

## **AGENDA**

### **REGULAR MEETING OF CITY COUNCIL**

**2009 01 12**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

#### **1. ADOPTION OF MINUTES**

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

Resolved that the Minutes of the Regular Council Meeting of 2008 12 15 be approved.

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

#### **3. APPROVE AGENDA AS PRESENTED**

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

Resolved that the Agenda for the 2009 01 12 City Council Meeting as presented be approved.

#### **4. DELEGATIONS/PROCLAMATIONS**

- (a) The winners of the 2008 Christmas Lighting Awards Program will be in attendance to receive plaques and PUC credit certificates.
- (b) Chris Rous, Chairperson Sault Ste. Marie Public Library Board will be in attendance to introduce the new Library Director, Elizabeth Rossnagel.
- (c) Patti Jo Duggan, Volunteer Alzheimer Society will be in attendance concerning Proclamation – National Alzheimer Awareness Month.
- (d) Rod Stewart, District Supervisor, Sault Ste. Marie office, Ministry of the Environment will be in attendance to address Council on the issue of air quality in Sault Ste. Marie and area. This is in response to a Council resolution dated 2008 11 17.

4. (e) Brian Curran, President and C.E.O., PUC Inc. will be in attendance concerning a PUC Inc. Shareholder Meeting. Note: The Shareholder report is provided under separate cover for members of City Council.
- (f) Joe Melisek on behalf of the consulting team concerning the feasibility study and business plan for a new indoor multi-use sport facility in Sault Ste. Marie will be in attendance concerning agenda item 6.(2)(a).

### **PART ONE – CONSENT AGENDA**

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

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

Resolved that all the items listed under date 2009 01 12 - Part One - Consent Agenda be approved as recommended.

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

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

Resolved that Sault Ste. Marie City Council supports and endorses the AMO positions detailed in AMO correspondence to the Ministry of the Environment and to Waste Diversion Ontario dated December, 2008 concerning a review of the Waste Diversion Act, 2002 and a review of the Blue Box Program Plan; and Further resolved that a copy of this resolution be provided to the Honourable John Gerretsen, Minister of the Environment; to Vice-Chair Andy Pollock, Waste Diversion Ontario; and to AMO President Peter Hume.

- (b) Correspondence from the Township of East Ferris (concerning a request for financial assistance from every municipality in the Province for flooding disaster relief – the Corporation of the City of Sault Ste. Marie provided \$500.00); the United Counties of Stormont, Dundas and Glengarry (concerning a review of rates paid by the Ministry of Community and Social Services for indigent funerals); and the Municipality of Clarington (concerning a request to the Alcohol and Gaming Commission of Ontario to expedite its Modernization of Charitable Gaming Project) is attached for the information of Council.
- (c) Correspondence from Algoma Public Health Board concerning a request that Council designate the new public skate board park as tobacco-free is attached for the information of Council.

5. (c) Mover - Councillor S. Myers  
Seconder - Councillor J. Caicco  
Whereas the City of Sault Ste. Marie By-law 2003-7 regulates smoking in public places and city buildings in the City of Sault Ste. Marie; and  
Whereas a new outdoor skate board park is scheduled to open for public use in 2009; and  
Whereas the Algoma Public Health Board has passed a resolution (#2008-104) requesting that City Council amend By-law 2003-7 to identify the new public skate board park as a designated 100% tobacco-free site;  
Now therefore be it resolved that Sault Ste. Marie City Council supports and endorses the position of the Algoma Public Health Board; and  
Further that the request for the appropriate amendment to By-law 2003-7 BE REFERRED to the City Solicitor for review and report back to City Council.

- (d) A letter from the Minister of the Environment in response to a Council resolution concerning stockpiling of Blue Box materials is attached for the information of Council.
- (e) A letter from MPAC concerning 2008 Assessment Update is attached for the information of Council.
- (f) A letter from NOHFC concerning approval of an extension of its funding commitment for the Gateway Development Initiative to June 30, 2009 is attached for the information of Council.
- (g) A letter from the Airport Manager Sault Ste. Marie Airport Development Corporation requesting an exemption to the Noise By-law for events at the Airport Fairgrounds for the winter season is attached for the information of Council. The relevant By-law 2009-8 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (h) A petition from residents of Simon Avenue requesting sidewalk snow plowing and a stop sign at the corner of Denwood Drive and Simon Avenue is attached for the consideration of Council.

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

Resolved that the petition received by the City on January 7, 2009 from residents of Simon Avenue requesting sidewalk snow removal during the winter months and the placement of a stop sign at the corner of Denwood Drive and Simon Avenue BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to City Council.

- (i) A letter from Mayor John Rowsell to the Minister of Health Canada concerning Poor Physician Specialists and Support Services in Northern Ontario is attached for the information of Council.

5. (j) **Appointments to Boards and Committees**

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

Resolved that all the resolutions under date 2009 01 12 listed under Agenda item 5.(j) 1-41 inclusive are hereby approved.

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

Resolved that Councillors T. Sheehan and L. Tridico, D. Celetti (alternate) be nominated to the Algoma District Municipal Association from January 12, 2009 to December 31, 2010.

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

Resolved that Councillor S. Myers and citizens Guido Caputo and Karen Marinich be nominated to the Algoma Public Health from January 12, 2009 to December 31, 2010.

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

Resolved that Councillor J. Caicco be appointed to the Celebrating International Friendship Committee – Bridgewalk Group from January 12, 2009 to December 31, 2010.

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

Resolved that Councillors O. Grandinetti, F. Fata, D. Celetti and L. Tridico and citizens Irene Oktaba and Jean Wyatt be appointed to the Christmas Lighting Award Program Judging Committee from January 12, 2009 to December 31, 2010.

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

Resolved that citizens Loretta Durat, Karen Montgomery Jones and Fred Pelletier be nominated to the Community Theatre Centre Management Board from January 12, 2009 to December 31, 2010.

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

Resolved that Councillors F. Fata, S. Myers and L. Tridico, Tourism Sault Ste. Marie (Ian McMillan) and City Clerk (Donna Irving) be appointed to the Conferences and Major Special Events Committee from January 12, 2009 to December 31, 2010.

5. (j)
- (7) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that citizens Carlo Barban, Glenn Bernardi, Luca Robibaro and Suzanne Farrell (alternate) be appointed to the Court of Revision - Local Improvement from January 12, 2009 to December 31, 2010.
- (8) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Deputy City Clerk and Manager of Quality Improvement (Malcolm White) be appointed to the CQI - Community Performance Report Committee from January 12, 2009 to December 31, 2010.
- (9) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor T. Sheehan and citizens Irene Oktaba, Chris Rous and Karin Seidemann be appointed to the Cultural Advisory Board from January 12, 2009 to December 31, 2010.
- (10) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors F. Fata, O. Grandinetti and B. Hayes be appointed to the Dangerous Dog Committee from January 12, 2009 to December 31, 2010.
- (11) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor S. Butland, staff representative from Engineering and Planning Department (Don Elliott) and Public Works and Transportation Department (Pat McAuley), one Ministry of the Environment representative and citizens Kathy Lemieux, Rosina MacDonald, Peter McLarty, Ian Thompson and Andrea Welz be appointed to the Environmental Monitoring Committee from January 12, 2009 to December 31, 2010.
- (12) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor L. Turco be nominated to the Federation of Northern Ontario Municipalities (FONOM) from January 12, 2009 to December 31, 2010.
- (13) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that citizens Frank Del Bosco, Roy O'Neill, Luca Robibaro and Terry Higginson (alternate) be appointed to the Fence Viewers Committee from January 12, 2009 to December 31, 2010.

5. (j)
- (14) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor J. Rowswell (non-voting member), Councillors J. Caicco, F. Fata, B. Hayes and T. Sheehan, Chief Administrative Officer (non-voting member), the Commissioner of Finance, Manager of Budgets and Revenue and Manager of Finance and Audits be appointed to the Finance Committee from January 12, 2009 to December 31, 2010.
- (15) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor J. Rowswell and Councillors D. Celetti, O. Grandinetti and S. Myers be appointed to the Gateway Development Team from January 12, 2009 to December 31, 2010.
- (16) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor S. Myers and citizens Nancy Aronson, Cindy Crawford, Carl Gruhzit, Suzanne Hanna, Harriet Hershey, Pamela Jalak, Kelly Marshall, Judy McGonigal, Laurence Woolley, Kathryn Yukich and Carol Caputo be appointed to the Historic Sites Board from January 12, 2009 to December 31, 2010.
- (17) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor D. Celetti be nominated to the Humane Society from January 12, 2009 to December 31, 2010.
- (18) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors S. Butland, P. Mick and J. Caicco be appointed to the Municipal Environmental Initiatives Committee from January 12, 2009 to December 31, 2010.
- (19) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor J. Rowswell and Councillors J. Caicco, D. Celetti, F. Fata, O. Grandinetti and T. Sheehan be appointed to the Municipal Freedom of Information and Protection of Privacy Act (Head) from January 12, 2009 to December 31, 2010.
- (20) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors D. Celetti, O. Grandinetti, S. Myers and P. Mick be appointed to the Municipal Handbook Committee from January 12, 2009 to December 31, 2010.

5. (j)
- (21) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor B. Hayes and citizens Lloyd Beilhartz, Cindy Crawford, David Ellis, Robert Ewing, Roger Kinghorn, Anne MacGregor, Kelly Marshall, Harvey Robbins, Ted Wall and Laurence Woolley be appointed to the Municipal Heritage Committee from January 12, 2009 to December 31, 2010.
- (22) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the Manager of Recreation and Culture (Joe Cain) be appointed to the Museum Management Board from January 12, 2009 to December 31, 2010.
- (23) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors L. Tridico and L. Turco, staff representative from Social Services Department (Lynn Rosso), Engineering and Planning Department (Jerry Dolcetti or designate) and citizens Debbie Amaroso, Giesells Bourgault, Don Calvert, Jenn Cloutier, Wendy Houle, Craig Kohler, Derrick Lavallee, Tony Mancuso, Robert McLeod, Ann Marie McPhee, Catherine Meincke, Diane Morrell, Karen Raybould, Gerard Taylor, Evelyn Theriault and Rick Wark be appointed to the Ontarians With Disabilities Accessibility Advisory Committee from January 12, 2009 to December 31, 2010.
- (24) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor D. Celetti and citizens Jerry Bumbacco, Gino Cavallo, Richard Craftchick, Deane Greenwood, Mark Kontulainen, Tom Mauro, Susan Milne and Barry Rushon be appointed to the Parks and Recreation Advisory Committee from January 12, 2009 to December 31, 2010.
- (25) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that citizens Carlo Barban, Peter Berlingieri, Suzanne Farrell, Damon Godfrey, Catherine Meincke, Wayne Mezzomo and Luca Robibaro be appointed to the Planning Advisory Committee from January 12, 2009 to December 31, 2010.
- (26) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors P. Mick and L. Tridico be nominated to the PUC Inc. Board of Directors from January 12, 2009 to December 31, 2010.

5. (j)
- (27) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that citizens Carlo Barban, Glenn Bernardi and Suzanne Farrell be appointed to the Residential Standards Committee from January 12, 2009 to December 31, 2010.
- (28) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor S. Myers be nominated to the Sault Area Hospital Board of Directors from January 12, 2009 to December 31, 2010.
- (29) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors J. Caicco and P. Mick and citizens Paul Beach, Lorna Connolly Beattie, Heather Hicks, Jennifer Miller, Lucille Norman, Karen Poirier, Roxanne Rissanen, Fran Rose, Sarah Sutton and Diana Taranto and staff representative from Social Services Department (Florence Lake) be appointed to the Sault Ste. Marie Best for Kids Committee from January 12, 2009 to December 31, 2010.
- (30) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors F. Fata, B. Hayes, P. Mick, S. Myers, L. Tridico and L. Turco be appointed to the Sault Ste. Marie District Social Services Administration Board from January 12, 2009 to December 31, 2010.
- (31) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor S. Myers and Mayor J. Rowswell (ex officio) be nominated to the Sault Ste. Marie Economic Development Corporation Board of Directors from January 12, 2009 to December 31, 2010.
- (32) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor J. Rowswell and Councillors P. Mick and T. Sheehan, Chief Administrative Officer, Medical Officer of Health, Fire Chief, Police Chief, Emergency Planning Officer and Ambulance Director be appointed to the Sault Ste. Marie Emergency Measures Planning Committee from January 12, 2009 to December 31, 2010.
- (33) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor S. Butland and Mayor J. Rowswell (ex officio) be nominated to the Sault Ste. Marie Innovation Centre Board of Directors from January 12, 2009 to December 31, 2010.

5. (j)
- (34) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor J. Rowswell and Councillors T. Sheehan and S. Myers (alternate) be nominated to the Sault Ste. Marie Physician Recruitment and Retention Committee from January 12, 2009 to December 31, 2010.
- (35) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Mayor John Rowswell and Councillor D. Celetti and citizen James Greco be nominated to the Sault Ste. Marie Police Services Board from January 12, 2009 to December 31, 2010.
- (36) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillors O. Grandinetti, S. Myers, B. Hayes and F. Manzo be nominated to the Sault Ste. Marie Region Conservation Authority from January 12, 2009 to December 31, 2010.
- (37) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor J. Caicco, citizens Gino Cavallo and Richard Webb, three Downtown Association representatives and one Chamber of Commerce representative be appointed to the Sault Ste. Marie Walk of Fame Selection Committee from January 12, 2009 to December 31, 2010.
- (38) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that Councillor O. Grandinetti be appointed to the Snowmobile Task Committee from January 12, 2009 to December 31, 2010.
- (39) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that one representative from Engineering and Planning Department (Susan Hamilton Beach) be nominated to the St. Mary's River Binational Public Advisory Committee from January 12, 2009 to December 31, 2010.
- (40) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that staff representative from Community Services Department (Joe Cain) be nominated to the St. Mary's River Marine Centre (Norgoma) Board of Directors from January 12, 2009 to December 31, 2010.

5. (j)  
(41) Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the Council of the Corporation of the City of Sault Ste. Marie, hereby appoints Lorie Bottos or failing him, A.C. Harry as its proxy to attend, act and vote for it on its behalf of the Annual Meeting of Shareholders of the St. Mary's River Bridge Company, to be held on the 25<sup>th</sup> day of February 2009 and at any adjournment therefore, and revoke any former instrument appointing a proxy for it at the said meeting.
- (k) **Council Travel**  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that on behalf of Mayor John Rowswell, Councillor Susan Myers be authorized to travel to a Northern Ontario Growth Plan Tourism Session being held in North Bay, Ontario (one day in January) at an estimated cost of \$750.00.
- (l) **Staff Travel Requests**  
A report of the Chief Administrative Officer is attached for the consideration of Council.  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 01 12 be approved as requested.
- (m) **Retirement of Fire Chief – March 31, 2009**  
Correspondence of the Chief Administrative Officer and Fire Chief is attached for the consideration of Council.  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that City Council accepts the retirement notice of Fire Chief Lynn McCoy effective March 31, 2009 and expresses its sincere best wishes to him on the occasion of his retirement after over 35 years of dedicated service to the City of Sault Ste. Marie; and  
Further resolved that City Council authorizes filling the upcoming vacancy of the Fire Chief position through a selection process in accordance with the Guidelines for the Recruitment and Selection of Senior Staff Policy; and  
Further that in accordance with the Policy, a Selection Committee (comprised of one member of City Council, the Chief Administrative Officer and the Commissioner of Human Resources) is authorized to begin the recruitment and selection process which will result in a recommendation to City Council for filling the position of Fire Chief.

5. (n) **2009 Corporate Membership Fees**  
A report of the Deputy City Clerk is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Deputy City Clerk dated 2009 01 12 be accepted and the recommendation to proceed with payment of the 2009 Corporate Membership Fees be approved.
- (o) **Sault Ste. Marie Ontario/Sault Ste. Marie Michigan Joint City Council/City Commission Meeting – Wednesday, February 11, 2009**  
A report of the City Clerk is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that City Council is authorized to meet in open session for the purpose of a Joint Meeting with Sault Ste. Marie Michigan City Commission on Wednesday, February 11, 2009 commencing at 2:00 p.m. in the Council Chambers, Civic Centre.
- (p) **Financial Report @ September 30, 2008**  
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 01 12 concerning Financial Report @ September 30, 2008 be received as information.
- (q) **Assessment Review Board Decision – Bank Towers**  
A report of the City Tax Collector is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the City Tax Collector dated 2009 01 12 concerning Assessment Review Board Decision – Bank Towers be accepted and the recommendation that Sault Ste. Marie City Council expresses its support concerning MPAC's request that the Province of Ontario review the need for a legislative amendment to clearly define 'current value' under the Assessment Act; and  
Further that a copy of this resolution be forwarded to Debbie Zimmerman, Chair MPAC Board of Directors and to Sault Ste. Marie M.P.P. David Orazietti.

5. (r) **Ontario Regulation 437/08**  
A report of the City Tax Collector is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the City Tax Collector dated 2009 01 12 concerning Ontario Regulation 437/08 be received as information.
- (s) **Essar Centre – Standing Purchase Order for Beer**  
A report of the Commissioner of Community Services is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Commissioner of Community Services dated 2009 01 12 concerning Essar Centre – Standing Purchase Order for Beer be accepted and the recommendation that Council approve a Standing Purchase Order for the purchase of beer in the amount ranging between \$200,000.00 and \$250,000.00 annually as supplied by the Brewer's Retail Inc. (The Beer Store) in order for beer to be resold at licensed events be approved.
- (t) **Canada Post Delivery Difficulties – Queen Street East**  
A report of the Commissioner of Engineering and Planning is attached for the consideration of Council. This is in response to a Council resolution dated 2008 12 15.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Commissioner of Engineering and Planning dated 2009 01 12 concerning Canada Post Delivery Difficulties – Queen Street East be received as information.
- (u) **Engineering Services – Shannon Road Reconstruction Wellington Street to Trunk Road**  
A report of the Director of Engineering Services is attached for the consideration of Council. The relevant By-law 2009-6 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (v) **Connecting Link – Revised Request for 2009 MTO Allocation – Two Root River Bridges – Great Northern Road**  
A report of the Director of Engineering Services is attached for the consideration of Council.

5. (v) Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Director of Engineering Services dated 2009 01 12 concerning Connecting Link - Revised Request for 2009 MTO Allocation - Two Root River Bridges - Great Northern Road be accepted and the recommendation that the firm of M. R. Wright and Associates be retained to provide design and contract administration services for the rehabilitation of the two Root River bridges on Great Northern Road be approved.
- (w) **Bennett Creek at Third Line Culvert Replacement**  
A report of the Director of Engineering Services is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Director of Engineering Services dated 2009 01 12 concerning Bennett Creek at Third Line Culvert Replacement be accepted and the recommendation that M. R. Wright be retained to provide a control survey to monitor movements and to recommend road closures if necessary and to provide design and contract administration services for the replacement of the culvert under the 2009 Capital Works Program be approved.
- (x) **City of Sault Ste. Marie Sale to Parniak – 110 Yates Avenue**  
A report of the City Solicitor is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the City Solicitor dated 2009 01 12 concerning City of Sault Ste. Marie Sale to Parniak – 110 Yates Avenue be accepted and the recommendation that Council agrees to the extension of the deadline by which Mr. Parniak has to build a building at 110 Yates Avenue to August 30, 2009 be approved.
- (y) **Closing and Conveyance of Former Walkway Abutting 91 Marconi Street to Abutting Owners**  
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2009-16 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (z) **Closing and Conveyance of Unopened Portions of Original Road Allowance Running Northwesterly From Frontenac Street to Soo Mill Holdings Limited**  
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2009-14 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

5. (aa) **Hub Trail Construction – Finn Hill Area – City Contract 2008-10E**  
A report of the Planning Division is attached for the consideration of Council.
- Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti
- Resolved that the report of the Planning Division dated 2009 01 12 concerning the Hub Trail Construction – Finn Hill Area – City Contract 2008-10E be accepted and the Planning Director's recommendation that City Council award Contract 2008-10E (Hub Trail Construction – Finn Hill Area) to Pioneer Construction Inc., in the amount of \$821,320.22 (including GST); and further that City Council authorize the use of the trail funding identified for this contract be endorsed.
- (bb) **Tourism Gateway Development Project**  
A report of the Chairman and President, Sault Ste. Marie Economic Development Corporation Board of Directors is attached for the consideration of Council.
- Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti
- Resolved that the report of the Chairman and President, Sault Ste. Marie Economic Development Corporation Board of Directors dated 2009 01 05 concerning Tourism Gateway Development Project be received as information.
- (cc) **International Relations/Global Logistics Trade Missions for 2009-2010**  
A report of the Executive Director Development Sault Ste. Marie is attached for the consideration of Council.
- Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti
- Resolved that the report of the Executive Director Development Sault Ste. Marie dated 2009 01 06 concerning International Relations/Global Logistics Trade Missions for 2009-2010 be received as information.

## **PART TWO – REGULAR AGENDA**

### **6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

#### **6. (2) COMMUNITY SERVICES**

##### **(a) Multi-Use Indoor Sports Facility – Update**

A report of the Commissioner of Community Services is attached for the consideration of Council. The report of the consulting team entitled Feasibility Study and Business Plan for New Indoor Multi-Use Sports Facility for Sault Ste. Marie – Phase 1A Summary Report Feasibility of Option dated November 20, 2008 is provided under separate cover.

Mover - Councillor J. Caicco

Seconder - Councillor O. Grandinetti

Resolved that the report of the Commissioner of Community Services dated 2009 01 12 concerning Multi-Use Indoor Sports Facility – Update and the interim report of the consulting team of BDO Dunwoody LLP Chartered Accountants and Advisors, Monteith Brown Planning Consultants and STEM Engineering and EOPH Architects be received as information.

#### **6. (6) PLANNING**

##### **(a) Application No. A-2-09-Z – Jack Moore – 766 People's Road – Request to Amend Zoning By-law to Permit the Operation of Insurance Restoration Contracting Business**

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

Mover - Councillor S. Butland

Seconder - Councillor O. Grandinetti

Resolved that the report of the Planning Division dated 2009 01 12 concerning Application No. A-2-09-Z – Jack Moore be accepted and the Planning Director's recommendation that City Council approve the application and rezone the subject property from "C.4" (General Commercial) zone, to "C.4.S" (General Commercial) zone with a Special Exception to permit as an additional use a 'Restoration Contractor' be endorsed.

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

- (a) Mover - Councillor S. Myers  
Seconder - Councillor J. Caicco
- Whereas Sault Ste. Marie City Council understands that Nav Canada is a private non-share corporation and operates Canada's civil air navigation service; and
- Whereas the City continues to be concerned about continued downsizing of services and the loss of very good paying jobs at the Sault Ste. Marie airport, an airport that is expanding its international services; and
- Whereas Sault Ste. Marie City Council, the Sault Ste. Marie Airport Development Corporation and the Sault Ste. Marie Economic Development Corporation are working hard to expand flight services, both private, charter, and scheduled, to Sault Ste. Marie;
- Therefore be it resolved that City Council and its Air Services Committee requests Nick Greer, Chairman of Nav Canada and John Crichton, President & CEO of Nav Canada to send a representative(s) from Nav Canada to present to City Council its future plans as to its operations here in Sault Ste. Marie and for its continued servicing of the Sault Ste. Marie Airport; and
- Further that a copy of this resolution be forwarded to the Honourable John Baird, Minister of Transport Infrastructure and Communities; Sault Ste. Marie Airport Manager Terry Bos; and Sault Ste. Marie M.P. Tony Martin.

**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) 2009-6 A by-law to authorize an agreement between the City and Kresin Engineering Corporation for the design and contract administration of the reconstruction of Shannon Road from Wellington Street to Trunk Road.
- A report from the Director of Engineering Services is on the agenda.

10. (b) 2009-7 A by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529).

#### **APPOINTMENTS TO LOCAL BOARDS**

- (c) 2009-3 A by-law to appoint members to various Local Boards in the City of Sault Ste. Marie.

#### **PARKING**

- (d) 2009-4 A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305.

#### **PUC INC.**

- (e) 2009-2 A by-law to authorize the execution of a Notice of the exercise of option to convert \$8,520,000.00 of principal of a promissory note into 13,632 common shares in the capital stock of PUC Inc.

- (f) 2009-13 A by-law to authorize the execution of an agreement between the City and PUC Inc. to amend a promissory note dated August 15, 2001.

#### **REGULATIONS**

- (g) 2009-8 A by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

#### **STREET ASSUMPTION**

- (h) 2009-14 A by-law to assume for public use and establish as a public street a portion of an unopened road allowance running northwesterly from Frontenac Street.

A report from the City Solicitor is on the agenda.

#### **TAXES**

- (i) 2009-11 A by-law to provide for interim tax levies.

10. **TRAFFIC**

- (j) 2009-1 A by-law to consolidate amendments to the Traffic By-law 77-200. The full by-law is available for viewing in the Clerk's Office.

**ZONING**

- (k) 2009-12 A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 766 Peoples Road.

**PROPERTY SALE**

- (l) 2009-16 A by-law to authorize the sale of a former 8' walkway abutting 91 Marconi Street to abutting owners Ugo and Gisella Bruni.

A report from the City Solicitor is on the agenda.

By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority

**LOCAL IMPROVEMENTS**

- (m) 2009-9 A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement on Shannon Road from Wellington Street East to Trunk Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06.

A report from the Design & Construction Engineer is attached to the by-law.

- (n) 2009-10 A by-law to authorize the construction of sanitary sewer and private drain connections on Wellington Street East from Simpson Street to East Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06.

A report from the Design & Construction Engineer is attached to the by-law.

**STREET CLOSING**

- (o) 2009-15 A by-law to stop up, close and authorize the conveyance of a portion of an unopened original road allowance running northwesterly from Frontenac Street to Soo Mill Holdings Limited.

A report from the City Solicitor is on the agenda.

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 J. Caicco

Seconder - Councillor O. Grandinetti

Resolved that this Council shall now adjourn.

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**MAYOR**

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**CLERK**

**MINUTES**

**REGULAR MEETING OF CITY COUNCIL**

**2008 12 15**

**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, F. Manzo, P. Mick

**OFFICIALS** J. Fratesi, D. Irving, N. Apostle, B. Freiburger, L. Bottos, P. McAuley, J. Dolcetti, S. Hamilton-Beach, D. McConnell

**1. ADOPTION OF MINUTES**

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2008 12 01 be approved. CARRIED.

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

**3. APPROVE AGENDA AS PRESENTED**

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the Agenda for the 2008 12 15 City Council Meeting as presented be approved. CARRIED.

**4. DELEGATIONS/PROCLAMATIONS**

- (a) Cheryl Linklater-Halverson, Supervisor of Volunteer Sault Ste. Marie, United Way was in attendance concerning Proclamation - Community Christmas for Children
- (b) Proclamation - International Sault Ste. Marie Night – December 31st
- (c) Paul Beach and Jason Collins, representatives of the Sault Ste. Marie Innovation Centre GIS Division were 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 O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that all the items listed under date 2008 12 15 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.
- (b) Correspondence from the City of Oshawa (concerning developing province-wide recreation, parks and sport infrastructure funding); City of Cambridge (concerning property tax assessment); and Township of South Stormont (concerning Bill 50 the Provincial Animal Welfare Act 2008) was received by Council.
- (c) **Staff Travel Requests**  
The report of the Chief Administrative Officer was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2008 12 15 be approved as requested. CARRIED.
- (d) **Tender for Oils, Greases and Gear Lubricants (2008WA26)**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that the report of the Manager of Purchasing dated 2008 12 15 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, required by the various City Departments and cooperatively Public Utilities Inc. be awarded as recommended. CARRIED.
- (e) **Tender for Padded Folding Chairs – Essar Centre**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland  
Resolved that the report of the Manager of Purchasing dated 2008 12 15 be endorsed and that the tender for the supply and delivery of 1,000 Padded Folding Chairs and Chair Carts, required by the Community Services Department be awarded as recommended. CARRIED.

5. (f) **Tender for Roof Replacement – Seniors Drop-In Centre**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that the report of the Manager of Purchasing dated 2008 12 15 be endorsed and that the tender for Roof Replacement at the Seniors Drop-In Centre, required by the Community Services Department be awarded as recommended. CARRIED.
- (g) **Borrowing By-laws for 2009**  
The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant By-laws 2008-214 and 2008-222 are listed under Item 10 of the Minutes.
- (h) **Stormwater Investigative Study – Consultant Selection**  
The report of the Director of Engineering Services was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland  
Resolved that the report of the Director of Engineering Services dated 2008 12 15 concerning Stormwater Investigative Study – Consultant Selection be accepted and the recommendation that the team of Dennis (R. V. Anderson)/Wm. R. Walker Engineering/Hydro-Com be retained to conduct the Stormwater Investigative Study be approved. CARRIED.
- (i) **Liquidated Damages on City Construction Projects**  
The report of the Design and Construction Engineer was accepted by Council.  
  
Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that the report of the Design and Construction Engineer dated 2008 12 15 concerning Liquidated Damages on City Construction Projects be accepted as information. CARRIED.
- (j) **Annual Report – Downtown Development Initiative**  
The report of the Planning Division was accepted by Council.

5. (j) Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland  
Resolved that the report of the Planning Division dated 2008 12 15 concerning the Annual Report – Downtown Development Initiative be accepted and the Planning Director's recommendation that City Council accepts this report as an update to the ongoing implementation of the Downtown Development Initiative, and that City staff initiate an amendment to the OMAFRA agreement requesting that funds for Project Feasibility be shifted to Building and Facade Improvements be endorsed; and

Further that City Council authorizes an application to FedNor for additional funding in the amount of \$240,000.00 to continue the Downtown Development Initiative. CARRIED.

Councillor L. Tridico declared a pecuniary interest – family member has applied for a Downtown Development Initiative Grant.

(k) **Free Bus Service in the City on the Evening of December 31st**

The report of the Transit Manager was accepted by Council.

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

Resolved that the report of the Transit Manager dated 2008 12 15 concerning Free Bus Service in the City on the Evening of December 31<sup>st</sup> be accepted and the recommendation that Transit Services provide free conventional and para bus service in the City on the evening of December 31<sup>st</sup> (from 6:00 p.m. until the last run leaving the bus terminal at 11:45 p.m. - coming off the road at 12:30 a.m.) be approved. CARRIED.

(l) **Wilcox Avenue Sidewalk Plowing**

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

Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland

Resolved that the report of the Commissioner of Public Works and Transportation dated 2008 12 15 concerning Wilcox Avenue Sidewalk Plowing be accepted and the recommendation that:

1. sidewalk plowing NOT take place on Wilcox Avenue over the winter of 2008-09 due to the lateness in the year and the amount of snow already on the ground; and
2. sidewalk plowing be added for the south side of Wilcox Avenue starting in the winter of 2009-10; and
3. an all-day 'no parking' zone be put in place from November 1<sup>st</sup> to March 31<sup>st</sup> along the south side of Wilcox Avenue starting in the fall of 2009 to permit snow storage in the parking lane, be approved. CARRIED.

5. (m) **Police Service Fee Schedule**  
The report of the Chief of Police was accepted by Council. The relevant By-law 2008-225 is listed under Item 10 of the Minutes.

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

- (n) **Conferences and Major Special Events Committee Update to Council**  
The report of the Chair, Conferences and Major Special Events Committee was accepted by Council.

Moved by Councillor O. Grandinetti  
Seconded by Councillor S. Butland

Resolved that the report of the Chair, Conferences and Major Special Events Committee dated 2008 12 15 concerning Update to Council be accepted as information. CARRIED.

## **PART TWO – REGULAR AGENDA**

### **6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

#### **6. (6) PLANNING**

- (a) **Application No. A-32-08-Z – City of Sault Ste. Marie Planning Division – Minor Amendments to Zoning By-law 2005-150 and Special Exceptions By-law 2005-151**

The report of the Planning Division was accepted by Council.

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

Resolved that the report of the Planning Division dated 2008 12 15 concerning Application No. A-32-08-Z – City of Sault Ste. Marie Planning Division be accepted and the Planning Director's recommendation that City Council approve Application 32-08-Z, Minor Amendments to Zoning By-law 2005-150 and Special Exceptions By-law 2005-151 be endorsed. CARRIED.

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

- (a) **Sault Ste. Marie Innovation Centre – A Proposal for the Youth Crime Committee**

The report of the Sault Ste. Marie Innovation Centre was accepted by Council.

6. (8)  
(a) Moved by Councillor B. Hayes  
Seconded by Councillor F. Fata

Whereas the Municipal Performance Measurement Program results of 2007 indicated a 28.9% increase in youth crime versus the 2006 results with 1,219 youth involved in criminal instances in 2007 versus 946 in 2006; and

Whereas this program also reported that in 2007 the youth crime rate was 204.4 per 1,000 youths; and

Whereas on the surface these results are substantially higher than other Northern Municipalities; and

Whereas as a result of the above-mentioned statistics City Council formed a committee to better understand the statistics and depending on the analysis to perhaps take a leadership role in coordinating a community-wide approach to providing services to youth in an effort to reduce youth crime and violence and provide better quality of life to youth in general; and

Whereas the Province of Ontario recently spent \$2 million on a study released this November on the root causes of youth violence in Ontario, the study of which provides many guidelines and recommendations the council committee intends to follow as we move forward; and

Whereas in order to clearly understand the Municipal Performance Measurement Program results, the Council Committee on Youth Crime and Violence has requested the professional assistance of the GIS Division of the Innovation Centre to compile and map three years worth of relevant data, as well as to solicit assistance from their many established contacts in the Social Services sector in terms of providing input on the mapped results;

Now therefore be it resolved that Council authorize the disbursement of \$29,750.00 (\$25,000.00 from 2008 fund – remainder from 2009 fund) to the GIS Division of the Innovation Centre to fulfill the obligation identified within their proposal with funds to come from the Community Development Fund established by City Council. CARRIED.

Recorded Vote

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

Against: Nil

Absent: Nil

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

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

- (a) Moved by Councillor S. Myers  
Seconded by Councillor T. Sheehan  
Whereas due to a near miss employee safety incident last week; and  
Whereas due to this incident Canada Post has ceased door to door mail delivery to 22 residents on the south side of Queen Street between Lake Street and Shannon Road;  
Therefore be it resolved that the CAO and appropriate Public Works staff meet with Canada Post to seek possible solutions to restore winter door delivery service to those residents and report back to Council on this matter. CARRIED.
- (b) Moved by Councillor S. Butland  
Seconded by Councillor B. Hayes  
Whereas circumstances appear to indicate that the Sault Area Hospital is at a critical stage as it pertains to staffing, services, programs and financing; and  
Whereas operations at the present facility must necessarily be formulated to effect a smooth transition to the new hospital; and  
Whereas the public is generally unaware of these difficulties and should be mindful of potential consequences; and  
Whereas the citizens of Sault Ste. Marie as well as the Corporation have been major contributors to the new facility;  
Be it resolved that David Orazietti, M.P.P. be requested to convene a joint meeting of the Sault Area Hospital Board and City Council as well as the Northeastern LHIN to discuss the present situation as well as to how we could proceed cooperatively for our mutual benefit and for the residents of Sault Ste. Marie. CARRIED.
- (c) Moved by Councillor L. Tridico  
Seconded by Councillor F. Fata  
Whereas there has been considerable interest in using a portion of the hub trail, specifically the asphalt section of the boardwalk from residents and tourists;  
Therefore be it resolved that City Council request the Public Works and Transportation Department begin snowplowing the portion of the hub trail in an effort of ensuring quality of life for those wishing to utilize our waterfront year round (from 49 St. Mary's River Drive to Holiday Inn driveway). OFFICIALLY READ NOT DEALT WITH. (RULED AS A RECONSIDERATION BY MAYOR ROWSWELL.)

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 O. Grandinetti

Seconded by Councillor S. Butland

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 12 15 be approved. CARRIED.

(a) Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that By-law 2008-210 being a by-law to stop up, close and authorize the conveyance of a portion of Paradise Avenue and Peach Drive road allowance being parts 16, 17, 57 and 58 Plan 1R11522 be read a third time and passed in Open Council this 15<sup>th</sup> day of December, 2008. CARRIED.

(b) Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that By-law 2008-214 being a by-law to authorize the borrowing of \$10,000,000.00 to meet current expenditures until taxes are collected be read three times and passed in Open Council this 15<sup>th</sup> day of December, 2008. CARRIED.

(c) Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that By-law 2008-222 being a by-law to authorize the borrowing of \$10,000,000.00 to finance capital expenditures for short and long-term purposes for The Corporation of the City of Sault Ste. Marie and \$2,500,000.00 for the Public Utilities Commission of the City of Sault Ste. Marie be read three times and passed in Open Council this 15<sup>th</sup> day of December, 2008. CARRIED.

(d) Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that By-law 2008-223 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be read three times and passed in Open Council this 15<sup>th</sup> day of December, 2008. CARRIED.

(e) Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that By-law 2008-225 being a by-law to authorize the charging of fees for services and activities provided by the Police Services Board and to amend Schedule "A" to By-law 2002-28 be read three times and passed in Open Council this 15<sup>th</sup> day of December, 2008. CARRIED.

10. (e) Councillor L. Turco declared a pecuniary interest – spouse employed by Police Services.

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

(a) Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco

Resolved that Council shall now go into Caucus for the purpose of:

1. considering one matter concerning identifiable individuals - 2009 Appointments to Boards and Committees; and

Further resolved that Council shall go into Caucus on 2008 12 16 for the purpose of:

1. considering one matter concerning Performance Appraisal/Corporate KRA's; and

Further be it resolved that should the said Caucus meetings be adjourned, Council may reconvene in Caucus to continue to discuss the same matters without the need for a further authorizing resolution. CARRIED.

Mayor J. Rowswell and Councillor L. Turco each declared a pecuniary interest concerning identifiable individuals at the 2008 12 15 Council Caucus Meeting.

12. **ADJOURNMENT**

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that this Council shall now adjourn. CARRIED.

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MAYOR

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CLERK

5(a)



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

ALERT N°: 08/064

To the attention of the Clerk and Council  
December 19, 2008

FOR MORE INFORMATION CONTACT:  
Milena Avramovic, Senior Policy Advisor, AMO  
(416) 971-9856 ext 342

### We Need Your Support of the AMO position on the Waste Diversion Act and the Blue Box Program Plan Review

#### Issue:

As we advised in November, the Minister of the Environment launched a discussion paper to officially begin the five year review of the Waste Diversion Act (WDA). He also directed Waste Diversion Ontario (WDO) to conduct a review of the Blue Box Program Plan (BBPP). AMO has submitted responses to both of these requests. AMO needs your written comments to the Minister in support of both these positions.

#### Background:

The Ministry of the Environment is looking for feedback on the challenges associated with Ontario's waste diversion framework, the programs under it, and the proposed plan for moving forward. A number of consultation sessions have been held across the province and now the Ministry is looking for written submissions. AMO through its Waste Task Force, has developed responses to both of these reviews which are attached ([please click here](#)). You will note that both of the letters reflect very closely the position papers developed by AMO and supported by you, our members. The responses highlight municipal challenges and perspectives and will help shape any recommended changes to the WDA, the BBPP and the strategic waste management directions. We need you to advise the Minister and the WDO of the Environment in writing that you support these positions.

#### Action:

That your municipality supports the attached AMO positions with correspondence to the Minister of the Environment by **January 15, 2009 for the WDA** and by **February 27, 2009 for the BBPP**.

#### For responses to WDA, BBPP:

Hon. John Gerretsen  
Minister of the Environment  
12th Floor - 135 St Clair Avenue West  
Toronto ON M4V1P5

#### For responses to BBPP Only:

Andy Pollock  
Vice Chair  
Waste Diversion Ontario  
45 Sheppard Avenue East – Suite 920  
Toronto, ON M2N 5W9

Hon. John Gerretsen  
Minister of the Environment  
12<sup>th</sup> Floor – 135 St. Clair Avenue West  
Toronto, ON M4V 1P5



December 19, 2008

Hon. John Gerretsen  
Minister of the Environment  
12th Floor - 135 St Clair Ave W  
Toronto ON M4V1P5

Andrew Pollock  
Vice-Chair  
Waste Diversion Ontario  
45 Sheppard Avenue – Suite 920  
Toronto, ON M2N 5W9

Dear Minister Gerretsen and Mr. Pollock:

**Re: Review of the Blue Box Program Plan**

This is in response to the Blue Box Program Plan Review recently directed by the Minister of the Environment. While the current Blue Box Program has been successful, it has become obvious to those in the business that recycling alone is not enough. Ontarians are throwing out as much waste today, perhaps more than at the time the Blue Box was first implemented some 20 years ago. Over this 20 year period it was the property taxpayers of this Province who have paid for all of the disposal costs of this waste, and most of the recycling cost. It is time to stop this practice.

Most companies that make the printed paper and packaging material that are collected in the Blue Box do not think of recycling and disposal during the design stage of their product as they pay only a small fraction of the actual cost of managing it. When companies have full responsibility for the costs of managing their product at the end of the lifecycle, we will get products that are designed better for the environment and cost less to manage when we are done using them.

The Association of Municipalities of Ontario (AMO) and the Municipal Waste Association (MWA), formerly known as AMRC, supports the shifting of full responsibility for all activities related to managing discarded consumer packaging and printed paper to the stewards responsible for producing this packaging. This Extended Producer Responsibility (EPR) framework will provide the incentive for stewards to examine and implement new design into their products to reduce the amount of the material in the first place, to enable reuse, to design with recyclability in mind and to design it in a way that it will be cost effective. This is not an unusual concept to most of the stewards to the Ontario Blue Box program as EPR programs exist in other Provinces of Canada and other countries in the world where these stewards market printed paper and packaging.

AMO and MWA prepared the "AMO and AMRC Discussion Paper for an Alternative Approach to Ontario's Blue Box Funding Model" a position paper which has been submitted to the Minister and strongly advocates for full Extended Producer Responsibility on all costs associated with the management of all post consumer packaging and printed paper. It recommends among other things, an expanded list of designated Blue Box materials to include all post consumer packaging and printed paper. It advocates that all costs associated with the management of this material be



paid by the stewards including any costs associated with the management of the litter and garbage stream (energy recovery and landfill). It advocates for incentives and penalties, defining and enforcing recovery targets, management of problematic materials and promotion and education strategies.

The transition to a full EPR program, whereby the responsibility for managing consumer packaging and printed paper in the residential waste stream transfers from municipalities to industry, will involve some major policy changes that will need to be implemented, AMO and MWA believe it can be done in 3 years.

**Some recommended policy changes would include:**

- Introducing a new regulation requiring the Industry Funding Organization to implement a Province-wide blue box recycling program that provides the same level of service currently provided to the residents of Ontario, or better. This may include curbside collection, multi-residential collection and public space recycling programs. Other mechanisms may be introduced, i.e., deposit-return; depot; return to vendor; etc. that would augment existing recycling programs. The key to remember is the level of service to the resident, whatever the approach(s) chosen the service needs to be equal to what is currently available or better to ensure an increase in the rate of participation and to ensure resident satisfaction. The new regulation will need to establish clear service standards with respect to service frequency, local promotion and education activity, and financial penalties for poor performance to ensure existing collection service standards are maintained. It is imperative that Province-wide promotion and education activities in support of program performance be central to any plan. In addition, financial incentives need to be provided to municipalities for local promotion and education in support of the program in much the same manner as has been implemented with the Municipal Hazardous and Special Waste Plan (MHSW). It is also imperative that annual auditing and monitoring of all systems be undertaken to document all stages of the management of the material the reduction and reuse but also disposal. Reducing the materials from disposal is as much a key in diverting this resource as it is in the reduction of this material in the design stages of its development.
- Change the definition of Blue Box Waste in Regulation 101/94 to include all consumer packaging and printed paper.

Establish a short-term timeframe of three years by which time all consumer packaging and printed paper must be accepted in residential recycling programs, with strict recycling targets for each type of packaging and printed paper product.

- Although we support the shifting of responsibilities and costs to the stewards, we believe that there is a role for municipalities. Municipalities will continue to collect garbage, source separated organics and yard waste material at the curb and have the expertise and associated infrastructure to support recycling collection activities (e.g. complaint response system, mapping for routing, etc.). In many municipalities, recyclables are being co-collected with other materials. We therefore support the concept of municipalities having the opportunity to negotiate or bid on the delivery of all services and especially on the collection of recyclables. This too is nothing new as municipalities will have the opportunity to enter into contractual arrangements with OES to deliver the WEEE program at a set fee.

During the 3 year transition period in which industry is adjusting the Blue Box system to accommodate all consumer packaging and printed paper, all municipal costs of managing non-recyclable packaging in the municipal waste and litter stream needs to be compensated at 100%. After the transition period expires, municipalities would be responsible for managing any Blue Box Waste remaining in the municipal waste stream. This speaks to municipalities using existing tools under the Municipal Act to limit garbage bags and pushing BB material out of the disposal stream and into reuse and recycling. The amount of the material in the garbage is expected to reduce as quickly as municipalities implement those tools.

In this recommended approach the municipal role would be one of fee for service for those municipalities that would voluntarily wish to continue with the delivery of recycling collection (as is the case with WEEE).

### **Stewardship Fees**

Steward fees will need to reflect the actual cost of managing the consumer packaging and printed paper that is recycled, ends up as litter or is disposed of in municipal garbage collection systems. What needs to be remembered is the absolute fundamental requirement to implement a Provincial Hierarchy Policy or Chain that management of these materials must take. We need to be cognizant of the fact that the disposal of consumer packaging and printed paper is often less expensive than managing the material in the 3R's hierarchy. Accordingly, there needs to be incentives and penalties built into the fee structure using the Hierarchy as a basis for the formula. In other words, those redesigning the product to be more reusable or easily recyclable should be rewarded while those producing difficult materials to recycle or producing materials for disposal should be penalized with higher fees. Practically speaking this must result in increased fees to cover the full cost of managing consumer packaging and printed paper. Specifically the formula will need to shift more costs from better performing to poorer performing materials, reward materials that achieve material specific recycling targets (and penalize those that don't) and credit stewards that incorporate recycled content in their products and packaging.

Any company or sector that currently exists, or a new one that chooses to implement an alternative recovery system (e.g. deposit- return), should remain an obligated steward to pay for the costs associated with managing any of their consumer packaging or printed paper that is still being managed by another system i.e. curbside/multi-residential/public space recycling system or disposal.

### **Environmentally Responsible Management**

AMO and MWA supports the following mechanisms being added to the Blue Box Program Plan to ensure environmentally responsible management of Blue Box material:

- vendor qualification standards for collection contractors, processing facilities and end markets
- investment in processing technology to reduce cross-contamination of collected material
- investment in Ontario-based material converters and end markets to expand capacity (particularly for hard to recycle plastic packaging) and to more effectively manage contamination levels in material collected in multi-material recycling programs.

### **Additional Blue Box Waste**

AMO and MWA supports redefining Blue Box Waste as "all consumer packaging and printed paper" including primary, secondary, tertiary and in-store packaging that is conceived to be distributed to household consumers. Other types of residential waste, such as furniture, toys, dishware, tools, clothing, mattresses, diapers, etc. should be the subject of separate Waste Diversion Plans under the WDA.

### **Blue Box Waste Collected Outside the Blue Box**

AMO and MWA's position is that all consumer packaging and printer paper should be recyclable and included in the curbside/multi-residential/public space recycling system, or alternative recovery systems fully funded and operated by industry. Municipalities should be reimbursed for 100% of the cost of managing consumer packaging and printed paper in the waste and litter streams. It is recognized that municipalities need to commit to use the tools at their disposal to limit the amount of garbage and force post consumer packaging and printed paper into the Blue Box stream.

### **Program Performance**

- ALL Post Consumer Products and Printed Paper to be collected in all municipal programs.
- Each material type needs a robust target for reducing, reusing and finally recycling. It needs to be reviewed and a new target for every year of a 5 year plan. The Plan should also be reviewed every 3 years and new targets set. Severe penalties for those materials not meeting the targets or those products that have not changed to be compliant with the Hierarchy must be implemented and acted upon by the Government. This could include the direction for the establishment of a product specific system.

Industry must be fully responsible for the management and cost of the program for all communities in Ontario. All communities in the Province must have access to recycling that is equal or better than the existing program. Industry should investigate how/where to consolidate materials in outlying communities before shipping to market that does not place undue hardships on the communities. Cost of freight from northern/isolated communities must be covered.

As stewards assume full responsibility for recycling, efforts to increase efficiency of the program should be undertaken and should include harmonization of materials, transportation, deposit-return; return to vendor; compost; etc.

Promotion & Education programs conducted at the Provincial level need to provide a consistent and comprehensive level of service. To reach the resident at the community level, adequate industry funded financial incentives need to be provided to municipalities in order that they may target specific curbside collection requirements.

### **Problematic Wastes**

1. A Packaging Review Panel (and/or a set of standards for packaging or products using EPR principles) should be struck, that will develop an Ontario logo system for identifying how the material is to be handled at the end of its life, whether that be through deposit-return, return to vendor, Blue Box, compost, etc.

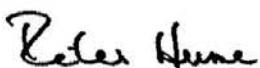
2. There is a need for a standard review of any new packaging or product coming onto the market. This should also be used on any product already in the market place, particularly those currently identified as difficult materials. The producer/packager should have to go through a process that is similar in scope to the Environmental Assessment (EA), showing the alternatives considered. If the material is not recyclable, it should not be allowed into the marketplace. If the material does not fit into the Blue Box, or can't be readily processed with existing infrastructure (must be able to be processed with a lowest common denominator MRF), it should be handled in a different way at that producers full cost. Any cost of the standard review to be borne by the steward.
3. Through continuous improvement, any material not reaching the Program target must be financially penalized. The penalty can also include the expulsion of the problem material from a Program and direction to the steward to set up an alternative method of managing this material.
4. Stewards are to be responsible for the province-wide consistent and continuous and robust Promotion and Education.

Municipalities should be compensated to continue with community level promotion and education programs, particularly as it relates to the blue box materials to divert them from disposal and into the blue box.

#### **ICI Wastes**

1. The IC&I sector needs their own BBPP with ground rules and oversight set by the government. Special attention needs to be given to the multi family residential and the BIA's where they are currently part of the municipal BB system.
2. The IC&I sector represents significant volume and tonnage of materials and could conceivably add an additional two times what the residential sector is currently processing. This could mean significant ramifications on existing processing capacity and markets..
3. Continual enforcement of Regulations, especially on waste audits and waste reduction work plans as required by Regulation 102/94.
4. Ministry to create incentives for the IC&I sector to recycle and for the private sector waste management companies to participate.
5. Identify end markets and develop a phased approach to ensure that end markets are growing at comparable rates. Focus on material to be recycled; recycled content; and, market development.

Yours sincerely,



Peter Hume  
President

cc: Hon. John Gerretsen, Minister of the Environment  
Jamie MacDonald, Senior Special Adviser, Policy, Ministry of the Environment  
John Vidan, Director, Waste Mgmt. Policy Branch, Ministry of the Environment



December 19, 2008

Alena Grunwald  
 Project Manager  
 Ministry of the Environment  
 Integrated Environmental Planning Division  
 Waste Management Policy Branch  
 35 St Clair Avenue West - Floor 7  
 Toronto, ON M4V 1P5

Dear Ms. Grunwald:

**Re: Response to the Review of the Ontario's Waste Diversion Act, 2002 Discussion Paper, EBR 010-4676**

This is the response from the Association of Municipalities of Ontario (AMO) and the (Municipal Waste Association (MWA) formerly the AMRC to the Ministers invitation to participate and respond to the review of the Waste Diversion Act, 2002.

**Toward a Zero Waste Future: Review of Ontario's Waste Diversion Act, 2002 Discussion Paper for Public Consultation**

At the outset, AMO and WMA advocate the enactment of a new Ontario *Waste Management Act*, of which one part would address waste diversion issues. This change is required as waste diversion and waste management matters are currently addressed in the *Waste Diversion Act, 2002* and the *Environmental Protection Act*. AMO/WMA do not advocate making amendments to the *Environmental Assessment Act*, as this Act has been reviewed extensively in the recent past. Comprehensive legislation addressing all aspects of waste management and resource recovery is required for Ontario.

**Full Extended Producer Responsibility**

1. *How can the Act be revised to embed extended producer responsibility in Ontario's waste diversion framework to drive toward zero waste and foster a green economy?*

The preamble and/or purposes of the new Ontario *Waste Management Act* must clearly embed the following guiding principles to aid in interpretation of the legislation:

- Waste as a resource – with zero waste as the provincial goal by a realistic target date; and
- Extended producer responsibility as a methodology to assist in the preventing of generation, reducing, reusing, recycling, recovering energy and disposing of waste.



2. *How can existing waste diversion programs move toward fuller extended producer responsibility?*

Industry stewards must be empowered to take full life cycle responsibility for all aspects of a product or packaging for products imported or manufactured in Ontario. Stewards would be responsible for meeting material specific diversion (re-use and recycling) targets. Stewards would, however, be free to design product stewardship programs that may or may not include the existing blue box delivery model provided the level of service for Ontario residents remains the same and has the potential for improving.

3. *What are the roles and responsibilities of municipalities in a full extended producer responsibility framework?*

Municipalities owning or operating waste disposal facilities may continue to offer services to the public and industry stewards. Stewardship groups may opt to contract with municipalities for delivery of services to the residential and the industry commercial and institutional (IC&I) sectors, where efficiencies continue to exist. Stewardship groups would be responsible for provincial-wide promotion and education of their programs. Municipalities can provide local promotion and education to encourage residents to the most appropriate collection method or place of collection, at stewards' cost.

***Define extended producer responsibility to benefit the environment***

4. *How can the extended producer responsibility principle be defined in the Act in order to recognize the impact of waste and non-waste factors?*

EPR must be extended to all materials, such that eventually all materials have inherent value and are not considered waste.

As for non-waste factors such as energy efficiency, toxics reduction, greenhouse gas emissions and use of raw materials, the fees should reward products that are capable of re-use, increased use of recycled materials. The fee structure should not take into account greenhouse gas emissions or toxics reduction as other jurisdictions or other Ontario Ministries can best regulate those issues. AMO/WMA declines to comment on energy efficiency, since recycling of materials will always be more energy-efficient than manufacture from a raw state and has, thus, been accounted for as noted above.

5. *How can programs best extend producer responsibility beyond that portion of the waste stream that is recycled?*

For both the residential and IC&I sectors, AMO/WMA supports the monitoring of the way waste is disposed in Ontario to aid in the setting of waste reduction and diversion targets. AMO/WMA supports the incorporation and expansion of the principles of Bill 105, currently before the Ontario Legislature (further commented on in response to question number 21). For example, through mandated and steward-financed periodic waste audits, operators of



waste disposal and energy recovery facilities will know what percentage of their waste streams are composed of recyclables and those materials that cannot be recycled. This data would be submitted to both Ministry of the Environment and Waste Diversion Ontario (WDO). WDO would coordinate the funding remittal of that portion of fees from the appropriate IFO to the operator of the facility. This funding contribution is intended to off-set the cost of operating and maintaining the costs, especially long-term costs in landfill site maintenance following closure. The Ministry of the Environment will use the data to assist in enforcement Province-wide waste shed infrastructure planning and policy development.

**Incorporate greater flexibility for industry in meeting extended producer responsibility requirements.**

6. *Does the Act provide the incentives necessary to encourage industry-led stewardship plans and individual stewardship plans?*

*(a) If so, how can those tools be used to encourage the development of industry-led waste diversion programs?*

*(b) If not, what additional tools are required to provide maximum flexibility for producers?*

The Act could be used to encourage the development of industry-led waste diversion programs. Materials, with re-use and recycling targets, could be designated ahead of program development with longer lead times to develop programs, which would encourage industry-led programs.

AMO/WMA does not support the continuation of voluntary contributions such as the in-kind advertising contributions – as are currently utilized by the Canadian Newspaper Association and the Ontario Community Newspapers Association in the current Blue Box Program Plan – since these do not provide a stable and guaranteed secure funding contribution to the industry funding organization and Ontario's municipalities.

Aside from more realistic time to develop plans and markets, AMO/WMA do not believe that additional tools are required for producers. Industry should be reminded that they always have an option to bring forward an industry-led waste diversion program to WDO or the Ministry under subsection 34(1) and 34(2) of the Act. In this view, however, this application should be made solely to the Minister for approval, with a copy of the application being submitted to WDO for any review comments back to the Minister.

7. *Extended producer responsibility programs are typically built on annual fee setting cycles. Can the fee setting cycles of the programs be redesigned to react more quickly to marketplace changes, or the entrance of new products and packaging into the market?*



Yes, the fee setting cycles can be adjusted to react more quickly to market changes and new introductions into the market. At present, stewards report market sales information on a quarterly basis with stewards' fees being set on an annual basis. In AMO/WMA's opinion, it should be able to adjust fees so that they are set using the prior quarter's sales to more accurately reflect market share.

With material specific diversion targets being phased-in over time, both the stewardship organization and WDO should be able to anticipate new product and packaging entries into the markets.

#### ***Fee Visibility***

8. *As a key principle of an EPR approach, should the province call for fees related to environmental management costs to be included in the product cost as a factor of production, rather than added separately at the point of sale?*

AMO/WMA agrees that visible fees should not be added separately at the point of sale. Deposit return fees have been incorporated into the product costs and are not shown separately to consumers. AMO/WMA supports the internalization of the fees that producers and stewards of products will be required to pay to compete in the Ontario marketplace. The only instance in which visible fees may be palatable is for retailing of products with high toxicity – to directly promote consumer choice to more environmentally-friendly alternatives.

#### ***Impact on Existing Markets***

9. *How can Ontario ensure fairness and competition when introducing waste diversion programs?*

This is a difficult question – since market factors cannot and do not always promote reduction or recycling programs. In many cases, it appears to cost more to recycle and it certainly is more complicated to design a viable recycling program, rather than shipping waste to landfill disposal within or outside of Ontario. Where materials are to be designated, it makes sense to give realistic development timeframes to allow stewards to change product and packaging materials and develop infrastructure processing and local markets. Open competition and transparent contract procurement must be practiced with the use of established MERX postings at all times.

#### ***Stewardship models***

10. *How could individual stewardship be incorporated into the Act to better drive diversion?*



Stewards that openly redesign products and packaging using "design for environment" to reduce product and packaging waste or utilize recycled or easy-to-recycle materials with local infrastructure, should receive credit offsets against their fees payable to the industry funding organization. Product stewards that introduce products or packaging that leap-frog one of the steps of the waste management hierarchy toward energy recovery or waste disposal should be penalized correspondingly.

11. *What tools would help consumers better manage the wastes they generate?*

The Province could pass consumer protection legislation that would allow all consumers who utilize retail outlets to leave product packaging at the retail outlet, to facilitate easy recovery for re-use, recycling, energy recovery or disposal, as appropriate. If consumers purchase products on-line, the return of both the product and/or the product packaging, should be explicitly at the cost of the retailer, distributor or industry steward. If products or packaging cannot be returned to point of sale, then they must be managed through steward funded programs. This legislation would also ensure that advertising of these options be readily available to all consumers to increase waste recovery efforts in Ontario.

