

## **AGENDA**

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

**2010 07 19**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

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

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

Resolved that the Minutes of the Regular Council Meeting of 2010 06 28 be approved.

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

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

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

Resolved that the Agenda for the 2010 07 19 City Council Meeting as presented be approved.

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

- (a) Proclamation – Child Find
- (b) Peter and Tracy Cornacchio will be in attendance concerning agenda item 5(d).
- (c) Ron Bertolo of the Sault Ste. Marie Aggregate Producers will be in attendance concerning agenda item 5 (e).
- (d) Michael Goldberg, Technical Standards and Safety Authority will be in attendance concerning agenda item 6 (7)(a).
- (e) Brian Curran, General Manager, Public Utilities Commission will be in attendance concerning agenda item 6(8)(a).

#### **PART ONE – CONSENT AGENDA**

#### **5. COMMUNICATIONS AND ROUTINE REPORTS OF**

Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that all the items listed under 2010 07 19 - Part One - Consent Agenda be approved as recommended.

5. (a) Correspondence from the Association of Municipalities of Ontario is attached for the information of Council

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

Resolved that Council supports the Association of Municipalities of Ontario in its efforts to seek joint and several liability reform in Ontario and calls on the Provincial Government to pursue much needed changes to the Negligence Act.

- (b) Correspondence from the City of Kingston (concerning prison farm closures) and the Town of Midland (concerning amending the Residential Tenancies Act) is attached for the information of Council.
- (c) A letter from the CAO to the Minister of Transport, Infrastructure and Communities concerning the rehabilitation of the Huron Central Railway is attached for the information of Council.
- (d) A press release concerning the 2011 Hap Ki Do Canadian Open is attached for the information of Council.
- (e) A letter from the Sault Ste. Marie Aggregate Producers is attached for the information of Council.
- (g) A letter from the Minister of the Environment concerning a recent Council resolution is attached for the information of Council.
- (h) Correspondence concerning requests for permission to hold special occasion permit events at outdoor municipal facilities is attached for the consideration of Council.

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

Resolved that the following requests to hold Special Occasion Permit events at municipal facilities on the stated dates and time be endorsed by City Council:

- 1) Queen Elizabeth Sports Complex – Field 'A'  
2010 Finn Grand Fest  
July 30<sup>th</sup> and 31<sup>st</sup> from 11:00 a.m. to 7p.m.
- 2) Strathclair Sports Complex – Field 'A'

August 7<sup>th</sup> and 8<sup>th</sup> from 11:00 a.m. – 9:00 p.m.  
August 14<sup>th</sup> and 15<sup>th</sup> from 11:00 a.m. – 9:00 p.m.  
August 21<sup>st</sup> and 22<sup>nd</sup> from 11:00 a.m. – 9:00 p.m.

- 3) Roberta Bondar Tent Pavilion  
2010 Finn Grand Fest  
July 30<sup>th</sup> from 8:00 p.m. to 1:00 a.m.

- (i) A letter of request for temporary street closing is attached for the consideration of Council:  
Bishop's Court in conjunction with a neighbourhood gathering being held on August 14<sup>th</sup>, 2010.  
The relevant By-law 2010-140 is listed under Item 10 of the Agenda and will be read with all other By-laws listed under that item.

- (j) **Staff Travel**  
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 2010 07 19 be approved as requested.

- (k) **2009 Financial Statements**  
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The 2009 Financial Statements are attached under separate cover.

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

Resolved that the Report of the Commissioner of Finance and Treasurer dated 2010 07 19 concerning 2009 Financial Statements be accepted as information.

- (l) **OMERS Pension Rate Changes**  
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

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

Resolved that the Report of the Commissioner of Finance and Treasurer dated 2010 07 19 concerning OMERS Pension Rate Changes be accepted as information.

- (m) **Advance Voting Days**  
A report of the City Clerk is attached for the information of Council.  
The relevant By-law 2010-131 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (n) **Corporate Strategic Plan Update**  
A report of the Deputy City Clerk and Manager of Quality Improvement is attached for the consideration of Council. An updated Corporate Strategic Plan is attached under separate cover.
- Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2010 07 19 concerning Corporate Strategic Plan Update be accepted as information.
- (o) **Tender for One (1) Self Propelled Ice Resurfacing Machine**  
A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti  
Resolved that the Report of the Manager of Purchasing dated 2010 07 19 be endorsed and that the tender for the supply and delivery of One (1) Self Propelled Ice Resurfacing Machine required by the Community Services Department, be awarded as recommended.
- (p) **Quotation for Pool Floor Regrouting – Competition Pool - JRCC**  
A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the Report of the Manager of Purchasing dated 2010 07 19 be endorsed and that the quotation for Regrouting of the Floor of the Competition Pool at the John Rhodes Community Centre be awarded to Acapulco Pools Limited at their low total quoted price, meeting specifications, of \$55,850 plus H.S.T.
- (q) **Ice Resurfacing Machine and Pool Regrouting**  
A report of the Commissioner of Community Services is attached for the consideration of Council.
- Mover - Councillor S. Butland  
Seconder - Councillor F. Manzo

Resolved that the Report of the Commissioner of Community Services dated 2010 07 19 concerning Ice Resurfacing Machine and Pool Grouting be accepted as information and the recommendation that the tender for the grouting of John Rhodes Community Centre pool be approved and that the amount of the overage (\$6,000) for the grouting be covered-off from the amount the ice resurfacer is under budget (\$23,000) be approved.

(r) **Heritage Discovery Centre Project Update**

A report of the Commissioner of Community Services is attached for the consideration of Council.

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

Resolved that the Report of the Commissioner of Community Services dated 2010 07 19 concerning Heritage Discovery Centre Project Update be accepted as information and the recommendation that the Historic Sites Board work with its Architect and other consultants to address funding concerns in a matter satisfactory to both the Board and the City and further that the tender not be awarded until these matters have been resolved, be approved.

(s) **Firearms By-law Exemption: Ermatinger-Clergue National Historic Site /Tall Ships July 21 and 22, 2010**

A report of the Curator Ermatinger-Clergue National Historic Site is attached for the consideration of Council.

The relevant By-law 2010-137 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

(t) **Sault Ste. Marie East End Wastewater Treatment Plant, Odour Issue Update**

A report of the Land Development and Environmental Engineer is attached for the consideration of Council

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

Resolved that the report of the Land Development and Environmental Engineer dated 2010 07 19 concerning odour issues at the Sault Ste. Marie East End Wastewater Treatment Plant be accepted as information.

(u) **Contract 2010-7E North Street Ravine Storm Culvert Replacement**

A report of the Design and Construction Engineer is attached for the consideration of Council.

The relevant By-law 2010-128 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

- (v) **Contract 2010-8E Aqueduct Repairs at Young Street and Alexandra Street**  
A report of the Engineering and Planning Department is attached for the consideration of Council.  
The relevant By-law 2010-134 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (w) **2011-12 Capital Road Reconstruction Engineering Consultant Assignments**  
A report of the Engineering and Planning Department is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor O. Grandinetti  
Resolved that the report of the Director of Engineering Services dated 2010 07 19 concerning 2011-12 Capital Road Reconstruction – Engineering Consultant Assignments be accepted, and the recommended assignment of:  
1) Pine Street – Northern Avenue to Second Line: Kesin Engineering  
2) Queen Street – Pim Street to Simpson Street: AECOM  
3) Wellington Street to Conmee Avenue: Genivar  
be approved.
- (x) **Gateway Site Clean-up**  
A report of the Engineering and Planning Department is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor F. Manzo  
Resolved that the report of the Commissioner – Engineering and Planning dated 2010 07 19 concerning Gateway Site Clean-up be accepted, and the recommendation to confirm previous direction to staff to improve the aesthetic appearance of the site within a \$15,000 budget allocation be approved.
- (y) **Exhaust Extraction System, #1 Station**  
A report from Assistant Fire Chief – Support Services is attached for the consideration of Council.  
  
Mover - Councillor J. Caicco  
Seconder - Councillor F. Manzo  
Resolved that the report of the Assistant Fire Chief – Support Services dated 2010 07 19 concerning Exhaust Extraction System – #1 Station be accepted, and the recommendation to purchase the quoted system from Nederman Canada at a cost of \$85,755 excluding taxes and shipping with funding from the previously approved capital from current allocation be approved.

- (z) **Lane Closing Application Hime-Chitty Subdivision**  
A report of the City Solicitor is attached for the consideration of Council.  
The relevant By-law 2010-138 and 2010-139 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (aa) **Lane Closing Application Eldridge Block “C” Subdivision**  
A report of the City Solicitor is attached for the consideration of Council.  
The relevant By-law 2010-132 and 2010-133 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (bb) **Expanding the Downtown Association Business Improvement Area (BIA) to Include City Centre BIA**  
A report of the Assistant City Solicitor is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor F. Manzo  
Resolved that the report of the Assistant City Solicitor dated 2010 07 19 concerning Expanding the Downtown Association Business Improvement Area be accepted as information.
- (cc) **Appointment of Provincial Offences Officers for Enforcement of City By-laws Related to Animal Control**  
A report of the Assistant City Solicitor is attached for the consideration of Council.  
The relevant By-law 2010-127 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (dd) **Former Eastgate Hotel – 874 Queen Street East**  
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 2010 07 19 concerning the Former Eastgate Hotel – 874 Queen Street East be accepted as information.
- (ee) **Denis Pepin – 165 Avery Road – A-7-10-OP – By-Law 2010-109**  
A report of the City Solicitor is attached for the consideration of Council.  
  
Mover - Councillor S. Butland  
Seconder - Councillor O. Grandinetti

Whereas Zoning by-law 2010-109 was passed by City Council on May 31, 2010 concerning lands located at 165 Avery Road,  
And Whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal for this by-law, of which a copy is attached to this resolution, was presented to City Council and was duly considered by Council at its meeting on July 19, 2010;  
And therefore be it resolved that application be made to the Ontario Municipal Board for dismissal of this appeal.

(ff) **Agnew Appeal to the Ontario Municipal Board – Zoning By-law 2010-57 – 2325 Great Northern Road – Palmer Construction Group**

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

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

Resolved that the report of the City Solicitor dated 2010 07 19 concerning the Agnew Appeal to the Ontario Municipal Board – Zoning By-law 2010-57 – 2325 Great Northern Road – Palmer Construction Group be accepted as information.

(gg) **Hub Trail Construction Report – Waterfront Walkway Extension – City Contract 2010-6E**

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

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

Resolved that the report of the Planning Division dated 2010 07 19 concerning the Hub Trail Construction – Waterfront Walkway Extension – City Contract 2010-6E be accepted and the Planning Director's Recommendations that City Council award Contract 2010-6E (Hub Trail Construction – Waterfront Walkway Extension) to Avery Construction Limited, in the amount of \$1,547,365.86 (including HST) and that staff proceed with the finalization of a lease agreement with the Canadian Heritage Bushplane Centre to continue the trail along the waterfront portion of their property, and that these works (at an estimated cost of \$425,768.19, including GST) be incorporated into the contract at a later date through a contract change order and further that should an agreement not be reached with the Bushplane Centre, staff proceed with the alternative trail option outlined in the report, be endorsed.

(hh) **Signs By-law 2005-166 – Amendments to Portable Signs Regulations**

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

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

Resolved that the report from the Planning Division dated 2010 07 19 concerning Signs By-law 2005-166 – Amendments to Portable Signs Regulations be accepted and the Planning Director's Recommendation that City Council approve the amendment to Signs By-law 2005-166 subject to the four conditions contained in the report, be endorsed.

(ii) **Comprehensive Official Plan Review Update**

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

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

Resolved that the report from the Planning Division dated 2010 07 19 concerning the Comprehensive Official Plan Review Update be accepted as information and that staff be authorized to proceed with a comprehensive review of the Official Plan, be endorsed.

**PART TWO – REGULAR AGENDA**

**6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**  
**6. (6) PLANNING**

**Application No. A-10-10-Z – Burgess Enterprises (Sault) Inc. – Located at 21 Killarney Road – Requesting a Rezoning from “R.2 (Single Detached Residential) to R.2.S (Single Detached Residential) zone with a Special Exception**

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

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

Resolved that the report of the Planning Division dated 2010 07 19 concerning Application No. A-10-10-Z – Burgess Enterprises (Sault) Inc. – 21 Killarney Road be accepted and the Planning Director's Recommendation that City Council approve this application and rezone the rear 31m of the subject property from “R.2” (single Detached Residential) zone to “R.2.S” (Single Detached Residential) zone with a Special Exception to permit a commercial parking lot on the rear 31m of the subject property, subject to the following special conditions,

- 1) That Site Plan Control be applied to the rear 31m of the subject,
  - 2) That a fence be erected to a maximum height of 1.8m (6') from the established grade of the parking lot
- be endorsed

6. (7) **PUBLIC WORKS AND TRANSPORTATION**

(a) **Installation of Signs by the Public on City Property**

A report of the Commissioner of Public Works and Transportation Department is attached for the consideration of Council. Also attached is correspondence from Alan Smith,

Mover - Councillor S. Butland

Seconder - Councillor O. Grandinetti

Resolved that the report of the Commissioner of Public Works and Transportation be accepted and the recommendation that Sign By-law 2005-15 and Municipal Elections Signs By-law 2002-16 be revised with the intent that signs which break the ground surface be prohibited on public property or City rights of way be approved.

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

(a) **Water Conservation Strategy**

A report from H.J. Brian Curran, General Manager, Public Utilities Commission is attached for the consideration of Council.

Mover - Councillor J. Caicco

Seconder - Councillor F. Manzo

Resolved that the report of the General Manager, Public Utilities Commission dated 2010 07 19 concerning Water Conservation Strategy be accepted as information.

(b) **Small Business Incubator**

A report from Andrew Ross, General Manager, Enterprise Centre Sault Ste. Marie is attached for the consideration of Council.

Mover - Councillor S. Butland

Seconder - Councillor F. Manzo

Resolved that the report of the General Manager, Enterprise Centre Sault Ste. Marie dated 2010 07 19 concerning Small Business Incubator be accepted and the recommendation to proceed with a feasibility study conditional upon being able to access the required funding (\$5,000 from Community Development Corporation and \$5,000 from Economic Diversification Fund)

7.

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

- (a) Mover - Councillor S. Myers  
Seconder - Councillor T. Sheehan  
Whereas the Prime Minister of Canada has announced that Dr. David Johnston has been appointed Canada's Governor General Designate; and  
Whereas Dr. Johnston attended high school in Sault Ste. Marie, graduating from the Sault Collegiate Institute in 1959; and  
Whereas he has gone on to a distinguished academic career, most recently serving as President and Vice-Chancellor of the University of Waterloo;  
Therefore be it resolved that City Council express its sincere congratulations to Dr. David Johnston on his appointment
- (b) Moved - Councillor S. Myers  
Seconded - Councillor T. Sheehan  
Whereas Chris Lewis, a native of Sault Ste. Marie and graduate of Sault Collegiate Institute, has been recently named Commissioner of the Ontario Provincial Police, assuming the new post on August 1<sup>st</sup>; and  
Whereas Mr. Lewis, upon joining the O.P.P., has had a distinguished career working in all areas of the province; and  
Whereas Mr. Lewis is the first resident on Northern Ontario to lead the O.P.P.;  
Therefore be it resolved that City Council express its sincere congratulations to Chris Lewis on his appointment as Commissioner of the Ontario Provincial Police.
- (c) Moved - Councillor T. Sheehan  
Seconded - Councillor O. Grandinetti  
Whereas the City of Sault Ste. Marie is home to great men's and women's soccer leagues.  
Whereas there are five thousand youth soccer players in the Sault.  
Whereas soccer provides many benefits to the community and participants.  
Whereas most cities in Canada are covered by snow for half the year.  
Whereas the City of Sault Ste. Marie is in the process of building a first rate - two field indoor soccer facilities called the West End Community Centre.  
Whereas the Federal government needs to support more initiatives like the West end Community Centre if Canada is to compete globally in tournaments like the World Cup.  
Now therefore be it resolved that City Council calls on the Federal government to provide for funding programs for projects like the West End Community Centre which will have the effect of benefiting local community while at the same time improving Canada's competitiveness in World Soccer.

- (d) Moved - Councillor O. Grandinetti  
Seconded - Councillor S. Butland  
Resolved that the appropriate staff review the feasibility of using a design build process for capital projects, initially for road reconstruction but also for other capital work (i.e. buildings) and report back to Council on the potential benefits and disadvantages of such an approach; and  
Further that should the review show that a design build process is warranted, that staff suggest possible projects to use as pilot projects.
- (e) Moved - Councillor S. Butland  
Seconded - Councillor J. Caicco  
Whereas the Independent Order of Oddfellows has served the community in a continuous manner since 1953; most specifically in the area of health assisted devices and equipment such as: wheelchairs, commodes, hospital beds, walkers etc; and  
Whereas over 4,500 pieces of equipment are presently in inventory; and  
Whereas approximately 3,000 pieces of this equipment may be on loan at any one time to over 800 clients; and  
Whereas referrals are often made by the Sault Area hospital and Group Health Centre; and  
Whereas this equipment is often present in Libraries, Art Gallery, retail outlets etc; and  
Whereas this equipment is cleaned and repaired on a weekly basis; and  
Whereas after having served its apparent useful life in the community, this equipment is sent to Third World countries for ongoing use; and  
Whereas the discontinuance of this service would create a critical gap in an integral service to the community; and  
Whereas an annual allocation of \$5,000 might preserve this service  
Therefore be it resolved that Council request the DSSAB to meet with Oddfellow officials to determine whether any funding envelope could be accessed for this service.
- (f) Moved - Councillor S. Butland  
Seconded - Councillor J. Caicco  
Whereas the quality of drinking water quality (smell, taste) in the east end of the City has, in rare and isolated cases, but on a continual basis, been an issue for over one year; and  
Whereas tests conducted by Algoma Public Health have revealed no health related issues and yet the source and cause of the unacceptable taste and smell remain undetermined;  
Therefore be it resolved that Council request PUC to report as to:  
1. The apparent beginning of this water quality problem  
2. Potential causes  
3. Reported number of cases,

4. The various tests which have been conducted and results thereof; and, given that the issue remains unresolved,
5. What alternative measures are being considered to address the problem

(g) Moved - Councillor O. Grandinetti

Seconded - Councillor S. Butland

Resolved that the appropriate staff review the feasibility of a program to place a poppy emblem on street signs that are named after veterans and report back to Council.

