

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 10 29

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillor F. Manzo (illness)

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

1. **ADOPTION OF MINUTES**

Moved by Councillor L. Tridico

Seconded by Councillor B. Hayes

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

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

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

4. **DELEGATIONS/PROCLAMATIONS**

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

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

PART ONE – CONSENT AGENDA

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

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

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

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

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

5. (e) **Staff Travel Requests**

The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor L. Tridico

Seconded by Councillor B. Hayes

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 10 29 be approved as requested. CARRIED.

(f) **Tender for Parking Lot Snow Removal - Civic Centre**

The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2007 10 29 be endorsed and that the tender for Civic Centre Snow Plowing and Removal, required by the Building Services Division, Engineering and Planning Department, be awarded as recommended. CARRIED.

(g) **Property Tax Appeals**

The report of the City Tax Collector was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2007 10 29 be approved and the tax records be amended accordingly. CARRIED.

(h) **2008 Council Meeting Schedule**

The report of the City Clerk was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the City Clerk dated 2007 10 15 concerning 2008 Council Meeting Schedule be accepted and the recommended 2008 Council Meeting Schedule be approved. CARRIED.

(i) **Immigration Portal - Contracts With Sudbury for Content Management System Hosting**

The report of the Manager of Information Technology Division was accepted by Council. The relevant By-law 2007-183 is listed under Item 10 of the Minutes.

(j) **Sault Speed Skating Club Request for Financial Assistance 2007**

The reports of the Commissioner of Finance and Treasurer and the Commissioner of Community Services were accepted by Council.

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

(k) **Update - Sault Ste. Marie Skatepark Initiative**

The report of the Supervisor of Community Services was accepted by Council.

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the Supervisor of Community Services dated 2007 10 29 concerning Update - Sault Ste. Marie Skatepark Initiative be accepted and the recommendation that Council authorize City staff to resubmit an application to the Ontario Trillium Foundation Community Program Grant to construct Phase 1 of a concrete skatepark at a cost of \$187,000.00 with funds to be allocated as follows:

- 1) City of Sault Ste. Marie - \$100,000.00
- 2) Superior Community Skatepark Association - \$12,000.00
- 3) Ontario Trillium Foundation - \$75,000.00

be approved. CARRIED.

(l) **Ermatinger-Clergue National Historic Site - Visitor Centre, Summer Kitchen Re-Design and Site Accessibility Project**

The report of the Curator, Ermatinger-Clergue National Historic Site was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

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

(m) **Proposed Sale of 324 Second Line West**

The report of the City Solicitor was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

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

5. (n) **Connecting Links - Request for 2008 MTO Allocation**

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

Moved by Councillor L. Tridico

Seconded by Councillor B. Hayes

Resolved that the report of the Director of Engineering Services dated 2007 10 29 concerning Connecting Links - Request for 2008 MTO Allocation be accepted as information. CARRIED.

(o) **Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study**

The report of the Land Development and Environmental Engineer was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Land Development and Environmental Engineer dated 2007 10 29 concerning Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study be accepted and the recommendation that Council approve the endorsement of the Memorandum of Understanding with the PUC and further that Engineering Department report back with the results of the Feasibility Study for recommended future action and partnerships based on the study's outcome be approved. CARRIED.

(p) **Tipping Fee for Non-Hazardous Solid Industrial Waste (Contaminated Waste)**

The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 10 29 concerning Tipping Fee for Non-Hazardous Industrial Waste (Contaminated Waste) be accepted and the recommendation that the tipping fee be set at 50% of the normal tipping fee or \$32.50 per tonne be approved. CARRIED.

(q) **Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie**

The report of the Community Coordinator of Social Services Department was accepted by Council. The report entitled Community Plan 2007 - 2009 - Homelessness Partnering Strategy Framework and the report entitled Below the Waterline - A Review of the Efforts to Ameliorate Homelessness in Sault Ste. Marie From 2002 - 2006 were received by Council.