***Improve and extend stewardship***

12. *How can stewardship best be extended to materials outside current waste diversion programs such as new, non-recyclable materials or waste that ends up as litter?*

Increased fees would be levied to those stewards who introduce new non-recyclable materials or convert from easy to more difficult recyclable materials into the market. In addition to steward fees, the Province should impose targeted provincial excise fees on such products, upon import. Municipalities would continue to be responsible for the collection and disposal of litter and would conduct regular waste audits at their facilities. With audit information available, stewards whose products end up as litter would be financially responsible to contribute to the municipality's long-term cost of managing the waste disposal, waste processing or energy recovery facility.

Decreased fees or one-time credits would be levied on stewards who decrease packaging or sell different amounts of products upon consumer demand (i.e. paint sold by room dimension).

**Establish the 3Rs hierarchy in the Act**

13. *How can the 3Rs be better entrenched in the Act to drive toward zero waste and foster a green economy?*



AMO/WMA supports the incorporation of a schedule in the waste/resource management legislation which goes beyond the 3Rs and clearly sets out the waste management hierarchy: prevent waste generation, reduce, re-use, compost, recycle, energy derived from waste, waste disposal without energy recovery. Should another hierarchy develop in the future or changes need to be made, the schedule could be amended in the future.

14. *Does the Act provide the necessary tools required to promote the 3Rs?*

- (a) *If so, how can those tools be used more effectively?*
- (b) *If not, what additional tools are needed?*

Waste reduction, re-use and diversion targets were set for Municipal Special or Hazardous Waste and Waste Electronics and Electrical Equipment Plans. Continued monitoring of the progress towards these targets must be formally made by WDO Ontario and informally by the appropriate Industry Funding Organization or industry, in the case of an industry-led stewardship plan. As such, AMO/WMA supports the inclusion of "continuous improvement" as an explicit program policy role for WDO. For more information on explicit changes to the legislative wording, please see the AMO/AMRC Review of the Waste Diversion Act Discussion Paper submitted in July 2007, which is attached to this submission.

Where targets are not made and progress is not observed, funding levels should be able to be adjusted by WDO to promote the development of markets and corresponding infrastructure. This would require increased funding approval powers for WDO. Stewards can avoid the rise in funding contributions by utilizing proper design for environment principles or adjusting funding levels on their own to cover their costs of implementing extended producer responsibility. WDO would also act to ensure that the cost of the programs is realistic and fair for producers to ultimately impose on Ontario consumers.

15. *What additional principles should be embedded in the Act to guide development of waste diversion programs in the province?*

AMO/AMRC continues to support the inclusion of open, broad and inclusive consultation in the development of waste diversion programs. The AMO/AMRC July 2007 Discussion Paper (attached) went into great depth as to the need for increased public consultation and how to enshrine this principle in the Act.

Where industry proposes to impose industry-led waste reduction and diversion plans, AMO/WMA would also like to see the industry conduct consultation with key stakeholders on their proposed changes. This would have, perhaps, stayed off the introduction of such problematic packaging materials, such as the Coleman "Green Key", into Ontario markets.



### The role of the consumer

16. *How can the Act be used to better encourage and leverage the role of the consumer in the 3Rs hierarchy?*

AMO/WMA supports and has expanded on the examples cited in the WDA Discussion Paper to empower consumers in making responsible decisions, such as:

- Ensuring robust, steward-led Provincial-wide promotion and education messaging on waste diversion (reduction, composting and recycling) programs;
- Ensuring complementary local education by municipalities in the delivery of local waste disposal and energy recovery programs;
- Requiring retailers make it easy for consumers to take back products and packaging at point of sale and when consumers no longer need the products and/or packaging;
- Incorporating deposit return systems for certain products and packaging to spur on higher levels of collection;
- Entrenching consumer access options to above systems, irregardless of population density or geography;
- Requiring products to have clear labels to inform consumers of options for take back, deposit return, recycling and environmental impacts of disposal for products and the packaging of products; and
- The Ministry of the Environment should work with the Ministry of Education, Ministry of Training, Colleges and Universities, Ministry of Health Promotion and the Ministry of Economic Development to provide consumer-based education on the cost and impacts associated with the purchase of products and packaging.

17. *What are the incentives that would most likely result in greater waste reduction and reuse?*

We have seen that deposit return can properly incent consumers to divert materials from waste disposal and the Blue Box to an appropriate and convenient deposit return point of contact.

Local municipal control needs to be continued and expanded to implement material-specific landfill and energy recovery bans on all facilities. Municipalities may need to consider implementation of clear bags for disposal, to allow for easier enforcement of mandatory diversion and recycling by-laws. Where municipalities fail to act, the Minister may be empowered under legislation to impose bans on designated materials and other methods to encourage waste reduction and diversion. All municipalities within certain geographic areas may need to consider implementing tag-a-bag fee systems.



18. *What additional incentives would most likely drive greater waste diversion efforts by consumers?*

Local municipal promotion and education campaigns focusing on who bears the ultimate cost for recycling (stewards) and waste disposal (municipalities with steward contribution).

19. *What information regarding the environmental impacts of products and packaging should be made available to consumers and how?*

Retailers should be required to post signs explaining the mobilius loop and plastics codes and explaining what product packaging can be placed in blue box, take back (return to retail) and deposit return programs. With stewards taking responsibility for implementing full extended producer responsibility across the Province, there will likely be a standardization of the materials accepted in the Blue Box and at return-to-retail locations. This standardization of materials will be reflected in Ontario-wide promotion and education messaging for all consumers.

In addition to charging for plastic or paper bags, retailers should make consumers aware that packaging can be returned to the store at point of sale or when product is no longer needed.

### **Enhance 3Rs regulations**

20. *Should Ontario continue to promote approaches to waste diversion that focus on facilitating diversion by waste generators?*

(a) *If so, how could these approaches complement an extended producer responsibility framework?*

See answer to question number 18 above.

21. *How could data reporting and other 3Rs obligations be used to enhance diversion?*

Data reporting needs to shift from tonnes of designated materials to another measure such as volumes to properly address the trend towards lighter plastic packaging that is either harder-to-recycle or incompatible with marketing of high quality compost or processing at composting facilities.

Data reporting and regular waste audits at stewards' cost needs to be conducted at final disposal and energy recovery facilities to ensure that the cost of dealing with litter and waste residue is properly accounted for and financially assisted by stewards within an extended producer responsibility methodology.



AMO/WMA supports the principles of current private members Bill 105 that would provide a means for monitoring the way waste is diverted and disposed in Ontario. Carriers who remove waste from Industrial, Commercial and Institutional (IC&I) sites would be required to keep records of the amount of designated materials removed and delivered to diversion and disposal sites. Reporting would be done on a quarterly basis to the Ministry of the Environment with the same monitoring and reporting requirements imposed on the owners or operators of waste processing and disposal sites. The Ministry of the Environment would be responsible for auditing and verifying accuracy of records and submitted information with appropriate offence and enforcement provisions. These provisions would assist the Ministry, WDO, municipalities in proper waste flow monitoring and industry stewards in planning for appropriate infrastructure investments. It would also discourage activities at some waste disposal sites that claim to actively "re-use or recycle" materials on-site, with very little actual "diversion" from landfill. For example, using construction and demolition wastes on landfill sites to build roads, should not be considered diversion from landfill, as it is being done to support landfill disposal activities.

22. *What, if any, amendments to the 3Rs regulations could be made to support future extended producer responsibility programs?*

As with our submission on the revision to the Blue Box Program Plan, AMO/WMA strongly supports the shifting the full responsibility for all activities related to managing discarded consumer packaging and printed paper to industry stewards. This framework would provide stewards and Stewardship Ontario with the necessary financial incentives to reward for "design for environment" for waste reduction, reuse and select packaging that can be cost effectively reused or recycled. This transition to a full extended producer responsibility program will involve major policy changes that will need to be implemented over several years. AMO/WMA recommends the following amendments to the 3Rs regulations and beyond:

- Redefine Blue Box waste in the legislation as all consumer packaging and printed paper, including primary, secondary, tertiary and in-store packaging that is conceived to be distributed to household consumers. Other types of residential waste, such as furniture, dishware, clothing, mattresses, diapers, toys, etc., would be the subject of separate waste diversion program plans;
- Repeal O.Reg. 101/94 and introduce a new regulation requiring Stewardship Ontario to implement the same level of service or better including curbside, multi-residential and public space recycling for municipalities over 5,000 in population and for those municipalities under 5,000 in population who are currently running a curbside collection program. This new regulation or revised Blue Box Program Plan would have to establish clear service standards with respect to service frequency, local promotion and education activity and financial penalties for poor performance to ensure maintenance of existing service collection standards. The regulation or new Program Plan would also specify requirements for Province-wide promotion and education activities to support program performance;



- Establish a timeframe (3 years) by which all consumer packaging and printed paper must be accepted in residential recycling programs, with strict reduction, re-use and recycling targets for each type of packaging and printed paper product;
- Stewards may design the new Program Plan; however, municipalities will likely have a key role in collection due to current co-collection of recyclables, waste and compost programs. AMO/WMO supports the concept of municipalities being allowed to negotiate or bid on collection contract with stewards for delivery of these services. Until contracts can be assigned to Stewardship Ontario, stranded costs must be addressed through the Plan development (with Stewardship Ontario paying the full system costs with a fee for service, leasing facilities or systems or entering into other contractual arrangements for municipal service); and
- During the 3-year transition timeframe and beyond, require Stewardship Ontario to pay 100% funding to municipalities for the cost of managing non-recyclable packaging and printed paper remaining in the municipal waste stream.

### **Revisions to the Act**

23. *Is there a role for existing Act programs to encourage the facilitation of diversion by IC&I waste generators?*

*(a) If so, are the available tools appropriate or are additional tools necessary?*

O.Reg. 101/94, one of the current 3Rs regulations under the *Environmental Protection Act* limits the Blue Box Program Plan to certain mandatory and optional collection of certain municipal waste materials generated within municipalities with greater than 5000 persons. O.Reg. 102/94 imposes waste reduction and waste auditing responsibilities on certain operators in large IC&I sectors. O.Reg. 103/94 imposes requirements for source separation and recycling programs on larger multi-residential buildings and on the owners and operators of large IC&I facilities set out in O.Reg. 102/94.

There are, however, no mandatory waste diversion (reduction and recycling) targets for IC&I sectors caught by the 3Rs regulations. Not all municipalities offer recyclable collection services to the IC&I sectors located in their communities and not all communities have access to private recyclable collection service. In addition, until recently, the Ministry of the Environment carried out little to no enforcement of O.Reg. 102/94 and O.Reg. 103/94. The result has been a spotty patchwork of recycling programs serving IC&I generators across Ontario.

Should the Minister expand the designation of materials for the Blue Box Program Plan to all consumer packaging and printed paper – and remove the population requirement and size sector requirements within the regulations - this would capture materials targeted for retail in the residential sector and all of the IC&I sector and ensure increased capture rates. The responsibility would need to be placed on the IFO to serve both the residential and IC&I sectors. The IFO, WDO and the Ministry of the Environment would implement ongoing enforcement of ICI waste reduction, auditing and participation in recycling programs.



Additional targeted promotion and education would be required from the IFO to let all players in the IC&I sector know of the increased service requirements.

Municipalities could assist in the pursuit of these policy goals. In case of construction and demolition, they can ensure that a requirement for issuance of a building permit for demolition and construction of new housing and structures would require submission of a waste reduction, re-use, recycling and disposal plan and an appropriate money bond – which would be released back to the developer upon successful completion and verification of the requirements of the waste plan. The *Building Code Act* should not be allowed to be an obstacle for developing this as a standard municipal building permit practice.

#### **Extending responsibility for wastes in the IC&I sectors to producers**

24. *How can responsibility be extended to producers to address the end of life management of their products and packaging sold or supplied to the IC&I sectors?*

(a) *What authorities should be included in the EPA or the Act to facilitate this?*

As previously stated, the Ministry should extend the responsibility of producers for the management of all consumer packaging of products and printed paper. This would enable end of life management for all sectors to be addressed within the appropriate WDO or industry-developed Program Plans. Please see our answer to question number 22 for specific policy direction regarding legislative authorities.

25. *Are there any aspects of existing waste diversion programs that could provide a means of facilitating extended producer responsibility for products and packaging generated in the IC&I sectors?*

Please see answers to question numbers 23 and 27.

#### **Priority IC&I sectors or specific materials/range of materials**

26. *Do any specific IC&I sectors lend themselves more readily to application of extended producer responsibility?*

See answer to question number 27.

27. *Are any specific materials generated by IC&I sectors more appropriate for extended producer responsibility programs?*

It would be appropriate to direct efforts at materials generated in larger quantities (the low hanging fruit) by the IC&I sector for extended producer responsibility programs. For instance, compostable materials comprise a large percentage of waste generated by the IC&I sector. For large producers, these materials could be designated and managed in ways similar to current initiatives serving the residential sector.



Wood and drywall waste from the construction and demolition (C&D) activities also comprise a large percentage of IC&I waste. Encouragement of building technologies with substantially less wood, use of more sustainable types of wood products, re-use and recycling through wood chipping could prevent the generation of wood C&D waste. Industry stewards should be encouraged to continue efforts at developing local and effective technologies for the recycling of drywall.

AMO/WMA recognizes that some materials – such as those generated by hospitals and medical establishments – may not be appropriate to meet re-use or recycling targets and instead remain dedicated for energy recovery or toxic landfill disposal.

28. *What other tools could help encourage IC&I establishments to divert as much waste as possible?*

Like the producers of products serving the residential sector, AMO/WMA would support landfill bans for specific designated materials to encourage markets and development of processing infrastructure for the IC&I sector. Monitoring of waste generated and diverted by IC&I establishment and waste carriers that serve IC&I establishments, as put forward in Bill 105, would demystify waste flow in this sector. Open continuous enforcement of waste reduction work plan and recycling targets and the monitoring of reporting by carriers, processors and final disposal destinations would encourage in this sector.

### Possible Approaches

29. *How could roles and responsibilities be articulated to clarify mandates?*

AMO/WMA does not immediately see a need for the clarification of mandates. Waste Diversion Ontario clearly explains their mandate on their website and the Ministry's own discussion paper provides an excellent synopsis of the various mandates of the major players and their roles and responsibilities. Once the WDO board is changed – as outlined below – perhaps there could be some limited Province-wide advertising about its functions.

30. *What should be the responsibilities of:*

(a) *The Minister?*

The Minister is first and foremost responsible for the public interest and the stable availability of waste recovery and management infrastructure across Ontario. The Minister is responsible for ensuring the Provincial waste policy principles are enshrined and enforced by Ministry staff and Waste Diversion Ontario in the new waste management legislation. The Minister should develop and apply policy principles that may vary according to geographic area and population density. In addition, the Minister and the Ministry are responsible for working with other Ministries and levels of government to develop Ontario's



infrastructure and ensure the enactment of zero waste and other complementary policies by other Provinces and the Federal Government.

As outlined in the AMO/AMRC July 2007 Discussion Paper, we support modification of the Minister's powers to approve, reject **and modify** waste diversion program plans

AMO/WMA supports the concept of having Ministry waste management enforcement resources supported by stewards' fees, paid by the appropriate IFO.

*(b) Waste Diversion Ontario?*

WDO is unique, in that in other Canadian jurisdictions, a combination of Provincial Ministry staff and industry funding organizations perform most of WDO's functions. However, this is simply a different method of service delivery, chosen by the Provincial Government.

AMO/WMA agrees with the current role of WDO as the developer of waste reduction and diversion programs. As will be discussed below, AMO/WMA support governance changes and enhanced public consultation in program development to support this role.

WDO is limited because the IFOs, through the collection of stewards' fees, fund all of its activities. WDO is often motivated to develop diversion programs – irregardless of quality or prescriptive program request letter wording – so that it can recover its costs. WDO is also hampered by a lack of resources and its current need to maintain harmonious relations with its IFOs and industry stewards. WDO needs separate and secure funding to allow it to develop programs (if necessary), properly criticize and independently modify the programs in development to ensure program targets can be met, and ensure adequate resources are assigned to monitor and direct continuous program improvement.

WDO needs to spend renewed effort and focus on the monitoring and evaluating programs and acting to encourage and direct continuous improvement in re-use, reduction and recycling of materials. So long as the WDO Board moves towards a more balanced representation, reflective of the public interest, this should remove the previous conflicts in Board member interest in maintaining program status quo and assist in more effective scrutiny of programs (see comments under question 31).

If there are other major concerns with the working of that organization, this can be addressed in five years in the next review of the legislation.

*(c) Industry Funding Organizations and Industry Stewards*

We appreciate that each IFO should be managed by its board of directors to be selected from stewards of the designated waste or groups of waste materials. This improves accountability and ensures appropriate oversight. It is also appropriate that these boards have public interest representation on them as their decisions ultimately affect the public.



However, IFOs are creatures of the WDO and their sole purpose is to develop and implement the program plans. If their members block continuous improvement of program plans, subvert re-use and diversion targets by switching packaging material, WDO must have options available to direct change. WDO is delivering the Minister's direction, which is first and foremost a reflection of Provincial policy and public interest.

AMO and WMA support a prominent role for IFOs in the development and implementation of province-wide promotion and education. As with our submission on the review of the Blue Box Program Plan, once Stewardship Ontario transitions to and has the responsibility for one hundred percent (100%) funding responsibility for all product packaging and printed paper, it makes sense to have it responsible for promotion and education – a key implementation of the Blue Box Program Plan.

Industry stewards are able to develop individual product plans under the Act, however, without being financially responsible for final waste disposal costs such as at present, there is little financial incentive for them to be pro-active. Making industry stewards responsible for the costs of litter, waste disposal and recycling infrastructure will definitely tip that balance. However, once a material is designated, the stewards may be forced into participating in a collective IFO. They can only opt-out after the IFO program has been approved, to meet the Minister's requirements on an individual basis. AMO/WMA understands that this measure is in the Act to ensure that there is not "hollow" participation in the development of the program plan, but if there is insufficient lead time on possible waste or packaging designations by the Ministry, this stymies or discourages development of individual industry steward plans. AMO/WMA supports the need to designate materials as far in advance of issuing program request letters as possible and the need to give heads-up for stewards on potential landfill bans or surtaxes. This could encourage industry stewards to develop their individual plans, and/or develop their IFO in advance. Imposition of an IFO structure, by WDO, would then only be required as a last resort.

*(d) Ontario's municipalities?*

AMO and WMA have added in this subcategory in response to the questions posed in this Discussion Paper. Ontario's municipalities have played vital roles in waste collection, processing and waste disposal as well as planning and monitoring of local waste management. As the Blue Box Program Plan transitions to 100% steward funding, the IFOs, namely Stewardship Ontario and other product stewards, can decide whether or not they wish to continue using municipal collection and processing infrastructure and assumption of current municipal contracts. IFOs should open waste collection and processing contracts to bids from the municipal sector.

Local municipalities should have the ability to pass by-laws to impose landfill or energy recovery material-specific bans on all local facilities, to ensure that IFOs, individual product stewards or private waste disposal companies do not leapfrog or overstep the Provincial waste management hierarchy.



Municipalities should continue to play an important role in local promotion and education, at stewards' cost, to ensure that IFOs' promotion and education messages are reinforced. This promotion and education must remain complementary to where and how materials should and can be re-used, reduced and recycled – ensuring diversion wherever possible in Ontario.

31. *What changes, if any, could be made to the board structures of Waste Diversion Ontario or industry funding organizations to provide more balanced representation?*

The Act provides for specific composition of the WDO Board of Directors. It also allows for an operating agreement to specify an alternative structure of members of the Board of Directors and observers (section 6.01).

In 2006, there was recognition within WDO that it was time to move away from a representation governance model towards a more balanced structure of the WDO Board to reflect a broader membership at large and the public interest. In particular, WDO has recognized that its Board must be based on a process that mitigates allegiance to nominating organizations and encourages fiduciary responsibilities to WDO. WDO's Governance Committee recommended that industry representation come from sources other than the IFOs, as WDO is required to monitor the effectiveness and efficiency of programs implemented by IFOs. After considerable debate, WDO's governance committee brought forward 3 potential changes to Board structure, of which the following structure was approved by the Minister of the Environment earlier this year:

- 5 industry representatives jointly appointed by industry associations;
- 5 stakeholder representatives comprised of
  - 4 municipal representatives jointly appointed by municipal associations
  - 1 Environmental Non-Governmental Organization (ENGO) representative jointly appointed by the Ontario Environmental Network and the Recycling Council of Ontario; and
- 4 unrelated Directors appointed by the Minister.

AMO/WMA is in full support of this new governance structure. The balance of voting power on WDO decisions will move to the 4 public interest and 1 ENGO appointees. This will ensure that the Ministry's interests and the public interest are furthered in all WDO decisions, decrease the amount of power allotted to representatives who have inherent conflicts of interests, and break former stalemates.

32. *What additional authorities should each organization be given that would help ensure that the public interest is protected?*

WDO needs to ensure that the costs of the delivery of programs are accurate to ensure that industry stewards are passing realistic costs onto consumers in the pricing of products. Therefore, WDO's primary responsibilities - aside from plan development - include promoting and monitoring of continuous improvement towards waste reduction, re-use



targets and the corresponding fee-setting methodology. If additional resources are required in this area, then WDO staffing will need to be expanded accordingly. The AMO/AMRC July 2007 Discussion Paper went into specific detail about proposed changes to the *Waste Diversion Act* to embed continuous improvement and monitoring in the Act.

33. *What tools might be needed to better resolve conflicts, particularly at the program development stage?*

In the past, changes have been made to waste diversion plans without any consultation of those parties affected. AMO/WMA would like to remind the Minister of the changes to the funding contribution of newspaper stewards in 2005 to allow for in-kind contributions rather than actual financial contributions. This change was accomplished through lobbying of the Provincial government without input from Ontario's municipalities. This change has resulted in substantive annual increases of the in-kind contribution which continues to jeopardize the sustainability of Blue Box funding due to fluctuations in values in recyclable markets. This has not worked since its inception and thus AMO/WMA recommend the deletion of subsection 31(2).

We wish to prevent such unfortunate incidents from occurring again and would therefore request to have all decision points within the WDA incorporate fairness, transparency and open accountability principles. One of the ways to ensure such procedural mechanisms are followed is to make sure that adequate consultation is undertaken so that all parties have a chance to put forward their views on program and plan development and changes thereto.

At present, section 7 of the Act allows the Minister the sole discretion to establish policies applicable to WDO. While AMO/WMA agree that this is an appropriate role for the Minister, due to the shared financial impacts of potential policy development, it would be easier to accept the potential plan impacts, if interested parties were consulted in advance of imposing policy changes. AMO/WMA recommend that consultation of such policies, in advance of their imposition would be more beneficial for all interested parties and ensure that there are no surprises for all concerned. This is also consistent with the consultation currently being undertaken on the implementation of Phases 2 and 3 of the Municipal Hazardous and Special Waste Plan.

In addition, AMO and WMA recommend that WDO's approval of a proposed waste diversion program be made public and the details of the program be provided to the IFO and Ontario's municipalities before the program is submitted for Ministerial approval. This is also essentially what occurred with Phase I of the Municipal Hazardous or Special Waste Plan and would give one last chance to ensure adequate consultation is done, particularly in situations where the timeline for development of such programs are extremely short. It also may alleviate potential problems in implementation later in the process or avoid potential disputes in the future.



34. *What changes are necessary to ensure timely program development and approval?*

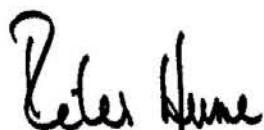
It is not enough for the Ministry to specify program development within a set timeline. Each program development letter must specify that the program respond with material specific reuse and diversion targets as well as implementation schedules. If the Ministry is not satisfied with the proposed scheduling, then the Minister should have the discretion to amend the plan. At present, the Minister can only approve or turn down the plan – this leaves no room for the discretionary application of Provincial waste policy guidelines.

35. *Are penalties for non-compliance appropriate?*

There are very few charges for non-compliance under the Act. This would appear to indicate that the penalties are appropriate. However, the penalties levied in the recent past do not appear to represent a real financial hardship for most companies operating in Ontario.

The penalties should be commensurate with what the company would have paid under the Act for fee payments for the appropriate year, plus additional monies to serve as a deterrent to others (20% at the lowest). In addition, the victim fine surcharge should be remitted to WDO to offset their annual operating costs and should not be allotted to general provincial revenues.

Yours sincerely,



Peter Hume  
President

cc: Hon. John Gerretsen, Minister of the Environment  
Jamie MacDonald, Senior Special Adviser, Policy, Ministry of the Environment  
John Vidan, Director, Waste Mgmt. Policy Branch, Ministry of the Environment  
WDO





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## MEMBER COMMUNICATION

ALERT N°: 08/063

*To the attention of the Clerk and Council*  
December 16, 2008

FOR MORE INFORMATION CONTACT:  
Matthew Wilson, AMO Senior Policy Advisor  
(416) 971-9856 ext 323

### Ontario Municipal Partnership Fund Notices for 2009

#### Issue:

The Ministry of Finance and the Ministry of Municipal Affairs and Housing have announced individual Ontario Municipal Partnership Fund (OMPF) final allocations for 2009.

#### Background:

On December 15, 2008, the Ministries of Finance and Municipal Affairs and Housing wrote to Heads of Council and Treasurers with individual municipal allocations for 2009.

These notices follow an earlier release of interim estimated minimum allocations for 2009 on November 14, 2008. Over 230 municipalities will receive more than the amounts identified in November.

As part of the Provincial-Municipal Fiscal and Service Delivery Review, AMO was able to secure a further extension of the stable funding guarantee for municipalities in 2009. For 2009, this guarantee is called the "Combined Benefit Stable Funding Guarantee". A similar guarantee (known at times as "Additional One-Time Special Assistance") has been in place since the 2005 transition from the Community Reinvestment Fund to the OMPF.

The "2009 Combined Benefit Stable Funding Guarantee" is calculated using a municipality's 2007 OMPF allocation (before uploading began) less the estimated value of the Ontario Drug Benefit upload which began in 2008, and the Ontario Disability Support Program Cost of Administration upload which begins in 2009.

For 2009, the combined total value of OMPF and social assistance uploads will equal almost \$949 million. As a result of the Provincial-Municipal Fiscal and Service Delivery Review, by 2018, the combined total value of OMPF and social assistance uploads is estimated to be almost \$2 Billion a year.

Detailed allocation notices are available at: [www.fin.gov.on.ca](http://www.fin.gov.on.ca).

**Action:** For your information.

*This information is available in the Policy Issues section of the AMO website at [www.amo.on.ca](http://www.amo.on.ca).*

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ALERT

## MEMBER COMMUNICATION

ALERT N°: 08/062

To the attention of the Clerk and Council

December 15, 2008

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

### URGENT - Ontario's Municipal Leadership in Federal Budget Consultations

#### Issue:

The federal government is undertaking consultations with Canadians in advance of its planned January 2009 Budget. Consultations are being undertaken by the Finance Minister Jim Flaherty, which will include a discussion of measures intended to stimulate the economy. Transport, Infrastructure and Communities Minister John Baird will also be consulting on how to accelerate infrastructure funding within the federal Building Canada Fund (BCF) to improve infrastructure and create jobs in all parts of Canada. AMO member municipal governments are encouraged to add their voices to these consultations.

#### Background:

AMO met with Minister Baird in November to discuss ways to accelerate BCF Funding and followed up with a detailed letter to Minister Baird on December 4, 2008, which is attached for your information. The letter included options that AMO believes will best help to accelerate current BCF investments in infrastructure:

1. Increase the amount of funding for the current \$200 million intake of the BCF Communities Component in Ontario (for communities under 100,000 population) which closed in late November;
2. Use BCF to support asset renewal projects that can be implemented quickly – not limiting funding to new projects;
3. Initiate an open call for proposals for the BCF Major Projects category intended for projects exceeding \$30 million;
4. Use Federal Gas Tax accountability mechanisms for all BCF projects in order to expedite projects – providing up-front funding of federal funds rather than reimbursement based on complex contribution agreements; and
5. A federal and provincial commitment to expedite decisions and the processes (e.g., environmental assessments) that relate to BCF projects.

AMO is also recommending to the Minister of Finance that additional federal investment in infrastructure be provided to municipalities through the Federal Gas Tax. Federal Gas Tax investment leverages municipal own source investment and funds key projects while being fully accountable to tax payers.

**6. Provide additional infrastructure investment directly through the Federal Gas Tax funding. Increasing federal infrastructure investment funding through this mechanism will allow construction-ready projects to proceed ahead of schedule, leverage municipal own-source investment and create jobs in every part of Ontario.**

AMO is also recommending that the Minister of Finance allocate new federal investment in Housing. If additional federal investment is provided through a streamlined funding program, Ontario municipalities will be well situated to quickly invest in housing, including housing renewal and energy retrofits, and in much-needed new affordable housing stock. This investment will help stabilize housing starts and the residential construction industry, secure jobs in the industry and among Canadian suppliers of housing materials. It will result in reduced energy consumption in social housing and corresponding green house gas emission reductions and increase access to affordable housing for Canadians.

**7. The federal government should work on an urgent basis with provinces, territories and municipalities to create a new, streamlined national housing program that supports affordable housing renewal and repairs, energy retro-fits and the creation of additional supply of affordable housing for Canadians.**

AMO believes that these measures meet the criteria for the design of effective stimulus policies outlined in the Department of Finance's consultation documents as follows:

- Timely – stimulus when it's needed.
- Maximum impact – stimulus that delivers.
- Flexible in size and duration -- smart stimulus.
- Consistent with Canada's long-term economic goals – stimulus that fits the plan.

**Action:**

Heads of Council can write to the Ministers at the addresses below indicating support for AMO's recommendation to include these important budget measures that will help stimulate the economy, create jobs in Ontario, improve access to affordable housing and invest in the quality municipal infrastructure that serves as a foundation of the national economy.

The Honourable James M. Flaherty  
Minister of Finance  
Department of Finance Canada  
140 O'Connor Street  
Ottawa, Ontario K1A 0G5

The Honourable John Baird  
Minister of Transport, Infrastructure and  
Communities  
Tower C - 330 Sparks St.  
Ottawa, Ontario K1A 0N5

Support for expanding infrastructure investment and additional investment in housing can also be provided on line at the Federal Department of Finance online consultation site at:  
[http://www.fin.gc.ca/scripts/prebudgetsurvey/selectMainPriorities\\_e.asp](http://www.fin.gc.ca/scripts/prebudgetsurvey/selectMainPriorities_e.asp)

Additional information regarding fiscal stimulus and the government's 2009 budget consultations is available at:

[http://www.fin.gc.ca/news08/data/08-103\\_1e.html](http://www.fin.gc.ca/news08/data/08-103_1e.html)

This information is available in the Policy Issues section of the AMO website at [www.amo.on.ca](http://www.amo.on.ca).



Sent via fax  
613-995-0327

December 4, 2008

The Honourable John Baird  
Minister of Transport, Infrastructure and Communities  
Place de Ville, Tower C, 29<sup>th</sup> Floor  
330 Sparks Street  
Ottawa, ON K1A 0N5

Dear Minister Baird:

I am writing to provide recommendations for the acceleration of Building Canada Fund investment and particularly the \$1 billion available for investment in the current year.

There is strong consensus that significant infrastructure spending is a critically important economic stimulus. If you combine the desire for countercyclical policy with the need to address the infrastructure deficit that has grown over the past decades, the case for significant and immediate infrastructure funding is even more compelling.

I have enclosed options that AMO believes will best help you to accelerate the BCF investments in infrastructure. These include:

1. Increasing the amount of funding for the current intake of the BCF Communities Component, in part by rededicating the P3 envelope to the Communities Component;
2. Using BCF to support asset renewal projects that can be implemented quickly;
3. A call for proposals for the BCF Major Projects category;
4. The use of Gas Tax accountability mechanisms for all BCF projects in order to expedite projects; and
5. A federal and provincial commitment to expedite decisions and the processes (e.g. environmental assessments) that relate to projects.

I have also provided some background on infrastructure investments in Ontario from a recent study of Ontario municipal infrastructure done for the Provincial-Municipal Fiscal and Service Delivery Review (PMFSDR) which included some of the most detailed to date economic and financial modeling anywhere in the country on the state of municipal infrastructure. I have also included information on the accountability of the federal gas tax funding approach as a more efficient and effective and quality reporting approach.



### Context of Ontario Municipal Infrastructure:

The Infrastructure Working Table of the recent Provincial-Municipal Fiscal and Service Delivery Review has revealed some startling facts about the state of municipal infrastructure in Ontario. Many of our infrastructure systems, including roads and bridges, transit, water, wastewater and stormwater, and solid waste management are nearing the end of their useful life and are in need of refurbishment or replacement. This inventory has not yet captured recreation and housing and other municipal facilities, but is a clear picture of overwhelming need.

Ontario's municipalities annually spend a great deal of money, \$3.9 billion, but not nearly enough to address the problem. According to this analysis, an additional \$6 billion a year over the next ten years needs to be invested in municipal infrastructure in Ontario to address the accumulated municipal infrastructure deficit. Almost half of that amount needs to be invested in municipal roads and bridge systems that link communities and economies. The impact of this deficit on local economies, the provincial economy and the national economy is evident and cannot be ignored.

	Infrastructure Investment Gap Estimates for Ontario Municipalities								
	Investment Need				Current Investment	Investment Gap (first 10 years)			
	Lifecycle Investment Need (\$ millions)	Infrastructure Deficit Estimate (over 10 years) (\$ millions)	Growth Investment Need (\$ millions)	Total Annual Investment Need (\$ millions)		Total Investment Trend (FIR Five Year Average) (\$ millions)*	Total (\$ millions)	Per Capita (\$)	Per household (\$)
Roads & Bridges	2,671.1	935.8	651.6	4,258.5	1,460.2	2,798.2	231.7	568.8	
Water and Wastewater	844.3	1,277.7	661.3	2,783.3	1,520.5	1,262.8	104.6	256.7	
Stormwater	525.3	27.8	234.7	787.9	106.7	681.1	56.4	138.5	
Transit	899.8	0.0	730.1	1,629.9	583.7	1,066.2	88.3	216.7	
Conservation Authorities	4.4	3.2	0.0	7.6	NA	7.6	0.6	1.6	
Solid Waste Management	316.5	NA	77.4	393.9	291.1	102.8	8.5	20.9	
<b>TOTAL</b>	<b>5,261.5</b>	<b>2,244.6</b>	<b>2,355.1</b>	<b>9,861.1</b>	<b>3,942.3</b>	<b>5,918.8</b>	<b>490.1</b>	<b>1,203.2</b>	

Note: Solid Waste Management data for current investment are taken from Statistics Canada data (\$291.1 million).

\*FIR Data from 2001 to 2005

The report revealed that Ontario communities have a significant shortfall in upkeep for existing assets, in addition to the needs in growing communities for infrastructure to accommodate the growth they are experiencing.

This means there are a large number of municipal infrastructure systems in the province that would be eligible candidates for accelerated funding under the Building Canada Fund (BCF). To the communities that are having difficulty paying for existing infrastructure, being able to unlock infrastructure dollars to renew and preserve assets will be as critical and as beneficial economically as the funding of new projects and may in fact fit the local circumstances of

smaller communities. In many cases, there would be an opportunity to accelerate projects already within a municipal capital plan allowing investment to occur rapidly and without the delays associated with approval of major new projects. If an accelerated infrastructure program included asset renewal, it would be able to spread the benefits of infrastructure spending and economic stimulus quite wide.

#### **BCF Considerations:**

The key terms and conditions of the Building Canada Fund have been set out in agreements between the federal government and provinces and territories. According to the BCF Framework agreement in Ontario, the provincial and federal governments are expected to propose projects for funding under the Major Infrastructure portion of the Fund. To date, municipalities do not have a clear means of proposing projects in this category. Even if they had, projects must be worth \$30 million or greater under the agreement, which by its nature means the Major Infrastructure funds will be inaccessible to many smaller municipalities.

Those that can apply for the smaller, more competitive Communities Component funding, must propose projects that are new or substantially re-built infrastructure to be eligible, eliminating some of their greatest needs, delayed upkeep, which extends the lifecycle of infrastructure – a most worthy investment when it comes to managing property taxpayer dollars. New projects will also need to be subjected to provincial and federal environmental approvals, substantially lengthening the implementation process.

Despite these limitations, there are funds under the Building Canada Plan, such as the P3 Fund, or Gateways and Borders or even the P/T Base funding that could be more easily flowed, without the need to amend existing agreements and could also be directed toward asset upkeep and renewal.

The current practice in infrastructure programs whereby municipalities spend the money to complete work on an approved project and then submit expenses for reimbursement may create a problem in terms of translating federal funding into shovels in the ground quickly. This problem may be compounded in light of the current availability of credit for upfront financing of projects. It is also worth noting that an accelerated infrastructure funding program, if done under the current 1/3 contribution method contained in the BCF, could create a fiscal pressure for the provinces and territories by disrupting their established fiscal plans. If this is the case, it could have implications for expediting projects and flowing funds. Additional flexibility in the sequencing of federal and provincial funds may be required and we encourage the federal government to bring flexibility to this. The ability for respective Ministers to jointly agree to changes within the BCF Agreement is a provision that should be fully explored to make accelerated investments.

In addition, utilizing the existing P3 allocation to enhance the Communities Component of the BCF will address the significant needs of this part of the Fund.

### Federal Gas Tax Funding Outcomes:

Between 2005 and 2007, over \$575 million in Federal Gas Tax revenues flowed to municipalities in Ontario. By the end of 2007, over \$377 million of that revenue was invested in priority infrastructure projects across the province. These investments have primarily been focused on the rehabilitation and renewal of existing infrastructure as municipalities work diligently and methodically at addressing the highest infrastructure priority needs in their communities. This funding, the extension and permanency, is an extremely flexible and successful tool for municipal infrastructure investment that has leveraged significantly more in municipal contributions to infrastructure.

As an example of the sort of returns generated in Ontario by the Federal Gas Tax revenues between 2005 and 2007, AMO calculated the real expenditures in Gas Tax funds in three priority categories: transportation; water and wastewater; and waste management. The federal contribution in these areas through the Federal Gas Tax Fund was \$290 million between 2005 and 2007. However, the municipal contribution in these categories and projects was a further \$649 million in Ontario over the same timeframe, over 200 per cent more than the federal investment. In addition, these investments created approximately 10,000 new jobs and yielded over \$118 million in federal tax revenues. Investments in other eligible categories would increase these numbers.

The federal gas tax funding model is an important one. While other priorities may be put aside when municipalities are confronted by declining revenues, federal gas tax funded projects can proceed with a guaranteed predictable revenue source.

But the Federal Gas Tax agreement also includes a rigorous accountability framework for Canadian's tax dollars. AMO, as the administrator of the agreement, and all municipalities annually undertake audits of both the financial management of the funds and compliance with the terms and conditions of the agreement. After three years of undertaking this type of accountability approach there has been no material non-compliance identified within AMO or Ontario municipalities. In addition, AMO enforces compliance through withholding funds from municipalities until all reporting is submitted. Of the 443 municipal funding agreements AMO administers, less than 0.01% have not been paid their 2008 allocation pending submission of compliance audits. Federal staff have expressed a high degree of confidence in this reporting approach and outcomes.

### Expediting Decisions

Expediting decisions must be part and parcel of streamlining and facilitating the acceleration of investments. Getting to 'yes' or 'no' is important to municipal capital plan and budget planning cycles and financing. More importantly, decisions need to be timed so that construction work can be arranged in time for the construction season, which in northern Ontario is different than southern Ontario. This needs to be normalized for every year of the BCF – to ensure the timing of federal and provincial decisions works for municipal implementation. Municipal governments in Ontario must currently work with multiple approval processes, particularly Environmental Assessment. Environmental considerations are important but the respective, siloed processes will not enhance acceleration of investment particularly in 2009 and 2010 and on a go forward basis given the significant needs outlined above.

**Recommendation:**

The priority of deploying funding quickly and ensuring that projects are implemented as soon as possible means that the federal government needs to be innovative in its use of the BCF. The options presented by AMO are by no means mutually exclusive and the federal government could use all of them to accelerate infrastructure spending for a positive economic, social and environmental impact.

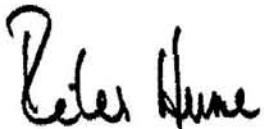
By far the simplest to implement would be the increase in the Intake 1 funding envelope under the BCF Communities Component. This would put projects quickly into action as municipalities have already applied and government review is now taking place. Coupling this with flowing the funding up-front and auditing after the fact and/or an asset renewal program would easily put many municipal projects across the province into the pipeline for the 2009 construction season that might otherwise not get done.

You should remember that with an upfront funding mechanism, municipalities are also likely to leverage their spending as we have seen in the federal Gas Tax Fund program - leveraging additional investment and job creation.

In light of the government coming forward with a budget in January 2009, additional federal funding can be used at that time to replenish the existing P3 component that was used to top-up the Communities Component.

AMO recommends the government consider all of the above options to produce the desired economic effects in the Ontario economy in 2009 calendar year. I trust you will find the information informative in guiding your decision.

Sincerely,



Peter Hume  
AMO President

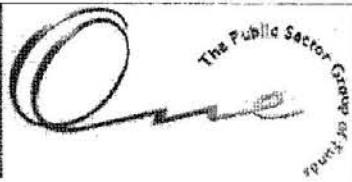
Attachment

- cc. The Right Hon. Stephen Harper, Prime Minister of Canada  
The Hon. Jim Flaherty, Minister of Finance Canada  
The Hon. Dwight Duncan, Ontario Minister of Finance  
Louis Ranger, Deputy Minister, Ministry of Transport, Infrastructure and Communities  
The Hon. George Smitherman, Ontario Minister of Energy and Infrastructure  
Saad Rafi, Deputy Minister, Ministry of Energy and Infrastructure  
Hon. Jim Watson, Ontario Minister of Municipal Affairs and Housing  
John Burke, Deputy Minister, Ontario Ministry of Municipal Affairs and Housing  
Jean Perrault, President, Federation of Canadian Municipalities  
Brock Carleton, Executive Director, Federation of Canadian Municipalities  
Executive Directors of Provincial and Territorial Associations

Option/Description	Mechanism	Analysis
<b>Option 1</b> Increase funding for the current intake of the BCF Communities Component, in part by rededicating the P3 envelope	The funding envelope for CC Intake 1 would be increased to fund a greater number of projects under the intake.	<p>The CC Intake 1 application period has just closed and indications are the number of projects and potentially the dollar value of the projects submitted are significantly more than the funding envelope, consistent with the former COMRIF program.</p> <p>The envelope for Intake 1 funding could be significantly increased to fund a greater part, or even all of the projects submitted, depending on their merits.</p> <p>The option has the advantage that applications have just been prepared by municipalities and submitted to the review secretariat, meaning that the municipalities that submitted projects are already in the planning stage to some degree and the review secretariat are familiar with the merits of each project and whether it meets the eligibility criteria set out in the BCF. It is likely that if projects were selected that municipalities could begin work on them in 2009.</p> <p>In light of the government coming forward with a budget in January 2009, additional federal funding can be used at that time to replenish the existing P3 component that was used to top-up the Communities Component.</p>
<b>Option 2</b> <b>Asset Renewal</b>	The federal government would open BCF to asset renewal projects and use some of the Gateways and Borders Fund to rehabilitate municipal road and bridge assets that connect to border infrastructure.	<p>Asset renewal is a very quick way to have municipalities undertake infrastructure work and would result in the hiring of consulting services and contractors relatively quickly and usually without long and costly study. These would also result in local job creation.</p> <p>Using funds for asset renewal would also help to offset the huge municipal infrastructure deficit and deferred maintenance, if unbudgeted. This would mean that lifecycle work would be completed on municipal assets before the need for decommissioning or re-build, allowing more funds to go toward new assets in the long run.</p> <p>Use of the Gateways and Borders Fund to rehabilitate municipal assets serving as connectors to border infrastructure would result in overall better and more efficient operation of the borders and improve municipal assets, resulting in local jobs in border communities.</p>
<b>Option 3</b> <b>Major Component call for proposals</b>	The federal and provincial governments would issue an immediate call for proposals under the Major Component of the BCF	<p>Would initiate and expedite the MC process as the Infrastructure Committee has not yet met for Ontario. With expedited review, this could get shovels into the ground within 2009 on a handful of projects. However, the call would advantage those projects that are currently ready to go and disadvantage those who were expecting more lead time and a more transparent process.</p>
<b>Option 4</b> <b>Use Federal Gas Tax accountability mechanisms for BCF projects</b>	Unspent 08-09 BCF funds to municipalities would go through the selection process in the BCF Framework/ CC Agreement, but funds would be flowed up-front with the GTF accountability used to ensure proper use.	<p>The projects would conform to the BCF criteria for major/cc projects and allow transparent selection based on the conditions set.</p> <p>Time would be needed for municipal application, federal and provincial review and selection, engineering and environmental studies for new projects, which would detract from the immediacy of the projects.</p> <p>Funds flowing up-front and using the GTF accountability mechanisms would ensure that municipalities could spend money sooner, rather than the delays experienced with submission of receipts for reimbursement.</p> <p>Alternatively, the Ontario Government's recent experience with its Municipal Infrastructure Investment Initiative (MIII) could also be a good example for the accelerated BCF accountability provisions. Under this program, funding was flowed to chosen projects that were planned by municipalities upfront and the government retained the right to audit the municipality's use of the funding at a later date.</p> <p>Flowing two years of federal funding in one year could create pressure on P/T jurisdictions to match it.</p>

# Investment Opportunity Highlight

## One Funds – Universe Corporate Bond Fund



### Why Invest in Corporate Bonds?

Local Authority Services (LAS) and MFOA/CHUMS launched a Universe Corporate Bond Fund (UCB Fund) in August 2008. This investment pool allows Ontario municipalities to access the higher yields paid by many of Canada's top corporations.

This fund will help municipalities save for medium term community projects with less burden on the municipal tax base.

**With an investment horizon of 4+ years, municipalities will find the UCB Fund suitable for:**

- ✓ Long-term reserves and reserve funds
- ✓ perpetual and trust funds, as required for cemetery funds
- ✓ development charge receipts not required in the short term

The UCB Fund is guaranteed regulatory compliant and offers far greater diversification than available and permitted bank products. When the fund was launched, the Fund Manager - McLean Budden, suggested: "*Market conditions make this opportunity particularly exciting right now as many quality corporate bonds are returning higher incremental yields than usual over Government of Canada bonds.*"

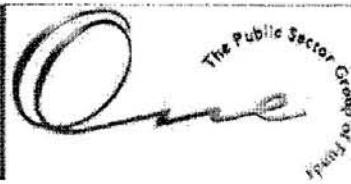
Since the introduction of the Fund, others have continued to note that corporate bonds currently provide an attractive investment option:

- ❖ Guardian Capital LP (One Funds Equity Fund Manager): Fixed Income Update of September 30, 2008:

*"As interest rate spreads have been widening, we have been adding to our overall credit exposure and, currently, have an overweight position in Corporates in our core-oriented portfolios. We can expect to take out the substantial yield carry in the overweight position in Corporates (in some instances, twice the yield relative to the underlying Canada bond). We expect credit spreads will compress, and the portfolio will generate additional principal market value gains relative to underlying Federal issues once this scenario unfolds."*

- ❖ Bob Gorman, Chief Portfolio Strategist - TD Waterhouse: Research Report released November 27, 2008:

*"Investment grade corporate bonds will outperform government issues in 2009. This will reflect three factors: Corporate spreads will stop widening as credit markets stabilize; corporate issues will offer a higher stream of income compared with government bonds; and there will be some reversal of the flight to quality as government bond yields increase modestly."*



## Investment Opportunity Highlight

### One Funds – Universe Corporate Bond Fund

In developing this Fund, a competitive RFP process resulted in the selection of McLean Budden as Fund Manager. McLean Budden also acts as manager for the One Bond Fund and took over management of the One Money Market Fund in 2007.

The selection of all corporate bonds held in the UCB Fund is determined by McLean Budden after a rigorous risk analysis process. As a result, the securities held in the UCB Fund represent a list of strong corporate credits issued in Canada by large and well known companies, both in Canada and abroad.

#### **Current UCB Fund Holdings:**

Bank of Montreal	Canada Utilities	GE Capital
Bank of Nova Scotia	Enbridge Pipelines	HSBC Bank of Canada
CIBC	Encana	Honda Finance Canada
RBC	Investors Group	Schlumberger Canada
TD Bank	TransCanada Pipe	Wells Fargo Canada

In 60 years of providing professional wealth management McLean Budden has never experienced a credit default. Their investment acumen served One Funds investors well through the asset back security crisis in the late summer of 2007. As Neither the One Money Market nor One Bond Fund held any of the 'at risk' securities, neither Fund experienced real or potential losses encountered by many other investment professionals.

*Investment Guidelines for the One Universe Corporate Bond Fund are available on the One Funds Website as is a Fund Fact Sheet. Initially investment forms available are available on request. Universe Corporate Bond Fund instruction forms will soon be available to the website with other Available Forms.*

*For More Information, please contact:*

**Tom Bradbury**  
MFOA/CHUMS  
Home Office (905) 304-4429  
[tbradbury@cogeco.ca](mailto:tbradbury@cogeco.ca)



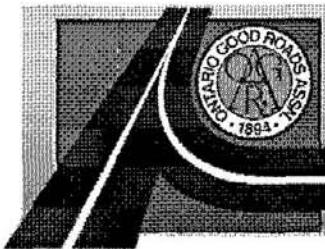
**Jason Hagan**  
LAS Program Coordinator  
(416) 971-9856 ext. 320  
[jhagan@amo.on.ca](mailto:jhagan@amo.on.ca)



**Or visit: [www.OneFunds.net](http://www.OneFunds.net)**

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



ONTARIO GOOD ROADS ASSOCIATION

# BOARD BRIEF

*Highlights from the Board of Directors*

## PROVINCIAL BUDGET 2009: PRE-BUDGET CONSULTATION

David Leckie, OGRA President, attended a consultation with the Ontario Minister of Finance on December 15, 2008 and reiterated the need for sustainable funding for municipal infrastructure. The President also acknowledged the McGuinty Government's significant investment over the last year in our municipal roads and bridges. President Leckie also spoke to the need for a more streamlined approvals process for infrastructure projects.

OGRA's staff submission also voiced municipal concerns about the need for sustainable funding as well as continued and accelerated investment in our infrastructure.

OGRA's pre-budget consultation submission is available on our website in the News and Information section on the Home page.

To review the consultation process and to respond to the five questions posted on the Ministry of Finance website and submit comments, please go to <http://www.fin.gov.on.ca/english/>.

## BILL 118 - ONTARIO PROPOSES BAN ON CELL PHONES AND OTHER WIRELESS DEVICES WHILE DRIVING

In October, the Provincial Government proposed a ban on the use of hand-held devices to talk, text or e-mail while driving.

OGRA Board and staff members will attend discussions on the regulations to be developed



under Bill 118 and request that drivers of public works vehicles be exempt from the prohibitions.

The following are exempt from the bill:

- GPS systems,
- commercially-used logistical transportation tracking systems and
- collision avoidance systems

Currently, drivers of ambulances, fire department vehicles and police department vehicles are exempt.

Transport Canada estimates that driver distraction is a contributing factor in about 20 per cent of all collisions. Drivers who use cellular phones are four times more likely to be in a crash than a driver who is focused on the road.

OGRA does recognize that cellular phones and other wireless devices play a role in accidents, however, just as EMS rely on continuous communication, it is essential that municipal operations also have reliable, continuous communication.

In a statement made by OGRA's second vice-president, Paul Johnson "Winter Operations cannot safely operate without the use of two-way communication to give road and weather condition

updates, report accidents, relay change of plough routes, etc. Wireless communication is our plough operator's life line to their fellow operators in times of crisis. It is not possible to 'pull over' every time they need to reply or send out a radio call any more than it is for the EMS. Therefore, a point of clarification is required within the proposed legislation specifically exempting two-way radios or better still exempting municipalities."

OGRA will continue to update our members through the OGRA website beneath News and Information on the home page.

### POLICY C-003: PASSING GRADE FOR T.J. MAHONY AND EXAM REWRITE

A policy on the passing grade for the T.J. Mahony Road School has been approved by the Board. The new passing grade requirement is 65% to be achieved on **each** of the Construction and Maintenance sections effective 2009.

Exam rewrites are included in the policy change and further details of this policy have been posted in the News and Information section of our website [www.ogra.org](http://www.ogra.org).

### JOB POSTING FEE

The OGRA website offers members and non-members the opportunity to post job openings on our career page. As one of the most searched pages on our website, we have implemented both a member and non-member posting fee. For further information, please refer to the Procedure and Request Form at <http://www.ogra.org/Careers/careers.asp>.

### PLAN READING AND CONTRACT DOCUMENT INTERPRETATION WORKSHOP

A proposal to implement a new two-day course was presented to the Member Services Committee on Thursday, November 13, 2008. The workshop is targeted at frontline inspectors and contract administrators.

The workshop was approved for implementation by the Board and will take place in Mississauga on April 8 – 9, 2009.

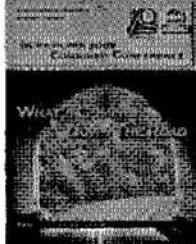
### MINIMUM MAINTENANCE STANDARDS FOR SIDEWALKS

In June 2008, the Minimum Maintenance Standards (MMS) Review Task Force completed its review of the Ontario Regulation 239/02 and 612/06 (City of Toronto) and sent a recommendation to MTO that the amendments be adopted. MTO Legislative Council is proceeding with the final draft of the review and if adopted will amend the existing regulations.

The Board is recommending to the Minister of Transportation a proposed additional minimum standard for sidewalks for trip and fall incidents, non-winter, prepared by the Minimum Maintenance Standards Review Task Force, for inclusion in the proposed amendment to Ontario Regulation 239/02 and 612/06.

## 2009 OGRA/ROMA COMBINED CONFERENCE

The 2009 OGRA/ROMA Combined Conference will take place at the Fairmont Royal York Hotel from February 22 - 25, 2009. The conference program is in development and workshops, speakers and information rooms are being scheduled.



### Ministers and Keynote Speaker:

- Premier Dalton McGuinty (invited)
- Hon. Jim Bradley, Minister of Transportation (confirmed)
- Hon. Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs (confirmed)
- Hon. Jim Watson, Minister of Municipal Affairs and Housing (confirmed)
- Hon. George Smitherman, Minister of Energy and Infrastructure (confirmed)
- Ontario PC Leader John Tory (invited)
- Ontario NDP Leader Howard Hampton (confirmed)
- Keynote Speaker: Dr. Patrick Moore (confirmed)

### Workshop topics will include:

- Biosolids
- Toward a Growth Plan for Northern Ontario
- Stewardship of Great Lakes Resources
- Municipal Drains
- Municipal DataWorks
- Source Water Protection Funding
- New Technologies for Bridges
- Detecting and Preventing Bid-Rigging
- Food Borne Illnesses
- Broadband: A Different Road for Municipalities?
- Buried Utilities
- Accessibility Standards Development
- Extending the Useful Life of a Road
- Waste Diversion & Blue Box Funding Review

### Information Rooms:

- Ontario Centre for Municipal Best Practices
- Municipal DataWorks
- E-bidding
- Species at Risk
- Independent Electricity System Operator

### Plus Ministers' Forum, Question Box and Awards Luncheon.

Conference updates are posted to the OGRA and ROMA websites on a regular basis. Please visit [www.ogra.org](http://www.ogra.org) or [www.roma.on.ca](http://www.roma.on.ca) today for What's New with the 2009 OGRA/ROMA Combined Conference.

### 2008 OGRA BOARD [photo at the top of page 1]

**BACK ROW (LEFT TO RIGHT):** Alan Korell, Managing Director/City Engineer, City of North Bay; John Niedra, Director, Etobicoke York District Transportation Operations, City of Toronto; Tom Bateman, County Engineer, County of Essex; Ken Hill, Mayor, Township of Russell; Dave Fawcett, Deputy Mayor, Municipality of Grey Highlands; Donald J. McDonald, County Engineer, United Counties of Stormont, Dundas and Glengarry; Rick Champagne, Councillor, Township of East Ferris; Past-President, Jim Harrison, Councillor, City of Quinte West; Joe Tierney, Executive Director, Ontario Good Roads Association

**FRONT ROW (LEFT TO RIGHT):** Mark Grimes, Councillor, City of Toronto; John Curley, Councillor, City of Timmins; First Vice President, Eric Rutherford, Councillor, Municipality of Greenstone; President, David A. Leckie, Director of Roads & Transportation, City of London; Joanne Vanderheyden, Deputy Mayor, Township of Strathroy-Caradoc; Second Vice President, Paul Johnson, Operations Manager, County of Wellington; Damian Albanese, Director, Transportation Division, Regional Municipality of Peel.

5(a)

**Donna Irving**

---

**From:** communicate@amo.on.ca  
**Sent:** January 05, 2009 1:36 PM  
**To:** Donna Irving  
**Subject:** Celebrate Ontario 2009 (\$9 million) - Application Deadline Fast Approaching

**Attachments:** 090105 Celebrate Ontario.doc



090105 Celebrate  
Ontario.doc (...)

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

The attached communique from Tourism Ontario outlines how you can get more information and apply for funding.

If you have problems opening the attachment(s) please call AMO at (416) 971-9856.

**PLEASE NOTE**

AMO communications will be broadcast to the municipality's administrator and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff and elected officials as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

**DISCLAIMER**

These are final versions of AMO documents. AMO assumes no responsibility for any discrepancies that may have been transmitted with the electronic version. The printed versions of the documents stand as the official record.

*5(a)*

Dear Tourism Partner:

We are writing you to remind you that the January 16, 2009 application deadline for *Celebrate Ontario 2009* is approaching.

The *Celebrate Ontario 2009* Application Guide, Application Form, Questions and Answers, and Resources and Links are available on the Ministry of Tourism's website at [www.tourism.gov.on.ca](http://www.tourism.gov.on.ca).

Applicants are strongly encouraged to regularly visit the ministry's website for updates to applicants' questions and answers and *Celebrate Ontario 2009* clarifications and amendments. You will also find a list of tourism advisors by region who can help you with other questions you may have.

The McGuinty government's \$9 million investment in *Celebrate Ontario 2009* will help communities to develop and extend great festivals and events, so they can offer the experiences that bring both new and repeat visitors to Ontario. *Celebrate Ontario 2009* funding is available to both new and existing festivals and events.

Please note that the application deadline is January 16, 2009. Applications must be submitted in person or by mail/courier.

Applications submitted in person must be received by the Ministry of Tourism at 900 Bay Street, Hearst Block, 9th Floor, Toronto, by 5:00 pm on January 16, 2009. Mailed or couriered applications must be postmarked no later than January 16, 2009. Applications postmarked or received after the deadline will not be accepted.