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) 2010-128

A by-law to authorize a contract between the City and R.M. Belanger Limited for the installation of approximately 98 metres of 900mm dia. Storm Sewer Casing by trenchless method. (Contract 2010-7E).

A report from the Design & Construction Engineer is on the agenda.

(b) 2010-134

A by-law to authorize a contract between the City and Harold Phillips Haulage for the removal and replacement of portions of the Aqueducts at Young Street and Alexandra Street. (Contract 2010-8E).

A report from the Design & Construction Engineer is on the agenda.

**APPOINTMENTS**

(c) 2010-127

A by-law to appoint municipal by-law enforcement officers and provincial offences officers to enforce City animal control by-laws.

A report from the Assistant City Solicitor is on the agenda.

**ELECTIONS**

(d) 2010-131

A report from the City Clerk is on the agenda.

### LANE ASSUMPTIONS

- (e) 2010-129  
A by-law to assume for public use and establish as a public lane, a lane in the Markretta "B" Subdivision.  
A report from the City Solicitor is on the agenda.
- (f) 2010-132  
A by-law to assume for public use and establish as a public lane, a lane in the Eldridge Block "C" Subdivision, Plan 1043  
  
A report from the City Solicitor is on the Agenda.
- (g) 2010-138  
A by-law to assume for public use and establish as a public lane, a lane in the Hime-Chitty Subdivision Plan 18954.  
A report from the City Solicitor is on the agenda.

### PARKING

- (h) 2010-126  
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.

### REGULATIONS

- (i) 2010-137  
A by-law to exempt the Tall Ships event sponsored by the Ermatinger-Clergue National Historic Site from By-law 2008-168 being a by-law to prohibit the discharge of firearms in the municipality.

### TEMPORARY STREET CLOSINGS

- (j) 2010-135  
A by-law to authorize the temporary closing of Alexandra Street (30m east of John Street) and Central Street/Young Street intersection from July 20, 2010 until October 31, 2010.
- 2010-140
- (k) A by-law to permit the temporary street closing of Bishop's Court from 100 Bishop's Court to 144 Bishop's Court on August 14, 2010 to facilitate first Annual Block party.

## TRAFFIC

- (l) 2010-124  
A by-law to amend Schedule "Z" of Traffic By-law 77-200 regarding Biggins Avenue.

Approved by Council Resolution on June 28, 2010.

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

## LANE CLOSINGS

- (m) 2010-139  
A by-law to stop up, close and authorize the conveyance of a lane in the Hime-Chitty Subdivision, Plan 18954.
- (n) 2010-130  
A by-law to stop up, close and authorize the conveyance of a lane in the Markretta "B" Subdivision.
- (o) 2010-133  
A by-law to stop up, close and authorize the conveyance of a lane in the Eldridge Block "C" Subdivision, Plan 1043.

## 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  
Seconder - Councillor

Resolved that this Council shall now adjourn.

---

MAYOR

---

CLERK

**MINUTES**

**REGULAR MEETING OF CITY COUNCIL**

**2010 06 28**

**4:30 P.M.**

**COUNCIL CHAMBERS**

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

**ABSENT:** Mayor J. Rowswell (illness)

**OFFICIALS:** J. Fratesi, M. White, N. Apostle, L. Girardi, B. Freiburger, J. Dolcetti, D. McConnell, L. Bottos, D. Elliott, K. Streich-Poser, D. Pauze, L. Rosso, D. Krmpotich

**1. ADOPTION OF MINUTES**

Moved by - Councillor F. Manzo

Seconded by - Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2010 06 14 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 J. Caicco

Resolved that the Agenda for the 2010 06 28 City Council Meeting as presented be approved. CARRIED.

**4. DELEGATIONS/PROCLAMATIONS**

- (a) Angela Bruni of the City's Summer Student "Green Team" was in attendance to update Council on the recent Green Days 2010 event.
- (b) Bill Therriault and Don Mitchell were in attendance to provide an update to Council on the Huron Central Rail agreement.
- (c) Dr. Celia Ross from Algoma University and Dr. Ron Common from Sault College were in attendance concerning their future expansion plans.

- (d) Brian Curran, Ben Pascuzzi and Brady Irwin were in attendance concerning agenda item 4. (c).
- (e) Michael Hanson and Wayne Chorney were in attendance concerning agenda item 6. (5)(a).

## **PART ONE – CONSENT AGENDA**

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

Moved by - Councillor F. Manzo

Seconded by - Councillor J. Caicco

Resolved that all the items listed under date 2010 06 28 - Part One - Consent Agenda and Addendum #1 save and except 5. (x) be approved as recommended. CARRIED.

- (a) Correspondence from the Association of Municipalities of Ontario was accepted by Council.
- (b) A letter from the Minister of Transport, Infrastructure and Communities concerning the rehabilitation of the Huron Central Railway and a recent press release was accepted by Council.
- (c) A Letter of Agreement from the Ministry of Transportation concerning the Dedicated Gas Tax Funds for Public Transportation Program was accepted by Council. The relevant By-law 2010-123 is listed under Item 10 of the Minutes.
- (d) A letter from the Ministry of Natural Resources concerning the Far North Land Use Planning Initiative was accepted by Council.
- (e) A letter from the Executive Director, Ontario Good Roads Association concerning Minimum Maintenance Standards was accepted by Council.
- (f) A letter of request for temporary street closing was accepted by Council.
  - 1) on Cathcart Street (Hudson to Carmen's Way) in conjunction with the Italian Festival being held July 25, 2010.
  - 2) on Queen Street (from East to Dennis) in conjunction with Downtown Days on July 16.
  - 3) on Russ Ramsay Way south of the entrance to the Seniors Drop-In Centre; Queen Street East from Simpson Street to Gore Street; Simpson Street from Wellington to Queen Street East; partial closure of Queen Street East from Churchill Boulevard to Simpson Street; Queen Street East between East and Brock Streets in conjunction with Rotaryfest 2010 being held July 15-17, 2010.The relevant By-laws 2010-122; 2010-125 and 2010-118 are listed under Item 10 of the Minutes.

5. (f) Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that City Council approves the use of Clergue Park green space (July 10 through 18); the Civic Centre north green space (July 10 through 18); and the Civic Centre north and south parking lots (July 16 and July 17) for events in conjunction with Rotaryfest 2010. CARRIED.
- (g) Information from the Ministry of Natural Resources concerning the 'Bear Wise' program and reporting bear problems was accepted by Council.  
  
Moved by - Councillor B. Hayes  
Seconded by - Councillor L. Turco  
Whereas there have been several complaints regarding bear sightings in the City; and  
Whereas residents have indicated they are fearful of patronizing the Hub Trail as a result of bear sightings; and  
Whereas the responsibility of bear education and bear management rests with the MNR under the Bearwise Program; and  
Whereas City Council has no knowledge as to the success or failure of the Bearwise Program;  
Now Therefore Be It Resolved that Council invite a representative from Bearwise to City Council to present statistics as to the results of the Bearwise Program in Sault Ste. Marie. CARRIED.
- (h) **Staff Travel Requests**  
The report of the Chief Administrative Officer was accepted by Council.  
  
Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 06 28, be approved as requested. CARRIED.
- (i) **Property Tax Appeals**  
The report of the Commissioner of Finance & Treasurer was accepted by Council.  
  
Moved by - Councillor F. Manzo  
Seconded by - Councillor J. Caicco  
Resolved that Pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax account as outlined in the City Tax Collector's report of 2010 06 28, be approved and the tax roll be amended accordingly. CARRIED.
- (j) **Sault Search and Rescue Salmon Derby – August 28, 2010**  
The report of the Financial Analyst was accepted by Council.  
  
Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco

5. (j) Resolved that the report of the Financial Analyst dated 2010 06 28 concerning Sault Search and Rescue Salmon Derby be accepted, and the recommendation to waive boat launch fees for the 2010 Derby participants, be approved. CARRIED.

(k) **2010 Municipal Election - Compliance Audit Committee**  
The report of the City Clerk was accepted by Council.

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

Resolved that the report of the City Clerk dated 2010 06 28 concerning 2010 Municipal Election – Compliance Audit Committee be accepted and the recommendation to approve the proposed terms of reference and to authorize the City Clerk to proceed with providing notice of applications for the committee, be approved. CARRIED.

(l) **Update on Homelessness Initiatives in Sault Ste. Marie**  
The report of the Community Coordinator was accepted by Council.

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

Resolved that the report of the Community Coordinator dated 2010 06 28 concerning Update on Homelessness Initiatives be accepted, and the recommendation to send a letter to the Minister of Human Resources and Skills Development to request confirmation of the Homelessness Partnering Strategy allocation for Sault Ste. Marie for April 1, 2011 to March 31, 2014, with copies of said letter being forwarded to the Association of Municipalities of Ontario, the Ontario Municipal Social Services Association and the Federation of Canadian Municipalities, be approved. CARRIED.

(m) **2010 Joint Accessibility Plan**  
The report of the Unit Manager was accepted by Council. The 2010 Joint Accessibility Plan is being provided under separate cover.

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

Resolved that the report of the Unit Manager dated 2010 06 28 concerning the 2010 Joint Accessibility Plan be accepted and that Council approve the 2010 Joint Accessibility Plan, be approved. CARRIED.

(n) **Local Immigration Partnership Plan**  
The report of the LIP Coordinator was accepted by Council. The plan – Creating a Welcoming Community: A Community Based Settlement & Integration Strategy for Newcomers to Sault Ste. Marie is provided under separate cover.

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

5. (n) Resolved that the report of the LIP Coordinator dated 2010 06 28 concerning Local Immigration Partnership Plan - Creating a Welcoming Community: A Community Based Settlement & Integration Strategy for Newcomers to Sault Ste. Marie be accepted and the recommendations contained therein, be approved. CARRIED.
- (o) **Sault Ste. Marie Municipal Heritage Committee – Designated Property Grant Barnes Block – 7 Queen Street East**  
The report of the Manager of Recreation was accepted by Council.  
  
Moved by - Councillor F. Manzo  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Manager of Recreation dated 2010 06 28 concerning Designated Property Grant Barnes Block – 7 Queen Street East be accepted and the recommendation that Council provide a grant of \$2,000 from the Designated Heritage Property Grant Program for this property, be approved. CARRIED.  
Councillor L. Tridico declared a pecuniary interest – family owns property in the vicinity of 7 Queen Street East.
- (p) **Tax Rebate Program for Heritage Properties Designated Under Part IV of the Ontario Heritage Act.**  
The report of the Manager Recreation and Culture was accepted by Council. The relevant By-law 2010-120 is listed under Item 10 of the Minutes.
- (q) **Request for Financial Assistance for National/International Sports Competitions**  
The report of the Manager Recreation and Culture was accepted by Council.  
  
Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Manager of Recreation dated 2010 06 28 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Tyler Smith (Swim Canada Canadian Age Group Championships), be approved. CARRIED.
- (r) **Stormwater Investigative Study Engineering Services – Increase in Upset Limit**  
The report of the Land Development & Environmental Engineer was accepted by Council.  
  
Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Land Development & Environmental Engineer dated 2010 06 28 concerning Stormwater Investigative Study Engineering Services – Increase in Upset Limit be accepted and the recommendation to increase the upset limit to \$232,000, be approved. CARRIED.

(s) **Solar LED Outdoor Lighting Pilot Project**  
The report of the Environmental Initiatives Coordinator was accepted by Council.

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

Resolved that the report of the Environmental Initiatives Coordinator dated 2010 06 28 concerning Solar LED Outdoor Lighting Pilot Project be accepted and the recommendation to purchase two solar LED lighting units from Proquip International at a cost of \$25,000 with funding from the Green Committee reserve, be approved. CARRIED.

(t) **Contract 2010-5E Miscellaneous Construction/Paving**  
The report of the Design & Construction Engineer was accepted by Council.  
The relevant By-law 2010-117 is listed under Item 10 of the Minutes.

(u) **Gas Tax Fund Allocations**  
The report of the Environmental Initiatives Coordinator was accepted by Council.

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

Resolved that the report of the Environmental Initiatives Coordinator dated 2010 06 28 concerning Gas Tax Fund Allocations be accepted and the recommendation to:

- 1) Create a sub-committee of the Municipal Environmental Initiatives Committee to determine project(s) possibilities; and
- 2) Fund a feasibility study on possible projects at a cost not to exceed \$25,000 with funding from the 2010 Gas Tax allocation, be approved. CARRIED.

(v) **Industrial Community Improvement Plan (CIP)**  
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 2010 06 28 concerning the Industrial Community Improvement Plan (CIP) be accepted and the Planning Director's Recommendation that City Council approves the incremental tax rebates for Heliene Inc. and Ellsin Environmental Ltd., in the following manner:

- 1) That the rebate apply only to new construction; and
- 2) That the recommended rebate is 75% the first year, 50% the second year, and 25% the third year; and
- 3) After the three year rebate program, the applicants would pay the full municipal tax amount, be endorsed. CARRIED.

(w) **Downtown Development Initiative - FedNor Funding Agreement**  
The report of the Planning Division was accepted by Council.

5. (w) Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Planning Division dated 2010 06 28 concerning the Downtown Development Initiative – FedNor Funding Agreement be accepted and the Planning Director's Recommendation that the funding contribution from FedNor for the Downtown Development Initiative be utilized for the Downtown laneway improvements (\$470,000) that are part of the Miscellaneous Works contract and a farmer's market study (\$30,000) specifically, and that the priorities that will be foregone with the proposed funding shift be revisited as part of the next phase of implementation for the Downtown Development Initiative, be endorsed. CARRIED.
- (x) **Hub Trail Construction Waterfront Walkway Extension City Contract 2010-6E**  
The report of the Planning Division was accepted by Council.  
  
Moved by - Councillor F. Manzo  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Planning Division dated 2010 06 28 concerning the Hub Trail Construction, Waterfront Walkway Extension – City Contract 2010-6E be accepted and the Planning Director's Recommendation that City Council award Contract 2010-6E (Hub Trail Construction – Waterfront Walkway Extension) to Avery Construction Limited, in the amount of \$1,547,365.86 (including HST), be endorsed.
- (y) **Biggins Avenue – Request for Speed Reduction**  
The report of the Commissioner of Public Works and Transportation was accepted by Council.  
  
Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 06 28 concerning Biggins Avenue – Request for Speed Reduction be accepted and the recommendation to reduce the speed limit from 50 km/h to 40 km/h, be approved. CARRIED.
- (z) **MacGregor Ave. Pilot Project – Speed Humps**  
The report of the Commissioner of Public Works and Transportation was accepted by Council.  
  
Moved by - Councillor F. Manzo  
Seconded by - Councillor J. Caicco  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 06 28 concerning MacGregor Avenue Pilot Project – Speed Humps be accepted and the recommendation that the project be referred to the 2011 Budget, be approved. CARRIED.
- (aa) Correspondence concerning a request for permission to hold a special occasion permit event at an outdoor municipal facility was accepted by Council.

5. (aa) Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that the following request to hold a Special Occasion Permit events at a municipal facility on the stated dates and times be endorsed by Council.  
Rocky DiPietro Field  
Sault Steeler Regular Season and Playoff Games  
June 19<sup>th</sup> from 6:00 p.m. to 10:00 p.m.  
July 10<sup>th</sup> from 6:00 p.m. to 10:00 p.m.  
July 17<sup>th</sup> from 12:00 noon to 5:00 p.m.  
August 7<sup>th</sup> from 6:00 p.m. to 10:00 p.m.  
August 14<sup>th</sup> – times to be announced  
August 21<sup>st</sup> – times to be announced  
August 28<sup>th</sup> – times to be announced  
CARRIED.

- (bb) **Capital Road Reconstruction Plan (2011 – 2012)**  
The report of the Director of Engineering Services was accepted by Council.

Mover - Councillor F. Manzo  
Seconder - Councillor J. Caicco  
Resolved that the report of the Director of Engineering Services dated 2010 06 28 concerning Capital Road Reconstruction Plan (2011 – 2012) be accepted and the recommendation to approve the 2011/2012 plan as outlined in the report, proceed with any required local improvement rolls and notices and report back with further recommendations for retaining consulting engineers, be approved. CARRIED.

Councillor B. Hayes declared a pecuniary interest – resides on Pine Street.

- (cc) Further information from AMO was accepted by Council.

## **PART TWO – REGULAR AGENDA**

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

#### **6. (5) LEGAL**

- (a) **Request for Conveyance of Property For Which There Was No Successful Bid At Tax Sale – Property In The Area Of Fish Hatchery Road**  
The report of the City Solicitor was accepted by Council.

Moved by - Councillor O. Grandinetti  
Seconded by - Councillor P. Mick  
Resolved that the report of the City Solicitor dated 2010 06 28 concerning Request for Conveyance of Property for Which There Was No Successful Bid at Tax Sale – Fish Hatchery Road be accepted and the recommendation to authorize the conveyance of the parcel to Michael and Susie Hanson, be approved. DEFEATED.

6. (5)(a) Moved by - Councillor J. Caicco  
Seconded by - Councillor S. Myers  
Resolved that the report of the City Solicitor dated 2010 06 28 concerning Request for Conveyance of Property for Which There Was No Successful Bid at Tax Sale – Fish Hatchery Road be accepted and the recommendation that Council convey the property in front of the Hanson's and the Macgregor's to the Hanson's and the property in front of the Lacroix's to the Lacroix's with the understanding that Mr. and Mrs. Lacroix for any survey costs associated with the conveyance to them; and  
Further that the properties be conveyed at the appraised value. CARRIED.

(5)(b) **Former Eastgate Hotel**

The report of the City Solicitor was accepted by Council.  
Also attached is a petition submitted by Mr. Michael Adams concerning this property.

Moved by - Councillor L. Tridico  
Seconded by - Councillor P. Mick

Resolve that agenda item 6. (5) (b) (former Eastgate Hotel) be deferred to the August 23, 2010 Council Meeting. CARRIED.