5. (q) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Community Coordinator of Social Services Department dated 2007 10 29 concerning Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie be accepted and the recommendation that Social Services Department continue in their role as the Community Entity for the balance of the term of the Homelessness Partnering Strategy - January 2008 to March 2009 and further that the issues identified in the Updated Community Plan on Homelessness created through comprehensive stakeholder consultation be approved as the homelessness priorities for the city of Sault Ste. Marie. CARRIED.
- (r) **Request for Part Lot Control By-law for Three Lots at Dacey Road and Terry Fox Place**
The report of the City Solicitor was accepted by Council. The relevant By-law 2007-186 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

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

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

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

- (b) **Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property**
The report of the Planning Division was received by Council.

6. (6)

(b) Moved by Councillor L. Turco
Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and the Planning Director's recommendation that City Council:

1) Deny the applicant's request to amend the Official Plan (Amendment No. 130) and rezone the subject property in order to locate a contractor's yard on the subject property;

2) Approve Official Plan Amendment and re-designate the front 85m of the subject property from "Residential" to "Commercial" on Land Use Schedule C of the Official Plan, to be consistent with the existing commercial zoning, be endorsed. DEFEATED.

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

Recorded Vote

For: Mayor J. Rowswell, Councillors L. Turco, P. Mick

Against: Councillors B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland

Absent: Councillor F. Manzo

Moved by Councillor D. Celetti

Seconded by Councillor P. Mick

Resolved that Application No. A-19-07-Z.OP - Frank Fata be approved in principle and be brought back to Council at a future meeting with appropriate conditions. CARRIED.

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

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

The report of the Planning Division was accepted by Council.

6. (6)

(c) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. be accepted and the Planning Director's recommendation that City Council DEFER Application No. A-23-07-Z until November 26, 2007 be endorsed. CARRIED.

(d) **Application No. A-24-07-Z.OP - 510127 Ontario Limited - 432 Great Northern Road - Request to Rezone to Permit the Construction of a 1,950 Sq. Meter Office Building Outside of the Downtown**

The report of the Planning Division was accepted by Council.

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

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-24-07-Z.OP - 510127 Ontario Limited be accepted and that the proposed resolution to approve the application and to permit a 1,950 sq. metre (21,000 square foot) office building as an additional permitted use to the "C-4" (General Commercial) zoning subject to approval of Official Plan Amendment No. 134 and that the property be designated as subject to site plan control be endorsed. CARRIED.

(e) **Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. - 817 Third Line East - Request to Develop a Serviced 193 Lot Residential Subdivision**

The report of the Planning Division was accepted by Council.

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

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. be accepted and the Planning Director's recommendation that City Council approve the Draft Plan of Subdivision subject to the 21 conditions contained in the Planning Division report dated 2007 10 15 subject to the following modifications:

Condition #7 - That as part of the finalization of the Subdivision Agreement, the developer be required to pay cash-in-lieu of parkland for the deficiency in dedicated park space, which will be used to purchase playground equipment for the subdivision. The cost of constructing walking trails throughout the development shall be applied to any required cash-in-lieu amount.

Condition #13 - The proposed walking trails shall be constructed to the 3.0 metres asphalt Hub Trail standard where significant pedestrian traffic is expected be endorsed. CARRIED.

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

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

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

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

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

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

(a) Moved by Councillor F. Fata

Seconded by Councillor D. Celetti

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

(b) Moved by Councillor S. Butland

Seconded by Councillor P. Mick

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

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

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

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

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

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

(c) Moved by Councillor D. Celetti

Seconded by Councillor F. Fata

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

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

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

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, D. Celetti, O. Grandinetti, F. Fata, T. Sheehan, S. Butland, P. Mick

Against: Councillors S. Myers, L. Tridico

Absent: Councillor F. Manzo

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

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10. **CONSIDERATION AND PASSING OF BY-LAWS**

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

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

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

10. (g) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-185 being a by-law to stop up, close and authorize the conveyance of an unopened portion of Nelson Street to the abutting owners of 553 Nelson Street be read a first and second time this 29th day of October, 2007. CARRIED.
- (h) Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that By-law 2007-186 being a by-law to designate Lot 1, Lot 2 and Lot 15, Plan M-409 located at the corner of Dacey Road and Terry Fox Place as not being subject to part lot control be read three times and passed in Open Council this 29th day of October, 2007. CARRIED.

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

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

12. **ADJOURNMENT**

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

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK