industrial areas and uses as permitted by Part IV of the Planning Act be endorsed.

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

- (a) Mover - Councillor S. Butland
Seconder - Councillor P. Mick

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

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

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

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

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

Be it further resolved that this resolution be forwarded to Budget 2008.

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) 2007-204 A by-law to authorize an agreement between the City and Batchewana First Nation of Ojibways for the provision of sewer services to the Rankin Location Indian Reserve No. 15D.

A report from the Municipal Services Engineer is on the agenda.

AMENDMENT TO BOUNDARIES OF URBAN SERVICE AREA

- (b) 2007-203 A by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area.

A report from the City Solicitor is on the agenda.

10. **OFFICIAL PLAN AMENDMENTS**
- (c) 2007-195 A by-law to adopt Amendment No. 135 to the Official Plan.
- (d) 2007-198 A by-law to adopt Amendment No. 134 to the Official Plan.
- (e) 2007-201 A by-law to adopt Amendment No. 130 to the Official Plan.
- ZONING**
- (f) 2007-196 A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on the south side of Trunk Road between Fournier Road and the eastern City limit (Hedlund, Shunock and 2062111 Ontario Limited).
- (g) 2007-197 A by-law to designate the lands located on the south side of Trunk Road between Fournier Road and the eastern City limit as an area of site plan control.
- (h) 2007-199 A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on at 817 Third Line East (Fox Run Development).
- (i) 2007-200 A by-law to designate the lands located at 817 Third Line East as an area of site plan control.
- (j) 2007-202 A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 92 – 100 Second Line West (Fata).
11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**
12. **ADDENDUM TO THE AGENDA**
13. **ADJOURNMENT**
- Mover - Councillor F. Fata
Seconder - Councillor S. Myers
Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 11 13

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillors F. Manzo (illness), T. Sheehan (out of town on business)

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

1. ADOPTION OF MINUTES

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

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

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

3. APPROVE AGENDA AS PRESENTED

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

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

4. DELEGATIONS/PROCLAMATIONS

- (a) Joanne Elvy, Director, Sault Program for English Learning was in attendance concerning Proclamation - English as a Second Language Week.
- (b) Janie Bringleson, Branch Coordinator, Canadian Diabetes Association was in attendance concerning Proclamation - World Diabetes Day.
- (c) Louisa Vanlith, Member, Bahai Community was in attendance concerning Proclamation - Unity in Diversity Week.

4. (d) Stefan Shynkorenko, President, Sault College Student Administrative Council was in attendance concerning Proclamation - Spread the Net Weekend.
- (e) Frank Fata was in attendance concerning agenda item 6.(6)(a).
- (f) Errol Caldwell, Executive Director, Science Enterprise Algoma was in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor F. Fata
Seconded by Councillor S. Myers

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

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

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers

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

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

5. (e) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 11 13 be approved as requested. CARRIED.
- (f) **Tenders for Automotive Supplies and Tire Services**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tenders for the supply of Automotive Supplies and Tire Services, required by the various City Departments and cooperatively for PUC Services Inc., be awarded as recommended. CARRIED.
- (g) **Proposal for Computerized Access Control Solution at Public Works and Transportation Department**
The report of the Manager of Purchasing was accepted by Council.

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

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the contract for Security Services, required by the Civic Centre, Parking Division and Public Library, be awarded as recommended. CARRIED.
- (i) **Tender for the Waterfront Lighting System Renovations**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the Waterfront Lighting System Renovations, required by the Parks Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.

5. (j) **Tender for Petroleum Products**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the supply and delivery of Petroleum Products, required by the various City Departments and cooperatively Public Utilities Inc., be awarded as recommended. CARRIED.
- (k) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.

Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2007 11 13 be approved and the tax records be amended accordingly. CARRIED.
- (l) **Algoma Tubes Inc. - Minutes of Settlement**
The reports of the City Tax Collector and the Commissioner of Finance and Treasurer were accepted by Council. The relevant By-law 2007-194 is listed under Item 10 of the Minutes.

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the reports of the City Tax Collector and the Commissioner of Finance and Treasurer dated 2007 11 13 concerning Algoma Tubes Inc. - Minutes of Settlement be accepted and the recommendation that Council approve the Minutes of Settlement for Algoma Tubes Inc. in the amount of \$734,548.00 with funds to be provided from the Assessment Reserve, Vacancy Rebates and Tax Write-Off accounts be approved. CARRIED.

Councillor F. Fata declared a pecuniary interest - employed by MPAC.
- (m) **2006 Municipal Performance Measurement Program**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

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

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

5. (q) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Fire Chief dated 2007 11 13 concerning Replacement of Gas Boilers at #1 Fire Station be accepted and the recommendation that the gas boilers be replaced at an estimated cost of \$13,700.00 with funds to come from the Fire Capital Reserve account be approved. CARRIED.
- (r) **New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques**
The report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee was accepted by Council.
Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2007 11 13 concerning New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques be accepted and the recommendation that Council approve:
1) the designation of the free standing monuments and plaques on private and public property under Part IV of the Ontario Heritage Act as listed in item 'B' of the report; and
2) the registration of property and buildings bearing plaques which are considered of cultural heritage value or interest to the City as listed in item 'C' of the report be endorsed. CARRIED.
- (s) **Sault Ste. Marie Emergency Response Plan**
The report of the Community Emergency Management Coordinator was accepted by Council. The relevant By-law 2007-192 is listed under Item 10 of the Minutes.
Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.
- (t) **Report of the Council Committee Reviewing Changes in the Municipal Act**
The report of the Council Committee Reviewing Changes in the Municipal Act was accepted by Council.
Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Council Committee Reviewing Changes in the Municipal Act dated 2007 11 13 be accepted as information and further that the recommendation that the Office of the Ombudsman be used to investigate complaints under Section 239.1 of the Municipal Act be approved. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (3) ENGINEERING

(a) Revoked Connecting Links

The report of the Director of Engineering Services was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

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

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

6. (5) LEGAL

(a) Legacy Quest Contract Status

The report of the Assistant City Solicitor was accepted by Council.

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Assistant City Solicitor dated 2007 11 13 concerning Legacy Quest Contract Status be accepted and the recommendation that Council authorize:

- 1) the Legal Department to write to both Legacy Quest and the Economic Development Corporation and indicate the City has terminated the contractual relationships it has with them; and
 - 2) the Legal Department to write to Frank Mantello refusing the Offer of Purchase and Sale for the Gateway site and return the bank draft to him; and
 - 3) that Council direct the Gateway Committee to convene a meeting for the purpose of discussing options for the possible development of the Gateway site; and
 - 4) that Council direct staff to advise NOHFC of the City's termination of the contracts and confirm NOHFC's commitment to the funding should the City be able to continue with the development of the site be approved.
- CARRIED.

6. (5) (a) Recorded Vote
- For: Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, S. Butland, P. Mick
- Against: Mayor J. Rowswell
- Absent: Councillors F. Manzo, T. Sheehan
6. (6) PLANNING
- (a) Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property
The report of the Planning Division was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Planning Division dated 2007 11 13 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and further that City Council approve the application to permit a Contractor's Yard as an additional permitted use to the "C-4" (General Commercial) zoning subject to the 5 conditions contained in the report be approved. CARRIED.
- Councillor J. Caicco declared a pecuniary interest - acted as realtor when applicant acquired the property.
- (b) Downtown Development Initiative Grants Program
The report of the Planning Division was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Planning Division dated 2007 11 13 concerning the Downtown Development Initiative Grants Program be accepted and the Planning Director's recommendation that City Council approve the 8 funding requests described in this report be endorsed. CARRIED.
6. (8) BOARDS AND COMMITTEES
- (a) Science Enterprise Algoma (seA) - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements
The report of the C.E.O., Economic Development Corporation was accepted by Council.

6. (8)
(a) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the C.E.O., Economic Development Corporation dated 2007 10 29 concerning Science Enterprise Algoma - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements be accepted and the recommendation:
1) that Council support this initiative and the application for funding from the 2007 Economic Development Fund in the amount of \$35,000.00; and
2) that Science Enterprise Algoma report to Council on a quarterly basis and that a full report be presented to Council in July 2008 or sooner if this project is successfully expedited be approved. CARRIED.

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

- (a) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Whereas the new section of Highway 17 East around Echo Bay and Garden River First Nation is now open to traffic; and
Whereas the Garden River First Nation community has stated that it wishes to have old Highway 17 East named "Highway 17B";
Now therefore be it resolved that Sault Ste. Marie City Council expresses its support for naming the old section of Highway 17 East "Highway 17B"; and
Further that a copy of this resolution be forwarded to Chief Lyle Sayers, Garden River First Nation Council; Jim Bradley, Ontario Minister of Transportation; David Orazietti, MPP Sault Ste. Marie; Mike Brown, MPP Algoma Manitoulin and to North Shore Municipal Councils. CARRIED.
- (b) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas the Household Special Waste Facility has become a significant component of our waste diversion program; and
Whereas there may be sufficient demand for a year-round operation;
Be it resolved that Public Works and Transportation Department prepare a report on the advisability, costs associated and operational issues as to the consideration of the above. CARRIED.
- (c) Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Whereas fluoridation of the water supply is commonplace in many municipal jurisdictions in Ontario; and
Whereas the issue has not been considered since a referendum over twenty years ago and only another referendum could overturn the decision of that date; and

7. (c) Whereas health care individuals and agencies (Algoma Health Unit, Dental Association) may have information to contribute to a decision of Council; Therefore be it resolved that Algoma Health Unit be asked to prepare a report in corroboration with the PUC, appropriate City Staff, other Health Agencies as to what other cities are doing in the Province, the process and associated costs that would be followed to implement the fluoridation of the City's water supply. DEFEATED.

Recorded Vote

For: Councillors J. Caicco, L. Turco, S. Myers, S. Butland, P. Mick

Against: Mayor J. Rowswell, Councillors B. Hayes, D. Celetti, O. Grandinetti, L. Tridico, F. Fata

Absent: Councillors F. Manzo, T. Sheehan

(d) Moved by Councillor D. Celetti
Seconded by Councillor O. Grandinetti

Whereas with the increased volume of customers in local restaurants on Queen Street during the lunch hour 11:30 to 1:00 p.m.; Be it resolved that staff be instructed to investigate and report back to Council concerning giving free parking in front of these local businesses so patrons not be fined for parking or patrons would be exempt from paid parking between the hours of 11:30 a.m. and 1:00 p.m. This should encourage patrons to frequent our downtown restaurants, eat and enjoy their lunch without being fearful of being ticketed and/or fined during the lunch hour. 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 F. Fata
Seconded by Councillor S. Myers

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 11 13 be approved. CARRIED.

10. (a) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-188 being a by-law to appoint municipal law enforcement officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305 be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.
- (b) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-189 being a by-law to adopt Amendment No. 134 to the Official Plan be read three times and passed in Open Council this 13th day of November, 2007. (510127 Ontario Limited) CARRIED.
- (c) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-190 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 432 Great Northern Road and further be it resolved that By-law 2007-191 being a by-law to designate 432 Great Northern Road as an area of site plan control be read three times and passed in Open Council this 13th day of November, 2007. (51027 Ontario Limited) CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, S. Butland, P. Mick

Against: Councillors L. Tridico, F. Fata

Absent: Councillors F. Manzo, T. Sheehan

- (d) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-192 being a by-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property within the municipality be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

10. (e) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-193 being a by-law to permit the temporary street closing of Queen Street and Simpson Street to facilitate the 2007 Rotary Santa Claus Parade be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.

(f) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2007-194 being a by-law to approve the Minutes of Settlement between the City, MPAC and Algoma Tubes Inc. for the 2003, 2004, 2005, 2006 and 2007 tax years be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.

Councillor F. Fata declared a pecuniary interest - employed by MPAC.

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

(a) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that Council shall now go into Caucus to discuss one labour relations item - Fire Services Staffing Complement; and
Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matter without the need for a further authorizing resolution. CARRIED.

12. ADJOURNMENT

Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK

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F.O.N.O.M.

Federation of Northern Ontario Municipalities

Franklin Gillis
President

Vonda Croissant
Executive Director

November 19, 2007

Dear Northeastern Ontario Mayors and Reeves:

As you may be aware, the Federation of Northern Ontario Municipalities (FONOM) took the incentive to organize a **Northern Ontario Leaders' Summit in Timmins on October 17, 18 and 19**. The Summit was a first step in bringing together a group of people from a variety of sectors to build strategies that will fuel prosperity across our region and provide an opportunity for these leaders to collaborate, develop plans for greater cooperation and find solutions to the challenges we face regionally.

We are pleased to report that more than 200 people representing more than 90 diverse municipalities, social organizations, businesses, and public sector agencies attended this summit. The group has laid the foundation for an action plan that will see FONOM take a leadership role in planning for the future of Northeastern Ontario in seven sectors of the economy. (The list of priorities is available in English and French at www.fonom.org.) The next step we need to take is to translate this list of priorities into an action plan that will dictate FONOM's actions over the next three years. To begin that process, we have struck the following seven Working Groups headed by FONOM board members to develop these detailed action plans. Following are the working groups and the board members who are chairing them:

Working Group

Business and Entrepreneurship
Energy
Education
Health
Government Services & the Public Sector
Natural Resources
Transportation

FONOM Board Member Chair

- Gary Scripnick, City of Timmins
- Yvon Foisy, District of Nipissing
- Lou Turco, City of Sault Ste. Marie
- Gary Scripnick, City of Timmins
- Frank Gillis, District of Sudbury
- Lois Perry, District of Timiskaming
- Al Spacek, District of Cochrane

Each Working Group will examine, discuss and research a series of key issues relevant to their specific sector. They will develop a list of recommended actions for each key issues which will be documented together with recommended timelines for each action. The recommendations of the seven Working Groups, together with the presentations and discussions that took place at the October 17-19 Summit will form the basis for the Strategic Action Plan which will be drafted by FONOM and presented at the FONOM-MMAH Annual Conference in Sault Ste. Marie in May, 2008. In order to make these working groups as meaningful and effective as possible, we need your support.

I am writing you and your Council today to request your support of this initiative through consideration of the attached resolutions. On behalf of FONOM, we ask your municipal council to endorse the attached resolutions and send a copy to our FONOM office, Box 117, Corbeil, ON P0H 1K0 or fax it to 705-752-1138. If you have any questions regarding this matter, please contact me at 705-869-2112 or the FONOM director representing your area.

Sincerely yours,

Franklin Gillis, President

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F.O.N.O.M.
Federation of Northern Ontario Municipalities

A Resolution to Support FONOM as the Unified Voice of Northeastern Ontario

WHEREAS the Federation of Northern Ontario Municipalities (FONOM) has represented the 110 municipalities in Northeastern Ontario for the past 48 years; and

WHEREAS FONOM held a Leadership Summit in Timmins in October, 2007 where it was overwhelmingly supported by more than 200 participants as the unified voice of Northeastern Ontario; and

WHEREAS as a result of that Summit the Federation of Northern Ontario Municipalities has created the following seven task forces to deal with priorities from the Summit – Natural Resources, Energy, Business, Transportation, Education, Health and Government Services; now

THEREFORE BE IT RESOLVED that the _____ of _____ supports the Federation of Northern Ontario Municipalities as the Unified Voice of Northeastern Ontario and in its creation of these task forces to focus on these priorities; and

FURTHER BE IT RESOLVED that a copy of this resolution be forwarded to the Federation of Northern Ontario Municipalities.

A Resolution of Financial Support for FONOM as the Unified Voice of Northeastern Ontario

WHEREAS the Council of the _____ of _____ has indicated its support for the Federation of Northern Ontario Municipalities (FONOM) as the Unified Voice of Northeastern Ontario; and

WHEREAS FONOM has undertaken to form seven task forces to pursue the major issues of concern to Northeastern Ontario; and

WHEREAS FONOM has suggested a fee of \$0.05 per capita from its member municipalities to help fund this ambitious research and lobbying effort; now

THEREFORE BE IT RESOLVED that the _____ of _____ hereby commits financial support to FONOM in the amount of \$_____ per resident of our municipality; and

FURTHER BE IT RESOLVED that a copy of this resolution be forwarded to the Federation of Northern Ontario Municipalities

FONOM, PO Box 117, CORBEIL, ON P0H 1K0

Fax: 705-752-1138

Email: FONOM.info@sympatico.ca

P.O. Box 117 Corbeil, Ontario P0H 1K0 Tel (705) 752-2783 Fax (705) 752-1138
www.fonom.org FONOM.info@sympatico.ca

FONOM Summit



Session Priorities

Natural Resources

- **Unified voice for Northern Ontario.**
 - Mechanism to be determined; suggestions include FONOM, Secretariat, more inclusive FONOM (First Nations, Francophone, etc)
 - Develop stronger partnerships with First Nations based on land-use and development
 - Gain control and say in Northern Economy
 - Lobby for tax rebate strategy toward infrastructure – Secretariat to get taxes back to N.O.
 - Address MNR processes and impact on N.O.
 - Water policy amendments to govern commercial water resources
- **Establishment of Centre of Excellence**
 - Natural Resource Based Industries, mining/exploration innovation, forestry, sustainable water protection, environmental technologies
 - Forestry school in Northeastern Ontario

Natural Resources

- Capitalize on Hydro Development Opportunities and Port Development

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Government Services & the Public Sector

- Northern Ontario must develop/demand a governance model that addresses Northern Ontario issues and gives Northern Ontario the ability to develop and influence policies that impact the North. i.e. Northern Ontario Secretariat.
 - Northern Ontarians must be key players in developing policies specifically for and those impacting Northern Ontario.
 - A recognized go to organization for issues impacting Northern Ontario
- Northern Ontario needs to focus on three or four key priorities and collectively work to develop/implement solutions to address these issues.
 - Unified collective voice to represent and take ownership of Northern Ontario Issues associated to Policy and Growth

Transportation

- Develop a comprehensive Northern Ontario transportation strategy that addresses the critical role that air, water, roads, rail and communication play in the economic and social health of Northern communities.
- Involve all communities and industry partners
- Seaport for James Bay coast – intermodal access and opportunities – North South mentality instead of East West—“Russian ship arrives in Churchill”
- Importance of ONR to Northern Ontario – We need to take back control of this strategic resource, it is a Northern Ontario asset – reestablish and enhance ONR
- Need for a Northern Secretariat that would include a regional transportation authority with a mandate to develop policies and directions for northern development and northern sustainability.

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Energy

- Northern Ontario should demand control of power supply and transmission of power generated and used in the North so power costs contribute to making the North more competitive.
 - Northern Ontario Power Authority;
 - Divide Ontario into four power entities one of which includes Northern Ontario. This would promote competitiveness, control power distribution, give more control to the North, regulate pricing, etc.
- Implement alternate sources of generating power -- Biomass, Water and Nuclear
- Make Energy a priority item that must be addressed collectively for the North

Health & Education

Education:

- Establish mechanisms that foster cooperation and partnerships between school boards, post secondary institutions and business to address the unique educational and training needs of northern communities, their businesses and their people.
 - Work with Economic development agencies at all levels of government
- Reform and up-date apprenticeship programs to meet the real needs of industry.
 - Work with industry and labour to tailor apprenticeship programs to the labour market needs of Northern business
 - Establish a “Premier’s Skilled Trades Council”, with a Northern Ontario voice

Health:

- Gain collective voice on Local Health Integration Networks and other government agencies that develop health care policies and services that impact the North.
 - Ensure Northern issues are known and addressed
 - Advocate and promote Northern Ontario as the site for a pilot project to test new strategies which address the crisis in long term care.
- Increase spaces in medical schools and develop strategies and policies designed to keep these medical graduates in the North.
 - Increase the capacity of the Northern Ontario School of Medicine

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Business & Entrepreneurship

- Work with existing business to expand and retain
 - Get to know our current businesses and their needs
 - Use existing business to attract other business
- Collective, collaborative and complementary promotion and marketing of the North.
 - Attracting new business
 - Gain more involvement in how Provincial/Federal agencies promote Northern Ontario and targeting industries for the north
- Everyone plays a role in economic development; not just left to the economic development people
 -



Thank You

www.fonom.org

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



MEMBER COMMUNICATION

FYI N°: 07/023

To the attention of the Clerk and Council
November 16, 2007

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

Developments Coming out of Today's LUMCO Meeting in Oshawa

AMO President Doug Reycraft attended the meeting of the Large Urban Mayors' Caucus of Ontario (LUMCO) to provide an update on AMO's activities, including the pressing need for permanent, sustainable federal infrastructure investment.

President Reycraft noted that all municipalities in Ontario, big and small are faced with infrastructure that is nearing or at the end of its life cycle. The growing infrastructure deficit affects the ability to meet many public policy goals, which are shared by all orders of government including improved competitiveness and productivity, environmental protection, and community safety.

Chaired by Mississauga Mayor Hazel McCallion, the meeting generated great interest. Cities NOW is intended to demonstrate the impacts on the property taxpayer, based on specific situations in communities. There was broad consensus among mayors present that such independent municipal campaigns are complimentary to the shared objective of increased permanent funding for infrastructure that reflects the equivalency of 1 per cent of the GST .

AMO sees this as complimentary to its call for a permanent, predictable and sustainable source of funding for all municipalities – urban and rural. Increased funding from the Federal Government is necessary to meet these objectives and fits with the Government's own commitment to safer roads and bridges, shorter commutes, and a better quality of life for Canadians.

"One of the most important things coming out of today's meeting is the understanding that municipal officials have a responsibility to make sure the public fully understands the urgency for increased Federal funding for infrastructure," said Reycraft. "The future prosperity of our communities depends on it."

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

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Canadian Council
of Ministers
of the Environment

Le Conseil canadien
des ministres
de l'environnement

November 14, 2007

**Notice of Consultation on the Draft
Canada-wide Strategy for the Management of Municipal Wastewater Effluent**

The Canadian Council of Ministers of the Environment (CCME) has posted materials for the draft Canada-wide Strategy for the Management of Municipal Wastewater Effluent. As a result of consultations held with a broad range of stakeholders over winter 2006/07, a large number of comments were received. Using these comments, CCME has completed the draft Strategy and is seeking a final review of the Strategy with stakeholders. Comments on the consultation materials are welcome until January 31, 2008. At this time CCME will consider any comments submitted by stakeholders prior to finalizing the Strategy and submitting it to ministers for approval.

All consultation materials are available for download from the CCME website (http://www.ccme.ca/ourwork/water.html?category_id=81). Included with the consultation materials is a listing of all comments received over winter 2006/07 with a disposition table of how stakeholder comments were considered and managed. You may submit your feedback by mail, e-mail or fax to the CCME Secretariat at the contact information listed below. Comments and suggestions should be received at CCME no later than January 31, 2008.

On behalf of the CCME, Ontario is undertaking consultation on the Draft Strategy for Municipal Wastewater. Environment Canada will be presenting the Proposed Regulatory Framework for Wastewater under the federal *Fisheries Act* which includes parts of the Canada-wide Strategy document. This document can be found at <http://www.ec.gc.ca/etad/default.asp?lang=En&n=D62D7142-1>.

Consultation sessions will be held at the following locations:

December 3, 2007 Toronto - Marriott Hotel, 475 Yonge St., Toronto. (416) 924-0611
December 4, 2007 London - Lamplighter Best Western, 591 Wellington Rd S., London. (519) 681-7151
December 11, 2007 Sudbury - Radisson Hotel, 85 Ste Anne St., Sudbury. 1 (888) 201-1718 (toll free)
December 12, 2007 Thunder Bay – Valhalla Inn, 1 Valhalla Inn Rd, Thunder Bay. (807) 577-1121

If you would like to attend please call or email Amy Pogue at the Ministry of the Environment Amy.Pogue@Ontario.ca or 416-314-4193 by **November 27, 2007**.

Following consultation all correspondence will be forwarded to the attention of:
Jennifer Vigano
Programs Coordinator
Canadian Council of Ministers of the Environment
360 - 123 Main Street
Winnipeg MB, R3C 1A3
Fax: 204.948.2125
E-mail: jvigano@ccme.ca

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

ALERT

MEMBER COMMUNICATION

ALERT N°: 07/056

To the attention of the Clerk and Council
November 15, 2007

FOR MORE INFORMATION CONTACT:
Craig Reid, AMO Senior Policy Advisor
(416) 971-9856 ext 334

Ontario Consultation on the Canadian Council of Environment Ministers' (CCME) Draft Canada-wide Strategy for the Management of Municipal Wastewater Effluent

Issue: Province to hold technical consultation on proposed CCME Draft Canada-Wide Strategy for the Management of Municipal Wastewater Effluent.

Background:

In 2006/07 the CCME undertook consultations on the formation of a strategy to create national standards for the treatment of municipal wastewater effluent to eliminate the discharge of untreated municipal sewage.

The draft strategy is now complete and CCME is taking comments until January 31, 2008. To better provide coordinate provincial input, the Ontario Ministry of the Environment is leading technical consultations in this province at four locations in December 2007 that are open to municipal representatives. Sessions are scheduled for:

December 3, 2007 -- Toronto
December 4, 2007 -- London
December 11, 2007 -- Sudbury
December 12, 2007 -- Thunder Bay

Sessions are open to municipal representatives, however, spaces are limited.

Action: This session will be of most interest to wastewater treatment plant managers/operators.

To attend a consultation session, please call or email Amy Pogue at the Ministry of the Environment Amy.Pogue@Ontario.ca or 416-314-4193 by **November 27, 2007**.

For further information and to download consultation materials, please see the following notice from MOE.

AMO is analyzing the draft strategy for municipal impacts and will prepare a response that advocates for appropriate funding for municipal infrastructure costs. Municipalities that prepare responses are requested to copy AMO.

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

OMERS: One Year Later...

Report to Municipal Employers on AMO's Sponsorship Role

AMO wishes to update members on its activities as the designated representative for municipal employers under the new joint governance model for OMERS. The implementation of Bill 206, *The Ontario Municipal Employees Retirement System Act, 2006* began last June when the legislation took effect.

First...Background Reminder

The legislation removed the Province of Ontario as sponsor for the Plan and gives that role to employers and employees. The Plan is a multi-employer pension plan with almost 900 employers and over 350,000 active retired members and net investment assets exceeding \$48 billion. Employers include municipal governments, school boards, Children's Aid Societies, Go Transit, MPAC, boards of health, local electricity distribution corporations, among others. AMO is named in the legislation as sponsor for municipal governments paying into the pension plan. Toronto is similarly named. CUPE is the largest employee representative.

Last year, AMO held a special meeting of OMERS municipal employers to seek input on a proposal to appropriately represent their interests at both the Sponsors Corporation (SC) and the Administration Corporation (AC). At the core of the discussion was the question – how critical is it to municipal employers that their interests be fully and effectively represented and supported on an on-going basis and if critical, are you willing to fund the necessary work on an on-going basis.

Over 300 participants at that special meeting acknowledged that with devolution, municipalities must rely on qualified pension expertise, strong legal counsel, qualified representatives and a united voice to ensure that municipal employers' interests are reflected. Municipal governments' operating budgets are predominately labour-related costs, so the work of both the SC and AC is of significance in terms of benefits and contribution rates.

It was recognized that the employee groups have been well resourced for quite some time and if AMO is to represent the interests of municipalities, then it needed to be resourced to protect the interests of municipalities as employers. AMO received overwhelming support on its proposal to implement a special fund based on a yearly per employee amount.

Joint Employer/Employee Governance

The Sponsors Corporation is responsible for plan design, with the exception of the initial design work for Supplemental Plans. This means that the SC determines benefit improvements, contribution rate adjustments, and any amendments to change the reserve to stabilize contribution rates.

The Administration Corporation acts as the administrator of the pension plan and trustee of the pension funds.

The bylaws of the Corporations set out voting requirements.

Rising to the Challenge

AMO has been extremely active in its sponsorship role. The yearly special fund allows us to retain qualified legal and pension expertise and actuarial assistance. As is evident from activities to date, those outside resources provide in-depth expert advice.

It was certainly important as we provided feedback to OMERS AC's proposals for the Supplemental Plan design. AMO was very concerned with the lack of disclosure through the consultation process on many of the Plan's design elements and similarly concerned with

those that were disclosed. Our response was detailed, focusing on benefit levels, past service and inflation protection. We pointed out where the plan design went further than needed and positioned legal action as a potential response. The AC has completed its work and the Supplemental Plan has been registered with the Regulator.

Details of AMO's response to the proposed Supplemental Plans can be found on the AMO website.