Mailed or couriered applications must be addressed as follows:

Ministry of Tourism  
Investment and Development Office  
900 Bay Street  
9th Floor, Hearst Block  
Toronto, Ontario  
M7A 2E1

We hope that you and the organizers of festivals and events in your community will consider applying for funding from *Celebrate Ontario 2009*.



CANTON - BONFIELD - TOWNSHIP  
365 Highway 531  
Bonfield ON. P0H 1E0



CORPORATION OF THE TOWNSHIP OF EAST FERRIS  
394 Highway 94  
Corbeil, ON. P0H 1K0

To All Municipalities:

On August 5<sup>th</sup> this year a severe rainstorm caused localized flooding in the Townships of East Ferris and Bonfield. Numerous homeowners, farmers and small businesses have lost essential property.

Our community has vigorously supported many worthwhile causes over the years and now we are reaching out to our fellow municipalities. The victims affected by this disaster need your help now more than ever to help them replace/repair their necessities of day to day living.

At the request of the Townships of East Ferris and Bonfield, the Ministry of Municipal Affairs and Housing declared the Townships of East Ferris and Bonfield a "Disaster Area" for the purpose of the Ontario Disaster Relief Program. This provides an opportunity to help your neighbours devastated by the flood.

A joint volunteer committee has been appointed by the Townships of East Ferris and Bonfield to spearhead the local effort. The Disaster Relief Committee has set a tentative fundraising minimum target of \$25,000 to provide assistance for homeowners, farmers and small businesses. **The Province will contribute \$2 for every local dollar raised** to an amount necessary to settle all claims.

Through our fundraising efforts, the Disaster Relief Committee is seeking financial assistance from every Municipality in the Province.

Your help will make a huge difference in assisting the victims of our flood damages. A Financial contribution, payable to the **Township of East Ferris** (for the East Ferris\Bonfield Flood Relief Fund) would be greatly appreciated.

Thank you for your consideration of this matter.

Sincerely,

Narry McCarthy, Mayor  
Township of Bonfield

Sincerely,

William Vrebosch, Mayor  
Township of East Ferris

**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)

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](mailto:j.fratesi@cityssm.on.ca)  
[b.berlingieri@cityssm.on.ca](mailto:b.berlingieri@cityssm.on.ca)

2008 12 19

Mr. William Verbosch, Mayor  
Corporation of the Township of East Ferris and  
Mr. Narry McCarthy, Mayor  
Township of Bonfield  
c/o 390 Highway 94  
Corbeil, ON  
P0H 1K0

**Re: Disaster Relief Funds**

The Corporation of the City of Sault Ste. Marie is very pleased to be able to provide to the Disaster Relief Committee, financial assistance in the amount of \$500. We understand the importance of people helping their neighbours in times of need. Please accept our donation with our hope that your communities will quickly recover from the damage which was inflicted by the recent flooding.

The citizens of Sault Ste. Marie also send along with the donation, our very best wishes for a happy holiday season and a prosperous 2009.

Yours truly,

Joseph M. Fratesi  
Chief Administrative Officer

JMF:bb  
Encl.



**United Counties of Stormont, Dundas and Glengarry**  
**26 Pitt Street, Cornwall, Ontario**  
**K6J 3P2**  
**Telephone: 613 932-1515**

**The Council of the United Counties of Stormont, Dundas and Glengarry passed the following resolution on December 15, 2008. Your support of this resolution would be appreciated. Please send any resolution support to the Minister of Community and Social Services, with a copy to the United Counties of Stormont, Dundas and Glengarry.**

Resolution No. 2008-139

Moved by Deputy Mayor Rose  
Seconded by Mayor Barkley

**WHEREAS** the City of Cornwall is Consolidated Municipal Service Manager (CMSM) for the City of Cornwall and United Counties of Stormont, Dundas and Glengarry; and

**WHEREAS** payment for indigent funerals is a requirement of the CMSM under the Ontario Works Act; and

**WHEREAS** recommended rates and guidelines for such payments are provided by the provincial Ministry of Community and Social Services; and

**WHEREAS** these rates were last reviewed and adjusted in 2005, and costs have been escalating to the point where funeral homes are unable to continue providing services at the existing rates; and

**WHEREAS** the Ministry of Community and Social Services will only subsidize indigent funerals for individuals who are receiving social assistance through Ontario Works or the Ontario Disability Support Program prior to their death, regardless of their financial situation.

**THEREFORE BE IT RESOLVED** that the United Counties of Stormont, Dundas and Glengarry petitions the Ministry of Community and Social Services to request a review and appropriate adjustment of the recommended rates for indigent funerals, on behalf of CMSMs across the province.

**AND BE IT FURTHER RESOLVED** that the Ministry of Community and Social Services amend the current policy to provide financial assistance to cover funeral expenses for all needy individuals, regardless of their age or whether or not they are receiving support through Ontario Works or the Ontario Disability Support Program, at the time of death.

**AND FURTHER** that this resolution be forwarded to the Minister of Community and Social Services, the Association of Municipalities of Ontario, all municipalities in Ontario and local MPPs.

Helen Thomson  
Clerk

**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)

# Clarington

Energizing Ontario

December 9, 2008

Jean Mayor, CEO  
Alcohol and Gaming Commission of Ontario  
90 Sheppard Avenue East  
Suite 200  
Toronto, ON M2N 0A4

Dear Jean Mayor:

**RE: LOTTERY LICENSING – REQUEST FOR PROCESS STREAMLINING**  
**FILE NO.: P09.GE**

---

At a meeting held on December 8, 2008, the Council of the Municipality of Clarington approved the following resolution #GPA-698-08 seeking your endorsement:

"WHEREAS The Executive Council, under the recommendation of the Lieutenant Governor, issued Order in Council 1413/08 regarding lottery schemes;

AND WHEREAS the Order in Council 1413/08 provides the Municipality the option to issue lottery licences provided that those licences are issued within the Registrar's requirements, the proceeds from the lottery scheme will be used for a charitable objects or purposes providing a direct benefit to the residents of Ontario, and the proposed event will be conducted in accordance with the Gaming Control Act, 1992 and its regulations;

AND WHEREAS By-law 94-30, as amended, provides for the licensing of lottery events within the Municipality of Clarington;

AND WHEREAS charitable organizations within our community rely heavily on volunteers from the community at large in order to organize their various functions and activities;

AND WHEREAS many of our charitable works within our community are funded through various lottery activities;

AND WHEREAS the regulations set forth by the Alcohol and Gaming Commission of Ontario are very onerous, strict and time consuming for the charitable organizations and the lottery licensing officers within the Municipal Clerk's Department;

AND WHEREAS it is understood that these strict rules are enforced to ensure that the lottery proceeds are applied towards approved charitable works;

CORPORATION OF THE MUNICIPALITY OF CLARINGTON

40 TEMPERANCE STREET, BOWMANVILLE, ONTARIO L1C 3A6 T 905-623-3379

5(b)

AND WHEREAS the charitable organizations are finding it increasingly difficult for their volunteers to take on the necessary functions to comply with the AGCO's Terms and Conditions respecting lottery events;

AND WHEREAS in 2005 the AGCO initiated a project to modernize charitable gaming with the focus being on eight key areas for review including "streamlinig/simplifying administration";

AND WHEREAS staff have previously submitted comments and recommendations, in response to the AGCO's survey, a component of their modernizing project, proposing options for streamlining and simplifying the application and reporting process;

AND WHEREAS no improvements have been made to streamline or simplify the application, reporting or administration processes respecting Break Open Tickets or Raffles;

NOW THEREFOR BE IT RESOLVED THAT the Municipality of Clarington request the Alcohol and Gaming Commission of Ontario to expedite its Modernization of Charitable Gaming Project, in particular the application, reporting and administration processes respecting Break Open Tickets and Raffles; and

THAT a copy of this resolution be forwarded to the Premier of Ontario, John O'Toole, MPP, and all municipalities within Ontario seeking their endorsement.

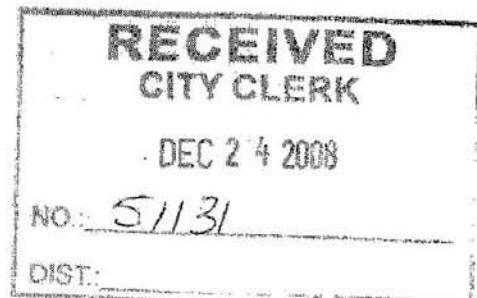
Yours truly,



C. Anne Greentree, B.A., CMO  
Deputy Clerk

CAG\*mea

C: Premier Dalton McGunity  
John O'Toole, MPP Durham  
Ontario Municipalities



5(c)

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**From:** Linda Fiore [LFiore@algomapublichealth.com]  
**Sent:** December 12, 2008 9:43 AM  
**To:** Donna Irving  
**Subject:** Skateboard Park Resolution  
**Attachments:** Scan001.PDF

Hello Donna

At the November 19, 2008 Board of Health Meeting the issue was raised to the Board by the Algoma Public Health Youth Action Alliance that the new skateboard park scheduled to open in 2009 does not have a formal 100% smoke-free designation. A discussion by the Board resulted in the passing of the following resolution which is now being forwarded to the City Clerks office for consideration for the agenda and discussion at a future City Council meeting.

*Linda Fiore*

Executive Assistant to Medical Officer of Health  
and Board Secretary  
Algoma Public Health  
99 Foster Drive, Civic Centre, 6th Floor  
Sault Ste. Marie, ON P6A 5X6  
Tel: (705) 759-5421 Fax: (705) 759-2540  
email: [lfiore@algomapublichealth.com](mailto:lfiore@algomapublichealth.com)  
Visit our website at: [www.algomapublichealth.com](http://www.algomapublichealth.com)

This message, including any attachments, is privileged and intended only for the person(s) named above. This material may contain confidential or personal information, which may be subject to the provisions of the Municipal Freedom of Information and Protection of Privacy Act. Any other distribution, copying or disclosure is strictly prohibited. If you are not the intended recipient or have received this message in error, please notify us immediately by telephone, fax or email and permanently delete the original transmission from us, including any attachments, without making a copy.

5(c)



Algoma  
PUBLIC HEALTH  
Santé publique Algoma

RESOLUTION NO. 2008-104

DATE: November 19, 2008

MOVED: *Myers*

SECONDED: *Capillo*

WHEREAS health units across the province have begun to work with their local sport and recreation clubs and municipalities to put Tobacco Free policies in place.

WHEREAS tobacco free sport and recreation facilities and sites provide a safe and healthy environment for youth that break the connection between sports and tobacco industry product use.

WHEREAS tobacco free recreation and sport sites encourage positive tobacco free role modeling for youth and support the process of changing society norm around tobacco use and youth.

THEREFORE, the Algoma Public Health Board formally requests that the Municipal Council of Sault Ste. Marie amend Municipal Bylaw #2003-7 to include the city's new skate board park scheduled to open in 2009 as a designated 100% Tobacco Free Site.

CARRIED: Chair's Signature

A handwritten signature in black ink, appearing to read 'Guido Caputo'.

Chair - Guido Caputo

Vice Chair - John Currie

Janet Blake

Rosario Capillo

Lila Cyr

Karen Marinich

Susan Myers

Gordon Post

Scot Reinhardt

Ron Rody

Anthony Rossi

5(d)

Ministry  
of the  
Environment

Office of the Minister

135 St. Clair Ave. West  
12th Floor  
Toronto ON M4V 1P5  
Tel (416) 314-6790  
Fax (416) 314-6748

Ministère  
de  
l'Environnement

Bureau du ministre

135, avenue St. Clair ouest  
12<sup>e</sup> étage  
Toronto ON M4V 1P5  
Tél (416) 314-6790  
Téléc (416) 314-6748



ENV1283MC-2008-4413

December 11, 2008

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

RECEIVED	
CITY CLERK	
DEC 15 2008	
NO.	51128
DIST:	

Dear Ms. Irving:

Thank you for your letter of November 19, 2008 regarding Sault Ste. Marie's resolution on stockpiling of Blue Box materials.

As you indicate in your letter, the recent decline in commodity prices for recyclables is part of a much larger international slowdown in the economy.

Ontario's regulations do provide municipalities with some degree of flexibility to store recyclable materials without the need for Certificates of Approval. However, if a municipality or a private-sector service provider faces circumstances where amendments to Certificates of Approval are required to accommodate additional temporary storage capacity, then I am pleased to advise you that our Environmental Assessment and Approvals Branch has committed to expediting these applications. You can contact Ms. Doris Dumais, Director, at 416-314-8171, or toll-free at 1-800-461-6290.

Commodity prices for recyclables are known to fluctuate and, in the past, they have recovered from declines. The *Waste Diversion Act, 2002* and the Blue Box program are being reviewed. These reviews will examine how our recycling programs can be improved for all participants in the long-term.

I recognize that municipalities across the province are currently facing challenges in deciding how to manage their Blue Box recyclables. Decisions taken need to consider all the information and options available. The Association of Municipalities of Ontario (AMO) is discussing these issues with service providers and the waste industry, and I encourage you to join this dialogue. I also encourage you to discuss your particular situation with staff at the ministry's Sault Ste. Marie Area Office at 705-942-6354, so that they are aware of your plans for dealing with this situation. Local staff are in a good position to assist you in finding solutions for your community.

...2

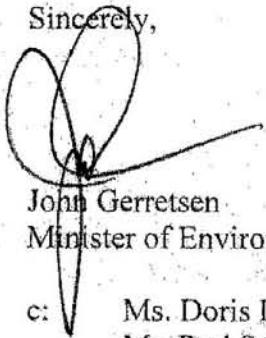


5(d)

Ms. Donna P. Irving  
Page 2.

Thank you, again, for bringing the city's resolution to my attention.

Sincerely,



John Gerretsen  
Minister of Environment

c: Ms. Doris Dumais, Director, EAAB, Ministry of the Environment  
Mr. Rod Stewart, Manager, Sault Ste Marie Area Office, Ministry of the Environment

5(d)

November 17, 2008 City Council resolution  
Clerk's Department

Moved by Councillor S. Butland  
Seconded by Councillor P. Mick

Whereas the global financial crisis has various and considerable impacts on municipalities; one being commodity prices for blue box materials such as newsprint has bottomed out and that Ontario municipalities will be needing to stockpile this newsprint without any financial assistance; and

Whereas the time frame for the above is indefinite; and

Whereas the Waste Diversion Act prohibits certain actions to be taken by municipalities in the short term;

Therefore be it resolved that this Council request of the Ministry of Environment some flexibility in amending Certificates of Approval or suggest other alternatives to stockpiling newsprint and potentially other blue box commodities; and

Be it further resolved that this resolution be forwarded to the Ministry of Environment and Waste Diversion Ontario. CARRIED.



5(e)

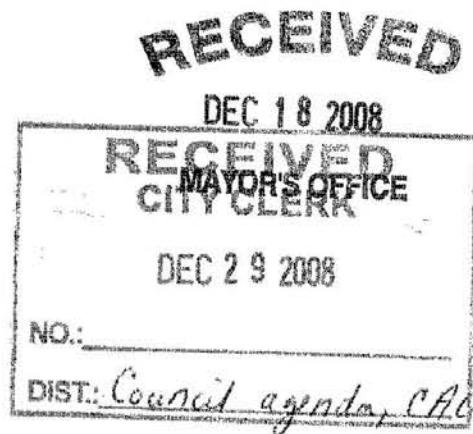
MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 15, 2008

Mayor John Rowswell  
City of Sault Ste. Marie  
P.O. Box 58099 Foster Drive  
Sault Ste. Marie, ON ON P6A 5N1

**Re: 2008 Assessment Update**

Dear Mayor John Rowswell:



I am writing to provide you with an update on the 2008 Property Assessment Notice mailing to property taxpayers and the delivery of Assessment Rolls to municipalities across Ontario. With Assessment Notices mailed to nearly 4.7 million property taxpayers, I am very pleased to report that this Assessment Update has been by far, better than any in the past.

We made a commitment to improve communications with stakeholders including municipalities, the media and property taxpayers. Some of MPAC's communications initiatives in support of this Assessment Update included:

- a province-wide print advertising campaign explaining some of the key changes to the assessment system;
- the redesign of the 2008 Property Assessment Notice which contains more information and is easier to read;
- an interactive Property Assessment Notice available in ten (10) languages and a number of videos online at [www.mpac.ca](http://www.mpac.ca);
- an online searchable map which makes finding properties of interest easier through AboutMyProperty™;
- extended hours at MPAC's Customer Contact Centre; and
- extended hours clearly visible on the Property Assessment Notice for local MPAC offices during the mailout period.

I believe that we have started to see the results of this commitment. While there has been a great deal of media coverage, it has been much more balanced than in the past. Property taxpayers are showing a greater understanding of the process and the link between assessment values and sales of similar properties. Although it is still early in the process at this point in time, the number of calls to our Customer Contact Centre, field offices and Requests for Reconsideration of assessed

values are trending at a lower level than the volumes we experienced at this point during the 2005 Assessment Update.

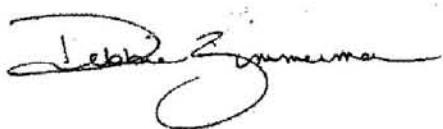
We have also fulfilled the commitments we made in response to the Ombudsman's Report of March 2006, "Getting it Right." All 20 of the recommendations made by the Ombudsman, with the exception of Recommendation #2, which is planned for implementation in mid-2009, that fell within our jurisdiction have been implemented for the delivery of this Assessment Update. We believe that the changes we have made, together with our efforts on improving our communications, have resulted in greater transparency, improved accuracy and a better public understanding of the assessment process and MPAC's role in property taxation.

Since early September, we have met with or made presentations to more than 180 Municipal Councils and taxpayer groups to answer questions about the process. Our local Municipal Relations Representatives are available to answer any questions you might have or make a more formal presentation to Council. Please contact your local MPAC Municipal Relations Representative or Greg Martino, Acting Director, Municipal Relations at 905-837-6243.

We have been faced with many challenges as a result of the legislative changes made to the property assessment and taxation system over the last few years. However, our team of almost 1,600 employees has fully embraced the new customer-centered strategy. Their hard work and commitment to customer service to support the delivery of accurate and timely assessment values has contributed positively to the successful delivery of this Assessment Update.

I would greatly appreciate if you would share a copy of this letter with your Council. If you have any questions or concerns, I encourage you to contact me at 905-688-0990 ext. 225 or Carl Isenburg, our President and Chief Administrative Officer at 905-837-6150.

Yours truly,



Debbie Zimmerman  
Chair, MPAC Board of Directors

**Copy** MPAC Board of Directors  
Carl Isenburg  
Executive Management Group  
Greg Martino



Northern Ontario Heritage

Fund Corporation

Société de gestion du Fonds  
du patrimoine du Nord  
de l'Ontario

Suite 200, Roberta Bondar Place, 70 Foster Drive, Sault Ste. Marie, Ontario P6A 6V8  
Tel: (705) 945-6700 or 1-800-461-8329, Fax. (705) 945-6701. [www.nohfc.com](http://www.nohfc.com)

Place Roberta Bondar, Bureau 200, 70, promenade Foster, Sault Ste. Marie (Ontario) P6A 6V8  
Tél. (705) 945-6700 ou 1-800-461-8329, Téléc. (705) 945-6701. [www.nohfc.com](http://www.nohfc.com)

5(f)

December 11, 2008

Mr. Joseph M. Fratesi  
Chief Administrative Officer  
The Corporation of the City of  
Sault Ste. Marie  
99 Foster Drive  
Sault Ste. Marie ON P6A 5X6

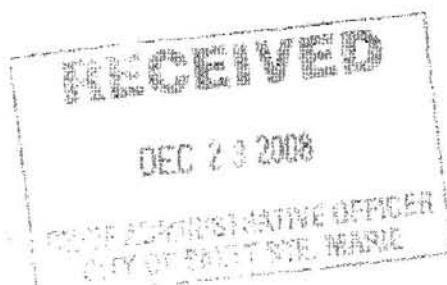
Dear Mr. Fratesi:

Re: Gateway Development Initiative NOHFC Project # 15021

I am pleased to inform you that the Northern Ontario Heritage Fund Corporation has approved the extension of the funding commitment to your project to June 30, 2009. We look forward to working with you in securing this important development for your community and the region. We would appreciate regular updates on progress in meeting your objectives.

Sincerely,

Aime J. Dimatteo  
Executive Director  
Northern Ontario Heritage Fund Corporation



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

December 24, 2008

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

**Re: Airport Fairgrounds By Law 2002-75;**

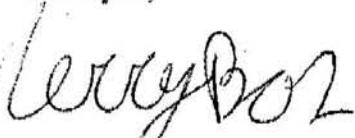
The Sault Ste. Marie Airport Development Corporation wishes to apply at this time for events scheduled under this by-law for the Winter Season. The events are as follows:

February 28th - Wheels On Ice 11:00 am to 4:00 pm

March 7<sup>th</sup> and 8<sup>th</sup> - Amateur Snow Drags 10:00 am to 6:00 pm

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

Thank you,



Terry Bos  
Airport Manager



5(g)

**SAULT STE. MARIE  
AIRPORT  
DEVELOPMENT  
CORPORATION**

R.R. # 1, BOX 1, SAULT STE. MARIE, ONTARIO P6A 5K6

TEL# (705) 779-3031 / FAX# (705) 779-3371

WEBSITE @ [www.saultairport.com](http://www.saultairport.com)**Fax****To:** Donna Irving**From:** Terry Bos**Fax #:** 759-2310**Pages:** 2**Date:** December 24/08 **c.c.:****Re:** \_\_\_\_\_ **URGENT** **FOR REVIEW** **PLEASE COMMENT** **PLEASE REPLY** **ORIGINAL TO FOLLOW****Comments:** \_\_\_\_\_

5(h)

This is a petition from the residents of Simon Ave, to the city of Sault Ste. Marie, concerning snow removal of our sidewalks during the winter months, and placing a stop sign at the corner of Denwood and Simon Ave.

At present snow removal is in progress for the "older" ends of Simon Ave. (connecting to Boundary and Millwood) There is no snow removal for our sidewalks between Denwood and Glen. Because the road was connected through we have a large amount of children walking to school, including our own. We do live in a school district, which forces all of our children to walk to school. Because there is no snow removal for our sidewalks this forces the children to walk on the road with very high snow banks and narrow streets.....this is completely UNSAFE. We are asking the city of Sault Ste. Marie, to make a commitment for proper snow removal of our sidewalks during the winter months.

Concerning the absent stop sign. At present at the corner of Denwood and Simon Ave. there is a yield sign. The community of Sault Ste. Marie is still "use to" Simon Ave. ending at a dead end. There are very few vehicles that actually yield. With new traffic coming through the "connected" Simon Ave area and along with the residents of this area, this poses a large risk for accident and injury. This also puts our children and pedestrians at risk as well. Vehicles are coming through in very high speeds and not obeying the yield sign on a regular basis. We are asking the city of Sault Ste. Marie to install a Stop sign at the corner of Simon and Denwood Ave. for the safety our community.

The following are addresses and signatures of the residents of Simon Ave.

Kristie & Victor Alvarez <i>Alvarez</i>	105 Simon Ave
Fred & Anna Wilkinson <i>Fred &amp; Anna Wilkinson</i>	Ex Simon Ave
Yvette Sandoe	46 Simon

RECEIVED  
CITY CLERK  
JAN - 7 2009  
NO.: \_\_\_\_\_  
DIST.: \_\_\_\_\_

5(h)

5(h)

Donell	93 Simon Ave.
Bruce Hartman	100 Simon Ave
G.P.	97 Simon Ave
Margie	112 Simon
Kathy Muyters	96 Simon Ave.
Mississ Watson	104 Simon Ave.

JOHN ROWSWELL, M.Eng., P.Eng., P.E.  
MAYOR

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

2008 12 18

Health Canada  
72 Columbine Driveway, Tunney's Pasture  
Ottawa, ON K1A 0K9

Attention: Honourable Leona Aglukkaq, Minister of Health

Dear Minister,

Subject: Poor Physician Specialists and Support Services in Northern Ontario

Citizens of Sault Ste. Marie sometimes have to make life and death decisions and consider taking their loved ones to Michigan at their cost for physician specialist treatment and care because Ontario is non-responsive in a timely manner. Doctors in northern Ontario are burning themselves out trying to gain access for their patients to physician specialist care in southern Ontario.

We have physicians well beyond retirement years approaching their 80's providing dedicated services, i.e. Dr. J Patrick O'Neill covering as an ENT specialist to the day of his death at age 77. I am thankful that our northern health care professionals go above and beyond to care for their patients; however, there is a limit to what they can do when they are dependent on physician specialist services some eight hours away. They do this in negative environments of cutbacks, reduction of services and job losses. Our dedicated health care professionals not only do their best for the residents of Sault Ste. Marie, they know their professional responsibility to residents to our region and regrettably, due to limitations, cannot always provide the health services they want to provide.

For sometime now, I wondered about the availability of physician specialists and their services. I commissioned a report from the Sault Ste. Marie Innovation Centre (attached) to examine the reliability or time to get specialist and specialist services in different cities across Ontario. Time is graphically shown as distances that one has to drive to gain access to speciality physician services. The summary table shows clearly the disparity for these services between northern and southern Ontario communities. It is on this basis, I write to you in the hope that you could review the grave situation. I believe our study demonstrates that the Province of Ontario is negligent in their fair and equal offering of OHIP services to the citizens of northern Ontario.

The Canada Health Act ensures the facilitation of reasonable access to heath services without financial or other barriers. Our study clearly demonstrates the bias OHIP has for northern Ontario residents with specialist and specialist services which directly impacts their health care. Further, the Province of Ontario is in breach of the Canadian Health Act for the following reasons:

. . . 2.

Honourable Leona Aglukkaq, Minister of Health

Subject: Poor Physician Specialists and Support Services in Northern Ontario (2008 12 18) Page 2.

1) Universality: Residents of southern Ontario have greater access to specialist and specialist services; this is evident from our study. Therefore, the Province fails to provide a health insurance plan on uniform terms and conditions. This is prejudicial against the residents of northern Ontario and renders us to a lower standard of health care in the Province of Ontario.

2) Accessibility:

i. OHIP fails to provide specialist and specialist services to the residents of northern Ontario on uniform terms and conditions and this discriminates on the basis of age. Northern Ontario has on average a greater age than the rest of the Province; therefore additional health care services are needed.

ii. OHIP fails to provide specialist and specialist services to the residents of northern Ontario on uniform terms and conditions and this discriminates on the basis health status. The level of disease is greater in some northern Ontario communities; therefore demand for specialist service is the greatest within Ontario.

iii. Earlier this year, I wrote Minister Jim Flaherty about how northern Ontario residents have earnings comparable to those residents of Quebec and Manitoba, yet much, much less than the residents of southern Ontario. Our study clearly shows that the poorest region of Ontario, i.e. the residents of northern Ontario have to travel further for specialist and specialist services placing greater financial burdens on the patient and families of the patients in gaining access to a health insurance plan on uniform terms and conditions. The poorest region of Ontario has the greatest financial burden to access reasonable health care supply.

It is not my position to just complain about poor specialist and specialist services offered to the residents of northern Ontario without suggesting a solution to this dire problem. On December 12, 2008, at the 2009 Ontario Pre-Budget Consultation session with the Honourable Dwight Duncan, Minister of Finance, I offered six suggestions to resolve this crisis (Presentation to Minister Duncan attached). The Minister's prejudicial northern response, "Northerners are getting their fair share of OHIP" is unacceptable. The lack of poor specialist and specialist services are causing unnecessary and preventable deaths.

For these reasons, I request on behalf of the residents of northern Ontario, your assistance for the following:

- 1) You and your Health Canada personnel are invited to Sault Ste. Marie to review the situation and learn first hand of how a typical northern Ontario community is trying to cope.
- 2) A formal inquiry to be conducted to examine the disparity of health care services between northern and southern Ontario, including specialist and specialist services and the lack of compliance that exists within Ontario and the Canada Health Act.
- 3) That consideration be given to withhold Ontario's share of the Canada Health Transfer dollars until such time as Ontario agrees to cooperate with an inquiry if this is the direction you so choose.

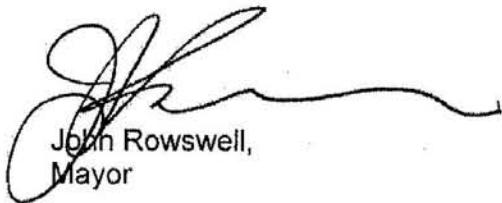
5(i)

Honourable Leona Aglukkaq, Minister of Health

Subject: Poor Physician Specialists and Support Services in Northern Ontario (2008 12 18) Page 3.

This is truly an unfortunate circumstance and gravely serious situation in Sault Ste. Marie and for area residents. It would be greatly appreciated if you could respond to me before December 24<sup>th</sup>, as it would be my intention to call a special meeting of City Council to authorize urgent action as a result of the implementation of harsh and severe cuts in health care at our Sault Area Hospital, which we expect to be announced early in the new year. The residents of this community and northern Ontario certainly deserve better.

Yours very truly,



John Rowswell,  
Mayor

Attachment

cc: Honourable Tony Clement, Minister of Industry and Minister Responsible for FedNor

Honourable David Caplan, Ontario Minister of Health

Honourable Dwight Duncan, Ontario Minister of Finance

Tony Martin, M.P.

David Oraziotti, M.P.P.

# The Sault Star

[« Back](#)

## People in North are dying because of health care issues, mayor tells Ontario finance minister — WILL BE UPDATED

Posted 1 min ago

Ontario Finance Minister Dwight Duncan held a closed-door pre-budget consultation today in Sault Ste. Marie.

Mayor John Rowswell says he made a fervent plea for increased funding for Northern Ontario doctors and hospitals.

Rowswell says people in the North are dying because they are too far away from specialist care, and called on Duncan to fund hospitals like Sault Area Hospital at a level appropriate for a regional centre.

Duncan told media the province has reacted to healthcare trouble in the North, and he said northerners are getting their fair share of OHIP.

Watch this site and Saturday's Sault Star for a full story.

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# The Sault Star

Sat. Dec 13

[« Back](#)

## Government axe cuts deep: mayor — COMMENT ON THIS STORY

Updated 3 days ago

More regional hospitals and better access to specialist care is needed to solve a healthcare crisis that has northerners "needlessly dying," because of lack of service, Sault Ste. Marie's mayor told Ontario's finance minister on Friday.

Mayor John Rowswell said the Sault's physicians are "getting fed up," and either quitting or retiring, leaving the community in a situation that is "just not right."

"And the government continues to do cuts. All they do is they blame: 'You can't run your hospital right, you've got all kinds of problems,'" Rowswell said in an interview following his presentation to Finance Minister Dwight Duncan.

"They really don't understand that our physicians have to almost go begging to get our patients in our community into southern Ontario to get the right care and service, and that's wrong."

Friday's pre-budget consultation took place behind closed doors, but Rowswell spoke to The Sault Star about his presentation and provided a copy of his speech and a copy of a study on access to specialists which he asked the Sault Ste. Marie Innovation Centre to compile.

Reporters were admitted to photograph and listen to Duncan's closing remarks.

When asked about Rowswell's claim about northern deaths, Duncan urged, "caution in making those sorts of assertions."

"Funding in healthcare and hospitals has gone up dramatically under our government and there's still more to do," said Duncan. "I would say we'll continue to make the investments. We heard from the head of the northern medical school how important those investments have been."

Rowswell said he has little hope of getting a favourable response to his presentation, having received "the run-of-the-mill standard answers that we always get," from Duncan on Friday.

He cited a shortage of 35 specialists in the Sault, while he said the Innovation Centre's study shows southern Ontario communities have "so much more access to specialists or specialist care."

The study tracked availability of specialists within the radius of a two-, four- and eight-hour drive. Rowswell said the data is conclusive.

"The truth of the matter is they get access because of the availability. We don't get access," he said.

Earlier this fall, Cancer Care Ontario rejected the region's Local Health Integration Network's recommendation to fund thoracic oncology procedures in the Sault and elevate SAH to a Level 2 centre. The CCO will instead fund those procedures exclusively for Sudbury Regional Hospital.

Rowswell called that move a "gutting out," of local care.

"I've really become aware of our doctors, our healthcare professionals, their plight just trying to get good care for us and how they go above and beyond to actually get that care," said Rowswell, who recently started chemotherapy as part of his three-year battle with cancer. "It is just not right."

The mayor is calling for six regional hospitals in the north, adding Kenora, the Sault, North Bay and Timmins to the two existing regional centres — Sudbury and Thunder Bay.

The current situation is "unreasonable."

"We don't have an ear, nose and throat specialist: It doesn't make sense to have a kid, who is crying and in pain, put in a car to drive to Sudbury so that you can actually get service," said Rowswell.

Duncan heard 33 presentations Friday through the consultation, which also included Sudbury via videoconference. The ongoing crisis in the world economy gave this year's consultation a different tone.

"I think everybody understands that all of us have to do things a bit differently, there will be different priorities, and that the rate at which we can implement and undertake, it's going to take us longer," said Duncan.

He said he saw "good people, hardworking people (in the North), a lot of care about those who are struggling through unemployment right now, families that are hurting throughout the North."

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N



Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	54	45,965	1	117
2 Hours	1,569	45,965	34	3,413
4 Hours	3,006	45,965	65	6,540
6 Hours	9,810	45,965	213	21,342

Population is representing Cornwall, data obtained from Statistics Canada 2006 Census of the Population

## Specialists Located within 2, 4, and 6 hour Driving Distances of Cornwall, Ontario

### Specialists Per 1000 Population

- 2 Hours 34 Specialists : 1000 Population
- 4 Hours 65 Specialists : 1000 Population
- 6 Hours 213 Specialists : 1000 Population

S = Specialists

1:8,300,000  
0 100 200 300 400 500 600  
Kilometers



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie  
Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre  
Date: November 20, 2008



Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	128	74,898	1.71	171
2 Hours	7,051	74,898	94	9,414
4 Hours	11,295	74,898	151	15,081
6 Hours	12,016	74,898	160	16,043

Population represents Peterborough, data obtained from Statistics Canada 2006 Census of the Population

## Specialists Located within 2, 4, and 6 hour Driving Distances of Peterborough, Ontario

### Specialists Per 1000 Population

2 Hours 94 Specialist : 1000 Population

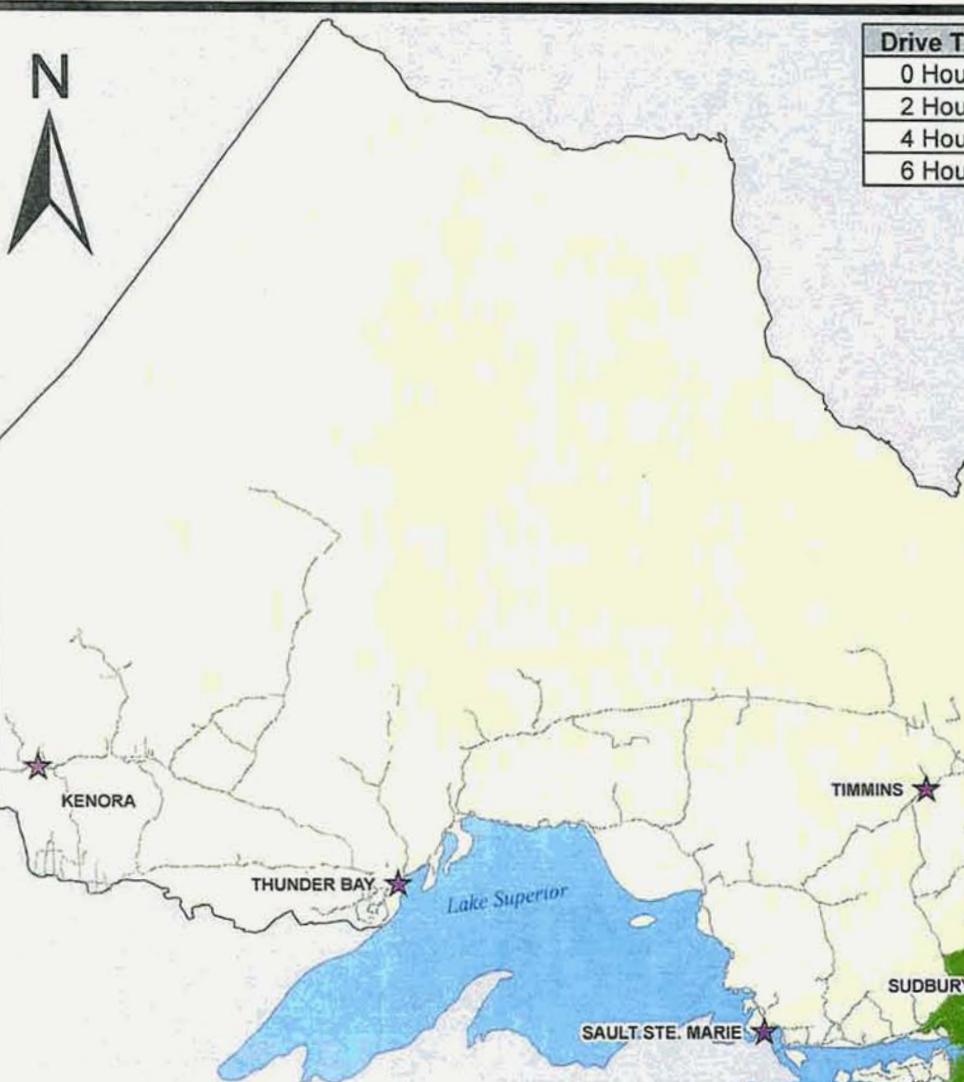
4 Hours 151 Specialists : 1000 Population

6 Hours 160 Specialists : 1000 Population

S = Specialists

1:8,300,000

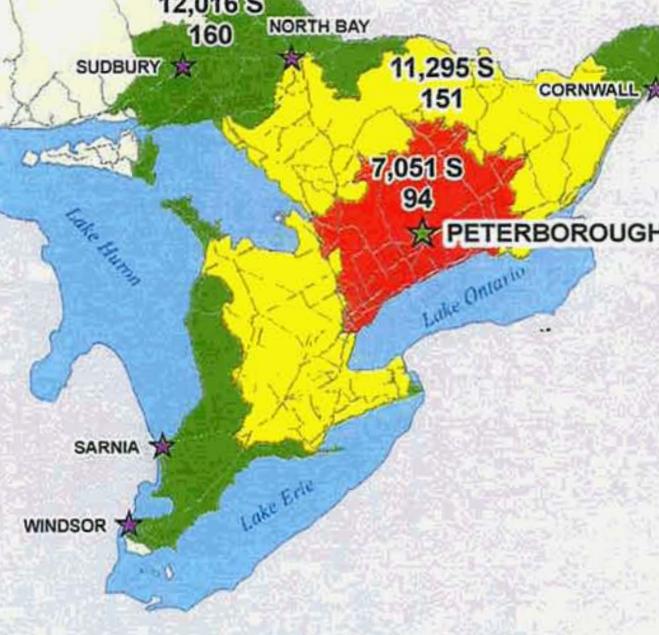
0 100 200 300 400 500 600  
Kilometers



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

Date: November 20, 2008



Sault Ste. Marie  
**INNOVATION**  
CENTRE  
Community Geomatics Centre

Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician  
Human Resource Data Centre

N

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	64	71,419	0.90	90
2 Hours	972	71,419	14	1,361
4 Hours	8,479	71,419	119	11,872
6 Hours	9,774	71,419	137	13,685

Population represents Sarnia, data obtained from Statistics Canada 2006 Census of the Population

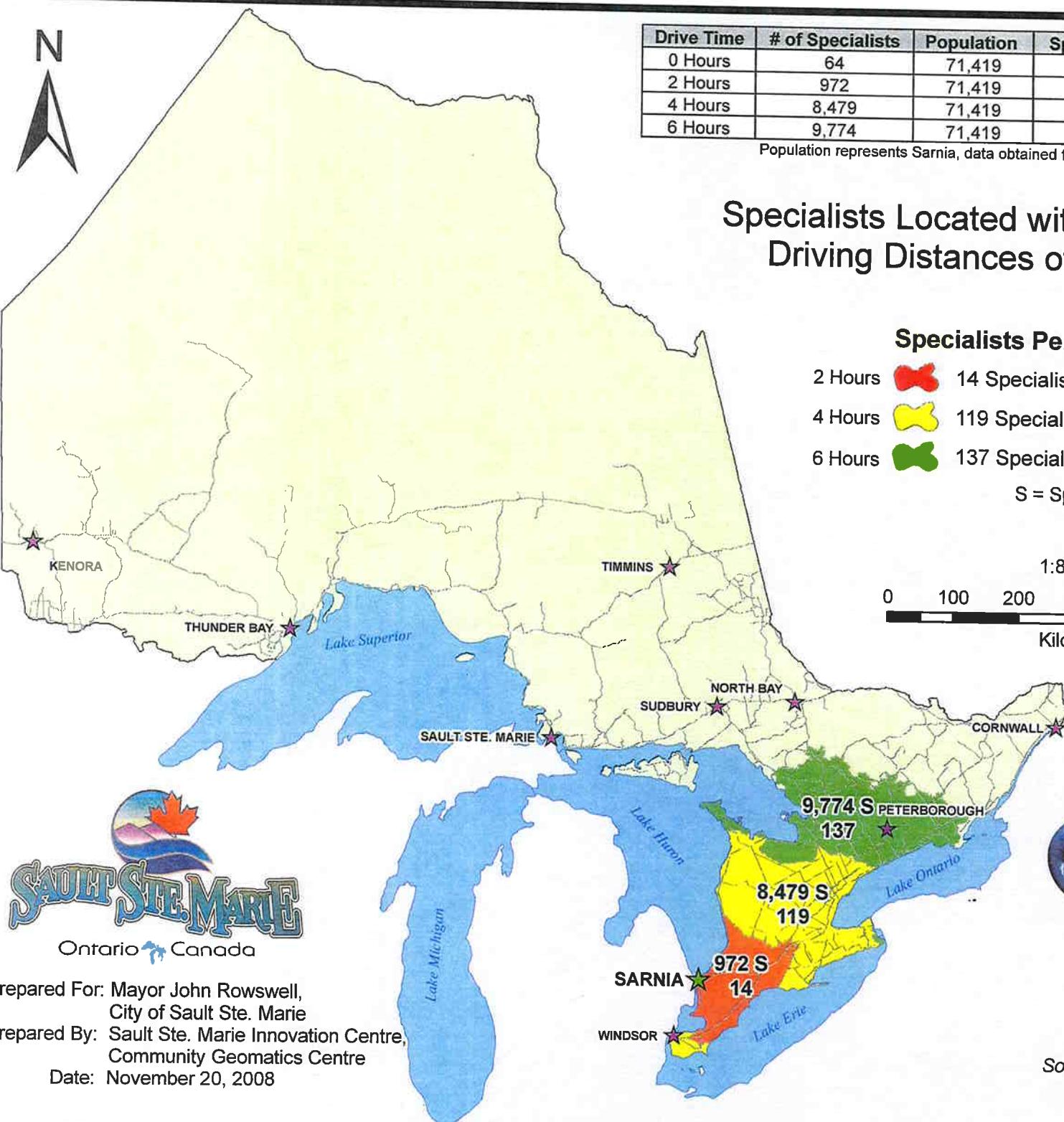
## Specialists Located within 2, 4, and 6 hour Driving Distances of Sarnia, Ontario

### Specialists Per 1000 Population

- 2 Hours 14 Specialists : 1000 Population
- 4 Hours 119 Specialists : 1000 Population
- 6 Hours 137 Specialists : 1000 Population

S = Specialists

1:8,300,000



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

Date: November 20, 2008



Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

N

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	256	216,473	1.18	118
2 Hours	316	216,473	1.46	146
4 Hours	2,104	216,473	10	972
6 Hours	9,651	216,473	45	4,458

Population represents Windsor, data obtained from Statistics Canada 2006 Census of the Population

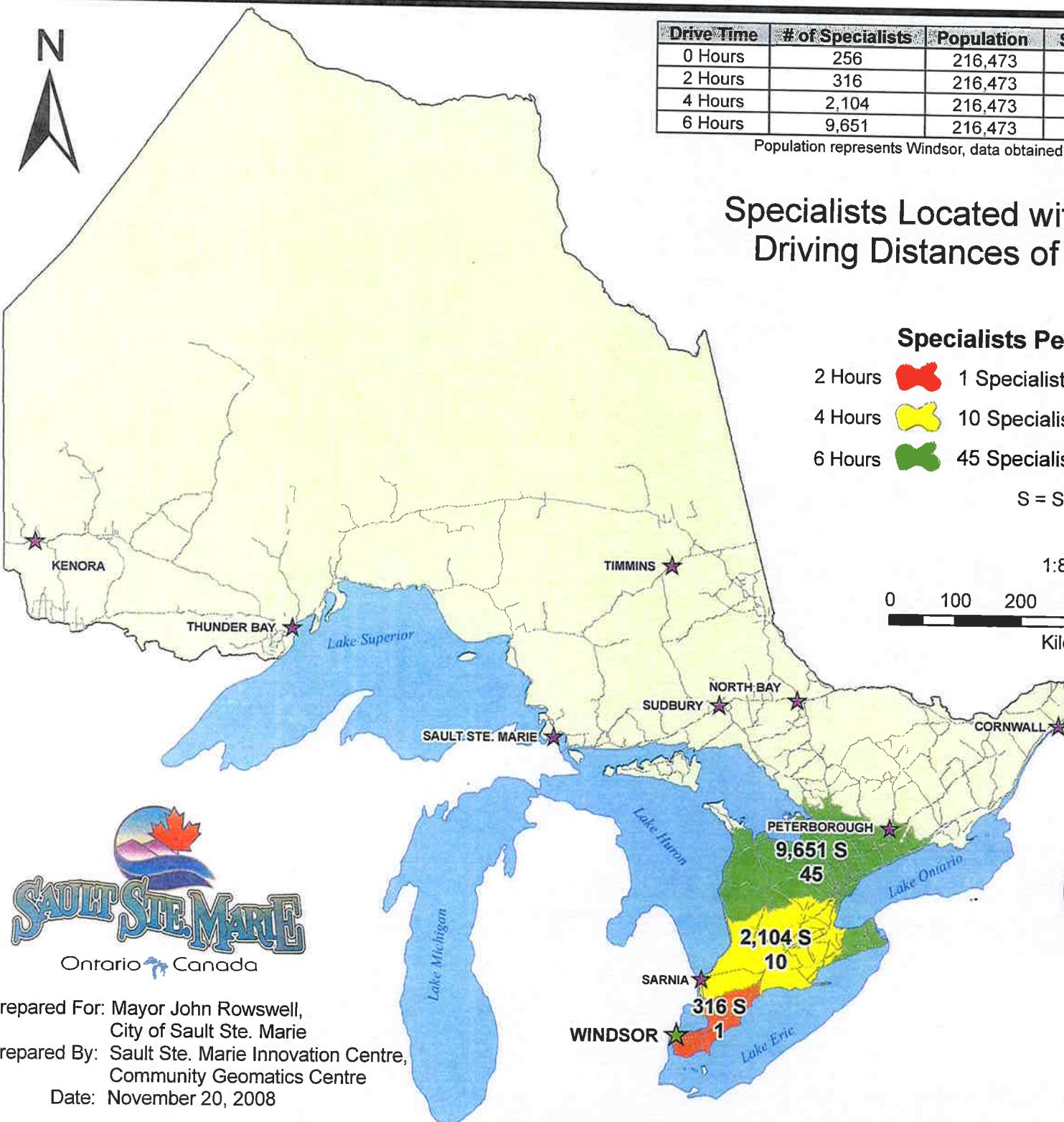
## Specialists Located within 2, 4, and 6 hour Driving Distances of Windsor, Ontario

### Specialists Per 1000 Population

- 2 Hours 1 Specialist : 1000 Population
- 4 Hours 10 Specialists : 1000 Population
- 6 Hours 45 Specialists : 1000 Population

S = Specialists

1:8,300,000



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

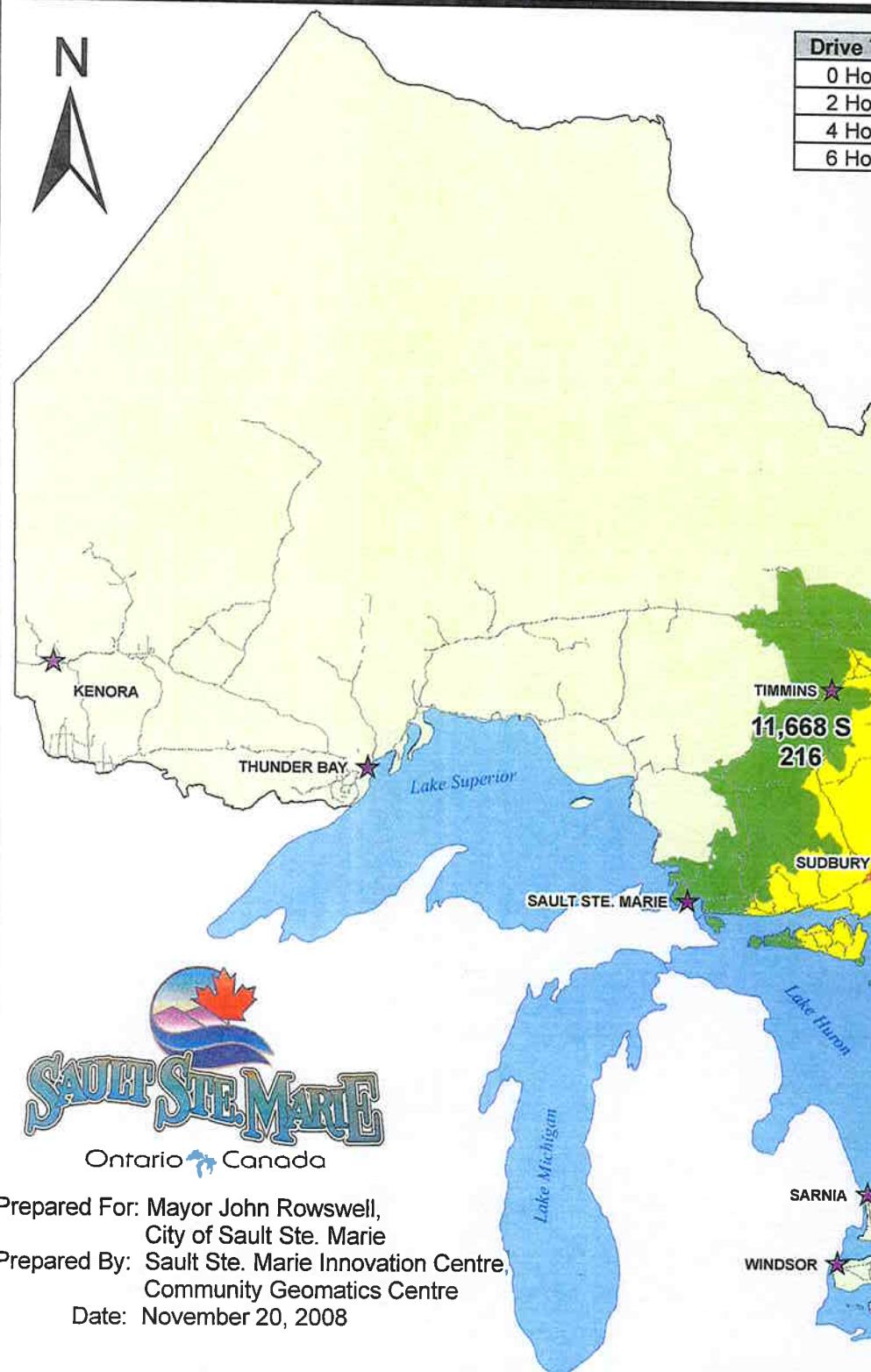
Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

Date: November 20, 2008



Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

N



Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	71	53,965	1	132
2 Hours	274	53,966	5	508
4 Hours	6,156	53,966	114	11,407
6 Hours	11,668	53,966	216	21,621

Population represents North Bay, data obtained from Statistics Canada 2006 Census of the Population

## Specialists Located within 2, 4, and 6 hour Driving Distances of North Bay, Ontario

### Specialists Per 1000 Population

- 2 Hours 5 Specialists : 1000 Population
- 4 Hours 114 Specialists : 1000 Population
- 6 Hours 216 Specialists : 1000 Population

S = Specialists

1:8,300,000  
0 100 200 300 400 500 600 Kilometers



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

Date: November 20, 2008



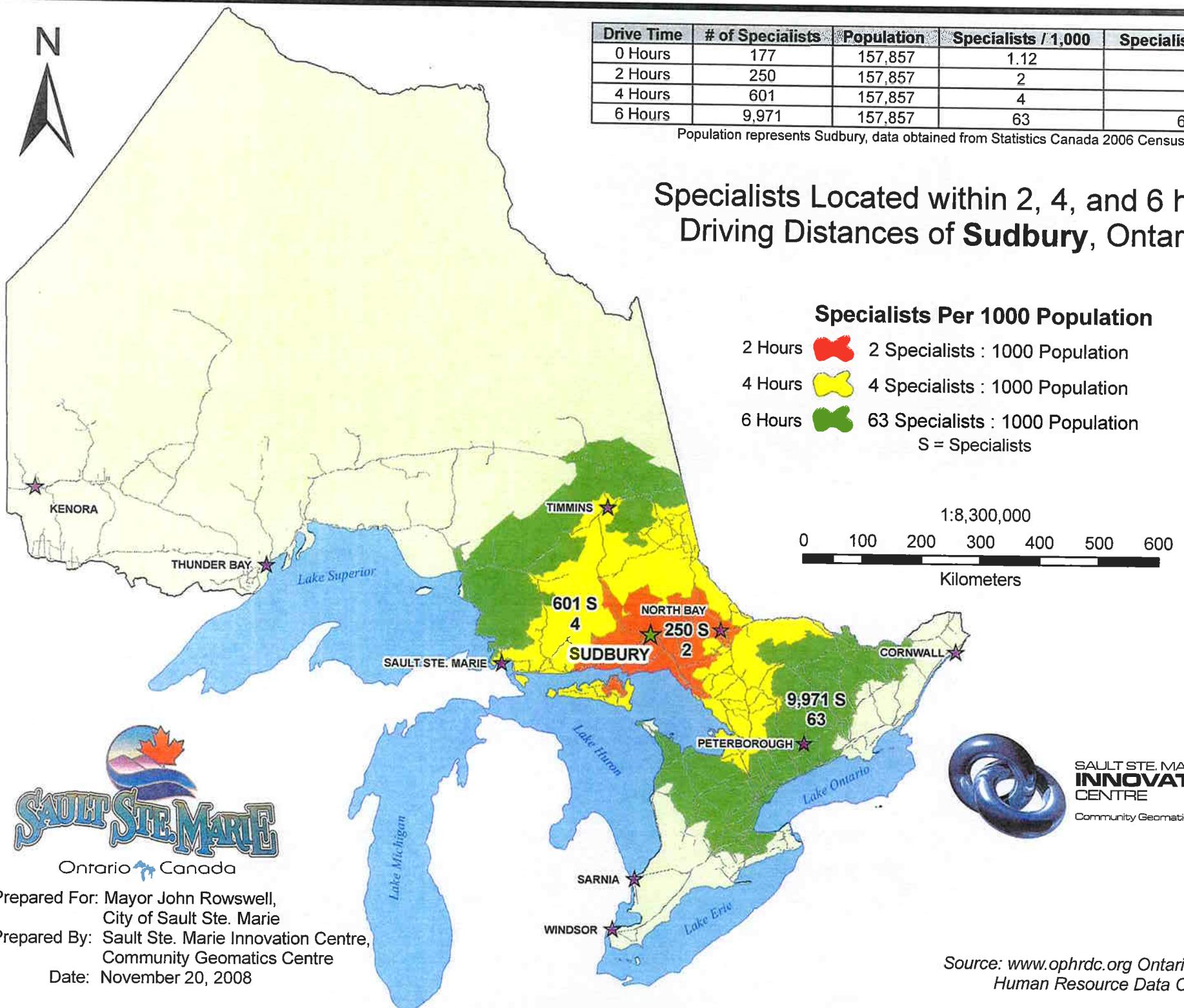
Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

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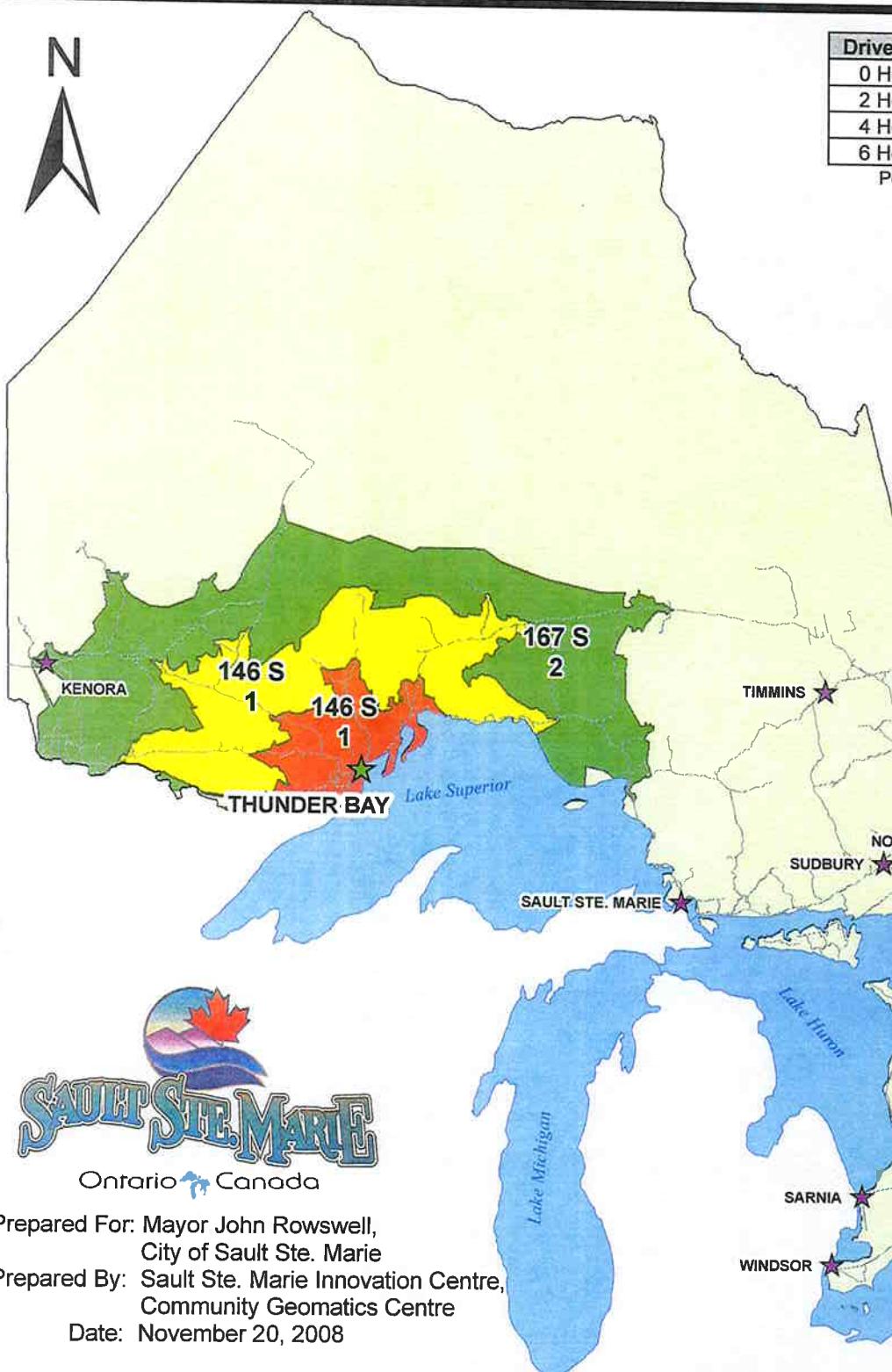
Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	177	157,857	1.12	112
2 Hours	250	157,857	2	158
4 Hours	601	157,857	4	381
6 Hours	9,971	157,857	63	6,316