**Recorded Vote**

For: Acting Mayor S. Butland, Councillors J. Caicco, S. Myers, L. Tridico, F. Fata, T. Sheehan, F. Manzo, P. Mick

Against: Councillor L. Turco, B. Hayes, D. Celetti, O. Grandinetti,

Absent: Mayor J. Rowswell

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

Resolved that the report of the City Solicitor dated 2010 06 28 concerning 874 Queen Street East (former Eastgate Hotel) be accepted and the recommendation to vest the property in the City's name and arrange for the demolition of the building with funding from the Property Purchases Reserve Fund, be approved. OFFICIALLY READ NOT DEALT WITH.

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

- (a) Moved by - Councillor J. Caicco  
Seconded by - Councillor S. Myers  
Whereas Algoma University and Sault College are in a phase of unprecedented expansion and positive growth; and  
Whereas the post secondary institutions will strive to continue their expansion of infrastructure with new proposed buildings which are now being planned for; and

7. (a) Whereas a Post Secondary Expansion will have a positive affect on the community including the Downtown as well as an economic generator for the community. Both institutions are an essential element of the future success of the City of Sault Ste. Marie; and  
Whereas the Post Secondary institutions have approached the City for a contribution to make this expansion possible;  
Therefore Be It Resolved that representatives from Sault College and Algoma University make presentation to City Council regarding their expansion plans; and  
Further Be It Resolved that City Council refer this matter to the EDC and the Economic Development Fund for their recommendation on this initiative.  
CARRIED.  
Councillor L. Tridico declared a pecuniary interest – family owns property in the vicinity of the Algoma University property in the downtown area.
- (b) Moved by - Councillor J. Caicco  
Seconded by - Councillor O. Grandinetti  
Whereas the architectural drawings for the West End Community Centre are only 30% complete and likely will not create any additional cost in incorporating energy related initiatives; and  
Whereas the Gas Tax report submitted by the Engineering and Planning Department provides an appropriate process to consider the above and/or other similar initiatives on corporate structures;  
Therefore Be It Resolved that Council authorize appropriate staff in consultation with EPOH Inc. to prepare The report on the feasibility, cost or operational implications and time-line issues that would apply to installing solar panels on the West End Community Centre and report back to Council as expediently as possible. CARRIED.
- (c) Moved by - Councillor S. Myers  
Seconded by - Councillor T. Sheehan  
Whereas the City of Edmonton has recently passed a by-law to muffle motorcycles, making it illegal for a motorcycle to be louder than 92 decibels while idling and 96 decibels while in motion; and  
Whereas citizens have requested Sault Ste. Marie look into a similar by-law, or adding to an existing by-law;  
Therefore Be It Resolved that staff report back as to the merit and costs to consider a similar by-law in Sault Ste. Marie. CARRIED.
- (d) Moved by - Councillor T. Sheehan  
Seconded by - Councillor S. Myers  
Whereas the problems of affordable housing are manifested in many communities, transcending municipal, provincial, and national boundaries; and  
Whereas all Saulites should have a place to call home; and  
Whereas a number of other communities in Ontario, Canada and the world have developed strategic plans and/or models which seek to deal with

7. (d) affordable housing issues; and  
Whereas innovative partnerships are needed to address the need for affordable and accessible housing for youth, seniors, persons with special needs and low-income families in Sault Ste. Marie;  
Now Therefore Be It Resolved that City Council endorse a meeting(s) of City staff, politicians, private sector developers, social agencies, not/non profit players, and other affordable housing advocates to explore how best the community might undertake the development of a strong vision/strategy/model for affordable housing in the community of Sault Ste. Marie. CARRIED.
- (e) Mover - Councillor F. Fata  
Seconder - Councillor L. Tridico  
Whereas shopping carts are removed from supermarkets and taken to places of residence; and  
Whereas in many cases, it has become quite evident that these carts are left abandoned on city streets, on boulevards and ditches; and  
Whereas many cities have addressed this problem that has been referred to as "3-D graffiti";  
Therefore Be It Resolved that staff review this matter and report back to Council with alternatives to deal with this problem. CARRIED.
- (f) Mover - Councillor F. Fata  
Seconder - Councillor L. Tridico  
Whereas people put advertising signs on utility poles and in the ground to promote garage sales and other events; and  
Whereas these signs are sometimes left there with no intention of removing them; and  
Whereas they are an eyesore to the residents that have to see them days and weeks after the event has expired;  
Therefore Be It Resolved that staff review this matter and report back to Council with alternatives to deal with this problem. CARRIED.
- (g) Mover - Councillor O. Grandinetti  
Seconder - Councillor F. Manzo  
Whereas there has been a Group Home opened on Pittsburg St; and  
Whereas the residents within the area of this Group Home were not properly notified; and  
Whereas Group Homes of this type do not go to Planning for rezoning;  
Therefore Be It Resolved that appropriate staff report back to Council as to the process of the opening of such homes in residential areas. CARRIED

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

9.

**ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10.

**CONSIDERATION AND PASSING OF BY-LAWS**

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that all the by-laws listed under Item 10 save and except 2010-120 of the Agenda under date 2010 06 28 be approved. CARRIED.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that By-law 2010-117 being a by-law to authorize a contract between the City and Pioneer Construction Inc. for the purpose of miscellaneous construction and paving in the City of Sault Ste. Marie (Contract 2010-5E) be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that By-law 2010-123 being a by-law to authorize the execution of a Letter of Agreement between the City and the Minister of Transportation for the Province of Ontario for funding under the Dedicated Gas Tax Funds for Public Transportation Program be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2010-120 being a by-law to approve the form of Heritage Property Agreement and agreements for various Heritage Properties to ensure their conservation be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

Councillor O. Grandinetti declared a pecuniary interest – employed by Essar Steel.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that By-law 2010-119 being a by-law to prohibit vendors from locating near the grounds of Rotaryfest 2010 be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that By-law 2010-121 being 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 be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

10. Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that By-law 2010-118 being a by-law to permit the temporary street closing of various streets to facilitate Rotaryfest 2010 for July 16<sup>th</sup> and 17<sup>th</sup>, 2010 PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.
- Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that By-law 2010-122 being a by-law to permit the temporary street closing of Cathcart Street from Hudson Street to Carmen's Way to facilitate the Italian Festival be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.
- Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that By-law 2010-125 being a by-law to permit the temporary street closing of Queen Street East from East Street to Dennis Street for the purpose of Downtown Days be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.
- Moved by Councillor O. Grandinetti  
Seconded by Councillor J. Caicco  
Resolved that By-law 2010-35 being a by-law to stop up, close and authorize the conveyance of a lane in the Steelton Park Subdivision be PASSED in open Council this 28<sup>th</sup> day of June, 2010. CARRIED.

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**

Moved by - Councillor O. Grandinetti  
Seconded by - Councillor J. Caicco  
Resolved that this Council shall now adjourn.

---

**MAYOR**

---

**CLERK**



April 12, 2010

## AMO Breaking News

**Joint and Several Liability Paper**

The Association of Municipalities of Ontario has presented its paper, on joint and several liability reform to the Attorney General's office. The paper highlights how municipalities have become the targets of litigation when other defendants fail to have the means to pay high damage awards. The price communities are paying is steep - municipal insurance premiums and liability claims continue to increase dramatically. This is despite enormous improvements to safety including new standards for roads, playgrounds, pool safety, better risk management practices, and the scaling back of some services. Municipalities should not be insurers of last resort. Many other common law jurisdictions have better approaches and others are pursuing liability reform. It is time for Ontario to do the same.

Letters of support and resolutions have been received from municipal councils in every corner of the province since the draft paper was released late last year. Councils wishing to add their voice to this issue should send a copy of their resolution to Matthew Wilson, Senior Policy Advisor at [mwilson@amo.on.ca](mailto:mwilson@amo.on.ca) or by mail to the Association's office. All municipal resolutions received will be sent to the Province.

For Council's wishing to support this initiative, below is a draft resolution for consideration:

*That Council supports the Association of Municipalities of Ontario in its efforts to seek joint and several liability reform in Ontario and calls on the Provincial Government to pursue much needed changes to the Negligence Act.*

Resolutions can be forwarded to:

Matthew Wilson  
Senior Policy Advisor  
Association of Municipalities of Ontario  
200 University Avenue, Suite 801  
Toronto, Ontario  
M5H 3C6

Tel.: 416-971-9856 ext. 323  
Toll free: 1-877-426-6527  
Fax: 416-971-6191

**AMO Contact:** Matthew Wilson, Senior Policy Advisor, email: [\(mwilson@amo.on.ca\)](mailto:mwilson@amo.on.ca); (416) 971-9856 ext. 323



AMO Policy Update – July 8, 2010

Census

## Ontario Municipalities Concerned About Recent Federal Census Decision

All orders of governments use Statistics Canada's Census data to inform their policy decision making and program/service implementation as we all rely on the reliability and validity of this information. The data we use is generally extracted and analyzed from the mandatory "long form" questionnaire which asked one-fifth of Canadian households questions on issues such as work, education, housing, income, child care, migration, ethnicity and family life. Business, non-profit organizations and universities also heavily use this data for their respective purposes.

The Federal Government quietly eliminated the mandatory nature of the "long form" of the upcoming 2011 Census. Notice was provided in the June 26<sup>th</sup> Canada Gazette that this change had occurred through an Order in Council. Although such changes to well-established government operations are generally consulted upon prior to decision-making, there is no consultation process on this matter currently.

AMO is quite concerned with this federal direction given its significant potential negative impact to our collective capacity to conduct reliable, accurate analysis of municipal issues on a longitudinal basis to say nothing of all the municipal, provincial and federal government programs/services driven by the Census data. Issues and programs/services in areas such as municipal funding, social assistance, immigration, health, poverty, economic development, training, education, housing, child care and employment could all be affected by this announcement.

A survey methodology that relies on voluntary responses will compromise the efficacy of the data as the evidence indicates that aboriginal people, recent immigrants and those who are in the lower socio-economic populations will be underrepresented. This will result in these populations being under-counted and therefore the programs/services for these hard-to-serve people could be underfunded. Although the 2011 long form will be sent to more households to complete (from one-fifth to one-third), the voluntary nature will make the data size and response unreliable and not to the accuracy required to ensure efficient and effective program delivery. Although some may not wish to complete a mandatory long-form survey (individual's concerns), the argument for the public good of the data seems to have been lost in the balance. Further it should be known that all StatsCan data is available in aggregate form with no personal indicators, therefore the privacy issue is a bit of a red herring in that the personal information underlying each Census is only released 92 years after its collection.

AMO is currently raising our concerns with the Ontario government so that they can also engage in this discussion with the Federal government. AMO will be sending a letter shortly to the Honourable Tony Clement, Minister of Industry, to ask him to reconsider this decision given its implications for municipal programs and services. We are also working with the Federation of Canadian Municipalities (FCM) to ensure that our work is integrated at the national level.

We encourage members to contact your local MP, MPPs and the Industry Minister to inform them as to how this decision will affect municipal programs and services and ultimately your communities. For the benefit of all, we are asking that this decision be reconsidered and reversed.

**AMO Contact:** Monika Turner, Director of Policy. E-mail [mturner@amo.on.ca](mailto:mturner@amo.on.ca)



Office of the City Clerk

RECEIVED  
CITY CLERK

JUL - 7 2010

NO.: \_\_\_\_\_

DIST.: \_\_\_\_\_

5(b)

June 16, 2010

**TO: ALL MUNICIPALITIES IN ONTARIO WITH A POPULATION OVER 50,000**

Dear Sirs:

**RE: MOTION (4) – RECONSIDER POSITION AND NOT CLOSE PRISON FARMS IN KINGSTON – FULL PUBLIC REVIEW**

I would confirm that at the regular meeting of Kingston City Council held on June 15, 2010, the following Motion (4), was approved:

- (4) Moved by Councillor Matheson  
Seconded by Councillor Glover

*WHEREAS* the prison farms at Frontenac and Pittsburgh Institutions provide milk, eggs, and meat for 14 penitentiaries in Ontario and Quebec saving Canadian taxpayers from having to pay for this food for prison inmates; and,

*WHEREAS* the prison farms provide inmates with real work to do while they serve their time, contribute to their rehabilitation, and allow them to "pay their way through agriculture"; and,

*WHEREAS* on-going community efforts to save the prison farms have gathered increasing support both in Kingston and across the country; and,

*WHEREAS* Kingston City Council wishes to make it absolutely clear to the federal government that we believe that the prison farms are a positive and productive element of our community and should not be closed;

**THEREFORE BE IT RESOLVED THAT** City Council ask the federal government to reconsider its position and not close the prison farms in Kingston, and that a moratorium on the prison farm closures be put into place until a full public review of this decision takes place;

- and further -

*THAT* a copy of this motion be sent to the Prime Minister, the Attorney General of Canada, and the Minister of Public Safety, as well as the leaders of the opposition parties, and their appropriate critics for this portfolio, and all municipalities over 50,000, FCM, AMO, and Correctional Services Canada, asking for their support.

CARRIED

Yours truly,

Carolyn Downs  
City Clerk

/ki

Cc: Councillor R. Matheson

File No.

The Corporation of the City of Kingston  
216 Ontario Street, Kingston, ON K7L 2Z3

Phone: (613) 546-4291 ext. 1247

Fax: (613) 546-5232

cdowns@cityofkingston.ca

5(6)



THE CORPORATION OF THE  
TOWN OF MIDLAND

575 Dominion Avenue  
Midland, ON L4R 1R2  
Phone: 705-526-4275  
Fax: 705-526-9971  
info@midland.ca

June 30, 2010

**To All Municipalities in the Province of Ontario**

Attention: Clerk's Department

**Re: Request for Support – Residential Tenancies Act**

Enclosed please find a copy a letter dated June 21, 2010, from Shelter Now requesting support. The above noted letter was reviewed by Council during their June Council meeting and the following motion was passed:

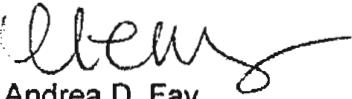
**THAT THE COUNCIL OF THE TOWN OF MIDLAND SUPPORTS THE REQUEST FROM SHELTER NOW TO AMEND CURRENT LEGISLATION UNDER PART 1, SECTION 5K OF THE RESIDENTIAL TENANCIES ACT FROM 1 YEAR TO 2 YEARS OR ADDING A 1 YEAR EXTENSION.**

Council directed staff to forward this correspondence to all municipalities within the Province requesting support of same.

If you have any questions with respect to this correspondence please contact the undersigned.

Yours very truly,

**THE CORPORATION OF THE TOWN OF MIDLAND**

  
for Andrea D. Fay  
Clerk

Enclosure



**Shelter Now**

North Simcoe Emergency/Transitional Residential Projects Inc. - PO Box 131, Midland, ON, L4R 4K6 - (705) 528-6941 Fax (705) 528-6942

June 21, 2010

**Town of Midland**  
575 Dominion Avenue,  
Midland Ontario,  
L4R 1R2

Dear Mayor Downer and Council Members,

I am contacting you on behalf of North Simcoe Emergency and Transitional Residential Projects Inc, (more formally known as Shelter Now). We have recently sent a letter to the Hon. James Bradley from the Ministry of Municipal Affairs and Housing requesting to have Part I, Section 5K of the Residential Tenancies Act changed as it doesn't speak for transitional housing providers reasonably.

Shelter Now is representing The Simcoe County Alliance to End Homelessness, The Simcoe County Transitional Housing Network along with various community partners to have this current legislation changed.

The Act reads as follows: Part I, Section 5, exemptions from the Act. The Act does not apply with respect to,

- (k) living accommodation occupied by a person for the purpose of receiving rehabilitative or therapeutic services agreed upon by the person and the provider of the living accommodation, where,
  - (i) the parties have agreed that,
    - (A) the period of occupancy will be of a specified duration, or
    - (B) the occupancy will terminate when the objectives of the services have been met or will not be met, and
  - (ii) the living accommodation is intended to be provided for no more than a **one-year period**;

Transitional housing is defined as temporary or interim accommodation for homeless or at-risk of homelessness individuals and/or families that is combined with case managed support services,

5(b)



**Shelter Now**

125 Main Street, Midland, ON, N4R 1A2

North Simcoe Emergency/Transitional Residential Projects Inc. - PO Box 131, Midland, ON, L4R 4K6 - (705) 528-6941 Fax (705) 528-6942

aimed at helping these individuals to transition to long-term and permanent housing, self-sufficiency and independence (National Homelessness Initiative). While transitional housing is usually longer term and more service intensive than emergency shelter, it is still time limited, with stays ranging from several months to a maximum of 1 year. Having only 1 year is quite simply not enough time to ensure the success of each individual. Some clients will require a 1 to 2 year period to gain the independence they need to be successful once they have transitioned into permanent housing.

Shelter Now is a not for profit charity and owns and operates a 20 unit transitional housing complex in Midland. Our offices are located in the lower level of the building along with other Non-Profits who support our clients above. When clients are admitted into our program they agree to a strict set of rules and must participate in our transitional housing program which is specific to each individual. Supports include, vocational counseling, employment services, financial services, nutritional and life skills training, addiction or mental health counseling and many more services. Along with other transitional housing providers, we too are discharging clients after the 1 year period only to have them fall back into system again, which in turn costs Ontario taxpayers.

We are recommending that the current legislation under Part I, Section 5K of the Act, be changed from 1 year to 2 years or adding a 1 year extension. This change would not negatively affect landlords or tenants, and therefore we do not foresee any opposition.

We are further recommending that you request the support of the County of Simcoe and The Association of Municipalities of Ontario.

Thank you in advance for your support.