AMO's research and analytical work to support its four representatives is only made possible through the on-going AMO OMERS special fund. 2008 invoices have been sent to affected OMERS municipal employers.

Rising to the Challenge

Continued...

AMO has participated in a number of presentations on the impact of supplemental plans to a variety of municipal employer gatherings including Mayors and Chairs groups (MARCO and LUMCO) as well as Ontario Municipal Human Resources Association and the Ontario Municipal Administrators Association.

OMERS recent presentation at the Counties, Regions and Single Tier Conference provided examples of benefit and costing information for the five supplement plan provisions (i.e., 2.33% accrual rate, 80 factor, 85 factor, "Best four" and "Best five" earnings). A copy of this presentation is also available on AMO's website. OMERS costing confirmed AMO's position during hearings on Bill 206 – the costs of supplemental plans are very high and will be substantial for both employers and employees if negotiated locally. At the time of writing, AMO is unaware of any supplement plans having been negotiated.

One of the SC's early decisions was to proceed with a Co-Chair structure with a municipal representative (Marianne Love, AMO) and an employee representative (Brian O'Keefe, CUPE Ontario).

Bill 206 set out the initial SC composition and provided a default structure should a bylaw not be negotiated before June 1, 2007. During the discourse of the bylaw, it became apparent that the legislation provided some hurdles to future composition. Municipal representatives sought advice and were provided ideas on different features and approaches to the various bylaws. After a great deal of legwork, the SC has adopted its first round of bylaws - indemnification, composition, borrowing and banking authority, general corporate operating matters and advisory committees of the SC.

Five proposals for plan design changes that predate Bill 206 are with the SC. Of particular note is a proposal to move paramedics to NRA 60. While the Income Tax Act (federal) adds paramedics to Emergency Occupations, it has to be recognized by the SC before it can be negotiated at the local level. AMO undertook research to help its representatives deal with this proposal.

LATE BREAKING NEWS

Employer representatives at the SC were successful in turning the NRA 60 proposal away. More details will come forward in our next newsletter.

Pension Benefit Act Review

AMO appeared before the Ontario Expert Commission on Pensions. The Commission is examining the legislation that governs the funding of defined benefit pension plans, the rules relating to pension deficits and surpluses, and matters related to security, viability and sustainability of the pension system in Ontario. AMO's submission is posted on its website.

New Approach at AMO

AMO's Board of Directors recently directed that a new governing structure be established to deal with AMO's mandated representative role as sponsor.

Why a separate corporation? First, it separates AMO's normal advocacy and policy development role from its OMERS sponsorship obligations. It also recognizes the importance and permanency of that sponsorship responsibility. As well, it strengthens accountability by recognizing that not all municipal governments or AMO members are OMERS Plan members. The principles of accountability, fairness and representation are achieved through a separate corporation. The structure will facilitate the participation of other designated employer groups (e.g., Toronto, police service boards, school boards) who may see the benefit in pooling resources to support the interests of employers.

Incorporation is proceeding and the new corporation (name to be confirmed) is expected to operational by January 1 with the responsibility for the support fund and related budget. Work is to be transferred to the new corporation along with recruitment of future OMERS representatives. Stay tuned for more details on the new corporation in the next issue.

OMERS Court Application

Bill 206 sets out that the AC will provide reasonable administrative and technical support to the SC. Questions concerning the proper interpretation of Bill 206 and related sections of costs have led to a joint protocol that is intended to resolve the uncertainty. The protocol was developed by the employer and employee representatives on both the SC and AC. The purpose of the court application is to obtain a judicial declaration in a proactive manner so that the AC and SC can proceed with implementing the legislation with assuredness.

From: Judy Biocchi on behalf of City Clerk
Sent: November 20, 2007 4:23 PM
To: Donna Irving
Subject: FW: OGRA News Release: Bridge and Infrastructure Studies Underline the Need for Sustainable Municipal Funding

From: OGRA Information [mailto:communications@ogra.org]

Sent: November 20, 2007 3:30 PM

To: City Clerk

Subject: OGRA News Release: Bridge and Infrastructure Studies Underline the Need for Sustainable Municipal Funding

NEWS RELEASE**November 20, 2007****Bridge and Infrastructure Studies Underline the Need for Sustainable Municipal Funding**

Two reports were released today that emphasize the critical need for sustainable Infrastructure funding for Ontario Municipalities. The Residential and Civil Construction Alliance of Ontario (RCCAO) released *Ontario's Bridges: Bridging the Gap* and the Federation of Canadian Municipalities (FCM) released *Danger Ahead: The Coming Collapse of Canada's Municipal Infrastructure*. The lack of sufficient funding for essential infrastructure maintenance and rehabilitation is top-of-mind for the Ontario Good Roads Association (OGRA) in its continuing advocacy efforts. "During the recent election campaign, OGRA and its member municipalities reiterated the ongoing need for long-term funding," says OGRA Executive Director Joe Tiernay. "Many municipalities do not have the financial capacity to carry out the required work in their communities and it's a major concern," says Tiernay.

The need for stable, multi-year funding is not the only recommendation in these reports that OGRA supports. "We agree with the RCCAO about centralizing Ontario bridge data. However, OGRA, not the Province, should manage the data through its Municipal DataWorks application," says Tiernay.

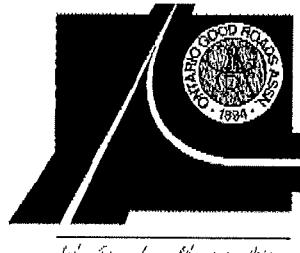
Municipal DataWorks is an infrastructure information database; a central repository where municipalities can store, analyze, manage and retrieve information on their infrastructure. Ontario municipalities are accountable for infrastructure assets worth billions of dollars. Managing these assets requires regular assessment of condition and performance, and determining the costs of repair and replacement. "OGRA's Municipal DataWorks is a member service that helps municipalities to determine and monitor the age and expectations for their infrastructure assets. It not only helps municipalities better manage their infrastructure, it provides OGRA and the Province with a central source of data about the condition of Ontario's infrastructure, and a clear picture of what funding is needed to maintain it," says Tiernay.

While both reports comment on Ontario's deteriorating infrastructure, OGRA asserts that Ontario bridges are safe. "Municipalities are carrying out their due diligence to ensure public safety and to undertake the bi-annual inspections required by law" says Tiernay. "Ontario municipalities consider these inspections as part of their overall risk management program."

During the election campaign Premier McGuinty affirmed the Liberal government's commitment to working with Ontario municipalities to address key concerns and has launched a comprehensive review of provincial-municipal finances and services to help give municipalities a strong financial foundation. "We hope that the provincial-municipal review currently underway leads to improved funding aimed at sustaining our vital infrastructure," says Tiernay.

The Ontario Good Roads Association (OGRA) represents the infrastructure interests of municipalities through advocacy, consultation, training and the delivery of identified services. OGRA currently serves 416 municipal members and 21 First Nations communities.

5(a)



ONTARIO GOOD ROADS ASSOCIATION

6355 KENNEDY ROAD, UNIT 2
MISSISSAUGA, ONTARIO
L5V 2L6
TELEPHONE 905-795-2658
FAX 905-795-2660

November 19, 2007

To the Head & Members of Council:

Re: Report of the OGRA Nominating Committee

The OGRA Nominating Committee met on November 14, 2007 and recommended a slate of candidates to the Board of Directors. The Board at its meeting of November 16, 2007 adopted the report as presented. The recommended slate is as follows:

Northern Zone

John Curley, Councillor,
City of Timmins

Alan Korell, Director of Public Works,
City of North Bay

Rick Champagne, Councillor
Township of East Ferris

Southwest Zone

Tom Bateman, County Engineer
County of Essex

Joanne Vanderheyden, Deputy Mayor
Township of Strathroy-Caradoc

South Central Zone

Damian Albanese, Director, Transportation Div.
Region of Peel

Dave Fawcett, Deputy Mayor,
Municipality of Grey Highlands

Paul Johnson, Operations Manager
County of Wellington

Southeast Zone

Ken Hill, Mayor
Township of Russell

Don McDonald, County Engineer
County of Stormont Dundas & Glengarry

Toronto

Mark Grimes, Councillor
City of Toronto

John Niedra, Director, Transportation Services
City of Toronto

5(a)

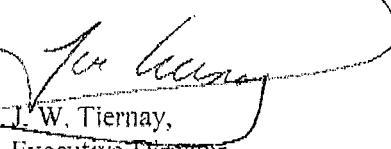
The above slate of candidates will be ratified at the Annual Meeting in February. If any municipal member would still like to put their name forward for a position on the Board of Directors they must fill out and return the attached Nomination Form. All nominations must be postmarked or received by fax or e-mail no later than December 21, 2007 and sent to:

Tony Prevedel, Chair
Nominating Committee
6355 Kennedy Road
Unit 2,
Mississauga, Ontario
L5T 2L5

Please be advised that if any additional nominations are received by the deadline noted that an election will be required at the OGRA/ROMA Annual Conference.

Any questions regarding the Nomination process or serving on the Board of Directors can be directed to the undersigned at joe@ogra.org.

Yours truly,

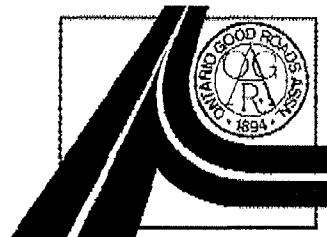


J. W. Tiernay,

Executive Director

c. Tony Prevedel, Chair, Nominating Committee

5(a)

Working for Municipalities**ONTARIO
GOOD ROADS
ASSOCIATION**

6355 KENNEDY ROAD, UNIT 2
MISSISSAUGA, ONTARIO
L5T 2L5
TELEPHONE 905-795-2555
FAX 905-795-2660

NOMINATION/CONSENT FORM*Please Print***Candidate for 2008-2009 OGRA Board of Directors**

Name	Position	Municipality
------	----------	--------------

Nominated by

Name	Position	Municipality
------	----------	--------------

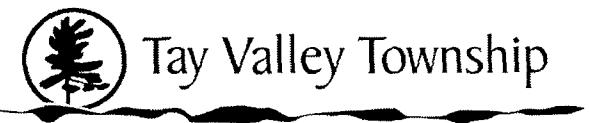
Seconded by

Name	Position	Municipality
------	----------	--------------

Candidate's Consent

Candidate's Signature	Date
-----------------------	------

This form must be received by fax 905-795-2660, e-mail (joe@ogra.org) or mail to Unit 2, 6355 Kennedy Road, Mississauga, Ont. L5T 2L5 to the attention of Tony Prevedel, Chair of the Nominating Committee, by 4:00 p.m. on December 21, 2007.



5(b)

Council Meeting

Date: July 10, 2007
Moved By: S Freeman
Sec'd By: C Rawling
Motion: # 7A-07-201

WHEREAS Ontario's municipal governments recognize the importance of Ontario's mining sector to the Ontario economy and to the economies of mining communities; and

WHEREAS Canadian law has traditionally recognized as a fundamental freedom, the right of the individual to the enjoyment of property, a right not to be deprived thereof; and

WHEREAS the Mining Act of Ontario recognizes separate mining and surface rights on many private lands, bringing about a state of affairs where there may be two owners to one property; and

WHEREAS mining activities on these properties have frequently resulted in property damage, environmental degradation, and unmapped mining hazards, disturbing residents' quiet enjoyment of the land and risking public health and safety; and

WHEREAS mining activities, prior to advanced exploration, are not subject to any municipal authority, conservation authority, environmental review, nor the approval of the landowner; and

WHEREAS municipal governments in regions with an abundance of surface-rights only (SRO) properties have previously called on the Ministry of Northern Development and Mines to reunite surface and mining rights on SRO properties to resolve the situation; and WHEREAS many of these properties are on residential, cottage, recreational lands and some in areas of Environmental, Cultural and Heritage significance where mining is incompatible with established land use practice; and

WHEREAS the Mining Act provides for Ministerial discretion and the ability to cancel or annul the forfeiture of any lands or mining rights under the Act;

THEREFORE BE IT RESOLVED THAT in support of AMO's position, Tay Valley Township petition the Premier and the Minister of Northern Development and Mines to reunite surface and mining rights on SRO properties when requested by the SRO property owner or the municipality in order to effectively resolve this issue.

Carried

K Kerr
Head of Council

Addresses

Hon Dalton McGuinty, Premier (dmcguinty.mpp.co@liberal.ola.org)
Rm 281, Main Legislative Building, Toronto ON M7A 1A4

Hon Rick Bartolucci, Minister of Northern Development and Mines (rbartolucci.mpp@liberal.ola.org)
5630 – 99 Wellesley St. W, 5th Flr, Whitney Block, Toronto On M7A 1W3

Association of Municipalities of Ontario (amo@amo.on.ca)
801-200 University Ave, Toronto ON M5H 3C6

Tay Valley Township (cao@tayvalleytwp.ca)
217 Harper Road, Perth ON K7H 3C6



Issue: Mining Act provisions which allow mining activities to take place on private lands for which the Crown controls mineral rights

Action: All municipal Councils pass the attached motion in support of AMO's position and forward your motion to the Premier, the Minister of Northern Development and Mines, AMO and Tay Valley Township

Background:

In parts of eastern, southern and northern Ontario there is a significant number surface-rights only (SRO) properties. These private land owners own only the surface of their properties and the Crown holds the sub-surface mineral rights. Under the *Mining Act, 1990*, licensed prospectors have a statutory right to stake mining claims and conduct assessment work on these lands even if the surface rights are privately held.

As a result, an increasing number of SRO properties in several parts of the province have been subject to extensive mining activity. Many of these lands are home to residences, cottages, farms, lakes, roads and other local infrastructure and many in areas of significant cultural, heritage and recreational areas. Under Section 78 of the *Mining Act*, the holder of the mining claim only has to inform the surface-rights owner regarding future mining assessment activities once, just prior to assessment work begins. Because legal searches are limited to forty years, finding the prospectors stakes is often the first time landowners are made aware of their property's SRO status. Assessment work may involve excavation and surface stripping, imposing considerable property damage and risk to the water table. This activity proceeds with no authorization from the municipality, conservation authority, with no environmental review and no approval from the landowner.

Mining is an important economic driver for many Ontario communities. However, given that Crown lands cover 87 per cent of the province, there are abundant opportunities for the mineral mining industry that does not intrude on private SRO lands, in eastern, southern and northern Ontario. Reunification of mining and surface rights through transfer or sale of these lands would resolve provide some resolution to this situation. The *Mining Act* provides for Ministerial discretion and the ability to cancel or annul the forfeiture of any lands or mining rights.

Lanark County Council passed a resolution calling on the Minister of Northern Development and Mines to reunify SRO property and mining rights. The issue has also received support from the Eastern Ontario Wardens' Caucus. On June 24, 2007 AMO passed a motion to petition the Premier and Minister of Northern Development and Mines for action.

5(b)

Association of Mining Municipalities of Ontario
Postal Bag 1757, Kirkland Lake, Ontario P2N 3P4
linda.cunningham@tkl.ca

TO: ALL MINING MUNICIPALITIES
RE: SURFACE RIGHTS OWNERS AND MINING RIGHTS

Attached you will find a copy of a resolution from Tay Valley Township that addresses the debate around the right of mining companies/prospectors to perform mining assessment work on property where the mining rights are owned by the Crown, but the surface rights are privately owned.

I encourage your Councils to discuss this issue with local mining individuals/companies in your community to better understand the impact on mining development in your area should the mining rights transfer to the owner of the surface rights.

I would further ask you to share with us any resolutions that come of these discussions.

Thank you.

Linda P. Cunningham
Councillor, Town of Kirkland Lake
T: 705-567-2701
F: 705-568-6606
e: linda.Cunningham@tkl.ca

5(b)

TOWNSHIP OF MACDONALD, MEREDITH & ABERDEEN ADDITIONALDate: Nov. 7/07P.O. Box 10
208 Church St.
Echo Bay ON P0S 1C0

To: _____

FAX # _____

Company: _____

From: Dynne Duguay per dm.Page 1 of 2
(including cover page)Subject: Hwy 17 - 4 Lane from Bar River Rd
to Trunk Rd.

Message:

Please consider supporting this
letter.

Thank You!

dm.

If you have not received the number of pages specified, or have trouble reading the copy,
Please call (705) 248-2441 for assistance. Fax (705) 248-3091

5(b)

TOWNSHIP OF

Macdonald, Meredith & Aberdeen Add'l.

P.O. Box 10 • 208 Church Street
ECHO BAY, ONTARIO
PO6 1C0
(705) 248-2441
FAX (705) 248-3091

INCORPORATED
1892

October 31, 2007

Minister of Transportation
Queen's Park, 77 Wellesley Street West
Ferguson Block, 3rd Floor
Toronto, ON, M7A 1Z8

Honourable Jim Bradley
RE: Hwy 17 4-lane from Bar River Road to Trunk Road

On October 31, 2007 the Highway 17 4-lane project from Bar River Road in the Township of Macdonald, Meredith & Aberdeen Additional to Trunk Road in the City of Sault Ste. Marie was officially opened. A number of issues have remained unresolved with the lack of median crossings for emergency purposes being one of our main ones.

Until very recently our Fire Chief as well as Council was not aware that no median crossings for emergency purposes existed for an 11 kilometer stretch between the Hwy 638 intersection in our township and Noonday Road on the Garden River First Nations. Although we have discussed emergency access along the new 4-lane we were never given definite answers on this subject. If an emergency was to occur some where on this stretch of Highway 17 it could potentially take an emergency vehicle an additional 15-30 minutes to reach the emergency. This is not acceptable.

We are asking the Ministry to take another look at this situation and please consider the construction of additional median crossovers for emergency purposes only along this stretch of the Highway 17 4-lane. This is a high safety concern not only for everyone in our municipality but for the millions of people that will be traveling the Trans Canada Highway throughout our municipality that may need emergency services.

We look forward to hearing from you in the very near future.

Yours truly,

Lynn Watson
Mayor

5(b)



November 8, 2007

Municipality of Morris-Turnberry

The Council of the Municipality of Morris-Turnberry, at a meeting held on November 6, 2007, adopted the following resolution:

“Whereas, Waste Diversion Ontario and Stewardship Ontario, in collaboration with the Ontario Ministry of the Environment have implemented Ontario’s Municipal Blue Box program, which financially supports the recycling of materials;

‘And Whereas’ tires are now being stockpiled, burnt and disposed of on roadsides and lots throughout the Province of Ontario, which creates additional work for public works crews and an unpleasant appearance of our landscape in this beautiful Province of Ontario;

‘And Whereas’ tires can be recycled into useful products; eg: hard surface products for roads and highways and waste products for incineration plants;

‘And Whereas’ a tire rebate program would provide an incentive to recycle tires;

Therefore, be it resolved that the Council of the Municipality of Morris-Turnberry request that the Provincial government seek to develop a program that will provide a rebate for the tire disposal, either a new program or an enhancement to the current Stewardship Ontario program;

And further that copies of this resolution be forwarded to the Premier of the Province of Ontario, the Minister of the Environment, local members of parliament, and the Association of Municipalities of Ontario for circulation to all municipalities in Ontario, requesting their support.”

Nancy Michie,
Administrator Clerk-Treasurer,
41342 Morris Road,
RR 4, Brussels, ON N0G 1H0
Email morris@scsinternet.com
Telephone: 519-887-6137/Fax: 519-887-6424

DISCLAIMER

This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.



5(b)

RESOLUTION OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WATERLOO
NOVEMBER 5, 2007

RE: Use and Sale of Cosmetic Chemical Pesticides

WHEREAS some citizens of Waterloo have expressed concern with the continued use of cosmetic pesticides in the City of Waterloo;

WHEREAS some citizens of the City of Waterloo believe that cosmetic pesticides are a health hazard, particularly related to respiratory illness;

WHEREAS some citizens believe that cosmetic pesticides adversely affect our drinking water supply;

WHEREAS the Federal government has the responsibility and authority to approve chemical compounds for use in Canada, including cosmetic pesticides;

WHEREAS the Ontario provincial government has the responsibility and authority to legislate and regulate the use and sale of products in the province including cosmetic pesticides;

WHEREAS the Liberal Party of Ontario made an election promise to legislate some sort of ban on the use of chemical pesticides in the Province of Ontario; and

WHEREAS the most effective, fair, reasonable and informed approach to addressing public concerns with respect to cosmetic use of chemical pesticides is through a comprehensive province wide approach (that will address exemptions such as those for agriculture).

THEREFORE BE IT RESOLVED THAT:

- 1) Waterloo City Council call on the Federal government to immediately review and confirm the safety and efficacy of all chemical pesticides that have been approved for use in Canada by the federal government or federal agencies;
- 2) Waterloo City Council also call on the Ontario Provincial government to immediately review and verify the safety of all chemical pesticides that the provincial government or provincial agencies have approved for sale and use in the province of Ontario;
- 3) Waterloo City Council remind the Ontario Provincial government of its promise to legislate on the use and sale of cosmetic chemical pesticides in the province of Ontario.

FURTHER BE IT RESOLVED THAT Waterloo City Council direct that this resolution be forwarded to:

the Prime Minister of Canada, Minister of the Environment, Minister of Health and Minister of Public Safety
the Premier of Ontario, Minister of the Environment, Minister of Health Promotion and Minister of Municipal Affairs and Housing

Association of Municipalities of Ontario, Federation of Canadian Municipalities,

all local Members of Provincial Parliament, all local Members of Parliament,

all local municipalities including the Region of Waterloo

all municipalities in Ontario with a request that those municipalities endorse the City of Waterloo's resolution and forward their endorsement to the Prime Minister of Canada, Minister of the Environment, Minister of Health and Minister of Public Safety and to the Premier of Ontario, Minister of the Environment, Minister of Health Promotion and Minister of Municipal Affairs and Housing."

CARRIED UNANIMOUSLY

For further information, please contact

Susan Greatrix, City Clerk

The Corporation of the City of Waterloo

100 Regina Street South, Waterloo, ON N2J 4A8

Telephone: 519-747-8705

Fax: 519-747-8510

E-mail: sgreatrix@city.waterloo.on.ca

5(c)

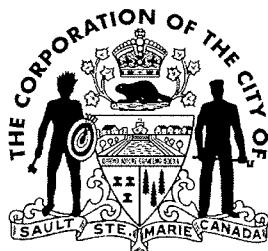
Residents of Tucket Street - west side

Some of the residents on this side of the street have expressed interest in having the sidewalk plowed this winter. Alderman Terry Sheehan has informed us that we need to have input from each house on our side of the street. If you wish to have the sidewalk plowed this winter, please sign your name and address. If you do not want the sidewalk plowed, we respect your opinion. Unless we get a clear majority of residents who want to see the sidewalk plowed, we will proceed no further. Thank you.

CONTACT: Gord & Barb Hussey - 25 Tucket Street 949-6291
Bernard & Rita Gruzen - 41 Tucket St.
Bill Paul 21 Tucket St.
Mel Thompson 13 Tucket St
John K. 9 Tucket St.
Mrs Carter 17 Tucket St.
Heather Wadhams 59 Tucket
McMainsview 31 Tucket
Ed Colbe 29 Tucket St.

5(d)

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



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

2007 11 26

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. **Lynn Rosso – Social Services – Ontario Works Division**
Emergency Social Services Planning Meeting
December, 2007
Toronto, ON
Estimated total cost to the City - \$ 578.80
Estimated net cost to the City - \$ 289.40
2. **Eric Vanderburg – Social Services – Ontario Works Division**
National Career Development & Workforce Learning Event
January, 2008
Toronto, ON
Estimated total cost to the City - \$ 1,787.00
Estimated net cost to the City - \$ 893.50
3. **Ron Mancuso – Engineering & Planning – Building Division**
Large Buildings Training
December, 2007
Bancroft, ON (Loyalist College)
Estimated total cost to the City - \$ 1,962.00
Estimated net cost to the City - \$ 1,962.00
4. **Liz Palmer – Social Services – Ontario Works Division**
Best Start Annual Conference
February, 2008
Toronto, ON
Estimated total cost to the City - \$ 704.00
Estimated net cost to the City - \$ 352.00

5. **Lori Ballstadt – Community Services Department**

NeORA Board of Directors Meeting

December, 2007

Sudbury, ON

Estimated total cost to the City - \$ 176.00

Estimated net cost to the City - \$ 176.00

Yours truly,

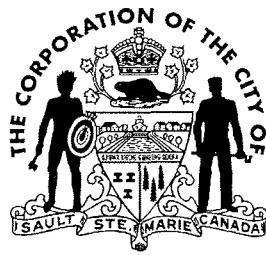


JMF: bb

Joseph M. Fratesi
Chief Administrative Officer

5(e)

P. A. Liepa, A.I.M.A.
City Tax Collector



Finance Department
Tax & Licence Division

2007 11 26

Mayor John Rowswell
And Members of City Council
Civic Centre

**RE: Vacant Unit Tax Rebate Program
Commercial and Industrial Properties**

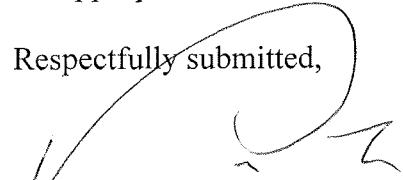
Attached are listings that summarize applications for vacant unit property tax rebates pursuant to Section 364 of the Municipal Act, 2001, reflecting the 2007 taxation year.

All applications were received within the statutory time limit. Applications requiring clarification of the assessment values were returned to the Municipal Property Assessment Corporation (MPAC) for further research.

MPAC has recommended the amount of assessments to be adjusted and each of the applications has been reviewed individually and recommended as shown.

An appropriate resolution has been prepared for your consideration.

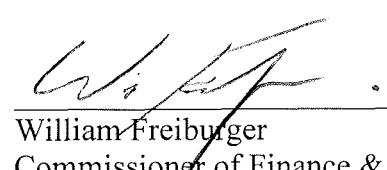
Respectfully submitted,


P.A. Liepa
City Tax Collector

PAL/ms

Attach.

Recommended for Approval


William Freiburger
Commissioner of Finance & Treasurer


RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

APPLICATION FOR VACANT UNIT TAX REBATE
PURSUANT TO SECTION 364
OF THE MUNICIPAL ACT, 2001.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
VACANT UNIT TAX REBATE PROGRAM
2007 PROPERTY TAXES

DATE: 2007/11/19 PAGE: 1
TIME: 13:11

ROLL NUMBER	PROPERTY ADDRESS / PERSON ASSESSED	C A N C E L L A T I O N S	D O W N T O W N / B. I. A.	TOTAL REBATE
		TAXES INT CAN INT PAY	TAXES INT CAN INT PAY	
03005600600	00088 WHITE OAK DR E GREYWALL COATINGS INC	1531.98 U-C	.00 .00 1531.98 .00 .00 .00	.00 .00 1531.98 .00
03005616400	00557 SECOND LINE E ROBERTS JOHN BINGHAM	340.47 U-C	.00 .00 340.47 .00 .00 .00	.00 .00 340.47 .00
03007901000	00340 GREAT NORTHERN RD MAR-LI INVESTMENTS INC	4266.78 U-C	.00 .00 4266.78 .00 .00 .00	.00 .00 4266.78 .00
	TOTALS:	6139.23	.00 .00 6139.23 .00 .00 .00	.00 .00 6139.23 .00

5(e)

VACANCY SUMMARY

TAX ADJUSTMENTS:	6139.23	.00	6139.23
INTEREST CANCELLATION:	.00	.00	.00
INTEREST PAYABLE:	.00	.00	.00
TOTAL ADJUSTMENTS:	6139.23	.00	6139.23

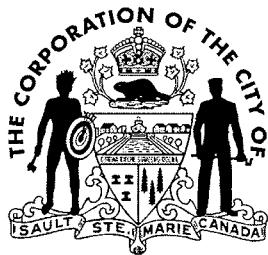
CERTIFIED CORRECT

P. A. LIEPA
CITY TAX COLLECTOR

5(e)

5(f)

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



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

2007 11 26

Mayor John Rowswell and
Members of City Council

Re: Staffing Complement – Fire Services Support Services Division

As part of the proposal to renovate the existing MTO site into a state of the art Emergency Response Centre, the Fire Chief has recommended that we construct a much improved maintenance/repair facility. This suggestion has appeared in all of the reports which have been brought to Council over the past several years, given the ease of conversion for this use as part of the proposal. While we currently have one mechanic who does repairs for our Fire Services, some of the work is contracted out. As well, the repair and maintenance of our land ambulances is currently contracted out, a practice which we assumed when we took over that responsibility several years ago.