Population represents Sudbury, data obtained from Statistics Canada 2006 Census of the Population

## Specialists Located within 2, 4, and 6 hour Driving Distances of Sudbury, Ontario



N



Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	145	109,140	1	133
2 Hours	146	109,140	1	134
4 Hours	146	109,140	1	134
6 Hours	167	109,140	2	153

Population represents Thunder Bay, data obtained from Statistics Canada 2006 Census of the Population

Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

**SAULT STE. MARIE**  
**INNOVATION**  
**CENTRE**  
Community Geomatics Centre

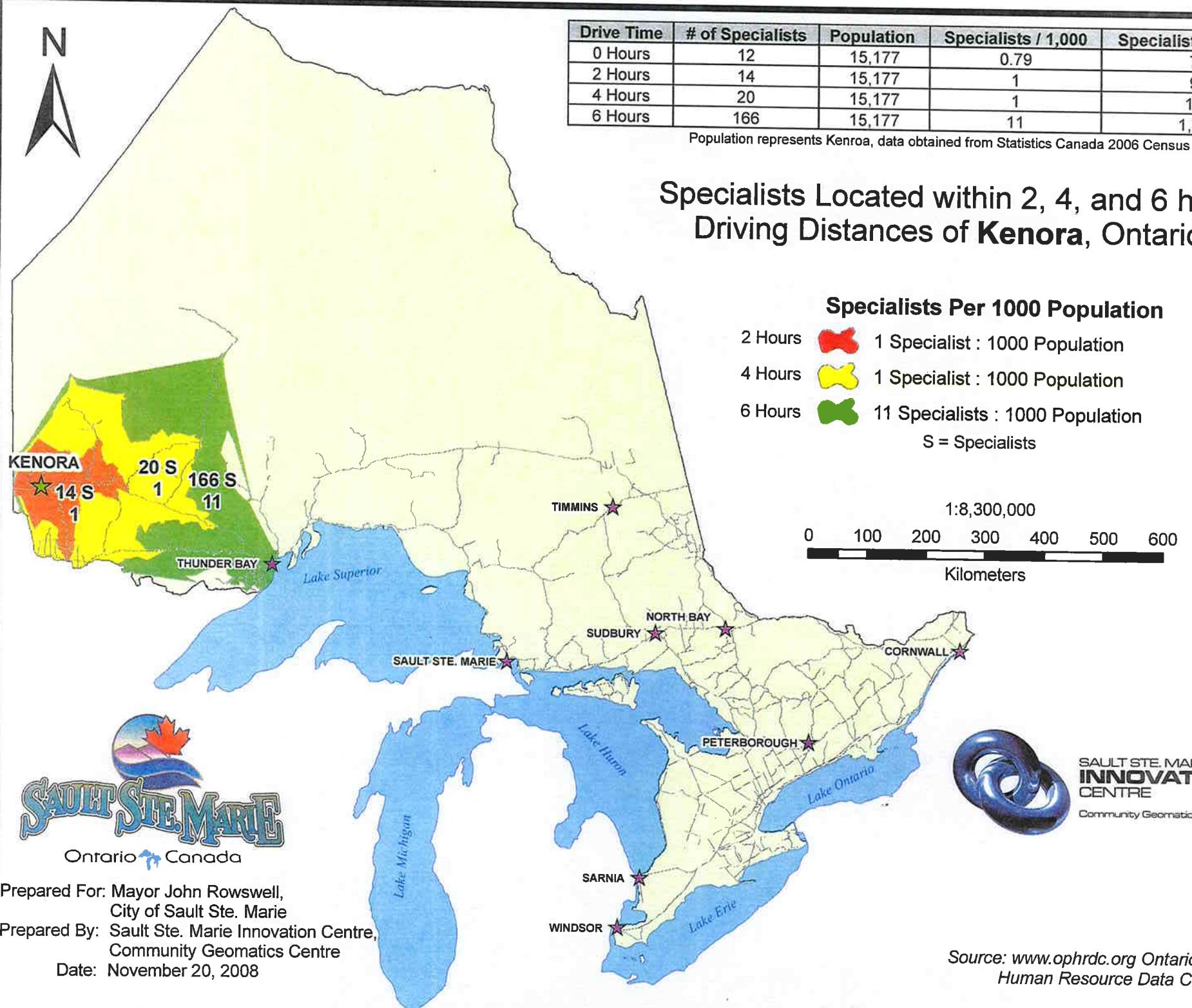


N

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	12	15,177	0.79	79
2 Hours	14	15,177	1	92
4 Hours	20	15,177	1	132
6 Hours	166	15,177	11	1,094

Population represents Kenora, data obtained from Statistics Canada 2006 Census of the Population

## Specialists Located within 2, 4, and 6 hour Driving Distances of Kenora, Ontario

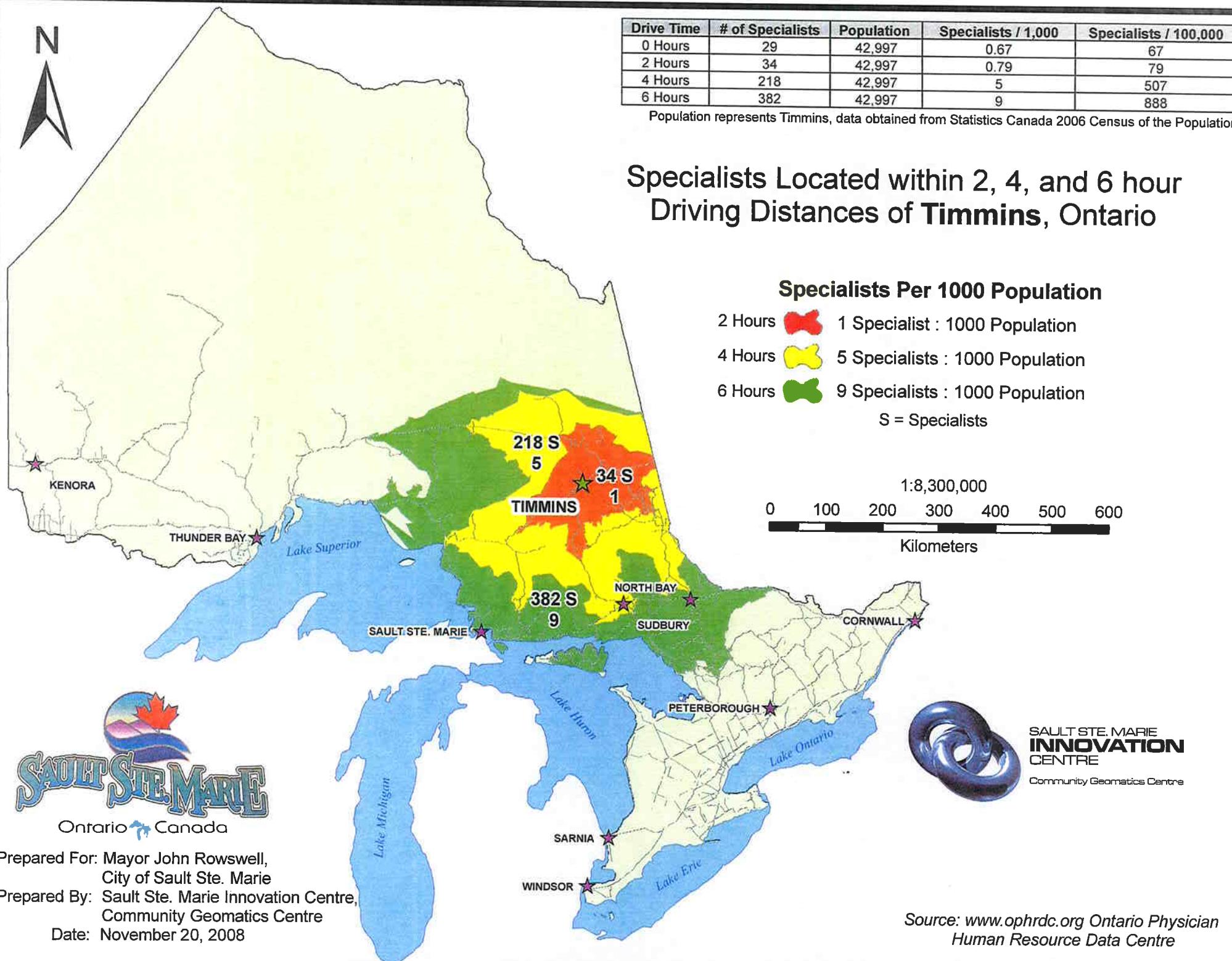




Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	29	42,997	0.67	67
2 Hours	34	42,997	0.79	79
4 Hours	218	42,997	5	507
6 Hours	382	42,997	9	888

Population represents Timmins, data obtained from Statistics Canada 2006 Census of the Population

**Specialists Located within 2, 4, and 6 hour  
Driving Distances of Timmins, Ontario**





Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	70	74,948	0.93	93
2 Hours	70	74,948	1	93
4 Hours	249	74,948	3	332
6 Hours	357	74,948	5	476

Population represents Sault Ste. Marie, data obtained from Statistics Canada 2006 Census of the Population

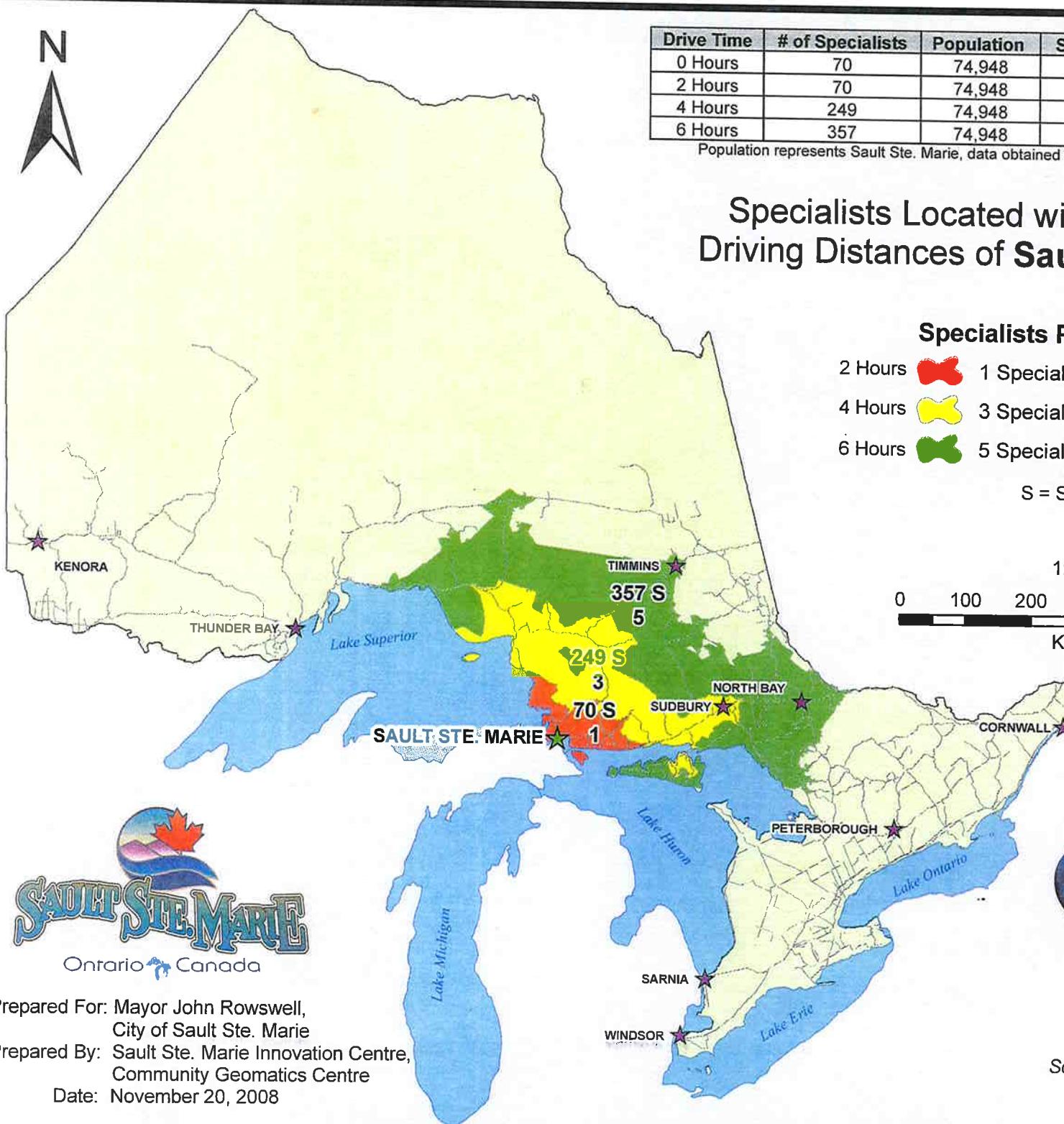
## Specialists Located within 2, 4, and 6 hour Driving Distances of Sault Ste. Marie, Ontario

### Specialists Per 1000 Population

- 2 Hours 1 Specialist : 1000 Population
- 4 Hours 3 Specialists : 1000 Population
- 6 Hours 5 Specialists : 1000 Population

S = Specialists

1:8,300,000



Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

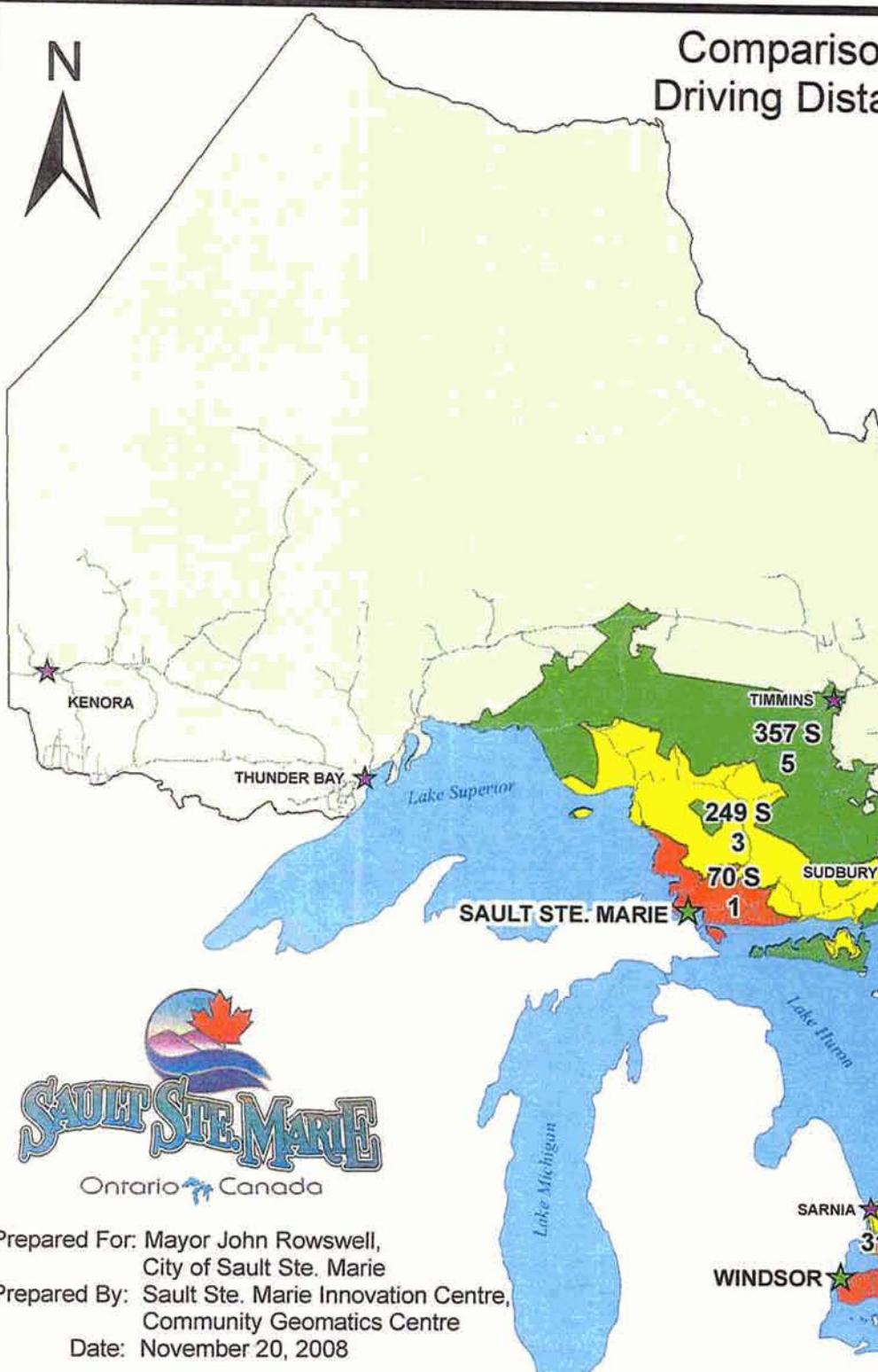
Date: November 20, 2008



Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

# Comparison of Specialists Located within 2, 4, and 6 hour Driving Distances of Sault Ste. Marie and Windsor, Ontario

N



## Sault Ste. Marie

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	70	74,948	0.93	93
2 Hours	70	74,948	1	93
4 Hours	249	74,948	3	332
6 Hours	357	74,948	5	476

## Windsor

Drive Time	# of Specialists	Population	Specialists / 1,000	Specialists / 100,000
0 Hours	256	216,473	1	118
2 Hours	316	216,473	1	146
4 Hours	2,104	216,473	10	972
6 Hours	9,651	216,473	45	4,458

Population data obtained from Statistics Canada 2006 Census of the Population

## Drive Time from City

- 2 Hour Drive Time
- 4 Hour Drive Time
- 6 Hour Drive Time

S = Specialists

1:8,300,000

0 100 200 300 400 500 600  
Kilometers



**SAULT STE. MARIE  
INNOVATION  
CENTRE**

Community Geomatics Centre

Prepared For: Mayor John Rowswell,  
City of Sault Ste. Marie

Prepared By: Sault Ste. Marie Innovation Centre,  
Community Geomatics Centre

Date: November 20, 2008

Source: [www.ophrdc.org](http://www.ophrdc.org) Ontario Physician Human Resource Data Centre

N  
A

## Quality of Health Care

### Reliability of Specialists and Special Services in the Province of Ontario

**GOOD**

**POOR**

<b>Number of Specialists 0 hours</b>	Windsor (256)	Sudbury (177)	Thunder Bay (145)	Peterborough (128)	North Bay (71)	Sault Ste. Marie (70)	Sarnia (64)	Cornwall (54)	Timmins (29)	Kenora (12)
<b>Number of Specialists 2 hours</b>	Peterborough (7,051)	Cornwall (1,569)	Sarnia (972)	Windsor (316)	North Bay (274)	Sudbury (250)	Thunder Bay (146)	Sault Ste. Marie (70)	Timmins (34)	Kenora (14)
<b>Number of Specialists 4 hours</b>	Peterborough (11,295)	Sarnia (8,479)	North Bay (6,156)	Cornwall (3,006)	Windsor (2,104)	Sudbury (601)	Sault Ste. Marie (249)	Timmins (218)	Thunder Bay (146)	Kenora (20)
<b>Number of Specialists 6 hours</b>	Peterborough (12,016)	North Bay (11,668)	Sudbury (9,971)	Cornwall (9,810)	Sarnia (9,774)	Windsor (9,651)	Timmins (382)	Sault Ste. Marie (357)	Thunder Bay (167)	Kenora (166)
<b>Number Of Specialists/1000 population within 0 hours</b>	Peterborough (1.71)	Thunder Bay (1.33)	North Bay (1.32)	Windsor (1.18)	Cornwall (1.17)	Sudbury (1.12)	Sault Ste. Marie (0.93)	Sarnia (0.90)	Kenora (0.79)	Timmins (0.67)
<b>Number Of Specialists/1000 population within 2 hours</b>	Peterborough (94)	Cornwall (34)	Sarnia (14)	North Bay (5)	Sudbury (1.58)	Windsor (1.46)	Thunder Bay (1.34)	Sault Ste. Marie (0.93)	Kenora (0.92)	Timmins (0.79)
<b>Number Of Specialists/1000 population within 4 hours</b>	Peterborough (151)	Sarnia (119)	North Bay (114)	Cornwall (65)	Windsor (10)	Timmins (5)	Sudbury (4)	Sault Ste. Marie (3)	Thunder Bay (1.34)	Kenora (1.32)
<b>Number Of Specialists/1000 population within 6 hours</b>	North Bay (216)	Cornwall (213)	Peterborough (160)	Sarnia (137)	Sudbury (63)	Windsor (45)	Kenora (11)	Timmins (9)	Sault Ste. Marie (5)	Thunder Bay (1.53)



PREPARED FOR: MAYOR JOHN ROWSWELL,  
CITY OF SAULT STE. MARIE  
PREPARED BY: SAULT STE. MARIE INNOVATION CENTRE,  
COMMUNITY GEOMATICS CENTRE  
DATE: NOVEMBER 20, 2008



SAULT STE. MARIE  
**INNOVATION**  
CENTRE  
Community Geomatics Centre

## 2007 Active Physician Registry by Nonspecialists and Specialists by Region, County and Census Subdivision

Region	County	Census Subdivision Name	Nonspecialist	Specialist	Grand Total
Central East	Durham	Ajax	57	60	117
		Brock	1	0	1
		Clarington	53	8	61
		Oshawa	106	166	272
		Pickering	37	11	48
		Scugog	24	4	28
		Uxbridge	11	2	13
		Whitby	60	44	104
	<b>Durham Total</b>		<b>349</b>	<b>295</b>	<b>644</b>
	Haliburton	Minden Hills	12	1	13
	<b>Haliburton Total</b>		<b>12</b>	<b>1</b>	<b>13</b>
	Kawartha Lakes	Kawartha Lakes	53	22	75
	<b>Kawartha Lakes Total</b>		<b>53</b>	<b>22</b>	<b>75</b>
	Northumberland	Brighton	5	1	6
		Cobourg	30	8	38
		Cramahe	2	0	2
		Hamilton	1	1	2
		Port Hope	11	8	19
		Trent Hills	10	3	13
	<b>Northumberland Total</b>		<b>59</b>	<b>21</b>	<b>80</b>
	Peterborough	Asphodel-Norwood	1	0	1
		Cavan-Millbrook-North Monaghan	2	0	2
		Galway-Cavendish and Harvey	2	0	2
		North Kawartha	2	0	2
		Olonabee-South Moneghan	0	1	1
		Peterborough	107	128	235
	<b>Peterborough Total</b>		<b>127</b>	<b>129</b>	<b>256</b>
	Simcoe	Adjala-Tosoronto	0	1	1
		Barrie	123	134	257
		Bradford West Gwillimbury	9	1	10
		Clearview	10	0	10
		Collingwood	32	12	44
		Essa	14	3	17
		Innisfil	7	0	7
		Midland	33	11	44
		Mnjikaning First Nation 32 (Rama First Nation 32)	1	0	1
		New Tecumseth	20	3	23
		Orillia	59	45	104
		Oro-Medonte	3	2	5
		Penetanguishene	13	12	25
		Ramara	2	0	2
		Severn	3	1	4
		Springwater	5	3	8
		Tay	1	0	1
		Wasaga Beach	10	0	10
	<b>Simcoe Total</b>		<b>345</b>	<b>228</b>	<b>573</b>
	York	Aurora	40	1	41
		East Gwillimbury	6	1	7
		Georgina	20	0	20
		King	6	2	8
		Markham	163	130	293
		Newmarket	74	137	211
		Richmond Hill	145	137	282
		Vaughan	159	69	228
	<b>York Total</b>		<b>628</b>	<b>480</b>	<b>1108</b>
<b>Central East Total</b>			<b>1573</b>	<b>1176</b>	<b>2749</b>
Central South	Brant	Brant	11	2	13
		Brantford	89	81	170
		Six Nations (Part) 40	2	0	2
	<b>Brant Total</b>		<b>102</b>	<b>83</b>	<b>185</b>
	Haldimand-Norfolk	Haldimand County	28	7	35
		Norfolk County	36	12	48
	<b>Haldimand-Norfolk Total</b>		<b>64</b>	<b>19</b>	<b>83</b>
	Hamilton	Hamilton	444	907	1351
	<b>Hamilton Total</b>		<b>444</b>	<b>907</b>	<b>1351</b>
	Niagara	Fort Erie	16	5	21
		Grimsby	19	12	31
		Lincoln	16	1	17
		Niagara Falls	39	60	99
		Niagara-on-the-Lake	10	4	14
		Pelham	10	2	12
		Port Colborne	16	1	17
		St. Catharines	113	140	253
		Thorold	8	4	12
		Welland	34	41	75
	<b>Niagara Total</b>		<b>290</b>	<b>270</b>	<b>560</b>
<b>Central South Total</b>			<b>900</b>	<b>1279</b>	<b>2179</b>
Central West	Dufferin	Amaranth	0	1	1
		East Luther Grand Valley	2	0	2
		Mono	2	0	2
		Orangeville	34	24	58
		Shelburne	4	0	4
<b>Dufferin Total</b>			<b>42</b>	<b>25</b>	<b>67</b>

Halton	Burlington Halton Hills Milton Oakville	152 44 39 171	114 5 19 129	266 49 58 300
<b>Halton Total</b>		<b>406</b>	<b>267</b>	<b>673</b>
Peel	Brampton Caledon Mississauga	276 30 516	171 3 444	447 33 960
<b>Peel Total</b>		<b>822</b>	<b>618</b>	<b>1440</b>
Waterloo	Cambridge Kitchener North Dumfries Waterloo Wellesley Wilmot Woolwich	96 198 3 60 1 6 10	77 197 0 29 0 1 2	173 395 3 89 1 7 12
<b>Waterloo Total</b>		<b>374</b>	<b>306</b>	<b>680</b>
Wellington	Centre Wellington Erin Guelph Guelph/Eramosa Mapleton Minto Puslinch Wellington North	23 5 137 1 4 4 0 7	9 0 117 1 0 0 1 0	32 5 254 2 4 4 1 7
<b>Wellington Total</b>		<b>181</b>	<b>128</b>	<b>309</b>
<b>Central West Total</b>		<b>1825</b>	<b>1344</b>	<b>3169</b>
East	Frontenac	Central Frontenac Kingston North Frontenac South Frontenac	2 200 1 5	1 374 0 1
	<b>Frontenac Total</b>	<b>208</b>	<b>376</b>	<b>584</b>
	Hastings	Bancroft Belleville Centre Hastings Deseronto Quinte West Stirling-Rawdon Tweed	10 50 3 1 24 3 1	0 73 0 0 8 0 1
	<b>Hastings Total</b>	<b>92</b>	<b>82</b>	<b>174</b>
	Lanark	Carleton Place Lanark Highlands Mississippi Mills Perth Smiths Falls Tay Valley	16 3 11 17 20 1	1 0 4 7 7 0
	<b>Lanark Total</b>	<b>68</b>	<b>19</b>	<b>87</b>
	Leeds and Grenville	Athens Brockville Edwardsburgh/Cardinal Elizabethtown-Kitley Gananoque Leeds and the Thousand Islands Merrickville-Wolford North Grenville Prescott Rideau Lakes Westport	1 41 1 1 7 7 4 14 5 4 1	0 39 0 1 0 0 1 1 0 0 0
	<b>Leeds and Grenville Total</b>	<b>86</b>	<b>42</b>	<b>128</b>
	Lennox and Addington	Addington Highlands Greater Napanee Loyalist Stone Mills	3 22 8 6	0 2 0 0
	<b>Lennox and Addington Total</b>	<b>39</b>	<b>2</b>	<b>41</b>
	Ottawa	Ottawa	999	1438
	<b>Ottawa Total</b>	<b>999</b>	<b>1438</b>	<b>2437</b>
	Prescott and Russell	Alfred and Plantagenet Casselman Clarence-Rockland East Hawkesbury Hawkesbury Russell The Nation	8 6 13 2 41 9 2	0 0 0 0 19 0 0
	<b>Prescott and Russell Total</b>	<b>81</b>	<b>19</b>	<b>100</b>
	Prince Edward	Prince Edward	27	3
	<b>Prince Edward Total</b>	<b>27</b>	<b>3</b>	<b>30</b>
	Renfrew	Amprior Bonnechere Valley Brudenell, Lyndoch and Raglan Deep River Greater Madawaska Killaloe, Hagarty and Richards Laurentian Valley Madawaska Valley Pembroke Petawawa Renfrew Whitewater Region	17 1 1 6 2 2 1 7 26 14 20 4	2 0 0 0 0 0 0 1 23 0 7 1 8
	<b>Renfrew Total</b>	<b>101</b>	<b>34</b>	<b>135</b>

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	Stormont, Dundas and Glengary	Cornwall	59	54	113
		North Dundas	13	4	17
		North Glengarry	13	3	16
		North Stormont	3	0	3
		South Dundas	9	2	11
		South Glengarry	1	0	1
		South Stormont	3	0	3
	Stormont, Dundas and Glengarry Total		101	63	164
East Total			1802	2078	3880
North	Algoma	Blind River	5	0	5
		Bruce Mines	1	0	1
		Elliot Lake	14	1	15
		Hornepayne	3	0	3
		Michipicoten	9	0	9
		Sault Ste. Marie	70	70	140
		Spanish	1	0	1
		St. Joseph	2	0	2
		Thessalon	3	0	3
		White River	1	0	1
	Algoma Total		109	71	180
	Cochrane	Black River-Matheson	2	0	2
		Cochrane	5	1	6
		Factory Island 1	12	2	14
		Hearst	8	1	9
		Iroquois Falls	6	1	7
		Kapuskasing	10	1	11
		Smooth Rock Falls	2	0	2
		Timmins	44	29	73
	Cochrane Total		89	35	124
	Greater Sudbury	Greater Sudbury	138	177	315
	Greater Sudbury Total		138	177	315
	Kenora	Dryden	17	2	19
		Ignace	1	0	1
		Kenora	27	12	39
		Machin	1	0	1
		Pickle Lake	1	0	1
		Red Lake	7	0	7
		Sioux Lookout	32	3	35
	Kenora Total		86	17	103
	Manitoulin	Assiginack	1	0	1
		Central Manitoulin	6	0	6
		Gore Bay	3	0	3
		Northeastern Manitoulin and the Islands	7	0	7
	Manitoulin Total		17	0	17
	Muskoka	Bracebridge	27	11	38
		Gravenhurst	8	1	9
		Huntsville	35	14	49
		Muskoka Lakes	2	0	2
	Muskoka Total		72	26	98
	Nipissing	Bonfield	1	0	1
		Chisholm	1	0	1
		Mattawa	4	0	4
		North Bay	61	71	132
		South Algonquin	1	0	1
		Temagami	1	0	1
		West Nipissing	12	1	13
	Nipissing Total		81	72	153
	Parry Sound	Burk's Falls	5	0	5
		Callander	3	0	3
		Nipissing	1	0	1
		Parry Sound	23	7	30
		Perry	2	0	2
		Powassan	2	0	2
		South River	2	0	2
		Sundridge	2	0	2
	Parry Sound Total		40	7	47
	Rainy River	Atikokan	6	0	6
		Emo	4	0	4
		Fort Frances	9	3	12
		Rainy River	3	0	3
	Rainy River Total		22	3	25
	Sudbury	Chapleau	2	1	3
		Espanola	4	0	4
		French River	1	0	1
		Nairn and Hyman	1	0	1
		Sables-Spanish Rivers	2	0	2
	Sudbury Total		10	1	11
	Thunder Bay	Fort William 52	1	1	2
		Greenstone	10	0	10
		Manitouwadge	3	0	3
		Marathon	9	0	9
		Nipigon	4	0	4
		Schreiber	1	0	1
		Terrace Bay	2	0	2
		Thunder Bay	127	145	272
	Thunder Bay Total		157	146	303
	Timiskaming	Cobalt	1	0	1
		Englehart	7	0	7
		Kirkland Lake	10	3	13

		Latchford	1	0	1
		Temiskaming Shores	18	4	22
		<b>Timiskaming Total</b>	<b>37</b>	<b>7</b>	<b>44</b>
	<b>North Total</b>		<b>858</b>	<b>562</b>	<b>1420</b>
South West	Bruce	Arran-Elderslie	6	0	6
		Brockton	6	2	8
		Huron-Kinloss	2	0	2
		Kincardine	12	2	14
		Northern Bruce Peninsula	5	0	5
		Saugeen Shores	13	0	13
		South Bruce	2	0	2
		South Bruce Peninsula	6	0	6
	<b>Bruce Total</b>		<b>62</b>	<b>4</b>	<b>56</b>
	Chatham-Kent	Chatham-Kent	59	40	99
	<b>Chatham-Kent Total</b>		<b>59</b>	<b>40</b>	<b>99</b>
	Elgin	Aylmer	6	0	6
		Bayham	1	0	1
		Central Elgin	3	2	5
		Dutton/Dunwich	3	0	3
		Southwold	1	0	1
		St. Thomas	41	42	83
		West Elgin	5	0	5
	<b>Elgin Total</b>		<b>60</b>	<b>44</b>	<b>104</b>
	Essex	Amherstburg	6	1	7
		Easex	8	1	9
		Kingsville	7	0	7
		Lakeshore	8	1	9
		LaSalle	12	1	13
		Learnington	21	12	33
		Tecumseh	11	4	15
		Windsor	189	256	445
	<b>Essex Total</b>		<b>262</b>	<b>276</b>	<b>538</b>
	Grey	Blue Mountains	4	1	5
		Grey Highlands	8	1	9
		Hanover	13	2	15
		Meaford	5	1	6
		Owen Sound	43	59	102
		Southgate	0	1	1
		West Grey	6	0	6
	<b>Grey Total</b>		<b>79</b>	<b>65</b>	<b>144</b>
	Huron	Ashfield-Colborne-Wawanosh	1	0	1
		Bluewater	3	0	3
		Central Huron	8	3	11
		Goderich	16	6	22
		Huron East	6	0	6
		North Huron	6	2	8
		South Huron	12	0	12
	<b>Huron Total</b>		<b>52</b>	<b>11</b>	<b>63</b>
	Lambton	Brooke-Alvinston	1	0	1
		Lambton Shores	12	1	13
		Petrolia	9	0	9
		Plympton-Wyoming	1	0	1
		Point Edward	7	6	13
		Samia	44	64	108
		St. Clair	4	0	4
		Warwick	1	0	1
	<b>Lambton Total</b>		<b>79</b>	<b>71</b>	<b>150</b>
	Middlesex	London	354	771	1125
		Lucan Biddulph	2	0	2
		Middlesex Centre	6	1	7
		Newbury	6	0	6
		North Middlesex	3	0	3
		Stratroy-Caradoc	20	11	31
		Thames Centre	3	0	3
	<b>Middlesex Total</b>		<b>394</b>	<b>783</b>	<b>1177</b>
	Oxford	East Zorra-Tavistock	5	0	5
		Ingersoll	8	3	11
		Norwich	3	0	3
		South-West Oxford	0	1	1
		Tillsonburg	15	4	19
		Woodstock	29	21	50
	<b>Oxford Total</b>		<b>60</b>	<b>29</b>	<b>89</b>
	Perth	North Perth	11	0	11
		Perth East	2	0	2
		Perth South	0	1	1
		St. Marys	14	1	15
		Stratford	30	57	87
		West Perth	8	0	8
	<b>Perth Total</b>		<b>65</b>	<b>59</b>	<b>124</b>
	<b>South West Total</b>		<b>1162</b>	<b>1382</b>	<b>2544</b>
Toronto	Toronto	Toronto	2838	4487	7325
	<b>Toronto Total</b>		<b>2838</b>	<b>4487</b>	<b>7325</b>
	<b>Toronto Total</b>		<b>2838</b>	<b>4487</b>	<b>7325</b>
	<b>Grand Total</b>		<b>10958</b>	<b>12308</b>	<b>23266</b>

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JOHN ROWSWELL, M.Eng., P.Eng., P.E.  
MAYOR

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

December 12, 2008

Ministry of Health and Long-Term Care  
10<sup>th</sup> Floor, Hepburn Block  
80 Grosvenor Street  
Toronto, ON M7A 2C4

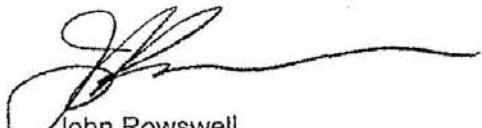
Attention: The Honourable David Caplan  
Minister of Health and Long-Term Care

Mr. Minister,

Subject: Poor Health Care in Northern Ontario

Please see the attached presentation to Minister Dwight Duncan on December 12, 2008 at the 2009 Ontario Pre-Budget Consultations in Sault Ste. Marie. Also included is Minister Duncan's response.

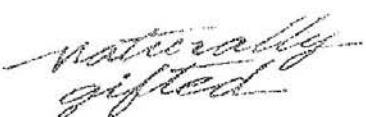
Yours very truly,



John Rowswell  
MAYOR

Attachment

cc: David Orazietti, MPP, Sault Ste. Marie



PRESENTATION TO  
HON. DWIGHT DUNCAN, MINISTER OF FINANCE  
2009 PRE-BUDGET CONSULTATIONS  
DECEMBER 12, 2008

BEFORE I START, I WOULD LIKE TO MENTION THAT OUR STEEL MILL IS ALSO DEPENDENT ON THE AUTO SECTOR. FURTHER, OUR MULTIMODAL TRANSPORTATION HUB INITIATIVE IN SAULT STE. MARIE I.E. INLAND CONTAINER TERMINAL WAS REQUESTED BY FORD TO EXPORT AUTO PARTS.

AT A GLOBAL CITIES CONFERENCE EARLIER THIS WEEK, TO WHICH OUR PREMIER GAVE A GREAT RALLYING SPEECH THAT "WE WILL MAKE IT", I TALKED WITH SCOTIABANK'S AUTO SECTOR SPECIALIST, CARLOS GOMES. WE HAVE BALANCED TRADE WITH THE US, ROUGHLY 10% OF OUR CARS MOVING BOTH WAYS; HOWEVER, WITH CAR PARTS, CANADA EXPORTS MORE. IN THE FUTURE, WE MAY NOT ALWAYS HAVE THE CONVENIENCE OF THE US MARKET. MR. GOMES STATED THAT ONTARIO MANUFACTURERS IN AUTO PARTS MUST MARKET AND SELL THEIR PRODUCTS TO EMERGING COUNTRIES TO SURVIVE. HOW DOES THE ONTARIO GOVERNMENT HELP THEM GET OUT THERE IN THE GLOBAL MARKET?

BUT I NEED TO TALK TO YOU ABOUT THE HEALTH CARE CRISIS SITUATION IN NORTHERN ONTARIO.

SAULT STE. MARIE HAS A FAMILY DOCTOR SHORTAGE OF 8. WHAT PEOPLE DON'T KNOW IS THAT WE HAVE A SHORTAGE OF 36 SPECIALISTS. WHEN YOU ARE 1/3 SHORT, EVERYONE ELSE HAS TO CARRY THE LOAD. EARLIER THIS YEAR, OUR EMERGENCY DOCTORS THREATENED TO STRIKE. FAMILY DOCTORS AND SPECIALISTS, BECAUSE OF AGE, POOR HEALTH OR DUE TO BEING OVERWORKED, JUST QUIT THE SYSTEM AND RETIRE. OTHER DOCTORS SUFFER BURNOUT.

AND NORTHERN ONTARIO HAS NO BACKUP, NO ONE TO HELP OUT. AND THIS LEADS TO A TOTAL HEALTH SYSTEM INEFFICIENCY.

AND THEN THE ONTARIO GOVERNMENT TIGHTENS BUDGETS. [SHOW SLIDES]

IT IS CLEAR THAT WHEN IT COMES TO RELIABILITY OF SPECIALISTS AND SPECIALIST SERVICES, NORTHERN ONTARIO DOES GRAVELY AND LIVES ARE LOST. NORTHERN ONTARIO PEOPLE ARE NEEDLESSLY DYING BECAUSE THEY DON'T GET THE SAME LEVEL OF HEALTH CARE AS OFFERED IN THE REST OF THE PROVINCE. WE HAVE ONE OHIP SYSTEM THAT ENSURES EQUALITY AND ACCESS FOR ALL ONTARIANS, BUT THE FACTS TODAY PRESENT OTHERWISE.

IN FAIRNESS TO NORTHERN ONTARIO, THE PROVINCE NEEDS TO ADDRESS THIS INEQUITY IMMEDIATELY:

- 1) THE NORTHERN CITIES NAMED IN THE PRESENTATION NEED TO BE ALL REGIONAL HOSPITALS AND FUNDED ACCORDINGLY.

- 2) ONTARIO NEEDS TO SUPPORT SPECIALISTS AND THEIR SUPPORT MECHANISMS IN NORTHERN ONTARIO WITH THE CORRECT LEVEL OF FUNDING.
- 3) CANCER CARE NORTHERN ONTARIO SHOULD BE IMMEDIATELY SET UP AND CANCER TREATMENT IN THE SIX REGIONAL CENTRES BE INCREASED.
- 4) LOCUMS DOCTORS OR SHIPPING OUR PATIENTS SOUTH IS NOT EFFICIENT AND DOES NOT GIVE THE CONTINUITY OF DOCTOR CARE THAT IS REASONABLE.
- 5) WHEN THERE IS A FAMILY DOCTOR SHORTAGE AS WELL, PEOPLE HAVE TO WAIT JUST TO GET PRIMARY CARE SO WAIT TIMES STATS MEAN NOTHING. WE HAVE A FAMILY DOCTOR SHORTAGE.
- 6) ACCESS TO SPECIALIST CARE SHOULD BE SET AT 2 HOURS DRIVE TO GAIN ACCESS AND SOUTHERN ONTARIO NOW HAS AN OVERSUPPLY OF SPECIALISTS.

I FORMALLY REQUEST THE PROVINCE TAKE IMMEDIATE STEPS TO PROPERLY FUND HEATH CARE IN NORTHERN ONTARIO. AS PART OF OHIP, IT IS OUR RIGHT TO RECEIVE THE SAME ACCESS TO HEALTH CARE SERVICES AS THOSE EXPERIENCE IN THE SOUTH.

5(k)

Hon. Michael Gravelle  
Minister

Ministry of Northern Development  
and Mines

99 Wellesley Street West  
Room 5630, Whitney Block  
Toronto ON M7A 1W3  
Tel: 416-327-0633  
Fax: 416-327-0665



08-1636

October 30, 2008

His Worship John Rodriguez, Mayor  
The City of Greater Sudbury

His Worship John Rowswell, Mayor  
The City of Sault Ste. Marie

His Worship Tom Laughren, Mayor  
The City of Timmins

Mr. Mac Bain, President  
Federation of Northern Ontario Municipalities

Her Worship Lynn Peterson, Mayor  
The City of Thunder Bay

His Worship Vic Fedeli, Mayor  
The City of North Bay

Ms Anne Krassilowsky, President  
Northwestern Ontario Municipal Association

Dear Mayors and Municipal Association Representatives:

On behalf of my colleague, the Honourable George Smitherman, Deputy Premier and Minister of Energy and Infrastructure, I am pleased to provide you with this update on the Northern Ontario Growth Plan. The planning process is advancing and we are pleased with the enthusiastic participation of northerners and the extensive input we have received through the regional sessions, intergovernmental sessions, several youth engagement sessions and the ongoing engagements with First Nations, Aboriginal associations and key northern groups.

Diverse ideas and perspectives have been brought forward and we are now proceeding with ten technical sessions that will examine key policy and investment priorities in greater depth. These one-day facilitated roundtable discussions will bring together 20-40 participants who have private sector, academic, research or public policy expertise. Invitees will include participants from business, industry associations, academic and research institutions, and other orders of government as well as non-government organizations.

Minister Smitherman and I invite you to participate in one or more of the sessions outlined on the following table where you feel you will be best able to contribute expertise and insight around a particular topic. If you are interested in a specific session, I would ask that you contact Lisa Zanetti, Manager of the Northern Ontario Growth Plan Unit, at (705) 564-7016, or by e-mail at [lisa.zanetti@ontario.ca](mailto:lisa.zanetti@ontario.ca), by November 5, 2008.

.../2

5(K)

- 2 - 08-1636

The sessions are scheduled as follows:

Health	Thunder Bay	Nov. 7, 2008
Transportation	Sault Ste. Marie	Nov. 26, 2008
Alternative Energy	Sault Ste. Marie	Nov. 27, 2008
Mining	Sudbury	Dec. 10, 2008
Education and Training	Sudbury	Dec. 11, 2008
Value Added Forestry	Thunder Bay	Jan. 7, 2009
Bio Economy	Thunder Bay	Jan. 8, 2009
Agriculture	North Bay	Jan. 21, 2009
Tourism	North Bay	Jan. 22, 2009
Aboriginal Economic Development	Timmins	Jan. 28, 2009

In addition to these sessions, we will also be hosting a "ThinkNorth" forum to be held in February 2009. At this meeting, we will be bringing together a number of international experts to share their experiences and insights to inform the development of a draft Growth Plan for Northern Ontario. Further details on this forum will be forthcoming.

Finally, in order to keep a wide audience of stakeholders informed of our progress, we are pleased to attach a copy of our newly-released bulletin. Please feel free to share this document with your council members and leadership team.

Thank you for your ongoing support of the Northern Ontario Growth Plan.

Sincerely,



Michael Gravelle, MPP, Thunder Bay-Superior North Minister

Attachment

c: The Honourable George Smitherman, Deputy Premier, Minister of Energy and Infrastructure

Kevin Costante, Deputy Minister of Northern Development and Mines

Saad Rafi, Deputy Minister of Energy and Infrastructure

Cal McDonald, Assistant Deputy Minister, Northern Development Division, MNDM

Brad Graham, Assistant Deputy Minister, Ontario Growth Secretariat, MEI



Vol. 1, Issue 1

# A Growth Plan for Northern Ontario

**Ministry of Northern Development and Mines**

**Ministry of Energy and Infrastructure**

October 2008

## Towards A Draft Plan

### A Message from the Ministers

The development of a Growth Plan for Northern Ontario is all about creating a shared vision for our northern communities.

Our Northern Growth Plan will build on the North's existing and future potential strengths. It will foster a smarter, more innovative and competitive economy and help us ensure a vibrant future for northern families.

Through the ideas that we capture in our growth plan—your ideas—we will create a long-term sustainable approach to a prosperous northern economy with an enhanced quality of life. The Growth Plan for Northern Ontario will help us make better choices, so northerners can enjoy a brighter future.

And thanks to the dedicated northerners who have been hard at work over the summer, we have made substantial progress laying the foundation for a draft plan.

There are important days ahead this fall as we work toward the release of a draft Growth Plan for Northern Ontario. For example, we will put additional focus on youth and Aboriginal engagement. We will also provide a series of technical information gathering sessions over the next several months and a high-profile Think North Forum early in the new year that will call on us to bring our best ideas to the table.

*Hon. Michael Gravelle  
Minister of Northern Development and Mines*

We will produce a draft Growth Plan for Northern Ontario in the spring of 2009. Then, working from this draft, northerners will start putting together a final strategy for prosperity and growth that will take us through the next 25 years.

As the pieces come together, we need northerners to stay engaged. We must keep up the work that will take us to our goal. We look forward to our continued partnership. Please join us now as we work together to build a practical and attainable Growth Plan for sustainable growth in the North.

*Hon. George Smitherman  
Deputy Premier  
Minister of Energy and Infrastructure*

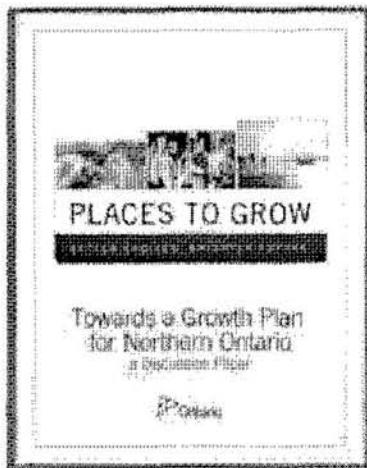
### Working Together for a Northern Growth Plan

Over the past several months, the Province has made solid progress in connecting with northerners on the development of a Growth Plan for Northern Ontario.

This will be the second plan under the *Places to Grow Act* (after the Growth Plan for the Greater Golden Horseshoe) and will focus on developing a long-term, sustainable approach for promoting growth and supporting a prosperous northern economy.

Northerners have told us they are proud to live and work in the North. They are proud of their resilience in overcoming challenges. And they recognize that change is necessary to adapt to global influences, demographic trends and rapid advancements in technology. They are eager to participate in the development of a plan that will shape the future of the North for generations to come.

(Continued on page 2)





## Laying the groundwork with a discussion paper

*(Continued from page 1)*

The plan will build on the North's existing and potential strengths to create a more innovative, globally competitive economy—and a future that offers northern residents an exciting, vibrant place where they can live, work and raise their families.

In May, the Ontario government released a discussion paper called *Towards a Growth Plan for Northern Ontario*. It built on much of the work that had already been done by northern mayors, Chambers of Commerce, economic development groups and Aboriginal leadership to pinpoint the challenges and identify strategic directions for moving forward.

The discussion paper grouped the recommendations together under the seven key themes below, and asked for input on the "how":

- strengthening and advancing resource-based industries
- growing emerging sectors
- fostering research, innovation and commercialization
- increasing education and training opportunities
- retaining and attracting people and jobs
- supporting business development and entrepreneurship, and
- making strategic use of the North's infrastructure.

*The discussion paper built on work already been done by northern mayors, Chambers of Commerce, economic development groups and Aboriginal leadership.*

Over the spring and summer, we held 13 discussion sessions across Northern Ontario to get your input on these themes. Locations included urban centers (Thunder Bay, North Bay, Timmins, Sudbury and Sault Ste. Marie) and smaller communities (Kapuskasing, Wawa, Fort Frances, Dryden, Marathon and Temiskaming Shores). We heard from a good cross section of perspectives – First Nations, municipalities, business and industry, research and innovation, environment, economic development, education and health sciences.

During July and August, additional sessions were held with youth and with government partners. To date, more than 500 northerners have provided input on priority directions for the Growth Plan and the opportunities for input continue.

In the regional discussion sessions, northerners have emphasized the importance of developing an overall vision for Northern Ontario, engaging Aboriginal peoples in the planning process and crafting a strategic, long-term plan with clear benchmarks for measuring and tracking progress.

Participants also agreed on two of the key pillars to developing a successful Northern Growth Plan. The first is G-North—a special committee of 16 Cabinet ministers created to coordinate the govern-

*(Continued on page 3)*

## **First Nations and Métis peoples play key role**



*(Continued from page 2)*

ment's approach to policy, planning and direction-setting in the North. The second is the fact that we are developing the plan under the Places to Grow Act.

With a focus on the future of the North in 25 to 30 years, northerners have suggested many actions. These include:

- Build an educated, skilled workforce in the North
- Identify the North's true competitive edge and build government policies and actions around it
- Enhance connectivity and access throughout the North to attract more businesses and people
- Engage Aboriginal peoples and build stronger partnerships with First Nation and Métis communities
- Ensure reliable, affordable energy that can provide a base for economic growth
- Ensure that Northern Ontario is ready for investment to maintain locally sustainable communities
- Support made-in-the-North solutions and greater input and decision-making to policy in the North
- Increase government cooperation and coordination.

First Nation and Métis peoples are important partners in the development of the Northern Growth Plan. Aboriginal groups and First Nation and Métis communities were and will continue to be involved in the ongoing dialogue sessions. At the same time, we are making extra efforts to increase the level of participation in a number of ways. For example, members of the Growth Plan team are participating in other meetings and events with Aboriginal peoples and information on the Growth Plan is available in Cree, Oji-Cree and Ojibway.

To support northerners' input, the Northern Growth Plan team will continue to research approaches used in other jurisdictions, compile "best practices" from around the world and gather information on specific areas of northern interest.

Over the next six months, our two ministries will be working with northerners toward the release of a draft Growth Plan for Northern Ontario.

- There was an additional focus on the engagement of young northerners, First Nations and Métis communities during September and October.

*For more information  
on the development of  
the Northern Growth  
Plan, please visit  
[www.placestogrow.ca](http://www.placestogrow.ca).*

*(Continued on page 4)*



#### **Consultations will follow release of draft plan**

(Continued from page 3)

- We will launch a series of in-depth discussions in early November to look at how we develop long-term policy direction on key issues. Topics to be explored in the ten sessions are health, bio-economy, tourism, agriculture, transportation, alternative energy, training and education, Aboriginal economic development, and value-added mining and forestry.
  - Early in 2009, Thunder Bay will play host to a major think tank featuring a slate of national and international experts from places such as Ireland and Finland, who will share their experiences with 200 to 300 northern leaders.
  - A draft Growth Plan for Northern Ontario will be released later in 2009 and will be followed by extensive public consultations.

*Thunder Bay will play host to a major think tank featuring a slate of national and international experts.*

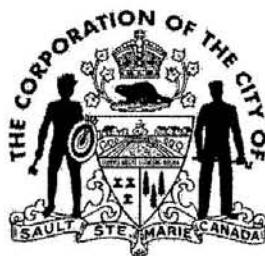
For more information on the development of the Growth Plan for Northern Ontario, please visit [www.placestogrow.ca](http://www.placestogrow.ca) or telephone the Ontario Growth Secretariat's toll free line at 1-866-479-9781.

A screenshot of a Microsoft Internet Explorer browser window. The title bar reads "Places to Grow - Growth Plan for Northern Ontario - Microsoft Internet Explorer". The menu bar includes "File", "Edit", "View", "Favorites", "Tools", and "Help". Below the menu is a toolbar with icons for Back, Forward, Stop, Refresh, Home, and Search. The main content area shows the "Ontario" logo and the "MINISTRY OF ENERGY AND INFRASTRUCTURE" header. A navigation menu at the top right includes "About", "Growth Plans", "Issues & Initiatives", "Media & Resources", and "Newsroom & Events". Below the menu, a map of North America highlights the Great Lakes and surrounding regions. A red box on the left contains the text "PLACES TO GROW" and "BUILDING CANADA'S FUTURE". The central content area is titled "Growth Plan for Northern Ontario" and includes a paragraph about developing a growth plan for northern Ontario, contact information for the Growth Plan Unit, and links to the discussion paper and supporting documents.

The Places to Grow web site offers a wealth of information on the development of a Growth Plan for Northern Ontario, the Growth Planning process and the experiences of other jurisdictions.

5(1)

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](mailto:j.fratesi@cityssm.on.ca)  
[b.berlingieri@cityssm.on.ca](mailto:b.berlingieri@cityssm.on.ca)

2009 01 12

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. **Norm Fera – Community Services Department- Community Centres Division**  
Scotties 2009 and Building Tours  
February, 2009  
Victoria/Vancouver, BC  
Estimated total cost to the City - \$ 2,484.00  
Estimated net cost to the City - \$ 2,484.00
2. **Paul Antonello – Fire Services**  
Public Fire and Life Safety Education  
January, 2009  
Gravenhurst, ON  
Estimated total cost to the City - \$ 225.00  
Estimated net cost to the City - \$ 225.00
3. **Glen Irwin – Engineering & Planning Department – Building Division**  
Soil Mech/Footing Design  
January, 2009  
Sudbury, ON  
Estimated total cost to the City - \$ 677.90  
Estimated net cost to the City - \$ 677.90
4. **Francois Couture – Engineering & Planning Department – Building Division**  
Soil Mech/Footing Design  
January, 2009  
Sudbury, ON  
Estimated total cost to the City - \$ 677.90  
Estimated net cost to the City - \$ 677.90

5. **Larry Kennedy – Engineering & Planning Department – Building Division**  
Soil Mech/Footing Design  
January, 2009  
Sudbury, ON  
Estimated total cost to the City - \$ 747.90  
Estimated net cost to the City - \$ 747.90
6. **Jerry Dolcetti – Engineering & Planning Department**  
Multi-Modal Presentation to Federal Government Staff  
January, 2009  
Ottawa, ON  
Estimated total cost to the City - \$ 1,106.85  
Estimated net cost to the City - \$ 1,106.85
7. **Peter Niro – Human Resources**  
OAFC Labour Relations Seminar  
January, 2009  
Toronto, ON  
Estimated total cost to the City - \$ 1,363.02  
Estimated net cost to the City - \$ 1,363.02
8. **Robert Rushworth – Fire Services**  
Northeastern Ontario Base Hospital Steering  
January, 2009  
Sudbury, ON  
Estimated total cost to the City - \$ 220.00  
Estimated net cost to the City - \$ 220.00
9. **Doug Robertson – Fire Services**  
Comprehensive Review and Exam  
March, 2009  
Gravenhurst, ON  
Estimated total cost to the City - \$ 225.00  
Estimated net cost to the City - \$ 225.00
10. **Kathy Fisher – Community Services Department – Recreation & Culture Division**  
Ware 1812 Meeting and CMA Conference  
January, 2009  
Toronto, ON  
Estimated total cost to the City - \$ 2,167.00  
Estimated net cost to the City - \$ 167.00

Yours truly,



Joseph M. Fratesi  
Chief Administrative Officer

5(m)

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**Sent:** January 05, 2009 3:12 PM

**To:** City Councilors; Bill Freiburger; Donna Irving; Jerry Dolcetti; John Luszka; Kim Streich-Poser; Lorie Bottos; Lynn McCoy; Nick Apostle; Pat McAuley; Bob Davies; Bruce Strapp; Linda Whalen; Willy Eisenbichler

**Subject:** Chief Lynn McCoy's Retirement

Dear Members of City Council and Senior Management Staff:

It is with mixed emotions that I advise you of Fire Chief Lynn McCoy's intention to retire on March 31, 2009, which will be his last working day. He will reach his 60th birthday in August of this year and after over 35 years of service has decided that it is time to move on to his "next phase of life". Lynn has served the City of Sault Ste. Marie very well, the last 12 years as Chief and he will certainly be missed by his colleagues and staff.