Regards,

Sheila Storey  
Executive Director  
Shelter Now

5(c)

Joseph M. Fratesi, B.A., J.D. (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)

2010 07 12

The Honourable John Baird  
Minister of Transport, Infrastructure and Communities  
Tower C – 330 Sparks Street  
Ottawa, ON K1A 0N5

**Re: Huron Central Railway from Sault Ste. Marie to Sudbury**

Dear Honourable Minister:

As you are aware, I have chaired a Working Committee of stakeholders intent on doing what was required to ensure the continued existence of an important short line rail link between Sault Ste. Marie and Sudbury, owned by CP Rail and operated by Huron Central Rail (HCR). Approximately one year ago, our community, the City of Sudbury and all of the small communities in between were disappointed to hear an announcement that this important piece of Northern Ontario transportation infrastructure would cease to operate beyond August 15, 2009. Essar Algoma Steel, Domtar (Espanola) and many smaller industries as well as representatives of all communities directly affected came together and rolled up our collective "shirt sleeves" to ensure the continued existence of the short line rail.

With the assistance of the Federal government (FedNor and Minister Tony Clement) and the help of the Provincial government (NOHFC and Minister Michael Gravelle) our group was able to convince Huron Central Rail to continue to operate for a period of one year. This has allowed us the opportunity to further engage all parties, including both senior levels of government, to devise a long term plan for the viability of the rail line.

The effort that has been put in to this by the CEO of Essar Steel Algoma, a Senior VP of Domtar, the President of Huron Central Rail, a senior VP of CP Rail and the staff of both the Federal and Provincial governments has been nothing short of spectacular. The task for this group of well intended individuals has been very complex, but it now appears that the necessary long term agreements have all been accepted in principle between Essar Steel Algoma and Huron Central, Domtar and Huron Central, Huron Central and CP Rail and Huron Central and the senior levels of government. However, what does yet appear to be settled is agreement between the Federal and Provincial governments. Mr. Minister, you wrote to me on June 16, 2010 in reply to my many previous letters and advised me that your government was negotiating a Canada-Ontario Provincial Territorial Base Fund Agreement with the Province. You confirmed a

5(c)

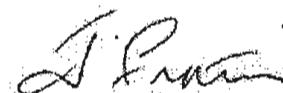
letter which you had previously written to Minister Brad Duguid and which had been provided to the media, clearly indicating that "the Federal government was prepared to support the rehabilitation of the railway as part of the Provincial Territorial Base Fund Agreement." You went on, however, that in order "to move forward, the Provincial government must sign the agreement and submit the Huron Central Railway as a project for funding consideration." A similar letter was written by you to our City Clerk on June 14, 2010.

As a result of your letter, the Working Group has been tenacious in dealing with not only Provincial staff and local Provincial members, David Orazietti and Mike Brown, but also with Minister Duguid's office in urging all to ensure that the Canada-Ontario Provincial Territorial Base Fund Agreement was in fact signed in a timely fashion. I was delighted to learn that Minister Duguid had signed the Agreement and expected that the Federal and Provincial discussions had been concluded.

I am sure you can understand my confusion and frustration, when I read in our local media, this past Friday and Saturday that, notwithstanding the fact that Minister Duguid had now signed this Agreement, that the "Federal government still needs to release an equal amount of funding for the project to move forward." This comment was made by MPP David Orazietti. A similar comment was made by Amy Tang, Press Secretary for Minister Duguid who said "The Province has signed the Agreement, but the Feds have not signed their part of the Agreement yet. Our next step is to try to work with the Federal government to sign that Agreement. They're not answering our calls."

As I indicated earlier in this letter all of the other complexities of this long term solution seem to be falling very nicely into place. There remains, however, this "back and forth" between the two senior levels of government in spite of the fact that both have publicly committed their share of the funding required for the project. We are coming perilously close to the August 15<sup>th</sup> expiry date of the one year agreement. I am, therefore, asking you to personally intervene in this matter to ensure the ultimate success of this project. Your assistance is greatly appreciated.

Respectfully submitted,



JMF:bb

Joseph M. Fratesi  
Chief Administrative Officer and  
Chair of the Working Group

c.c.

Tony Clement – Minister of Industry

Brad Duguid - Minister of Energy & Infrastructure

Michael Gravelle—Minister of Northern Development, Mines & Forestry

France Pegeot - Assistant Deputy Minister-Industry Canada

David Orazietti – MPP, Sault Ste. Marie

Mike Brown – MPP, Algoma, Manitoulin  
Rick Bartolucci – MPP, Sudbury  
Tony Martin - MP, Sault Ste. Marie  
Carol Hughes - MP, Algoma, Manitoulin, Kapuskasing  
Glen Thibeault – MP, Sudbury  
Cal McDonald – Ontario Ministry of NDM&F  
Rick Roth – Special Assistant to Hon. John Baird  
Taki Sarantakis – Associate ADM, Infrastructure Canada  
Mayor John Rowswell & Members of City Council  
Mario Brault, President, Huron Central Railway  
Armando Plastino - CEO, Essar Steel Algoma  
Michel Jean – VP, Logistics & Production Planning – Domtar  
Bill Therriault – Consultant – Kaizen Resources

5(d)



Switch Divisions Corporate

**About****Strategies****Resources**

News

Tenders

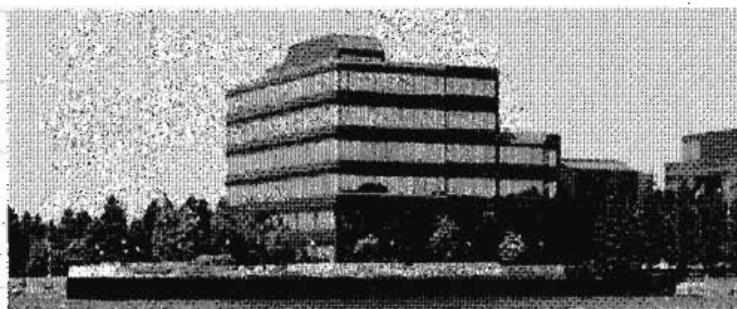
Career Opportunities

Accessible Customer Service

Policy

SSMEDC Board of Directors

Online Office

**Directories****Reports****Partners****Newsletters**

## Major martial arts tourney coming to the Sault

**July 9, 2010**

The first ever International Hap Ki Do Canadian Open will be held here in 2011. The martial arts competition, scheduled next year from Aug. 12 to 13 at the Essar Centre, is expected to attract up to 1,000 visiting participants and fans from around the world.

Hap ki do is a Korean martial art that incorporates hand strikes, kicking, joint locks and other self-defense techniques. Master Peter Cornacchio and wife Tracy, who run Soo Dan Hap Ki Do Academy on Korah Road, were the driving force behind the community getting the hosting rights for the 2011 event.

"Sault Ste. Marie has a very large martial arts presence," said Master Cornacchio, who, as Regional Director for the International Hap Ki Do Federation (IHF), recently certified 21 locals as official hap ki do referees. "It's important that we bring everyone together and create unity amongst martial artists. That's one of the goals of the 2011 competition."

Following the event announcement at the Sault Ste. Marie Civic Centre July 9, Mayor John Rowsell will be presented with an honourary black belt.

"When you look at what Mayor John has done for our city, and how much of a fighter he is, it really shows the kind of person he is," said Tracy Cornacchio. "He's a true leader in every sense of the word."

The 2011 International Hap Ki Do Canadian Open joins a growing list of major sporting events in Sault Ste. Marie that were bid on, or supported by, the Economic Development Corporation's Tourism Sault Ste. Marie division. These include the 2010 Scotties Tournament of Hearts and 2012 CARHA Hockey World Cup.

"Sault Ste. Marie is hockey town, and we always will be, but we're showing that we're more than ready, willing and able to host any number of sporting events," said Steve Hollingshead, Coordinator of Special Projects and Sport Tourism for Tourism Sault Ste. Marie. "Having the support of city council and staff, along with local champions like the Cornacchios, is a proven recipe for success. The 2011 International Hap Ki Do Canadian Open is a prime example of what can happen when we have support and everyone works together."

**SITE INTERESTS**
[click here  
for good news](#)
**NEWS**
[Major martial arts tourney coming to the Sault](#)
[Ahoy all pirates!](#)
[SSMEDC Newsletter - June 2010](#)
[VIDEO: Helene Canada adding to the Sault's green sector](#)
[More News >](#)
**SITE SEARCH**

Enter your search query below

**QUICK LINKS**
[Tourism SSM](#)
[Development SSM](#)
[Enterprise Centre SSM](#)
**INFO REQUEST**

[Join the EDC Mailing List](#)

[enter email](#)

5(e)

**FROM:** Sault Ste. Marie Aggregate Producers  
**TO:** Mr. Mayor and Members of Council of  
The Corporation of the City of Sault Ste. Marie  
**DATE:** July 12, 2010

Sault Ste. Marie Aggregate Producers are writing to request that City Council formalize the requirement, currently in municipal contracts and subcontracts, that all aggregates used in the performance of City contracts be obtained from a source licensed under the Aggregate Resources Act of Ontario.

This Act covers all phases of aggregate extraction including licensing new sites, operation of existing sites, rehabilitation of depleted pits, and the remediation of sites abandoned before the Act came into effect. The Aggregate Resources Act has stringent and exhaustive requirements concerning environmental, economic, archaeological and cultural impacts of aggregate extraction, and all aspects are subject to public review through information meetings and required posting on the Environmental Review Board.

Aggregate operations generally require large tracts of land and because of this the industry pays a large amount of municipal property taxes. Licensed operations also pay a license fee of 11 1/2 cents per tonne, 6 cents of which revert to the City for the road budget. Most pits in the City are locally owned and all are locally operated employing many residents, thus adding to the economic base of Sault Ste. Marie.

Sault Ste Marie is naturally gifted with an abundant supply of high quality, close to use, economical aggregates. It makes financial and environmental sense that they be used for all City contracts.

As a group of local aggregate producers, we respectfully ask City Council to formalize this requirement. Thanking you for your time and consideration, we remain.

Yours truly,  
Sault Ste. Marie Aggregate Producers

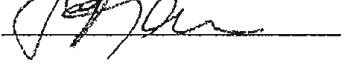
Avery Construction Ltd.

Per: 

Dave Smith Ltd.

Per: 

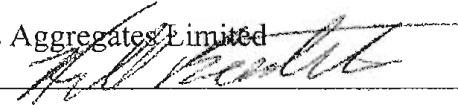
Palmer Construction Group Inc.

Per: 

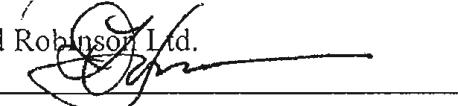
Possamai Construction & Aggregates

Per: 

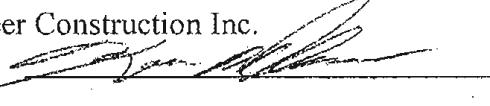
Brandes Aggregates Limited

Per: 

Ellwood Robinson Ltd.

Per: 

Pioneer Construction Inc.

Per: 

5(f)

Ministry of  
the Environment  
Office of the Minister  
77 Wellesley Street West  
11<sup>th</sup> Floor, Ferguson Block  
Toronto ON M7A 2T5  
Tel.: 416 314-6790  
Fax: 416 314-6748

Ministère de  
l'Environnement  
Bureau du ministre  
77, rue Wellesley Ouest  
11<sup>e</sup> étage, édifice Ferguson  
Toronto ON M7A 2T5  
Tél.: 416 314-6790  
Téléc.: 416 314-6748



ENV1283MC-2010-2721

June 24, 2010

His Worship John Rowswell  
Mayor, City of Sault Ste. Marie  
Level IV, Civic Centre  
99 Foster Drive, P.O. Box 580  
Sault Ste. Marie ON P6A 5N1

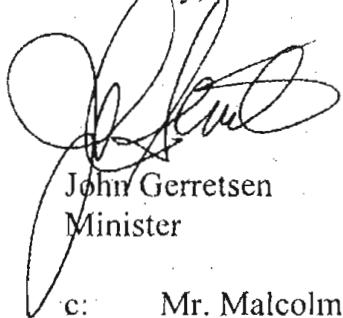
Dear Mayor Rowswell:

I am responding to a June 7, 2010 letter from Mr. Malcolm White, City Clerk, with regard to Council's resolution about Environment Canada's draft regulation to set a baseline standard for all wastewater systems in Canada.

As Ontario's Minister of the Environment, I appreciate being kept up-to-date on the City of Sault Ste. Marie's activities with respect to this matter. I trust that the City of Sault Ste. Marie has also brought this matter to the attention of the Honourable Jim Prentice, Minister of Environment Canada, so that your concerns can be addressed.

Thank you, again, for sharing this information with me.

Sincerely,



John Gerretsen  
Minister

c: Mr. Malcolm White, BPHE, CMO  
City Clerk

RECEIVED	
CITY CLERK	
JUL 13 2010	
NO.:	51708
DIST.:	

5(h)



PAGE 1 OF 2

APPENDIX B-2A

**CITY OF SAULT SITE. MARIE  
INFORMATION SECTION FOR PERMITS WHERE ALCOHOL WILL BE SERVED**

**APPROVALS**

**NOTE: All signatures of approval must be provided on one original form.**

Name of Group/Organization: Buddy's Sports bar and Grill / 2010 Finn Grand Fest

Contact Person: Jason Borrelli Telephone No. 253-7707 H - 253-0009 W

Name of Event: 2010 Finn Grand Fest

Date(s) of Event: July 30, 31<sup>st</sup> Site: Field "A"

Times of Event: 9am - 7pm Location: John R. Rhodes Centre

Times of Beer Garden: 11am - 7pm

Buddy's Bar & Grill Jason Borrelli or Dan Borrelli

Name of Permit/Licence Holder

Name of Identified Designate

Jason Borrelli

Jason Borrelli

Signature of Permit/Licence Holder

Signature of Identified Designate

260 Elizabeth St P6A 6S3

188 Churchill Ave (705) 253-7707

Address of Permit/Licence Holder

Address of Identified Designate/Telephone

(705) 253-0009

Telephone/E-Mail

Telephone/E-Mail

1. Sault Ste. Marie Police Service

D. Wallace

Signature of Official

12 July 10

2. Sault Ste. Marie Fire Services  
Fire Prevention Office

D. [Signature]

Signature of Official

3. Algoma Public Health  
Environmental Health

J. L. [Signature]

Signature of Official

4. Community Services Department  
Recreation and Culture Division or  
Community Centres

M. Neelton

Signature of Official

**TO BE POSTED AT EVENT.**

**FOR OFFICE USE ONLY**

City Council Approval Received on \_\_\_\_\_ Date \_\_\_\_\_

C.S.D. Staff Representative \_\_\_\_\_ Signature \_\_\_\_\_

Signature



PAGE 1 OF 2

APPENDIX B-2A

**CITY OF SAULT SITE. MARIE  
INFORMATION SECTION FOR PERMITS WHERE ALCOHOL WILL BE SERVED**

**APPROVALS**

**NOTE:** All signatures of approval must be provided on one original form.

Name of Group/Organization: SSM Slopitch League

Contact Person: Steve McEwen Telephone No. 542-0181

Name of Event: Slopitch Tournaments

Date(s) of Event: Aug. 7, 8 (14, 15) (21, 22) 2010 Site: Stratheair Fields (Field A)

Times of Event: 11am - 9pm Location: Field A

Times of Beer Garden: 11am - 9pm

Steve McEwen

Steve McEwen (To be identified)

Name of Permit/Licence Holder

Name of Identified Designate

Steve McEwen

Signature of Permit/Licence Holder

Signature of Identified Designate

49 Plaintree Dr., Sault Ste. Marie, Ont., P6B 5G9

Address of Permit/Licence Holder

Address of Identified Designate/Telephone

542-0181 smrewen19@hotmail.com

Telephone/E-Mail

Telephone/E-Mail

1. Sault Ste. Marie Police Service

F. Calucci

Signature of Official

13/04/10

2. Sault Ste. Marie Fire Services

Fire Prevention Office

J. B. [Signature]

Signature of Official

3. Algoma Public Health  
Environmental Health

H. Dinger July 12/10

Signature of Official

4. Community Services Department  
Recreation and Culture Division or  
Community Centres

M. H. [Signature]

Signature of Official

TO BE POSTED AT EVENT.

**FOR OFFICE USE ONLY**

City Council Approval Received on \_\_\_\_\_ Date \_\_\_\_\_

C.S.D. Staff Representative \_\_\_\_\_ Signature \_\_\_\_\_

07/06/2010 08:38 FAX 1 705 949 2341

SSM FIRE DEPT.

001

002/002

07/06/2010 FRI 13:43 FAX

02-Jul-2010 01:34 PM APH - Environmental Health 705-541-7346

2/2

5(h)

07/02/2010 FRI 8:58 FAX

07/02/2010 FAX 8:43 FAX 705 7358 SSM police

002/002

003/007

06/28/2010 TUE 16:21 FAX

002/008



PAGE 1 OF 2

APPENDIX B-2A

CITY OF SAULT SITE MARIE  
INFORMATION SECTION FOR PERMITS WHERE ALCOHOL WILL BE SERVED

APPROVALS

NOTE: All signatures of approval must be provided on one original form.

Name of Group/Organization: FINN GRAND FEST / ALGOMA CENTRAL HOTELS

Contact Person: KEN WALLENIUS Telephone No. 541-8766

Name of Event: FINN GRAND FEST

Date(s) of Event: JULY 10<sup>th</sup>, 2010 site: Roberts Boundary Tent

Times of Event: 8pm - 1am Location: SSMay's River Drive

Times of Beer Garden: 8pm - 1am

ALGOMA CENTRAL HOTELS LTD # 11195 RUS KINNUUNEN

Name of Permit/Licence Holder

RW MAYER

Name of Identified Designate

RK

Signature of Permit/Licence Holder

ZOO SERVERS RIVER DRIVE

Signature of Identified Designate

DR. DITA WALTER REINT SSM

Address of Permit/Licence Holder

# 705-949-0611

Address of Identified Designate/Telephone

Telephone/E-Mail

Rkinnuunen@del tahotels.c

1. Sault Ste. Marie Police Service

Signature of Official

2. Sault Ste. Marie Fire Services  
Fire Prevention Office

Signature of Official

3. Algoma Public Health  
Environmental Health

Signature of Official

4. Community Services Department  
Recreation and Culture Division or  
Community Centres

Signature of Official

TO BE POSTED AT EVENT.