Our advice to Council has always been that we would be looking to hire a second mechanic once we moved into the new facility because we believe that it would avoid the need to contract out in the Fire Services Department for both fire equipment and ambulance equipment. As well, we were confident that we would be successful in our approach to our Police Services with respect to doing repairs and maintenance on their vehicles and equipment.

Attached you will find the reports of the Fire Chief Lynn McCoy and Assistant Fire Chief – Support Services, Jim St. Jules, dated Nov. 15, 2007 which provide the sound business case for proceeding with the hire of this second mechanic. Such a move will in fact create savings and efficiencies for the Police Services and Fire Services budgets and we believe a much more effective service for both.

It is therefore recommended that Council authorize the hire of a second mechanic in accordance with the recommendation of the Fire Chief.

Yours truly,

A handwritten signature in black ink, appearing to read "J. Fratesi".

Joseph M. Fratesi
Chief Administrative Officer

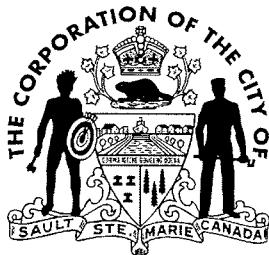
JMF:bb

5(f)

Fire Chief Lynn D. McCoy

Division Heads:

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



Emergency Direct "911"

Emergency Phone (705) 949-3333

Business Phone (705) 949-3335

Fire Prevention Phone (705) 949-3377

Emergency Medical Services (705) 949-3387

Fax Phone (705) 949-2341

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

November 15, 2007

Mr. Joseph M. Fratesi, CAO
Civic Centre
99 Foster Drive
Sault Ste. Marie, On

Re: Staffing Complement – Fire Services' Support Services Division

Dear Mr. Fratesi:

The new Emergency Services Complex scheduled for completion in December of this year is going to provide our service with a greatly improved mechanical maintenance and repair facility.

Staff have identified in successive reports to Council beginning with the first report dated August 27, 2002, that a key benefit to developing the former MTO site would be the enhanced capability to expand and provide in-house mechanical repair and maintenance of Fire/EMS vehicles and equipment. The opportunity to provide mechanical maintenance support for our city's police service has also been identified in these reports.

Our goal is to maximize the efficiency of the Support Services Division, resulting in reduced maintenance and repair costs for our fire apparatus, ambulances, equipment and buildings. Staff is also investigating opportunities to generate revenue by performing warranty work for fire apparatus manufacturers as well as reducing maintenance costs for Sault Ste. Marie Police Service.

Currently ambulance maintenance and repairs are outsourced to a local mechanical repair shop. I have discussed the matter of our service assuming the responsibility for maintenance and repairs of our ambulances with DSSAB Chair, David Edgar and am happy to advise that he supports this proposal.

I have also spoken with Police Chief Davies and he has indicated that he would be willing to take advantage of our services commencing in early 2008 on the basis that it would reduce his operating costs.

5(f)

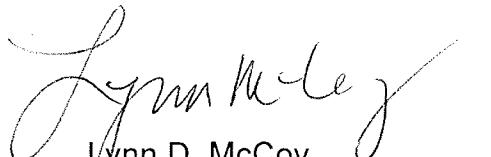
Attached is Assistant Fire Chief St. Jules' report. Jim's report clearly identifies the need for an additional mechanic to address the current workload as well as manage the workload increase that ambulance maintenance will create.

Recommendation

Based on Assistant Fire Chief St. Jules' report and discussions with Mr. Edgar and Chief Davies, it is recommended the City assume responsibility for the repair and maintenance of our ambulance fleet on a cost recovery basis from the District of Sault Ste. Marie Social Services Board and further, it is recommended that the City hire one additional mechanic to assist with the increased workload in our Support Services Division.

It is also recommended that the mechanic be hired by the end of November to assist with the relocation of our Support Services operations to the new emergency services complex.

Respectfully submitted for your consideration,



Lynn D. McCoy
Fire Chief

LDM/dm

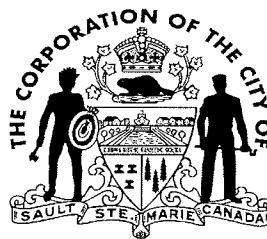
Attachment

5(f)

Fire Chief Lynn D. McCoy

Division Heads:

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



Emergency Direct "911"

Emergency Phone (705) 949-3333

Business Phone (705) 949-3335

Fire Prevention Phone (705) 949-3377

Emergency Medical Services (705) 949-3387

Fax Phone (705) 949-2341

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

November 15, 2007

Chief Lynn D. McCoy
Sault Ste. Marie Fire Services
72 Tancred Street
Sault Ste. Marie, On

Re: Feasibility of Additional Support Services Mechanic

Dear Chief:

As requested I have prepared this report on the feasibility of adding a second mechanic to our Support Services Division.

Integrating our ambulance fleet with our maintenance program would add ten emergency vehicles that would each require "A", "B" and "C" inspections. ("A" inspections are conducted quarterly; "B" semi-annually; "C" inspections annually) and semi-annual MTO safety inspections as well as day-to-day repairs. Servicing specialized equipment that is an integral part of the ambulance would also be required.

Currently, maintenance work is contracted to a local, private repair business. The average annual cost for ambulance repairs since 2002 is \$61,462.00, including parts and labour.

In an effort to compare the cost of work performed by the private contractor with costs our services would incur, I reviewed all 2006 invoices, itemizing labour, parts, certificates and sticker costs. There were 313 shop hours @ \$69.00/hour; parts cost \$25,509.91; MTO stickers and certificates cost \$240.00.

The current contractor shop rate is \$69/hour. Comparing the Fire Services shop rate of \$34.72, (wages & benefits), we would have saved **\$10,733** on labour.

Parts from private contractors understandably sell at retail prices and generally have markups ranging from 45 – 60%. Our service is able to purchase parts at the preferred 'jobber' rate with discounts averaging 52.5%. If our services had purchased parts in 2006 at 52.5%, we would have realized additional savings of **\$12,117**.

The \$240 cost of MTO safety inspection stickers and certificates would also be saved if our service were to perform these inspections. 5(f)

Currently stretcher and medical equipment repairs are performed by paramedics (half at premium rates).

Stretcher repairs 32 hours annually at the present rate of \$44.81 (premium rate)
16 hours at \$29.87 (straight time rate)

Oxygen testing = 16 hours at \$44.81
32 hours at \$29.87

The current annual cost to have paramedics perform these repairs is \$3,585. If Support Services provided this service, it could be an annual savings.

Potential Savings EMS Repairs and Maintenance = \$26,675

As you are aware, Support Services Division is responsible for building maintenance of all fire stations, fire suppression equipment, support and maintenance of our municipal fire alarm monitoring system, in addition to the repair and maintenance of fire emergency vehicles and numerous support vehicles within our department.

Consequently, there are many occasions when work must be contracted out in order to have it completed in a timely and efficient manner. Following are examples of work and costs that could be performed by a second mechanic, eliminating the cost of third party contractors:

Type of Work Currently Contracted Out	Annual Cost
Building maintenance	\$3,905
Testing – Air Quality Cascade System	\$1,100
Testing – Fire Pump Flow	\$2,965
Testing & Mtce – SCBA Regulator Flow	\$2,860
Inspection & Mtce – Fire Extinguishers	\$1,200
Inspection & Mtce – Ground Ladders	\$2,500
Inspection – Scott Air Cylinder	\$2,220
Welding and Fabricating	\$ 540
Additional Mechanical Work to Vehicles	\$4,570
Total Savings – Bldg & Equipment Mtce	\$21,860

Combined Fire/ EMS projected savings utilizing a second mechanic \$48,535

It has been suggested that Sault Ste. Marie Police Service's vehicles could be serviced at our facility. Preliminary talks with Police Chief Davies indicate that although Sault Ste. Marie Police Service presently has existing leases with full maintenance agreements, (up for renewal in early 2008) they have other equipment not covered by agreements that could be serviced by our Support Services Division. Attached is a letter from Inspector Glen Toni that indicates various maintenance costs. Inspector Toni indicates Sault Ste. Marie Police Service would be prepared to enter non-maintenance leases at the next renewal period, if our Fire Services is prepared to repair and maintain their vehicles.

5(f)

Following is a summary of projected savings for Sault Ste. Marie Police Service based upon Inspector Toni's letter;

Currently the Police Service pay shop rates of \$75.00 per hour. Compared to the projected Fire Services Shop rate of \$34.72, there would be an overall **savings in labour costs of 53.7%**.

Based on the estimated annual repair costs for these full maintenance vehicles of \$52,077.06 (65% labour, 35% parts), savings would be approximately **\$25,480.00** if our department serviced these vehicles.

There would have been an additional annual savings of **\$5,786.34** had the leased vehicles all been no maintenance leases rather than full maintenance leases.

Based upon January – August 2007 records, labour costs were 65.3% of repairs for unwarranted/full maintenance vehicles or \$13,911.27. At \$75 per hour shop rate, they were charged for 185 shop hours. Projecting labour costs for the remainder of 2007 at that rate, there would be 277.5 shop hours or a savings of **\$11,177.70** (compared with the Fire Services shop rate). There would be an additional savings on parts of approximately **\$4,800.00** for these vehicles.

If vehicle changeovers cost approximately \$7,500 as stated in the attached letter, the majority being labour costs they would have realized **\$4,027.00** in savings if Support Services performed the changeovers.

There for the projected savings for Sault Ste. Marie Police Service = \$51,271

Combined Projected Savings – Fire/EMS/Police Service = \$99,806

Revenues

Source	Shop Hours	Anticipated Annual Revenue
DSSAB (EMS)	313 hrs @ \$34.72	\$10,867
Sault Ste. Marie Police Service	451 hrs @ \$34.72	\$15,669
Total		\$26,536

Projected Revenue = \$26,536

A second mechanic provides an opportunity to consider varying the work schedule and call out coverage for emergency type repairs. The benefit would be the ability to put vehicles back in service on weekends; a service currently not provided by private contractors.

5(f)

Recommendation:

Based upon the above projections, if the City hires a second mechanic, Support Services Division would not only create a more efficient operation within Fire Services, it would also provide savings within Support Services Division, our EMS Division and Sault Ste. Marie Police Service. It also would generate revenue as we would invoice DSSAB and Sault Ste. Marie Police Service for parts and the mechanic's labour at cost.

In addition to the potential savings and revenue a second mechanic provides, it will also alleviate the current workload thus improving turn around time.

Therefore it is recommended that Sault Ste. Marie Fire Services hire a second mechanic.

Respectfully submitted for your consideration,



Jim St. Jules

Assistant Fire Chief – Support Services

Attachment

5(f)

SAULT STE. MARIE POLICE SERVICE



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

ROBERT DAVIES
Chief of Police

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

BOB KATES
Deputy Chief of Police

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

September 17, 2007

Jim St. Jules
Assistant Fire Chief Support Services
72 Tancred Street
Sault Ste. Marie, ON
P6A 2W1

RE: MAINTENANCE COSTS FOR POLICE SERVICE VEHICLES

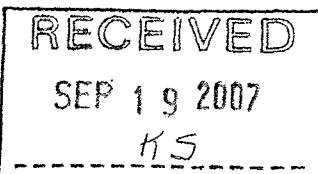
Dear Jim,

I have attempted to break down the costs paid by our Police Service towards maintaining our fleet of leased and owned vehicles.

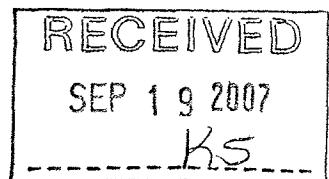
Marked Patrol Vehicles:

We currently have 9 Ford Police Interceptors and 2 Ford Expeditions on full-maintenance leases. This means that all regular maintenance and repair costs are covered by the lease. Based on Tender submissions from our 2006 Tender process, the difference in costs between a full-maintenance lease and a no-maintenance lease is \$115,726.80 over the 2-year lease or \$57,863.40 per year. Our past experience with the no-maintenance lease showed that we spent approximately 90% of the cost difference to maintain these vehicles. Therefore, approximately \$52,077.06 would be paid to maintain these vehicles annually.

Based on the above estimates, a savings of 10% on maintenance costs would mean a 2-year savings of \$11,572.68 on the maintenance for our fleet of leased marked vehicles. A previous attempt at the no maintenance lease option was abandoned because the cost savings were not high enough to override the amount of time it took our fleet manager to facilitate or arrange the maintenance and repairs to these vehicles. We currently pay \$75.00 per hour labour rates for service and retail prices for parts. Any reduction in these rates would increase that savings to our service. With the recent trend towards longer vehicle warranties, and increased labour and parts savings, we would be willing to try the no-maintenance lease for our marked fleet in our next lease period.



Committed to Excellence in our Community



No-Maintenance Leased Vehicles:

Our no maintenance leases are a slightly different situation. These vehicles do not have high mileage, have fewer service needs and are generally covered by the manufacturer's warranty through the lease. Typically we would spend an average of \$43.00 per vehicle for regular scheduled service (oil changes) several times a year. We pay for brakes, tires and any other repairs not covered by the warranty. My best estimate for non-accident service calls to these vehicles is approximately \$15,000.00 per year for all these vehicles. I have no way to break this down further.

Owned (off warranty) Vehicles:

We own several vehicles where we are responsible for all costs. Some of these vehicles are older and require more maintenance to keep them on the road. Included in this group is our mobile command center. From January to August this year we paid \$1084.00 in repair costs of which \$687.50 was labour. From the repair bills it is apparent that a mechanic could have performed all of the listed repairs. I believe that a reduced parts and labour rate would be beneficial to our service for these vehicles. Again, my best estimate for non-accident service calls is that we would spend about \$10,000.00 year on repairs to these vehicles. Again, I have no way to break this down further.

Vehicle changeover:

We pay to pay for emergency equipment installation and removal from all vehicles other than the 11 patrol vehicles listed above and 7 detective / on-call commander vehicles. For those vehicles the installation is included in the lease. Changeover costs are usually very high due to the labour rates and the length of time it takes to put the equipment in and take it out. A typical changeover of emergency equipment would cost about \$500.00. When emergency equipment and other equipment have to be customized for a vehicle the costs can go much higher. We recently paid \$749.00, of which \$657.54 was labour, to remove emergency equipment and dog cage from our K-9 vehicle at the end of a lease. We then paid \$3440.54 in labour and \$986.92 in part to fit the new dog cages and emergency equipment into the new leased K-9 vehicle. For all leased vehicles, we have to pay for repairs to bring the vehicles up to an expected level of fitness and appearance before we can return them at the end of leases. We can pay as much as \$2000.00 per vehicle for this process. It is difficult to estimate these costs as lease terms and condition of vehicles are not constant.

January to August 2007:

I went through all our Highland Ford repair bills from January to August 2007. For our entire fleet of vehicles we paid \$21,290.84 for repairs and maintenance not covered by warranty or full-maintenance lease. Of this amount, \$13,911.27 was labour cost and \$6806.75 was for parts.

Anticipated Savings:

Marked Patrol vehicles

10% of reduction in lease cost = \$5,786.34 / year

Estimated annual cost to maintain at retail location is \$52,077.06. An estimated 30% reduction in labour and parts costs would save \$15,623.12 / year

No-Maintenance lease vehicles / owned vehicles

Estimated annual cost to maintain at retail location is \$25,000.00. An estimated 30% reduction in labour and parts costs would save \$7,500.00 / year

5(f)

Vehicle Changeover

These vary but are mostly labour costs. Using the K-9 vehicle as an example, we would have saved \$1525.50 if the changeover occurred at the Fire Services instead of a retail location. I cannot provide accurate changeover amounts but my best guess would be a cost to maintain at retail location of \$7,500 which would mean a savings of \$5,000.00 averaged annually.

Total

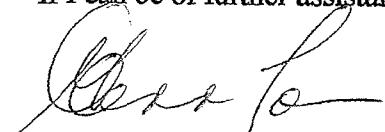
By adding up these amounts I can estimate that the total cost to maintain / repair our fleet is \$84,577 / year.

Using a Fire Services mechanic to service our vehicles should save our Police Service at least \$35,400.00 / year based on a 30% reduction in labour and parts costs. A 40% reduction would result in a \$43,600.00 savings.

The Sault Ste. Marie Police Service would give consideration to having all non-warranty service performed by Fire Services Mechanics if this service resulted in a reduced labour / parts cost for that service. That reduced labour cost would likely result in the Police Service considering the non-maintenance option in the next Patrol vehicle tender.

As stated previously, this consideration would depend on Fire Services ability to deliver timely maintenance / service for operational vehicles as is the current arrangement with most of our service providers. Police vehicles are given priority over other non-emergency vehicles. Our Service is also interested in the option of having a mechanic available, on a call-out basis, to do repairs on weekends and other times when retail dealers are closed. I believe that the Sault Ste. Marie Police Service would have enough work to keep a mechanic busy on a full-time basis.

If I can be of further assistance please let me know.

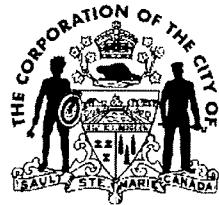


Glenn Toni
Inspector, Support Services
Sault Ste. Marie Police Service
949-6300 Ext. 350
g.toni@ssmps.org

cc Chief R.D. Davies

5(g)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



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

2007 11 26

Mayor John Rowswell
and Members of City Council

SENIORS HOME PROGRAM

At the March 12, 2007 City Council meeting the following resolution was passed:

*"Whereas seniors comprise a larger percentage of the population of Sault Ste. Marie than the provincial average; and
Whereas many of these seniors want to remain in their own homes; and
Whereas there is a very low vacancy rate for appropriate seniors housing; and
Whereas it is both desirable and more economically feasible for seniors to remain in their homes; and
Whereas one of the biggest deterrents to senior's self-sufficiency is heavy yard work; and
Whereas many seniors in Northwestern Ontario are receiving assistance in their municipalities (eg. Schreiber) from the "Home Program" subsidized by the Ministry of Long-Term Care;
Therefore be it resolved that the Commissioner of Social Services and the Commissioner Community Services contact the Ministry of Long-Term Care to access the "Home Program" on behalf of our seniors in Sault Ste. Marie and report back to City Council."*

Detailed information on this matter is provided in the attached memo from Catherine B. Johnson, Supervisor of Seniors Services.

In addition, Diane Lajambe, District Branch Manager for the Canadian Red Cross has provided information on the local Home Maintenance Program (attached) and will be in attendance to review the program and answer questions from City Council.

All of which is respectfully provided to City Council as information,

A handwritten signature in black ink, appearing to read "Nicholas J. Apostle".

Nicholas J. Apostle
Commissioner Community Services

JBC/council/seniors thins

cc: C. Johnson
D. Lajambe

attachment

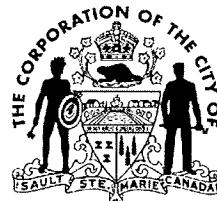
RECOMMENDED FOR APPROVAL

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

Joseph M. Fratesi
Chief Administrative Officer

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

CATHERINE B. JOHNSON, R.D.M.R.
SUPERVISOR SENIOR SERVICES



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

2007 11 19

MEMO TO: Joe Cain, Manager Recreation and Culture Division

SUBJECT: Home Program

The following is my understanding of the "Home Program" which operates in Schreiber, Ontario and how it fits/relates to the types of programs and services available in Sault Ste. Marie for seniors.

Programs that could be defined as "community support" (programs that help seniors stay in their own homes) are funded by the Ministry of Health and Long Term Care.

It is my understanding that the town of Schreiber has identified the issue of snow shovelling/snow removal as the most important service needed for seniors to remain in their own home/community. I am told that the delivery of the service originates with funding dollars from the Ministry of Health and Long Term Care to the town of Schreiber who then awards contracts to service providers in Schreiber. The seniors pay half of the cost of the service plus gst which normally runs about \$12.50 per driveway plus .88 gst for a total of \$13.38 per driveway.

Sault Ste. Marie has a Home Maintenance program that provides seniors with services that address three specific areas; Snow Removal, Inside Cleaning, and Grass Cutting. Locally the funding is provided to the Canadian Red Cross by the Ministry of Health and Long Term Care. The Canadian Red Cross is responsible to provide programs that address the three specific areas mentioned above. The Canadian Red Cross provides this service to the area covering from Wawa to Blind River with the most concentration in the Sault Ste. Marie area. Their budget is based on client numbers and job specific numbers and is managed via the Canadian Red Cross office in Barrie, Ontario.

The programs/services offered by the Red Cross are based on the needs (Snow Removal, Inside Cleaning, and Grass Cutting) that were been previously assessed by the community. The Sault Ste. Marie program has been in existence since as early as 1990. In the very early years of operation the programs/services were provided free; however, in the late 1990's the Ministry changed its philosophy and went to a straight brokerage program where clients were expected to pay the full cost of the service.

The local Red Cross was able to maintain \$15,000. to subsidize low income clients. People now pay a fee for service based on the size of property. Under some circumstances there may be a small subsidy provided for those who may require service but have a net income of less than \$15,000. per year. The amount available for subsidy has been reduced to \$11,000. for the 2007/2008 year and to \$9,000. for the 2008/2009 year.

5(g)

The Canadian Red Cross budget is based on client numbers and job numbers. The Red Cross contracts out services required to those who apply for assistance. At the present time the local Canadian Red Cross has 366 clients registered in this program, of which some are subsidized and some of which are full fee. Seniors requiring services may contact the local Red Cross Office on their own or they may be referred to the program by other community agencies or family and/or friends. It should be noted that this is a cost recoverable program and therefore the Canadian Red Cross does not make any profit on this program; their fees are covered either through the subsidy or the full fee participants.

The difference between Schreiber and Sault Ste. Marie is that the Ministry gives money directly to Schreiber whereas in Sault Ste. Marie it goes to a provider (i.e. Red Cross).



Catherine B. Johnson
Supervisor Seniors Services

jb/seniors/home program c johnson

**Canadian Red Cross
Sault Ste. Marie and District Branch
Home Maintenance Program**

The three factors that contribute to injuries in seniors (and subsequent hospital visits) are lack of exercise, drug management and misuse, and issues related to home maintenance and repairs. These individuals often require essential services such as the V.O.N., Meals on Wheels, homemakers or in an emergency, an ambulance. If their drives and walkways are not maintained in winter, services cannot reach them. These essential services help to reduce the risk of slips, trips and falls that will help to reduce the number of hospital admissions. Homes that are not kept safe increase the seniors' risk of injury or illness and therefore possible hospital admissions. These people want to maintain their independence as long as possible. It would be beneficial as a community to keep these people in their homes as long as possible for their sakes as well as economically.

The Home Maintenance Programs provides Heavy Housecleaning, Snow Removal and Grass Cutting for primarily seniors and some disabled adults living in their own home.

The Red Cross receives referrals from several community agencies and organizations in the Sault Ste. Marie and District including Group Health Centre, Alzheimer Society, Community Care Access Centre, Sault Area Hospital, Ontario Disability Support Program, Canadian Hearing Society, Canadian National Institute for the Blind, Canadian Mental Health and Children's Aid Society. All organizations recognize the need for proper Home Maintenance for seniors. Additionally when our workers conduct assessments of the clients referrals are made to the same organizations when appropriate.

The Home Maintenance Program has been operating for over a decade in Sault Ste. Marie and Algoma District. As seniors remain in their homes longer, the demand for services increases. There is no other program like this one in the area.

Current Situation

In 2006 5,622 jobs were provided to 366 clients.

As of October 31, 2007 2,240 jobs have been provided and with a modest snowfall we anticipate 4,400 snow plus 800 House Cleaning jobs. This would be a total of 7,440 jobs for 2007/8 fiscal year.

As of October 31, 2007 remaining subsidy is only \$4,190.

Prior to 1998

- all seniors involved in the program received up 70% subsidy
- a married couple with an income of up to \$24,750. and an individual with an income up to \$18,318. received subsidies that ranged from 10% to 70%.
- The amount available for subsidy was \$60,000.

Today

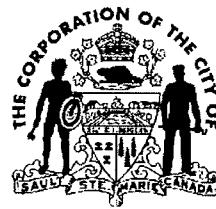
- Subsidy is available only for those with an income less than \$15,000.
- Subsidy ranged from 10% to 46%.
- The amount available for subsidy is only \$11,000.
- Our preliminary budgets for 2008-2009 are projecting a further reduction of subsidy to \$9,000.

A significant number of clients served by the Red Cross are living on CCP, Old Age Security and small pensions. Currently 146 of our 317 clients receive between 10% and 46% subsidy for their house cleaning, lawn care and/or snow removal.

With an additional \$50,000 we would be able to increase the number of people that may receive subsidy as well as the actual subsidy given to clients, i.e. We may be able to offer up to 70% subsidy for those extremely impoverished. \$50,000. from the City would be utilized for snow removal subsidies only.

The Red Cross receives referrals from several community agencies and organizations in the Sault Ste. Marie and District including Group Health Centre, Alzheimer Society, Community Care Access Centre, Sault Area Hospital, Ontario Disability Support Program, Canadian Hearing Society, Canadian National Institute for the Blind, Canadian Mental Health and Children's Aid Society. All organizations recognize the need for proper Home Maintenance for seniors. Additionally when our workers conduct assessments of the clients referrals are made to the same organizations when appropriate.

The Home Maintenance Program has been operating for over a decade in Sault Ste. Marie and Algoma District. As seniors remain in their homes longer, the demand for services increases. There is no other program like this one in the area.



November 26, 2007

Mayor John Rowswell
and Members of City Council

STEELBACK CENTRE - PHASE 2 & 3 OF THE PRIVATE SUITES

Background Information

Council passed the following resolution at their October 15, 2007 meeting:

"Resolved that the report of the Commissioner of Community Services dated 2007 10 15 concerning Steelback Centre Private Suites – Phase 2 and 3 be accepted and the recommendation to approve the project in principle subject to the required number of suites being leased that would allow for the capital cost of the project to be paid back from the suite leases, and further, subject to such successful leasing, that staff engage EPOH Inc. to update the existing drawings of Phase 2 and 3 of the luxury suites in order to prepare for tendering at the end of January 2008 to meet a construction schedule of the summer 2008 be approved."

According to the original drawings that were commissioned for initial construction of the facility, Phase 2 consists of 13 suites, while Phase 3 consists of 20 suites.

To date, staff has undertaken the following initiatives in order to secure "reservation forms" which require a \$2,000. deposit:

- Prioritized the waiting list that was compiled from the previous "luxury suite event" that was undertaken to sell the Phase 1 private suites.
- Distributed a media release on the program.
- Did a direct mail and email blast to corporations, businesses, and professionals in Sault Ste. Marie. This was done with the assistance of Lucidia.
- Advertised in the Sault Star and Soo This Week
- Did an email blast to Soo Greyhounds season ticket holders.
- Advertised during Soo Greyhounds home games.

As a result there are:

- 17 confirmed "reservation forms" along with deposits
- 7 corporations/businesses/individuals that are very interested

5(h)

In approximately one month, staff has managed to secure enough deposits for half of the potential suites project. This translates into several options:

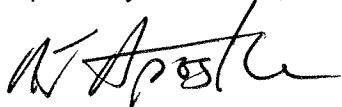
1. Complete Phase 2 of the project only – very costly; not recommended.
2. Attempt to sell all of the suites by way of a “luxury suite sales event”. It is estimated that this will cost approximately \$10,000. The Working Committee does not recommend this option.
3. Complete Phase 3 of the project and “shell out” Phase 2 for additional “high-end Club Seating” and lounge area – This is the option with the most potential for assisting in event amenities and accommodating the greatest number of seats. It is the option that the Working Committee would like to explore in more detail.
4. Do not proceed with the project – not recommended at this time.

The Steelback Centre Working Committee has reviewed the information and met with the architect to discuss the various options and possible next steps. The Committee believes that it is in Council's best interest, given the positive response to the limited marketing program, to hire the architect to update the drawings and review options with order of magnitude costing. At the same time, funding from senior levels of government would have to be investigated and applied for. The cost for hiring the architect is approximately \$80,000. and would be part of the project if it were to go forward. If the project does not go forward then the amount could be funded from the Steelback Centre's surcharge account. The Committee also suggests that a quick tour of some facilities with private suite programs would be beneficial in early December.

Recommendation

The Steelback Centre Working Committee recommends that Council approve the hiring of EPOH Inc. to update the drawings for Phase 2 and 3 of the Private Suites, along with providing possible options for the construction of both phases including order of magnitude costing; and further that the estimated cost of \$80,000. for the architect be applied to the project if it goes forward, or that it be funded from the Steelback Centre's seat charge account if it does not go forward.