In accordance with the City's guidelines for the Recruitment and Selection of Senior Staff, I will be bringing this matter before Open City Council at Monday's meeting asking for authorization to fill the impending vacancy. While Council has the option of filling this vacancy through appointment or through a full selection process, I am recommending that we do so through a selection process. That will require one member of Council to serve on a Committee with myself and the Commissioner of Human Resources. If any member of Council is interested in serving on this Committee, I would appreciate hearing from you prior to Monday's meeting.

I will provide a copy of the guidelines which are currently in place and which set out how the recruitment and selection process might be undertaken. Given that we have about 3 months to fill this position, it is expected that there will not be the need to appoint an Acting Chief, though that is an option if the process is prolonged.

Given that this process will take several months, it would be important for this Committee to convene almost immediately to start the process including the advertising which will be done likely on a provincial or national basis.

This is provided for your information at this point in time.

Yours truly,  
Joe

*Bianca Berlingieri*  
Assistant to the C.A.O.  
Phone: (705) 759-5347  
Fax: (705) 759-5952  
[b.berlingieri@cityssm.on.ca](mailto:b.berlingieri@cityssm.on.ca)

5(m)

January 5, 2009

Mr. Joseph M. (Joe) Fratesi, B.A.LL.B.  
Chief Administrative Officer  
City of Sault Ste. Marie  
99 Foster Dr. P.O. Box 580  
Sault Ste. Marie, Ontario  
P6A 5N1

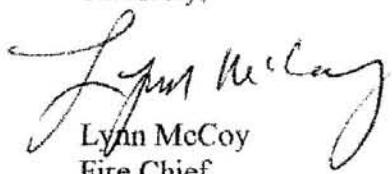
Dear Joe,

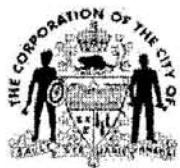
This letter is to inform you of my decision to retire. My last working day with the City will be March 31, 2009.

I am thankful to the City for providing me with the opportunity to serve my community. I have experienced a challenging and rewarding career in the Fire Service.

I will miss my co workers but I am looking forward to the next phase of my life and the prospects that retirement presents.

Sincerely,

  
Lynn McCoy  
Fire Chief  
Sault Ste. Marie Fire Services



## INFORMATION MANUAL

H-I-19

**Subject:** GUIDELINES FOR THE RECRUITMENT  
AND SELECTION OF SENIOR STAFF

**Department/Division:** Human Resources  
**Source:** Chief Administrative Officer  
**Date:** 2005 01

Page: 1 of 5

**PURPOSE** Provide guidelines to be used in the recruitment of the Chief Administrative Officer and the Senior Staff positions identified in the Scope section.

**SCOPE** These guidelines apply to the Chief Administrative Officer and Senior Staff positions. Senior positions consist of Department Heads (Commissioners, City Solicitor, City Clerk, Fire Chief), Assistant Department Heads and Division Heads.

Note: Division Heads are defined as the following: Manager of Ontario Works, Manager of Community Child Care, Manager of Social Housing, Transit Manager, Manager Recreation and Culture, Manager Community Centres and Marine Facilities, Manager of Cemeteries, Manager Day Care Services, Manager of Parks, Planning Director, Tax Collector.

Assistant Department Heads are Assistant City Clerk, Assistant City Solicitor, Deputy Commissioner of Public Works, Director of Financial Services, Assistant Fire Chief, Director of Engineering, Design and Buildings.

**PROCEDURES** **I Chief Administrative Officer (C.A.O.)**

1. City Council shall authorize the filling of a C.A.O. vacancy in an open Council Meeting.

2. Upon approval of the filling of the vacancy City Council shall appoint a Selection Committee consisting of the Mayor and two (2) Councillors.

Note: The Commissioner of Human Resources or his designate shall act as a resource to the Selection Committee as may be required throughout the recruitment and selection process.

3. The Selection Committee shall carry out the recruitment and selection process and keep City Council advised throughout the process.



## INFORMATION MANUAL

H-I-19

**Subject:** GUIDELINES FOR THE RECRUITMENT  
AND SELECTION OF SENIOR STAFF

**Department/Division:** Human Resources  
**Source:** Chief Administrative Officer  
**Date:** 2005 01

Page: 2 of 5

1. The recruitment and selection process may consist of some or all of the following:
  - a) Use of Consultants in the Recruitment Process
    - R.F.P.
    - Selection of the Consultant
    - Contract and Costs
  - b) Establish Criteria for the Positions
    - Review the job descriptions
    - Update as necessary
    - Establish qualifications and criteria for position
  - c) Advertising of the Position
    - Internal posting only
    - Internal posting and external advertising
    - Local, provincial or national advertising
    - Prepare posting/advertisement
  - d) Receipt and Processing of Resumes
    - Resumes received by whom
    - Acknowledgement of receipt
    - Establish time frame for further contact
  - e) Long Listing of Resumes
    - Establish criteria for "long list" of resumes
    - Establish a long list of applicants
    - Respond to all applicants regarding status of application
  - f) The Interview Process
    - Determine the participants in the interview process
    - Establish interview questions and interview process
  - g) Recommend "Short List" of Candidates to City Council



## INFORMATION MANUAL

H-I-19

**Subject:**

GUIDELINES FOR THE RECRUITMENT  
AND SELECTION OF SENIOR STAFF

**Department/Division:** Human Resources

**Source:** Chief Administrative Officer

**Date:** 2005 01

Page: 3 of 5

- h) City Council interview of "Short List Candidates"
  - Determine the participants in the interview process
  - Establish the interview process and conduct interviews
- i) Selection of successful candidate by City Council
  - Offer of Employment and acceptance
  - Prepare announcement
- j) Appointment By-law

The Selection Committee may amend this recruitment process as necessary with the approval of Council.

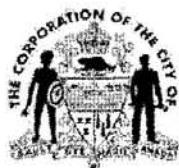
### II Senior Staff

1. Council shall authorize the filling of a Senior Staff vacancy. City Council may approve filling such vacancy through appointment or through a selection process.

Note: For Department Head positions, inclusive of the City Solicitor, City Clerk and Fire Chief, the approval to fill such vacancy shall be in an open City Council Meeting.

2.

- a) If filled by appointment, the appointment is confirmed through passage of a by-law and by confirming to the employee such appointment in writing.
- b) If approved to be filled by a selection process, a selection committee will be formed consisting of:
  - A member of Council appointed by Council, in the case of filling a Department Head position



## INFORMATION MANUAL

H-I-19

**Subject:** GUIDELINES FOR THE RECRUITMENT  
AND SELECTION OF SENIOR STAFF

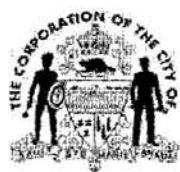
**Department/Division:** Human Resources  
**Source:** Chief Administrative Officer  
**Date:** 2005 01

Page: 4 of 5

- Chief Administrative Officer or his designate
- Commissioner of Human Resources or his designate
- Respective Department Head in Division Head selections
- Others as deemed appropriate by the Chief Administrative Officer

3. The Selection Committee shall carry out the recruitment and selection process which may consist of the following:

- a) Use of Consultants in the Recruitment Process
  - R.F.P.
  - Selection of the Consultant
  - Contract and Costs
- b) Establish Criteria for the Positions
  - Review the job descriptions
  - Update as necessary
  - Establish qualifications and criteria for position
- c) Advertising of the Position
  - Internal posting only
  - Internal posting and external advertising
  - Local, provincial or national advertising
  - Prepare posting/advertisement
- d) Receipt and Processing of Resumes
  - Resumes received by whom
  - Acknowledgement of receipt
  - Establish time frame for further contact
- e) Short Listing of Resumes
  - Establish criteria for "short list" of resumes



## INFORMATION MANUAL

H-I-19

**Subject:**

GUIDELINES FOR THE RECRUITMENT  
AND SELECTION OF SENIOR STAFF

**Department/Division:**

Human Resources

**Source:**

Chief Administrative Officer

**Date:**

2005 01

Page: 5 of 5

- Establish a short list of applicants
- Respond to all applicants regarding status of application

f) The Interview Process

- Determine the participants in the interview process
- Establish interview questions and interview process

g) Department Head – Recommendation to Council

- CAO recommends successful candidate to Council
- Offer of employment and selection
- Prepare announcement

Division Head – Advise Council

- Advise Council if candidate selected
- Prepare announcement

h) Approve Appointment By-law

The Selection Committee may amend this recruitment process as necessary with the approval of Council.

5(n)

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



**City Clerk's Department**

2009 01 12

Mayor John Rowswell  
And Members of City Council

**RE: 2009 CORPORATE MEMBERSHIP FEES**

The following Corporate Membership Fees are coming up for renewal:

	<u>2009 Renewal</u>	<u>2008 Fees</u>
1. Algoma District Municipal Association	\$ 300.00	\$ 300.00
2. Association of Municipalities of Ontario	\$10,191.97	\$ 9,984.39
3. Canadian Institute of Forestry	\$ 300.00	\$ 300.00
4. Chamber of Commerce	\$ 325.50	\$ 325.50
5. Federation of Canadian Municipalities	\$ 9,243.66	\$ 8,943.86
6. Federation of Northern Ontario Municipalities	\$ 2,000.00	\$ 2,000.00
7. Great Lakes and St. Lawrence Cities Initiative	\$ 4,000.00	\$ 4,000.00
8. Ontario Good Roads Association	\$ 1,673.08	\$ 1,673.08
9. Ontario Traffic Conference	\$ 460.00	\$ 460.00
	<b>\$ 28,494.21</b>	<b>\$ 27,986.83</b>

5(n)

(2)

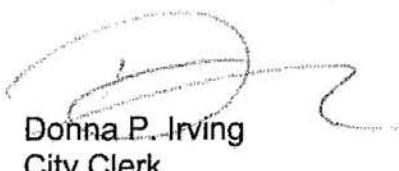
This is submitted to Council for authorization to proceed with payment.

Respectfully submitted,



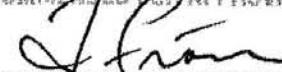
Malcolm White  
Deputy City Clerk &  
Manager of Quality Improvement

Recommended For Approval



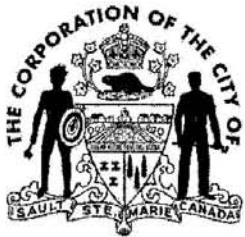
Donna P. Irving  
City Clerk

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi  
Chief Administrative Officer

5(0)



2009 01 12

Mayor John Rowswell  
and members of City Council  
Civic Centre

**RE: SAULT STE. MARIE ONTARIO / SAULT STE MARIE MICHIGAN  
JOINT CITY COUNCIL / CITY COMMISSION MEETING  
WEDNESDAY, FEBRUARY 11<sup>th</sup>, 2009**

City Council and the City Commission of Sault Ste. Marie Michigan have expressed their commitment to holding an annual joint Council/Commission Meeting for consideration of matters of common interest. The last such meeting was held on February 27<sup>th</sup>, 2008. A mutually agreeable date of February 11<sup>th</sup>, 2009 has now been selected for the next meeting. The agenda for the meeting will be arranged and organized by the Chief Administrative Officer/City Manager and Clerks Offices.

**Recommendation**

That Council authorize by resolution, a joint City Council / City Commission meeting to take place on Wednesday, February 11<sup>th</sup>, 2009 commencing at 2:00 p.m. in the Council Chambers, Sault Ste. Marie Ontario.

Yours very truly,



DONNA P. IRVING  
CITY CLERK

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi  
Chief Administrative Officer

5(p)

**William Freiburger, CMA**  
Commissioner of Finance  
and Treasurer

Finance Department



2009 01 12

Mayor John Rowswell and  
Members of City Council

**Re: Financial Report @ September 30, 2008**

Please find attached a nine month financial report prepared by Mr. Scott McLellan, Manager of Budgets and Revenue.

I had planned to bring this to a Finance Committee Meeting in December but the meeting was not held.

This is provided for the information of Council.

Respectfully submitted,

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

W. Freiburger, CMA  
Commissioner of Finance and Treasurer

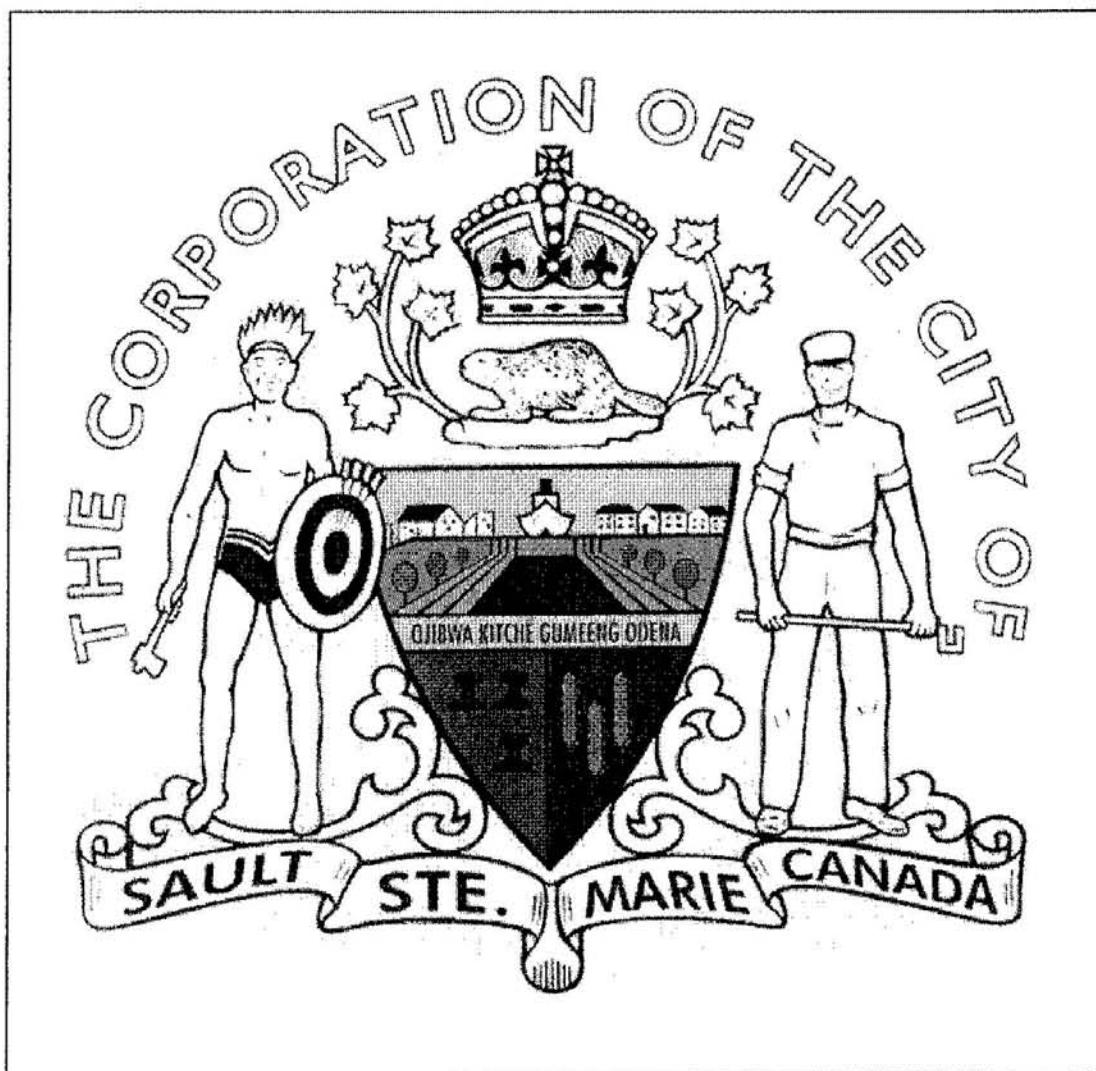
WF/kl

attachment

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

CORPORATION OF THE CITY OF SAULT STE. MARIE

FINANCIAL REPORT @ SEPTEMBER 30, 2008



Prepared by : Scott McLellan  
Manager of Budgets & Revenue  
Finance Department

**NINE MONTH REPORT**

Attached are Computer Reports for Expenditures (including commitments) as well as the Revenue and Netted Summaries.

The Process used in this report was to ask each Department to review their accounts and to provide input in to any areas of concern. To a large extent the major concern during our Six Month review was the rising costs of petroleum products. At that time oil was approaching \$ 150.00 per barrel while as of mid November the price per barrel has dropped below \$ 60.00. Much of the pressure on our budgets for petroleum products has been alleviated by the dramatic fall in the cost of oil. At six months it appeared petroleum products could cause an overrun of over \$ 800,000 on a corporate basis.

The historic downturn in global financial markets will be a concern heading in to 2009.

Individual departments have identified some concerns in individual Accounts/Cost Centres but on an overall basis they appear within budget on a Global basis. There are a several areas of concern and the main issues are summarized below.

As reported at Six Months, Public Works is anticipating an over expenditure in Winter Control as only 11.5% of the budget is unspent. It is possible, depending on weather conditions in the final few months of this year that the over run could approach \$ 1,000,000.

There are many adjustments required in the Capital & Debt Levy area and these accounts will be in line at year end.

The Legal Department's numbers appear unfavourable, however, this is a result of the Corporate Insurance Cost Centre. There will be a year end adjustment in this Cost Centre which will bring the insurance costs more in line with the budget estimate.

FNRP310-1

**FINANCIAL REPORTING - CORPORATE SUMMARY****EXPENDITURES + COMMITMENTS**Percent of Year Remaining: **23%**

Period: from Department Name	20080101	to 20080930	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	428,290.85		30.72	.00	428,321.57	697,510.00	269,188.43	38.6	
CHIEF ADMINISTRATIVE OFFI	228,932.37		1,188.83	.00	230,121.20	313,855.00	83,733.80	26.7	
HUMAN RESOURCES DEPARTMEN	873,726.89		4,742.96	.00	878,469.85	1,255,800.00	377,330.15	30.0	
CLERKS DEPARTMENT	604,793.26		511.66	.00	605,304.92	920,815.00	315,510.08	34.3	
FINANCE DEPARTMENT	2,788,605.39		9,303.95	.00	2,797,909.34	3,843,845.00	1,045,935.66	27.2	
LEGAL DEPARTMENT	2,060,830.23		1,394.42	.00	2,062,224.65	2,232,975.00	170,750.35	7.6	
FIRE DEPARTMENT	10,716,476.05		48,116.09	.00	10,764,592.14	14,250,770.00	3,486,177.86	24.5	
POLICE SERVICES	13,983,399.75		.00	.00	13,983,399.75	20,715,890.00	6,732,490.25	32.5	
ENGINEERING & PLANNING	6,483,725.34		153,015.07	.00	6,636,740.41	11,408,990.00	4,772,249.59	41.8	
PUBLIC WORKS & TRANSPORTA	23,760,329.81		147,854.91	.00	23,908,184.72	34,127,268.00	10,219,083.28	29.9	
COMMUNITY SERVICES DEPART	6,144,217.43		64,222.14	.00	6,208,439.57	8,898,925.00	2,690,485.43	30.2	
SOCIAL SERVICES DEPARTMEN	6,221,264.69		28,356.08	.00	6,249,620.77	8,341,670.00	2,092,049.23	25.1	
LIBRARY BOARD	2,233,600.33		.00	.00	2,233,600.33	3,060,200.00	826,599.67	27.0	
OUTSIDE AGENCIES & LEVY B	19,867,247.02		.00	.00	19,867,247.02	27,857,955.00	7,990,707.98	28.7	
CORPORATE FINANCIAL & OTH	5,347,731.72		.00	.00	5,347,731.72	17,906,246.00	12,558,514.28	70.1	
CAPITAL LEVY & DEBENTURE	139,956.00		.00	.00	139,956.00	12,498,803.00	12,358,847.00	98.9	
EDUCATION REQUISITIONS	17,377,439.35		.00	.00	17,377,439.35	23,285,685.00	5,908,245.65	25.4	
Report Total:	119,260,566.48		458,736.83	.00	119,719,303.31	191,617,202.00	71,897,898.69	37.5	
YTD Total:	125,188,050.45		458,736.83	.00	125,646,787.28	191,617,202.00	65,970,414.72	37.5	

5(p)

FNRP310-1

## **FINANCIAL REPORTING - CORPORATE SUMMARY**

Period: from **20080101** to **20080930**

**REVENUE ONLY**

**Percent of Year Remaining:**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	.00	.00	.00	.00	.00	.00	.00
CHIEF ADMINISTRATIVE OFFI	.00	.00	.00	.00	.00	.00	.00
HUMAN RESOURCES DEPARTMEN	.00	.00	.00	.00	.00	.00	.00
CLERKS DEPARTMENT	.00	.00	-50,156.32	.00	-42,730.00	7,426.32	-17.4
FINANCE DEPARTMENT	.00	.00	-319,817.81	.00	-383,830.00	-64,012.19	16.7
LEGAL DEPARTMENT	.00	.00	-2,247,363.48	.00	-2,471,790.00	-224,426.52	9.1
FIRE DEPARTMENT	.00	.00	-1,770,674.90	.00	-3,508,435.00	-1,737,760.10	49.5
POLICE SERVICES	.00	.00	-429,063.05	.00	-1,273,850.00	-844,786.95	66.3
ENGINEERING & PLANNING	.00	.00	-1,084,149.33	.00	-821,050.00	263,099.33	-32.0
PUBLIC WORKS & TRANSPORTA	.00	.00	-6,782,063.51	.00	-7,618,535.00	-836,471.49	11.0
COMMUNITY SERVICES DEPART	.00	.00	-3,532,409.66	.00	-4,657,820.00	-1,125,410.34	24.2
SOCIAL SERVICES DEPARTMEN	.00	.00	-6,007,351.50	.00	-8,236,670.00	-2,229,318.50	27.1
LIBRARY BOARD	.00	.00	-154,165.27	.00	-3,060,200.00	-2,906,034.73	95.0
OUTSIDE AGENCIES & LEVY B	.00	.00	.00	.00	.00	.00	.00
CORPORATE FINANCIAL & OTH	.00	.00	-121,139,671.10	.00	-136,256,607.00	-15,116,935.90	11.1
CAPITAL LEVY & DEBENTURE	.00	.00	.00	.00	.00	.00	.0
EDUCATION REQUISITIONS	.00	.00	-23,204,067.10	.00	-23,285,685.00	-81,617.90	.4
Report Total:	.00	.00	-166,720,953.03	.00	-191,617,202.00	-24,896,248.97	13.0
YTD Total:	.00	.00	-168,862,285.09	.00	-191,617,202.00	-22,754,916.91	13.0

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FNRP310-1

**FINANCIAL REPORTING - CORPORATE SUMMARY**

Period: from	<b>20080101</b>	to	<b>20080930</b>	EXPENDITURES + REVENUE			
Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	428,290.85	30.72	.00	428,321.57	697,510.00	269,188.43	38.6
CHIEF ADMINISTRATIVE OFFI	228,932.37	1,188.83	.00	230,121.20	313,855.00	83,733.80	26.7
HUMAN RESOURCES DEPARTMEN	873,726.89	4,742.96	.00	878,469.85	1,255,800.00	377,330.15	30.0
CLERKS DEPARTMENT	604,793.26	511.66	-50,156.32	555,148.60	878,085.00	322,936.40	36.8
FINANCE DEPARTMENT	2,788,605.39	9,303.95	-319,817.81	2,478,091.53	3,460,015.00	981,923.47	28.4
LEGAL DEPARTMENT	2,060,830.23	1,394.42	-2,247,363.48	-185,138.83	-238,815.00	-53,676.17	22.5
FIRE DEPARTMENT	10,716,476.05	48,116.09	-1,770,674.90	8,993,917.24	10,742,335.00	1,748,417.76	16.3
POLICE SERVICES	13,983,399.75	.00	-429,063.05	13,554,336.70	19,442,040.00	5,887,703.30	30.3
ENGINEERING & PLANNING	6,483,725.34	153,015.07	-1,084,149.33	5,552,591.08	10,587,940.00	5,035,348.92	47.6
PUBLIC WORKS & TRANSPORTA	23,760,329.81	147,854.91	-6,782,063.51	17,126,121.21	26,508,733.00	9,382,611.79	35.4
COMMUNITY SERVICES DEPART	6,144,217.43	64,222.14	-3,532,409.66	2,676,029.91	4,241,105.00	1,565,075.09	36.9
SOCIAL SERVICES DEPARTMEN	6,221,264.69	28,356.08	-6,007,351.50	242,269.27	105,000.00	-137,269.27	-130.7
LIBRARY BOARD	2,233,600.33	.00	-154,165.27	2,079,435.06	.00	-2,079,435.06	.0
OUTSIDE AGENCIES & LEVY B	19,867,247.02	.00	.00	19,867,247.02	27,857,955.00	7,990,707.98	28.7
CORPORATE FINANCIAL & OTH	5,347,731.72	.00	-121,139,671.10	-115,791,939.38	-118,350,361.00	-2,558,421.62	2.2
CAPITAL LEVY & DEBENTURE	139,956.00	.00	.00	139,956.00	12,498,803.00	12,358,847.00	98.9
EDUCATION REQUISITIONS	17,377,439.35	.00	-23,204,067.10	-5,826,627.75	.00	5,826,627.75	.0
Report Total:	119,260,566.48	458,736.83	-166,720,953.03	-47,001,649.72	.00	47,001,649.72	.0
YTD Total:	125,188,050.45	458,736.83	-168,862,285.09	-43,215,497.81	.00	43,215,497.81	.0

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Peter A. Liepa  
City Tax Collector



Finance Department  
Tax & Licence Division

5(2)

2009 01 12

Mayor John Rowswell  
And Members of City Council  
Civic Centre

**RE: Assessment Review Board Decision- Bank Towers**

Attached is a letter from Debbie Zimmerman Chair of the Board of Directors for MPAC urging municipalities to lobby our local member of Provincial Parliament to have the government pass a legislative amendment to re-define "current value".

**Background**

Back in 2001 assessment appeals were filed for six high value office towers in downtown Toronto, known collectively as the "Bank Towers".

These complaints were heard by the Assessment Review Board commencing in 2005. The hearings concluded in February 2007 with an Interim Decision released by the Assessment Review Board (ARB) on Friday, February 22, 2008.

The appeal focuses on the interpretation of "current value" as defined in the Assessment Act. Current Value is defined as "the amount of money the fee simple, if unencumbered, would realize if sold at arm's length by a willing seller to a willing buyer."

Fee simple is the highest form of ownership recognized by law. MPAC's position is that this definition in the Assessment Act requires the valuation of all interests, including tenants' interests and leasehold improvements.

The property owner takes the position that the words "fee simple, if unencumbered" should only be valued as vacant and unfinished property, so that only the owners interest is reflected in the current value assessment.

The ARB agreed with the owner's position, stating that the extensive and valuable leasehold improvements are not to be included in determining the assessed value.

On October 28, 2008 as a result of appeals filed by MPAC and The City of Toronto a leave of appeal was granted by the Superior Court of Justice – Ontario Divisional Court to determine whether the ARB erred in law in construing the definition of current value as stated in the Assessment Act, in particular the phrase "fee simple, if unencumbered".

## Impact

MPAC estimates that 25% of the assessment on tenanted commercial properties, shopping malls and office buildings could be lost as a result of this decision. Province wide it could result in \$25 billion worth of assessment being removed from municipalities' tax rolls. Locally the impact could result in a tax revenue loss of approximately one million dollars.

## Recommendation

City Council supports MPAC's request that the Province of Ontario review the need for a legislative amendment to clearly define "current value" under the Assessment Act.

Respectfully submitted,

P.A Liepa  
City Tax Collector

Recommended for Approval

W.F. Freiburger  
Commissioner of Finance and Treasurer

RECOMMENDED FOR APPROVAL

Joseph M. Fratassi  
Chief Administrative Officer

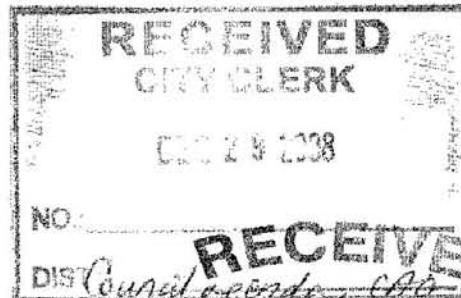


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## MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 12, 2008

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



MAYOR'S OFFICE

Dear Mayor John Rowswell:

**Re: Current Value Interpretation**

I am writing to urge your continued support in asking the province to address an issue fundamental to the property assessment system in Ontario.

As you may know, the Assessment Review Board (ARB), in a decision released earlier this year, interpreted the term "current value" in the *Assessment Act* in way that would significantly change how the Municipal Property Assessment Corporation (MPAC) assesses properties across the province. In a decision related to the "Bank Towers" in the City of Toronto, they ruled that "current value" for assessment purposes should be based only on the interest of the owner, exclusive of any tenant interest, and that the buildings must be valued as if vacant.

This decision, if it stands, changes the way MPAC would value tenanted commercial properties, such as office buildings and shopping centres, in the future.

Conservatively, MPAC estimates that the assessments of affected properties would be reduced by 25% to account for the fact that the tenants' interests are no longer to be assessed and the property has to be valued as if vacant. There are approximately 17,000 such properties in Ontario with a current value assessment of almost \$100 billion, putting \$25 billion in assessment at risk across the province.

MPAC and the City of Toronto were granted leave to appeal the ARB's decision to the Divisional Court on November 14, 2008. As a result, the parties will now embark on a litigation process that is expected to be lengthy, costly, and which puts the assessment base for all municipalities, as well as business education tax revenue to the provincial government at risk of substantial reductions.

Since leave to appeal the decision has been granted, MPAC has returned the 2008 values for taxation in the current four-year assessment cycle based on the existing valuation methodology. It is anticipated that it could take several years before the appeal is finally resolved through the higher courts, with no guarantee that MPAC's interpretation of the *Assessment Act* will be upheld. As a result, a significant amount of municipal revenue and provincial education tax is in jeopardy for future years.

There is also considerable assessment at risk because of the number of ARB appeals outstanding for prior taxation years. Approximately 14,000 assessment appeals for shopping centres and office buildings were put on hold pending the outcome of the bank tower decision. The majority of these appeals apply to the 2005 through 2008 taxation years, with some dating back to 2003.

Provincial government intervention, in the form of a legislative amendment to the definition of "current value", is necessary to avoid lengthy and unpredictable appeal litigation, and financial uncertainty for municipalities. Because of the implications for Ontario municipalities, we urge you to continue to raise this concern to your local members of provincial parliament.

If you have any questions, please do not hesitate to contact me at (905) 688-0990 extension 225 or Carl Isenburg, President and Chief Administrative Officer of MPAC at (905) 837-6150.

Yours truly,

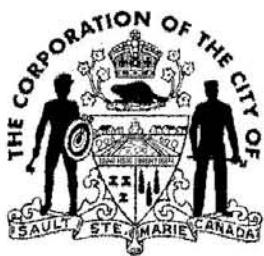


Debbie Zimmerman  
Chair, MPAC Board of Directors

**Copy:** MPAC Board of Directors  
Carl Isenburg

5(r)

Peter A. Liepa  
City Tax Collector



Finance Department  
Tax & Licence Division

2009 01 12

Mayor John Rowswell  
And Members of City Council  
Civic Centre

**RE: Ontario Regulation 437/08**

On December 22<sup>nd</sup> of last year, a copy of the above regulation was provided to City Council as a matter of information.

For interpretation purposes the regulation gives MPAC the authority to adjust the starting point value or the 2005 CVA used in the phase-in calculation from what was returned on the 2007 assessment roll for the 2008 taxation year.

The purpose of the attached regulation is to provide a true comparison of the property components that were assessed in determining the 2008 CVA are also present in the 2005 CVA providing for more of an equalized phased in assessment.

As with any re-assessment it is common that a number of technical regulations are passed due to the complexity of the subject.

Respectfully submitted,

P.A. Liepa  
City Tax Collector

Recommended for Approval

W.F. Freiburger  
Commissioner of Finance and Treasurer

RECOMMENDED FOR APPROVAL  
Joseph M. Pratesi  
Chief Administrative Officer

## ONTARIO REGULATION 437/08

made under the

### ASSESSMENT ACT

Made: December 9, 2008

Filed: December 9, 2008

Published on e-Laws: December 10, 2008  
Printed in *The Ontario Gazette*: December 27, 2008

Amending O. Reg. 282/98  
(General)

Note: Ontario Regulation 282/98 has previously been amended. For the legislative history of the Regulation, see the Table of Consolidated Regulations – Detailed Legislative History which can be found at [www.e-Laws.gov.on.ca](http://www.e-Laws.gov.on.ca).

**1. Ontario Regulation 282/98 is amended by adding the following sections:**

**ADDITIONAL INFORMATION ON ASSESSMENT ROLL UNDER SUBSECTION 14 (1) OF THE ACT**

**47.** (1) For the purposes of paragraph 9 of subsection 14 (1) of the Act, the following information must be included on the assessment roll for the 2009 and subsequent taxation years:

1. The assessment or classification of the land as shown on the assessment roll returned for the 2008 taxation year, adjusted for any changes in value for assessment purposes and any changes in classification, if the changes would affect the assessment or classification of the land on the assessment roll for the 2009 taxation year.
2. The assessment of the land for the taxation year, as adjusted under section 19.1 of the Act.
- (2) For the purposes of paragraph 1 of subsection (1), the assessment of the land is adjusted for only those changes in value for assessment purposes that are not the result of a general reassessment, after any further changes required as a result of a reconsideration under section 39.1 of the Act or an appeal under section 40 of the Act.

**ADJUSTMENTS UNDER SECTION 19.1 OF THE ACT**

**48.** (1) This section applies with respect to the assessment of land if section 19.1 of the Act applies with respect to the current value of the land for the 2009 and subsequent taxation years.

(2) A reference in this section to an assessment of land shown on the assessment roll for the 2008 taxation year or that would be shown on the assessment roll for the 2009 taxation year is deemed to be a reference to the assessment of the land for that taxation year after any changes required as a result of a reconsideration under section 39.1 of the Act, an appeal under section 40 of the Act or an application under section 46 of the Act.

(3) The eligible increase in respect of the land for the 2009, 2010 and 2011 taxation years is the amount, if any, by which "A" exceeds "B",

where,

"A" is the assessment of the land that would be shown on the assessment roll for the 2009 taxation year if subsection 19.1 (3) of the Act did not apply, and

"B" is the assessment of the land that is shown on the assessment roll for the 2008 taxation year.

(4) Despite subsection (3), the eligible increase in respect of the land for the 2009, 2010 and 2011 taxation years is the amount by which the amount described as "A" in subsection (3) exceeds the amount of the assessment of the land for the 2008 taxation year as adjusted for the purposes of paragraph 1 of subsection 47 (1) if,

- (a) the amount described as "A" in subsection (3) exceeds the amount of the assessment for the 2008 taxation year as adjusted for the purposes of paragraph 1 of subsection 47 (1); and
- (b) the amount of the assessment for the 2008 taxation year as adjusted for the purposes of paragraph 1 of subsection 47 (1) does not equal the assessment of the land that is shown on the assessment roll for the 2008 taxation year.

(5) This section applies as follows in the following circumstances:

1. If different portions of the land are classified in different classes of real property prescribed under section 7 of the Act or prescribed under the *Education Act*, or if a subclass is prescribed under section 8 of the Act in respect of one or more portions of the land, this section applies to each portion of the land that is in a different class or subclass, as the case may be, as if it were separate land.

2. If different portions of the land are subject to different tax rates for municipal or school purposes or a portion of the land is exempt from either or both types of taxes, this section applies to each portion as if it were separate land.
3. This section applies in respect of any portion of the land assessed against a tenant under subsection 18 (1) of the Act.

**PREScribed PROPERTY CLASSES FOR THE PURPOSES OF SUBSECTION 19.1 (2) OF THE ACT**

49. For the purposes of subsection 19.1 (2) of the Act, the following property classes are prescribed:

1. All property classes prescribed under section 7 of the Act that are not listed in subsection 19.1 (2) of the Act.
2. All subclasses of property prescribed under subsection 8 (1) of the Act.
3. All classes of real property prescribed under the *Education Act*.

**APPEALS**

**50.** (1) For the purposes of clause 40 (1) (b) of the Act, an appeal may be made in writing to the Assessment Review Board on the basis that the amount of the assessment of land for the 2008 taxation year as adjusted for the purposes of paragraph 1 of subsection 47 (1) or the classification of the land for the purposes of that paragraph is incorrect.

(2) An appeal under subsection (1) does not affect any tax liability for the land for the 2008 taxation year.

**2. This Regulation comes into force on the day it is filed.**

Made by:

DWIGHT DOUGLAS DUNCAN  
Minister of Finance

Date made: December 9, 2008.

[Back to top](#)

NICHOLAS J. APOSTLE  
COMMISSIONER COMMUNITY SERVICES



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

5(s)

2009 01 12

Mayor John Rowswell  
and Members of City Council

**Essar Centre - Standing Purchase Order For Beer**

The Corporation's Purchasing Policy requires that City Council approve all Standing Purchase Orders. With regards to the purchase of beer, the Essar Centre is licensed under the Alcohol and Gaming Commission of Ontario (AGCO) for the resale of alcohol including beer. Over the past few years the cost of the beer purchased has ranged between \$200,000.00 and \$250,000.00 annually. There is only one supplier for beer: the Brewer's Retail Inc. (The Beer Store).

Recommendation

It is recommended that City Council approve a Standing Purchase Order for the purchase of beer in the amount ranging between \$200,000.00 and \$250,000.00 annually as supplied by the Brewer's Retail Inc. (The Beer Store) in order for beer to be resold at licensed events.

Respectfully submitted,

Nicholas J. Apostle  
Commissioner Community Services

li/council/09/standing po for beer

cc: R. Robertson, Manager Purchasing

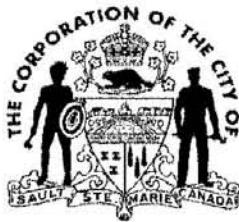
RECOMMENDED FOR APPROVAL

Joseph M. Train  
Chief Administrative Officer

5(+)

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

2009 01 12

Mayor John Rowswell  
Members of City Council

**Re: Canada Post Delivery Difficulties – Queen St. East**

In response to comments received by staff from Councilor Sheehan and Myers from residents on the south side of Queen St. between Riverside & McNiece; attached is a copy of the letter from Mr. Pino Caputo, Local Area Manager, Sault Ste. Marie Canada Post Corporation.

Subsequent to the meeting referenced by Mr. Pino, staff provided him with area maps, and two locations for temporary group mail boxes were chosen. They are on the north side of Queen St. near the corner of Oak Park & Shannon Road. The sidewalks are plowed at both locations. The site locations as noted by Mr. Pino will be temporary, and once the snow melts the 22 points of call will once again be served through door-to-door delivery.

In speaking to Mr. Pino, letters have gone out to affected residents (see attached) and there have not been any complaints received by Canada Post.

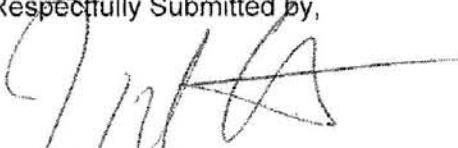
Reconstruction of Queen Street between Pim and Simpson is scheduled for 2011 after the hospital moves. At the October 6, 2008 meeting, Council was advised that our traffic consultant agrees that Queen Street can be converted to three lanes with cycling lanes adjacent to the curb between Pim Street and the golf course. The hub trail is scheduled for construction in 2011 between Pim and Pine Streets. We anticipate significant portions of Queen Street will require resurfacing at that time, and that would be the best time to construct sidewalks along the south side of Queen Street. Note that local improvement charges for new sidewalks will be applicable at \$27 per meter. It is therefore possible to assume that we can construct sidewalks in this area as early as 2012.

For the immediate future, the arrangement made by Canada Post will address the specific problem in this area affected between the intersections of Riverside and McNiece on the south side of Queen St. East.

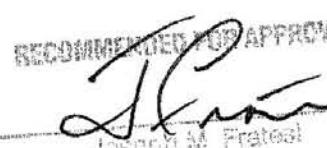
We will be working with Mr. Pino in addressing any other areas on an as-needed basis.

This report is for Council's information.

Respectfully Submitted by,

  
Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

/bb  
Attach.

  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratocci  
Chief Administrative Officer

5(+)

Pino Caputo  
Local Area Manager – Sault Ste. Marie  
Canada Post Corporation  
451 Queen St. E. Suite 215  
Sault Ste. Marie ON P6A 1Z0

Joe Fratesi  
Chief Administrative Officer  
City Of Sault Ste. Marie  
99 Foster Dr.  
Sault Ste. Marie ON P6A 5X6

January 6, 2009

Dear Joe,

On behalf of Canada Post I would like to thank you, Gerry and Pat for taking the time to meet with both Heather and myself on December 23, 2008. As a result of that meeting, I am sending this letter that I trust will summarize our discussion over the Queen Street East concern.

As a result of a near miss incident with one of our letter carriers on Queen Street, we were faced with addressing a serious safety concern. The area of concern on Queen Street is between the intersections of Riverside and McNiece which includes 22 points of call. As per our discussion, this location does not have sidewalks on the south side and our carrier is forced to walk west on Queen, facing traffic. Unfortunately, with the winter we have been having, that area is now down to a lane and half instead of two lanes due to the snow accumulation. It is also a high traffic area with several blind spots and the speed of vehicles can also be excessive at times. Therefore, we had our own safety process to follow and the results show that we have no alternative but to install group mail boxes for those residents as their primary mode of delivery.

Delivery of mail to the affected residences was never jeopardized. It was also agreed that in order to address the concern for the duration of the winter, that group mail boxes would be erected, with the input of city staff, on the north side of Queen Street. This would not only address our safety concern but also those of the residents as they would not have to walk on the south side of Queen. Please note that this is just a temporary fix and once the snow melts, and we can safely walk along Queen on the grass, we will be able to return to door to door delivery.

Please note that until such time that a sidewalk is installed, this will be an on-going concern for us. Therefore, this may be a fix that is put in place on an annual basis.

Also, as agreed to at our meeting, we will implement one more step to our process. We will communicate directly with your office if this situation should occur again. This will allow you the time to properly communicate with your staff and council and hopefully address their concerns before they become an issue.

5(+)

On a final note, this issue is not unique to Sault Ste. Marie. Safety is a nationwide concern for us and more often than not, the fix we have put in place here, is the fix for all areas affected. As you know, there are also other areas within our community that are similar to this one and may have to be addressed at some point if they become a safety concern for our carriers.

I trust this addresses your concerns and summarizes our meeting. I thank you for the invitation to meet with council but, at this time, do not see the need to do so. If you require further information, please feel free to contact me at any time and that goes for your staff as well.

Sincerely,

Pino Caputo

Pino Caputo  
Local Area Manager – Sault Ste. Marie  
Canada Post Corporation

Cc: Alain Bouvier – Northern Ontario Director  
Murray Wempe – Director Operations Support  
Tom Dalby – Manager Media and Community Affairs

5(+)

December 22, 2008

Canada Post Corporation  
451 Queen East  
Sault Ste. Marie, ON  
P6A 1Z0

Dear Customer,

In order to address the problem on Queen Street in your area temporarily, we have set up a General Mail Box site for your convenience. The GREEN box is located at the corner of Queen Street and Shannon Road in front of the childcare center.

It is required that you fasten a padlock of any kind to your compartment by December 30th so that the letter carrier can commence delivery. He cannot put mail in an unlocked compartment. If you are unable to do so we will hold your mail for you at the post office.

Your compartment number is : \_\_\_\_\_

Inside your compartment you should see your address.

We hope to resolve this issue as soon as possible. We appreciate your patience on this matter.

If you have any questions, please contact us at 759-0630 and a Letter Carrier Supervisor will be pleased to help you.

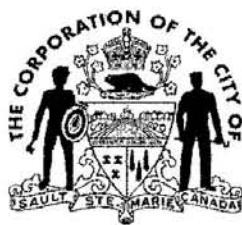
Thank You,

Dale Ratelle  
Letter Carrier Supervisor

5(u)

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

2009 01 12

File: A-07-7-03

Mayor John Rowswell  
Members of Council

**RE: Engineering Services – Shannon Road Reconstruction Wellington to Trunk**

At the regular meeting of 2008 11 03, Council approved retaining the firm of Kresin Engineering for the design and contract administration of the reconstruction of Shannon Road from Wellington Street to Trunk Road.

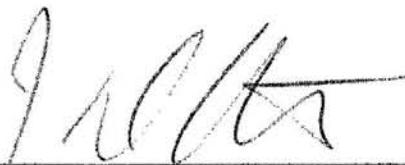
By-Law 2009-6, authorizing execution of an engineering agreement between the Municipality and Kresin Engineering can be found elsewhere on Council's agenda and is recommended for approval. The estimated upset limit fee in the agreement for these services amounts to \$326,500.

Respectfully submitted,

Recommended for Approval:

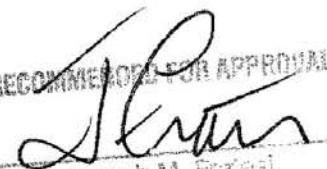
A handwritten signature of Don J. Elliott, P. Eng.

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

A handwritten signature of Jerry D. Dolcetti, RPP.

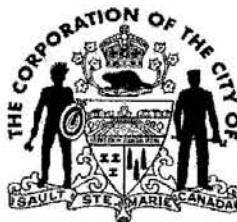
Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

/bb

RECOMMENDED FOR APPROVAL  
  
Joseph M. Fratasi  
Chief Administrative Officer

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

5(v)

2009 01 12

Our File: 9.5.9

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**RE: CONNECTING LINK – REVISED REQUEST FOR 2009 MTO ALLOCATION  
TWO ROOT RIVER BRIDGES – GREAT NORTHERN ROAD**

At the 2008 10 06 meeting, Council was advised that the 2009 connecting link allocation request was to resurface Second Line from North Street to Old Garden River Road. The MTO share of the estimated **\$1,570,000** cost was **\$1,121,250**, and the City's share was **\$448,750**. The City's share comes from the annual Connecting Link allowance of **\$500,000** set aside in the Capital Construction budget. Recent discoveries under the biannual bridge inspection program have led to a reconsideration of this request.

The two concrete bridges over the Root River on Great Northern Road require rehabilitation. This was discovered when our Public Works & Transportation crews began the routing and sealing recommended by the consultant this fall. While we are assured that the present condition poses no immediate threat to the public, the consultant is recommending that both bridges be rehabilitated in 2009.

Based on the consultant's estimate, a budget of **\$1 million** is recommended to complete this work. The MTO share will be **\$750,000** and the City's share will be **\$250,000**. Accordingly, we have revised our request to the Ministry to complete the work on these two bridges, and resurface a smaller portion of Second Line, from Old Garden River Road to Great Northern Road. The revised five year program request is attached. The total revised 2009 program cost is **\$1,350,000**. The MTO share is **\$993,750** and the city share is **\$356,250** which will come from the annual connecting link allowance of **\$500,000** in the Capital Construction Budget. We have submitted this revised request to the MTO and we await approval of the allocation. This will defer the resurfacing of other connecting links such as Second Line from Great Northern Road to North Street and Great Northern Road from Second Line to Third Line.

It is necessary to retain the firm of M. R. Wright And Associates Co. Ltd. to provide engineering services for the rehabilitation of the bridges. City staff will design and administer the contract for resurfacing Second Line.

2009 01 12

Page two

It is recommended that the firm of M. R. Wright And Associates Co. Ltd. be retained to provide design and contract administration services for the rehabilitation of the two Root River Bridges on Great Northern Road. An Engineering Agreement will be brought to Council for approval at a future meeting.

Respectfully submitted,



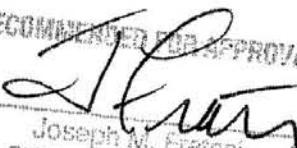
Don J. Elliott, P. Eng.  
Director of Engineering Services

Recommended for approval,



Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

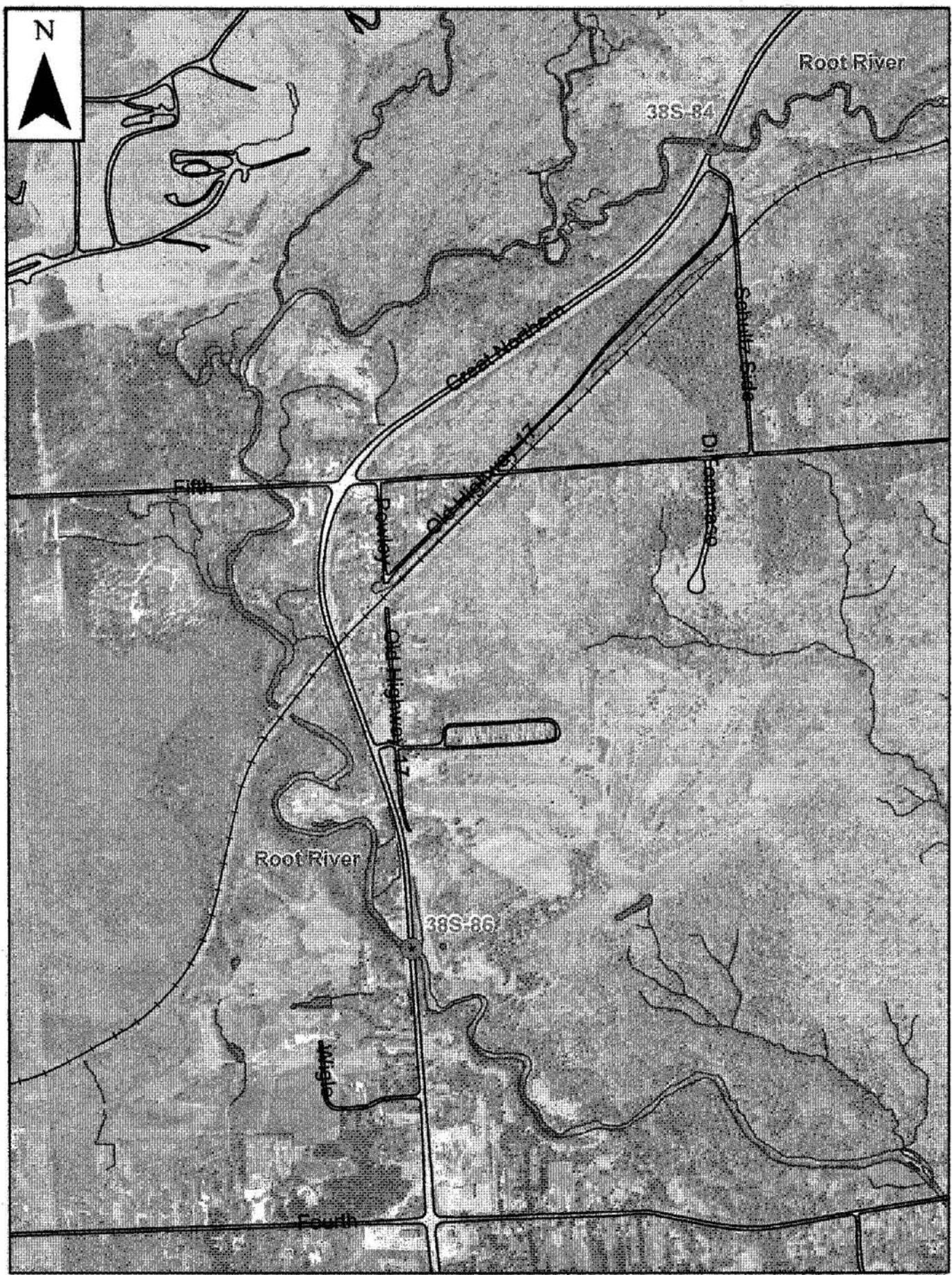
DJE/al  
attachment

RECOMMENDED FOR APPROVAL  
  
Joseph M. Prete,  
Chief Administrative Officer

Capital Construction Plan, Connecting Links (2009 to 2013) revised December 2008									
Year	Type	Street	From	To	Total Cost	Not Sharable	Sharable	MTO Cost	City Cost
						Sharable			
2009	Rehabilitate	Great Northern Rd	Two Bridges	Root River	\$ 1,000,000	\$ -	\$ 1,000,000	\$ 750,000	\$ 250,000
	Resurface	Second Line East	Great Northern Rd	Old Garden River R	\$ 350,000	\$ 25,000	\$ 325,000	\$ 243,750	\$ 106,250
					\$ 1,350,000	\$ 25,000	\$ 1,325,000	\$ 993,750	\$ 356,250
2010	Resurface	Second Line East	North St	Sackville Rd	\$ 365,000	\$ 15,000	\$ 350,000	\$ 262,500	\$ 102,500
	Resurface	Second Line East	Sackville Rd	Great Northern Rd	\$ 855,000	\$ 35,000	\$ 820,000	\$ 615,000	\$ 240,000
					\$ 1,220,000	\$ 50,000	\$ 1,170,000	\$ 877,500	\$ 342,500
2011	Resurface*	Great Northern Rd	Second Line E.	Terrance Ave.	\$ 910,000	\$ 149,500	\$ 760,500	\$ 570,375	\$ 339,625
	Resurface*	Great Northern Rd	Terrance Ave	Third Line	\$ 940,000	\$ 153,000	\$ 787,000	\$ 590,250	\$ 349,750
					\$ 1,850,000	\$ 302,500	\$ 1,547,500	\$ 1,160,625	\$ 689,375
2012	Par Recon	Second Line East	Old Garden R. Rd.	A/C width change	\$ 3,290,000	\$ -	\$ 3,290,000	\$ 2,467,500	\$ 822,500
	(4 lanes)				\$ 3,290,000	\$ -	\$ 3,290,000	\$ 2,467,500	\$ 822,500
2013	Par Recon	Second Line East	A/C width change	Black Rd	\$ 2,310,000	\$ -	\$ 2,310,000	\$ 1,732,500	\$ 577,500
Needs Beyond 2013									
	Second Line East	Carmen's Way	North St						
	Trunk Road	East City Limit	Boundary Road						
	Trunk Road	Boundary Road	Black Road						
	Black Road	Trunk Road	McNabb Street						
	Black Road	McNabb Street	Second Line						
	Carmen's Way	Second Line	Conmee Avenue						
	Carmen's Way	Conmee Avenue	Wellington Street West						
	Carmen's Way	Wellington Street W	Queen Street						
	Queen Street West	Carmen's Way	Huron Street						
	Great Northern Road	Third Line	Fourth Line						
	Great Northern Road	Fourth Line	Fifth Line						
	Great Northern Road	Fifth Line	North City Limit						

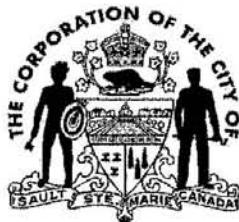
Notes: \* Not shareable costs include a proposed sidewalk on the west side of Great Northern Road  
Cost estimates in bold are pre-design estimates, others are budget estimates only

5(v)



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

5(w)

2009 01 12  
Our File: A-04-4-02

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**RE: BENNETT CREEK AT THIRD LINE  
CULVERT REPLACEMENT**

The Engineering and Public Works & Transportation Departments have been observing that the corrugated steel culvert located where Bennett Creek crosses Third Line has been deteriorating. Accordingly, under the 2008 biannual bridge inspection, the firm of M. R. Wright And Associates Co. Ltd. was asked to provide us with an evaluation of the culvert.

The Engineer's evaluation has determined that the southern portion of the culvert is in very poor condition including horizontal deflection and severe bottom heaving. The consultant recommends a control survey be carried out to monitor any movements to the roadway and the structure itself. Additionally, they are recommending the road be closed during the spring runoff as a safety precaution. The structure should be considered for replacement in 2009, and the road should be closed if excessive deformations continue to occur. The consultant estimates that a budget of \$350,000 is required for construction of a replacement box culvert for this crossing. The Engineering Department will make every effort to ensure that the project is included in the 2009 Capital Works Program to avoid a long term road closure.

It is recommended that M. R. Wright to be retained to provide a control survey to monitor movements and to recommend road closures if necessary, and provide design and contract administration services for the replacement of the culvert under the 2009 Capital Works Program. The Engineering Agreement for rehabilitating bridges will be revised to include this culvert and brought back to Council for approval.

Respectfully submitted,

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

DJE/al

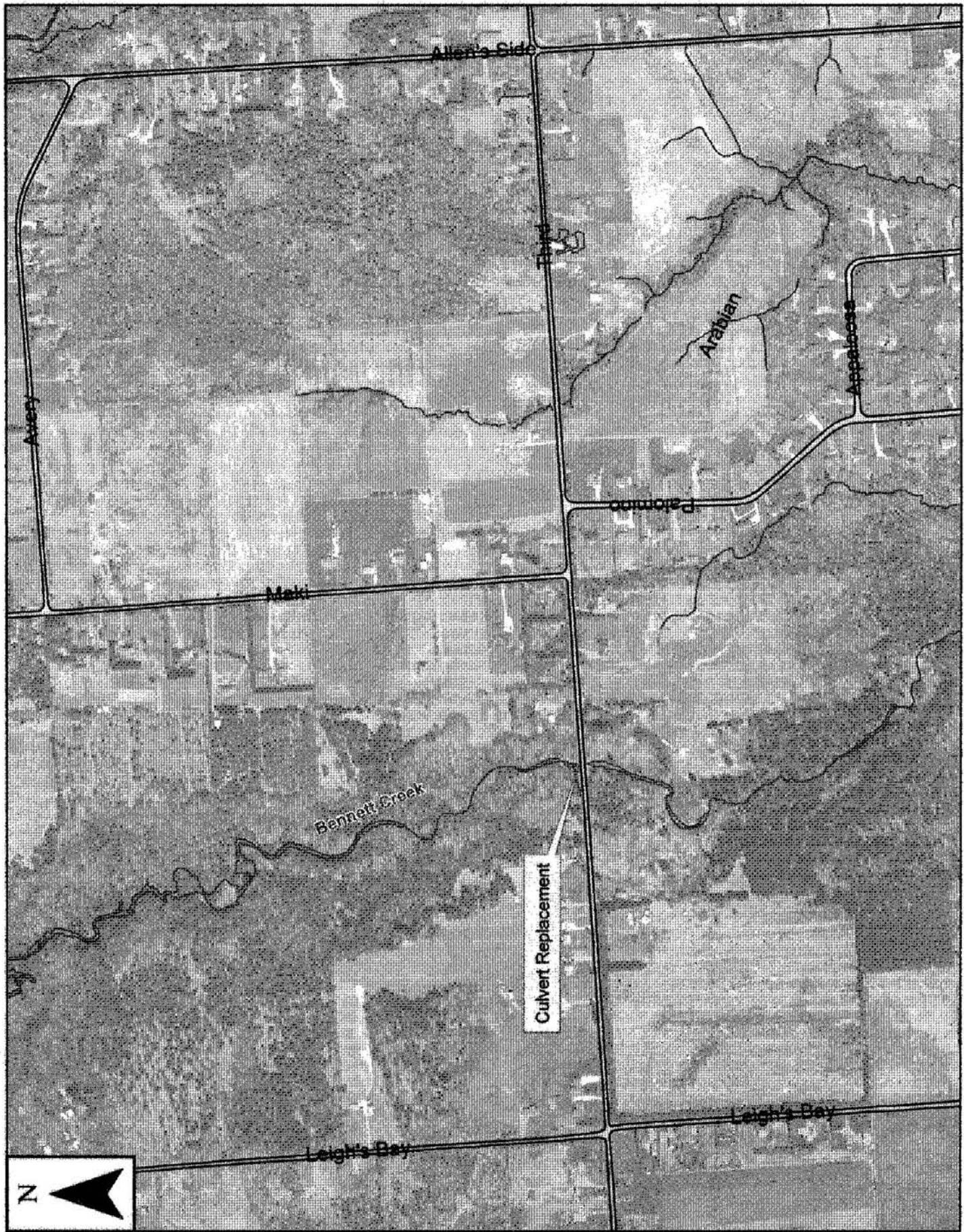
Recommended for approval,

Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi

5(w)



5(x)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR



LEGAL  
DEPARTMENT

Closed File No. 7092

REPORT TO: Mayor John Rowswell and Members of Council

REPORT FROM: Lorie A. Bottos, City Solicitor

DATE: 2009 01 12

**Re: City of Sault Ste. Marie sale to Parniak  
110 Yates Avenue**

The City sold 110 Yates Avenue to Nick Parniak in December of 2007. Mr. Parniak was to build a building on the property by December of 2008. Unfortunately Mr. Parniak has not been able to build the building, mainly due to the slow down in the economy. He has asked for an extension of the time within which he has to build the building to August 30, 2009. John Febraro and I agree that the request is reasonable and recommend that council approve the extension of the deadline until August 30, 2009.