FOR OFFICE USE ONLY

City Council Approval Received on

Date

C.S.D. Staff Representative

Signature

5(i)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: JEFF DEPIELO TELEPHONE: 949-3247

ADDRESS: 122 Bishop's Court POSTAL CODE: P6A 3V9

The above person hereby makes application for the closing of  
BISHOP'S COURT

(Name of street to be closed)

from 100 to 144  
(reference points - street numbers, cross streets, etc.)

on the 14<sup>th</sup> day of August, 20 10 from 15:00 am/pm to 22:00 am/pm  
for the purpose of THE BEGINNING OF AN ANNUAL Block Party.

APPROVALS SECTION:

1. Police Services, Traffic Dept.  
Telephone 949-6300 ext 348  
Fax 759-7820  
580 Second Line East
2. Fire Services/Emergency Medical Services (EMS)  
Telephone 949-3335/949-3387  
Fax 949-2341  
72 Tancred Street

Jeff DePielo

Signature of Official

\_\_\_\_\_  
Signature of Official

3. Public Works & Transportation Dept.  
Telephone 541-7000  
Fax 541-7010  
128 Sackville Road
4. Transit/Parking  
Telephone 759-5320  
Fax 759-5834  
111 Huron Street

\_\_\_\_\_  
Signature of Official

\_\_\_\_\_  
Signature of Official

5. Central Ambulance Communication  
Centre (C.A.C.C.)  
Telephone 946-1227  
Fax 945-6883  
65 Old Garden River Road
6. Downtown Association  
Telephone 942-2919  
Fax 942-6368  
496 Queen Street East  
**(QUEEN STREET CLOSINGS ONLY)**

Jeff DePielo  
Signature of Official

\_\_\_\_\_  
Signature of Official

CITY CLERK SECTION:

City Council approval was received on \_\_\_\_\_  
(date) \_\_\_\_\_ (By-law No.) \_\_\_\_\_

5(i)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: JEFF DE PIERO TELEPHONE: 949-3247

ADDRESS: 122 Bishop's Court POSTAL CODE: P6A 3V9

The above person hereby makes application for the closing of

BISHOP'S COURT

(Name of street to be closed)

from 100 to 144  
(reference points - street numbers, cross streets, etc.)

on the 14<sup>th</sup> day of August, 20<sup>10</sup> from 15:00 am/pm to 22:00 am/pm  
for the purpose of THE BEGINNING OF AN ANNUAL BLOCK PARTY.

APPROVALS SECTION:

- |   |   |
|---|---|
| 1. Police Services, Traffic Dept.<br>Telephone 949-6300 ext 348<br>Fax 759-7820<br>580 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)<br>Telephone 949-3335/949-3387<br>Fax 949-2341<br>72 Tancred Street |
|---|---|

Signature of Official

- |  |  |
|--|--|
| 3. Public Works & Transportation Dept.<br>Telephone 541-7000<br>Fax 541-7010<br>128 Sackville Road | 4. Transit/Parking<br>Telephone 759-5320<br>Fax 759-5834<br>111 Huron Street |
|--|--|

Signature of Official

- |   |   |
|---|---|
| 5. Central Ambulance Communication<br>Centre (C.A.C.C.)<br>Telephone 946-1227<br>Fax 945-6883<br>65 Old Garden River Road | 6. Downtown Association<br>Telephone 942-2919<br>Fax 942-6368<br>496 Queen Street East<br><b>(QUEEN STREET CLOSINGS ONLY)</b> |
|---|---|

Signature of Official

- Transit/Parking  
Telephone 759-5320  
Fax 759-5834  
111 Huron Street

Signature of Official

- Downtown Association  
Telephone 942-2919  
Fax 942-6368  
496 Queen Street East  
**(QUEEN STREET CLOSINGS ONLY)**

Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on \_\_\_\_\_, \_\_\_\_\_  
(date) (By-law No.)

5(i)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Jeff DePree TELEPHONE: 944 3247

ADDRESS: 122 Bishop's Court POSTAL CODE: P1A 3V9

The above person hereby makes application for the closing of  
BISHOP'S COURT

(Name of street to be closed)

from 100 to 144  
(reference points - street numbers, cross streets, etc.)

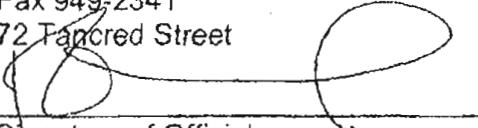
on the 14<sup>th</sup> day of August, 2010 from 15:00 am(pm) to 22:00 am(pm)  
for the purpose of THE BEGINNING OF AN ANNUAL Black Poetry.

APPROVALS SECTION:

1. Police Services, Traffic Dept.  
Telephone 949-6300 ext 348  
Fax 759-7820  
580 Second Line East

Signature of Official

2. Fire Services/Emergency Medical Services (EMS)  
Telephone 949-3335/949-3387  
Fax 949-2341  
72 Tancred Street

  
Signature of Official

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

Signature of Official

4. Transit/Parking  
Telephone 759-5320  
Fax 759-5834  
111 Huron Street

Signature of Official

5. Central Ambulance Communication  
Centre (C.A.C.C.)  
Telephone 946-1227  
Fax 945-6883  
65 Old Garden River Road

6. Downtown Association  
Telephone 942-2919  
Fax 942-6368  
496 Queen Street East  
**(QUEEN STREET CLOSINGS ONLY)**

Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on \_\_\_\_\_  
(date) \_\_\_\_\_ (By-law No.) \_\_\_\_\_

5(i)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: JEFF DE PIERO TELEPHONE: 949 3247  
 ADDRESS: 122 BISHOP'S Court POSTAL CODE: P0A 3V9

The above person hereby makes application for the closing of

BISHOP'S Court

(Name of street to be closed)

from 100 Bishop Crt. to 144 Bishops Court  
 (reference points - street numbers, cross streets, etc.)

on the 14<sup>th</sup> day of August, 20<sup>10</sup> from 15:00 am/pm to 22:00am/pm  
 for the purpose of THE BEGINNING OF AN ANNUAL BLOCK PARTY.

APPROVALS SECTION:

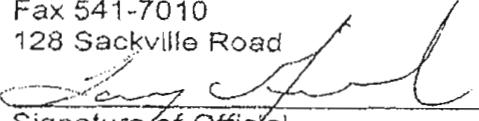
- |  |   |
|--|---|
| 1. Police Services, Traffic Dept.<br>Telephone 949-6300 ext 348<br>Fax 759-7820<br>580 Second Line East                | 2. Fire Services/Emergency Medical Services (EMS)<br>Telephone 949-3335/949-3387<br>Fax 949-2341<br>72 Tancred Street         |
| <hr/>  |   |
| 3. Public Works & Transportation Dept.<br>Telephone 541-7000<br>Fax 541-7010<br>128 Sackville Road                     | 4. Transit/Parking<br>Telephone 759-5320<br>Fax 759-5834<br>111 Huron Street  |
| <hr/>  |   |
| 5. Central Ambulance Communication Centre (C.A.C.C.)<br>Telephone 946-1227<br>Fax 945-6883<br>65 Old Garden River Road | 6. Downtown Association<br>Telephone 942-2919<br>Fax 942-6368<br>496 Queen Street East<br><b>(QUEEN STREET CLOSINGS ONLY)</b> |

---

Signature of Official

---

Signature of Official

---

Signature of Official

---

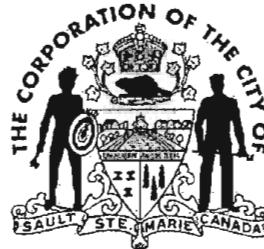
Signature of Official

CITY CLERK SECTION:

City Council approval was received on \_\_\_\_\_, \_\_\_\_\_  
 (date) (By-law No.)

5 (i)

Joseph M. Fratesi, B.A., J.D. (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)

2010 07 19

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. **Donald B. McConnell - Engineering & Planning**  
Provincial Policy Statement Review Meeting  
July, 2010  
Sudbury Ontario  
Estimated total cost to the City - \$ 412.00  
Estimated net cost to the City - \$ 412.00
2. **Carlo Provenzano – Fire Services**  
Advanced Fire Inspection/ Enforcement  
August, 2010  
Gravenhurst, Ontario  
Estimated total cost to the City - \$ 225.00  
Estimated net cost to the City - \$ 225.00
3. **Robert Rushworth – Fire Services**  
2010 AMEMSO Conference  
October, 2010  
Deerhurst, Ontario  
Estimated total cost to the City - \$ 1437.11  
Estimated net cost to the City - \$ 1437.11

Yours truly,

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

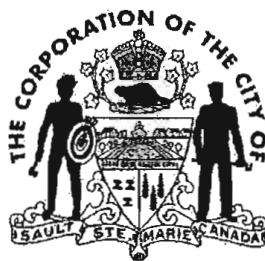
JMF: bb

Joseph M. Fratesi  
Chief Administrative Officer

5(k)

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

Finance Department



2010 07 19

Mayor John Rowswell and  
Members of City Council

**Re: 2009 Financial Statements**

Please find attached under separate cover draft audited Consolidated Financial Statements for 2009.

The Finance Committee met on July 14, 2010 with the City's Auditor KPMG LLP to review the 2009 City audit and the following resolution was approved.

Moved By: Councillor Terry Sheehan  
Seconded By: Councillor Frank Fata

Therefore be it resolved that the Finance Committee approve the 2009 Financial Statements as presented and recommend the 2009 Financial Statements to City Council for approval.

The 2009 Performance Measures will be presented at a future date.

**Recommendation**

City Council approve the 2009 Consolidated Financial Statements as presented.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Freiburger, CMA".

W. Freiburger, CMA  
Commissioner of Finance and Treasurer  
WF/kl

5(1)

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

Finance Department



2010 07 19

Mayor John Rowswell and  
Members of City Council

#### **RE: OMERS PENSION RATE CHANGES**

On July 6, 2010, the OMERS Sponsors Corporation (SC) approved temporary changes for both employers and members to address the OMERS Primary Plan's funding shortfall.

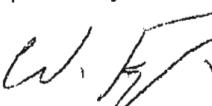
Listed below are the temporary average rate increases for both employer and employee based on a member's earnings.

2011 - 1%  
2012 - 1 %  
2013 - .9%

Based on a total salary of approximately \$63 million per year, the rate increase is expected to cost \$630,000 in the first year and will accumulate over three years to \$1,827,000 per year. There are other factors that can impact the total cost increase such as employees that are no longer required to make pension contributions.

This report is provided for the information of City Council.

Respectfully submitted,

  
W. Freiburger, CMA  
Commissioner of Finance and Treasurer

  
RECOMMENDED FOR APPROVAL  
Joseph M. Fraiesi  
Chief Administrative Officer

5(1)



June 30, 2010

The Honourable Dwight Duncan

Minister of Finance

7<sup>th</sup> Floor, Frost Building South

7 Queen's Park Crescent

Toronto, ON M7A 1Y7

Dear Minister:

Re: Commentary on Phase II of Ontario Pension Reform

Recently, Municipal Employer Pension Centre of Ontario (MEPCO) staff have met with senior Ministry of Finance officials to discuss the next phase of pension reform in Ontario, preliminary to our own assessment of the fundamental issues that still need to be addressed. The attached submission captures our response to the pension commentary in the 2010 Provincial Budget and two specific issues – funding and indexation- which have a very high potential to significantly impact both OMERS Plan members and employers.

In pursuing and legislating pension reform, it is critical that the Government understand that the Pension Benefits Act provisions and regulations recognize the essential differences between single employer pension plans (SEPPS) and multi-employer pension plans (MEPPS)/jointly sponsored pension plans (JSPPs), which to operate effectively and efficiently, require a different regulatory regime. This continues to be our clear message to Government in its pension reform initiatives as they relate to OMERS, a public sector, multi-employer, jointly sponsored plan. The OMERS Plan is not subject to the same risks, e.g. insolvency, as other pension plans and a reform approach that “levels the playing field” or pursues a uniform, “one size fits all” treatment of pension plans is badly flawed public policy. Legislation resulting from this kind of approach is wasteful of constrained resources, puts increased and unnecessary funding pressures on members and employers. In the case of the OMERS Plan, the Ontario Government as an employer, will also face increased costs through its transfers to school boards, children’s aid societies and other sectors, such as local electricity distribution corporations or conversely, these entities will have less money available for front line services in their funding envelopes.

5(1)



Municipal Employers Pension Centre of Ontario

Ontario municipalities have great difficulty in passing along increased pension funding costs to their taxpayers. Tax increases to pay for increased pension funding, where there are no corresponding increases in the services delivered, will garner little or no public support.

We appreciate this opportunity to provide further input on what Ontario municipalities see as key pension reform issues and we look forward to working cooperatively as two orders of government to resolve our concerns in a way that is responsible in managing pension sustainability pressures and that minimizes risks to the taxpayers that we both serve.

Yours truly,

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

Doug Reycraft

Chair

5(1)



Municipal Employers Pension Centre of Ontario

Cc The Honourable Dalton McGuinty, Premier of Ontario

The Honourable Jim Bradley, Minister of Municipal Affairs and Housing

Deputy Minister Peter Wallace, Ministry of Finance

Deputy Minister Bill Forward, Ministry of Municipal Affairs and Housing

Steve Orsini, Associate Deputy Minister, Office of the Budget, Taxation and Pensions

Sriram Subrahmanyam, Assistant Deputy Minister, Taxation Policy Division in the Office of the  
Budget, Taxation and Pensions

The Honourable Laurel Broten, Minister of Children and Youth Services

The Honourable Leona Dombrowsky, Minister of Education

The Honourable Brad Duguid, Minister of Energy and Infrastructure

John Crocker, President & Chief Executive Officer, Hospitals of Ontario Pension Plan

Jim Leech, President and Chief Executive Officer, Ontario Teachers' Pension Plan

Derek Dobson, President and Plan Manager, Colleges of Applied Arts and Technology Pension Plan

OMERS SC/AC Employer representatives

## MEPCO Commentary on Phase II of Pension Reform.

### 1.0 INTRODUCTION

The Municipal Employers Pension Centre of Ontario (MEPCO) is a wholly owned subsidiary of the Association of Municipalities of Ontario (AMO), which has the responsibility for research, advice and liaison on matters relating to the Ontario Municipal Employers Retirement System (OMERS). AMO is the named sponsor representing 385 municipal employers that are part of OMERS. Municipal employers represent about 49% of all of the employers enrolled in OMERS. OMERS is one of the largest jointly sponsored pension plans (JSPPs) in Ontario. Jointly sponsored plans are different from other plans in that parties jointly sponsor and govern the plan, share risks and bargain collectively on benefits. This means that there are reduced operating risks, e.g. extremely low risk of insolvency, for jointly sponsored plans, which justifies a different legislative regime in order for such plans to operate effectively and efficiently. It is critical that the Government recognizes the fundamental differences between single employer pension plans (SEPPs) and JSPPs, as an important principle in pension reform legislation. The recommendations that MEPCO is making for the next phase of reform are based on this important premise. We welcome the opportunity to comment again on the progress towards pension standards reform as it pertains to the OMERS plan.

It is reassuring to see this government's commitment to pension standards reform, as evidenced by the number of issues tackled in Bill 236, the first round of pension reform. We were also pleased to see that one of our key areas of interest, asset transfers between pension plans, was included in Bill 236. On the other hand, we were somewhat disappointed with the negative option approach taken to dealing with grow-in for JSPPs.

With the next round of pension reform imminent, we believe it necessary to comment on fundamental issues still to be addressed. In Section 3, you will find our response to the pension commentary in the 2010 Ontario Budget. Further commentary follows on some specific issues - funding and indexation - both of which have the potential to significantly affect both plan members and their employers under OMERS.

### 2.0 SPECIFIC PENSION ISSUES

#### 2.1 *Funding*

The cash contributions required to go into a pension plan, commonly referred to as funding, are inexorably linked to benefit policy and investment policy. It is critical in JSPPs like OMERS that mechanisms be in place to smooth out funding over time as large changes in funding requirements cause a number of issues, including budgeting problems for municipal and other employers and inter-generational inequity.

The Alberta/BC Joint Expert Panel on Pensions made a particularly enlightened statement with respect to correcting deficiencies: "The test and the remedy are two separate issues". The Federal Government seems to have taken this to heart in its recently proposed minimum solvency funding standards by introducing an average solvency ratio concept. We have not noticed any similar commentary coming from Ontario.

The funding of the OMERS plan is truly a joint responsibility of the member and employer representatives on the OMERS Sponsors Corporation. It was reassuring that the report of the Ontario Expert Commission on Pensions (the Report) concluded, and we strongly agree, that JSPPs should be required to fund only on the basis of going concern valuations, for several reasons:

- We believe funding standards should be allowed to vary based on the risk inherent in the nature of the plan. The rationale for solvency funding when it was first introduced 30 years ago was to ensure sufficient funds had been set aside to fully provide for benefits promised in the event that the plan was terminated due to the **plan sponsor's insolvency** (emphasis added). Clearly, this risk should not be a primary concern for the OMERS plan given the nature of its almost 1,000 participating employers. Otherwise, it sends a negative signal about how the province considers the financial well-being of public sector entities enrolled in OMERS.
- The nature of the governance of the OMERS plan is such that all aspects of the plan benefits and the funding thereof are subject to negotiation between plan members and their employers, in an environment where each side has equal representation and significant professional support both through OMERS staff and external advisors. Therefore, additional legislatively imposed safeguards are not needed to the same degree as they might with a single employer pension plan, especially where plan members have no role in the governance of the plan.
- Plan sponsors involved with OMERS have the taxpayer as their primary source of funds, which becomes problematic in dealing with the highly volatile funding requirements that result from the shortened amortization period associated with solvency funding.

The one recommendation from the Report that we take exception to is the recommendation for shortened amortization periods for JSPPs similar to what has been required for Specified Ontario Multi-employer Pension Plans (SOMEPPs). We understand the need for balance in making legislative changes, but, as indicated above, we believe that funding standards should vary based on the nature of the risk inherent in the plan and this should include risks related to the nature of a plan's governance structure. SOMEPPs typically have very different risk characteristics than OMERS. This is especially so when factoring in the difference in the nature of the industries and business that typically participate in SOMEPPs versus those that participate in OMERS.

As a final comment, the primary purpose of funding, in combination with investment returns, is to secure the benefits promised. In the attempt to maximize investment returns, Defined Benefit pension plans can follow investment strategies that result in a mismatch between the plan's assets and liabilities. Given the high degree of volatility in funded ratios that can result, a comprehensive risk mitigation strategy for dealing with the benefit security issue in these situations would include:

- A clear long term funding strategy that can sustain the benefits promised.
- Investment strategies that help mitigate against infrequent but highly negative investment returns in the short term.
- A practice of annual valuations to be able to stay current with the plan financial position and to adjust long term funding needs accordingly.
- A sufficient reserve built up to withstand significant chaotic market events that could have catastrophic consequences for the plan. Given that we are just recovering from such an event in 2008, it is not reasonable to expect a plan to build up a significant reserve overnight.

## 2.2 Indexing

Recommendation 4-21 of the Report states:

The government should proclaim in force the provisions of the Pension Benefits Act that allow it to require pensions to be inflation-adjusted in accordance with a formula to be prescribed. That formula should be restricted to "inflation emergencies".

It is worthwhile noting that no definition of "inflation emergencies" has been provided and the Report is also silent on what might be appropriate in terms of prescribed indexation benefits.

The issue of inflation eroding the real value of pensions is a broad social issue. We are puzzled by this recommendation and strongly recommend that it not be incorporated in the next round of reform proposals, for several reasons:

- Inflation is highly unpredictable. Consequently, funding for inflation protection in advance generally comes at a very high cost. It is for this very reason that several large pension plans in Ontario have moved from a guarantee of 100% inflation protection to a more flexible approach involving a combination of a lower guarantee and ad hoc indexing based on the financial condition of the plan.
- The imposition of inflation protection onto existing voluntary retirement programs will be a fundamental change in the deal provided. Given the cost implications of such intervention, it is not acceptable to implement it as an add-on cost. Action has been taken in the past with respect to pension standards to deal with broader social issues, the primary example being to ensure that spouses would be protected by requiring a spousal form of payment, unless otherwise declined. However, the cost of providing a spousal form of payment was not forced on plan sponsors and plans could adjust the pension benefit to take into account the longer expected payout period. A similar approach could be taken with inflation protection, by offering it as an optional form of payment, for which the member would pay the price not the plan.
- Vague legislation is always a problem. We cannot have legislation dealing with subjective conditions such as "inflation emergencies".
- As we've already indicated, the OMERS benefits are actively managed by the OMERS Sponsors Corporation. It is critical to the ongoing management of the plan and to ensure the sustainability of the benefits that the Sponsors Corporation be able to manage the benefits of the plan and the cost thereof without undue and unnecessary regulatory intervention.

### 3.0 MEPCO RESPONSE TO PENSION COMMENTARY IN THE 2010 ONTARIO BUDGET

This Section responds to principles and reforms the Province put forward in the 2010 Provincial Budget Papers.

#### 3.1. Extracted from Chapter III, of the Budget Paper: *Supporting Sustainable Public-Sector Pension Plans*

*The government will consider additional temporary funding relief measures for public-sector and broader public sector (BPS) pension plans if certain conditions related to greater sharing of risk and governance are met, such as:*

- Converting to joint sponsorship for future service;
- More equitable sharing of the normal cost of providing benefits between plan sponsors and members;
- Linking some future benefits, such as inflation protection, to plan performance; and
- Enhancing cost certainty and affordability through benefit adjustments that make the plans more sustainable.

MEPCO supports this suggestion and notes that the OMERS plan already meets these conditions in several ways:

- OMERS already has a joint governance structure, shared equally between employers and unions representing their collectively bargained employees;
- OMERS is funded 50/50 by participating employees and their employers;
- With respect to the last two points, the OMERS Specified Plan Change process (a by-law of the Sponsor's Corporation) provides the mechanism to implement them.

#### 3.2. The following table consists of principles listed in Chapter III, section headed: *A Vision for Further Reform*, together with MEPCO's response:

Principle	MEPCO Response
1. Funding should be required for all benefits that a pension plan provides	OMERS currently does this through its going concern valuation, which, it is our understanding, is the sole intended basis for determining the funding of JSPPs.
2. Risk and responsibility should be shared among stakeholders	This is already the case with OMERS due to the nature of its joint governance structure and equal cost sharing.
3. Funding rules should match benefit and governance structures	We agree and would go one step further, suggesting that the net risk in a plan (of benefits not being delivered) should be factored into determining the appropriate funding rules for different types of plans in different circumstances. We suggest that OMERS, from a governance perspective alone, would fit into the lowest of risk categories.

#### 3.3 The following table consists of reforms to be explored, listed in Chapter III, section headed: *A Vision for Further Reform*, together with MEPCO's response:

For further exploration	MEPCO Response
1. Strengthen the requirements for taking contribution holidays and require disclosure of contribution holidays to plan members and retirees	We support this direction. From MEPCO's perspective, while contributions holidays can provide much wanted flexibility, they have the potential to create inter-generational inequities if taken for an extended period of time.

5(1)

For further exploration	MEPCO Response
2. Enhance the requirements for funding benefit improvements when existing benefits are not fully funded and require that all benefit improvements be funded more quickly	We support this direction.
3. Limit the extent to which funding can be based on valuations that exclude the value of certain benefits, employ asset values that significantly depart from market values, or smooth assets	OMERS currently includes all plan benefits with respect to its going concern valuation, which, it is our understanding, is the sole intended basis for determining the funding of JSPPs. We agree that market values must be used to determine the "true" funded position. However, experience has proven that pension plan financials can be very volatile and assets smoothing is one of the few tools available to achieve reasonably level contribution rates, which are critical to the sustainability of JSPPs.
4. Further encourage innovative plan design for "flexible pension plan", as permitted under the federal Income Tax Act	We support this direction. However, OMERS has significantly subsidized ancillary benefits and the flexible pension plan approach currently has limited application to the OMERS plan.
5. Permit letters of credit to be used to partially satisfy solvency funding requirements	Assuming JSPPs will be exempt from solvency funding, this will have no impact for municipalities participating in OMERS. Furthermore, it is worth pointing out that letters of credit are unlikely to be of much use to most employers in the public sector and broad public sector.
6. Clarify procedures for determining surplus entitlement when a pension plan winds up	We support this direction.
7. Set a uniform funding threshold at which annual valuations would be required	Many large pension plans prepare valuations annually but file them less frequently. The current triennial valuation requirement is valued by many plan sponsors because it is a tool to assist in achieving more level funding. If the general funding rules were such that more level funding was a natural outcome, then sponsors would not need the triennial valuation filing in their funding tool kit. However, fees related to actuarial valuations do affect the cost of running a pension plan and there needs to be a reasonable balance between plans costs and ensuring adequate funding, especially for smaller pension plans.

#### CONCLUSION:

MEPCO wants to emphasize again, that as the province moves into the next phase of pension reform, it must consider the varying levels of risk inherent in the range of pension plans, arising from the types and numbers of sponsors and plan governance mechanisms. The "one size fits all" approach, while simple, may attract unintentional but severe consequences.



## OMERS Update: July 6, 2010 Changes to Contribution Rates and Benefits

The OMERS Sponsors Corporation (SC) has approved temporary changes for both employers and members to address the OMERS Primary Plan's funding shortfall.

The Plan's \$1.5 billion shortfall as of December 31, 2009, is projected to grow as nearly \$5 billion of net losses, mostly from the 2008 global market downturn, are recognized on its balance sheet over the next four years.

To address the shortfall, employer and employee contribution rates will both increase about 1% per cent each year for three years, starting in 2011. In addition, members who terminate employment prior to being eligible for early retirement will have temporary benefit reductions.

In addition to the decisions about contribution rates, benefit reductions (see below) and grow in rights, the Sponsors Corporation committed to filing its 2009 valuation with the Financial Services Commission of Ontario (FSCO) and to negotiating a Strategic Plan Design and Objectives Statement (SPDOS) by the end of this year. This Statement will provide a welcome framework and guidance for long-term decision making.

### **Municipal Achievement**

On the whole, these decisions are good news for municipalities – and our outreach and advocacy can take considerable credit for securing the following outcomes:

- **Predictability** – The Sponsors Corporation opted for a multi-year strategy over the single year options that some proposed and had been the case previously.
- **Cost containment** – Municipal costs would have been far higher under some of the alternative proposals that were submitted and considered. Significant costs were also avoided by a decision not to provide optional "grow-in" rights that would have increased the Primary Plan's funding shortfall by as much as \$1 billion.
- **High commitment to prudent, long-term planning** – The Sponsors Corporation has shown an unprecedented commitment to advancing the shared, long term interests of the plan over their competing interests as individual sponsors.

### **Temporary Contribution Rate Increases**

Contribution rates for both employers and active members will increase in 2011 through 2013, as follows:

- 2011 – effective with the first, full pay in 2011, contribution rates will increase, on average, by 1% per side (employer/employee) as a percentage of a member's earnings.



- 2012 – effective with the first, full pay in 2012, contribution rates will increase, on average, by an additional 1% per side (employer/employee).
- 2013 – effective with the first, full pay in 2013, contribution rates will increase, on average, by an additional 0.9% per side (employer/employee).

For most employees, a 1% increase will generally result in a 10% - 13% increase in the actual contributions to be made to the Plan. However, the net increase would be less because pension plan contributions are tax-deductible.

Once the rates are finalized for 2011-2013, OMERS will inform all employers and Plan members, and provide examples of how the increases will affect their contributions of the NRA 65 and NRA 60 members.

#### **Temporary Benefit Calculation Changes**

Starting in 2013, these changes will only affect members who terminate employment prior to being eligible for early retirement – i.e., members who terminate before age 55 (normal retirement age 65) or 50 (normal retirement age 60). These changes will not affect any benefits based on service accrued before 2013.

#### **Impact on Individual Municipalities**

If a regional municipality has a \$340 million budget for salaries in 2013, a 1% per side contribution rate increase could result in \$3.4 million in additional OMERS contributions. In a lower tier municipality with a \$70 million salary budget, this could lead to an additional \$0.7 million in OMERS contributions.

On a broader scale, it is estimated that a contribution increase of 1% per side could result in a total cost increase of approximately \$51 million annually for municipal employers as a group.

Again, the decision against optional ‘grow-in’ rights has greatly reduced potential costs for employers and members alike.

#### **Looking Forward**

The OMERS SC will continue to carefully monitor the Primary Plan’s funded status, and to make any decisions on changes through its annual planning cycle.

With respect to the SPDOS, MEPCO along with its actuary, AON, is doing research on other Plans’ design statements in order to provide information and assistance to municipal SC representatives as they prepare for the upcoming discussions.

#### **For More Information**

More information about OMERS, the Sponsors Corporation and these pension matters is available on the MEPCO website ([www.mepco.ca](http://www.mepco.ca))

5(1)



Municipal Employer Pension Centre of Ontario

---

OMERS is developing member case examples and cost analyses, and will provide increased detail on these changes and their impact via [www.omers.com](http://www.omers.com) and in its fall newsletters.

---

**The Municipal Employers Pension Centre of Ontario (MEPCO)**

MEPCO is a not-for-profit corporation, created by AMO, to ensure that its employer representatives on the OMERS Sponsors Corporation and Administrative Corporation are informed, well-resourced and supported by leading pension expertise. MEPCO can raise and manage funds, hire experts who will provide appropriate research and information, and share insights with others as needed.

Malcolm White  
City Clerk



5(m)  
City Clerk's  
Department

2010 06 28

Mayor John Rowswell and  
Members of City Council

**RE: 2010 MUNICIPAL ELECTION – ADVANCE VOTING**

**Advance Vote Days**

Section 43(1) of the Municipal Elections Act, 1996 requires that Council determine by by-law "one or more dates for an Advance Vote and the hours during which voting places shall be open on that date(s)."

In the past few elections we have used different days of the week and numbers of days for the purposes of advance voting. We have determined that three advance vote days (two Saturdays and the Wednesday in between) is the best format to use, providing the best combination of voting availability and the most prudent use of resources.

Due to the fact that Voting Day will be held on October 25<sup>th</sup> this year, two weeks earlier than previous elections, this will result in the first advance vote day, (October 9<sup>th</sup>) occurring on the Saturday of the Thanksgiving weekend. While at first glance this may appear to be a detriment, it is felt that this day will provide a significant opportunity for out-of-town students who are home for the holiday to cast their vote. Recent amendments to the Municipal Elections Act, 1996 have clarified that students who are eligible to vote in municipal elections are entitled to vote both in the municipality that they reside and the municipality where they attend school.

**Recommendations:**

That Advance Voting Days be held on Saturday, October 9<sup>th</sup>, between the hours of 10:00 a.m. and 6:00 p.m., Wednesday, October 13<sup>th</sup>, between the hours of 10:00 a.m. and 8:00 p.m. and Saturday, October 16<sup>th</sup> between the hours of 10:00 a.m. and 6:00 p.m. Advance voting will take place in the Russ Ramsay Board Room at the Civic Centre.

A by-law authorizing Advance Voting Days and Voting Hours on Voting Days as recommended appears elsewhere on the agenda for your consideration.

Respectfully submitted,

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

Malcolm White  
City Clerk

RECOMMENDED FOR APPROVAL  
J.F. *Dier R.B.*  
Joseph M. Fratesi  
Chief Administrative Officer

5(n)

Rachel Tyczinski  
Deputy City Clerk and  
Manager of Quality  
Improvement



City Clerk's  
Department

2010 07 19

Mayor John Rowswell and  
Members of City Council

**RE: CORPORATE STRATEGIC PLAN UPDATE 2010**

**BACKGROUND**

The City's Corporate Strategic Plan was developed by this Council early in the current term.

The original plan consisted of vision and mission statements, corporate value statements, and three strategic directions. Each strategic direction (Advancing Our Infrastructure, Enhancing Our Services, and Enriching Our Lives) was accompanied by a list of objectives and activities.

The Corporate Strategic Plan guides the activities of the nine departments reporting to Council through the CAO.

An updated version of the Plan reflecting current status of identified activities is included under separate cover. Council will note that a significant number of projects have been completed over the life of the current plan (2007-2010).

**RECOMMENDATION**

That the report of the Deputy City Clerk and Manager of Quality Improvement concerning updated Corporate Strategic Plan (June 2010) be received as information.

Respectfully submitted,

A handwritten signature of Rachel Tyczinski.

Rachel Tyczinski  
Deputy City Clerk and  
Manager of Quality Improvement

Recommended for approval,

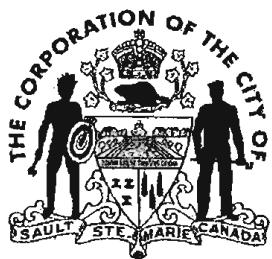
A handwritten signature of Malcolm White.

Malcolm White  
City Clerk

RECOMMENDED FOR APPROVAL  
A handwritten signature of Joseph M. Fratesi.  
Joseph M. Fratesi  
Chief Administrative Officer

RECEIVED  
JUL 14 2010  
CHIEF ADMINISTRATIVE OFFICER  
CITY OF SAULT STE. MARIE

Ralph Robertson  
Manager of Purchasing



Finance Department  
Purchasing Division

5 (o)

2010 07 19

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**Re: Tender for One (1) Self Propelled Ice Resurfacing Machine**

Attached hereto for your information and consideration is a summary of the tenders received for the supply and delivery of One (1) Self Propelled Ice Resurfacing Machine as required by the Community Services Department.

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders was held July 8, 2010, with Councillor Steve Butland representing City Council.

The tenders received have been thoroughly evaluated and reviewed with Mr. Nick Apostle, Commissioner of Community Services, and Mr. Norm Fera, Manager of Community Centres, and the low tendered price, meeting specifications, has been indicated on the attached summary.

Funding for this equipment is provided within the approved 2010 C.S.D. Capital from Current budget.

**RECOMMENDATION**

It is therefore my recommendation that the tender for the supply and delivery of One (1) Self Propelled Ice Resurfacing Machine be awarded to The Zamboni Company Ltd. at their low tendered price, meeting specifications, of \$81,919.20, plus HST.

This report is submitted for Council's approval.

Respectfully submitted,

Ralph Robertson  
Manager of Purchasing

RR:nt  
Attach.

Recommended for approval,

W. Freiburger  
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL

FINANCE DEPARTMENT  
PURCHASING DIVISION  
Budget Amount: \$105,000.00

Received: July 8, 2010  
File: 2010CB01

SUMMARY OF TENDERS  
ONE (1) SELF PROPELLED ICE RESURFACING MACHINE

<u>Firm</u>	<u>Opt.</u>	<u>Make &amp; Model</u>	<u>Warranty</u>	<u>Tendered Price (H.S.T. extra)</u>	<u>Delivery</u>	<u>Remarks</u>
Resurfice Corp. Elmira, ON	1	2010 Olympia Millenium	2 years	\$78,040.00	120 w/days	Does not meet specifications Not Gasoline Powered Not Hydrostatic Transmission Not equipped with Operator Safety Pedal
	2	2010 Olympia Millenium	2 years	\$85,500.00	120 w/days	Does not meet specifications Not Gasoline Powered Not equipped with Operator Safety Pedal
Zamboni Company Ltd. Brantford, ON		2011 Zamboni 525	2 years/ 2,000 hrs	\$81,919.20	120 w/days	Meets specifications

Note: The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Zamboni Company Ltd., be accepted.

Ralph Robertson  
Manager of Purchasing

5 (e)

5(p)

Ralph Robertson  
Manager of Purchasing



Finance Department  
Purchasing Division

2010 0719

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**Re: Quotation for Pool Floor Regrouting – Competition Pool - JRCC**

Attached hereto for your information and consideration is a summary of the quote received for Regrouting of the Floor of the Competition Pool at the John Rhodes Community Centre as required by the Community Services Department.

The quote received has been evaluated and reviewed with Mr. Nick Apostle, Commissioner of Community Services; and, Mr. Norm Fera, Manager of Community Centres and the low quoted price, meeting specifications, has been indicated on the attached summary.

Funding for this Project will be drawn from various Community Services Department Accounts as identified in a Report from the Commissioner of Community Services which appears elsewhere on the Council Agenda.

**RECOMMENDATION**

It is therefore my recommendation that the quotation for Regrouting of the Floor of the Competition Pool at the John Rhodes Community Centre, be awarded to Acapulco Pools Limited at their low total quoted price, meeting specifications, of \$55,850.00, plus H.S.T.

This report is submitted for Council's approval.

Respectfully submitted,

A handwritten signature of Ralph Robertson.

Ralph Robertson  
Manager of Purchasing

Recommended for approval,

A handwritten signature of W. Freiburger.

W. Freiburger  
Commissioner of Finance & Treasurer

RR:tgg  
Attach.

RECOMMENDED FOR APPROVAL

A handwritten signature of Joseph M. Fratesi.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE  
P.O. BOX 580 \* CIVIC CENTRE \* SAULT STE. MARIE, ONTARIO, CANADA P6A 5N9  
TEL: (705) 759-5299 \* FAX: (705) 759-1842

Joseph M. Fratesi  
Chief Administrative Officer

FINANCE DEPARTMENT  
PURCHASING DIVISION  
BUDGET: \$50,000.00

RECEIVED: July 13, 2010  
File #2010CF01

SUMMARY OF QUOTATIONS  
POOL FLOOR REGROUTING - COMPETITION POOL - JRCC

<u>Firm</u>	<u>Total Quoted Price (H.S.T. extra)</u>	<u>Warranty</u>	<u>Work Schedule</u>	<u>Remarks</u>
Acapulco Pools Limited Kitchener, ON	\$55,850.00	1 year Materials, Labour, Workmanship	Sept. 5 - 18, 2010	Meets Specifications

NOTE: The low quoted price, meeting specifications, is boxed above.

Although only one Quote was received, it is deemed to be fair and equitable.

It is my recommendation that the low quoted price meeting Specifications, submitted by Acapulco Pools Limited, be accepted.

Ralph Robertson  
Manager of Purchasing

5  
(d)



2010 07 19

Mayor John Rowswell  
and Members of City Council

**Tenders For Ice Resurfacer & Grouting Of John Rhodes Community Centre Pool**

The purchase of a new ice surfacer, as well as, the grouting of the John Rhodes Community Centre Pool was approved as part of the 2010 Budget. A new ice resurfacer is well overdue according to our replacement schedule while the grouting is a health and safety issue. The budget amounts for these items are \$105,000 and \$50,000 respectively.

Elsewhere on your Agenda are reports from the Purchasing Manager regarding these tenders. Although the tender for the grouting of the pool is approximately \$6,000 over budget, the tender for the ice resurfacer is under budget by approximately \$23,000.

In conversation with the Commissioner of Finance, he is in agreement that both tenders be approved and that the amount of the overage (\$6,000) for the grouting be covered-off from the amount the ice resurfacer is under budget (\$23,000).

**Recommendation**

It is recommended that both the tender for the ice resurfacer and the tender for the grouting of John Rhodes Community Centre pool be approved and that the amount of the overage (\$6,000) for the grouting be covered-off from the amount the ice resurfacer is under budget (\$23,000).

Respectfully submitted,

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

Nicholas J. Apostle  
Commissioner of Community Services

l/council/report to Council – tenders for ice resurfacer & grouting of pool

cc: B. Freiburger, Commissioner Finance/Treasurer  
R. Robertson, Manager Purchasing - Finance

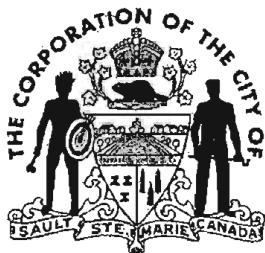
RECOMMENDED FOR APPROVAL

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

Joseph M. Fratesi  
Chief Administrative Officer

5(r)

NICHOLAS J. APOSTLE.  
COMMISSIONER  
COMMUNITY SERVICES



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

2010 07 19

Mayor John Rowswell  
and Members of City Council

### **Heritage Discovery Centre Project Update**

This report is provided at this time to advise City Council of several significant issues that challenge this project.

1. Tender submissions have now been received and are over budget;
2. The time frame for the completion of the project to qualify for the Cultural Spaces Canada grant of \$1.8 million is somewhat in question;
3. The Historic Sites Board (Board) does not appear to qualify for FedNor funding which had been anticipated;
4. The Historic Sites Board needs to device a reasonable repayment plan to the City for its unfunded portion of the project (upwards of \$1.6 million).

#### **1. Tender Submissions**

The tender submission date was July 13, 2011. Two tenders were received. The low tender was approximately \$417,000 over budget. The architect and Board are currently working to determine a possible course of action.

#### **2. Time Frame for Project Completion – Funding Requirements**

The confirmed funding partners are the Northern Ontario Heritage Fund Corporation (NOHFC) and the Canadian Heritage Ministry through the Cultural Spaces Canada program.

The NOHFC agreement allows for the project to extend past the March 31, 2011 date, as long as, they are provided with proper advanced notification. However, there is a concern with the time frames in the Cultural Spaces agreement. As with other Stimulus Infrastructure projects, this project must achieve “completion” by March 31, 2011. Elements such as paving and landscaping, as well as some interior work are impossible to complete by the deadline. This is in fact reflected in the tender submissions.

There have been discussions with Program staff at Cultural Spaces Canada. They have indicated that the program was in existence before the Infrastructure Stimulus Fund program was announced, and will continue until at least 2015. The Cultural Spaces Canada program has the

5(r)

authority to amend agreements if projects warrant such an extension. However, consideration for extensions cannot take place until later in the year.

Though other municipalities are in the very same situation as are we, there remains concern that "completion" cannot be attained by the March 31, 2011 deadline. A request for written confirmation that an extension would be granted was made, however staff with the Cultural Spaces Canada program have indicated that they are not able to provide such confirmation.

In the absence of written confirmation, the City would then be exposed for any costs incurred after the March 31, 2011 deadline, which could be substantial. It is, therefore, vital that an extension to the funding timeline be obtained in writing, so that the City is not held responsible for the costs associated with the timeline not being achieved.

### 3. FedNor Grant – Not Approved

A funding application has been submitted to FedNor and at the time of writing this report we have not been advised formally on the status of the application. However, we did speak with FedNor staff and have been advised that the application will likely not be approved, as it does not meet the necessary program criteria. Therefore, the Historic Sites Board will need to determine how it will deal with this further funding shortfall of \$500,000. In the absence of further grants, the City will be exposed to this shortfall, as well.

### 4. Re-payment of the Loan from the City to the Board

The Council resolution from earlier this year dealt with the funding for the project and stipulated that the Board borrow from the City and repay any project funding shortfall after the NOHFC and Cultural Spaces Canada grant have been applied. Given the information noted above (FedNor grant not being approved and tenders being over budget) the amount of the loan would be approximately \$1.6 million, exclusive of any further amounts for which the City might become liable as a result of the time constraints in the Cultural Spaces Canada agreement.

The Board must devise a repayment plan which is acceptable to the City, as the City is ultimately responsible for any portion of the loan that the Board is not able to repay.

### 5. Recommendation

The City's exposure at this time is far greater than originally anticipated by staff, City Council and the Historic Sites Board. The City's Treasurer has expressed serious concern about proceeding until these major issues are dealt with. It is therefore recommended that Council request the Board to work with its Architect and other consultants and address each of the above concerns in a manner satisfactory to both the Board and the City and further that the tender not be awarded until these matters have been resolved.

All of the above is respectfully submitted as information.

Nicholas J. Apostle  
Commissioner of Community Services

li/essadmin/council/2010/hdc July 19

cc: B. Freiburger, Commissioner Finance/Treasurer  
L. Bottos, City Solicitor, Legal  
K. Fisher, Curator, Ermatinger-Clergue National Historic Site

RECOMMENDED FOR APPROVAL

  
Joseph M. Fratesi  
Chief Administrative Officer

5(s)



2010 07 19

Mayor John Rowswell  
and Members of City Council

## *Ermatinger • Clergue National Historic Site*

### **FIREARMS BYLAW EXEMPTION ERMATINGER-CLERGUE NATIONAL HISTORIC SITE – SPECIAL EVENTS TALL SHIPS – SPECIAL EVENTS**

On July 21<sup>st</sup> and 22<sup>nd</sup> Tourism Sault Ste. Marie, The City Sault Ste. Marie and the Ermatinger-Clergue National Historic Site will be hosting the Tall Ships, HMS Bounty and the Pride of Baltimore II. Upon their arrival at the Roberta Bondar Dock on Wednesday and to kick off the event on Thursday the ships would like to fire off their canons.

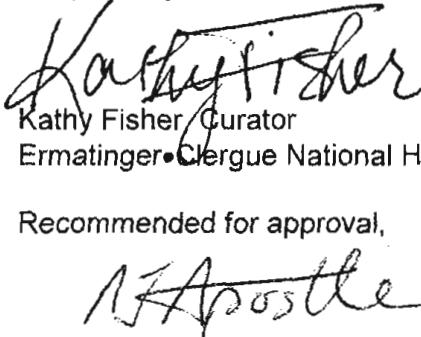
During the event volunteers and staff of Ermatinger-Clergue National Historic Site will have displays and re-enactments by our local Coureur Du Bois II taking place at the Roberta Bondar Dock and Park area.

The Coureur Du Bois II have members in full Voyageur costumes that will set up an exhibit and conduct demonstrations depicting daily life of the early 1800's. In their re-enacting, this group will be demonstrating the loading and firing of heritage firearms (Black Powder Shooting). This group performs these demonstrations at the Ermatinger Clergue National Historic Site, for which a 2010 Firearms By-Law exemption has already been received.

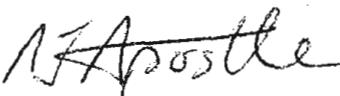
The organizing committee for the Tall Ships is aware that this request is being submitted for the By-Law exemption, for purposes of the discharge of historic firearms and canons within City limits at the Roberta Bondar dock and park site.

It is therefore recommended that the Tall Ships, HMS Bounty and Pride of Baltimore II, as well as, the Coureur du Bois II and other special event re-enactors, be exempt from the By-Law concerning the discharge of firearms within the City limits at the Roberta Bondar dock and park site; and further that this exemption be effective from for July 21 to 22, 2010.

Respectfully submitted,

  
Kathy Fisher, Curator  
Ermatinger-Clergue National Historic Site

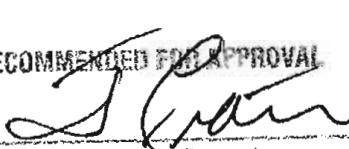
Recommended for approval,

  
Nicholas J. Apostle  
Commissioner Community Services

li/hab/war 1812/2010/events/2010/firearms bylaw request to council for tall ship visit

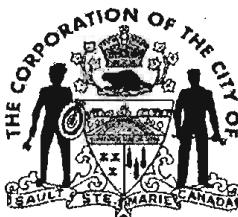
cc: J. Cain, Manager Recreation & Culture  
L. Bottos, City Solicitor

RECOMMENDED FOR APPROVAL

  
Joseph M. Fratesi  
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(t)

July 19, 2010

Mayor John Rowswell  
Members of City Council

**RE: Sault Ste. Marie East End Wastewater Treatment Plant  
Odour Issue Update**

**Introduction**

An information report was prepared for Council on May 31, 2010. At that meeting, staff committed to providing an update by the end of July. Due to the summer meeting schedule, this interim report shall provide Council with the status of work as of July 12, 2010.

**Action**

Following the May 31<sup>st</sup>, 2010 meeting of Council, the biofilter testing protocol was prepared by our design Consultant, AECOM. The protocol was submitted to the local office of the MOE on June 17<sup>th</sup> and was forwarded to the Approvals Branch for their review and approval. No approval has been received to-date. Discussions and consultation will continue to take place with the appropriate MOE staff. The Consultant has also issued a Request for Quotation to the various vendors capable of providing the testing. Three (3) submissions have been received and are currently being reviewed and evaluated by our Consultant.

In the meantime, Ward One Councillors Butland and Caicco have distributed a letter to some of the area residents and have requested they call the Engineering Department to report odour events. A number of complaint calls have been received in the Engineering office since May 31, 2010.

**Next Steps**

The odour testing consultant will be secured, testing conducted and results reported to staff. At the next meeting of Council a further update will be provided.

This report is presented for Council's information.

Respectfully submitted,

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

Recommended for Approval:

Jerry D. Dolcetti, RPP  
Commissioner Engineering & Planning  
Department

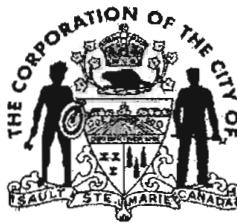
/bb:\F:\ENGINEERING DATA\COUNCIL\Hamilton Beach\2010\East End Wastewater - Odour Issue #2 - 2010 07 19.docx

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi  
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(cu)

2010 07 19

Our File: Contract 2010-7E

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**RE: CONTRACT 2010-7E  
NORTH STREET RAVINE STORM CULVERT REPLACEMENT**

Tenders received for Contract 2010-7E were opened at a public meeting Wednesday, July 7, 2010 in the Tarentorus Room of the Civic Centre. Present at the opening was Councilor Lou Turco as well as City staff and contractor representatives.

The contract calls for the installation of approximately 98 metres of 900mm dia. Storm Sewer Casing by trenchless method.

A total of four (4) tenders were received. All tenders submitted were found to be complete and are summarized on the attached sheet. The low tender of **\$264,469.30** was received from R.M Belanger Limited. This project is being funded through a one time surplus of urban only funds, as approved by Council in 2009. The tender is slightly higher than the \$250,000 budget for construction costs. There are sufficient funds in the urban only surplus to cover the potential overrun. Accordingly, it is recommended that Contract 2010-7E be awarded to R. M. Belanger Limited.

By-law 2010-128 authorizing execution of the Contract has been placed elsewhere on the Agenda for your consideration.

Respectfully submitted,

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

Carl Rumiel, P. Eng.  
Design & Construction Engineer

Recommended for approval,

A handwritten signature in black ink, appearing to read "Jerry D. Dolcetti".

Jerry D. Dolcetti, RPP  
Commissioner Engineering & Planning

CR/al  
attachment

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

July 8, 2010

Project No. 09092

Corporation of the City of Sault Ste. Marie  
P.O. Box 580  
Sault Ste. Marie, Ontario  
P6A 5N2

**Attention:** **Mr. Carl Rumiel, P. Eng.**  
**Design and Construction Engineer**

**Subject:** **North Street Ravine Culvert Replacement**  
**TENDER AWARD – Contract 2010-7E**

On Wednesday July 7, 2010 tenders were received for the North Street Ravine Culvert Replacement. Present at the opening were representatives of the City – Carl Rumiel, Bev Alisch and Councilor Lou Turco who opened the Tender's, and STEM Engineering Group – Andrew Barnebey and Dan Bertolo.

A total of four bids were received and following are the total tender prices:

Harold Phillips Haulage .....	\$ 528,850.00
Avery Construction .....	\$ 567,493.79
R M Belanger Ltd. .....	\$ 264,469.30
General Contracting .....	\$ 383,369.76

The tenders have been checked for correctness and inclusion of all required submissions, and all are in order. Our estimate for the project was \$302,100.00 which is 14.2% above the lowest tender.

Accordingly, we recommend R M Belanger Ltd. be awarded the contract. The form of agreement for the contract is attached.



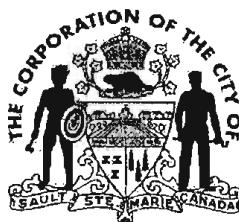
Randy Beltramin, P. Eng.  
Principal

attachments

5(v)

Jerry D. Dolcetti, RPP  
Commissioner

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



ENGINEERING &amp; PLANNING DEPARTMENT

Engineering &amp; Construction Division

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

2010 07 19

Our File: Contract 2010-8E

Mayor John Rowswell and  
Members of City Council  
Civic Centre

**RE: CONTRACT 2010-8E  
AQUEDUCT REPAIRS AT YOUNG STREET AND ALEXANDRA STREET**

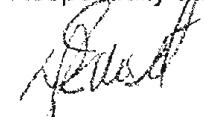
Tenders received for Contract 2010-8E were opened at a public meeting Thursday, July 8, 2010 in the Tarentorus Room of the Civic Centre. Present at the opening was Councilor Steve Butland as well as City staff and contractor representatives.

The contract calls for the removal and replacement of portions of the Aqueducts at Young Street and Alexandra Street.

A total of four (4) tenders were received. All tenders submitted were found to be complete and are summarized on the attached sheet. The low tender of **\$443,453.95** was received from Harold Phillips Haulage which is significantly less than the \$620,000 budget for construction costs. This project is being funded through a one time surplus of urban only funds, as approved by Council in 2009. Accordingly, we recommend Contract 2010-8E be awarded to Harold Phillips Haulage.

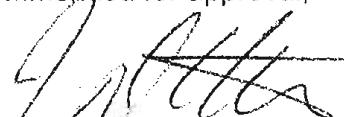
By-law 2010-134 authorizing execution of the Contract and By-law 2010-135 authorizing a road closure of Alexandra Street (30m east of John Street) and Central Street/Young Street intersection from July 20, 2010 until October 31, 2010, have been placed on the Agenda for your consideration.

Respectfully submitted,

  
Carl Rumiel, P. Eng.  
Design & Construction Engineer

CR/al  
attachment

Recommended for approval,

  
Jerry D. Dolcetti, RPP  
Commissioner Engineering & Planning

  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

5(v)



875 Queen Street East, Suite 2  
Sault Ste. Marie, ON P6A 2B3  
Canada

p. 705.942.6628  
f. 705.942.7515

www.stemeng.ca  
mail@stemeng.ca

July 9, 2010

Project No. 09120

Corporation of the City of Sault Ste. Marie  
P.O. Box 580  
Sault Ste. Marie, Ontario  
P6A 5N2

**Attention:** **Mr. Carl Rumiel, P. Eng.**  
**Design and Construction Engineer**

**Subject:** **Aqueduct Repairs at Alexandra Street, Young Street and White Oak Drive**  
**TENDER AWARD – Contract 2010-8E**

On Thursday July 8, 2010 tenders were received for the North Street Ravine Culvert Replacement. Present at the opening were representatives of the City – Carl Rumiel, Bev Alisch and Councilor Steve Butland who opened the Tender's, and STEM Engineering Group – Andrew Barnebey and Dan Bertolo.