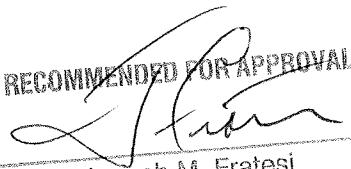
Respectfully submitted,



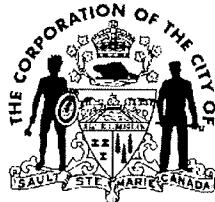
Nicholas J. Apostle
Commissioner Community Services
on behalf of the Steelback Centre Working Committee

jb/council/private suites nov 26

cc: Steelback Centre Working Committee

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



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

November 26, 2007

Mayor John Rowswell
and Members of City Council

SKATEPARK PROJECT

At a recent meeting Council discussed this project by way of an update from staff. Council, at that meeting, supported a phased in approach to providing a permanent skatepark.

As reported, the first phase would cost approximately \$187,000. The funding is derived from the City, \$100,000., the Ontario Trillium Foundation (OTF) \$75,000., and the Skateboard Association \$12,000. An application to the OTF was submitted on November 1st.

The next steps in realizing a skatepark were recently discussed at a Parks & Recreation Advisory Committee Skatepark Sub-Committee meeting and it was agreed that in order for the construction of the first phase of the skatepark to be realized in 2008, a detailed design of the various phases is required.

Since 2003 the City has been working with PGM Design Associates. This company was the successful proponent of the Request For Proposal process that was undertaken to secure a knowledgeable design firm for the skatepark. In order to prepare for the construction of the skatepark, PGM Design Associates needs to be further engaged to provide the construction drawings that would detail the phasing in of the skatepark. It is estimated that the cost for this would be \$10,000. and \$20,000. This cost would be covered from the City's share which has previously been ear-marked for this project.

Recommendation

It is recommended that Council approve the hiring of PGM Design Associates to provide detailed drawings of a phased in skatepark at an estimated cost of \$10,000. to \$20,000. with the funds coming from the City's share that has been provided for this project.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Nicholas J. Apostle".

Nicholas J. Apostle
Commissioner Community Services

jb/council/skatepark/november 26

cc: P.R.A.C. Skatepark Sub-Committee

RECOMMENDED FOR APPROVAL

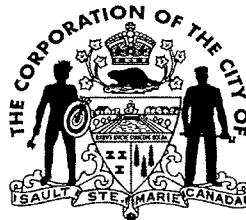
A handwritten signature in black ink, appearing to read "Joseph M. Fratesi".

Joseph M. Fratesi
Chief Administrative Officer

5(j)

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

November 26, 2007

Our File: 11.5
Rezoning Application A-17-07-2

Mayor John Rowswell
Members of Council

**Re: Waste Management of Canada Corporation
Application for a Certificate of Approval for Transfer Station
Comments to MOE**

Purpose

This report has been prepared at Council's request to provide copy and input into the City's comments on Waste Management's application for a transfer station at 120 Industrial Court A to the MOE.

Background

Council approved a rezoning application (A-17-07-2) for the subject property on September 10, 2007. This land use approval was required as part of the MOE process. The MOE then solicited comments from the municipality with regards to their C of A application and the transfer station development proposed for the site.

In an effort to abate odour concerns, the City is requesting an enclosed structure be constructed for processing as well as that no overnight storage be allowed within the trailers. Both these concerns are expressed to the MOE in the attached letter which has already been forwarded to them in draft format for their incorporation into the Certificate of Approval.

The Planning Division has been consulted and all other issues from a land use perspective were addressed through the rezoning process.

Recommendation

The Engineering Department recommends Council approve the finalization of the attached letter to the MOE and submission prior to the November 30, 2007 deadline.

Respectfully submitted,

Susan Hamilton Beach, P. Eng
Land Development &
Environmental Engineer

Recommended for Approval

Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

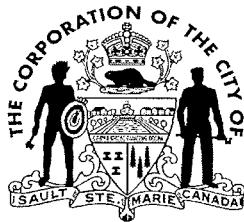
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RECOMMENDATION FOR APPROVAL

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

5(j)

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

D R A F T

November 19, 2007

Our File: A-17-07-2

Ministry of the Environment
Environmental Assessment and Approvals Branch
2 St. Clair Avenue West, Floor 12A
Toronto, ON M4V 1L5

Attention: Mr. Roman Lysiak, P. Eng.
Senior Waste Engineer

Subject: Application for Certificate of Approval
MOE Reference Number 5718-75HKAN
Waste Management of Canada Corporation
Sault Ste. Marie

Please accept this letter on behalf of the City of Sault Ste. Marie regarding the transfer/processing facility located at 120 Industrial Court "A".

The City would like to express our concern with regards to this operation and the odour control plan that must be in place and enforced on this site.

Two key items/conditions the City would like incorporated into the C of A are:

- It is understood by the City that the proposed facility is a three sided structure and therefore it is not clear how odours would be managed or controlled. A fully enclosed structure is required by the municipality; and
- No outdoor storage is to be permitted through a condition of our rezoning process. This is intended to include storage within the trailers overnight.

It is hoped these conditions may be incorporated or addressed through the C of A.

Should you wish to discuss this further, please do not hesitate to contact the undersigned.

Yours very truly,

A handwritten signature in black ink that reads "Susan Hamilton Beach".

Susan Hamilton Beach, P. Eng.
Land Development & Environmental Engineer

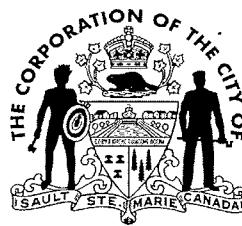
C: City Council

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5(k)

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

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

2007 11 26
Our File: B-68-08

Mayor John Rowswell and
Members of City Council
Civic Centre

**RE: BATCHEWANA FIRST NATION OF OJIBWAYS
SEWER SERVICE AGREEMENT**

Background

Batchewana First Nation intend to proceed with the extension of Bear Creek Drive. With this proposed work they also intend to add an additional six sanitary sewer connections which drain to the City of Sault Ste. Marie system. As such, they are requesting permission for this extension.

There is an Agreement dated September 1970 between the Batchewana First Nations and the City allowing them to connect to the City sanitary system up to a maximum of 80 connections. The Agreement was authorized under By-Law No. 70-331. Since this time they have exceeded the maximum connections, and therefore require a new Agreement with the City, permitting additional connections.

A new Agreement was prepared in 1997 which would allow for additional connections. The Agreement outlined a maximum connection of 160 dwelling units to the City's sanitary sewer system at Frontenac Street, and for no more than two hundred dwelling units to be serviced by the sanitary sewer system connected to the City sewer at Vera Street/August Street. This Agreement was not signed by the First Nations at the time; however, they have now signed an updated version of the Agreement as attached (By-Law No. 2007-204)

Recommendation

It is recommended that Council authorize the signing of the attached Agreement, permitting Batchewana First Nation the additional sanitary sewer connections as detailed above.

Respectfully submitted,

Susan Hamel Bach
for Catherine Taddo, P. Eng.
Municipal Services Engineer

Recommended for approval,

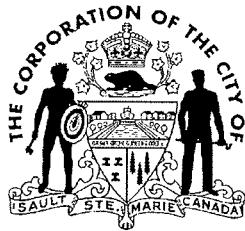
J.D. Dolcetti
Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning
RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Joseph M. Fratesi

5(1)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. L.2.2

REPORT TO: Mayor John Rowswell and
Members of Council

REPORT FROM: Lorie Bottos, City Solicitor

DATE: 2007 11 26

**RE: Extension of Urban Service Line in Two Locations on Queen Street East and Third Line East (Fox Run Subdivision)
- AND - Repeal of By-law 2006-213**

I. 4075 and 4098 Queen Street East

On October 16, 2006 City Council passed By-law 2006-213 which amended the Urban Service Line to include 4075 and 4098 Queen Street East for municipal water services only in response to a request by the property owners. City staff held off on proceeding to obtain Ontario Municipal Board approval of By-law 2006-213 in order to establish a policy for extending municipal services. Since this extension request complies with the USL extension policy it is included in proposed By-law 2007-203 before you tonight and subsequently for submission to the Ontario Municipal Board for approval. Map 1 attached to this report sets out the expansion area. Upon the passing of proposed By-law 2007-203, By-law 2006-213 will be repealed.

II. Fox Run Subdivision - 817 Third Line East

In conjunction with the rezoning of 817 Third Line East to permit the Fox Run subdivision it is necessary to extend the Urban Service Line to allow for municipal water and sewer service to this development. Map 2 attached to this report is a sketch that shows this proposed USL expansion area.

Both the City Engineering Department and PUC Inc. have determined that the existing City waterworks can accommodate both extensions and in the case of Fox Run, municipal sewers, also.

5(1)

Proposed By-law 2007-203 appears on your agenda tonight. The effect of that by-law is to instruct Legal Department to apply to the Ontario Municipal Board for approval of both urban service line extensions.

Recommendation

Elsewhere on the Agenda tonight you will see By-law 2007-203 which is recommended for approval.

Respectfully submitted,



Lorie Bottos
City Solicitor

LAB/dh

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

Attachments

Proposed Municipal Water Service at Civic No. 4075 and 4098 Queen Street East

Request from: Successful Petition

Legend

- PARCEL
- ROAD EDGE
- WATER SERVICE (EXISTING)
- WATERMAIN
- URBAN SERVICE LINE (EXISTING)
- PROPOSED URBAN SERVICE LINE EXTENSION
- PROPOSED NEW MUNICIPAL WATER SERVICES

Prepared by: A. Hallett

Date: 2007-11-12

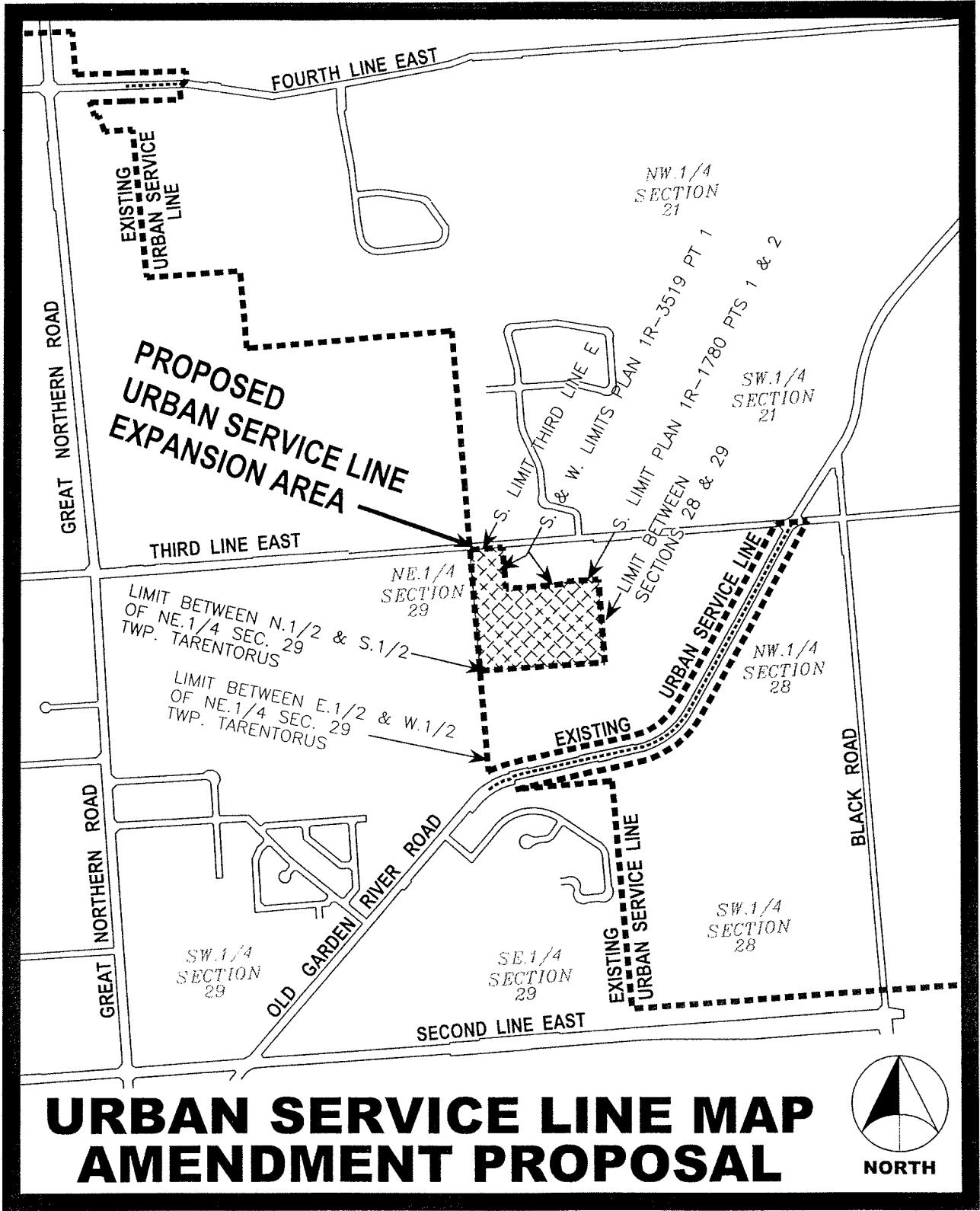


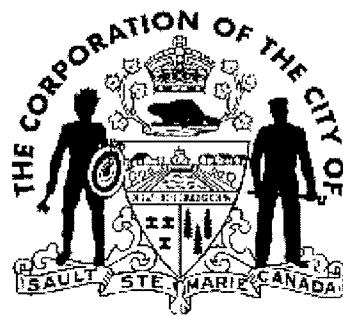
MAP 1

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5(1)

MAP 2





2007 11 26

Mayor John Rowswell &
Members of City Council
Civic Centre

**RE: ONE-YEAR PILOT PROJECT TO MEASURE THE EFFECTIVENESS OF
BIODIESEL FUEL ON THE OPERATION, MAINTENANCE AND ECONOMICS
OF ONE OLDER CITY BUS**

BACKGROUND

On October 15, 2007 Council approved the following resolution:

"Whereas biodiesel has proven to be a clean burning alternative fuel and is also economical and environmentally friendly; and

Whereas a locally owned and operated business is actively pursuing the use of biodiesel in a commercial initiative; and

Whereas the use of biodiesel has successfully been implemented in other municipal jurisdictions in Canada; and

Whereas the City of Sault Ste. Marie is looking to be a leader in the field of alternative energy (wind, sun, co-gen, Enquet); and

Whereas SITTM Inc. is presently working on a small scale, self-contained prototype which would allow consumers to produce their own energy on site;

Be it resolved that Council request of City Transit the advisability of proceeding with a year-pilot project with one older bus to measure the effectiveness of biodiesel fuel on the operation, maintenance, economics of this one bus and report back to Council at its earliest convenience. It is expected that the experiment would be based on a formula of up to 20%."

DISCUSSION

On Tuesday October 16th, 2007 transit staff met with representatives from SITTM Technologies Inc. and Forest BioProducts Inc. to develop a one-year pilot project to measure the effectiveness of biodiesel fuel on the operation, maintenance and economics in one of our older city buses.

The product in question, as supplied by SITTM Technologies Inc. is known as Stephan Biodiesel SB-W, which is a naturally derived replacement for petroleum based diesel fuel. It is based upon soybean oil.

A proposed blend schedule for City Transit Services has been prepared by Forest Bioproducts Inc. which calls for a 5% blend during the winter months and then with monthly increments of 5% increasing to a high of 20% beginning in June.

Transit staff has selected a 1990 MCI Classic bus #109 to be used during the pilot project. The vehicle's engine was subjected to a Drive Clean Emission test on October 16th and will not receive any modifications prior to the start of the pilot project.

SITTM Technologies Inc. have provided transit staff with a guide to the safe handling and use of biodiesel which will result in on-site training for the transit maintenance staff responsible to manually splash blend the product into the fuel tank of bus #109 at the end of each day of operation.

The biodiesel pilot project, proposed to begin on December 01, 2007, will have its test parameters recorded monthly with staff focusing on engine performance, vehicle emissions, vehicle maintenance and fuel economy.

FINANCIAL IMPLICATIONS

The said pilot project will not create any serious cost implications for the City as the current cost of low sulphur diesel is \$.9330 per liter and biodiesel is \$1.10 per liter. It is anticipated that 4,100 liters of biodiesel will be used during the 12 month project for an estimated additional cost to the City of approximately \$600.

RECOMMENDATION

It is recommended that Council endorse the Transit Services Division of the Public Works and Transportation Department to proceed with a one-year pilot project with one older bus to measure the effectiveness of biodiesel fuel on the operation, maintenance and economics based on a formula of up to 20%.

Respectfully submitted,



Don Scott
Transit Manager
Public Works and Transportation

Recommended for approval,



Jim Elliott, P. Eng.
Deputy Commissioner
Public Works and Transportation

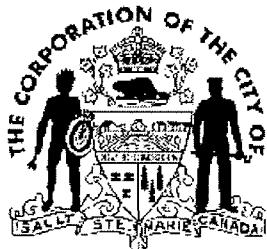
~~RECOMMENDED FOR APPROVAL~~



Joseph M. Fratesi

5(n)

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 11 26

Mayor John Rowswell
And Members of Council
Civic Center

**RE: FREE WEEKS (WAIVING OF LANDFILL GATE FEE)
FALL AND SPRING**

On April the 30th 2007, Council passed a resolution requesting a report on the practice of waiving gate fees at the landfill site for one week in the spring and one week in the fall (see attached resolution). Staff prepared an interim report (see attached) for the Council meeting of August 6, 2007 that advised Council to continue with the "Free Week" (waiving of tipping fees) for the week of September 17th and staff would report back to Council in November with a final report. The following is the final report that assesses the various options and provides a recommendation.

Background

The waving of tipping fees or "Free Weeks" has been used to allow the public at least two weeks per year where they can bring spring cleanup type material to the landfill at no charge. The loads are limited to 300 kg and anything over this amount is charged at the tipping fee rate of \$65 per tonne. The landfill can expect approximately 64,000 visits per year where gate fees are paid.

These weeks are normally held in May and September of each year and have in the past cost the City approximately \$55,000 per year in lost revenue and manpower charges. There have also been operational and traffic congestion problems associated with the free weeks.

As a result of the problems experienced at previous events, staff proposed a number of changes to take effect for the September 17, 2007 free week. This included additional landfill staff and police to control traffic.

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Page 2

Discussion

Existing System- Free Weeks (Waving of Gate Fee for two weeks during the year)

The “Free Week” of September 17, 2007 was considered by staff as a success with very few problems. The police presence on the Fifth Line controlled traffic congestion and eliminated a lot of the confusion associated with vehicles trying to enter and exit the landfill site. The additional staff at the gates (flag persons), the scale and the drop-off area helped vehicles move efficiently and thereby avoided confusion and congestion on the site. The landfill still managed to handle an average of 540 vehicles per day during the six(6) day period.

Costs

The free week of September 17th cost the City approximately \$35,163. This included \$19,300 in lost revenue, \$13,853 in wages for additional staff and \$2,010 for police services. Since there are two free weeks during the year, it would costs the City approximately \$70,000 per year to provide this standard of service.

Pass Type System

One of the options put forward was the implementation of a “pass type system” that would allow the public two (2) free visits to the landfill at any time during the calendar year. There were two types suggested.

One would take the form of tickets/passes distributed to the public through some form of mailing system (PUC, tax notices, etc.). Each residence would receive two (2) ticket type passes. A ticket/pass would be presented at the landfill site and would allow the holder a free load at the landfill site. This would be quite complex to administer and a policy would be needed on the transferring of passes, etc. If this system were to be implemented, the potential loss of revenue could be up to \$324,000.

The other type suggested would take the form of a database/identification system that would allow landfill site staff to waive the gate fee for a particular residential address. The waving of the gate fee would be dependent on the driver providing some form of identification. The database system would only allow two free loads for each residential address. Maintaining an up-to-date database of all residential properties and developing a policy for the transferring of passes, etc. would be a challenge.

Staff discussed the various options and came to the conclusion that the most effective “pass type system” would be the database/identification system. It was felt that database/identification system would easier to implement and it gives landfill staff much better control over the waiving of the tipping fees as well as it allows the collection of data that can be used in analyzing solid waste management activities.

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Page 3

Costs

It is expected that there would be a substantial increase in the number of residents that make use of this "pass type system". The City has 27,000 households and it is expected that 15,000 of these households would use the landfill site at least twice during the year. This equates to 30,000 visits where a gate fee would not be paid. At \$6 per visit, this amounts to a loss in revenue of \$180,000.

Elimination of the Free Weeks

One of the alternatives suggested was the elimination of "free weeks". As result, staff considered the public's perception, staff's opinion as well as the projected savings to the City.

The free weeks have been traditionally known as a substitute for the spring cleanup service that was eliminated a number of years ago. Members of the public appear to consider the two free weeks as an alternative to the spring cleanup service.

The refuse being disposed of normally takes the form of brush, furniture and other refuse that cannot be put in garbage bags or containers. The free weeks provide an opportunity for all residents to dispose of refuse that cannot be placed at the curb side.

Free weeks may also help to eliminate the disposal of refuse at the end of some rural roads within the City limits. Residents have no excuse that they cannot afford to dispose of refuse at the landfill site.

Costs

Free weeks under the present system cost the City approximately \$70,000 per year. If free weeks were eliminated, the City would save the \$70,000 per year.

Summary

The following is a summary of the various options.

Existing system- Free Week in Spring and Fall

- Continuing with what is presently being done while utilizing additional staff and police to provide more traffic control on the site.
- Cost - \$70,000 per year.

Pass Type System

- Use a database/identification system to allow residents two free visits to the landfill per year.
- Policy would have to be developed.
- Expected participation rate - 30,000 visits per year.
- Cost - \$180,000 per year.

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Page 4

Elimination of the Free Weeks

- Free weeks for two weeks during the year is something that the public has come to accept as a substitute for the removing of spring cleanup.
- Provides some residents the opportunity to dispose of material where they may otherwise be tempted to dispose of it at a location other than the landfill site.
- Savings- \$70,000 per year.

Conclusions

Public Works staff is of the opinion that “free weeks/waiving of gate fees” provides a useful service to the City’s Solid Waste Management Operations. The public has readily accepted the two (2) bag limit, the raising of the tipping fee to \$65 per tonne, along with recycling and composting initiatives. The public continues to support these programs and it is felt that some form of acknowledgment should be provided in the area of solid waste management. The waiving of the gate fee for a one week period, two times during the year, is not a substantial financial gain for a resident but it does provide an opportunity to dispose of refuse that cannot be placed at the curb side.

The most recent free week (September 17th) was successful from an operational standpoint without any major concerns. This was a result of providing more staff to control the site as well as having Police Services control traffic. It is staff's opinion that free weeks should continue as in previous years but with additional landfill staff and police to control traffic. The public should be able to access the landfill site during two weeks of the year (summer and fall) at no cost for loads that are less than 300 kg.

Recommendation

It is recommended that the City continue with a “Free Weeks”, one in the spring and one in the fall and that additional staff and police be used to control the increased traffic, when warranted.

Respectfully submitted,


J.M. Elliott, P. Eng.
Deputy Commissioner

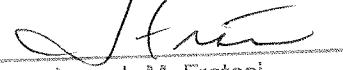
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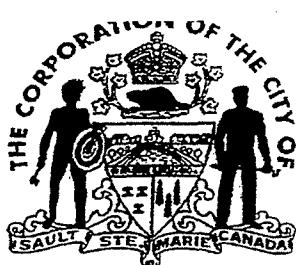

Patrick M. McAuley, P. Eng.
Commissioner

JME:cmr

\pwt\DeptShare\Council 2007\Free Week at Landfill

~~RECOMMENDED FOR APPROVAL~~


Joseph M. Fratesi
Chief Administrative Officer



CITY COUNCIL RESOLUTION

5(n)

Agenda Item

Date: April 30, 2007

MOVED BY
SECONDED BY

Councillor
Councillor

J. Caicco
S. Butland

Whereas the City abandoned the annual spring clean-up several years ago as a means of encouraging reuse and recycling, thereby reducing the amount of waste which is brought to our landfill site; and

Whereas the cost to reinstate such a city-wide clean-up would be significant, but more importantly, would be regressive in terms of the progress which Sault Ste. Marie has achieved in reducing the amount of material which goes into our landfill site; and

Whereas the City's popular practice of waiving gate fees at the landfill site for one week in the spring and one week in the fall creates confusion and congestion at the landfill during this time;

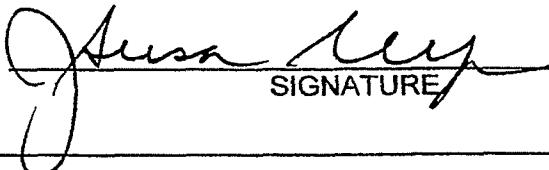
Now therefore be It resolved that the Commissioner of Public Works and Transportation report back to Council on other possible ways in which taxpayers can be given the opportunity to do their own "spring" and "fall" clean-ups and have the gate fee waived twice yearly, without the confusion and congestion of it being only during two one-week scheduled periods. Such a review should include the suggestion of providing "passes" being issued with tax bills, which can be used by our residents at any time during the year.

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED

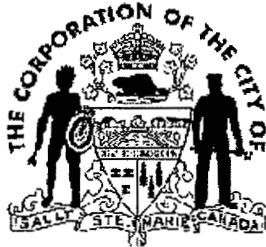

SIGNATURE

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

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 08 13

Mayor J. Rowswell and
Members of City Council

**SUBJECT: WAIVING OF LANDFILL GATE FEE
FALL AND SPRING (FREE WEEKS)**

Introduction

As a result of the “World’s Largest Garage Sale” being held on the weekend of September 15, 2007, Councillor Steve Butland asked that staff report on the resolution concerning possible improvements on how “Free Weeks” alternatives can be implemented (see attached resolution). Staff has prepared a preliminary report on this resolution and a final report will be presented in November.

Background

“Free Weeks” have been used to allow the public at least two weeks per year to bring spring cleanup type material to the landfill site at no charge. They are normally held in May and September of each year and cost the City approximately \$60,000 per year in loss of revenue and manpower charges.

In addition to the increased costs for the landfill operation, there are a number of problems associated with the Free Weeks.

- There is significant confusion and traffic congestion associated with a number of vehicles accessing the site. Due to the numbers and the limited vehicle storage on the site, vehicles back onto the Fifth Line and create dangerous traffic situations.
- People at times exit their vehicles on Fifth Line as well as on the entrance road and are put at risk by walking in and out of traffic.
- Due to the number of vehicles using the drop off area at one time, there is limited recycling and the majority of the material is landfilled.

Discussion

Staff is of the opinion that the City is not in a position at this time to implement any other alternative other than to continue with the Free Week for the September event and attempt to improve the situation. Refuse/recycling calendars listing this event have been distributed for this year as well as the City web site has indicated to the public that there will be a Free Week. Staff has also been advising the public for the past seven months that this event will occur in September.

In order to accommodate the World's Largest Garage Sale on Saturday, September 15th, it is felt that the Free Week of September 10th can be moved one week back to the week of September 17th. Staff is of the opinion that there is sufficient time to advertise to the public both in the media and the City's web site that the event has been moved in order to accommodate the garage sale.

One of the major problems associated with this event is the confusion created by the traffic both within the site and along Fifth Line. In order to provide better control for this event, staff will be making improvements to the present operation by increasing the number of Public Works staff as well as adding police officers. Public Works staff will control on-site traffic in the area of the scale house as well as the drop-off bin location. Police Officers will be hired to control traffic on Fifth Line as well as at the entrance to the site. It is felt that these measures will help to reduce the confusion and improve traffic safety both within the site and along Fifth Line.

It is understood that the public will not pay for loads up to 300 kg. However if a load is over 300 kg, the public will have to pay a pro rated fee based on the tipping fee of \$65 per metric tonne. The public will also have to pay for tires or untagged refrigerators.

It is expected that the Free Week in September will cost the City approximately \$45,000 in manpower costs and lost revenue.

Following the Free Week, staff will assess the operation and prepare a final report for November of this year. The following options will be included in the review:

- Continue with the existing format of Free Weeks using extra staff and police officers.
- Offer households some form of passes/identification system that will allow two free trips to the landfill at any time during the year.
- Eliminate Free Weeks completely.