**RECOMMENDATION**

The recommendation is that council agree to this extension to August 30, 2009 for the building to be built.

Respectfully submitted,

A handwritten signature of Lorie Bottos.

Lorie Bottos  
City Solicitor

LAB/dh

RECOMMENDED FOR APPROVAL

A handwritten signature of Joseph M. Pfeifer.

Joseph M. Pfeifer  
Chief Administrative Officer

cc: Mr. John Febraro, Director, Industrial Marketing  
Sault Ste. Marie Economic Development Corporation

\Council Reports\2009 Reports\Parniak extension Jan 12.doc

5(y)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR



LEGAL  
DEPARTMENT

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

**REPORT FROM:** Lorie Bottos  
City Solicitor

**DATE:** 2009 01 12

**SUBJECT:** CLOSING AND CONVEYANCE OF FORMER WALKWAY  
ABUTTING 91 MARCONI ST. TO ABUTTING OWNERS

**1. PURPOSE**

The purpose of this report is to seek Council's approval to convey a former 8' walkway to the abutting owners – Ugo and Gisella Bruni.

**2. BACKGROUND**

The City has received a request to convey a former walkway running between 87 and 91 Marconi Street which properties abut Riverview School. A new walkway to the school was built a number of years ago and since then the property has been maintained by the owners of 91 Marconi Street. The owner of 87 Marconi Street has waived his rights to the walkway. The only expense to the Bruni's will be to retain a lawyer to complete the transaction.

**3. ATTACHMENT**

A plan of the subject property is attached.

**4. RECOMMENDATION**

It is recommended that the walkway be conveyed to Mr. & Mrs. Bruni. An appropriate by-law appears elsewhere on your agenda and are recommended for approval.

Yours truly,

A handwritten signature of L. A. Bottos.

L. A. Bottos  
City Solicitor  
/sd

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

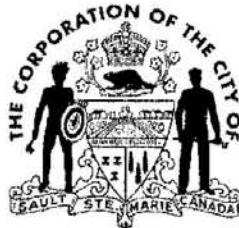
The Corporation of the City of Sault Ste. Marie  
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1  
Telephone: (705) 759-5400 ~ Fax: (705) 759-5405  
[www.cityssm.on.ca](http://www.cityssm.on.ca)



5(z)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR



LEGAL  
DEPARTMENT

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

**REPORT FROM:** Lorie Bottos  
City Solicitor

**DATE:** 2009 01 12

**SUBJECT:** CLOSING AND CONVEYANCE OF UNOPENED PORTION OF  
ORIGINAL ROAD ALLOWANCE RUNNING NORTHWESTERLY  
FROM FRONTENAC ST. TO SOO MILL HOLDINGS LIMITED

**1. PURPOSE**

The purpose of this report is to seek Council's approval to close a portion of an unopened original road allowance running northwesterly from Frontenac Street and conveying it to the abutting owner – Soo Mill Holdings Limited.

**2. BACKGROUND**

The City is the owner of an original road allowance as shown on Registrar's Compiled Plan H-717. A number of residences along Frontenac Street encroach on this road allowance and the road cannot be physically built.

The solicitor for Soo Mill Holdings Limited has written to the Legal Department requesting that the portion of this road allowance that dissects his client's property be closed and conveyed.

**3. ATTACHMENT**

A plan of the subject property is attached.

**4. RECOMMENDATION**

It is recommended that that portion of the original road allowance now shown as Part 2 on Plan 1R-11015 be conveyed to Soo Mill Holdings Limited at no charge. Appropriate by-laws appear elsewhere on your agenda and are recommended for approval.

Yours truly,

L. A. Bottos  
City Solicitor  
/sd

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi  
Chief Administrative Officer

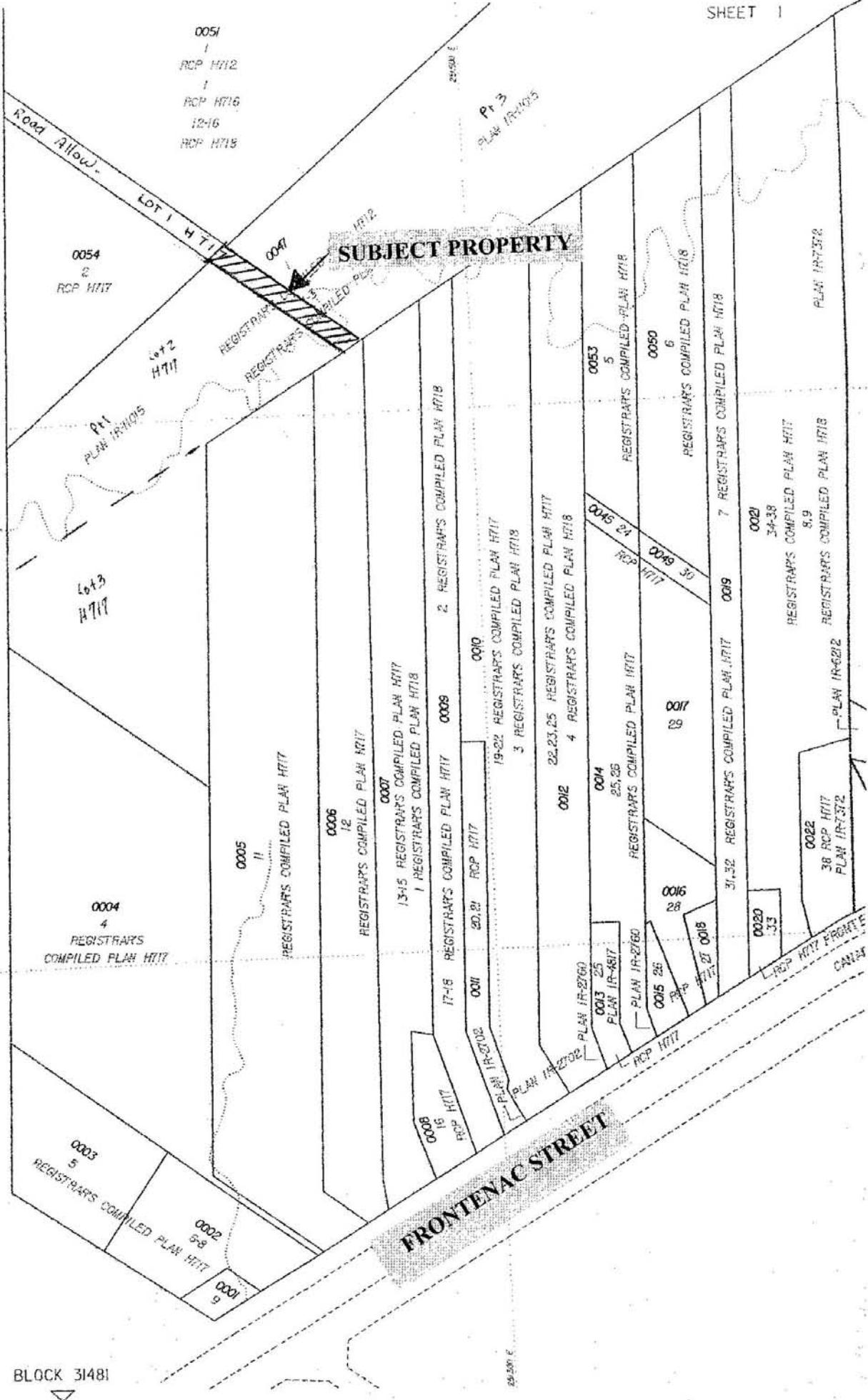
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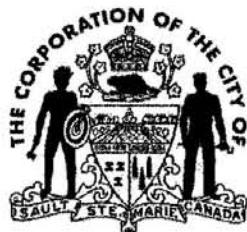
SHEET 1

△  
BLOCK 31481

5/59020 R

BLOCK 31481





2009 01 12

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:**

Mayor John Rowswell  
and Members of City Council

**SUBJECT:**

Hub Trail Construction  
Finn Hill Area  
City Contract 2008-10E

At their July 21, 2008 meeting, Council were advised of the original tender opening for this contract. At that meeting, Council endorsed staff's recommendation to reject both bids received as they were well in excess of the consultant's pre-tender estimates. The original tender did not include the asphalt paving, as it was anticipated that this work could be completed by Public Works and Transportation. The low tender for the original contract was \$574,982, (including GST).

The contract was re-issued with a number of amendments. These changes include: adding asphalt, increasing the granular materials, replacing 2 bridges with culverts, and removing the memorial structure. The paving was included as it was determined that Public Works did not have the resources to complete this aspect of the project.

Tenders received for the updated Contract 2008-10E were opened at a public meeting on Thursday December 18, 2008. This contract includes all of the clearing and grubbing, landscaping, and paving to complete the 2.5 kilometre Finn Hill section of the Hub Trail from Black Road to Northern Avenue.

Five tenders were received, and as described in the attached report from Kresin Engineering, the low tender of \$821,320.22 (including GST) was submitted by Pioneer Construction Inc. This amount is approximately 38 percent above the pre-tender estimate of \$592,000 and includes a \$40,000 contingency allowance. Upon further review, it appears that the pre-tender estimate was low.

Given that 5 tenders were submitted, and with approximately \$500,000 separating the high and low bids, staff is of the opinion that although higher than the pretender estimate, the prices identified accurately reflect the current construction costs for this type of work.

The paving was the biggest contributor to the cost increase, adding approximately \$180,000, as well as including an additional 200 mm of granular material, which added approximately \$15,000. The contingency was also doubled, from \$20,000 to \$40,000 to reflect the additional work associated with paving.

Accordingly, staff recommends that City Council award Contract 2008-10E to Pioneer Construction Inc., in the amount of \$821,320.22 (including GST). It is anticipated that all of this work will be completed by July 2009.

City Council has approved \$1,050,000 for Hub Trail Development. This includes:

- \$100,000 from the 2008 Trail Development Reserve
- \$277,000 from the Provincial Hub Trail Grant
- \$315,000 from the Capital Grant surplus
- \$358,000 from the revised 2008 Capital Works program

It is recommended that these funds be used for the Hub Trail – Finn Hill Contract.

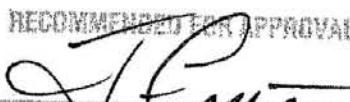
Staff also suggests that a public notice be mailed out indicating the scope of work and a map of the proposed trail to neighbours within the general area of development. It should be noted; however, that all of the proposed construction will be located on City owned property and should not affect any residential properties. Sault College, which owns land north of the City's Northern Avenue right-of-way has been contacted and have no issues with the proposed trail alignment.

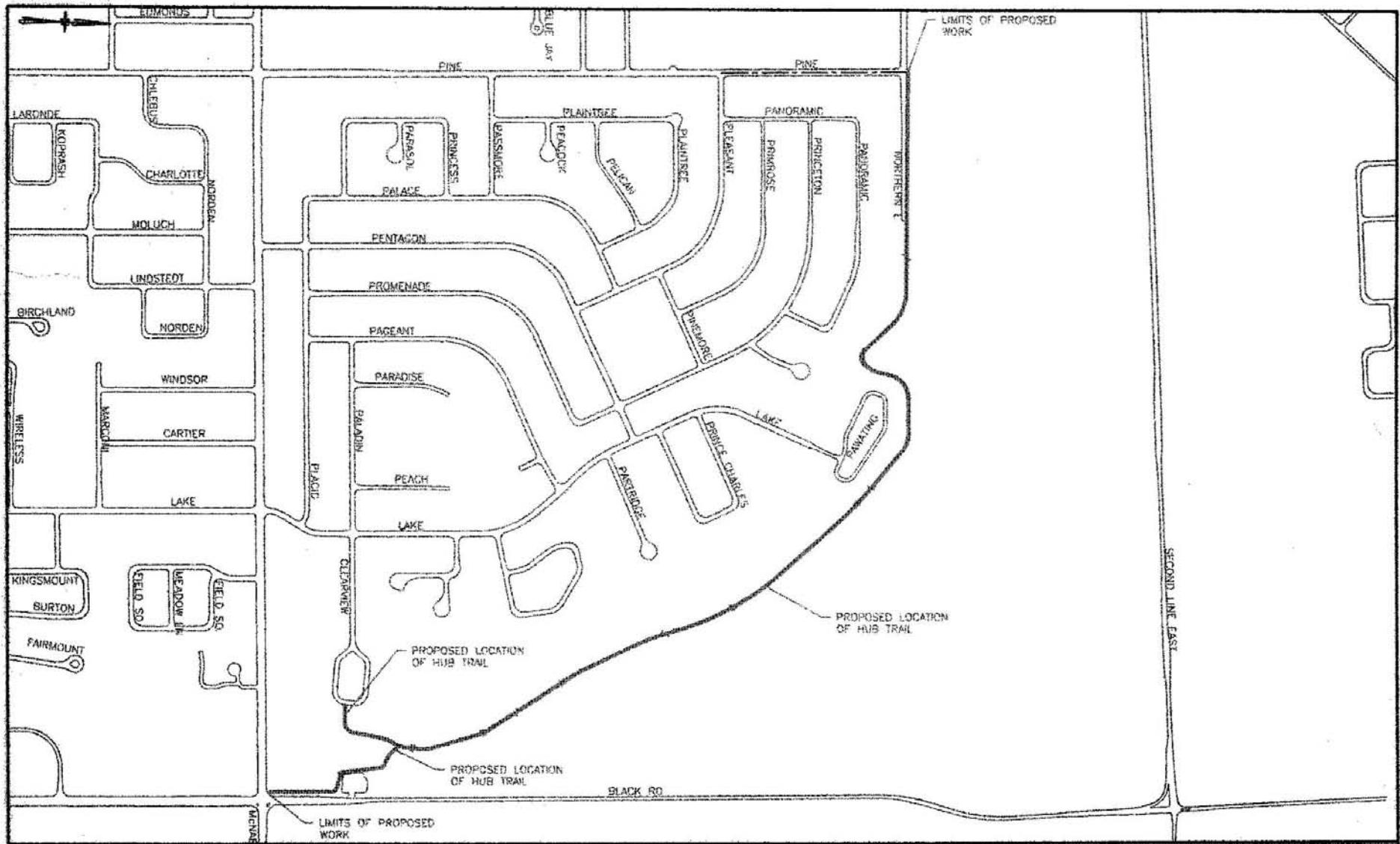
#### Planning Director's Recommendation

That City Council award contract 2008-10E (Hub Trail Construction – Finn Hill Area) to Pioneer Construction Inc., in the amount of \$821,320.22 (including GST); and further that City Council authorize the use of the trail funding identified above for this contract.

SDT/pms

RECOMMENDED FOR APPROVAL

  
Joseph M. Fratesi  
Chief Administrative Officer





January 5, 2008  
 Ref. No. 0823.05

City of Sault Ste. Marie  
 Civic Centre  
 P.O. Box 580, 99 Foster Drive  
 Sault Ste. Marie, ON  
 P6A 5N1

**Attention:** **Mr. Don McConnell, MCIP, RPP**  
**Planning Director**

**Re:** **Hub Trail Construction – Finn Hill Area**  
**City Contract 2008-10E**

Dear Mr. McConnell:

We have reviewed the tenders received at the Sault Ste. Marie Clerk's Office on December 18, 2008 for the above noted Contract and present herein our Tender Report and Recommendations.

### **1.0 Introduction**

The submissions received were in response to a tender call advertised on November 8, 2008 for supplying all materials, labour and equipment necessary for the construction of an off road multi use trail (Hub Trail) from the intersection of Pine Street and Northern Avenue to the intersection of McNabb Street and Black Road, a length of approximately 2,500 metres.

The contract was publicly advertised in the Sault Star on Saturday, November 8, 2008. In accordance with the advertisement, tender documents were made available to contractors who provided the required refundable deposit of \$50.00. There were a total of eight (8) plan takers. Documents were also provided to the Sault Ste. Marie Construction Association.

During the tender period, various inquiries from plan takers were received regarding the technical specifications and drawings. A total of two (2) Addenda were issued to provide clarification on issues as they arose throughout the tender period.

### **2.0 Summary of Tenders**

Five (5) bids were received at the City Clerk's office prior to the tender closing deadline of 3:00 p.m. on Thursday, December 18, 2008.

On the same day, in the Civic Centre's Thompson Room, the tenders were publicly opened at 3:15 p.m., reviewed to ensure they were in general compliance with the tender documents including the required tender deposit (ie. \$25,000.00 certified cheque), and were read. All tender deposits were retained by the City for return to the bidders at a later date.

The following are the results in ascending order of bid price, including GST:

<b>Contractor</b>	<b>Total Bid Price</b>
1. Pioneer Construction Inc.	\$ 821,320.22
2. Phillips Haulage	\$ 1,028,444.00
3. Avery Construction	\$ 1,094,819.46
4. George Stone and Sons Ltd.	\$1,232,347.20
5. Ruscio Construction	\$ 1,364,966.05

The Engineer's pre-tender estimate for this contract was \$592,000.00 including GST.

Following the tender opening, the submissions were brought to the Kresin Engineering office for a detailed review of the tender submissions including checking for any mathematical errors that would result in a change to the tender prices.

The original copies of each Tender Submission are enclosed with this Tender Report.

### 3.0   Tender Review

The tenders were reviewed in detail with respect to requirements set out in the Information for Tenderers and the requirements identified in the Form of Tender.

The following specific comments were noted from the review of the tenders:

1. All tenders submitted were properly executed with the bidder's signature and witnessed and/or sealed.
3. The Instructions to Tenderers indicated that all tenders were to include a \$25,000.00 bid deposit, in the form of a certified cheque. All bidders complied with the submission of a certified cheque in the specified amount.
4. The tender documents called for submission of Statements 'A' to 'D' which outline the Tenderers' work experience, staff, available construction plant and proposed sub-contractors. All bidders complied.
5. A Statement of Canadian Content was also required to be completed and submitted with the bids; all Tenderers submitted this Statement.
6. The Tenderers were required to submit an Agreement to Bond certifying the Contractor can obtain the required Performance and Labour and Material Payment bonds. All Tenderers complied.
7. All Tenderers were required to acknowledge receipt of Addenda. All bidders acknowledged receipt of the two (2) addenda issued.

All tenders included schedules with examples of experience with similar works, and it is felt that all of the firms are qualified and capable of completing the work

During the review of the tender forms, various miscalculations were discovered which resulted in the modification of the bid prices for Phillips, George Stone and Ruscio; however the ranking order of the bidders was not affected. The following table presents the corrected tender values.

Contractor	Adjustment	Total Tender Value
1. Pioneer Construction Inc.		\$ 821,320.22
2. Phillips Haulage	+ \$ 0.34	\$ 1,028,444.34
3. Avery Construction		\$ 1,094,819.46
4. George Stone and Sons Ltd.	+ \$ 5.48	\$1,232,352.68
5. Ruscio Construction	- \$ 15,125.80	\$ 1,349,840.25

#### 4.0 Discussion

From our review of the bids received for this contract, we note that all submissions were in compliance with the requirements outlined in the tender documents.

All bidders seem to have the necessary experience and background with similar projects as outlined on Statement 'A' provided with each tender. With respect to the low tenderer, Pioneer Construction Inc., they have successfully completed numerous similar contracts in the past with the City of Sault Ste. Marie.

#### 5.0 Recommendations

Based on our review of the tenders submitted and specifically the low tender submitted by Pioneer Construction Inc, we believe the prices quoted, while greater than the Engineer's estimate, are reasonable for the proposed work under Contract 2008-10E. Furthermore, based on our knowledge of their related experience, it is our opinion that Pioneer Construction Inc. is capable of carrying out and completing the work under this contract. We recommend that the tender submitted by Pioneer Construction Inc in the amount of \$821,320.22 (including GST) be accepted for award.

Attached please find a Draft Form of Agreement for your review.

We further recommend that the Tender Deposits from Ruscio Construction, George Stone and Avery Construction be returned as soon as possible, and that the Tender Deposit from Phillips Haulage be returned if and when a contract has been properly and fully executed by Pioneer Construction Inc.

Please call should you have any questions or require further elaboration or clarification regarding this Tender Report.

Yours very truly,  
 Kresin Engineering Corporation

Michael Kresin, P. Eng.  
 Consulting Engineer

Encl.  
 0823.02 mk tender report.doc

5(b)



Sault Ste. Marie  
ECONOMIC  
DEVELOPMENT  
CORPORATION



DEVELOPMENT  
Sault Ste. Marie  
a division of the SSMEDC



ENTERPRISE  
CENTRE  
Sault Ste. Marie  
a division of the SSMEDC



TOURISM  
Sault Ste. Marie  
a division of the SSMEDC

January 5<sup>th</sup>, 2009

Mayor John Rowswell and Members of City Council

Re: Tourism Gateway Development Project

The Sault Ste. Marie Economic Development Corporation has established a special Task Committee made up of members from its Board, Tourism and Development Advisory Committees to lead the Tourism Gateway Development Project. The initial members of this committee are:

Don Mitchell, Chair, Development SSM, SSMEDC Treasurer, and Board member  
Donna Hilsinger, Chair, Tourism SSM and Board member  
David Hornstein, Past Chair, Tourism SSM  
Greg Peres, Secretary, SSMEDC Board Member

SSMEDC staff members that will be working with this committee will be Bruce Strapp, CEO, Ian McMillan, Executive Director of Tourism SSM, and Mike Wozny, Executive Director of Development SSM.

The SSMEDC Board of Directors recognizes that trying to attract tourism investment in present times is extremely challenging but this community must continue to strive for success. The City and the SSMEDC has worked hard over the past decade in trying to find a lead developer for this site and this has been extremely challenging.

The Board of Directors would like to focus on a "made in Sault Ste. Marie" solution for the tourism destination attraction and to approach private sector partners in developing the ancillary businesses that would ensure we lever the private sector level of investment to meet the NOHFC requirements for the \$15 million contribution. It is a different approach that may or may not work, but it is one that the SSMEDC would like to try.

The SSMEDC is committed to report back to City Council in June of 2009 and will liaison with appropriate City staff on this initiative. The SSMEDC understands the reality of today's tourism investment climate, but will work hard to putting together a solution for the Tourism Gateway Development Project.

On behalf of the SSMEDC Board of Directors

Greg Punch, Chairman and President

Cc: SSMEDC Board of Directors  
SSMEDC Staff Team  
City of SSM Tourism Gateway Committee

RECOMMENDED FOR APPROVAL  
  
Joseph M. Fratesi  
Chief Administrative Officer



5(cc)



**DEVELOPMENT**  
**Sault Ste. Marie**  
a division of the SSMEDC



**Sault Ste. Marie**  
**ECONOMIC**  
**DEVELOPMENT**  
**CORPORATION**

January 6, 2009

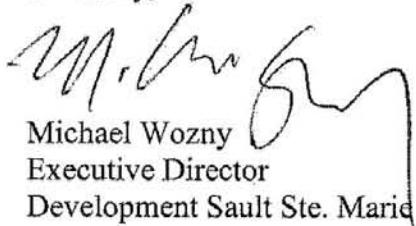
Dear Mayor/City Council:

Development Sault Ste. Marie, a division of the Sault Ste. Marie Economic Development Corporation, is pleased to attach for your information the International Relations/Global Logistics Trade Missions for 2009-2010.

The SSMEDC International Relations & Global Logistics Strategy to reflect 2009-2010 will be issued in 1<sup>st</sup> quarter 2009. However, we would like to place this on the Monday January 12, 2009 City Council meeting for information purposes.

If you have any questions please feel free to contact Randy Tallon, Director International Relations/Global Logistics.

Sincerely,

  
Michael Wozny  
Executive Director  
Development Sault Ste. Marie

cc: R. Tallon  
B. Irwin  
B. Strapp

**International Relations/Global Logistics Trade Missions For 2009 - 2010****A. Canada, European Union to Seek Closer Economic Partnership**

Canada and the European Union have agreed to work together toward a historic and comprehensive economic agreement. Prime Minister Stephen Harper recently announced in Quebec City. "Canada and the EU will prepare formal mandates with a view to launching negotiations on an economic partnership as soon as possible in 2009. This government will pursue bilateral and multilateral trade relationships that bring continued prosperity to Canadians. As discussions move forward, we will continue to consult with the provinces and territories."

With this announcement, and the fact that the City of Sault Ste. Marie already has Sister City arrangements with Dundalk-Ireland, Maia-Portugal and Forssa-Finland, the Sault Ste. Marie Economic Development Corporation (SSMEDC) and Mayor John Rowswell think it's an opportune time to update present Sister City arrangements and develop new city arrangements in Bergamo Italy. Development Sault Ste. Marie also plans to support the efforts of developing Canada European Economic Partnerships announced by Prime Minister Harper.

**B. Trade Missions**

Development Sault Ste. Marie, a division of the Sault Ste. Marie Economic Development Corporation is in the process of updating the organization's International Relations Strategy to reflect the years 2009-2010. The update will include 2009 trade missions to Pragati Maidan, New Delhi, Mumbai, India (March 28-April 4, 2009) and Maia, Portugal (June 1-10, 2009) including exploratory to Austria on February 21-28, 2009.

The SSMEDC has started planning for and organizing a committee to attend the Pan Northern 2009 Trade Mission to India for March 28 to April 5, 2009 which will coincide with the Power-Gen India and Central Asia Conference & Exhibition April 2 to 4, 2009 in Pragati Maidan, New Delhi, and Mumbai, India. The committee for the India Trade Mission will include representatives from FedNor-Industry Canada, Department Foreign Affairs International Trade (DFAIT), Export Development Corporation (EDC), Ministry International Trade and Investment (MITI), Ministry Northern Development and Mines (MNDM), the Canadian High Commissioner Joseph Caron's Office and SSMEDC.

The Sault Ste. Marie Economic Development Corporation and the City of Sault Ste. Marie will assume the lead for this trade mission and work closely with FedNor- Industry Canada, other federal/provincial governments and local business communities to ensure a positive outcome and successful trade mission for Northern Ontario. The five major communities in Northern Ontario – Sault Ste. Marie, Sudbury, North Bay, Timmins and Thunder Bay – are involved.

The aim of the Power-Gen India and Central Asia Conference & Exhibition is to develop a sustainable power future. Power-Gen India and Central Asia are the region's premier power industry event - connecting thousands of international power professionals and providing unrivalled business opportunities to reach into one of the world's most exciting power markets. It's the largest Power-Gen conference and exhibition outside of Europe and North America

**India Trade Mission Proposal**

The SSMEDC is in the process of submitting a proposal to FedNor-Industry Canada for support. The City of Sault Ste. Marie and the Sault Ste. Marie Economic Development Corporation (SSMEDC) are proposing a mission to India as part of a longer term business strategy to attract investment and promote trade in the region. The City and SSMEDC would like to undertake the mission in partnership with Industry Canada – FedNor-Industry Canada, Department Foreign Affairs & International Trade (DFAIT), the Export Development Corporation (EDC), the Ontario Ministry of International Trade and Investment (MITI) and the Ministry of Northern Development and Mines (MNDM). Should FedNor and MITI agree to participate on the mission and to work in partnership, the SSMEDC would like to invite Industry Canada Minister Tony Clement, Sandra Pupatello, Ontario Minister of International Trade and Investment, to accompany Mayor John Rowswell and possibly other Mayors.

The SSMEDC envisages a mission with the following characteristics:

- A multi-sector, pan-northern mission consisting of 10-20 qualified Northern Ontario companies. Sectors could include: steel, mining supply and services; forestry and forest products, supplies and services; alternative energy and ICT.
- The mission would coincide with the Power-Gen India and Central Asia Conference and Exhibition taking place April 2-4, 2009 in Pragati Maidan, New Delhi, India.
- An important element of the mission would be business to business matchmaking which would commence prior to the event would include ongoing post-mission follow-up
- Other cities such as Sudbury, Thunder Bay, Timmins and North Bay and their respective economic development organizations may also be invited to participate on the mission to promote their community as a place to do business.

The objective of the mission would be to promote Northern Ontario as: a place to invest and do business; a source of relevant sector knowledge, expertise and services; and, an ideal place for North American expansion. This proposal will be submitted within next several weeks and sent to FedNor-Industry Canada requesting financial support. We have been advised FedNor-Industry Canada can only participate in Pan Northern missions.

There will be business-to-business matches and networking opportunities, including discussions with high-level government officials and politicians. Development Sault Ste. Marie, in consultation with FedNor-Industry Canada has determined to include the following sectors for this trade mission: Alternate Energy, Steel Manufacturing, Value-Added Forestry, Mining, Mining Manufacturing and Information Technology.

#### C. Trade Mission Messages

Development Sault Ste. Marie, will continue to engage in outreach efforts to domestic and new international markets to encourage activities with public and private sector in attracting investment, job creation (retention) and an increase in the municipal tax base.

This strategic focus will include the establishment and expansion of primary industries including value-added manufacturing, steel, forest products, bio-industry, energy, transportation more specifically multimodal and airport services, information technology, education, health care and sector labour shortages including immigration issues. These investment attraction efforts will include an increased focus on targeted international markets.

SSMEDC will build the brand and fulfill the promise that Sault Ste. Marie is the preferred place to do business offering exceptional value and service. This will be accomplished through two directorates: Industrial Marketing and International Relations\Global Logistics.

The updated SSMEDC International Relations & Global Logistics Strategy to reflect 2009-2010 will be issued in 1<sup>st</sup> quarter 2009. Below is the SSMEDC predicted Trade Missions for 2009.

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Trade Mission Initiatives	Reason	Target Date	Official Senior Municipal Representation Required
1. SSM to Austria Exploratory Outgoing Mission – Renewable Energy February 2009 (Town of Guessing and Vienna)	There will be networking opportunities, including discussions with high level businesses, government officials and politicians. Fact finding and determine feasibility of a future in-bound mission to SSM	Planning for February 21-28, 2009	Yes
2. SSM to India Out-bound Mission March/April 2009 (Pragati Maidan, New Delhi, Mumbai)	There will be business-to-business matches and networking opportunities, including discussions with high-level government officials and politicians	Planning for March 28 – April 5, 2009	Yes
3. SSM to Maia Portugal Out-bound Trade Mission June 2009	There will be business-to-business matches and networking opportunities, including discussions with high-level government officials and politicians. There will be a renewed Maia-Sault Ste. Marie Sister City Arrangement	Planning for June 1-10, 2009	Yes
4. Estonia to SSM In-bound Exploratory Mission	Fact finding and determine feasibility of full in-bound mission to SSM	TBD Fall 2009/Spring 2010	Yes Full City Council
5 SSM to Bergamo Italy Exploratory Out-bound Mission	There will be networking opportunities, including discussions with high level businesses, government officials and politicians. Fact finding and determine feasibility of in-bound mission to SSM	TBD for Fall 2009/Spring 2010	No
6. Finland to SSM In-bound Mission (Coincide with SSM Fin Fest 2010)	There will be business-to-business matches and networking opportunities, including discussions with high-level government officials and politicians. Support Fin Fest 2010	Planning for July 25- August 2, 2010	Yes Full City Council

6(2)(a)

NICHOLAS J. APOSTLE  
COMMISSIONER COMMUNITY SERVICES



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

January 12, 2009

Mayor John Rowswell  
and Members of City Council

## MULTI-USE INDOOR SPORTS FACILITY - UPDATE

Elsewhere on Council's agenda is a presentation from the consulting team on this project.

### Background

At the February 11, 2008 meeting a brief update was provided to Council on this project. A further update was provided by way of letter to Council (attached) on June 20, 2008.

The City committee includes Councilors Butland and Caicco, Parks and Recreation Advisory Committee representative Tom Mauro, and Community Services Department staff representatives Margaret Hazelton and Nick Apostle.

You may recall that the City is contributing \$40,000. towards a feasibility study and business plan, while the Sault Amateur Soccer Association (SASA) is contributing \$10,000. towards the same studies. Through the efforts of John Febrarro of the Economic Development Corporation, funding has been secured from FedNor in the amount of \$50,000. for both the feasibility study and development of a business plan.

The successful consulting team that was chosen, through a Request for Proposals process, is BDO Dunwoody LLP Chartered Accountants and Advisors, Monteith Brown Planning Consultants, STEM Engineering, and EPOH Architects.

This update is being provided for two reasons. First, the June 20<sup>th</sup> letter stating that regular updates would be provided to Council; and second, at recent meetings, members of Council have spoken about this project and the need for an update.

### Recommendation

It is recommended that Council receive the interim report as an update on the Multi-use Indoor Sport Facility project.

Respectfully submitted,

Nicholas J. Apostle  
Commissioner of Community Services

June 20, 2008

COPY

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

Dear Mayor Rowswell and Members of Council:

**Re: Feasibility Study and Business Plan**  
**Indoor Multi-Use Sports and Recreation Complex for Sault Ste. Marie**

We provide this letter to introduce ourselves and also to provide you with an update as to the status of the feasibility study and business plan for an indoor multi-use sports and recreation complex for Sault Ste. Marie.

The project seeks to determine the feasibility of developing a new indoor multi-use sports and recreation complex in the City of Sault Ste. Marie, Ontario. If feasible, the consultants will work with stakeholders/users to develop a Business Plan, which would assist in moving the project forward into the Funding Proposal and Implementation Stage.

The Study was awarded to BDO Dunwoody LLP Chartered Accountants and Advisors, Monteith Brown Planning Consultants, STEM Engineering and EPOH Architects and is funded as follows:

- City of Sault Ste. Marie – 40%
- FedNor – 50%
- Sault Amateur Soccer Association (SASA) – 10%

The objective of the study is to provide assurance to the study funders of the long term viability of the complex. A number of issues will be assessed in the study to construct and operate the proposed complex including:

- summary of community need and demand;
- identification and recommendation for the best option and site location, including but not limited to, accessibility, availability and compatibility;
- options for partnership and development of a strategic partnership plan;
- identification of appropriate organizational and management structure;
- determination of capital costs, financial resources and cash flow management;

**6(2)(a)**

- analysis of project positioning within the community;
- economic and social impact of the project; and
- a long term implementation and maintenance plan for the facility.

We are in the initial phase of the project and are currently completing a summary of community need and demand. This summary is based on a review of relevant information, stakeholder interviews conducted June 11 and 12, 2008 and surveys for those choosing not to be interviewed, which are due on June 23, 2008.

It is our intent to keep you informed on a regular basis as the project moves along; and if requested, come before you to discuss the findings and next steps with a formal presentation upon completion of the study.

Sincerely, for the study team

**Joe Melisek B.Sc., B.A., CMC**  
Senior Manager  
Consulting  
BDO Dunwoody LLP

- c. Joe Fratesi, CAO  
Nick Apostle, Commissioner of Community Services  
John Febbraro, Facilitator Working Group  
Tracey Forsyth, FedNor

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2009 01 12

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:**

Mayor John Rowswell  
and Members of City Council

**SUBJECT:**

Application No. A-2-09-Z – filed by Jack Moore

**SUBJECT PROPERTY:**

Location – Located on the south east corner of Peoples Road and Everett Street, civic no. 766 Peoples Road

Size – The irregularly shaped lot has approximately 23m (75') frontage on Everett Street, 36.5m (120') frontage on Peoples Road; 1,780.68m<sup>2</sup> (0.44 acres)

Present Use – Vacant

Owner – Play & Replay Inc.

**REQUEST:**

The applicant, Jack Moore, is requesting a rezoning by way of a Special Exception to the current "C.4" (General Commercial) zone to permit a restoration contractor business to locate on the subject property.

**CONSULTATION:**

Engineering – See attached letter

Building Division – See attached letter

Legal Department – No comment

Fire Services – No objection

PUC – No objections

CSD – No concerns

Conservation authority – The subject property is not located in an area under the jurisdiction of the Conservation Authority

PW&T – No objections

EDC – No objections

Accessibility Advisory Committee – We request  
a Site Plan

### **PREVIOUS APPLICATIONS**

In 1982 the property was rezoned to permit general commercial uses. In 1987 City Council approved a temporary use by-law to permit the retail sale of fruits and vegetables for a period not to exceed 3 years.

### **Conformity with the Official Plan**

The subject property is designated 'Industrial' on Land Use Schedule C of the Official Plan. A restoration contractor's business is an Industrial use, and as such, the request conforms to the Industrial Policies of the Official Plan.

### **Comments**

The applicant, Jack Moore, is requesting a rezoning by way of a Special Exception to the current "C.4" (General Commercial) zone to permit a restoration contractor business. Often referred to as 'disaster restoration', the business is geared towards restoration and repair after major damage is incurred to a building or property due to fires, floods, vandalism etc... The use will include a small workshop, office space, a training room, storage area, and drying equipment.

Referring to the maps attached, the subject property is 'L-shaped', with frontage upon People's Road and Everett Street. The use will occupy a former furniture store located upon the northwest corner of the subject property. The current site plan attached also shows a storage building located within the eastern portion of the property. Upon purchasing the property the applicant tore down the building, although the foundation remains and the applicant may erect another building in the future, although there are no immediate plans to do so.

The character of the area is service commercial/industrial. Abutting the property to the east is an automobile repair garage, auto body shop, and automobile parts store.

The use will not require any outdoor storage beyond 2 fully enclosed trailers. Parking demand will be minimal and geared towards employee parking only. Based upon the current site plan attached, the subject property is capable of supplying 15 spaces, which is more than enough to support the proposed restoration use.

Correspondence from the Engineering Division (attached) notes that the property is serviced via a sanitary sewer easement over the abutting property to the south. As well, a 3m road widening has already been conveyed to the Municipality, and as such, further road widenings are not required.

Correspondence from Building Division (attached) notes that the proposed use is Industrial as determined by the Ontario Building Code. The previous use was commercial and as such, a change of use permit, along with a review by a qualified designer will be required to determine Building Code compliance prior to occupancy.

The property is subject to Site Plan Control, as per Section 41 of the Planning Act. The applicant is aware that alterations to the site may require a new Site Plan Control Agreement with the Municipality.

### **Summary**

This application represents an appropriate reuse of an existing vacant building. The proposed restoration contractor's use fits into the general character of the area, and will not negatively impact surrounding uses. Parking and outdoor storage requirements will be minimal, and can be easily accommodated upon the existing site.

### **Planning Director's Recommendation**

That City Council approve the application and rezone the subject property from "C.4" (General Commercial) zone, to "C.4.S" (General Commercial) zone with a Special Exception to permit as an additional use, a 'Restoration Contractor'.

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

PT/pms

**PUBLIC HEARING** – 2009 01 12, Council Chambers, Civic Centre



2008 12 10

MEMO TO: Don McConnell, MCIP, RPP  
Planning Director

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

SUBJECT: APPLICATION No. A-2-09-Z  
766 PEOPLES ROAD  
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW

---

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

- According to our files, the subject property is serviced via a sanitary sewer lateral over the southerly abutting property. A private sanitary easement was established, as part of severance application B-28-89 to the satisfaction of the Engineering Department.
- A 3 m road widening was also conveyed to the City at this time, through Committee of Adjustment Application B-28-89. The City by-law requires a 6 m road widening; however, it appears that the existing foundation as shown on Plan 1R-7580 prohibited any further road widening being conveyed to the City at that time.

If you require anything further please, contact me.

Sincerely,

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

Catherine Taddo, P. Eng.  
Municipal Services Engineer

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

6(6)(a)

## Pat Schinners

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**From:** Don Maki  
**Sent:** December 03, 2008 11:59 AM  
**To:** Don McConnell; Pat Schinners  
**Subject:** 766 Peoples Rd rezoning application A-2-09-Z

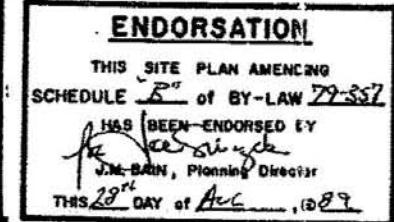
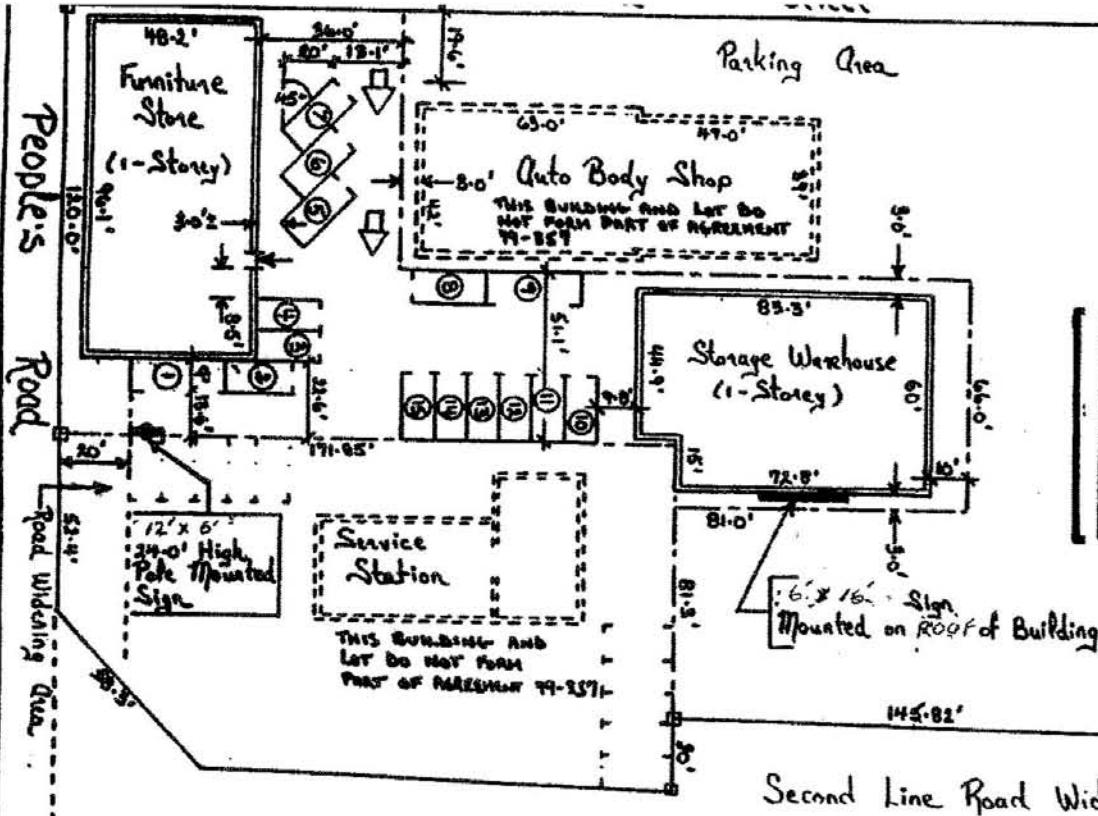
Hi Don

I have no concerns with regard to the property except that the previous use of the property was retail and the proposed use is industrial as determined by the Ontario Building Code. This is considered a change of use and an application for a permit would be required along with a review by a qualified designer to determine Building Code compliance prior to occupancy.

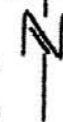
Don Maki CBCO  
Chief Building Official  
Building Division  
Engineering and Planning  
705-759-5399

# Site Plan for Factory Furniture

766 People's Road



Scale 1" = 40'

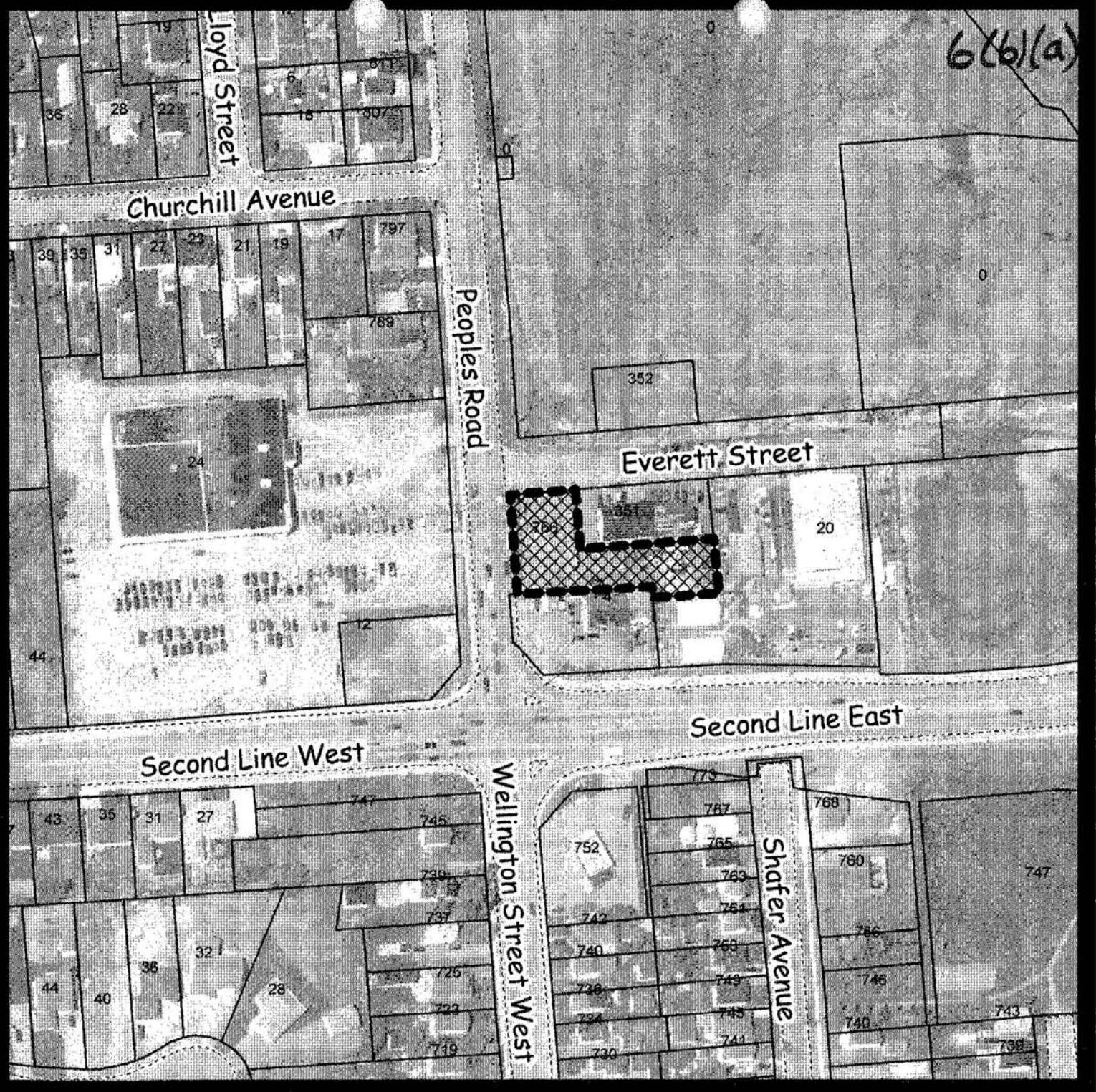


Second Line Road Widening and Reconstruction Area

City Owned Land

Revised: August 16, 1989

6(6)(a)



# 2004 ORTHO PHOTO

## APPLICATION A-2-09-Z

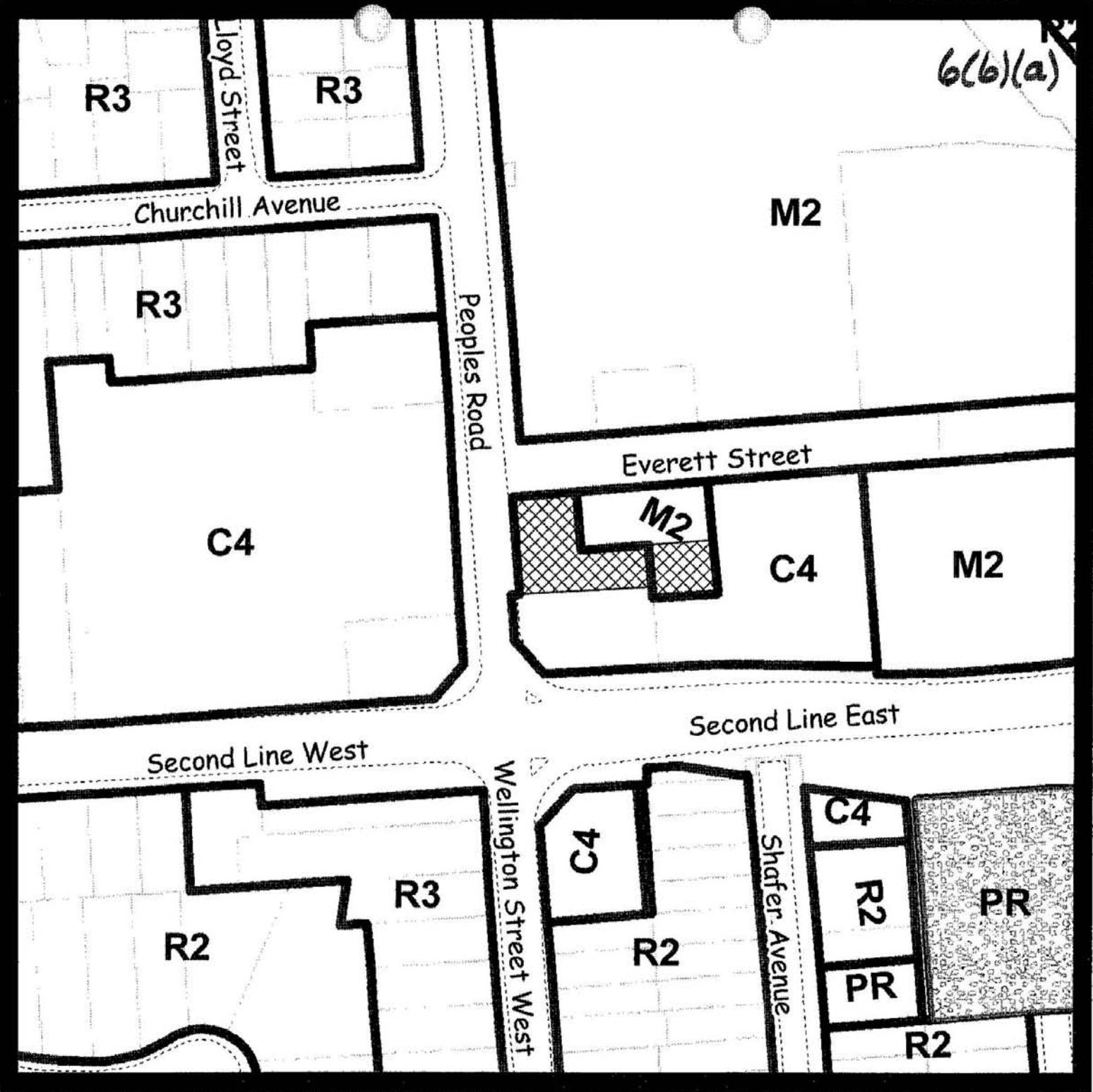


Subject Property - 766 PEOPLES ROAD

Metric Scale  
1 : 2000

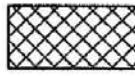
Maps  
58 & 1-92

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# EXISTING ZONING MAP

## APPLICATION A-2-09-Z



Subject Property - 766 PEOPLES ROAD

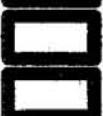
Metric Scale  
1 : 2000



R2 - Single Detached Residential Zone



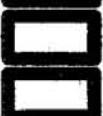
M2 - Medium Industrial Zone



R3 - Low Density Residential Zone



PR - Parks and Recreation Zone



C4 - General Commercial Zone

Maps  
58 & 1-92

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-6

**AGREEMENT:** (E.3.4.4) A by-law to authorize an agreement between the City and Kresin Engineering Corporation for the design and contract administration of the reconstruction of Shannon Road from Wellington Street to Trunk Road.

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

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 1<sup>st</sup> day of December, 2008 and made between the City and Kresin Engineering Corporation for the design and contract administration of the reconstruction of Shannon Road from Wellington Street to Trunk Road.

2. **EFFECTIVE DATE**

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

READ THREE TIMES and PASSED in open Council this 12<sup>th</sup> day of January, 2009

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MAYOR – JOHN ROWSWELL

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CLERK – DONNA P. IRVING

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all and if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(a)

SCHEDULE "A" TO BY-LAW 2009-6

AGREEMENT  
FOR  
PROFESSIONAL ENGINEERING SERVICES

MEMORANDUM OF AGREEMENT dated the 1 day of December, A.D. 2008

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to:

Reconstruct Shannon Road between Wellington Street and Trunk Road, a length of approximately 900 metres.

and WHEREAS the reconstruction shall include the complete reconstruction of the roadway, water main, storm and sanitary sewers, hereinafter called the "Project".

and WHEREAS the Client has requested the Engineer to furnish professional services in connection therewith as outlined in Article 2 of this Agreement;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Engineer mutually agree as follows:

**ARTICLE 1 - GENERAL CONDITIONS****1.01 Retainer**

The Client hereby retains the services of the Engineer in connection with the Project and the Engineer hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Engineer shall mean professionals and specialists engaged by the Client directly and whose names are party to this Agreement.

**1.02 Services**

The services to be provided by the Engineer and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

**1.03 Compensation**

The Client shall pay the Engineer in accordance with the provisions set forth in Article 3.

**1.04 Staff and Methods**

The Engineer shall use current state of the art principles and shall skilfully and competently perform the Services and shall employ only skilled and competent staff who will be under the supervision of a senior member of the Engineer's staff.

**1.05 Drawings and Documents**

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Engineer for the Client may be used by the Client, for the Project herein described, including "as built" records. The Client has ownership of the drawings.

All drawings shall be prepared and submitted in digital format compatible with AutoCAD 2004.

**1.06 Patents**

All concepts, products or processes produced by or resulting from the Services rendered by the Engineer in connection with the Project, or which are otherwise developed or first reduced to practice by the Engineer in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be and remain the property of the Engineer and the Municipality.

The Client shall also have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Engineer in connection with the Project and for any other municipal purpose or project.

**1.07 Records and Audit**

- (a) In order to provide data for the calculation of fees on a time basis, the Engineer shall keep a detailed record of the hours worked by and salaries paid to his staff employed for the Project.

- (b) The Client may inspect and audit the books, payrolls, accounts and records of the Engineer during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Engineer, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Engineer claims payment under this Agreement.

#### **1.08 Changes and Alterations and Additional Services**

With the consent of the Engineer, the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Engineer shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4.

#### **1.09 Suspension or Termination**

The Client may at any time by notice in writing to the Engineer suspend or terminate the Services or any portion thereof at any stage of the undertaking. Upon receipt of such written notice, the Engineer shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Engineer shall be entitled to payment in accordance with Section 3.2.1 for any of the Engineer's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.2.4.

If the Engineer is practising as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Engineer to the date of such termination.

The Engineer may by notice in writing suspend the services, at his sole discretion, on failure of the Client to pay for outstanding services should payment for those services not have been rendered within the time specified under Section 3.3.1 of this Agreement.

#### **1.10 Indemnification**

The Engineer shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer as a result of the negligence of the Engineer, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Engineer from and against any and all claim, losses, damages, liability and costs of defence arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligence of the Engineer in the performance of consulting services to the Client within this project.

The Client shall indemnify and save harmless the Engineer from losses arising from the use of the material provided to the Engineer by the Client under Article 2 of this Agreement.

#### **1.11 Insurance**

The Engineer agrees to provide the following insurance coverage for the duration of the Project:

a) Comprehensive General Liability and Automobile Insurance

The Insurance Coverage shall be \$2,000,000.00 for general liability and \$2,000,000.00 for automobile insurance. When requested, the Engineer shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

b) Professional Liability Insurance

The Insurance Coverage shall be in the amount of \$2,000,000.00. When requested, the Engineer shall provide to the Client proof of Professional Liability Insurance carried by the Engineer.

c) Change in Coverage

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project, then the Engineer shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.2.4.

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Engineer until (60) days after written notice of such change or cancellations has been personally delivered to the Client.

**1.12 Contracting for Construction**

Neither the Engineer nor any person, firm or corporation associated or affiliated with or subsidiary to the Engineer shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

**1.13 Assignment**

Neither party may assign this Agreement without the prior consent in writing of the other.

**1.14 Previous Agreements**

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

**1.15 Approval by Other Authorities**

Unless otherwise provided in this Agreement, where the work of the Engineer is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Engineer, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Engineer with such other authority, department of government or agency.

**1.16 Principals and Executives**

The use of Principals and Executives on a time basis by the Engineer, will be in accordance with

Section 1.23.1 (c).

**1.17 Specialized Services**

The Engineer may engage others for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client.

**1.18 Inspection**

The Client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

**1.19 Publication**

The Engineer agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

**1.20 Confidential Data**

The Engineer shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. No such information shall be used by the Engineer on any other project without the approval in writing of the client.