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2007 08 13
Page 3

Summary

The Free Week for the week of September 10th will be moved to the week of September 17th to coordinate this event with the September 15th "World's Largest Garage Sale".

Additional staff and police officers will be assigned to the landfill site during Free Week to control traffic on Fifth Line as well as within the landfill site.

Staff will report back to Council in November with a final report assessing various options.

This report has been provided for Council's information.

Respectfully submitted,



J. M. Elliott, P. Eng.
Deputy Commissioner

Recommended for approval,



Patrick M. McAuley, P. Eng.
Commissioner

JME:cmr

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Patrick M. McAuley, P. Eng.
Commissioner



Public Works & Transportation
Department

2007 11 26

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: SIDEWALK PLOWING – BOSTON AVENUE

The City has received a petition to plow the sidewalks on both sides of Boston Avenue. It has been signed by 3 out of 4 owner representatives of all properties involved, as well as by many of the tenants from the Sault Ste. Marie Housing Corporation.

It is therefore recommended that the sidewalks on the east and west side of Boston Avenue, from Breton Road to the north end be added to the appropriate sidewalk snow plow route. The associated costs to plow and sand these sidewalks will be added to the Winter Maintenance Cost Centre.

Respectfully submitted,


Patrick M. McAuley, P. Eng.
Commissioner

PMM\cmr

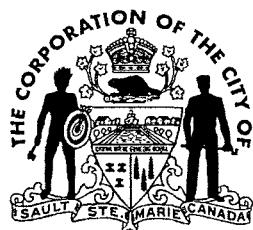
c.c. Mark Ciotti, Sault Ste. Marie Housing Corporation

\DeptShare\Council 2007\Boston Avenue Sidewalk Plowing

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(6)(a)



2007 11 26

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-26-07-OP – filed by Mike Battisti.

SUBJECT PROPERTY: Location – Part of Lot 29 RCP, being part of the SW ¼, Section 19, Township of Tarentorus, Located approximately 430m (1,411') north of Third Line. Civic No. 86 Old Goulais Bay Road.
Size – Approximately 18.82 ha (46.5 acres).
Present Use – Vacant rural land.
Owner – Mike & Orlando Battisti.

REQUEST: The applicant, Mike Battisti, is requesting an Official Plan amendment in order to facilitate the severance of the subject property, to create one additional rural residential lot.

CONSULTATION: Engineering – See attached Letter
Building Division – Please be advised that there will be servicing charges for local improvement based on the lot frontage for any new lot created prior to issuing any building permits.
Legal Department – No comment.
PUC Services Inc. – See attached letter.
Fire Services – No objection.
C.S.D. – No concerns.
Public Works & Transportation – See attached letter.
Conservation Authority – See attached letter.

PREVIOUS APPLICATIONS

There have been two previous applications for this subject property. Both of these applications were for Official Plan amendments to facilitate the severance of the subject property. In 2003, an Official Plan amendment was approved to facilitate the creation of a 9.5 ha (23.47 acre) parcel. In 2002, an Official Plan amendment was also approved by Council, facilitating the creation of 3 rural residential lots.

Conformity with the Official Plan - The subject property is designated Rural Area on Schedule "C" of the City of Sault Ste. Marie Official Plan. Policy "RA.4" currently restricts the further development of unserviced lots in the rural area. As such an Official Plan amendment is required.

It should be noted that although the proposal does not conform to the Rural Area policies of the Official Plan, Planning staff will be initiating a review of these policies to ensure that they reflect current land use trends.

With respect to this current development, the proposed severance of one additional rural lot is consistent with Planning staff's interim policy, endorsed by City Council on May 30, 2007, which recommends the approval of single lot severances only. Upon completion of the proposed Rural policy review, it is staff's intention to recommend that future severances be approved in selected areas without an Official Plan amendment.

The subject property contains both lacustrine clay and alluvial soils, as identified on Schedule "A" of the Official Plan. Lacustrine clay soils lack the ability to support the operation of domestic sewage systems, however, the proposed lot will be on both water and sanitary municipal services.

The alluvial soils are located along the watercourse that runs north-south through the subject property. This soil type is only found within this section of the subject property and will not affect the proposed rural lot.

The portion of the subject property which contains the ravine and watercourse is within the Sault Ste. Marie Region Conservation Authority's regulated area, as identified on Schedule "B". Although the proposed lot is well away from the regulated area, the applicant should consult with the CA to determine if a permit is required prior to any future development.

Comments

The subject property is approximately 18.82 ha (46.5 acres). The applicant is proposing to sever an approximate 42 meter (138') by 61 meter (200') lot from the larger parcel.

The frontage of the property is zoned Rural Area (RA), with the ravine lands zoned Environmental Management Zone (EM). The rear of the property, west of the ravine is zoned Medium Industrial (M2).

The proposed rural residential lot is to be created along the frontage of Old Goulais Bay Road, on the lands zoned RA. The minimum lot area required in the Rural Area zone is 0.5 ha (1.235 acres). The proposed lot will have an approximate area of 0.26 ha (0.63 acres). As well, the minimum lot frontage of the proposed lot will be 42 meters (138') where the by-law requires 45 meters (147.6'). Given the similar size of lots in the surrounding area, as well as the provision of municipal services for the proposed lot, a reduction in lot size and frontage is appropriate. This will be considered as part of the Committee of Adjustment severance application.

The applicant has also indicated that there may be the possibility of an additional lot severance once Planning staff completes its Rural Area review. If an additional lot is severed in the future, adequate frontage for an access road should be protected to ensure the development potential of the rear lands is not compromised.

As part of the circulation for this application, the following comments were received:

Staff from the Engineering Division has indicated that there are outstanding local improvement charges and that payment for the installation of a sanitary lateral with the appropriate permit will be required at the time of severance. In addition, a 3 meter road widening is required along the Old Goulais Bay Road frontage, as indicated in Zoning By-law 2005-150.

Public Works and Transportation do not have any objections to the proposed severance but request that 5% cash in lieu of parkland be retained for new lot development. This can be addressed at the time of the severance application.

PUC has commented that the Owner will be required to pay applicable watermain frontage, water service lateral and restoration charges at the rates current at the time of connection.

The Conservation Authority has indicated that the property is within the Authority's regulated area and that a permit is required prior to any future development. The CA has also stated that the property is subject to Source Water Protection and that there may be recommendations dependant on the proposed development. The Authority has requested that they review any plans prior to the issuance of a building permit.

6(6)(a)

Provincial Policy Statement (2005)

In accordance with Section 3 of the Planning Act, a decision of the council of a municipality, in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" the Provincial Policy Statement (2005)".

Policy 1.1.4.1(a) of the PPS states "In rural areas located in municipalities permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses". The current proposal is for one additional rural lot, and as such, is consistent with the PPS of "limited residential development".

Summary

The applicant is proposing to sever an approximate 0.26 ha (0.63 acres) parcel with frontage of approximately 42 meters (138'). The proposed parcel is similar in size to other lots in the surrounding area, and given the provision of municipal services for the proposed lot, variances to the lot area and frontage are appropriate.

As the current Official Plan does not permit the further development of unserviced lots in the rural area, Council is being asked to amend the Plan, by way of a notwithstanding clause to the rural area policies. If approved, an application to the Committee of Adjustment will be required to finalize severance.

Planning Director's Recommendation - That City Council approve Official Plan Amendment No. 136, which facilitates the severance of the subject property, by way of a notwithstanding clause to the Rural Area policies, for one additional rural residential lot.

SDT/pms

PUBLIC HEARING – 2007 11 26, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(6)(a)

**AMENDMENT NO. 136
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to the Text of the Official Plan as it relates to the Rural Area policies.

LOCATION:

Part of Lot 29 RCP, being part of the SW ¼, Section 19, Township of Tarentorus, located approximately 430m (1,411') north of Third Line. Civic No. 86 Old Goulais bay Road. Zoning Map 1-126.

BASIS:

This Amendment is necessary in view of a request to sever the subject property to create one additional single rural residential lot.

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

The Official Plan for the City of SSM is hereby amended by adding the following paragraph to the Special Exceptions Section:

“Special Exceptions”

91. Notwithstanding the Rural Area policies of the Official Plan, lands described as Part of Lot 29 RCP, being part of the SW ¼, Section 19, Township of Tarentorus, located approximately 430m (1,411') north of Third Line, Civic No. 86 Old Goulais bay Road; may be used for one (1) additional rural residential lot.

INTERPRETATION

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

6(6)(a)

FOURTH LINE EAST

FOURTH LINE EAST

BAY RD

OLD GROWNS

LINE EAST

THIRD LINE EAST

THIRD LINE EAST

IRL

GREAT NORTHERN ROAD

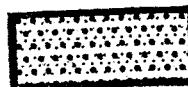
GREAT NORTHERN ROAD

SHERN ROAD

**SUBJECT
PROPERTY**

PROPOSED SEVERANCE AREA

**OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND**



RESIDENTIAL



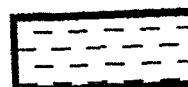
INDUSTRIAL



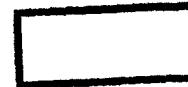
PARKS
RECREATIONAL



COMMERCIAL

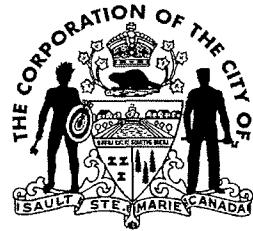


INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 136



6(6)(a)



2007 11 13

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Catherine Taddo, P. Eng.
Municipal Services Engineer

SUBJECT: **APPLICATION A-26-07-OP**
AMENDMENT TO THE OFFICIAL PLAN
MIKE BATTISTI
86 OLD GOULAIIS BAY ROAD

The Engineering Department has reviewed the above noted application and provides the following:

- There are outstanding equivalent local improvement charges that require payment at the time of severance.
- There is no sanitary lateral to the property. Therefore, payment for installation of a sanitary lateral with the appropriate permit is required at time of severance.
- A 3m road widening is required, as per the City bylaw.

If you have any questions with regards to the above, please do not hesitate to contact the undersigned.

Yours very truly,

A handwritten signature in black ink that reads "C. Taddo".

Catherine Taddo, P. Eng.
Municipal Services Engineer

c: Jerry D. Dolcetti, RPP
Jim Elliott, P. Eng.
Michelle Kelly



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

6(6)(a)

October 31, 2007

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

FAXED: (705) 541-7165

Dear Sir:

Re: A-26-07-OP – 86 Old Goulais Bay Road

We wish to confirm that we have no objection to the above application, and the Owner will be required to pay applicable watermain frontage, water service lateral and restoration charges at the rates current at the time of connection.

Yours truly,

PUC SERVICES INC.

A handwritten signature in black ink that reads "C. Stefano". The signature is written in a cursive style with a clear 'C' at the beginning and an 'S' at the end.

Claudio Stefano, P. Eng. MBA
Manager of Engineering

CS*jf

Pat Schinners

6(6)(a)

From: Don McConnell
Sent: October 29, 2007 2:07 PM
To: Pat Schinners
Subject: FW: 86 Old Goulais Bay Road Application Number: A- 26-07-OP

From: Jim Elliott
Sent: October 29, 2007 1:32 PM
To: Don McConnell
Subject: 86 Old Goulais Bay Road Application Number: A- 26-07-OP

Don McConnell
Planning Director

Subject: Request for an Amendment to the Official Plan
Application Number: A- 26-07-OP
Mike Battisti
86 Old Goulais Bay Road

Staff from the Public Works and Transportation Department has reviewed this application and have no objections. We do however request that 5% cash in lieu of parkland be retained for new lot development. In addition, staff should be aware that there is an equivalent local improvement charge if the sanitary lateral is installed to this property.

If you have any questions, do not hesitate to contact me at 759-5207.

Yours truly

J. M. Elliott, P. ENG
Deputy Commissioner
Public Works And Transportation Department



"Man and Nature"

October 29, 2007

Sault Ste. Marie Region **6(6)(a)**
Conservation Authority

Conservation Authority Comments:

Application # A-26/07-OP
Mike Battisti
86 Old Goulais Bay Road
Sault Ste. Marie

- The subject properties are 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 located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

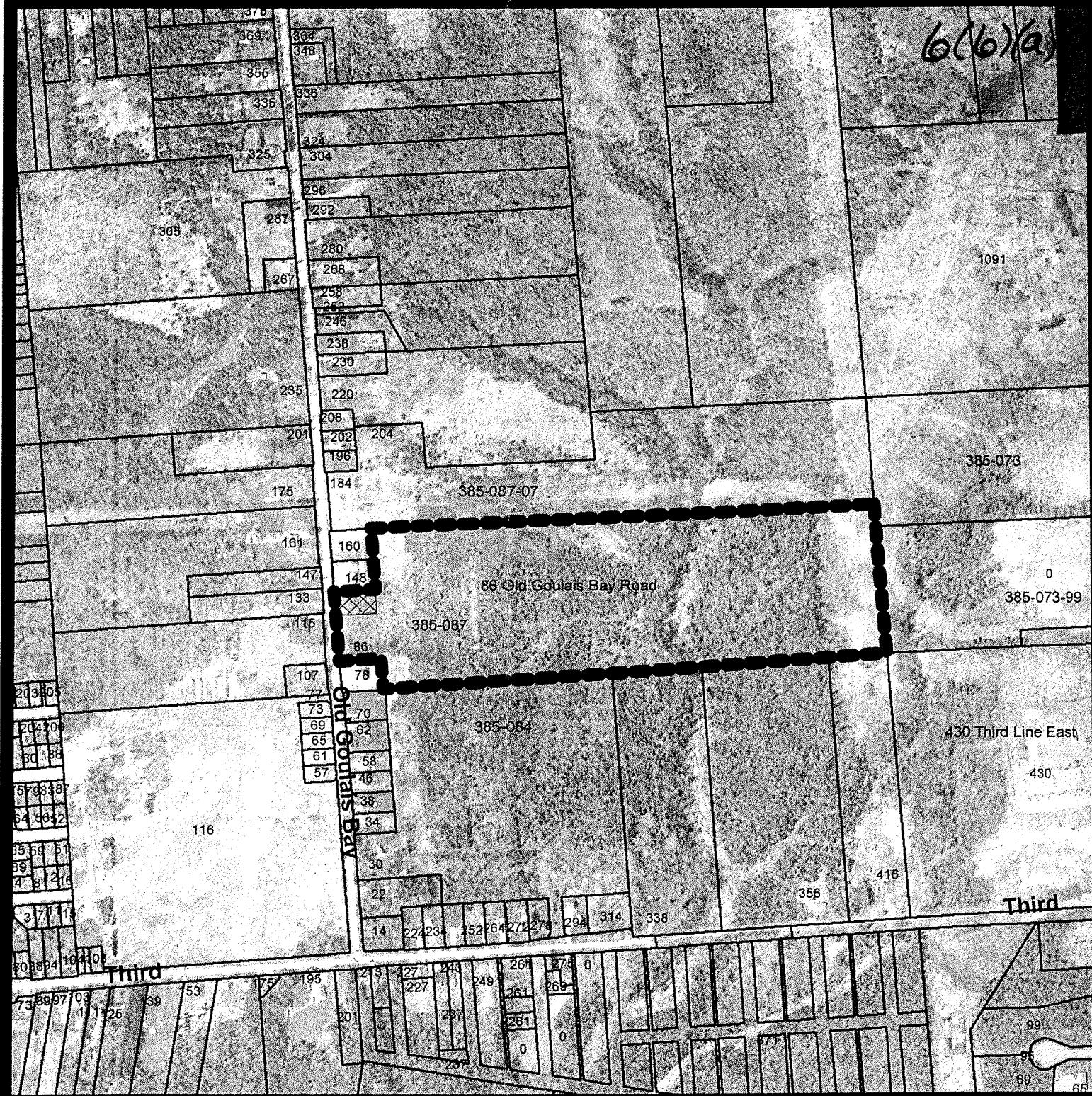
The subject property is under consideration of the Source Water Protection Program of the Conservation Authority with regard to Drinking Water Source Protection and there may be recommendations dependant on the proposed development. CA staff should review any plans prior to a Building Permit being issued for the severed property located at 86 Old Goulais Bay Road.

Sincerely,

Marlene McKinnon
GIS Specialist

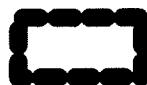
File: A-26_07-OP_29Oct07.doc

6(6)(a)



SUBJECT PROPERTY MAP

Application A-26-07-OP



SUBJECT PROPERTY - 86 Old Goulais Bay Road



PROPOSED LOT 42m X 61.9m [138' X 200']

Metric Scale
1 : 8000

Map
1-126 [111]



ZONING MAP

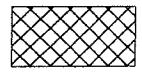
Application A-26-07-OP



Metric Scale
1 : 8000



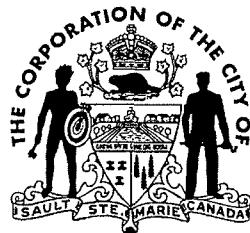
SUBJECT PROPERTY - 86 Old Goulais Bay Road



PROPOSED LOT 42m X 61.9m [138' X 200']

Map
1-126 [111]

6(6)(b)



2007 11 26

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Application No. A-23-07-Z – Major Contracting (Algoma) Ltd.

SUBJECT PROPERTY:

Location – Located on the south side of Korah Road, approximately 34m (112') west of its intersection with Cooper Street. Civic No. 1513 & 1517 Korah Road.

Size – Approximately 33.5m (110') x 49.9m (164').

Present Use – Vacant.

Owner – Major Contracting (Algoma) Ltd.

REQUEST:

The applicant, Major Contracting (Algoma) Ltd., is requesting a rezoning from "R-4" (Medium Density Residential) zone to "R-2" (Single Residential) zone to permit the creation of 3 single detached residential lots.

CONSULTATION:

Engineering – See Attached Letter.

Building Division – Outstanding sewer servicing fee owed to the School Board that the City agreed to collect 1513 Korah Road – (\$4,979).
1517 Korah Road – (\$4,000)

Legal Department – No comment.

Fire Services – No objection.

PUC Services Inc. – See Attached Letter

Conservation Authority – See Attached Letter

PWT – No comments or objections

E.D.C. – No concerns

Accessibility Committee – No concerns

PREVIOUS APPLICATIONS

In 1986 Council rezoned the subject properties, from Planned Development (PD) Zone to the Medium Density Residential (R4) Zone to permit 2 apartment buildings with a maximum of 90 dwelling units. Over the years, the subject properties were severed away from the original parcel that made up the previous application.

On October 29, 2007 Council passed a resolution to defer this application until the November 26th Council Meeting. The applicant requested the deferral in order to explore alternative servicing options for the subject properties.

Conformity with the Official Plan - 1513 & 1517 Korah Road are designated 'Residential' on Land Use Schedule C of the Official Plan. The applicant's proposal to rezone the subject properties from Medium Density Residential (R4) Zone to Single Detached Residential (R2) Zone conforms to the Residential Policies outlined in the Official Plan.

If granted this rezoning, the applicant intends to create an additional single detached residential lot. In this instance, an Official Plan Amendment is not required prior to the severance, as the subject properties are designated 'Residential' within the OP, and located within the Urban Settlement Area.

Comments

The applicant, Major Contracting (Algoma) Limited, is requesting a rezoning from Medium Density Residential (R4), to Single Detached Residential (R2) Zone, in order to develop the subject properties with single detached residences. 1513 and 1517 Korah Road have a combined frontage of approximately 45m (148') with an average depth of 33.73m (110') totalling roughly 1518m² (0.37acres). Referring to the survey attached, the applicant wishes to create a total of 3 lots each measuring approximately 15m by 33.73m (50' x 110'), with a total area of 506m² (5,447sq.ft.).

While the proposed lots meet the minimum frontage requirements for an R2 Zone, they will not meet the minimum area, which is 550m². Given the small area of the lots, and the general character of surrounding neighbourhood, it is recommended that the subject properties be rezoned to the Low Density Residential (R3) Zone, rather than the R2 Zone. A lot area of 506m² is well within the minimum requirement of 460m². While the R3 Zone permits semi-detached and duplex dwellings, the proposed lot frontages and areas will not meet the R3 lot requirements for such dwellings, thereby limiting the development to single detached residences.

The area is presently developing as a residential neighbourhood with a mixture of single and semi-detached dwellings along Cooper Street and Central Creek

Drive. Along the north side of Korah Road there are older single detached homes on large rural area lots, which were developed upon significant slope lands. The development of 3 single detached residential lots to the R3 standards fits within the existing character of the area.

The subject properties, as well as the surrounding vacant parcel are subject to Site Plan Control, as per Section 41 of the Planning Act. The R4 zoning on the abutting parcel (1521 Korah Road) permits a variety of housing types and densities, including semi's, townhousing, and apartment buildings to a maximum of 4 storeys. While it is appropriate to review the development details of a higher density R4 development, if the subject properties are 'downzoned' to R3, Site Plan Control will not be required.

Correspondence from Building and Engineering Divisions reveals that there is an outstanding sewer connection fee (cost to benefiting owners) of approximately \$8,979, payable to the City, on behalf of the Algoma District School Board. The applicant is aware of these costs, and payment will be a condition of the severance application to the Committee of Adjustment.

Discussions with Public Works and Engineering also indicated that a traditional servicing design with 3 separate laterals is not feasible in this instance, as the existing layout of services under Korah Road will require the use of a single lateral with a 'Y' in order to service the eastern most lots (Lots 1 & 2 on the survey attached). Consequently, an easement agreement between the applicant and the City will be required, to allow for future maintenance work. Such easement agreements and design details will be handled at the time of the severance application to the Committee of Adjustment. The western most lot, (Lot 3 on the survey attached) will be serviced with a traditional lateral which should not require any easements.

Correspondence from PUC Services Inc. notes that the Owner will be required to pay applicable watermain frontage and water service lateral and restoration charges at the rates current at the time of construction. The applicant is aware of this requirement, which will form a condition of the Severance Application.

The subject properties are located within the jurisdiction of the Conservation Authority. A very small portion of the north east corner of 1513 Korah Road is subject to Ontario Regulation 176/06, which in this specific case protects the slopes to the north of the subject properties. A permit from the Conservation Authority will be required prior to development. The applicant's proposal is also located within the 2-year capture zone for the municipal well intake located on Goulais Avenue. This basically means that surface water in this area percolates to the ground water aquifer and reaches the municipal wellhead within 2-years. There is a certain level of sensitivity in developing this area; however residential land uses are appropriate forms of development within the capture zones.

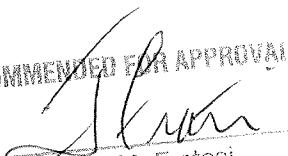
6(6)(b)

The 'downzoning' of the subject property from R4 to R3 is appropriate, and within the general character of this developing neighbourhood. While the R3 zone permits a variety of housing types, the proposed lot areas will only support single detached residences, as per the standards outlined under Section 9.7.2 of Zoning By-law 2005-150. If Council approves this proposal, the applicant is required to proceed with a Severance Application to the Committee of Adjustment. At this time, servicing details, easement provisions, and any site specific requirements will be dealt with.

Planning Director's Recommendation – That City Council approve the application and Rezone 1513 and 1517 Korah Road from Medium Density Residential Zone (R4) to Low Density Residential Zone (R3), and that Council remove the Site Plan Control Designation from 1513 and 1517 Korah Road only.

PT/pms

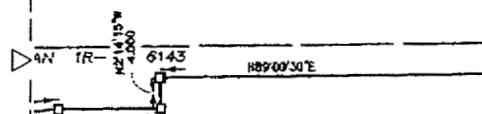
PUBLIC HEARING – 2007 11 26, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

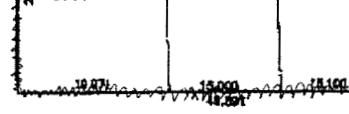


ROAD

KORAH ROAD.

PART 4
IR-9756PART 3
IR-9756PART 2
IR-2847

Subject
Properties

P.I.N.
31598-0043P.I.N.
31598-0042PART 1
IR-2847
P.I.N. 31598-0082PART 18
P.I.N. 31598-0081PART 18
P.I.N. 31598-0080PART 17
P.I.N. 31598-0078PART 16
P.I.N. 31598-0078PART 15
P.I.N. 31598-0077PART 14
P.I.N. 31598-0076PART 13
P.I.N. 31598-0075PART 12
P.I.N. 31598-0074PART 11
P.I.N. 31598-0073PART 10
P.I.N. 31598-0072PART 9
P.I.N. 31598-0071PART 8
P.I.N. 31598-0070PART 7
P.I.N. 31598-0069

PART 6

PART 5

PART 4
P.I.N. 31598-0068PART 3
P.I.N. 31598-0067PART 2
P.I.N. 31598-0066PART 1
P.I.N. 31598-0065

EXISTING LOT 5

EXISTING LOT 4

P.I.N. 31598-0065

EXISTING LOT 3

P.I.N. 31598-0064

EXISTING LOT 2

P.I.N. 31598-0063

EXISTING LOT 1

P.I.N. 31598-0062

EX 2 FAMILY SUBDIVISION

PLAN OF SURVEY OF
PART OF W 1/2 OF NW 1/4
SECTION 26

In the
TOWNSHIP OF KORAH
now in the

CITY OF SAULT STE. MARIE
DISTRICT OF ALGOMA

SCALE 1 : 1000

For Survey

J.M. MILLAR CORP.
ENGINEERS

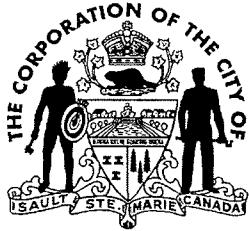
13143 INDUSTRIAL COURT B SAULT STE. MARIE, ONTARIO P6A 2L2
PH. 254-7640 FAX 254-2588

PROPOSED

KORAH ROAD -3 lots

FOR MAJOR CONTRACTING
302 BAY STREET
SAULT STE. MARIE ON.
CONTRACT 07036

(9799)



2007 10 04

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Catherine Taddo, P. Eng.
Municipal Services Engineer

**SUBJECT: APPLICATION A-23-07-Z
MAJOR CONTRACTING (ALGOMA) LTD.
1513 AND 1517 KORAH ROAD**

The Engineering Department has reviewed the above noted rezoning application and has comments relating to sanitary sewer connection costs.

The Algoma District School Board installed the Korah Road sanitary sewer that abuts the subject property to the north. Therefore, if this sanitary sewer is connected to, cost to benefiting owners applies. Please refer to the attached correspondence that outlines the costs associated with each of the lots.

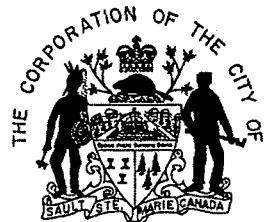
If you have any questions, please advise.

Yours very truly,

Catherine Taddo, P. Eng.
Municipal Services Engineer

c: Jerry D. Dolcetti, RPP
Jim Elliott, P. Eng.

6(b)(b)



2003 03 27

Our File: A-02-5-02

MEMO TO: Maurice Kukoraitis, P. Eng.
Director of Engineering Design and Buildings

FROM: Susan Hamilton, P. Eng.
Design & Subdivision Engineer

RE: Korah Road Sanitary Sewer
from Cooper Street to 200 m West of Cooper Street

Please find attached correspondence to the Algoma District School Board regarding the above, dated March 26, 2003. Table 1 of that submission lists each of the civic addresses affected and the costs owed to the Board prior to connection to the system. It should be noted that laterals have been brought to the property line of civic addresses 1513 and 1520 only.

It is assumed that 1517 and 1521 Korah Road will be serviced from the south, however, should connection to Korah Road ever be required these costs will apply. 1520 Korah Road will only be affected if a severance is processed and a connection to the Korah Road sewer to the south is required.

Could you please ensure the appropriate building files are 'flagged' with this information in order to fulfill our commitment to the Board? Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in black ink that reads "Susan Hamilton".

S. Hamilton, P. Eng.
Design & Subdivision Engineer

SH/sh: H:\Word\Design\M Kukoraitis re servicing korah rd properties.doc

Attach.

6(6)(b)

Engineering & Planning Department
Engineering & Construction Division



2003 03 26
Our File: A-02-5-02

FAXED
for Dave

VIA FAX 759-2811

Mr. Dave Steele
Operations Manager
Plant Department
Algoma District School Board
190 Northern Avenue
Sault Ste. Marie, ON P6A 2K7

Dear Mr. Steele:

**RE: KORAH ROAD SANITARY SEWER – SERVICING AGREEMENT
FROM COOPER STREET TO 200M WEST OF COOPER STREET**

Please accept this letter as confirmation of receipt of Walker Engineering's statement of costs relating to the above noted project, dated March 25, 2003. This letter will also confirm approval and acceptance of the statement of cost by the Commissioner of Engineering & Planning as is required by the Servicing Agreement in place between Algoma District School Board and the City of Sault Ste. Marie.

In compliance with condition 12 of the agreement "the City agrees to attempt to collect the development costs from the owners of the adjacent properties who wish to connect to the sanitary sewer before a building permit or sewer connection permit is issued." Based on the March 25th submission, Table 1 as attached, summarizes our understanding of the costs owed by each of the abutting properties.

It is the intention of the City to include in each of the appropriate building files a memorandum explaining the above and requiring notification as to the satisfaction of the Algoma District School Board regarding the costs owed to them. Upon receiving notification in writing from the Board the sewer connection permit will then be issued to the owner.

*naturally
gifted*

.../2

6(6)(b)

2003 03 26
Page two

Should you have any questions or wish to discuss any of the above please do not hesitate to contact the undersigned.

Yours truly,



Susan Hamilton, P. Eng.
Design & Subdivision Engineer

SH/al
Attach

c: Monte Lucas, Wm. R. Walker Engineering Inc.

6(6)(b)

**Table 1: Costs to Benefitting Owners
of the Korah Road Sanitary Sewer Extension**

Korah Rd. Civic Address	Frontage (m)	Cost Based on Rate (\$160./m)	Lateral Installed to Property Line	Lateral Fee Owing to ADSB (\$979/lat.)	Total Cost Owing ADSB	Comments
1500	39	6,295	no	0	6,295	Should a severance be processed, the per metre rate will be applied to the frontage of the newly created lot if a connection is desired to the Korah Road sewer
1513	25	4,000	yes (1)	979	4979	Applicable prior to connection to system
1517	25	4,000	no	0	4000	Should this lot be serviced from the north this fee shall be applicable – if it is serviced from the south (Central Creek Drive) no charge will be owing to the ADSB
1521	76	12,169	no	0	12169	Should this lot be serviced from the north this fee shall be applicable – if it is serviced from the south (Central Creek Drive) no charge will be owing to the ADSB
1520	116	18,629	yes (2)	1,958	20587	Should this property choose to connect as a whole these fees are applicable; as a severance is predictable - two laterals have been installed



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

6(b)(b)

October 9, 2007

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

FAXED: (705) 541-7165

Dear Sir:

Re: A-23-07-Z
1513 & 1517 Korah Road

We wish to confirm that we have no objection to the above application, and the Owner will be required to pay applicable watermain frontage, water service lateral and restoration charges at the rates current at the time of connection.

Yours truly,

PUC SERVICES INC.

Claudio Stefano, P. Eng. MBA
Manager of Engineering

CS*jf



"Man and Nature"

October 9, 2007

Sault Ste. Marie Region Conservation Authority

6(6)(b)

Conservation Authority Comments:

Application # A-23/07-Z
Major Contracting (Algoma) Ltd.
1513 & 1517 Korah Road
Sault Ste. Marie

- The subject properties are 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 located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

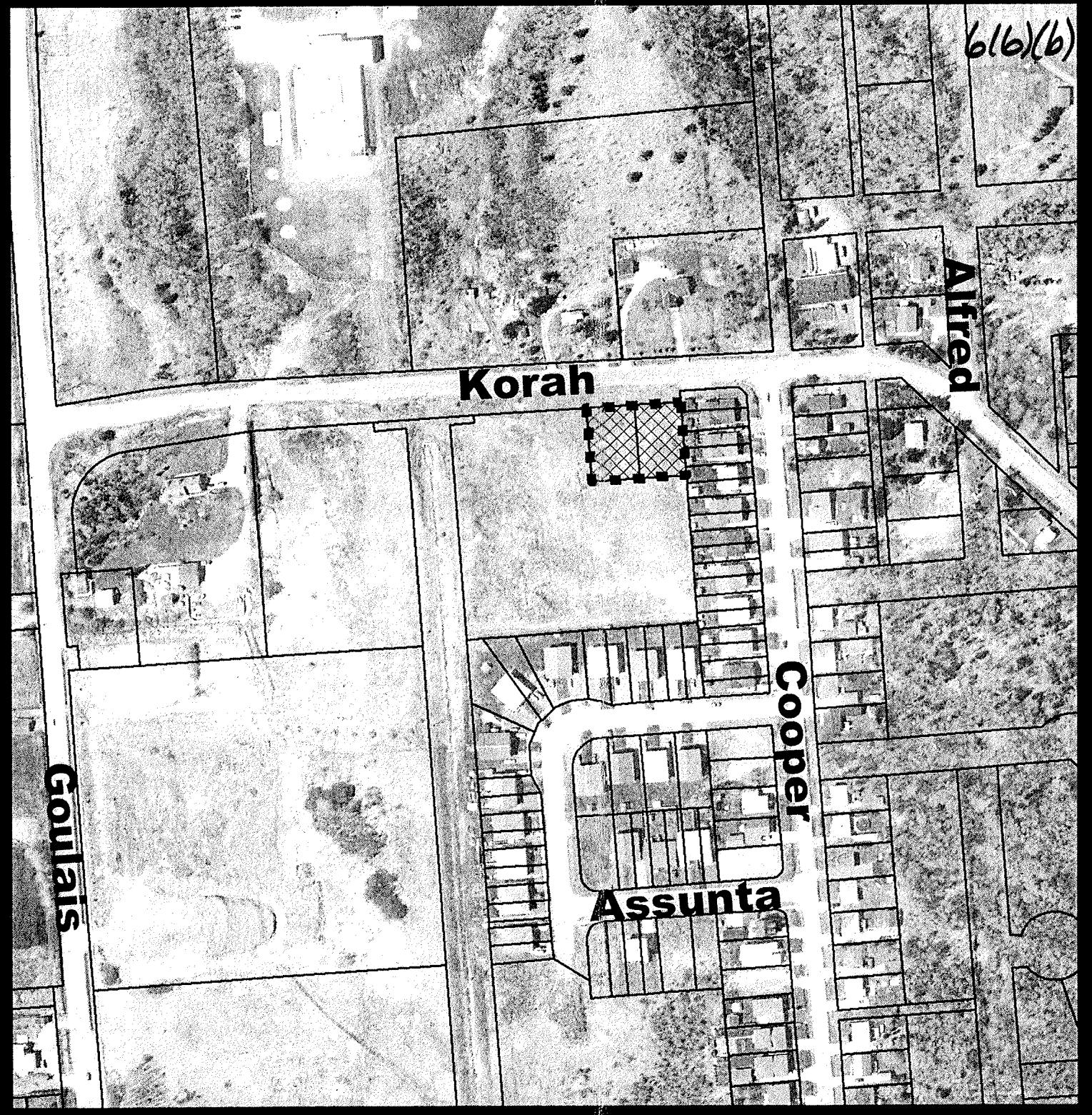
The subject property is under consideration of the Source Water Protection Program of the Conservation Authority with regard to Drinking Water Source Protection and there may be recommendations dependant on the proposed development. CA staff should review any plans prior to a Building Permit being issued for the new lots created in the proposed severance.

Sincerely,

Marlene McKinnon
GIS Specialist

File: A-23_07-Z_9Oct07.doc

6(6)(b)



2004 ORTHO PHOTO

APPLICATION A-23-07-Z

Legend



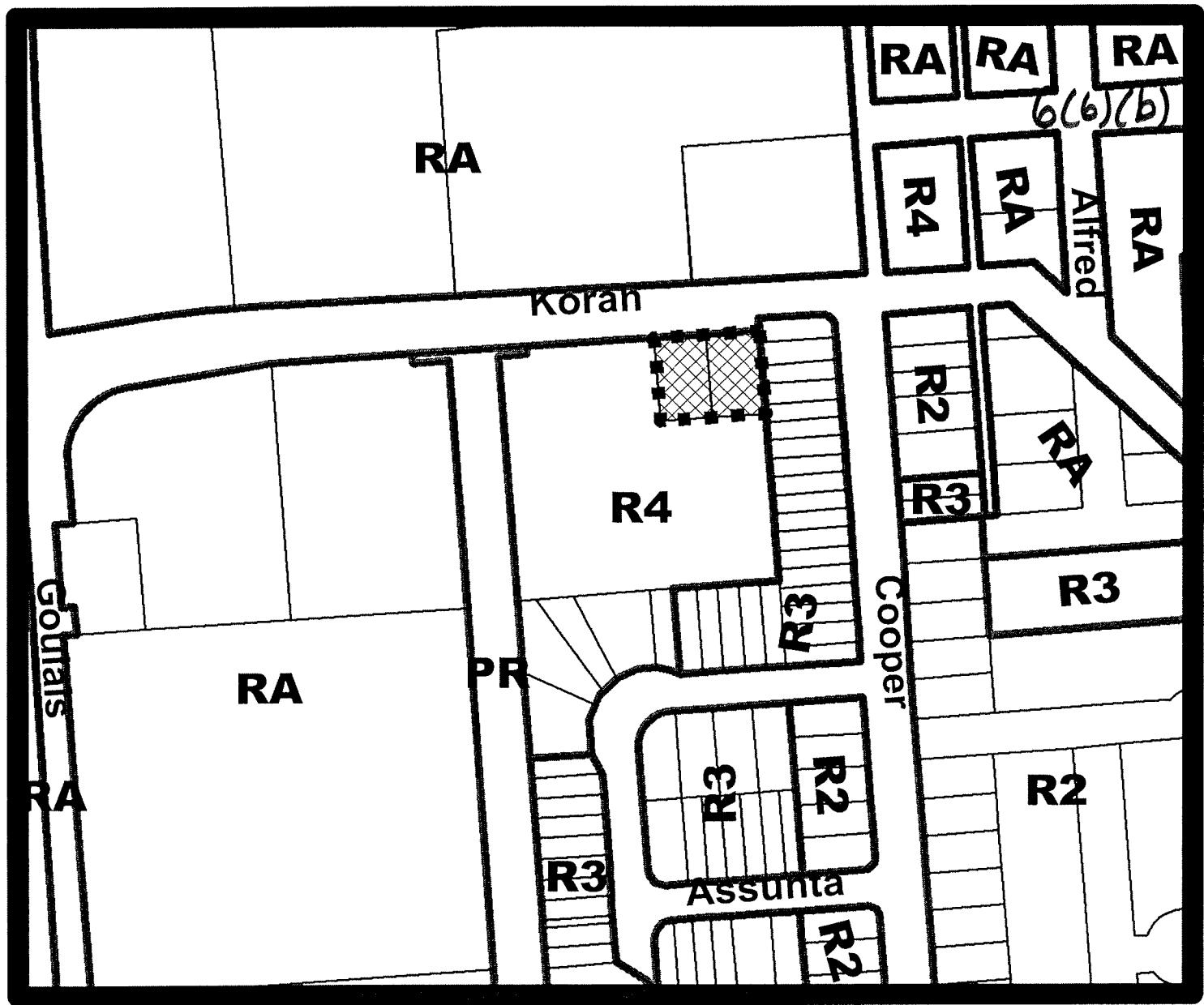
SUBJECT LAND - 1513 & 1517 Korah Road



Metric Scale

1 : 3000

Map 1-106



ZONING MAP

Zoning Application A-23-07-Z

1513 & 1517 Korah Road

SUBJECT LAND - 1513 & 1517 Korah Road

R2 - Single Detached Residential Zone

R3 - Low Density Residential Zone

R4 - Medium Density Residential Zone

RA - Rural Area Zone; RAhp

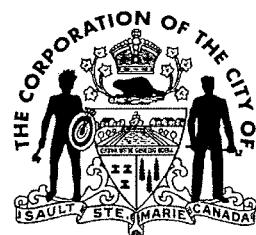
PR - Parks and Recreation Zone



Metric Scale
1 : 3000

Map 1-106

6(6)(c)



2007 11 26

REPORT OF THE GATEWAY PROJECT TEAM

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Gateway Project – Next Steps

On November 13th 2007, City Council decided to terminate the City's contractual relationship with both Legacy Quest Development Inc. and the Economic Development Corporation with regard to the Legacy Quest contracts. City Council also requested the Gateway Project Team to meet and consider options for the possible development of the Gateway property.

The City's Gateway Project Team consisting of Councillor Bryan Hayes, Councillor Susan Myers, Bill Freiburger, Don McConnell (Chair), Jerry Dolcetti (Project Lead), Joe Fratesi, Nuala Kenny and Shelley Schell met on November 16th and this report summarizes their recommendation.

The committee agrees that any development of the Gateway site should achieve the following four objectives:

- create a major, prestigious tourist attraction that will make a significant and lasting contribution to tourism in the Sault Ste. Marie area
- act as a catalyst for further economic development
- create jobs, and
- operate without public subsidies or contributions (excluding initial NOHFC contribution)

Given that any development on the Gateway site that is consistent with the City - NOHFC funding agreement will involve both public property and public funds, a new Request For Qualifications to select a suitable developer is strongly recommended.

6(b)(c)

Considering the magnitude and complexity of this type of development, a Request for Qualifications (RFQ) is preferred as the first part of a two-part selection process rather than seeking a comprehensive Request for Proposals (RFP) at this time. This allows the City an opportunity to evaluate the qualifications of interested parties without requiring them to complete a comprehensive and expensive RFP response.

The RFQ document will incorporate information on the property including environmental conditions and available servicing, the RFQ approval process and criteria to be used for the evaluation of responses.

Suitable RFQ responses must include information on:

- a general description of the tourism attraction and any other project components,
- experience of the principal company and partners in developing and operating large tourism attractions,
- record of financial strength and financing capabilities,
- business approach to the development of the project, and
- demonstrated ability to work cooperatively with a broad range of governmental agencies.

Although the RFQ can be prepared for release within the next few weeks, it is recommended that potential proponents be given until February 15th 2008 to submit a response, given the upcoming Christmas holidays.

Following receipt of the RFQ submissions, a further report and recommendation concerning the selection of one or more suitable developers will be made by the City's Gateway Project Team prior to the preparation of a comprehensive proposal.

The City's Gateway Project Team will work closely with the Economic Development Corporation throughout this process.

Gateway Project Committee Recommendation – That City Council authorize the Gateway Project Team to prepare and issue a new Request For Qualifications (RFQ) for a major tourism project on the Gateway property.

DBM/pms

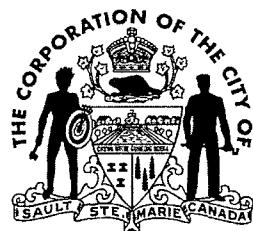
Data\APPL\REPORT\Gateway RFQ Report-DM.doc

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

6(6)(d)



2007 11 26

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT
PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Industrial Community Improvement Plan

Part IV of the Planning Act allows a municipality to acquire and clear land; construct, repair, rehabilitate or improve buildings; make grants or loans; and provide tax assistance in areas where City Council wishes to provide an incentive for the betterment of the area.

In the past several years, a number of Ontario municipalities have begun using Community Improvement Plans as an incentive to encourage particular types of development in selected areas under specific conditions including Cornwall, Hamilton, North Bay, Oshawa and Sudbury.

The City of Sault Ste. Marie Official Plan already includes a provision to allow for the development of Community Improvement Plans. Specifically, Part VII (Section 9) states "Council made by by-law designate an area or areas within the municipality as a Community Improvement Area. Within areas so designated, Council may carry out such improvements to the land or structures and/or administer grants or loans in accordance with its adopted improvement strategy for that area."

Earlier this year, City Council approved a Community Improvement Plan (CIP) for the Downtown which included the use of property tax credits as an incentive to encourage new development. This incentive was very well received with two projects (waterfront condominium and medical students housing project) valued at \$6.4 million having been approved.

It is recommended that a similar approach be adopted on those lands zoned "M3" (Heavy Industrial) throughout the City to attract new industrial investment and employment, to further diversify the local economy and increase the

6(6)(d)

municipality's industrial tax base. This approach will provide our Economic Development Corporation with a powerful marketing and incentive tool, and greatly assist their ongoing discussions with various potential private sector investors. Bruce Strapp, the Chief Executive Officer of the EDC has expressed his strong support for this proposal.

The City's Commissioner of Finance has cautioned that this approach should not be seen as setting a precedent for allowing commercial and other types of businesses to expect similar assistance in the future.

The focus will be on new manufacturing businesses and investment, and not simply a relocation of existing jobs within the community. In summary, only those manufacturing companies with more than 80% of their market outside of Sault Ste. Marie would be eligible. It should be noted that the amount of property tax currently being paid is not reduced, but that tax increases resulting from new building investment may be phased in over a period of time of three to five years.

Given that the CIP will have a limited time frame; this approach may encourage industries to accelerate their proposed investment programs. Algoma Steel has already contacted the City suggesting that their plans would likely be advanced if the benefits of a CIP were available to them.

Should Council agree with this recommendation, staff will prepare a detailed Community Improvement Plan indicating the areas to which this would apply, the types of uses that would be eligible, and conditions associated with any property tax rebate approvals. This draft document will be reviewed by the Province to ensure compliance will all relevant legislation.

The process is similar to an Official Plan Amendment in that appropriate notice must be given; City Council must hold a public meeting; and the Plan must be adopted by By-law. Following City Council's approval of the Plan, individual applications may be received for Council's consideration.

Planning Director's Recommendation - That City Council authorize the preparation of a Community Improvement Plan for selected industrial areas and uses as permitted by Part IV of the Planning Act.

DBM/pms

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-204

AGREEMENT: (File No. E.3.1) A by-law to authorize an agreement between the City and Batchewana First Nation of Ojibways for the provision of sewer services to the Rankin Location Indian Reserve No. 15D.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the City 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 November 26, 2007 and made between the City and the Batchewana First Nation of Ojibways for the provision of sewer services to the Rankin Location Indian Reserve No. 15D.

2. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the date of its final passing.

READ THREE times and PASSED in Open Council this 26th day of November, 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" TO BY-LAW NO. 2007-204

10(a)

CITY OF SAULT STE. MARIE

SEWER SERVICE AGREEMENT

THIS AGREEMENT made this 26th day of November 2007.

B E T W E E N

**THE CORPORATION OF THE CITY
OF SAULT STE. MARIE**

hereinafter called the "**City**"

OF THE FIRST PART

- AND -

**BATCHEWANA FIRST NATION
OF OJIBWAYS**

hereinafter called the "**First Nation**"

OF THE SECOND PART

WHEREAS the Rankin Location Indian Reserve No. 15D, in the Province of Ontario, has been set apart for the use and benefit of the Batchewana First Nation and is a "reserve" within the meaning of Subsection (1) of Section 2 of the Indian Act, "as amended".

WHEREAS the City and the Minister of Indian Affairs and Northern Development entered into an agreement dated the twenty-first day of September, 1970 (Schedule "A" to City By-law No. 70-331), concerning the provision of sewer services to the Rankin Location Indian Reserve No. 15D;

WHEREAS THE First Nation has extended further sewer services into the Rankin Location Indian Reserve No. 15D, over those agreed upon in the said agreement, dated the twenty-first day of September, 1970;

NOW THEREFORE in consideration of the mutual covenants hereinafter set forth the City and the First Nation do hereby covenant, promise and agree the one with the other as follows:

1. In this Agreement:

- (a) "City" means the Corporation of the City of Sault Ste. Marie;
- (b) "City Sewer" means a main sanitary sewer (of the City) outside the Rankin location;
- (c) "Commissioner of Engineering and Planning" means the Commissioner of Engineering and Planning of the City or any designated staff;
- (d) "First Nation" means the Batchewana First Nation of Ojibways;
- (e) "First Nation Sewer" means a main sanitary sewer inside Rankin.

10(a)

- (f) "Private Lateral Connection" means a drain through which sewage is discharged into a First Nation Sewer from a building in Rankin;
 - (g) "Public Utilities Commission" means the Sault Ste. Marie Public Utilities Commission; and
 - (h) "Rankin" means the Rankin Location 15D.
2. Execution of this Agreement shall terminate the herein above recited agreement, dated the twenty-first day of September, 1970, between the Minister of Indian Affairs and Northern Development and the City.
 3. The City will receive into the City Sewers all sanitary sewage discharged from the First Nation Sewers which are connected to the City Sewers on August and Frontenac Streets near the west boundary of the Rankin, subject, however, to the First Nation complying with the other provisions of this agreement.
 4. (1) No First Nation Sewers shall be constructed if such First Nation Sewers are to be connected to the City Sewers unless:
 - a) a firm of consulting Professional Engineers, appointed by the First Nation and approved by the City, designs them and supervises their construction; and
 - b) all construction plans and specifications shall have been submitted to the Commissioner of Engineering and Planning for approval and he shall have approved their location, standards, method of construction and all related specifications, and
 - c) sewage discharged to a First Nation Sewer meets the requirements of City Sewer Use By-law 4440, as amended, and
 - d) approval has been received from Environment Canada and the Ministry of Indian Affairs for the proposed sewers.

(2) No construction shall begin until the approvals mentioned in Subsection (1) have been received and the contractor performing the construction work has been approved by the Commissioner of Engineering and Planning.
 5. The completed First Nation Sewers shall be subject to inspection and acceptance by the City. The completed First Nation Sewers must pass an infiltration test with a maximum leakage of 0.075 litre/hr/mm dia. per 100m of sewer.
 6. (1) The First Nation agrees to have the contractor who installs the First Nation Sewers guarantee the First Nation Sewers and appurtenances for thirteen (13) months. Prior to final acceptance, the First Nation Sewers are to be cleaned and inspected with closed circuit television equipment and any deficiencies found are to be corrected. The First Nation agrees to pay the City's reasonable and justifiable costs for carrying out the cleaning and inspection upon receipt of an invoice.
 - (2) The First Nation agrees that if a private lateral connection is installed without an inspection by the representative from the First Nation, the First Nation will pay the City's reasonable and justifiable costs of inspecting the connection at the main sewer with a closed circuit television camera. If there appears to be a problem with the private lateral connection, the First Nation agrees to arrange for the said connection to be dug up, inspected, repaired or reconstructed. The repaired or reconstructed private lateral connection must be inspected by the Commissioner of Engineering and Planning before it is backfilled.

10(a)

7. This agreement shall not come into force until a Band Council Resolution has been made by the Council of the First Nation, pursuant to Section 81 of the Indian Act, as amended and has been allowed to come into force, or has been caused to come into force, by the First Nation, pursuant to Subsection (2) of Section 82 of the said Act, to ensure that:
 - a) Sections 1, 2, 3, 4, 6 and 7 of City Sewer Use By-Law 4440, as amended, read and construed with such changes as required so as to be appropriate for sewage services on the Rankin;
 - b) before a private lateral connection is made from a building to a First Nation Sewer, an inspection by a representative from the 'First Nation shall take place;
 - c) the inspection shall contain such information as the First Nation representative shall require to ascertain the location standards and manner of construction of the private lateral connection;
 - d) no such private lateral connection shall be covered with earth until it has been inspected by a representative from the First Nation;
 - e) that the purchaser(s) or assignee(s) of any lot fronting on the proposed works be advised by the Band of this clause in the agreement.
8. The First Nation acknowledges that a sewer levy, pursuant to City By-Law No. 85-101 amended by By-Law No. 88-306, shall be rendered on all water bills for those buildings on the Rankin from which sewage is discharged through a private lateral connection and that the Owners and Tenants of the said buildings shall be advised of the existence of this levy.

The Owners and/or Tenants of all buildings on the Rankin from which sewage is discharged through a private lateral connection, shall pay to the Public Utilities Commission a sewer rate for the use of water on the Reserve, by the same percentage by which the Public Utilities Commission increases the water rates charged for the use of water in the City, pursuant to City By-Law No. 85-101 as amended or replaced from time to time. Failure to pay such charges will result in interruption of service in accordance with Public Utilities Commission policies, in a manner consistent with that applied to City residents. The First Nation shall not be responsible or liable for payment of the sewer service rate to be collected and paid according to the foregoing provisions of this clause.
9. The City is under no obligation to receive sewage or effluent from any private lateral connection otherwise than in accordance with this Agreement. If a private lateral connection is not constructed in accordance with this Agreement, then the First Nation shall forthwith cause such private lateral connection to be repaired or reconstructed so as to conform to the requirements of this Agreement.
10. All First Nation Sewers and private lateral connections in the streets of the First Nation shall be maintained, repaired and replaced by the First Nation at the expense of the First Nation. Such maintenance, repair or replacement shall be directed by the First Nation in a manner consistent with good engineering practice.
11. The First Nation may construct or cause to be constructed private lateral connections for no more than one hundred and sixty (160) dwelling units, or for buildings discharging sewage in a quantity of flow equivalent to no more than one hundred and sixty (160) dwelling units, to be served by the sanitary sewer system connected to the City Sewer at Frontenac Street, and for no more than two hundred

10(a)

- 4 -

(200) dwelling units, or for buildings discharging sewage in a quantity of flow equivalent to no more than two hundred (200) dwelling units, to be serviced by the sanitary sewer system connected to the City Sewer at Vera Street/August Street.

12. The First Nation agrees to ensure that at the time of construction, and throughout the period of use of each lateral service, no foundation weeping drains, roof drains or sump pumps or any other drain for ground or surface water will be permitted to be connected to the First Nation Sewer.
13. The City agrees to use reasonable diligence in providing a regular uninterrupted sewerage service, but does not guarantee a constant service, and shall not be liable for damages caused by an interruption in service. The City may block any sewer to perform necessary work but shall do so in a manner to cause the least inconvenience to 'First Nation customers.'
14. The First Nation agrees not to construct or install a private lateral connection for other than dwelling units without permission of the Commissioner of Engineering & Planning. The First Nation further agrees to provide all data required by the Commissioner of Engineering & Planning in order to determine acceptability of the waste and the equivalent number of dwelling units based on the quantity of flow.
15. After this Agreement comes into force, it shall remain in force until the 31st day of December 2020, unless either party desires to terminate this Agreement at the end of any calendar year, which it may do by giving the other party six (6) months notice in writing of its intention to do so. The City, however, agrees it will not terminate the Agreement without good reason and that it will supply sewerage service as long as the First Nation complies with this Agreement and as long as the City is physically able to supply such sewerage service without impairing the sewerage service to users in the City of Sault Ste. Marie.
16. After consultation between the Commissioner of Engineering and Planning and the First Nation representative, the Commissioner of Engineering and Planning is hereby authorized to enter upon the streets and other property of the Rankin at all reasonable times to make inspections or tests concerning any matter connected with the operation, maintenance, construction or repair of sewers or the uses thereof or connections thereto or any other matter related thereto or to this agreement.
17. Whenever under this Agreement the approval or permission of the Commissioner of Engineering & Planning is required, such approval or permission shall not be unreasonably refused or denied.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

THE CORPORATION OF THE CITY OF
SAULT STE. MARIE

(SEAL)

MAYOR - JOHN ROWSWELL

CLERK - DONNA P. IRVING

FINAL

10(a)

BATCHEWANA FIRST NATION

WITNESS


(NAME AND POSITION)

(SEAL)

WITNESS


(NAME AND POSITION)

(SEAL)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-203

10(b)

**AMENDMENT TO BOUNDARIES OF URBAN SERVICE AREA
(L.2.2.) – AMALGAMATION ORDER N. 4804-63 (Part 2)**

A by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area.

IN THE MATTER OF Section 370.1(1) of the Municipal Act, S.O. 2001, c. 25.

-and-

IN THE MATTER OF an application by The Corporation of the City of Sault Ste. Marie pursuant to subsection 1 of Section 370.1 of the Municipal Act for a supplementary order to alter the boundaries of the urban service area defined in Schedule "A" to the Ontario Municipal Board Order dated May 17, 1965.

WHEREAS the said supplementary order dated May 17, 1965 defined the boundaries of an "urban service area" to be established for The Corporation of the City of Sault Ste. Marie;

AND WHEREAS the boundaries of the urban service area have previously been changed as follows:

BY-LAW NO.	O.M.B DATE OF APPROVAL	O.M.B. FILE NO.
78-122	September 19, 1978	M 78106
88-193	November 18, 1988	M 8800070
90-34	April 20, 1990	M 900039
92-5	February 24, 1992	M 920022
93-91	August 31, 1993	M 930088
94-20	March 25, 1994	M 940027
94-109	August 22, 1994	M 940067
97-136	November 10, 1997	M 970089
2000-24	July 20, 2000	M 000013
2001-175	December 7, 2001	M 010083
2004-53	March 8, 2004	M 040033
2006-54	April 24 th , 2006	M060039

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

AND WHEREAS the Council of The Corporation of the City of Sault Ste. Marie wishes to change the boundaries of the said urban service area.

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions of subsection 370.1(1) of the Municipal Act, S.O. 2001, c. 25 and amendments thereto, ENACTS as follows:

1. **APPLICATION TO ONTARIO MUNICIPAL BOARD**

The City Solicitor is hereby authorized and instructed on behalf of The Corporation of the City of Sault Ste. Marie to apply to the Ontario Municipal Board for an order supplementary to the order made by the Ontario Municipal Board on May 17, 1965 which application will request the Ontario Municipal Board to amend the said supplementary order as hereinafter indicated.

10(b)

2. **PROPOSED AMENDMENT**

It is proposed to amend Schedule "A" attached to the said supplementary order dated May 17, 1965 as amended by incorporating:

(a) the addition outlined on Page 1 of Schedule "A" this by-law, which schedule consists of a map showing the expanded urban service line area for municipal water services only as follows:

Page 1 of Schedule "A": To include Civic Nos. 4075 and 4098 Queen Street East for municipal water services only.

(b) the addition outlined on Page 2 of Schedule "A" to this by-law, which schedule consists of a map showing the expanded urban service line area for municipal services as follows:

Page 2 of Schedule "A": To include Civic No. 817 Third Line East for municipal water and sewer services.

3. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

4. **BY-LAW 2006-213 REPEALED**

By-law 2006-213 is hereby repealed.

5. **EFFECTIVE DATE**

This by-law takes effect on the final date of its passing

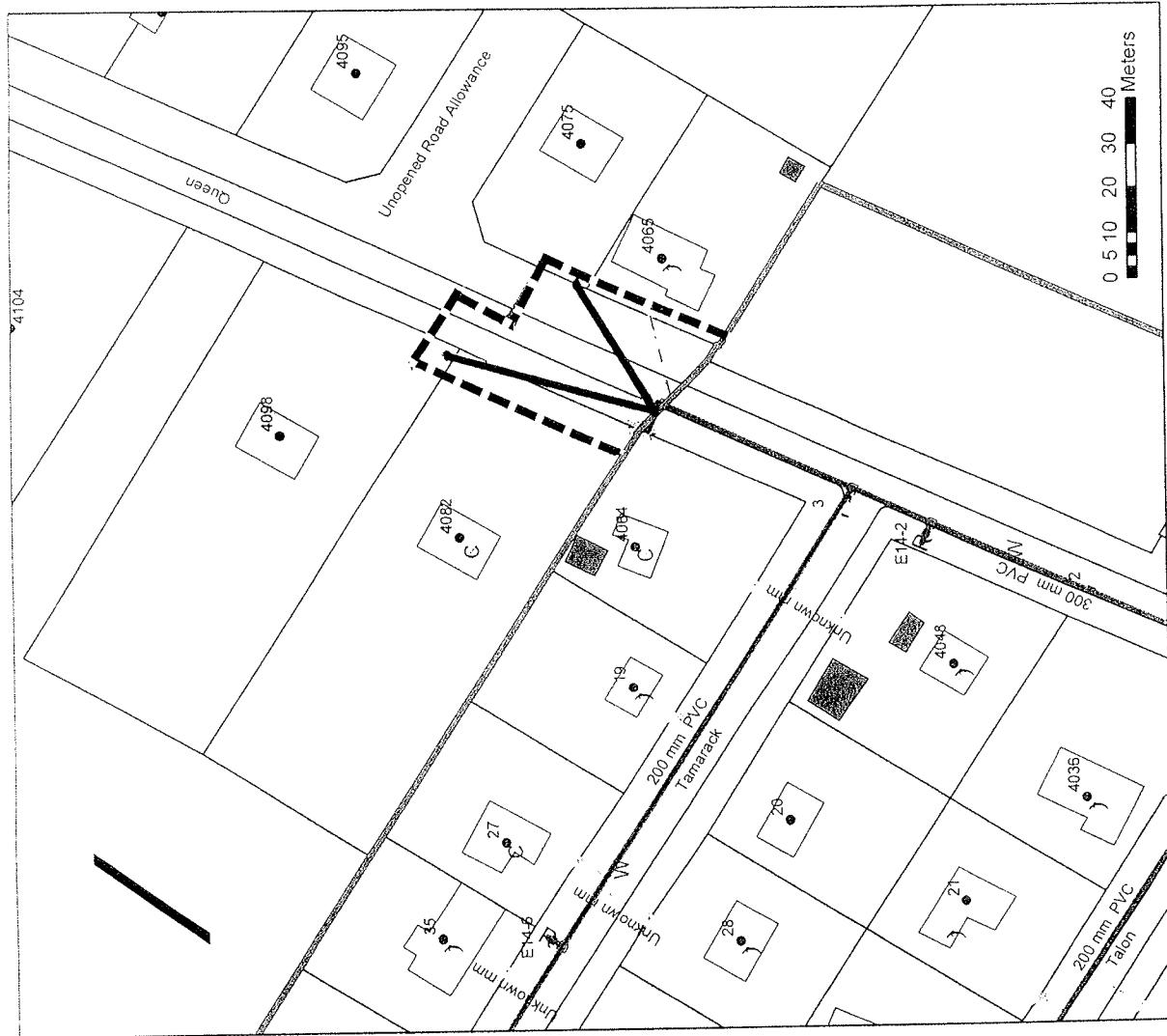
READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

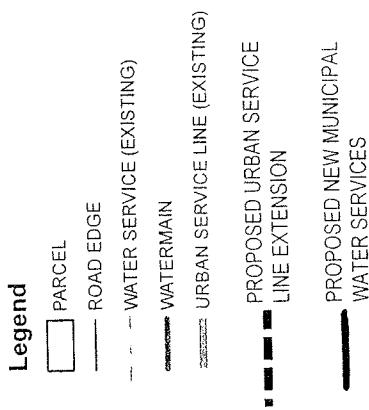
PAGE 1 of SCHEDULE "A"
TO BY-LAW 2007-203 OF THE CORPORATION OF THE CITY OF
SAULT STE. MARIE READ THREE TIMES AND PASSED IN OPEN
COUNCIL THIS 26TH DAY OF NOVEMBER, 2007.

10(b)



Proposed Municipal Water Service at Civic No. 4075 and 4098 Queen Street East

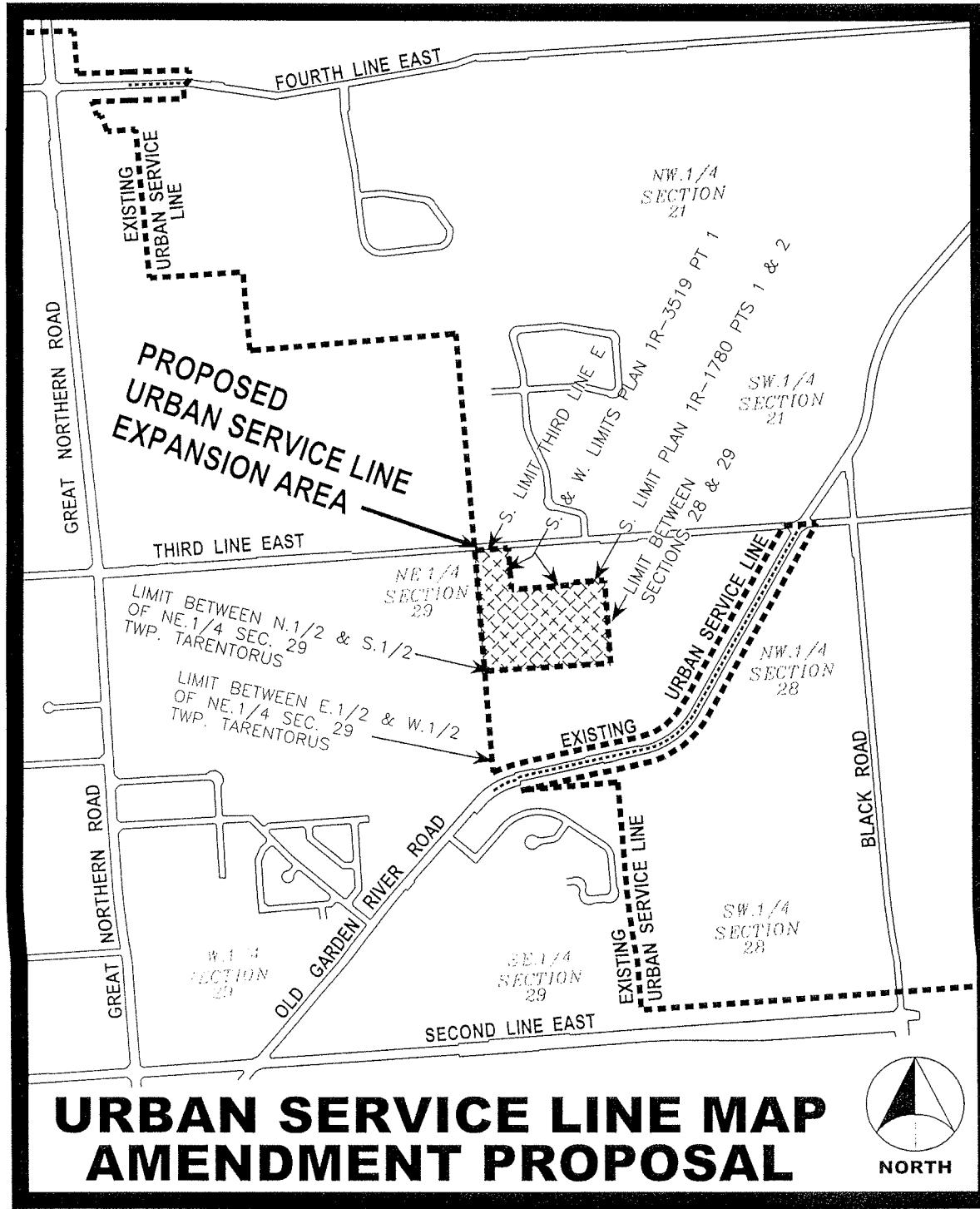
Request from: Successful Petition



Prepared by: A. Hallett
Date: 2007-11-12

10(b)

PAGE 2 OF SCHEDULE "A"
TO BY-LAW 2007-203 OF THE CORPORATION OF THE CITY OF
SAULT STE. MARIE READ THREE TIMES AND PASSED IN OPEN
COUNCIL THIS 26TH DAY OF NOVEMBER, 2007.



10(c)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW NO. 2007-195

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 135 to the Official Plan.

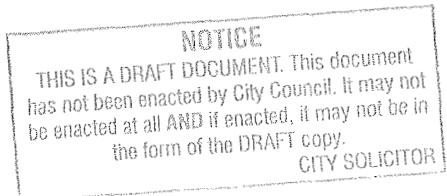
THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows;

1. The Council hereby adopts Amendment No. 135 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 26th day of November, 2007

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING



10(c)

OFFICIAL PLAN AMENDMENT NO. 135
TO THE
SAULT STE. MARIE OFFICIAL PLAN

PURPOSE:

This Amendment is an amendment to Schedule "C" of the City of Sault Ste. Marie Official Plan, as well as a text amendment relating to the Rural Area Policies in the Official Plan.

LOCATION:

PIN's 31483-0010, 0040, 0043, 0045, 0046, 0047, 0048, 0049, 0050, 0051, 0074, 0075, bounded by St. Mary's River to the south, Trunk Road to the north, the Eastern City Limit to the east, and Fournier Road to the West; Zoning Map 1-45.

BASIS:

This Amendment is necessary in view of the request for Draft Plan of Subdivision in order to develop the property for commercial and rural residential purposes.

The proposal does not conform to the existing Commercial and Rural Area policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan to the following:

1. Re-designating Blocks 43 & 44 of the subject property from "Industrial" to "Commercial".
2. Re-designating Block 46 from "Rural Area" to "Commercial"
3. A notwithstanding clause to the Rural Area Policies of the OP in order to permit the development of a 39 Lot rural estate subdivision.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

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

1. Re-designating Blocks 43 & 44 of the subject property from "Industrial" to "Commercial".
2. Re-designating Block 46 from "Rural Area" to "Commercial"
3. A notwithstanding clause to the Rural Area Policies of the OP in order to permit the development of a 39 Lot rural estate subdivision.

And, by adding the following paragraph to the Special Exceptions section:

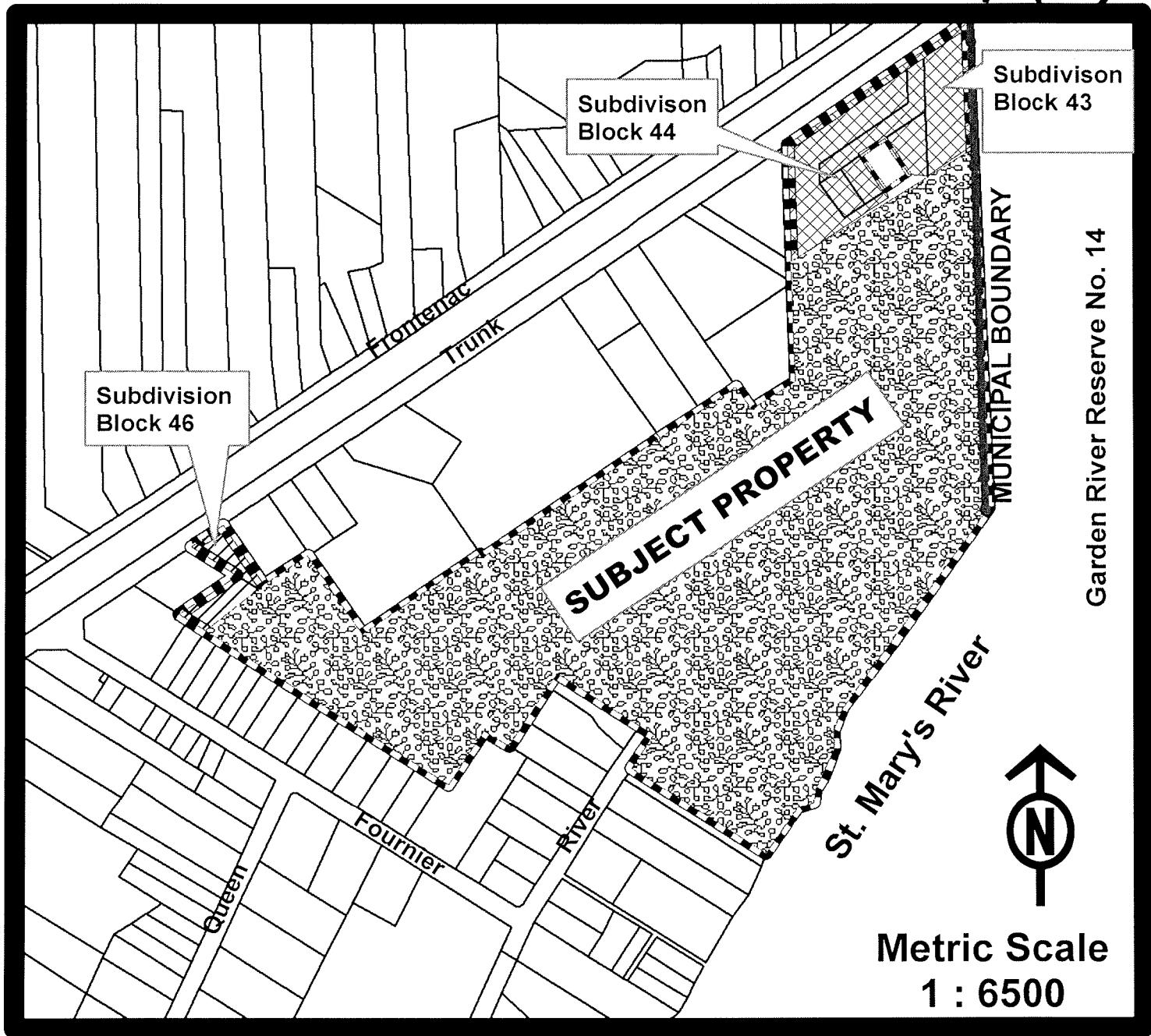
"Special Exceptions"

90. The properties described as, PIN's 31483-0010, 0040, 0043, 0045, 0046, 0047, 0048, 0049, 0050, 0051, 0074, 0075, bounded by St. Mary's River to the south, Trunk Road to the north, the Eastern City Limit to the east, and Fournier Road to the West may be utilized by way of a notwithstanding clause to Policy R.A.4, for the purposes of a 39 lot estate residential subdivision with on-site wells and septic systems.

INTERPRETATION

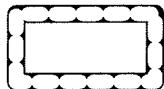
The provisions of the Official Plan as amended from time to time will apply to this Amendment.

10(c)



OFFICIAL PLAN AMENDMENT No. 135

APPLICATION A-8-06-Z.OP



Subject Property



Text Amendment by way of Notwithstanding Clause



Subdivision Blocks 43-44 [Industrial to Commercial]



Subdivision Block 46 [Rural Area to Commercial]

10(d)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE
BY-LAW NO. 2007-198

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 133 to the Official Plan.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows;

1. The Council hereby adopts Amendment No. 133 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 26th, November 2007

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

NOTICE

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CITY SOLICITOR

10(d)

OFFICIAL PLAN AMENDMENT NO. 133
TO THE
SAULT STE. MARIE OFFICIAL PLAN

PURPOSE:

This Amendment is an amendment to Schedule "C" of the City of Sault Ste. Marie Official Plan.

LOCATION:

Part of Lot 25 RCP H731, being part of NE $\frac{1}{4}$, section 29, Township of Tarentorus, located on the south side of Third Line East, approximately 860 meters east of Great Northern Road. Civic Number 817 Third Line East; Zoning Map 1-114.

BASIS:

This Amendment is necessary in view of the request for Draft Plan of Subdivision in order to develop the property for residential purposes.

The proposal does not conform to the existing Rural Area policies as they relate to the subject property.

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

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Rural Area" to "Residential"; and, by adding the following paragraph to the Special Exceptions section:

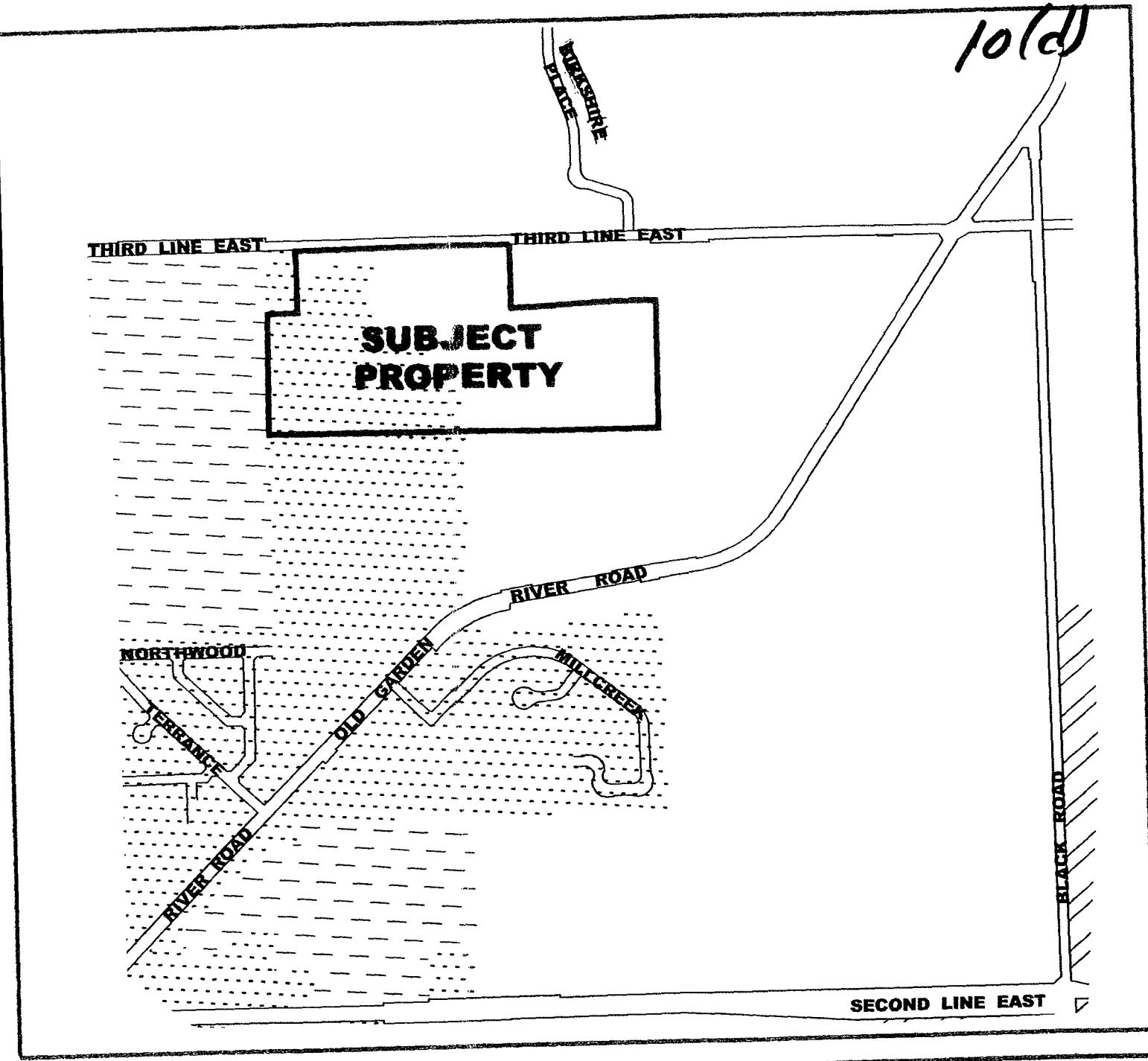
"Special Exceptions"

88. The property described as Part of Lot 25 RCP H731, being part of NE $\frac{1}{4}$, section 29, Township of Tarentorus, located on the south side of Third Line East, approximately 860 meters east of Great Northern Road: Civic Number 817 Third Line East, may be zoned for a mixture of low and medium density housing types and limited institutional uses. Institutional and medium density residential uses shall be developed in a park-like setting with adequate setbacks and high quality landscaping including trees, shrubs and pedestrian walkways to ensure compatible development with the adjoining residential uses.

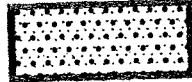
INTERPRETATION

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

10(d)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



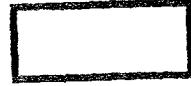
PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 133

10(e)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW NO. 2007-201

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 130 to the Official Plan.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows;

1. The Council hereby adopts Amendment No. 130 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 26th, November 2007

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

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CITY SOLICITOR

10(e)

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

PURPOSE:

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

LOCATION:

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

BASIS:

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

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

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

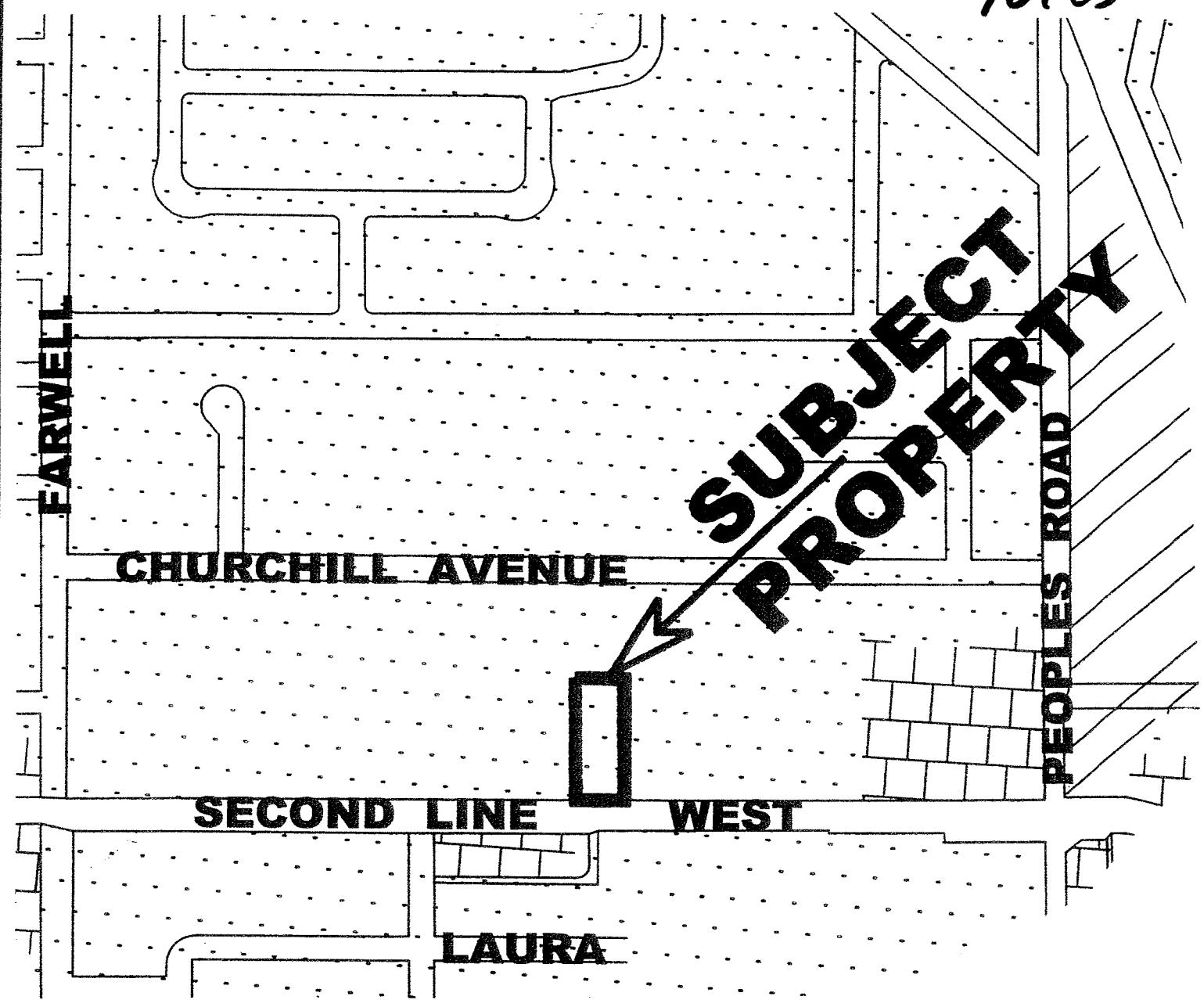
DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

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

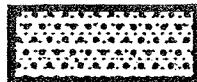
INTERPRETATION

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

10(e)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 130



Residential to Commercial

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-196

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on the south side of Trunk Road between Fournier Road and the Eastern City limit.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows:

1. **SPECIAL EXCEPTION 229 REPEALED**

Special exception 229 as enacted by By-law 2005-151 is hereby repealed.

2. **PROPERTY LOCATED ON THE SOUTH SIDE OF TRUNK RD.
BETWEEN FOURNIER ROAD AND EASTERN CITY LIMIT ; VARIOUS
ZONING CHANGES**

The zone designations on the lands described in Section 3 of this bylaw, which lands are shown on Map 1-45 of Schedule "A" to Zoning bylaw 2005-150 and are also shown outlined and marked as set out in this section and as marked as Schedule Number 254 hereto is amended as follows:

(a) **Block 42**

The zoning designation on the land designated as Block 42 on Schedule 254 is changed from Rural Area (RA) to Estate Residential Zone with a "special exception" (R1.S).

(b) **Blocks 43 and 44**

The zoning designation on the lands designated as Blocks 43 and 44 on Schedule 254 is changed from Medium Industrial Zone (M2) to Highway Zone (HZ).

(c) **Block 45**

The zoning designation on the land designated as Block 45 on Schedule 254 is changed from Rural Area (RA) to Estate Residential with a "special exception" (R1.S).

(d) **Block 46**

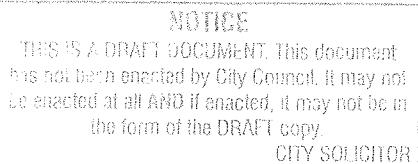
The zoning designation on the lands designated as Block 46 on Schedule 254 is changed from Rural Area (RA) to Highway Zone with a "special exception" (HZ.S).

(e) **Balance of Subject Property**

The zoning designation on the balance of the property shown as Block A on the subject property map and also shown on Schedule 254 is changed from Rural Area (RA) to Estate Residential Zone (R1).

3. **BYLAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding thereto the following subsection 254 and headings:



10(f)

"2(254) – Property Located on the South Side of Trunk Road,
Between Fournier Road and the Eastern City Limit

Despite the provisions of by-law 2005-150, the lands shown outlined and marked "Blocks 42, 45 and 46" on the subject property map attached as Schedule 254 hereto are rezoned subject to the following special provisions:

(a) Block 42

The zoning on the land marked as Block 42 on the subject property map attached is changed from Rural Area zone (RA) to Estate Residential Zone with a "special exception" (R1.S) to permit Block 42 to be used as a private boat launch facility only for the exclusive use of the residents living in the residences built on Blocks A and B."

(b) Block 45

The zoning designation on the land marked as Block 45 on the subject property map attached is changed from Rural Area (RA) to Estate Residential with a "special exception" (R1.S) to permit a private storage facility for the exclusive use of the residents living in the residences built on the subject property of this zoning bylaw.

(c) Block 46

The zoning on the land marked as Block 46 on the subject property map attached is changed from Rural Area zone (RA) to Highway Zone with a "special exception" (HZ.S) to permit a private storage facility only shall be for the exclusive use of the residents living in residences built on Blocks A and B.

4. SCHEDULE A

Schedule A hereto forms a part of this by-law.

5. CERTIFICATE OF CONFORMITY

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law, as amended by Official Plan Amendment No. 135.

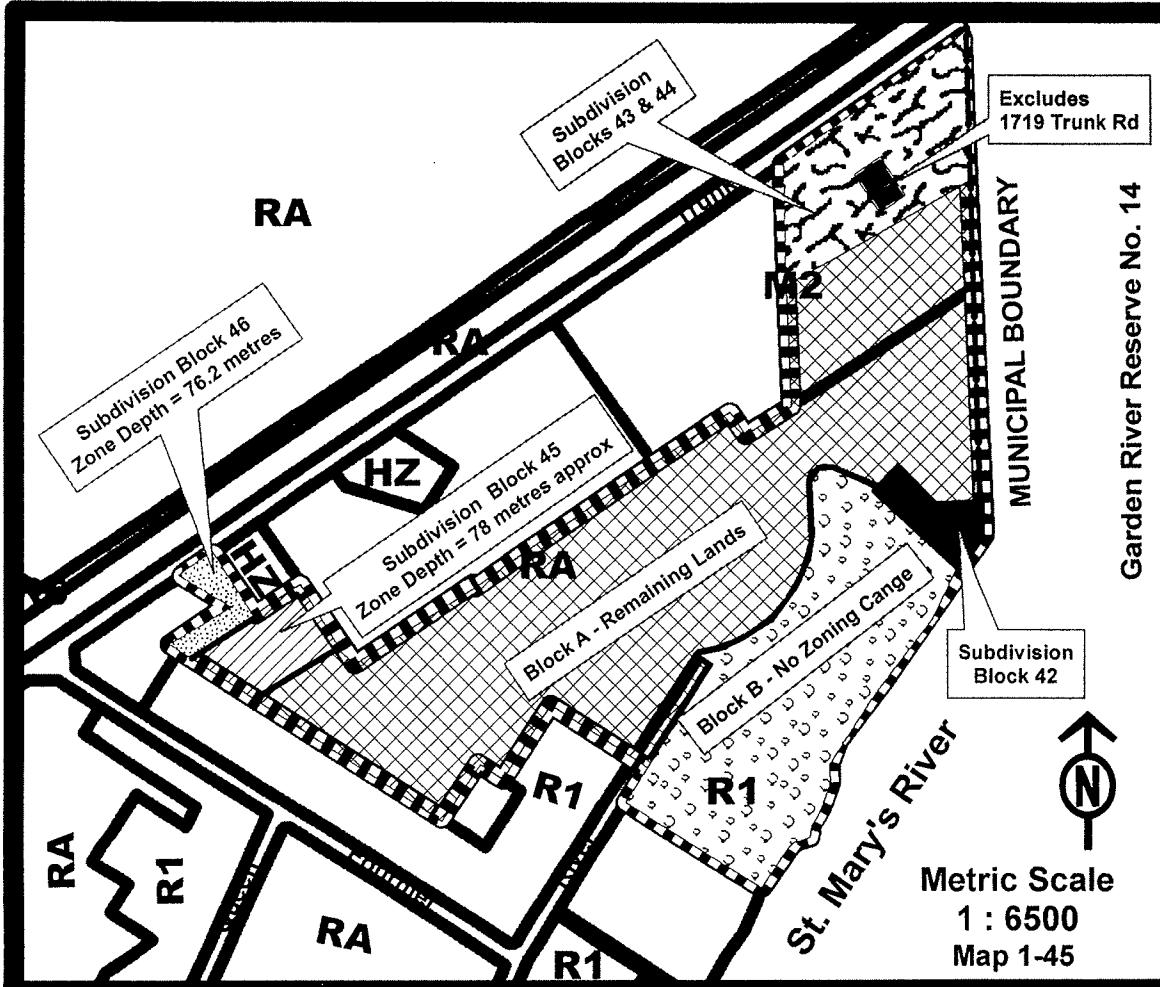
READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

10(f)

SCHEDULE A TO BY-LAW 2007-196 AND SCHEDULE 254 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 26TH DAY OF NOVEMBER, 2007.



- [White Box] Subject Property
- [Solid Black Box] HZ - Highway Zone
- [Hatched Box] M2 - Medium Industrial Zone
- [Dotted Box] R1 - Estate Residential Zone
- [Black Box] RA - Rural Area Zone; RAhp

Existing & Proposed ZONING MAP

APPLICATION A-8-06-Z.OP

- [Black Box] Subdivision Block 42 - Rezone to "R1" Special Exception for Private Boat Launch
- [Hatched Box] Subdivision Blocks 43 & 44 - Rezone to HZ - Excludes 1719 Trunk
- [Dotted Box] Subdivision Block 45 - Zone to R1 - Special for Private Boat Storage
- [Black Box] Subdivision Block 46 - Zone to HZ - Special for Private Boat Storage
- [Hatched Box] Block "A" - Remaining Lands - Zone to R1 for Subdivision Lots
- [Black Box] Block "B" - Existing R1 - No Zoning Change

Revised: November 5, 2007

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2007-197

DEVELOPMENT CONTROL: A by-law to designate the lands located on the south side of Trunk Road between Fournier Road and the Eastern City Limit, as an area of site plan control.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. **DEVELOPMENT CONTROL AREA**

The lands described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990, chapter P. 13 and amendments thereto.

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director and in his absence to the Junior Planner of the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the Planning Act as amended, for the lands more particularly described in Schedule "A" to this by-law.

3. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefor to penalty provisions as contained in the Planning Act and the Municipal Act.

5. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007

MAYOR – JOHN ROWSWELL

CLERK – DONNA P. IRVING

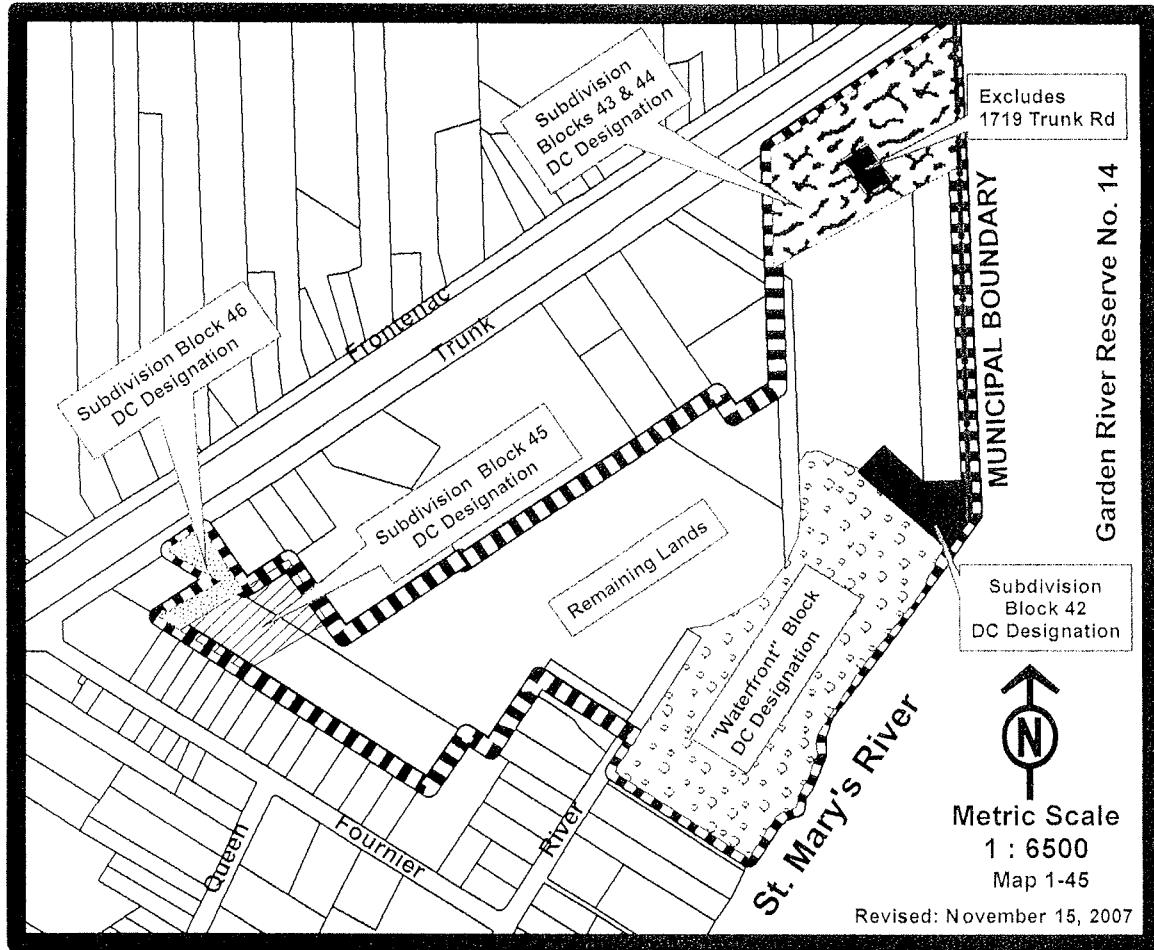
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CITY SOLICITOR

10(g)

SCHEDULE A TO BY-LAW 2007-197 OF THE CORPORATION OF THE CITY
OF SAULT STE. MARIE BE READ THREE TIMES AND PASSED IN OPEN
COUNCIL THIS 26th DAY OF NOVEMBER, 2007.



SITE PLAN CONTROL APPLICATION DC - DESIGNATED AREAS

Legend

- Subject Property
- Subdivision Block 42 - DC Designation for Private Boat Launch
- Subdivision Blocks 43 & 44 - DC Designation - Excludes 1719 Trunk
- Subdivision Block 45 -DC Designation
- Subdivision Block 46 - DC Designation - for Private Storage
- "Waterfront" Block - DC Designation on all Land Abutting Waterfront

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-199

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 817 Third Line East.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows:

1. PROPERTY LOCATED ON THE SOUTH SIDE OF THIRD LINE EAST APPROXIMATELY 786 METRES EAST OF ITS INTERSECTION WITH GREAT NORTHERN ROAD; VARIOUS ZONING CHANGES

The zone designations on the lands described in Section 2 of this by-law, which lands are shown on Map 1-114 of Schedule "A" to Zoning bylaw 2005-150 and are also shown outlined and marked as set out in this section and marked as Schedule Number 255 hereto is amended as follows:

(a) Block "A" and Block "C"

The zoning designation on the lands designated as Block "A" and Block "C" on Schedule 255 is changed from Rural Area (RA) to Single Detached Residential Zone (R2);

(b) Block "B"

The zoning designation on the lands designated as Block "B" on Schedule 255 is changed from Rural Area (RA) to Low Density Residential Zone (R3);

(c) Block "D"

The zoning designation on the lands designated as Block "D" on Schedule 255 is changed from Rural Area (RA) to Medium Density Residential Zone (R4);

(d) Block "E"

The zoning designation on the lands designated as Block "E" on Schedule 255 is changed from Rural Area (RA) to Medium Density Residential Zone with a "special exception" (R4.S).

2. BY-LAW 2005-151 AMENDED

Section 2 of By-law 2005-151 is amended by adding thereto the following subsection 255 and headings:

"2(255) – Property Located at 817 Third Line East

Despite the provisions of By-law 2005-150, the lands shown outlined and marked Block "E" on the subject property map attached as Schedule 255 hereto are rezoned from Rural Area (RA) to Medium Density Residential with a special exception (R.4.S) to permit in addition to the Medium Density Residential uses, only the following institutional uses:

- (i) Accessory uses;
- (ii) Accessory use - solar power installation;
- (iii) Accessory use – wind turbines;

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10(h)

- (iv) Care facilities;
- (v) Group homes;
- (vi) Group residences;
- (vii) Hospices;
- (viii) Hospitals;
- (ix) Medical Centres;
- (x) Nursing and residential care facilities;
- (xi) Parks and playgrounds;
- (xii) Places of worship;
- (xiii) Recreational facilities excluding animal pens and cages, bandstands and horse riding establishments;

subject to the following conditions:

- (a) institutional zone regulations as set out in Zoning By-law 2005-150 shall apply to the permitted institutional uses identified above; and
- (b) the institutional uses set out above shall not exceed the R4 height standard of five (5) storeys."

3. **SCHEDULE "A"**

Schedule "A" hereto forms a part of this by-law.

4. **CERTIFICATE OF CONFORMITY**

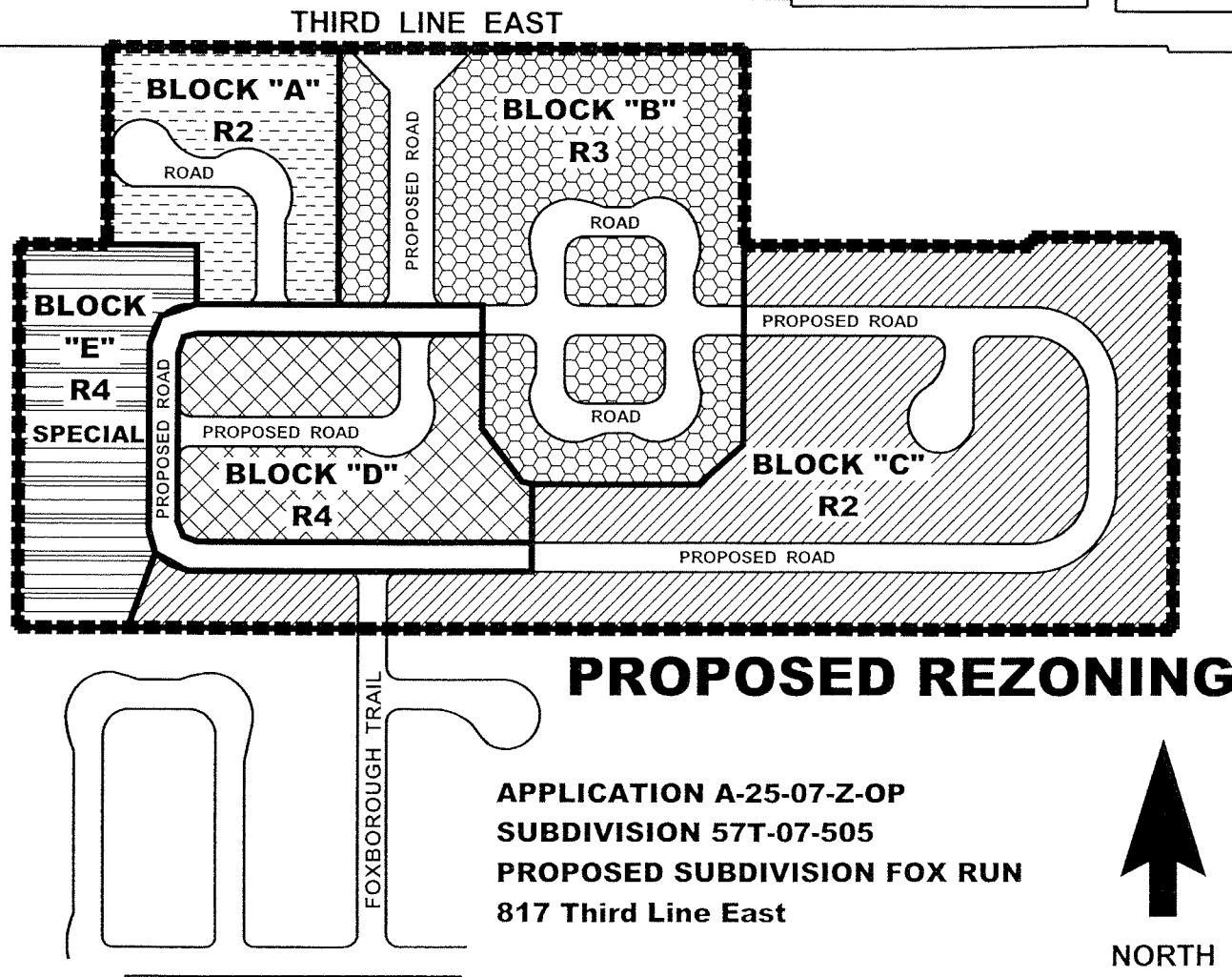
It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law, as amended by Official Plan Amendment No. 133.

READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

SCHEDULE "A" TO BY-LAW 2007-199 AND SCHEDULE 255 TO BY-LAW 2005-151
OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, READ THREE
TIMES AND PASSED IN OPEN COUNCIL THIS 26TH DAY OF NOVEMBER, 2007.



10(h)

10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2007-200

DEVELOPMENT CONTROL: A by-law to designate the lands located on the south side of Third Line East being a portion of 817 Third Line East described as Block "E" as an area of site plan control.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. **DEVELOPMENT CONTROL AREA**

The lands designated as Block "E" described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to Section 41 of the Planning Act, R.S.O. 1990, chapter P. 13 and amendments thereto.

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director and in his absence to the Junior Planner of the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the Planning Act as amended, for the lands more particularly described in Schedule "A" to this by-law.

3. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefor to penalty provisions as contained in the Planning Act and the Municipal Act.

5. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007

MAYOR – JOHN ROWSWELL

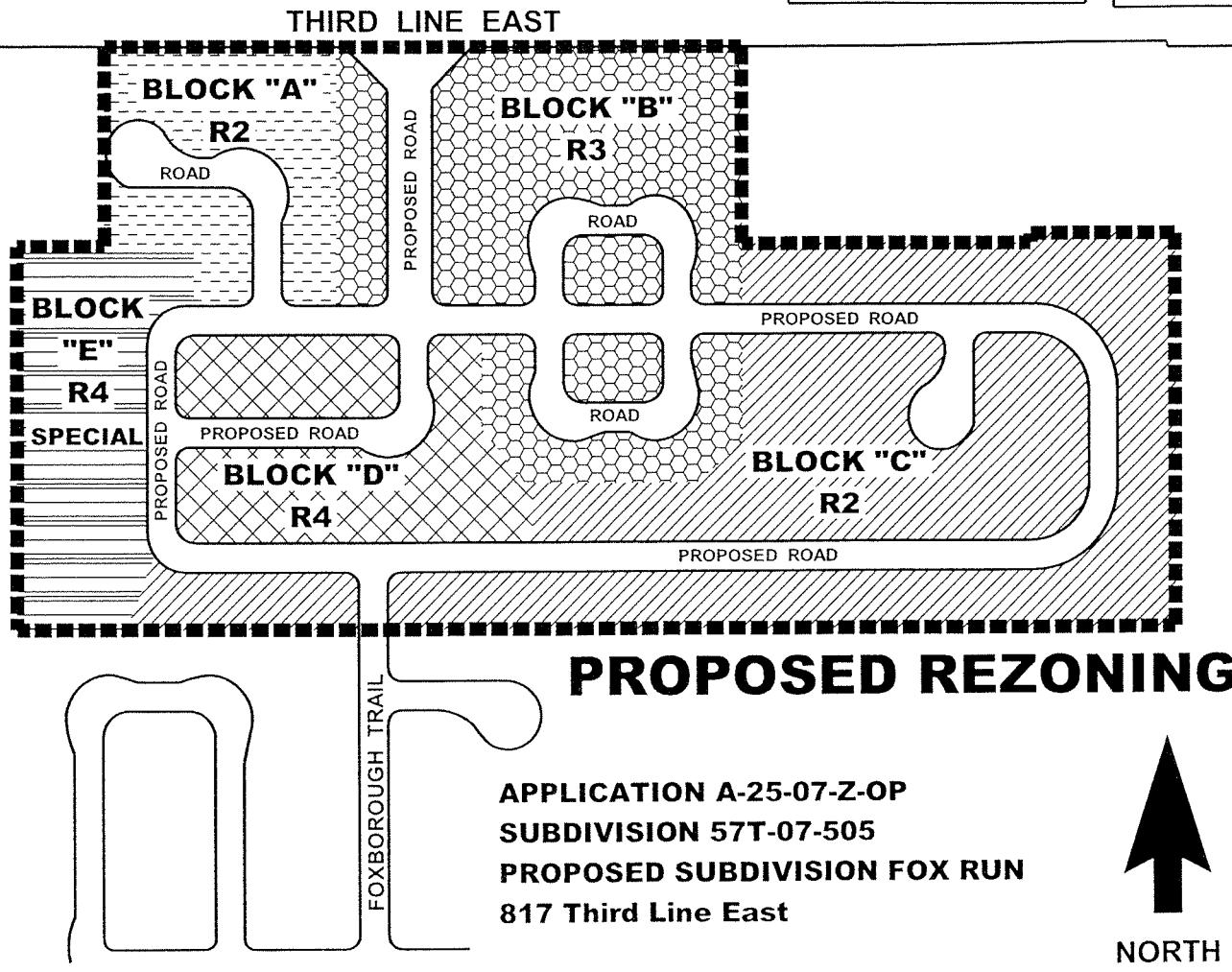
CLERK – DONNA P. IRVING

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CITY SOLICITOR

SCHEDULE "A" TO BY-LAW 2007-200 OF THE CORPORATION OF THE
CITY OF SAULT STE. MARIE BE READ THREE TIMES AND PASSED IN
OPEN COUNCIL THIS 26th DAY OF NOVEMBER, 2007.



101

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-202

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 92 - 100 Second Line West.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the Planning Act, R.S.O. 1990, chapter P.13 and amendments thereto, ENACTS as follows:

1. **92 - 100 SECOND LINE WEST, LOCATED APPROXIMATELY 335m WEST OF PEOPLE'S ROAD; CHANGE FROM C-4 TO C-4.S AND FROM C-4 to R-3**

The zone designation on the lands described in section 2 of this by-law which lands are shown on Map 1-91 of Schedule A to By-law 2005-150 is changed from C-4, General Commercial Zone to C-4.S, General Commercial Zone with a "special exception" and from C-4, General Commercial Zone to R-3, Low Density Residential Zone.

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding thereto the following subsection 2(256):

"2(256) 92 - 100 Second Line West

Despite the provisions of By-law 2005-150, the lands located on the north side of Second Line and having Civic No. 92 - 100 Second Line West and marked "subject property" on the map attached as Schedule No. 256 hereto is changed from

- (1) For Block "A" as shown on the attached map (being the rear 46.5m of the subject property) from C-4, General Commercial Zone to R-3, Low Density Residential Zone.
- (2) For Block "B" as shown on the attached map, from C-4, General Commercial Zone to C-4.S, General Commercial Zone with a "special exception" to permit as an additional permitted use a Contractor's Yard subject to the conditions:
 - (i) a 1.82m visually solid fence be constructed to completely surround the compound area;
 - (ii) a 1.82m visually solid fence be constructed along the west lot line of the subject property commencing 4.5m north of the front lot line and extending to 46.5m south of the rear lot line."

3. **SCHEDULE "A"**

Schedule "A" hereto forms a part of this by-law.

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CITY SOCIETY

10(j)

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law, as amended by Official Plan Amendment No. 130.

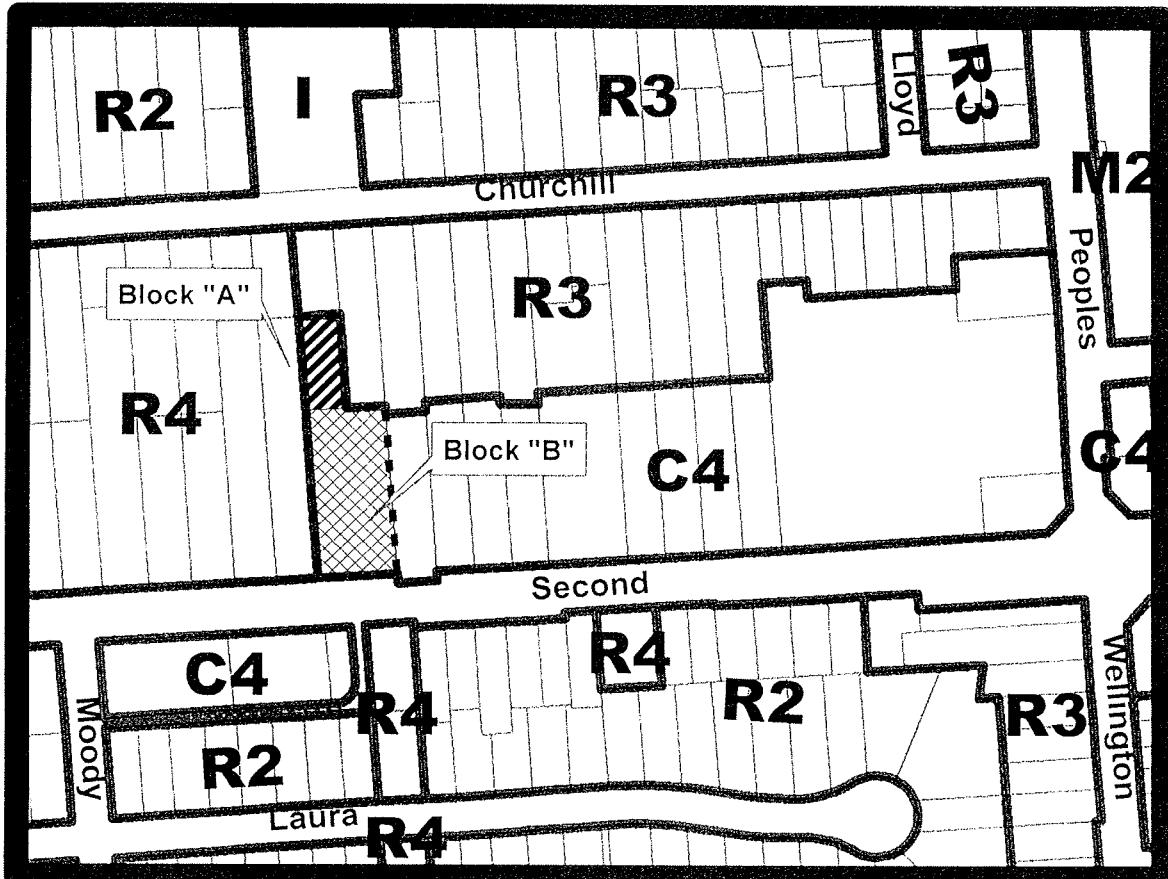
READ THREE TIMES and PASSED in Open Council this 26th day of November, 2007.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

10(j)

SCHEDULE "A" TO BY-LAW 2007-202 AND SCHEDULE 256 TO BY-LAW 2005-151
OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, READ THREE
TIMES AND PASSED IN OPEN COUNCIL THIS 26TH DAY OF NOVEMBER, 2007.



ZONING MAP APPLICATION A-19-07-Z-OP

92 Second Line West

Metric Scale
1 : 3000

Map 1-91



November 2007

- Subject Property - 92 Second Line W
- Block "A" - Rezone from C to R3
- Block "B" - Rezone from C4 to C4-Special - DC Designation
- C4 - General Commercial Zone
- M2 - Medium Industrial Zone
- M3 - Heavy Industrial Zone
- R1 - Estate Residential Zone
- R2 - Single Detached Residential Zone
- R3 - Low Density Residential Zone
- R4 - Medium Density Residential Zone