**1.21 Arbitration**

The Engineer and Client mutually agree that any disputes relating to the completion of the Project shall be resolved through arbitration as follows:

- (a) Any dispute, difference or disagreement between the parties hereto in relation to the Agreement shall be referred to arbitration.
- (b) No person shall be appointed to act as arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Engineer.
- (c) The award of the arbitrator shall be final and binding upon the parties.
- (d) The provisions of The Arbitrations Act, R.S.O., 1990, C.A. 24, as amended shall apply.

**1.22 Time**

The Engineer shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require and the Client shall have the right to take possession of and use any completed or partially completed portions of the Work notwithstanding any provisions expressed or implied to the contrary.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Engineer, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as

not to delay the work of the Engineer.

#### **1.23 Estimates, Schedules and Staff List**

##### **1.23.1 Preparation of Estimate of Fees/Upset Fee Limits, Schedule of Progress and Staff List**

When requested by the Client, the Engineer shall within fourteen days of the execution of this Agreement provide, for approval by the Client:

- (a) An estimate of the total fees and/or upset fee limit(s) to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and salary ranges of staff and/or hourly rate ranges for Principals and Executives, for which the Engineer will seek payment on a time basis. The Engineer shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Engineer's staff who is to be the liaison person between the Engineer and the Client.

##### **1.23.2 Subsequent Changes in the Estimate of Fees/Upset Fee Limits, Schedule of Progress and Staff List**

The Engineer will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees/upset fee limits beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule of progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and salary ranges of the staff provided under Subsection 1.23.1 (c).

Such approval shall not be unreasonably withheld by the Client.

#### **1.23.3 Monthly Reporting of Progress**

When requested by the Client, the Engineer shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

**ARTICLE 2 - SERVICES**

The following definitions shall apply:

**2.1 Engineer's Services for Planning (Class EA) of the Project**

The Engineer shall provide the services for planning of the Project and such work shall include the following:

1. Meeting with the Client to confirm the applicable Class EA schedule, and review of the proposed work program, including the preparation of a meeting report.
2. Preparation for (including the production of relevant plans, notices, information sheets, etc.) and participation in a public open house.

**2.2 Client's Services for Planning (Class EA) of the Project**

The Client shall provide the Engineer with:

1. Confirmation of appropriate Class EA schedule.
2. General direction in the provision of services and approvals within reasonable time as necessary during the currency of this Agreement.
3. Assistance in advertising for, coordinating and conducting any public consultation events.
4. Copies of all related plans, drawings, documents and reports relating to the Project.

**2.3 Engineer's Services for Preliminary Design of the Project**

The Engineer shall provide the services for preliminary design and such work shall include the following, unless already provided during a previous study:

1. Preparation of preliminary project schedules and construction cost estimates.
2. Preparation and recommendation of alternative concepts and designs considering geometrics, property, cost and environmental features.
3. Development and recommendation of horizontal and vertical alignments for the Project on a plan scale acceptable to the Client.
4. Development of proposed typical cross-sections for the roadway, including number of driving lanes, turning lanes, rights-of-way, curbs and sidewalks, intersecting roads and other cross section elements.
5. Preparation of a design criteria with due consideration being given to such ancillary features as curbs, sidewalks, illumination, signs, signals, fences, landscaping and zone painting.
6. Preparation of a design brief indicating the principle design features, and including an estimate of construction cost.

7. Meeting with and presenting to the Client alternative design concepts and obtaining input on the preferred.
8. Development and recommendation to the Client of a preliminary soils investigation program to permit the completion of the preliminary and detail design phases of the Project.
9. Preparation and distribution of minutes of Project meetings.
10. Preparation of correspondence on behalf of the Client and circulation thereof to governmental ministries, agencies and other public authorities for design information.
11. Assembling and evaluating existing drainage data.
12. Preparation of general drainage requirements.
13. Identification of major utility installations and adjustments.
14. Preparation of preliminary design drawings.
15. Preparation of property acquisition plans, if any.
16. Development of construction cost estimates.
17. Preparation of MTO Justification Report for submission to MTO for connecting link funds, if required.

#### **2.4 Client's Services for Preliminary Design of the Project**

The Client shall provide the Engineer with:

1. Copies of available Functional Study or Predesign Investigations undertaken for the Work.
2. Access to and the use of existing plans, profiles, utility information, legal documents and correspondence relevant to the Project.
3. Copies of all survey data, bench marks and plans of the Project, including digital data.
4. Copies of available traffic information including traffic counts, accident reports, etc.
5. Copies of available Traffic or Transportation Study Reports of the area.
6. Copies of available Functional Planning or Preliminary Design Reports of adjoining Projects.
7. Copies of CCTV inspector reports of both sanitary and storm sewers located in the area of the Project.
8. Copies of future land use plans/development densities for sanitary/storm areas affecting the Project.

9. Copies of available sanitary sewage drainage area plans/reports prepared for the study area.
10. Copies of available storm drainage area plans/reports prepared for the study area.
11. Copies of the most current contract documents from adjacent reconstruction projects completed by the City.
12. General direction of the Engineer in the provision of services and approvals within reasonable time as necessary during the currency of this agreement.
13. Any information regarding utilities in the possession of the Client necessary for the preparation of the plans.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses (i) to (13) hereof, inclusive, as being accurate, in the performance of the Engineer's services under this Agreement.

#### **2.5 Engineer's Services for Detailed Design of the Project**

The services to be provided by the Engineer in the execution of the detailed design of the Project shall include:

1. Provision of expertise required for the design of all facilities to serve the best interests of the public, with due regard for environmental concerns, capital cost and operating efficiency in accordance with current state of the art and acceptable standards established by the Client and regulatory authorities.
2. Conducting field survey work, if required, after the design criteria and functional alignment have been established, which shall include all survey work necessary for the estimating of quantities, the detailed setting of alignment and grade to fit controlling natural and artificial topographic and underground features, and design of drains, storm sewers, sidewalks, street lights, sanitary sewers, and water services, and the positioning of all appurtenances associated with the construction of the Project.
3. Investigation and confirmation of the present location of all above ground utilities, updating of the Client's plans and profiles to show the present location and the proposed location, and preparation of additional drawings required for alternative utility relocation as required by the Client, subject to clause 8 of Section 2.5.

Underground utilities shall be indicated on the plans and profiles in accordance with information submitted by the respective utility. The Engineer shall be entitled to rely upon the information and direction provided to it by the Utilities as being accurate in the performance of his services under this Agreement.
4. The preparation and submission of preliminary drawings, investigations, and recommendations to the Client, on such alternatives or modifications to the Project that the Engineer in his professional judgement, deems advantageous to the Client.
5. Advising the Client of the need to seek permission to enter private lands for investigation purposes. Such permission to enter private lands shall be obtained by the Client on behalf of the Engineer.

6. Participation in a reasonable number of meetings for information, negotiation or presentation purposes with the Client in connection with the services provided under this Agreement, after the establishment of the design criteria and functional alignment.
7. Preparation of contract documents for the Project including: detailed construction drawings, tender quantity forms, general conditions, specifications, information to bidders, and special provisions.
8. Preparation of detailed quantity and cost estimates, including sundry engineering and materials.
9. Provision of ten (10) complete sets of tendering documents and drawings.
10. Incorporation, into the contract document package of design drawings and specifications of work designed by others, when required.
11. Submission of plans, specifications, schedules, and applications for approval to the Client and to appropriate authorities, as required. Attending meetings at the offices of these public authorities to discuss designs and to provide explanations for the purpose of furthering the applications towards approval.
12. Assisting the Client in advertising for tenders.
13. Consultation during the tendering of a contract for the Project, the comparative analysis of bids and recommendations thereon, and the preparation of contract documents for execution.

#### **2.6 Client's Services for Detailed Design of the Project**

The Client shall provide the Engineer with the following services, notwithstanding that, should the Client be unable to provide any of the services hereunder, they may be assigned to the Engineer under Section 1.08 of this Agreement.

1. Access to and, where necessary, copies of existing plans, profiles or other topographic information showing or pertaining to existing conditions within the Project area.
2. Detailed site survey data, in digital form.
3. Registered land plans, legal documents and surveys, where necessary, defining the property limits of existing rights-of-way and other parcels of land affected by the Project, and as required in the acquisition of property and lands for the Project.
4. Specimen contract documents for the guidance of the Engineer in the design of the Project to the standards required by the Client.
5. Standard drawings for specific installations required by the client.
6. General direction of the Engineer in the provision of the services.
7. Any available information regarding utilities necessary for the preparation of the plans.

8. Arranging and making provision for the Engineer's entry and ready access to property (public and private) as well as to the site of the Project, as necessary to enable him to perform his services.
9. Designating in writing an individual to act as his Representative who will transmit instructions to and receive information from the Engineer.
10. Acquisition of any lands that may be required.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to Clauses 1 through 10 hereof, inclusive, as being accurate, in the performance of the Engineer's services under this agreement.

**2.7 Engineer's Services for Contract Administration and Construction Supervision of the Project**

The Engineer, on behalf of the Client, shall provide a review of the work during construction. It is understood that the Contractor is responsible for discharging his obligations under the terms and conditions of the construction contract, the performance of the Contractor is not the Engineer's responsibility nor are his review services rendered for the Contractor's benefit; and the Contractor is responsible for the quality of the work. It is further understood that only work which has actually been seen during examination of representative samples can be said to have been appraised, and comments on the balance of the work are assumptions based upon extrapolation.

The extent of the Engineer's duties for general review are as follows.

**(a) Contract Administrative Services**

1. Review, modification and approval of the Contractor's construction schedule, the processing of progress and final payment certificates, and the preparation of progress reports to the Client at such time and in such form and detail as the client may require.
2. The review and checking of formwork drawings and proposed construction methods as warranted, to ensure that the Contractor's drawings and methods comply with the design requirements for the Project.
3. Consideration and recommendation in respect to alternatives of construction methods or material proposed by the contractor, and preparation of change orders.
4. Review of shop drawings submitted to the degree necessary to ensure they conform with the design requirements and contract documents.
5. Provision of recommendations on the validity of charges for additions or deletions and recommendations on the issue of change orders.
6. Processing and issuing of payment certificates.
7. Conducting progress meetings as may be required.

(b) **Construction Inspection Services**

1. Direction of the Engineer's field staff, and review of the Contractor's work to ensure compliance with the plans and specifications.
2. Surveying and calculation of pay quantities for the work.
3. Calculation and recording of quantities, for the preparation of progress and final payment certificates prescribed by the Client, together with the compilation of such survey notes, diaries, records and reports substantiating such certificates during construction and on completion of the work.
4. Arranging, preparing and shipping for testing materials supplied by the Contractor for incorporation into the work, and the review of test results and judgement of acceptability of said materials.
5. Coordinating on-site testing during the construction of the work to verify acceptability according to the specifications.
6. Assigning necessary field staff to perform such field operations necessary in the provision of the foregoing construction administration services.
7. Investigating, reporting and recommending on unusual circumstances which may arise during construction.
8. Carrying out final inspection at the conclusion of the construction contract, at the end of the maintenance period and as part of the acceptance program of the Client.
9. Preparing and submitting to the Client one complete set of reproducible, revised contract drawings showing the 'as constructed' Project, to the extent requested by the Client and to the extent possible from information provided by the Contractor or otherwise patently visible. It is understood that the Engineer is not responsible for the accuracy or completeness of field changed information supplied (or to have been supplied) by persons not in the Engineer's employ.

**2.8 Client's Services for Contract Administration and Construction Inspection of the Project**

The Client shall provide the Engineer with the following services notwithstanding that, should the Client be unable to provide any of the services hereunder, they may be assigned to the Engineer under Section 1.08.

1. Supplementary factors governing the Contractor's operations, such as by-laws, property considerations, maintenance of public services and traffic.
2. General direction of the Engineer in the provision of the services.
3. Arranging and making provision for the Engineer's entry and ready access to property (public and private) as well as to the site of the work, as necessary to enable him to perform his Services.
4. Designating in writing an individual to act as his Representative, who will transmit

instructions to, and receive information from, the Engineer.

5. Providing material testing services for granulars, concrete and asphalt during construction.

The Engineer shall be entitled to rely upon the information, direction and approvals provided by the Client pursuant to clauses 1 through 5 hereof, inclusive, as being accurate in the performance of the Engineer's services under this Agreement.

**2.9 Milestones**

The Engineer shall endeavour to perform the services set forth in paragraphs 2.1, 2.3, 2.5, and 2.7 of this Agreement in the time frames provided for in Schedule "1" attached hereto.

ARTICLE 3 - FEES AND DISBURSEMENTS**3.1 Definitions**

For the purpose of this Agreement, the following definitions shall apply:

(a) Payroll Cost:

Payroll Cost is defined as hourly salary plus payroll burden.

The following formula shall be used to calculate the hourly salary for billing purposes.  
Hourly salary equals:

$$\frac{\text{Annual Salary}}{\text{Hours Per Week} \times 52 \times .85}$$

Payroll burden equals fringe benefits expressed as a percentage of salary that provides for health and medical insurance, group life and disability insurance, company and Canada Pension employer contribution, Workers' Compensation and Unemployment Insurance, but excludes bonuses or profit sharing. For the purpose of this Agreement payroll burden shall be 8.97% of hourly salary.

(b) Cost of the Work:

(NOT APPLICABLE)

(c) Site

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

**3.2 Basis of Payment****3.2.1 Fees Calculated on a Time Basis**

3.2.1.i The Client shall pay the Engineer a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis shall be as follows:

a) Staff on normal assignments - Payroll Cost multiplied by a factor of 2.0.  
b) Services During Construction:

- (i) For all services, except for staff full-time continuously on site - Payroll cost multiplied by a factor of 2.0.  
(ii) For site staff working full-time continuously on site - Payroll cost multiplied by a factor of 1.7.

For purposes of this Agreement, the Engineer shall use the Billing rates as outlined in Schedule "2" of this Agreement. Any subsequent changes or amendments to this schedule shall be in accordance with Section 1.23.2.

### **3.2.1.2 Time Expended**

All time expended on the assignment, whether in the Engineer's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports, and specifications.

### **3.2.1.3 Estimate of Fees**

The Client shall only be required to pay for those services actually rendered on a time and materials basis. The Engineer estimates that the total fees to be paid for the services outlined in Sections 2.1, 2.3, 2.5, and 2.7 shall not be greater than those fees identified in Schedule "2" of this Agreement. Any subsequent changes or amendments to the estimated fees contained in Schedule "2" shall be in accordance with Section 1.23.2 of this Agreement.

### **3.2.3 Computer Services and Total Station Survey Services**

The usage of computer equipment shall be considered a reimbursable expense, except where a computer is used for design under the percentage fee scale or for the Engineer's normal office administration.

The usage of total station survey equipment shall be considered a reimbursable expense.

### **3.2.4 Reimbursable Expenses**

In addition to the fee, the Engineer shall be reimbursed at cost plus an administrative charge of 5% for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, long distance telephone charges, facsimile charges, printing and reproductions, progress photography and video charges, special delivery and express charges, overtime premium costs, on-site quality control equipment, materials and supplies; and survey supplies.

## **3.3 Payment**

### **3.3.1 Fees Calculated on a Time Basis**

The Engineer shall submit an Invoice to the Client for all Services completed in the immediately preceding month. Interest at the rate of 1½% monthly will be paid on the total outstanding unpaid balance commencing 30 days following the date of issuance of the Engineer's invoice.

In the event that payment is NOT received within 30 days from the date of issuance of an invoice the Engineer may suspend the services as specified under Section 1.09.

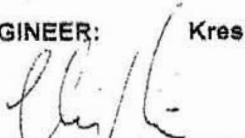
10(a)

IN WITNESS THEREOF the parties hereto have caused to be executed those presents by their officers properly authorized in that behalf on the day and year first above written.

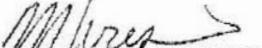
SIGNED, DELIVERED

in the presence of:

ENGINEER: Kresin Engineering Corporation

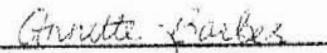
  
Chris Kresin, P.Eng.

PRESIDENT

  
Michael Kresin, P.Eng.

SECRETARY/TREASURER

WITNESS

  
signature

Annette Barber, Accounts  
name and title of person signing

CLIENT: The Corporation of the City of Sault Ste. Marie

Signature

WITNESS

MAYOR - JOHN ROWSWELL

name and title of person signing

signature

signature

name and title of person signing

CLERK - DONNA P. IRVING

name and title of person signing

10(a)

Schedule "1"

MEMORANDUM OF AGREEMENT dated the 1 day of December, A.D. 2008.

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

Estimated Project Schedule

Key Task	Start	End
1. Planning	Dec. 1, 2008	Jan. 31, 2009
2. Preliminary Design	Jan. 1, 2009	Feb. 15, 2009
3. Detailed Design	Feb. 15, 2009	March 30, 2009
4. Tender	April 1, 2009	May 15, 2009
5. Construction	May 15, 2009	Nov. 30, 2009

10(a)

Schedule "2"

MEMORANDUM OF AGREEMENT dated the 1 day of December, A.D. 2008

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

KRESIN ENGINEERING CORPORATION

Hereinafter called the 'Engineer'

THE PARTY OF THE SECOND PART

Estimated Project Fees

Key Task	Estimated Fee	
	Time	Disbursements
1. Planning	\$ 8,000.00	\$ 1,000.00
2. Preliminary Design <sup>(1)</sup>	\$ 20,000.00	\$ 1,000.00
3. Detailed Design <sup>(2)</sup>	\$ 50,000.00	\$ 1,500.00
4. Tender and Approvals	\$ 16,000.00	\$ 4,000.00
5. Construction		
- residential inspection	\$ 150,000.00	\$ 10,000.00
- administration	\$ 60,000.00	\$ 5,000.00
Sub-totals	\$ 304,000.00	\$ 22,500.00
<b>TOTAL</b>		<b>\$ 326,500.00</b>

<sup>(1)</sup> Excludes site survey. Digital site plan and survey data to be provided to the Engineer by the Client.

<sup>(2)</sup> Excludes geotechnical work. Geotechnical work will be co-ordinated by the Engineer and the cost of the geotechnical work will be invoiced to the Client c/o the Engineer.

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-7

**AGREEMENT:** (E.1.5.) A by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529).

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

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 12<sup>th</sup> day of January, 2009 and made between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529) for the period of February 1, 2006 to January 31, 2010.

2. **EFFECTIVE DATE**

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

READ THREE TIMES and PASSED in open Council this 12<sup>th</sup> day of January, 2009.

**MAYOR – JOHN ROWSWELL**

**CLERK – DONNA P. IRVING**

**NOTICE**

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(b)

**AGREEMENT**

between

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

-and-

**SAULT STE. MARIE PROFESSIONAL FIREFIGHTERS ASSOCIATION  
(Local 529)**

**February 1, 2006 to January 31, 2010**

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10(b)

SCHEDULE "A" TO BY-LAW

AGREEMENT entered into as of  
February 1, 2006, A.D.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE  
(Hereinafter called the "EMPLOYER")

OF THE FIRST PART

- AND -

THE SAULT STE. MARIE PROFESSIONAL FIREFIGHTERS ASSOCIATION  
(Hereinafter called the "ASSOCIATION") (Local 529)

OF THE SECOND PART

1:00 PURPOSE

- 1:01 Whereas the Association has established to the satisfaction of the Employer that all full-time employees of its Fire Services except the Fire Chief, Assistant Chief – Fire Suppression, Assistant Chief - Fire Prevention and Public Education and the Assistant Chief - Support Services and Administrative Assistant to the Fire Chief, are members of the Association and that it is therefore entitled to represent the said employees as their bargaining agent.

NOW THEREFORE THIS AGREEMENT WITNESSETH:

- 1:02 The employees shall at all times co-operate with the Employer and the Chief of the Fire Services to the fullest extent to provide an efficient firefighting organization for the benefit of the City and the inhabitants thereof.

2:00 SCOPE

- 2:01 The terms of this agreement shall apply to all full-time employees of the Sault Ste. Marie Fire Services and the Association shall have the right to bargain for the purpose of defining, determining and providing for remuneration, pensions and working conditions for all full-time employees of the Fire Services except the Fire Chief, Assistant Chief – Fire Suppression, Assistant Chief - Fire Prevention and Public Education and the Assistant Chief - Support Services and Administrative Assistant to the Fire Chief.

- 2:02 To insure the safe and efficient operation of the Fire Services, management staff in the positions of Assistant Chief - Fire Prevention and Public Education and Assistant Chief - Support Services shall be allowed to perform the duties of employees under their command as may be required from time to time.

2:03 Every new employee, on joining the Department shall, after the employee's first six months of service, become a member of the Association. All employees who are now or who in future become members of the Association shall, as a condition of employment maintain such membership in good standing.

2:04 The employer shall deduct from the salary of each employee, on completion of 30 days employment, the Association contributions (dues) and remit by cheque each month to the Treasurer of the Association, the full amount so collected.

3:00 RECOGNITION

3:01 The Employer recognizes the Association as the bargaining agent for all said full-time employees (as provided in the Fire Protection and Prevention Act, 1997) of the Sault Ste. Marie Fire Services.

3:02 The Chief of the Fire Services shall meet with a committee of the Association on reasonable notice to discuss any subject or matter which may be deemed of mutual benefit to the employees and the City or the inhabitants thereof.

3:03 The Association agrees to notify the Commissioner of Human Resources in writing, with a copy to the Fire Chief, of the names of all the Association representatives and the committees upon which such representatives will serve. The Association will also be responsible for notifying the employer of any changes to the list of Association representatives.

The City shall not be required to recognize any Association representative until such time as the Commissioner of Human Resources has been notified in writing by the Association as outlined above.

4:00 MANAGEMENTS' RIGHTS

4:01 The Association acknowledges the exclusive right of the Employer to maintain order, discipline and efficiency to establish and enforce rules and regulations necessary to the efficient and safe operation and generally to govern the conduct of employees. To hire, discharge, promote, demote, layoff, classify or suspend or discipline employees. The employer agrees that these functions shall be exercised in a manner consistent with the general purpose and intent of this agreement and subject to the right of an employee to lodge a grievance as set forth herein.

4:02 The Association further recognizes that it is the right of the Employer to operate and manage the Fire Services in all respects and in accordance with all its commitments coming within its jurisdiction: the equipment to be used, the methods to be employed and the number of persons to be employed are exclusively the responsibility of the Employer.

4:03 The Association also recognizes that it is the right of the Employer to delegate any of its functions, rights, duties, or powers, subject to this agreement or otherwise, to the Fire Chief, or such persons or committees as the Employer may deem advisable subject to the terms of the Fire Protection and Prevention Act, 1997.

- 4:04 All employees should maintain good physical condition and in accordance with their commitment to protect the public all employees are urged to make every effort to meet this requirement.
- 4:05 All employees and probationers shall be governed by the Rules and Regulations of the Employer as from time to time established and published after prior notice to the Association. Where the "Rules" are in conflict with the provisions of this agreement, the provisions of the agreement shall apply. The Employer will encourage the study of advanced firefighting techniques by any employee if such studies are approved by a recognized school of instruction.
- 4:06 Disciplinary action against any employee may result in discharge or suspension if the cause is grave enough to warrant such action. Such causes shall include incompetence, neglect of duty, reporting for duty under the influence of liquor, bringing intoxicants into a fire hall, refusal to comply with an order, disorderly conduct or conduct unbecoming an employee, absence from duty without proper leave and any offense sufficiently grave to warrant disciplinary action or discharge. The employer shall record an employee's offense to both the employee and the Secretary of the Association.
- 4:07 Discipline of an employee shall be removed from the employee's disciplinary record after twenty-four months (24) provided there has been no further discipline given to the employee within such twenty-four (24) month period. This requirement to remove discipline does not apply to discipline related to substance abuse.

5:00 HOURS OF WORK

- 5:01 The working hours for the employees shall be a forty-two (42) hour work week in accordance with the Fire Protection and Prevention Act, 1997 (2 - 4 platoon system) and shall consist of 10 hour day shifts, 8:00 A.M. to 6:00 P.M. and 14 hour night shifts 6:00 P.M. to 8:00 A.M. as per Schedule "B" attached and forming a part of this agreement.
- 5:02 All employees may be subject to off-shift call back at the discretion of the Chief of the Fire Services. When off-shift employees are called back they will be paid a minimum of three (3) hours pay at the rate of time and one-half.
- 5:03 Employees authorized to work more than their regular shifts will be paid at the rate of time and one-half their regular rate for the overtime worked calculated in quarter-hour segments. Employees are not considered relieved from duty until they have arrived back at their respective fire station and authorized to leave by an officer.
- 5:04 When at the discretion of the Fire Chief it is possible, employees will have the option of taking straight time off in lieu of overtime worked.
- 5:05 Employees shall be allowed to change shifts with other employees at any of the fire stations provided such employees are qualified to perform the duties and that such change of shifts are done when an employee is on a recognized day off or on holidays.

5.05

- (a) Employees wishing to change shifts will apply for a change to the officer in charge of the shift. Officer in charge of the shift shall mean the officer in charge on the day of the change of shift.
- (b) Twenty-four hours notice must be given for a change to be given any consideration, except in the case of an extreme emergency when a good reason must be given for a requested change of shift.
- (c) Employees requesting a change of shift will see the officer concerned while the employee is on duty at the Fire Hall, except in the case of an emergency.
- (d) Employees having a day off due to having exchanged a shift must not work for gain or pay on such a day off. Any employee of the Association working for gain or pay on exchange shift will be immediately suspended from the department.
- (e) Captains or Acting Captains in charge of shifts will ensure that all changes of shift are duly recorded in the daily report sheets.
- (f) Any employee who has promised to work for another employee of the Association and fails to report for duty on the day the employee is scheduled to work for another employee, shall forfeit three days pay.
- (g) All officers in charge of shifts will ensure that paragraph (b) is adhered to. Failure to comply will result in the loss and forfeiture of pay for one scheduled shift.

6:00 VACATIONS

6:01 Each employee shall be entitled to vacations with pay as provided hereunder, namely:

- (a) All employees who have completed one year of continuous service but less than five years shall receive two (2) weeks annual vacation with pay.
- (b) All employees who have completed five years of continuous service but less than ten years shall receive three (3) weeks annual vacation with pay.
- (c) All employees who have completed ten years of continuous service but less than fifteen years shall receive four (4) weeks annual vacation with pay.
- (d) Effective January 1, 2001 all employees who have completed fifteen years of continuous service but less than twenty-two years shall receive five (5) weeks annual vacation with pay.
- (e) Effective January 1, 2001 all employees who have completed twenty-two years of continuous service shall receive six (6) weeks annual vacation with pay.

6:02 Employees who are absent from work without pay for 30 days or more due to a leave of absence, suspension, or layoff, shall have their vacation entitlement reduced in proportion to such time absent from work.

- 6:03 One week of vacation as referred to herein shall mean four consecutive working shifts except for employees who normally work a regular day shift.
- 6:04 The period at which employees may take vacation shall run from the 1st day of January to the 31st day of December annually.
- 6:05 Any employee having become entitled to regular vacation as defined in Sections (a), (b), (c), (d) and (e) of Article 6:01 and who, before receiving such vacations, terminates employment voluntarily with the City's Fire Services shall become entitled to cash payment in lieu of such vacations as the employee had become entitled to at the regular rates of pay for the respective rank at the time the employee ceased to be an employee of the City's Fire Services.
- 6:06 Vacations shall be arranged by the Chief of the Fire Services and shall be given to employees in accordance with seniority. Employees will be granted a maximum of two weeks vacation at any one signing.

7:00 SPECIFIED PAID HOLIDAYS

- 7:01 Each employee shall be entitled to the following specified paid or declared holidays, namely, New Year's Day, Family Day (3<sup>rd</sup> Monday in February), Victoria Day, Good Friday, Easter Monday, Canada Day, Civic Holiday, Labour Day, Remembrance Day, Thanksgiving Day, Christmas Day and Boxing Day, occurring in the remainder of the calendar year in and after which three months continuous service has been attained.
- 7:02 Each Firefighter is entitled, subject to the terms hereof, to 12 paid off-duty days in lieu of specified paid holidays. Eight (8) of the said 12 days shall be scheduled consecutively as 2 week's vacation. Three (3) of the days shall be scheduled as paid off-duty days or taken as pay and the remaining 4<sup>th</sup> day shall be taken as pay.

The following procedure will be used to schedule vacations and specified paid holidays:

- (i) In August of each year, a notice will be posted informing all personnel that each employee shall be allowed the choice of a cash payment for 3 specified paid holidays in lieu of time off. The employee must advise the Chief in writing on the forms provided of the employee's decision to receive pay for such 3 days, no later than September 1st. Failure in submitting this form by September 1st, the employee must take the 3 days as time off.
- (ii) Subsequent to September 1st, the platoon lists shall be posted.
- (iii) Subsequent to the posting of the platoon lists, a vacation list shall be posted that shall include sufficient space allocation only to provide the scheduling of all vacations and all outstanding specified paid holidays.
- (iv) Each employee shall be permitted to select vacation and specified paid holidays in blocks of two-week periods only, except where an employee has a period to be selected of less than two weeks.

- (v) No employee shall be permitted to select a period of time off outside the space allocated in the posted vacation and specified paid holidays list.
- (vi) An employee shall be paid for each day at the rate of 1/182 of his annual salary on the first pay of December of that year.

7:03 An employee who is absent without pay due to a leave of absence, suspension, or layoff during the period when a specified paid holiday occurs shall have off duty days in lieu of such holiday reduced accordingly.

#### 8:00 LEAVE OF ABSENCE

8:01 The employer may grant leave of absence without pay and without loss of seniority for a period up to six months to any employee requesting such leave for good and sufficient cause. Applications for such leave shall be made in writing to the Chief of the Fire Services and such leave must be approved by the Chief and the City's Chief Administrative Officer. During the period of such leave of absence, the total cost of the benefits set out in Articles 11:08 and 11:09 will be payable by the employee. Notwithstanding the provisions of this article, leave of absence will not be granted an employee for the purpose of working at alternative employment.

8:02 When death occurs in a employee's immediate family, an employee shall be entitled to four (4) consecutive days' compassionate leave with pay, one of which shall be the day of the funeral. The pay shall be on a straight time basis and for only such of the four days as are working days, and shall be conditional on the employee attending the funeral.

"Immediate family" means the employee's spouse, daughter, son, father, mother, sister, brother, grandparent, mother-in-law or father-in-law, grandchild.

"Straight time" means the rate of the job at which the employee would have worked on the employee's scheduled working days.

"Leave of Absence without loss of pay for one day shall be granted to an employee to attend the funeral of the employee's brother-in-law or sister-in-law, son-in-law, and daughter-in-law."

8:03(a) The City shall pay to the Association an annual allowance in February of each year the amount of five thousand six hundred dollars (\$5,600) for the Association to pay duly appointed or elected officials for attendance at Association conventions, education programs or other Association business.

8:03(b) The employer must pay (a) for attendance at grievance meetings, if scheduled during working hours, (b) any other meeting scheduled by the employer during working hours for which the Association's attendance is required by the employer or by the Collective Agreement, and (c) for negotiating meetings which although these may be scheduled during non-working hours, the employer schedules during working hours.

#### 8.04 Quarantine

Should an employee be quarantined by the Medical Officer of Health as a result of work duties, the City will maintain the employee's pay for the scheduled shifts that the employee was unable to work during the quarantine period.

9:00 SENIORITY

- 9:01 Seniority shall be established on the basis of an employee's service with the employer, calculated from the date upon which the employee commenced full time employment with the Fire Services.
- 9:02 The first twelve (12) months service shall be classed as a probationary period and the termination of employment during such period shall not be the subject of a grievance.
- 9:03 A seniority list shall be prepared and approved by the Fire Chief and the Executive Committee of the Association and such a list shall be posted for a period of thirty (30) days in each Fire Station of the City of Sault Ste. Marie on the fifteenth day of January of each year.
- 9:04 Errors or omissions in a list posted in accordance with Article 9:03 shall be corrected on application of the Association or the employee concerned provided:
- (1) such error or omission relates to the period subsequent to the date of the previous list, and
  - (2) the error or omission is brought to the attention of the Fire Chief within fifteen (15) days of the employee's first reasonable opportunity to see the list.
- 9:05 Once a seniority list has been finalized the only protest which will be considered against the next posted list shall be protests relative to deletions and additions occurring since the date of the previous list.
- 9:06 (a) An employee transferring from one division to another may return to their former position within six (6) months from the date of the employee's transfer without loss of divisional seniority. Once an employee has completed six (6) months in that division, a employee may request a transfer to the employee's former division and such transfer will be at the discretion of the Chief. However, if the transfer is to the Fire Suppression Division it shall be a rank not higher than a first class firefighter.
- (b) Divisional seniority lists shall be prepared and approved by the Chief and the Executive Committee of the Association and such lists shall be posted for a period of 30 days in each fire station on the 15th day of January each year.

10:00 PROMOTIONS AND LAYOFFS

- 10:01 In the event a permanent position in the Fire Suppression Division under the jurisdiction of the Association becomes vacant, such position shall be filled by the next senior employee in line for such position within thirty (30) days, provided such employee has the qualifications and ability to perform the job. Where a vacancy occurs in other than the Fire Suppression Division, the job will be posted and preference will be given to the senior applicant with the qualifications and ability to perform the job.

- 10:02 An employee who is promoted shall remain on probation for a period of six (6) months. If found unsuitable for this position by the Chief during the aforementioned periods such employee shall revert to their former position.
- 10:03 In the event that an employee is required to temporarily take over the duties of another whose position is a higher paid position, the employee filling in shall be paid at the higher rate of pay for the hours so employed.
- 10:04 It is understood and agreed that in all cases of promotion to a higher job class, decreases in forces and recall after layoffs, the following factors shall be considered:
- (1) Seniority
  - (2) Qualifications and ability to perform the work.

11:00 WELFARE

- 11:01 The schedule of sick allowance shall be as follows:
- (a) Upon completion of three months of service, sick leave will be accumulated at the rate of one and one-half (1 1/2) days per month from the date of employment.
  - (b) Sick leave will be reduced on the basis that one shift off sick will result in one day deduction from sick leave.
  - (c) Sick leave accumulation in 11:01 (a), (b), shall commence as of January 1, 1983. Accumulation up to December 31, 1982 shall be converted to days and fixed at that amount in the employee's sick leave bank.
- 11:02 Sick leave means the period of time any employee is permitted to be absent from duty with full pay by virtue of being disabled or sick, or because of accident, or illness for which compensation is not payable under the Workplace Safety and Insurance Act, 1996. The foregoing accumulated sick allowance shall be used entirely as sick leave and not have any monetary value at the completion of an employee's service with the City whether retiring voluntarily or dismissed for cause. Notwithstanding the provisions of this article, sick leave will not be paid to an employee who is absent due to an injury suffered while employed by another employer covered by the Workplace Safety and Insurance Act, 1996.
- 11:03 The length of service shall be calculated from the date of employment and such service must be continuous from said date of employment.
- 11:04 Such sick leave to be cumulative, but in no case shall such sick leave exceed a period of two hundred and forty days. An employee who is absent due to illness or leave of absence for the major portion of the employee's regularly scheduled hours in any month shall not accumulate sick leave as provided in article 11:01, in that month.
- 11:05 Recognized days off shall not be deducted from accumulated sick leave.
- 11:06 No employee shall draw during his or her active service with the Fire Services, accumulated sick leave benefits if the absence from work is not due to illness as attested by the certificate of a medical practitioner, if requested by the Employer.

If a certificate is requested by the Employer

- i) for absences of three (3) working days or less, or
- ii) for a second or more certificates for an absence of three (3) working days or more,

the cost of such certificate or certificates, if any, shall be paid by the employer up to a maximum of fifteen dollars (\$15) upon presentation of an invoice from the medical practitioner. The City's Injury/Illness Status form shall be used for this request, with the direction that the medical practitioner only complete the form as applicable.

11:07 An employee in receipt of W.S.I.B. benefits for injuries or illness suffered during the course of employment shall receive full net salary and benefits during such period. During the period an employee received full net salary, all compensation payments shall be deposited with the City.

11:08 Each employee shall be provided with the Ontario Health Insurance Plan, Green Shield Semi-Private and Green Shield Extended Health Care - vision care to include laser eye surgery and/or eye examination of \$250.00 every two (2) years (effective first of the month following ratification of the Memorandum of Settlement) and effective June 1, 2009 increase to \$275.00 every two (2) years, 100% of the cost of such plan to be contributed by the Employer. Green Shield Extended Health Care - Drug Plan co-insurance reinstated to 90% employer /10% employee. Drug Plan to provide for the dispensing of generic drugs unless a physician prescribes a brand name. Overage Dependent Coverage is applied to the Green Shield Extended Health Care. Each employee shall be provided with the Out-of-Province Travel Plan, 100 % of the cost of such plan will be contributed by the Employer and will not be available to retirees.

#### Paramedical Benefit:

Full chiropractic, physiotherapy and massage therapy coverage shall be provided by the employer, from the first visit, to a combined maximum per person per calendar year of \$900.00

Each employee shall be provided with the Great West Life Long Term Disability Plan, 100% of the cost will be contributed by the Employer with coverage to a maximum \$3,500 monthly.

Each employee shall be provided with the Green Shield #9 Dental Plan, Rider 3C, (Lifetime Maximum \$2,000), based on current O.D.A. Schedule minus one (1) year, 100% of the cost of the plan will be contributed by the Employer.

Dental recall for adults (over age 16) to be nine (9) months. Children (age 16 and younger) shall be subject to a six (6) month dental recall.

Overage Dependent Coverage is applied to the Green Shield Dental Plan.

11:09 Each employee shall be provided with Group Life Insurance of two times the employee's salary to the nearest \$1,000.00 with double indemnity: 100% of the cost of such plan will be paid by the Employer. The payment of such benefit shall be in accordance with the terms and conditions of the applicable plan "Great West Life policy #320925."

11:10 The Employer shall have the right to select the carrier for such plans. All refunds, reductions in premiums, dividends, etc., shall become and remain the sole property of the Employer.

Benefits under any such plan or plans shall not be changed or reduced by the Employer without the consent of the Association.

11:11 The Corporation agrees to pay any employee covered by this agreement the difference in regular salary and witness fees when required to act as a Court witness on matters relating to the Employer's business. In addition, when an employee is required to attend Court as a witness on matters relating to the Employer's business during off duty time, such employee shall be paid at the rate of one and one-half times his regular rate, with a minimum of 4 hours at the premium rate, for time so spent. The employee shall provide proof of services, including proof of time spent and amount of payment received. Failure to provide satisfactory proof shall disqualify the employee from such payment or time off.

11:12

- (i) The City agrees to enter into an agreement with the Ontario Municipal Employees Retirement System (O.M.E.R.S.) to provide an O.M.E.R.S. Type 1, 2% formula supplementary pension for all eligible employees. Such pension shall be effective February 1, 1979 and the City shall pay for all prior service costs.  
The parties agree that employees covered under O.M.E.R.S. for normal retirement age 60 shall retire no later than the end of the month in which they reach age 60.  
Those employees covered under O.M.E.R.S. for normal retirement age 65 shall retire no later than the end of the month in which they reach 65.
- (ii) The parties agree that eligibility for LTD benefits, as set out in 11:08 shall cease when the employee becomes eligible for an OMERS unreduced retirement pension.

11:13 The employer agrees to pay the cost of, the Ontario Hospital Insurance Plan, and the Green Shield Extended Health Care Plan - Cap Orthotics/Orthopedic shoes at one (1) pair and \$400/year; vision care to include laser eye surgery and an eye examination may be included with the vision care amount to a maximum of \$250.00 every two years effective the 1<sup>st</sup> of the month following ratification of the memorandum of settlement in 2008 and a maximum of \$275 every two (2) years effective June 1, 2009; 100% of the cost of such plan will be contributed by the Employer. Green Shield Extended Health Care - Drug Plan co-insurance at 90% employer/10% employee; a cap on dispensing fees - \$8.00 maximum per prescription; Drug Plan to provide for the dispensing of generic drugs unless a physician prescribes a brand name. Overage Dependent Coverage is applied to the Green Shield Extended Health Care. Paramedical Benefit - Full chiropractic, physiotherapy and massage therapy coverage shall be provided by the employer, from the first visit, to a combined maximum per person per calendar year of \$900.00. These benefits are provided for employees who retire on an O.M.E.R.S. unreduced early retirement pension. Such benefits shall be paid for the retired employee to age 65. Such benefits shall not apply to a retired employee who is employed elsewhere.

Such benefits shall be paid for a deceased member's surviving spouse and dependent children for a period of twenty-four (24) months following the member's death or until the date as of which the retiree would have attained age 65 or until the surviving spouse remarries, whichever occurs first.

12:00 GRIEVANCE PROCEDURE

12:01 Grievances shall be dealt with in the following manner provided such grievances are filed in writing within 15 working days of the occurrence of the incident which gave rise to the matter in dispute. Any employee or group of employees of the Fire Services covered by this agreement who is of the opinion that the employee has been unjustly disciplined, suspended, superseded, discharged, or unreasonably denied leave of absence, shall have the right to have the case investigated and to be represented by a Committee of the Association.

STEP 1: The employee assisted by an officer of the Association shall discuss the case with the Fire Chief. The Fire Chief shall render his decision in writing together with the reason therefore, within five (5) working days of the hearing.

STEP 2: If the Committee considers that a satisfactory settlement was not reached at Step 1, it may within five (5) working days of receipt of the Step 1 reply request a hearing by the Commissioner of Human Resources, or designated representative. Such request shall state the reason or reasons the answer at Step 1 was unsatisfactory and in what manner the City's interpretation of the contract clause in question is disputed. The Commissioner of Human Resources or his designated representative shall render a decision within five (5) working days of the hearing.

STEP 3: If the Committee considers that a satisfactory settlement was not reached at Step 2, it may within five (5) working days of receipt of the Step 2 reply, request a hearing by the Chief Administrative Officer. The Chief Administrative Officer shall render a decision within five (5) working days of the hearing.

STEP 4: If the Committee considers that a satisfactory settlement was not reached at Step 3, it may within five (5) working days of receipt of the Step 3 reply, request that the grievance be referred to Arbitration pursuant to the Fire Protection and Prevention Act 1997.

12:02 In the event that any employee or group of employees who have been unjustly discharged or suspended shall be reinstated as the result of such settlement of any disagreement as aforesaid, such reinstatement shall be made without loss of time, pay or seniority to such employee.

12:03 No employee shall be discharged or disciplined except for just and sufficient cause. In any discharge or discipline grievance, an Arbitration Board or single Arbitrator shall have the power to dispose of the grievance by any arrangement, which in the opinion of the Arbitration Board or single Arbitrator, it is deemed to be just and equitable.

12:04 Any employee or group of employees having a grievance which the employee wishes the Committee of the Association to represent for such employee shall put the grievance in writing on the grievance form adopted by the Association. The Committee of the Association shall abide by the steps on the grievance form.

- 12:05 In the matter of a grievance a Board of Arbitration or Arbitrator shall not alter, modify or amend any part of this agreement or make any decision inconsistent with its provisions, or the provisions of the Fire Protection and Prevention Act, 1997.

13:00 STRIKES AND LOCKOUTS

The Association agrees that they will at no time enter into or participate in any strike or join any sympathetic strike with or for any other organization.

14:00 CLOTHING AND TURN-OUT GEAR

- 14:01 The following articles of clothing and wear apparel shall be supplied to each employee in the Fire Suppression Division, the Support Services Mechanic and the Training Instructor:

- 1 Uniform which includes one tunic and one pair of pants (every 5 years) starting 1995 and every five years thereafter.
  - 1 - Pair Coveralls (as required)
  - 1 - Sweater (every 2 year) starting 1993
  - 4 - Uniform shirts (annually)
  - 2 - T-Shirts - navy blue (annually)
  - 2 - Pair Station Wear Pants (annually)
  - 1 All-Season coat (every 5 years) starting 2001
  - 1 - Tie (every 2 years) starting 1992
  - 1 - Uniform Cap (every 5 years if required by employee) starting 1992
  - 1 - Winter Hat (every 4 years) starting 1992
  - 1 - Casual Cap - Fire Dept. Approved (every 2 yrs) starting 1992 - to be worn as directed by the Fire Chief. The same as other items of clothing issued are governed.
  - 1 - \$90.00 boot allowance to the Support Services Mechanic and Training Instructor (annually)

- 14:02 Set of turn-out gear shall conform to C.G.S.B. (Canadian General Standards Board) 155.1 - M.88 and shall include bunker coat and bib pants. These items will be supplied as required.

- 1 - Pair leather mitts (as required)
- 1 - Pair woolen liners (as required)
- 1 - Pair Firefighter boots (as required)
- 1 - Firefighter Helmet (as required)

- 14:03 The Fire Prevention Division will be provided the following articles of clothing and wearing apparel:

- 1 - Uniform Cap (annually)
- 1 - Casual Cap (every 2 years) starting 1992
- 1 - Winter Hat (every 4 years) starting 1992
- 1 - Sweater (every 2 years) starting 1993
- 1 - Boot Allowance of \$90.00 (annually)
- 1 - Uniform which includes 2 pair pants (annually)
- 1 - All Season coat (every 5 years) starting 2001
- 1 - Pair coveralls (as required)
- 4 - Dress shirts (annually)
- 1 - Tie (every 2 years) starting 1992

Fire Prevention Officers shall be provided a dry-cleaning allowance of \$115.00 (annually)

- 14:04 It is a desire of the Sault Ste. Marie Professional Firefighters Association and the Sault Ste. Marie Fire Services that when an employee is not in need of a new portion of the uniform clothing package, the employee is encouraged to notify the Platoon Chief or the Office, of such employee's clothing requirements for the upcoming year.

15:00 SCHEDULE OF WAGES

- 15:01 The Schedule of Wages shall be provided in Schedule "A" attached to and forming part of this agreement.

15:02 SERVICE PAY

Employees in the Support Services Mechanic classification of the Sault Ste. Marie Fire Services will be paid service pay annually after five (5) years of service at the rate of \$60.00 for each completed five years of service without maximum. If an employee in the Support Services Mechanic classification resigns, retires or dies, the employee shall receive a proportionate share of the service pay to which the employee would have been entitled at the end of the year. Service pay to be paid no later than the first pay day in December.

16:00 CONTRACTING OUT

- 16:01 Except to the extent and to the degree agreed upon by the parties, and except in the case of an emergency, no work customarily performed by an employee covered by this agreement shall be performed by another employee or a person who is not an employee of the Corporation.

17:00 TECHNOLOGICAL CHANGE

- 17:01 At least 90 days prior to the introduction or implementation of substantial technological changes or mechanization affecting employees, the Corporation shall, by written notice, furnish the Association with full information of the planned change or changes.

Such prior notice shall contain relevant information respecting the nature and degree of change, the date or dates on which the Corporation plans to effect the change, and the location or locations involved.

- (a) Within 15 days after the foregoing notice has been given, the Corporation shall make disclosure to the Association of the effects of the change or changes on any employee.
- (b) Following the said disclosure, representatives of the parties shall meet forthwith for the purpose of negotiating with a view to resolving any issue, which may concern the employment status of any employee.
- (c) If agreement has not been reached within 15 days after disclosure by the Corporation of the effects of the change or changes on any employee, either party may submit any outstanding issue to a Board of Arbitration which shall be constituted in the manner provided for by the Fire Protection and Prevention Act, 1997. The Board of Arbitration shall have full remedial powers to deal with any unresolved issue.

18:00 GENERAL

- 18:01 All fire trucks on active duty shall have an officer in charge of them at all times, unless this is prevented by accident to or sickness of Fire Services Personnel.
- 18:02 Once in each year the employee may notify the Fire Chief in writing in which Fire Hall they prefer to work. Notwithstanding this provision the implementations of such requests shall be at the discretion of the Fire Chief.
- 18:03 Throughout the term of the Collective Agreement the employer will continue its general Municipal liability coverage in the form and upon the terms expressed in the current Royal Insurance Policy #5988612, or its equivalent.
- 18:04 Where the employee of the fire force is charged with criminal or statutory offense flowing from the employee's duties and is subsequently acquitted of such charges, the employee shall be reimbursed for any reasonable legal expenses that have been taxed pursuant to the Solicitor's Act and incurred as a result of such charges. The Corporation further agrees that it will continue the coverage under its present existing general liability insurance or equivalent coverage as specified in article 18:03 herein.
- 18:05 An employee who is authorized to use their vehicle on city business shall be reimbursed on the basis of the current mileage rate paid to other city employees.
- 18:06 The City agrees to pay one hundred and fifty dollars (\$150.00) to employees who utilize their personal vehicle to attend Ontario Fire College to participate in educational programs as approved by the Chief.
- 18:07 Effective February 1, 2000 the Employer agrees to provide a \$75.00 weekly expense allowance to each employee attending the Ontario Fire College.

In addition, the Employer agrees to pay \$145.00 for a return trip home from the Fire College, provided that:

- (i) The employee attends the Fire College for a period of two consecutive weeks or more.
- (ii) The employee does come home and returns to the College.
- (iii) The employee uses their own vehicle to make that trip.
- (iv) The employee files a claim for the payment on completion of the course at the Fire College.
- (v) The above amount will be adjusted as necessary to maintain the same level of payment as provided by the Ontario Fire College.

19:00 CLERICAL POSITIONS

19:01 Notwithstanding the provisions of Articles 5:00, 14:00 and 15:02, the clerical staff shall work a 35 hour week and shall not be entitled to uniform allowance or service pay.

10(b)

20:00 TERM OF AGREEMENT

- 20:01 This agreement shall be effective from the first day of February 1, 2006 to the thirty-first day of January, 2010, and from year to year thereafter unless either party notifies the other in writing not more than ninety (90) days and not less than thirty-one (31) days before the thirty-first day of January in any year, of its desire to amend the Agreement.
- 20:02 If either party desires a change in the agreement, said party shall give written notice of the proposed change to the other party not less than 30 days before the 31st day of January in any year and both parties shall thereupon negotiate in good faith with respect to the matters referred to in the notice.

IN WITNESS WHEREOF the parties have duly executed this agreement.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE CITY  
OF SAULT STE. MARIE

MAYOR J. ROWSWELL

D. IRVING, CITY CLERK

THE SAULT STE. MARIE  
PROFESSIONAL FIREFIGHTERS  
ASSOCIATION - LOCAL 529

  
R. GREVE, PRESIDENT

  
M. MCGRATH, SECRETARY

SCHEDULE "A"

Communications Operator – See Letter of Understanding – Communications Operator

- (a) Any Firefighter permanently disabled because of sickness or accident, but able to do light duty, shall be assigned to fill the position of Communications Operator and shall be paid at the rate of 3<sup>rd</sup> class firefighter. This provision shall not apply to short-term disabilities.
- (b) Salaries for probationer, 4<sup>th</sup> class, 3<sup>rd</sup> class and 2<sup>nd</sup> class firefighters shall be calculated as follows:

2nd Class Firefighter to be 90% of 1st Class rate

3rd Class Firefighter to be 80% of 1st Class rate

4th Class Firefighter to be 70% of 1st Class rate

Probationer Firefighter to be 60% of 1st Class rate

- (c) Salaries for the positions of Captain and Platoon Chief shall be calculated as follows:  
Captain 115% of 1st Class Firefighter effective February 1, 2003  
Platoon Chief 122% of 1st Class Firefighter effective February 1, 2003

- (d) When an employee is assigned to temporarily perform the duties of the Assistant Chief - Support Services the employee shall be paid at the rates outlined below:

February 1, 2006	\$73,623
February 1, 2007	\$76,392
February 1, 2008	\$79,070
February 1, 2009	\$81,643

10(b)

SCHEDULE "A"

Rank	Feb. 1, 2006	
	Annual	Hourly
Platoon Chief	\$85,193	\$39.008
Training Instructor	\$80,305	\$36.770
Captain	\$80,305	\$36.770
Fire Prevention Officer	\$71,382	\$32.684
FPO - 2nd Class	\$64,242	\$29.415
FPO - 3rd Class	\$57,105	\$26.147
FPO - 4th Class	\$49,965	\$22.878
FPO – Probationer	\$42,831	\$19.611
Firefighter - 1 <sup>st</sup> Class	\$69,830.11	\$31.973
Firefighter - 2nd Class	\$62,847	\$28.776
Firefighter - 3 <sup>rd</sup> Class	\$55,864	\$25.579
Firefighter - 4 <sup>th</sup> Class	\$48,881	\$22.381
Firefighter – Probationer	\$41,898	\$19.184
Firefighter Cadet 3 <sup>rd</sup> year	\$48,881	\$22.381
Firefighter Cadet 2nd year	\$45,390	\$20.783
Firefighter Cadet 1st year	\$41,898	\$19.184
Clerk Steno - Level 3	\$40,059	\$22.010
Clerk Steno - Level 2	\$38,169	\$20.972
Clerk Steno - Level 1	\$36,274	\$19.931
Support Services Mechanic L-4	\$67,875	\$31.078
Support Services Mechanic L-3	\$64,517	\$29.541
Support Services Mechanic L-2	\$61,093	\$27.973
Support Services Mechanic L-1	\$57,700	\$26.419

10(b)

SCHEDULE "A"

RANK	Feb. 1, 2007	Feb. 1, 2007	July 1, 2007	July 1, 2007
<b>Platoon Chief</b>	Annual	Hourly	Annual	Hourly
0% (0 – 8 years) Base Rate	\$88,397	\$40.475	\$88,397	\$40.475
2% (9 – 17 years)			\$89,846	\$41.138
4% (18 – 23 years)			\$91,295	\$41.802
6% (24 + years)			\$92,744	\$42.465
<b>Training Instructor</b>	\$83,325	\$38.152	\$83,325	\$38.152
<b>Captain</b>				
0% (0 – 8 years) Base Rate	\$83,325	\$38.152	\$83,325	\$38.152
2% (9 – 17 years)			\$84,774	\$38.816
4% (18 – 23 years)			\$86,223	\$39.479
6% (24 + years)			\$87,672	\$40.143
<b>Fire Prevention Officer</b>				
0% (0 – 8 years) Base Rate	\$74,066	\$33.913	\$74,066	\$33.913
2% (9 – 17 years)			\$75,515	\$34.576
4% (18 – 23 years)			\$76,964	\$35.240
6% (24 + years)			\$78,413	\$35.903
FPO - 2nd Class	\$66,658	\$30.521	\$66,658	\$30.521
FPO - 3rd Class	\$59,253	\$27.130	\$59,253	\$27.130
FPO - 4th Class	\$51,844	\$23.738	\$51,844	\$23.738
FPO – Probationer	\$44,442	\$20.349	\$44,442	\$20.349
<b>Firefighter - 1<sup>st</sup> Class</b>				
0% (0 – 8 years) Base Rate	\$72,456.18	\$33.176	\$72,456.18	\$33.176
2% (9 – 17 years)			\$73,905	\$33.839
4% (18 – 23 years)			\$75,354	\$34.503
6% (24 + years)			\$76,803	\$35.166
Firefighter - 2nd Class	\$65,211	\$29.858	\$65,211	\$29.858
Firefighter - 3 <sup>rd</sup> Class	\$57,965	\$26.541	\$57,965	\$26.541
Firefighter - 4 <sup>th</sup> Class	\$50,719	\$23.223	\$50,719	\$23.223
Firefighter – Probationer	\$43,474	\$19.906	\$43,474	\$19.906
Firefighter Cadet 3 <sup>rd</sup> year	\$50,719	\$23.223	\$50,719	\$23.223
Firefighter Cadet 2nd year	\$47,097	\$21.564	\$47,097	\$21.564
Firefighter Cadet 1st year	\$43,474	\$19.906	\$43,474	\$19.906
Clerk Steno - Level 3	\$41,566	\$22.838	\$41,566	\$22.838
Clerk Steno - Level 2	\$39,604	\$21.760	\$39,604	\$21.760
Clerk Steno - Level 1	\$37,638	\$20.680	\$37,638	\$20.680
Support Services Mechanic L-4	\$70,428	\$32.247	\$70,428	\$32.247
Support Services Mechanic L-3	\$66,944	\$30.652	\$66,944	\$30.652
Support Services Mechanic L-2	\$63,391	\$29.025	\$63,391	\$29.025
Support Services Mechanic L-1	\$59,870	\$27.413	\$59,870	\$27.413

RK  
RH

10(b)

**SCHEDULE "A"**

RANK	Feb. 1, 2008	
<b>Platoon Chief</b>	Annual	Hourly
0% (0 – 8 years) Base Rate	\$91,495	\$41.893
2% (9 – 17 years)	\$92,995	\$42.580
4% (18 – 23 years)	\$94,495	\$43.267
6% (24 + years)	\$95,995	\$43.954
<b>Training Instructor</b>	\$86,245	\$39.489
<b>Captain</b>		
0% (0 – 8 years) Base Rate	\$86,245	\$39.489
2% (9 – 17 years)	\$87,745	\$40.176
4% (18 – 23 years)	\$89,245	\$40.863
6% (24 + years)	\$90,745	\$41.550
<b>Fire Prevention Officer</b>		
0% (0 – 8 years) Base Rate	\$76,662	\$35.102
2% (9 – 17 years)	\$78,162	\$35.788
4% (18 – 23 years)	\$79,662	\$36.475
6% (24 + years)	\$81,162	\$37.162
FPO - 2nd Class	\$68,995	\$31.591
FPO - 3rd Class	\$61,330	\$28.082
FPO - 4th Class	\$53,661	\$24.570
FPO – Probationer	\$45,999	\$21.062
<b>Firefighter - 1<sup>st</sup> Class</b>		
0% (0 – 8 years) Base Rate	\$74,995.65	\$34.339
2% (9 – 17 years)	\$76,496	\$35.025
4% (18 – 23 years)	\$77,995	\$35.712
6% (24 + years)	\$79,495	\$36.399
Firefighter - 2nd Class	\$67,496	\$30.905
Firefighter - 3 <sup>rd</sup> Class	\$59,997	\$27.471
Firefighter - 4 <sup>th</sup> Class	\$52,497	\$24.037
Firefighter – Probationer	\$44,997	\$20.603
Firefighter Cadet 3 <sup>rd</sup> year	\$52,497	\$24.037
Firefighter Cadet 2nd year	\$48,747	\$22.320
Firefighter Cadet 1st year	\$44,997	\$20.603
Clerk Steno - Level 3	\$43,023	\$23.639
Clerk Steno - Level 2	\$40,992	\$22.523
Clerk Steno - Level 1	\$38,957	\$21.405
Support Services Mechanic L-4	\$72,896	\$33.377
Support Services Mechanic L-3	\$69,290	\$31.726
Support Services Mechanic L-2	\$65,612	\$30.042
Support Services Mechanic L-1	\$61,968	\$28.374

"Any Firefighter assigned or transferred to the Fire Prevention Division will be placed in the corresponding FPO class level equivalent to his/her Firefighter class level."

MK  
RH

10(b)

SCHEDULE "A"

RANK	Feb. 1, 2009	
<b>Platoon Chief</b>	Annually	Hourly
0% (0 – 8 years) Base Rate	\$94,472	\$43.257
3% (9 – 17 years)	\$96,795	\$44.320
6% (18 – 23 years)	\$99,118	\$45.384
9% (24 + years)	\$101,441	\$46.447
<b>Training Instructor</b>	\$89,052	\$40.775
<b>Captain</b>		
0% (0 – 8 years) Base Rate	\$89,052	\$40.775
3% (9 – 17 years)	\$91,375	\$41.838
6% (18 – 23 years)	\$93,698	\$42.902
9% (24 + years)	\$96,021	\$43.966
<b>Fire Prevention Officer</b>		
0% (0 – 8 years) Base Rate	\$79,157	\$36.244
3% (9 – 17 years)	\$81,480	\$37.308
6% (18 – 23 years)	\$83,803	\$38.371
9% (24 + years)	\$86,126	\$39.435
FPO - 2nd Class	\$71,240	\$32.619
FPO - 3rd Class	\$63,326	\$28.995
FPO - 4th Class	\$55,407	\$25.370
FPO – Probationer	\$47,496	\$21.747
<b>Firefighter - 1<sup>st</sup> Class</b>		
0% (0 – 8 years) Base Rate	\$77,436.25	\$35.456
3% (9 – 17 years)	\$79,759	\$36.520
6% (18 – 23 years)	\$82,082	\$37.854
9% (24 + years)	\$84,406	\$38.647
Firefighter - 2nd Class	\$69,693	\$31.911
Firefighter - 3 <sup>rd</sup> Class	\$61,949	\$28.365
Firefighter - 4 <sup>th</sup> Class	\$54,205	\$24.819
Firefighter – Probationer	\$46,462	\$21.274
Firefighter Cadet 3 <sup>rd</sup> year	\$54,205	\$24.819
Firefighter Cadet 2nd year	\$50,334	\$23.047
Firefighter Cadet 1st year	\$46,462	\$21.274
Clerk Steno - Level 3	\$44,423	\$24.408
Clerk Steno - Level 2	\$42,326	\$23.256
Clerk Steno - Level 1	\$40,225	\$22.102
Support Services Mechanic L-4	\$75,268	\$34.463
Support Services Mechanic L-3	\$71,545	\$32.759
Support Services Mechanic L-2	\$67,747	\$31.020
Support Services Mechanic L-1	\$63,985	\$29.297

"Any Firefighter assigned or transferred to the Fire Prevention Division will be placed in the corresponding FPO class level equivalent to his/her Firefighter class level."

MK  
RJ

**FIRE****2006 WORK SCHEDULE - 42 HOUR WORK WEEK****SAULT STE. MARIE FIRE SERVICES**

public files/lists/platoon &amp; fire personnel/2006/platoon work schedule

		DEC 25 (2005)	JAN 1 (2006)	JAN 8	JAN 15	JAN 22	JAN 29	FEB 5	FEB 12
D	BBDDDDA AAACCCB	AAACCCC BBBBDDD	BBBBDDD AAAACCC	DAAAACC CBBBBDD	CCBBBBD DDAAAAC	DDDAAAA CCCBBBB	CCCCBBB DDDDAAA	BDDDDAA ACCCCB	
	FEB 19	FEB 26	MARCH 5	MARCH 12	MARCH 19	MARCH 26	APRIL 2	APRIL 9	
D	AACCCCB BBDDDDA	BBBDDDD AAACCCC	AAAACCC BBBBDDD	CBBBBDD DAAAACC	DDAAAAC CCBBBBD	CCCBBBB DDDAAAA	DDDDAAA CCCCBBB	ACCCCB	BDDDDAA
	APRIL 16	APRIL 23	APRIL 30	MAY 7	MAY 14	MAY 21	MAY 28	JUNE 4	
D	BBDDDDA AAACCCB	AAACCCC BBBBDDD	BBBBDDD AAAACCC	DAAAACC CBBBBDD	CCBBBBD DDAAAAC	DDDAAAA CCCBBBB	CCCCBBB DDDDAAA	BDDDDAA ACCCCB	
	JUNE 11	JUNE 18	JUNE 25	JULY 2	JULY 9	JULY 16	JULY 23	JULY 30	
D	AACCCCB BBDDDDA	BBBDDDD AAACCCC	AAAACCC BBBBDDD	CBBBBDD DAAAACC	DDAAAAC CCBBBBD	CCCBBBB DDDAAAA	DDDDAAA CCCCBBB	ACCCCB BDDDDAA	
	AUG 6	AUG 13	AUG 20	AUG 27	SEPT 3	SEPT 10	SEPT 17	SEPT 24	
D	BBDDDDA AAACCCB	AAACCCC BBBBDDD	BBBBDDD AAAACCC	DAAAACC CBBBBDD	CCBBBBD DDAAAAC	DDDAAAA CCCBBBB	CCCCBBB DDDDAAA	BDDDDAA ACCCCB	
	OCT 1	OCT 8	OCT 15	OCT 22	OCT 29	NOV 5	NOV 12	NOV 19	
D	AACCCCB BBDDDDA	BBBDDDD AAACCCC	AAAACCC BBBBDDD	CBBBBDD DAAAACC	DDAAAAC CCBBBBD	CCCBBBB DDDAAAA	DDDDAAA CCCCBBB	ACCCCB BDDDDAA	
	NOV 26	DEC 3	DEC 10	DEC 17	DEC 24	DEC 31 (2006)	JAN 7 (2007)	JAN 14 (2007)	
D	BBDDDDA AAACCCB	AAACCCC BBBBDDD	BBBBDDD AAAACCC	DAAAACC CBBBBDD	CCBBBBD DDAAAAC	DDDAAAA CCCBBBB	CCCCBBB DDDDAAA	BDDDDAA ACCCCB	

**FIRE****2007 WORK SCHEDULE - 42 HOUR WORK WEEK****SAULT STE. MARIE FIRE SERVICES**

public files/lists/platoon &amp; fire personnel/2007/platoon work schedule

		DEC 31 (2006)	JAN 7 (2007)	JAN 14 (2007)	JAN 21	JAN 28	FEB 4	FEB 11	FEB 18
D		DDDDAAAA	CCCCBBBB	BDDDDAAB	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
N		CCCBBBBB	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
		FEB 25	MARCH 4	MARCH 11	MARCH 18	MARCH 25	APRIL 1	APRIL 8	APRIL 15
D		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
N		DDDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
		APRIL 22	APRIL 29	MAY 6	MAY 13	MAY 20	MAY 27	JUNE 3	JUNE 10
D		DDDDAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
N		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
		JUNE 17	JUNE 24	JULY 1	JULY 8	JULY 15	JULY 22	JULY 29	AUG 5
D		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
N		DDDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
		AUG 12	AUG 19	AUG 26	SEPT 2	SEPT 9	SEPT 16	SEPT 23	SEPT 30
D		DDDDAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
N		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
		OCT 7	OCT 14	OCT 21	OCT 28	NOV 4	NOV 11	NOV 18	NOV 25
D		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD
N		DDDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
		DEC 2	DEC 9	DEC 16	DEC 23	DEC 30 (2007)	JAN 6 (2008)	JAN 13 (2008)	JAN 20 (2008)
D		DDDDAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC
N		CCCBCCCC	DDDDAAA	ACCCCBB	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD

**FIRE****2008 WORK SCHEDULE - 42 HOUR WORK WEEK****SAULT STE. MARIE FIRE SERVICES**

public files/lists/platoon &amp; fire personnel/2008/platoon work schedule

		DEC 23 (2007)	DEC 30 (2007)	JAN 6 (2008)	JAN 13	JAN 20	JAN 27	FEB 3	FEB 10
D	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCBBBB	DDDDAAA	ACCCCBB	
N	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
		FEB 17	FEB 24	MARCH 2	MARCH 9	MARCH 16	MARCH 23	MARCH 30	APRIL 6
D	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
N	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCB BBB	DDDDAAA	ACCCCBB	
		APRIL 13	APRIL 20	APRIL 27	MAY 4	MAY 11	MAY 18	MAY 25	JUNE 1
D	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCBBBB	DDDDAAA	ACCCCBB	
N	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
		JUNE 8	JUNE 15	JUNE 22	JUNE 29	JULY 6	JULY 13	JULY 20	JULY 27
D	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
N	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCB BBB	DDDDAAA	ACCCCBB	
		AUG 3	AUG 10	AUG 17	AUG 24	AUG 31	SEPT 7	SEPT 14	SEPT 21
D	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCBBBB	DDDDAAA	ACCCCBB	
N	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
		SEPT 28	OCT 5	OCT 12	OCT 19	OCT 26	NOV 2	NOV 9	NOV 16
D	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	
N	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCB BBB	DDDDAAA	ACCCCBB	
		NOV 23	NOV 30	DEC 7	DEC 14	DEC 21	DEC 28 (2008)	JAN 4 (2009)	JAN 11 (2009)
D	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	CCCBBBB	DDDDAAA	ACCCCBB	
N	BBDDDDA	AAACCCC	BBBBDDD	DAAAACC	CCBBBBD	DDDAAAA	CCCCBBB	BDDDDAA	

10(b)

## FIRE

## 2009 WORK SCHEDULE - 42 HOUR WORK WEEK

## SAULT STE. MARIE FIRE SERVICES

public files/lists/platoon &amp; fire personnel/2009/platoon work schedule

		DEC 28 (2008)	JAN 4 (2009)	JAN 11	JAN 18	JAN 25	FEB 1	FEB 8	FEB 15
D	CCCCBBBB	DDDDAAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
N	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
		FEB 22	MARCH 1	MARCH 8	MARCH 15	MARCH 22	MARCH 29	APRIL 5	APRIL 12
D	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
N	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
		APRIL 19	APRIL 26	MAY 3	MAY 10	MAY 17	MAY 24	MAY 31	JUNE 7
D	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
N	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
		JUNE 14	JUNE 21	JUNE 28	JULY 5	JULY 12	JULY 19	JULY 26	AUG 2
D	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
N	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
		AUG 9	AUG 16	AUG 23	AUG 30	SEPT 6	SEPT 13	SEPT 20	SEPT 27
D	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
N	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
		OCT 4	OCT 11	OCT 18	OCT 25	NOV 1	NOV 8	NOV 15	NOV 22
D	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	
N	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
		NOV 29	DEC 6	DEC 13	DEC 20	DEC 27 (2009)	JAN 3 (2010)	JAN 10 (2010)	JAN 17 (2010)
D	CCCCBBBB	DDDDAAA	ACCCCCBB	BBDDDDDA	AAACCCC	BBBBBDDD	DAAAACC	CCBBBBBD	
N	DDDAAAA	CCCCBBB	BDDDDAA	AACCCCB	BBBDDDD	AAAACCC	CBBBBDD	DDAAAAC	

10(b)

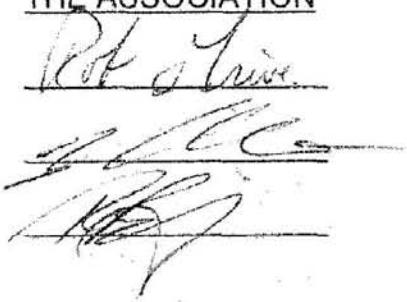
LETTER OF UNDERSTANDING

Transfer of Manpower

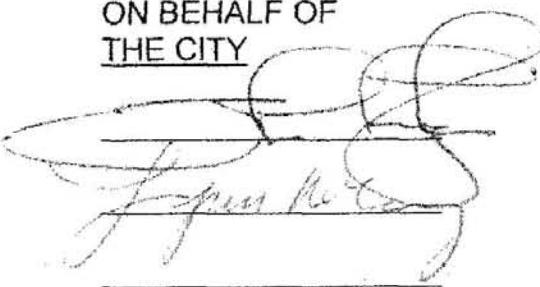
1. The Corporation agrees to the annual realignment of platoons for the purpose of vacation selection and acting ranks in accordance with a employees seniority.
2. The Corporation shall have the right to temporarily transfer the junior man in each platoon who is on duty at the time the reassignment is required.
3. In the application of this right to temporary transfer it is agreed it will apply only to transfers from Platoon A to B or Platoon B to A or from Platoon C to D or Platoon D to C.
4. In the application of a transfer from Platoon A or B to Platoon C or D, or vice versa, such transfers shall only occur when the absence is known to be for a period of three weeks or more.
5. It is agreed that prior to implementing such transfer as outlined in 4 above, the Chief will meet with the Association and provide the necessary information related to such transfer.
6. It is agreed that where an employee on temporary transfer is required to work more than his regularly scheduled hours such employee will be granted lieu time off with pay for such extra time worked.  
Such time off will be scheduled when sufficient manpower is available and once such time off is scheduled it shall not be changed with less than one (1) calendar week notice except by agreement of the employee and the department.  
Employees shall be paid out by January 31<sup>st</sup> at their regular straight time rate of pay for any unused lieu time hours from previous calendar year.
7. It is agreed that no more than two employees from any one platoon will be on temporary transfer at any one time.
8. It is agreed that an employee on temporary transfer shall be allowed to take his vacation as scheduled.

AGREED TO THIS 27 DAY OF November, 2008.

ON BEHALF  
THE ASSOCIATION



ON BEHALF OF  
THE CITY



mk  
RH

10(b)

## LETTER OF UNDERSTANDING

### Communications Operator

The City agrees to establish a cadet system to perform the duties of Communications Operator which shall be the entry position into the Firefighting services.

As it is the interest of the City to utilize cadets as both Communications Operators and as firefighters, as necessary, the entry requirements for a cadet will be the same as applied to firefighters.

The City agrees to hire cadets to fill the Communications position at the following rates:

1 <sup>st</sup> year	-	60% of 1 <sup>st</sup> class firefighter rate
2 <sup>nd</sup> year	-	65% of 1 <sup>st</sup> class firefighter rate
3 <sup>rd</sup> year	-	70% of 1 <sup>st</sup> class firefighter rate

An employee shall remain as a Communications Operator until such time as a vacancy occurs for a firefighter and then the senior qualified communications operator shall be assigned as a fourth class firefighter.

A new employee shall be on probation for the first twelve months of employment; a maximum of six (6) months shall be served as Probationary Communication Operator and the remainder of the twelve (12) months as a Probationary Firefighter.

The termination of employment during any such probation periods shall not be the subject of a grievance.

Communications operators will be assigned to firefighting duties to fill temporary vacancies as required and shall be paid at their regular rate of pay.

A regular firefighter who is capable of performing light duty shall be assigned temporarily to the Communications Operator position at his regular rate of pay. In the event of a dispute over the ability of a employee to perform such duties, the final determination will be based on medical evidence.

AGREED TO THIS 27 DAY OF November, 2008.

ON BEHALF  
THE ASSOCIATION

Ron Slive  
B. M. C.  
R. H. J.

ON BEHALF OF  
THE CITY

J. P. Murphy

**LETTER OF UNDERSTANDING****Health & Safety Committee**

It is mutually agreed that the parties will co-operate to the fullest extent in the prevention of accidents and in the promotion of safety and health of the employees.

The City will make all reasonable provision for the safety and protection of the health of the employees.

The Union agrees that a Worker Representative(s) will be selected for participation in the Joint Health and Safety Committee in accordance with the Occupational Health and Safety Act.

The Union agrees Worker members of the Committee will attend and participate in Joint Health and Safety meetings in accordance with the Occupational Health and Safety Act.

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-3

**APPOINTMENTS TO LOCAL BOARDS:** (L.5.1.1.) A by-law to appoint members to various Local Boards in the City of Sault Ste. Marie.

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

1. **APPOINTMENTS TO THE FENCE VIEWERS COMMITTEE**

- (a) The following persons are hereby appointed as fence viewers for the City of Sault Ste. Marie pursuant to the Line Fences Act, R.S.O., 1990, chapter L.17 and amendments thereto from January 12, 2009 to December 31, 2010:

Frank DelBosco,  
Roy O'Neill  
Luca Robibaro  
Terry Higginson (alternate)

(b) **PER DIEM RATE**

Each fence viewer shall be paid the sum of \$25.00 for each day's work done under the Line Fences Act.

2. **APPOINTMENTS TO THE MUNICIPAL HERITAGE COMMITTEE**

The following persons are hereby appointed as members of the Local Municipal Heritage Committee pursuant to Section 28 of The Ontario Heritage Act, R.S.O., 1990, chapter O.18 and pursuant to the terms of By-law 2003-117 from January 12, 2009 to December 31, 2010:

Bryan Hayes  
Lloyd Beilhartz  
Cindy Crawford  
David Ellis  
Robert Ewing  
Roger Kinghorn  
Anne MacGregor  
Kelly Marshall  
Harvey Robbins  
Ted Wall  
Laurence Woolley

3. **APPOINTMENTS TO THE  
LOCAL IMPROVEMENT COURT OF REVISION**

The following persons are hereby appointed as members of the Sault Ste. Marie Court of Revision pursuant to Section 18 of Regulation 119/03 filed under the Municipal Act 2001, S.O. 2001, c.25 and amendments thereto from January 12, 2009 to December 31, 2010:

**NOTICE**  
THIS IS A DRAFT DOCUMENT. This document has not been adopted by City Council. It may not be enacted at all. Also, if enacted, it may not be in the form of the DRAFT copy.  
CITY SOLICITOR

Carlo Barban  
Glenn Bernardi,  
Luca Robibaro  
Suzanne Farrell (alternate)

4. **APPOINTMENTS TO RESIDENTIAL STANDARDS COMMITTEE**

The following persons are hereby appointed as members of the Sault Ste. Marie Residential Standards Committee pursuant to section 31(11) of Planning Act, R.S.O. 1990 c.P.13 and amendments thereto from January 12, 2009 to December 31, 2010:

Carlo Barban  
Glenn Bernardi  
Suzanne Farrell

**5. APPOINTMENTS TO PLANNING ADVISORY COMMITTEE**

The following persons are hereby appointed as members of the Planning Advisory Committee pursuant to s. 8 of the Planning Act, R.S.O. 1990, c.P.13 and amendments thereto from January 12, 2009 to December 31, 2010:

Carlo Barban  
Peter Berlingieri  
Suzanne Farrell  
Damon Godfrey  
Catherine Meincke  
Wayne Mezzomo  
Luca Robibaro

**6. APPOINTMENTS TO MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT**

- (a) The following persons are hereby designated to act as Head for the purpose of administering the Municipal Freedom of Information and Protection of Privacy Act pursuant to s. 3 of the Municipal Freedom of Information and Protection of Privacy Act from January 12, 2009 to December 31, 2010:

John Rowswell  
James Caicco  
David Celetti  
Frank Fata  
Ozzie Grandinetti  
Terry Sheehan

(b) **POWERS OF HEAD DELEGATED**

Pursuant to s. 49 of the Municipal Freedom of Information and Protection of Privacy Act all of the powers and duties granted or vested in the Head are hereby delegated to the City Solicitor or the Assistant City Solicitor.

**7. EFFECTIVE DATE**

This by-law shall be effective from the date of its final passing.

**READ THREE TIMES and PASSED** in Open Council this 12<sup>th</sup> day of January, 2009.

**MAYOR – JOHN ROWSWELL**

**CLERK – DONNA IRVING**

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-4

**PARKING:** (P.1.2.4.) A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the *Police Services Act*, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS AS FOLLOWS:**

1. **SCHEDULE "A" TO BY-LAW 90-305 AMENDED**

Schedule "A" to By-law 90-305 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

READ THREE times and PASSED in open Council this 12<sup>th</sup> day of January, 2009.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK – DONNA IRVING

\Bylaws\2009 Bylaws\2009-4 Parking Officers

**NOTICE**

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CITY SOLICITOR

10(d)

BADGE NO.	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION
12	ROUSE,BRIAN	ALGOMA UNIVERSITY	1520 QUEEN ST E
26	MCLEOD,ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS
30	RENDELL,VERN	ALGOMA CENTRAL PROP	STATION MALL/STATION 48/STATION TOWER
35	DERR,DEREK	NORPRO SECURITY	ST MARY'S PAPER/SAUTL COLLEGE
37	MILLER,STEVE	NORPRO SECURITY	ST MARY'S PAPER
59	BARONE,MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN ST E
109	SEBEVIC,JOHN,LUDVIC	DENTAL BUILDING	946 & 216 QUEEN ST E.
113	TAYLOR,GARY	ALGOMA UNIVERSITY	1520 QUEEN ST E
115	LEE,RICARD,JOHN	ALGOMA UNIVERSITY	1520 QUEEN ST E
138	CAIN,JOSEPH	CITY OF SAULT STE MARIE	BELLVUE MARINA & BONDAR MARINE & PARK
151	PARR,DEREK,RAYMOND	NORPRO SECURITY	ST MARY'S PAPER
153	TASSONE,VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACCO,PHILIP,CARMEN	ALGOMA CENTRAL PROP	STATION MALL/STATION 48/STATION TOWER
178	D'AGOSTINI,ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST.
179	DARLOW,LEONARD	ALGOMA UNIVERSITY	1520 QUEEN ST E
186	HARMAN,JASON	ALGOMA CENTRAL PROP	STATION MALL/STATION 48/STATION TOWER
190	LALONDE,BRIAN	CITY OF SAULT STE MARIE	BELLVUE MARINA & BONDAR MARINE & PARK
191	BROWN,STEVEN,GEORGE	SEP SCHOOL BOARD	SEPARATE SCHOOL BOARDS PROPERTIES
196	SEABROOK,LAURA,LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 48/STATION TOWER
208	BECK,DESMOND	G4S SECURITY	SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY
240	MASON,STEPHEN	NORPRO SECURITY	ST MARY'S PAPER/SAUTL COLLEGE/REGENT PROP.
241	COGHILL,ROBIN	NORPRO SECURITY	ST MARY'S PAPER/SAUTL COLLEGE/REGENT PROP.
248	CHAN,GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST./128 SECOND LINE W
249	CHO,LINDA	DR. RAYMOND CHO	71 & 131 EAST ST./128 SECOND LINE W
253	TRAVSON,TERRANCEY(TERRY)	NORTH EAST SECURITY	BELLVUE MARINA & BONDAR MARINE & PARK
282	ADAM,CINDY	SAULT COLLEGE	SAULT COLLEGE
283	RECOLLECT,HOLLY	NORPRO SECURITY	ST MARY'S PAPER/SAUTL COLLEGE/REGENT PROP.
287	CORBIERE,JOHN,ALLAN	G4S SECURITY	CROSS COUNTRY/DAVEY HOME/HOSPITAL/ALGOMA UNIVERSITY
274	DAVIDSON,JAMES	NORPRO SECURITY	STMARY'S PAPER/SAUTL COLLEGE/REGENT PROP.
275	EBARE,WALLACE	G4S SECURITY	DAVEY HOME/HOSPITAL/UNIVERSITY/308 FARWELL TERR
276	SMITH,DENNIS,ROBERT	G4S SECURITY	DAVEY HOME/HOSPITAL/UNIVERSITY
296	MURDOCK,IESHIA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/REGENT PROP.
297	SWIRE,WMILLIAM,JAMES	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/REGENT PROP.
298	MANN,DUSTIN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME
299	DIMMA,WMILLIAM,GEORGE	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/ALGOMA UNIVERSITY
301	COTTINGHAM,EDWARD,ALLEN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
307	GUREVITCH,JASON	NORTH EAST SECURITY	CAMBRIAN MALL/PINE/CHURCHILL PLAZA/BELLVUE PARK&MARINA/STEELBACK
308	PIEGAU,EDWARD	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
314	AASEN,PAULINE	KOPRASH BULDING SER.	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
316	MCCULLOCH,BRANDON	G4S SECURITY	SAULT HOSPITAL/ALGOMA UNIVERSITY
321	LORENZO,COREY	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/REGENT PROP/ST.MARY'S PAPER
330	ONEILL,ROY	RIOGAN PROPERTIES	CAMBRIAN & PINE & CHURCHILL PLAZAS
331	HAMILTON,SILVI	RIOCAN PROPERTIES	CAMBRIAN & PINE & CHURCHILL PLAZAS
334	MILLER,BRAD	CITY OF SAULT STE MARIE	TRANSIT SERVICES AREAS
335	GROSSO,DONALD	NORTH EAST SECURITY	CHURCHILL & PINE PLAZAS/CAMBRIAN MALL
337	RENINISON,JEFF	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE
340	DAMIGNANI,MATTHEW	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE
342	PICK,DENNY	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE
343	CHILLMAN,JODI	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE
344	HARPE,KENNETH	DAYS INN	DAYS INN HOTEL
345	SETCHELL,RODDY	NORTH EAST SECURITY	CHURCHILL & PINE PLAZAS/CAMBRIAN MALL/STEELBACK/BELLUE MARINA
346	HAZELTON,MARGARET	CITY OF SAULT STE MARIE	BELLEVUE MARINA
347	BEDELL,LUCAS	CITY OF SAULT STE MARIE	BELLEVUE MARINA
348	LEWIS,PETER	NORPRO SECURITY	SAULT COLLEGE/ELGIN TOWERS/GROUP HEALTH CENTRE
351	MCLEOD,JENNIFER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
352	O'CONNOR,DANIEL	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES/NCO
354	STEEVES,ROBERT	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES/NCO
357	BONENFANT,TERRANCE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
358	COLLINS,LESLIE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
360	HALLIGAN,AGNES	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
363	SMELTZER,LESLEY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
364	SMELTZER,PETER	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
365	CLOUTON,JOHN	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
366	TRONIOW,VICTORIA	G4S SECURITY	SAULT HOSPITAL/ALGOMA UNIVERSITY
367	MORIN,NATHAN	NORTH EAST SECURITY	STEELBACK CENTRE
368	WILLET,JORDAN	NORPRO SECURITY	SAULT COLLEGE
369	CARMICHAEL,MARY	ON.FINNISH HOME ASS.	FINNISH REST HOME
370	HANSEN,LOUIS	ON.FINNISH HOME ASS.	FINNISH REST HOME
371	LAKE,ROBERT	ON.FINNISH HOME ASS.	FINNISH REST HOME
372	BENOIT,ALAIN	ON FINNISH HOME ASS.	FINNISH REST HOME
373	RISSENAN,ANJA	ON.FINNISH HOME ASS.	FINNISH REST HOME
374	TAAVEL,ANDRE	CITY OF SAULT STE MARIE	TRANSIT SERVICES AREAS
376	FINN,ROBERT	G4S SECURITY	SAULT HOSPITAL
377	BADGERO,PAUL	G4S SECURITY	ALGOMA UNIVERSITY
378	SMITH,BENJAMIN	G4S SECURITY	SAULT HOSPITAL
379	MANGONE,MATTHEW	G4S SECURITY	SAULT HOSPITAL
380	MARIN,MARTY	G4S SECURITY	SAULT HOSPITAL
381	DEVOE,PATTI-JEAN	SOLID SECURITY SERVICES	CAMBRIAN MALL
382	HALPIN,MATTHEW	SOLID SECURITY SERVICES	CAMBRIAN MALL
383	DEVOE,DANIEL	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
384	BORGAN,RICK	CITY OF SAULT STE MARIE	ROBERTA BONDAR PARK/BELLEVUE MARINA
385	LOUBERT,JACOB	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE
386	MAJOR,ROBERT	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE
387	DENNING,ROBERT	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE
388	VILLENEUVE,CHRIS	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE

10(d)

389	SANDIE,KEVIN	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE
390	DUNN,PAR	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE
391	MCLEOD,HEIDI	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE
392	MEINCKE,KENNETH	G4S SECURITY	SAULT AREA HOSPITAL
393	PRESCOFT,LACASSE,JOSEE	G4S SECURITY	SAULT AREA HOSPITAL
394	REID,RAYMOND	G4S SECURITY	SAULT AREA HOSPITAL
395	KELLY,PATRICK	G4S SECURITY	SAULT AREA HOSPITAL
396	THOMAS,RANDALL	NORTH EAST SECURITY	ESSAR CENTRE/ALGOMA UNIVERSITY
397	LAFRANCE,YVONNE	NORTH EAST SECURITY	ESSAR CENTRE/ALGOMA UNIVERSITY
398	BELANGER,CAROL	NORTH EAST SECURITY	ALGOMA UNIVERSITY
399	MELLEA,ALDO	NORTH EAST SECURITY	ESSAR CENTRE/ALGOMA UNIVERSITY
400	JOHNSON,MICHAEL	NORTH EAST SECURITY	ESSAR CENTRE/ALGOMA UNIVERSITY

10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-2

**PUC INC.**: (L.5.9) A by-law to authorize the execution of a Notice of the exercise of option to convert \$8,520,000 of principal of a promissory note into 13,632 common shares in the capital stock of PUC Inc.

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

1. **EXERCISE OF OPTION**

The Corporation of the City of Sault Ste. Marie hereby authorizes the exercise of its option of conversion pursuant to paragraph 1.2 of the Promissory Note dated August 15, 2001, whereby the sum of \$8,520,000 may be converted into 13,632 common shares of the capital stock of PUC Inc. effective January 31, 2009.

2. **EXECUTION OF NOTICE OF EXERCISE OF OPTION**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a Notice of Exercise of Option in the form of Schedule "A" hereto dated the 12th day of January, 2009.

3. **EFFECTIVE DATE**

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

**READ THREE TIMES and PASSED** in open Council this 12th day of January, 2009.

MAYOR - JOHN ROWSWELL

CLERK - DONNA P. IRVING

DH \BYLAWS\2009\2009-2 PUC NOTICE OF EXERCISE OF OPTION

NOTICE  
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CITY SECRETARY

## SCHEDULE "A"

NOTICE

TO: PUC INC.  
765 Queen Street East  
Sault Ste. Marie, Ontario  
P6A 6P2

Re: Exercise of Option – Promissory Note dated August 15<sup>th</sup>, 2001 (the “Note”) between PUC Inc. (the “Borrower”) and The Corporation of the City of Sault Ste. Marie (the “Holder”) in the principal amount of Fifteen Million Two Hundred and Forty Thousand Dollars \$15,240,000.00 (the “Principal”)

TAKE NOTICE that pursuant to paragraph 1.2 of the Note the Holder hereby exercises its option to convert the sum of Eight Million Five Hundred and Twenty Thousand Dollars (\$8,520,000.00) of the Principal into Thirteen Thousand Six Hundred and Thirty Two (13,632) Common Shares in the capital stock of the Borrower, effective January 31<sup>st</sup>, 2009. Upon issuance of the Shares the Principal of the Note shall be Six Million Seven Hundred and Twenty Thousand Dollars (\$6,720,000.00).

DATED this 12TH day of January, 2009.

THE CORPORATION OF THE  
CITY OF SAULT STE. MARIE

Per: \_\_\_\_\_  
John Rowswell – Mayor

Per: \_\_\_\_\_  
Donna Irving – Clerk

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-13

**PUC INC.:** (L.5.9) A by-law to authorize the execution of an agreement between the City and PUC Inc. to amend a promissory note dated August 15, 2001.

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

1. **EXECUTION OF DOCUMENT**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 12th day of January, 2009, between the City and PUC Inc. to amend a promissory note dated August 15, 2001 to add a paragraph to allow the City (as Note Holder) to convert all or any part of the principal of the Promissory Note into common shares at a rate of \$625.00 per share.

2. **EFFECTIVE DATE**

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

READ THREE TIMES and PASSED in open Council this 12th day of January, 2009.

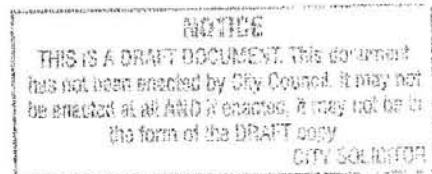
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MAYOR - JOHN ROWSWELL

---

CLERK - DONNA P. IRVING

DH \BYLAWS\2009\2009-13 PUC Agrt to amend note



## SCHEDULE "A"

**THIS AGREEMENT** made the 18<sup>th</sup> day of December, 2008.

**BETWEEN:**

**THE CORPORATION OF THE CITY OF SAULT STE. MARIE,**  
a Municipal Corporation,

(hereinafter referred to as the "Holder")

- and -

**PUC INC.**, an Ontario Corporation,

(hereinafter referred to as the "Borrower")

**THIS AGREEMENT WITNESSES** that in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration the parties hereto agree as follows:

**1.0 BACKGROUND**

1.1 The Borrower is indebted to the Holder in the amount of Fifteen Million Two Hundred and Forty Thousand Dollars (\$15,240,000.00) as evidenced by a promissory note dated August 15<sup>th</sup>, 2001 (the "Promissory Note");

1.2 As a result of legislative changes imposing debt/equity limits on Municipal Electric Utilities in Ontario the parties hereto have agreed to amend the Promissory Note as provided herein.

**2.0 CONVERSION OPTION**

2.1 The Promissory Note is hereby amended by adding to paragraph 1.0 the following:

1.2 The Holder shall, at any time during the currency of this Note, have the option to convert all or any part of the principal of the Note into Common Shares of the Borrower at the rate of \$625.00 per share. This option shall be exercised

by the Holder by written notice delivered or sent by registered mail to the Borrower at the Borrower's principal place of business specifying the amount of principal to be converted and the effective date of the conversion, which date shall not be less than ten (10) days from the date of the Notice. The Borrower shall, on the effective date specified in the Notice, issue to the Holder as fully paid and non-assessable such number of Common Shares as may be required to convert the amount of principal specified in the notice at the rate aforesaid and upon the issuance of such Shares the principal amount of the Note shall be reduced accordingly.

### **3.0 INTEREST RATE**

3.1 The Promissory Note is further amended by deleting paragraphs 3.1 and 3.2 and substituting the following:

3.1 This Note shall bear interest at the rate of 6.1 percent per annum calculated from January 1<sup>st</sup>, 2009. Interest shall be payable on the last days of June, September and December in each year. Notwithstanding the foregoing the interest rate may be adjusted on a quarterly basis by mutual agreement between the Borrower and the Holder.

3.2 The Borrower agrees that in the absence of manifest error the record of the changes in the interest rate kept by the Holder on the grid attached as Schedule "A" to this Agreement, shall be conclusive evidence of the matters recorded.

### **4.0 INTERPRETATION**

4.1 A copy of this Agreement signed by both parties shall be attached to the Promissory Note and shall form a part thereof.

4.2 Except as amended herein the Promissory Note shall remain in full force and effect and the Borrower hereby reaffirms its obligations to the Holder pursuant to the Note notwithstanding the amendments contained herein.

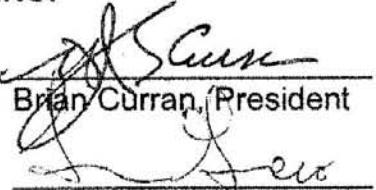
4.3 This Agreement shall be governed by and interpreted in accordance with the laws of the Province of Ontario.

4.4 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

10(4)

**IN WITNESS WHEREOF** PUC Inc. has executed this Agreement on the 18<sup>th</sup> day of December, 2008.

**PUC INC.**

Per:   
Brian Curran, President

Per:   
Terry Greco, Treasurer

We have authority to bind the Corporation

**IN WITNESS WHEREOF** The Corporation of the City of Sault Ste. Marie has executed this Agreement on the 12TH day of January, 2009.

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

Per: \_\_\_\_\_  
John Rowswell, Mayor

Per: \_\_\_\_\_  
Donna Irving, Clerk

We have authority to bind the Corporation

10(+)

SCHEDULE "A"

DATE	INTEREST RATE	NOTATION MADE BY

10(g)

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

**BY-LAW 2009-8**

**REGULATIONS:** (R.1.2.1.) being a by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

The Council of the Corporation of the City of Sault Ste. Marie, pursuant to Section 129 of the Municipal Act, 2001 S.O. 2001 c. 25 ENACTS as follows:

**1. EXEMPTION FROM NOISE CONTROL BY-LAWS**

Despite the provisions of By-law 80-200 or By-law 4100, the discharge of noise from the area bounded at the Airport Fairgrounds shall be deemed no to be violations of either By-law 80-200 or By-law 4100 on the following dates and times to facilitate various events.

Wheels on Ice Show:

Saturday, February 28, 2009 – from 11:00 a.m. to 4:00 p.m.

Amateur Snow Drags:

Saturday, March 7, 2009 – from 10:00 a.m. to 6:00 p.m.

Sunday, March 8, 2009 – from 10:00 a.m. to 6:00 p.m.

**2. EFFECTIVE DATE**

This by-law is effective on February 28, March 7, and March 8, all in 2009.

READ THREE TIMES and PASSED in Open Council this 12<sup>th</sup> day of January, 2009.

MAYOR – JOHN ROWSWELL

**NOTICE**

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CITY SOLICITOR

CITY CLERK – DONNA IRVING

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-14

**STREET ASSUMPTION:** (P.4.6.402) a by-law to assume for public use and establish as a public street a portion of an unopened road allowance running northwesterly from Frontenac Street.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, thereto ENACTS as follows:

1. **STREET ESTABLISHED AND ASSUMED**

The street or parts of street more particularly described in Schedule "A" to this by-law is hereby established as a public street and is assumed for public use.

2. **SCHEDULE "A"**

Schedule "A" forms a 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 12<sup>th</sup> day of January, 2009.

MAYOR - JOHN ROWSWELL

CITY CLERK - DONNA IRVING

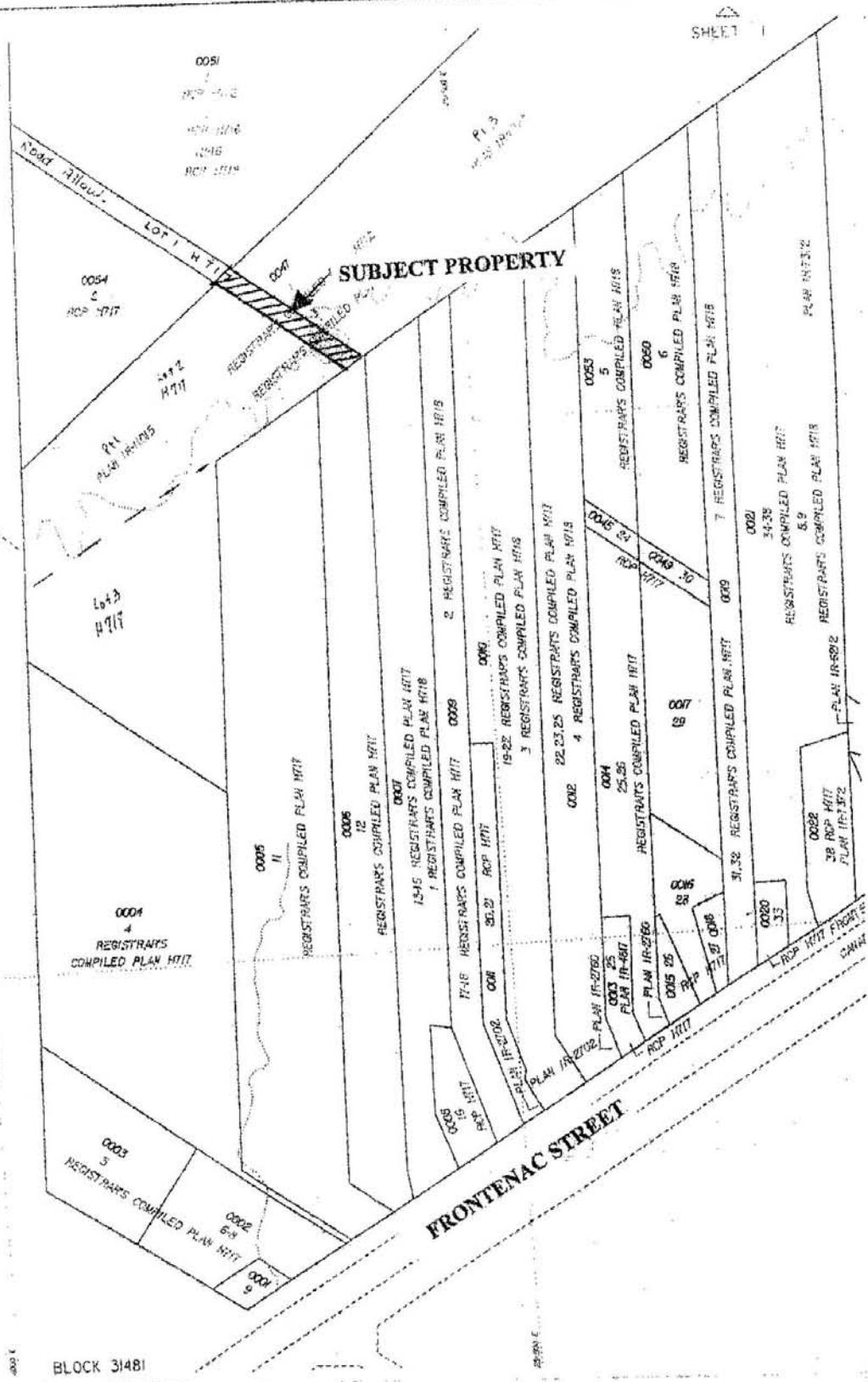
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CITY SOLICITOR

Schedule A

10(h)



10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-11

**TAXES:** (T.1.3.) A By-Law to Provide for Interim Tax Levies

WHEREAS Section 317 of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, provides that the council of a local municipality, before the adoption of estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie enacts as follows:

1. In this by-law the following words shall be defined as:

"Act" shall mean the *Municipal Act, 2001 S.O. 2001, C.25*, as amended

"Minister" shall mean the Minister of Finance;

"MPAC" shall mean the Municipal Property Assessment Corporation;

"Treasurer" means the treasurer of the Corporation of the City of Sault Ste. Marie or a person delegated the Treasurer's powers and duties under s.286(5) of the Act and By-law 2006-199, being the City Tax Collector.

2. The amounts levied shall be as follows and payable to the Treasurer:

- 2.1 For the Residential, Pipeline, Farm and Managed Forest property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2008 in accordance with Section 317(3) paragraph 2 of the Act.

- 2.2 For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2008, in accordance with Section 317(3) paragraph 2 of the Act.

3. For the purposes of calculating the total amount of taxes for the year 2008 under paragraph 2, if any taxes for municipal and school purposes were levied on a property for only part of 2008 because assessment was added to the Tax Roll during 2008, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.

4. The provisions of this by-law apply in the event that assessment is added for the year 2009 to the Tax Roll after the date this by-law is passed and the tax levy shall be imposed and collected.

5. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.

6. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the installment dates set out below. The penalty shall be one percent (1%) of the amount on the first day of default and on the first day of each calendar month during which the default continues, but not after the end of 2009.

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CITY SOLICITOR

7. Following December 31, 2009, interest charges of one percent (1%) shall be imposed upon the amount in default on the first calendar day of each month during which the default continues.
8. The final tax levy imposed by this by-law shall be paid in two installments due on the following dates:
  - 8.1 One-half (1/2) thereof on the 5<sup>th</sup> day of March, 2009;
  - 8.2 One-half (1/2) thereof on the 5<sup>th</sup> day of May, 2009.
9. A notice specifying the amount of taxes payable, may be mailed or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law by the Treasurer.
10. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Tax roll under Section 340 of the Act.
11. The Treasurer may adjust the interim levy of a property if the taxes imposed by this by-law are in excess of 50% of the taxes levied on that property in 2008, adjusted to annualize any assessment changes that occurred during 2008, adjusted to annualize any assessment changes that occurred during 2008. No adjustment shall reduce the 2009 interim levy below 50% of the adjusted tax amount.
12. The subsequent levy for the year 2009 to be made under the Act shall be reduced by the amount to be raised by the levy imposed by this by-law.
13. The provisions of Section 317 of the Act, apply to this by-law with necessary modifications.
14. The Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under section 7 of this by-law in respect of non-payment or late payment of any taxes or any installment of taxes.
15. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
16. By-law 2008-10 is hereby repealed
17. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

**18. EFFECTIVE DATE**

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

Read THREE times and PASSED in open Council this 12th day of January, 2009.

---

MAYOR – JOHN ROWSWELL

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CITY CLERK – DONNA P. IRVING

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-1

**TRAFFIC:** (T.2.1.) A consolidation of amendments to Traffic By-law 77-200.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions of paragraph 123 of Section 210 of the Municipal Act, R.S.O. 1990, chapter M. 45 and amendments thereto, ENACTS as follows:

1. **BY-LAW 77-200 SCHEDULES AMENDED**

Schedules A to Z inclusive to Traffic By-law 77-200 are amended by renumbering the items in each schedule to form consecutive numerical order, so that the said schedules are in the form of the schedules attached hereto as Schedules A to Z inclusive.

2. **SCHEDULES**

Schedules A, AA, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, hereto form part of this By-law 2000-1 and By-law 77-200.

3. **EFFECTIVE DATE**

This by-law shall not become effective until approved by the Ministry of Transportation nor shall any particular provision thereof become effective until the sign or signs, if, any, applicable to such particular provision has or have been erected and is or are on display.

READ THREE TIMES and PASSED in Open Council this 12<sup>th</sup> day of January, 2009.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK – DONNA P. IRVING

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MAY NOT BE APPROVED BY CITY COUNCIL. IT MAY NOT  
BE USED AS A LEGAL RECORD. IF APPROVED, IT MAY NOT BE IN  
THE FORM OF THE DRAFT COPY.

CITY SOLICITOR

10 (k)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-12

**ZONING:** A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 766 Peoples Road.

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

1. **766 PEOPLES ROAD—LANDS LOCATED AT THE SOUTH EAST CORNER OF PEOPLES RD. AND EVERETT ST; CHANGE FROM C.4 TO C.4.S**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on map 1-92 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".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding the following subsection 2(278) and heading as follows:

**"2(278) 766 Peoples Road**

Despite the provisions of By-law 2005-150, the lands located at the south east corner of Peoples Rd. and Everett St and having civic address 766 Peoples Road and outlined and marked "subject property" on the subject property map attached as Schedule A to this by-law is changed 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 restoration contractor.

For the purposes of this by-law a "restoration contractor" means "a business involved in restoration and repair of a building or property after damage has occurred to a building or property due to such events as a fire, flood or vandalism. Permitted along with this use are a small workshop, office space, a training room, storage area along with washing and drying equipment."

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 passing of this by-law.

READ THREE TIMES and PASSED in Open Council this 12<sup>th</sup> day of January, 2009.

**NOTICE**

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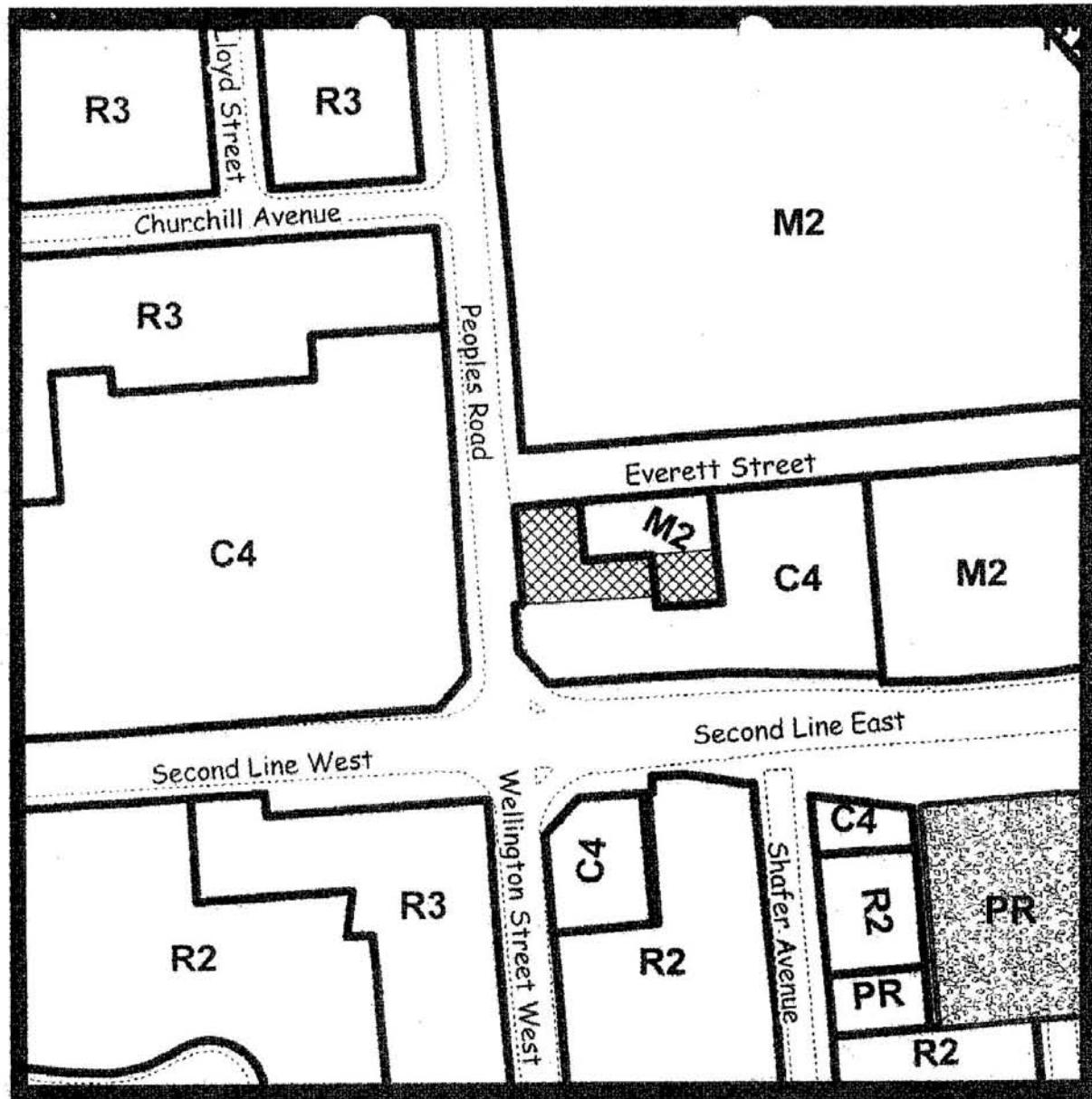
CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

10(K)

SCHEDULE A TO BY-LAW 2009-12 AND SCHEDULE 278 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, BE READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 12<sup>TH</sup> DAY OF JANUARY, 2009.



## EXISTING ZONING MAP

APPLICATION A-2-09-Z



Subject Property - 766 PEOPLES ROAD



Metric Scale  
1 : 2000



R2 - Single Detached Residential Zone



M2 - Medium Industrial Zone



R3 - Low Density Residential Zone



PR - Parks and Recreation Zone



C4 - General Commercial Zone

Maps  
58 & 1-92

10(1)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-16

**PROPERTY SALE:** to authorize the sale of a former 8' walkway abutting 91 Marconi Street to abutting owners Ugo and Gisella Bruni.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, C. 25, ENACTS as follows:

1. **LANDS DECLARED SURPLUS**

The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

2. **SALE AUTHORIZED**

The Corporation of the City of Sault Ste. Marie shall sell the lands more particularly described in Schedule "A" hereto to the person or persons (or such other person or companies directed) and at the consideration shown therefore in the Schedule upon the conditions set out in Schedule "A".

3. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to complete the sale.

4. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

Read THREE TIMES and PASSED in open Council this 12<sup>th</sup> day of January, 2009.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

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CITY SOLICITOR

*10(1)*

**SCHEDULE "A" TO BY-LAW 2009-16**

VENDOR: The Corporation of the City of Sault Ste. Marie  
PURCHASER: Ugo and Gisella Bruni  
ADDRESS: 8' walkway abutting 91 Marconi Street  
CONSIDERATION: \$1.00

10 (m)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-9

**LOCAL IMPROVEMENT:** A by-law to authorize the construction of sanitary sewer and private drain connection and Class "A" Pavement on Shannon Road from Wellington Street East to Trunk Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
  2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
  3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
  4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
  5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
  6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
  7. The special assessments shall be paid in one payment by December 31<sup>st</sup> of the current year or in the alternative by ten equal annual instalments.
  8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
  9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
  10. The said Schedules "A" and "B" form a part of this by-law.
  11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

MAYOR - JOHN BOWSWELL

**CITY CLERK- DONNA P. IRVING**

**FIRST** reading: January 12, 2009  
**SECOND** reading: January 12, 2009  
**THIRD** reading:

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[staff/bylaws/bylaws2009/2009-8/or](#)

CORPORATION OF THE CITY OF SAULT STE. MARIE  
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2009-9

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-5-03	Shannon Road	Wellington Street East	Trunk Road	750.0m	375mm-450mm	69	1495.0m	\$64,083.79

CR/al  
2009 01 12

(w)01

CORPORATION OF THE CITY OF SAULT STE. MARIE  
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

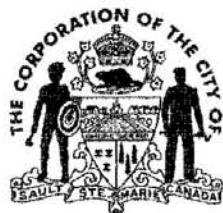
BY-LAW 2009-9

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-7-03	Shannon Road	Wellington Street East	Trunk Road	1495.0m	12.0m	n/a	1495.0m	\$118,853.98

CR/al  
2009 01 12

(w)01

10(m)



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

Civic Centre  
99 Foster Drive  
P.O. Box 580  
Sault Ste. Marie, Ont. P6A 5N1

**LOCAL IMPROVEMENT CONSTRUCTION BYLAW 2009-9, SECTION 3**

**ENGINEER'S REPORT**

2009 01 12

Nature of Work	Construction of:	Construction of sanitary sewer, private drain connection and Class "A" pavement
	On:	Shannon Road
	From:	Wellington Street East
	To:	Trunk Road
Estimated Cost of Work		\$5,000,000.00
Estimated Assessable Abutting Frontage		1495.0m (Sanitary sewer) 1495.0m (Class "A" pavement)
Estimated Cost to be Borne by Assessable Abutting Property		\$ 64,083.79 (Sanitary sewer) \$118,853.98 (Class "A" pavement)
Estimated Cost to be Borne by The Corporation		\$4,817,062.23
Special Rate per Metre Frontage		\$30.50 (Sanitary sewer) \$79.50 (Class "A" pavement)
Special Rate per Private Drain Connection		\$304.00
Estimated Interest Rate Term		3.5% 10 years
Estimated Annual Rate per Metre Frontage		\$3.67 (Sanitary sewer) \$9.56 (Class "A" pavement)
Estimated Annual Rate per Private Drain Connection		\$36.55
Estimated Lifetime of the Work		20 years

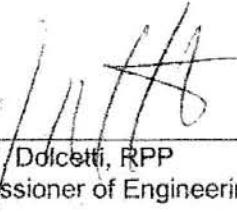
Respectfully submitted,



Carl Rumiell, P. Eng.  
Design & Construction Engineer

CR/al

Recommended for Approval



Jerry D. Dolcetti, RPP  
Commissioner of Engineering & Planning

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

$O(n)$

BY-LAW NO. 2009-10

**LOCAL IMPROVEMENT:** A by-law to authorize the construction of sanitary sewer and private drain connections on Wellington Street East from Simpson Street to East Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06.

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedule "A" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
  2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
  3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
  4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
  5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
  6. The special assessments shall be paid in one payment by December 31<sup>st</sup> of the current year or in the alternative by ten equal annual installments.
  7. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
  8. Any person whose lot is specially assessed may commute for a payment in case in accordance with By-law 69-436 the special rates imposed on such lot.
  9. The said Schedule "A" forms a part of this by-law.
  10. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**MAYOR – JOHN ROWSWELL**

**CITY CLERK - DONNA P. IRVING**

**FIRST** reading: January 12, 2009  
**SECOND** reading: January 12, 2009

### **THIRD reading:**

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CORPORATION OF THE CITY OF SAULT STE. MARIE  
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

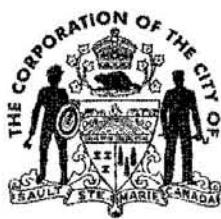
BY-LAW 2009-10

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2008-5-02	Wellington Street East	Simpson Street	East Street	650.0m	250mm-450mm	66	1063.1m	\$52,183.85

CR/al  
2009 01 12

(u)01

10(n)



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

Civic Centre  
99 Foster Drive  
P.O. Box 580  
Sault Ste. Marie, Ont. P6A 5N1

**LOCAL IMPROVEMENT CONSTRUCTION BYLAW 2009-10, SECTION 3**

**ENGINEER'S REPORT**

2009 01 12

Nature of Work	Construction of:	Construction of sanitary sewer and private drain connection
	On:	Wellington Street East
	From:	Simpson Street
	To:	East Street
Estimated Cost of Work		\$520,000.00
Estimated Assessable Abutting Frontage		1063.1m (Sanitary sewer)
Estimated Cost to be Borne by Assessable Abutting Property		\$52,183.85 (Sanitary sewer)
Estimated Cost to be Borne by The Corporation		\$467,816.15
Special Rate per Metre Frontage		\$30.50 (Sanitary sewer)
Special Rate per Private Drain Connection		\$304.00
Estimated Interest Rate	3.5%	
Term	10 years	
Estimated Annual Rate per Metre Frontage		\$3.67 (Sanitary sewer)
Estimated Annual Rate per Private Drain Connection		\$36.55
Estimated Lifetime of the Work		20 years

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carl Rumiel".

Carl Rumiel, P. Eng.  
Design & Construction Engineer

CR/al

Recommended for Approval

A handwritten signature in black ink, appearing to read "Jerry D. Dolcetti, RPP".

Jerry D. Dolcetti, RPP  
Commissioner of Engineering & Planning

10(0)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-15

**STREET CLOSING:** (P.4.6.402) a by-law to stop up, close and authorize the conveyance of a portion of an unopened original road allowance running northwesterly from Frontenac Street to Soo Mill Holdings Limited.

WHEREAS the street or part of the street more particularly hereinafter described was established as a public street and assumed for public use by By-law 2009-14.

NOW THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to Section 11(1) and 31(1) and after having advertised pursuant to Section 34 of the Municipal Act, S.O. 2001, Chapter 25, ENACTS as follows:

1. **STREET CLOSED**

The street or part of the street more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped and closed and authorized for conveyance.

2. **LANDS DECLARED SURPLUS**

The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

3. **EASEMENTS TO BE RESERVED**

Subject to the retention of utility easements if necessary the Corporation shall convey part of the streets that are more particularly described in Schedule "A" to this by-law.

4. **CONVEYANCE TO ABUTTING OWNERS**

The said street shall be offered to the owners of the lands abutting thereon. In default of acceptance thereof within 30 days of such offer being made to him or her by prepaid first class mail, the said street shall be offered to the persons owning lands opposite to the said streets or part of streets.

5. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

6. **SCHEDULE "A"**

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

**NOTICE**

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(0)

7. EFFECTIVE DATE

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

Read the first and second times this 12<sup>th</sup> day of January, 2009.

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MAYOR – JOHN ROWSWELL

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CITY CLERK – DONNA IRVING

Read a THIRD time and PASSED in open Council this    day of  
2009, after notice thereof had been published once a week for two consecutive  
weeks and after the Council had met to hear every person who claims that his  
land will be prejudicially affected by the by-law and who had applied to be heard.

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MAYOR – JOHN ROWSWELL

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CITY CLERK – DONNA IRVING

Schedule A

10(a)