A total of four bids were received and following are the total tender prices:

Harold Phillips Haulage .....	\$ 443,453.95
Avery Construction .....	\$ 664,917.58
R M Belanger Ltd. .....	\$ 567,113.25
George Stone and Sons.....	\$ 646,964.68

The tenders have been checked for correctness and inclusion of all required submissions. Some minor mathematical errors that did not affect the bidding outcome were observed. Included in the checking was an item quantity correction to Phillips bid that resulted in his total bid price being adjusted to \$434,453.95. Our estimate for the project was \$491,090.00 which is 13% above the lowest tender.

Accordingly, we recommend Harold Phillips Haulage be awarded the contract. The form of agreement for the contract is attached.

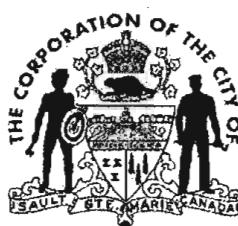
A handwritten signature in black ink, appearing to read "Mark Coleman".

Mark Coleman, P. Eng.  
Principal

attachments

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)

2010 07 19

Our File: B-97-09

Mayor John Rowswell  
Members of City Council

**Re: 2011-12 Capital Road Reconstruction  
Engineering Consultant Assignments**

At the 2010 06 28 meeting, Council approved the 2011-12 Capital Road Reconstruction Program. At the regular meeting of 2003 10 20, Council approved a report presented by the Engineering Department that outlined the procedures to be followed when retaining the services of consulting engineers for general municipal servicing projects such as road reconstruction. In accordance with this procedure, the Engineering Department is requesting Council approve the hiring of consultants as detailed below.

It is appropriate to retain the services of consultants for three projects at this time, namely John, Pine and Queen Streets. The other three streets, namely Arthur, Glenholme and Euclid can be done in house by the Engineering Division.

Pine Street – Northern Avenue to Second Line: It is recommended that the firm of Kresin Engineering be retained to provide design and contract administration services for Pine Street. This firm conducted the Environmental Assessment and has prepared plans and preliminary design for property acquisition and funding applications.

Queen Street – Pim Street to Simpson Street: It is recommended that the firm of AECOM be retained to provide design and contract administration services for this project. This firm, formerly Totten Sims Hubicki, provided preliminary design services for the reconstruction of this portion of road prior to the decision to relocate the hospital. Accordingly, considerable engineering has been completed.

John Street – Wellington Street to Conmee Avenue: Based on the annual consultant performance appraisals, and expressions of interest from consultants, it is recommended that the John Street project be awarded to Genivar (formerly Walker Engineering).

**Recommendation**

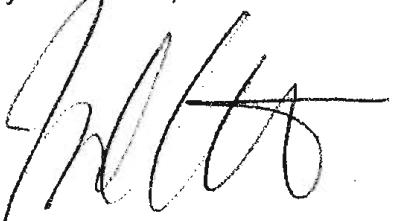
It is recommended that the design, contract document preparation, tendering, contract administration and inspection for capital works projects be awarded as follows:

5(w)

- Pine Street – Northern Avenue to Second Line: Kresin Engineering
- Queen Street – Pim Street to Simpson Street: AECOM
- John Street – Wellington Street to Conmee Avenue: Genivar.

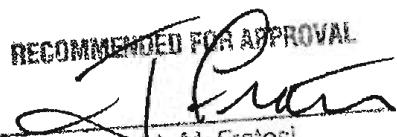
Individual engineering agreements will be brought to Council for each project at future Council meetings.

Respectfully submitted,



Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi  
Chief Administrative Officer

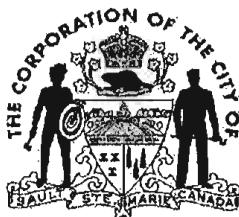
/bb

F:\ENGINEERING\DATA\B - PROJECT FILES\B-97-09 - Five year capital construction program\Council Report 2011-12 Capital Road Const Plan - Eng Consultant Assignments - 2010 07 19.doc

5(x)

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

2010 07 19

Mayor John Rowswell  
Members of City Council

**Re: Gateway Site Clean-up**

At the February 8, 2010 meeting of Council, the following resolution was approved:

*Resolved that the report of the Commissioner of Engineering and Planning dated 2010 02 08 concerning the Gateway Site Clean-up to be accepted and the recommendation that staff proceed with improvements to secure the site and improve its aesthetic appearance in the interim prior to any development occurring on the site, at the estimated cost of \$15,000 with funds to come from the Gateway Allocation fund, be approved.*

**Introduction**

City staff subsequently proceeded to carry out a plan of action to secure the site by replacing and repairing sections of chain link and wooden fencing and addressing overgrown vegetation, tree and shrub growth along the perimeter of the property. In addition, signs were installed restricting people from entering the interior of the site. To date approximately 75% of the \$15,000 has been spent in carrying out the clean-up. Remaining is \$3678.04.

The report of 2010 02 08 is attached. Included in the report are estimated costs prepared by the consultant in doing a risk assessment versus remediation. It was staff's recommendation and supported by Council, to carry out a modest program of clean up and due diligence, rather than begin developing even a small area for parkland until an approved consolidated plan and possible investment interests are firmed up. Acting prior to this being accomplished would be premature and not cost effective.

**Current Interest**

Attached are new articles that have appeared most recently as updates on this project. These articles focus on the attempts of the EDC Tourism Sault Ste. Marie and its' partners in preparing a conceptual site design and business plan to be presented to Council in the fall. A second article outlines the interest garnered by a local resident in acquiring letters of support from local businesses and residents of the importance of utilizing a portion of the site for the inclusion of a park. Staff are not objecting to the proposal, but cautions Council that there is a need to follow process, good planning principles by developing a master plan carrying out site specific remediation and have developmental and funding partners to carry out the project. EDC has a two-year mandate to develop a plan, recognizing that it could take up to five years to then see the plan materialize. To proceed prior to this being completed is premature.

5(x)

This past week, City staff did visit the site and is prepared with the remaining budget, to carry out additional modest clearing of vegetation. The site east of the existing fish hatchery building that is completely secured, staff wish to maintain as is. See plan attached. This particular area was the previous location of the Algoma Steel settling basins. The property has an excavated section (up to 8' in depth) that can pose a danger to the general public. The area is secured and signed. As to the area west of the Fish Hatchery, additional cleaning can be carried out in select areas. Staff sees the benefit of maintaining as much buffer as possible to reduce the amount of dust that can be generated during high winds.

Staff encourage the involvement of the public during the review of the conceptual plan to ensure the plan has addressed the need to include a park / open public space as part of it's development.

#### **Recommendation**

That Council support Staff's effort to continue with the approved budget to maintain the perimeter area, carry out modest efforts of vegetation control west of the Hatchery site in making it aesthetically pleasing to visitors and residents passing by the property.

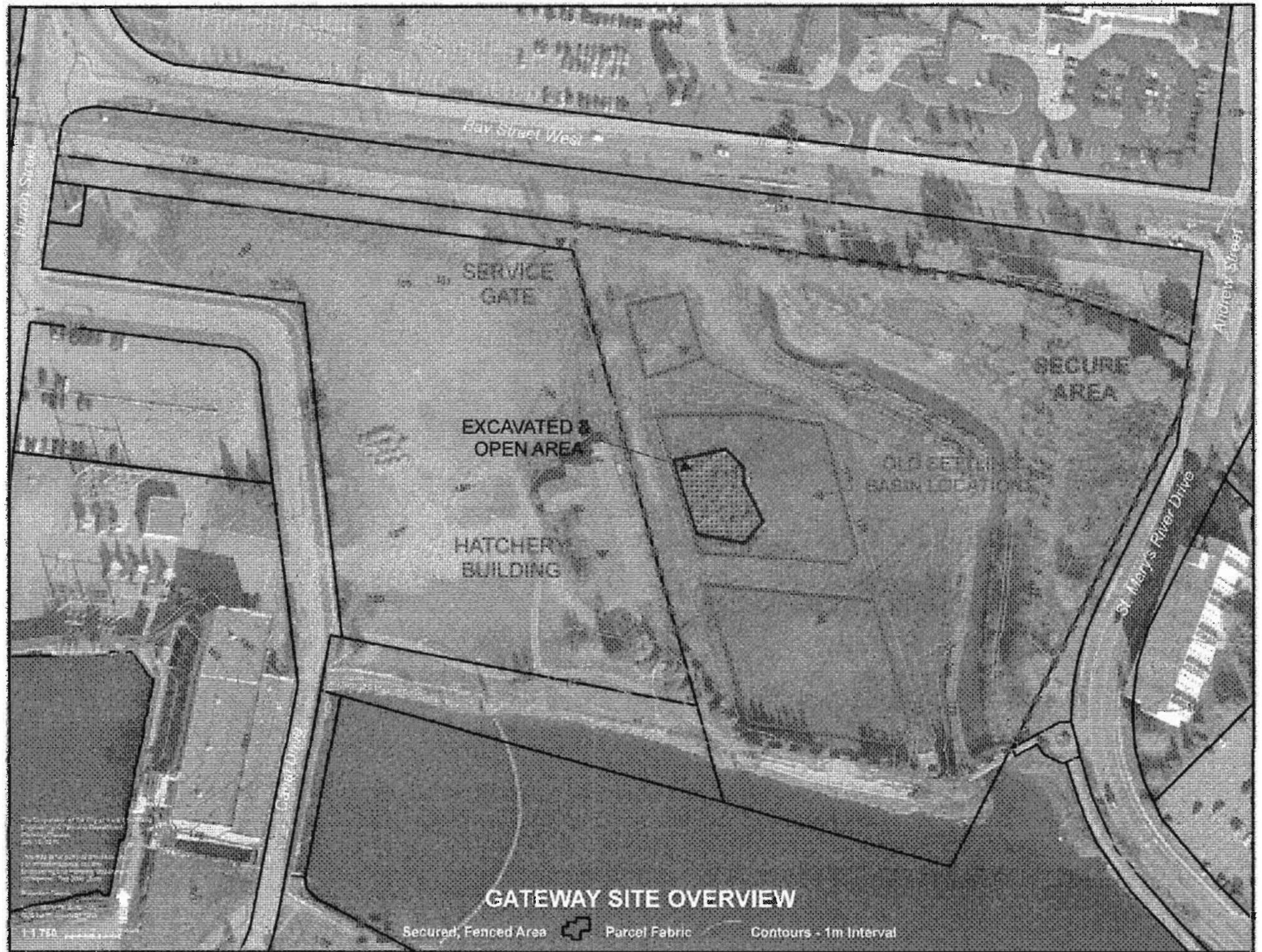
Respectfully Submitted,

Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

  
Joseph M. Fratoni  
Chief Administrative Officer

/bb



### GATEWAY SITE OVERVIEW

Secured, Fenced Area

Parcel Fabric

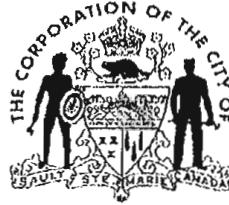
Contours - 1m Interval

5 (x)

5(x)

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

2010 02 08

Mayor John Rowswell  
Members of City Council

**Re: Gateway Site Clean-up**

At the September 14, 2009 meeting of Council, the following motion moved by Councilor Tridico and seconded by Councilor Caicco was carried:

*Whereas the Federal Government has recently announced substantial funding for the redevelopment of the Sault Ste. Marie Ontario International Bridge Plaza; and  
Whereas City Council has attempted for the last 10 years to redevelop the vacant property coming off the bridge, which formerly housed a scrap metal business into a new and exciting welcome into our community, our province and our country; and  
Whereas City Council and the Economic Development Corporation continue to investigate potential new uses for the Gateway site which would be conducive to the downtown area and inviting for guests visiting our city; and*

*Whereas in the meantime the Gateway property has become unsightly and local citizens such as Marty McCarthy have asked that it be cleaned up and made useable, at least in part, for the passive enjoyment of local taxpayers and tourists alike; and*

*Whereas the reuse of the site will require appropriate consideration of any potential environmental concerns which the site might suffer;*

*Now therefore be it resolved that staff report back to Council on the cost of making the Gateway site more presentable and possibly useable, at least in part, and at least temporarily as a passive area for the enjoyment of those currently using the City's waterfront, taking into account appropriate concerns for the health and safety of such users.*

### Introduction

Efforts by the City to attract investment to the Gateway site to create a tourism destination venue were further hampered in 2009 by the global economic downturn. It is uncertain as to the timing of developing the site; however efforts are being made by the City and the EDC to advance opportunities of a more modest initiative utilizing a \$5 million incentive package, noting that Council was advised at the Jan. 25, 2010 meeting, that the original \$15 M is no longer available from NOHFC.

During the course of the last 15 years, the site has seen little maintenance. In responding to Council's motion, staff comprised of Engineering & Planning, and PWT Maintenance and Parks Division, carried out an on-site review of the property (Fall 2009). It became clear at that time that the site was being impacted at several locations where fencing had been damage/removed enabling the general public to gain access. The site was previously used as industrial and efforts of clean up have been modest.

5(x)

Staff, in assessing an interim action plan is recommending the property be secured in a manner to restrict the easy access that currently exists. Some immediate work has been done that includes repairs to the fencing that abut the waterfront walkway near the Fort Creek footbridge.

Notwithstanding that there is an interest for park space on site and for it to develop independently; Staff believes that any park / open space development for the general public should await the overall development plans of the property.

In consultation with Trow Associates Inc. this position is supported and outlines costs associated with such action (see attached). The consultant highlights a cost of \$125,000 - \$175,000 for a Risk Assessment of the entire site verses remediation averaging in the order of \$2 M plus per acre. The site is approximately 5.8 hectares or 14.3 acres.

**Proposed Action:**

A simple and immediate plan of action to have the site secured with chain link fencing by our PWT staff would be in the range of \$10,000. Addressing the overgrown vegetation and shrubs and installing appropriate signage would be an additional \$5,000. Such improvements would provide due diligence on the City's part to deter the general public from entering the site.

In conclusion, staff feels that efforts to consider even a portion of the property to be used for parkland in advance of a consolidated plan for the site, be discouraged and that the site be improved and secured through a modest effort by installation of fencing, signage and the clearing overgrown vegetation as needed.

**Recommendation**

That Staff be given approval to proceed with the modest improvements (estimated costs \$15,000) to secure the site and improve its aesthetic appearance in the interim prior to any development occurring on site and that the funds be obtained from the Gateway Allocation Fund.

Respectfully Submitted,



Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

/bb

5(x)



Since 1957

1595 Clark Boulevard  
Brampton, ON  
L6T 4V1

Tel: (905) 793-9800  
Fax: (905) 793-0641

November 25, 2009

BREN00196171

**Mr. Don McConnell**  
Corporation of the City of Sault. Ste. Marie  
Civic Centre  
99 Foster Drive  
Sault. Ste. Marie, Ontario  
P6A 5N1

Email:

*Risk Assessment for Future Parklands  
55 Bay Street West, Sault. Ste. Marie, Ontario*

***Buildings***

***Environment***

***Geotechnical***

***Infrastructure***

***Materials & Quality***

Dear Mr. McConnell:

Trow Associates Inc. (Trow) is pleased to provide the Corporation of the City of Sault. Ste. Marie (the "City") with this brief summary for using a risk based approach to develop the property located at 55 Bay Street West, in the City of Sault. Ste. Marie, Ontario (the "Site") for parkland use. The Site is bounded by the Wisconsin Central Railway and Bay Street West to the north, St. Mary's Drive to the east, St. Mary's River to the south and Canal Drive to the west.

The eastern portion of the Site was historically owned by Algoma Steel Corporation (Algoma) and was occupied by a secondary treatment system (settling basins) and a sewer outfall for Algoma's wastewater effluent. Fort Creek traverses north to south through Algoma's former property. The western portion of the Site was vacant with the exception of the Municipal Fish Hatchery building.

Between December 2005 and January 2006, Trow conducted a Phase II Environmental Site Assessment (ESA) consisting of eleven boreholes with the installation of a monitoring well in each. The Phase II ESA report provided the following conclusions:

- The soil at the site was reported to be impacted with several metal contaminants (antimony, arsenic, barium, beryllium, chromium, cobalt, copper, lead, mercury, molybdenum, nickel, selenium, and silver) and polycyclic aromatic hydrocarbons (PAHs) exceeding the applicable Ministry of the Environment (MOE) standards. These concentrations were found predominantly in the fill material. The deeper native soil appeared to be only impacted by selected metals.
- The groundwater samples had concentrations of metals (boron, chromium, cobalt, zinc, antimony and arsenic and copper) exceeding the applicable MOE standards.

[www.trow.com](http://www.trow.com)

One Company,  
One Contact,  
One Stop.



Based on the soil and groundwater analytical results, the Site has been impacted by metals and PAHs. Due to the anticipated large volume of impacted soil and groundwater, as an alternative to physical clean-up to remediate the Site, a risk assessment approach can be utilized to allow the future redevelopment of the Site as parkland.

Risk assessment is a process outlined in the Ont. Reg. 153/04 to manage impacted sites. Using the risk-based approach the likelihood of adverse effects that could arise from the presence of contaminants of concern (COCs) and exposure pathways to human and ecological receptors at a contaminated property will be assessed. The information derived from conducting a risk assessment is used to develop site specific standards for each COC and a Record of Site Condition (RSC) will be obtained from the MOE. Furthermore, the risk assessment information can be used to develop engineered risk management alternatives to mitigate the identified risks and allow for the redevelopment of the Site as parkland.

The cost associated with the preparation of a Risk Assessment for the entire lands is estimated to be between \$125,000 and \$170,000. This would include limited sampling to update and confirm previous analytical results and the costs associated with developing any engineered risk management alternatives required. This cost does not include the construction and/or installation of any risk management measures, such as capping, and limited remedial spot excavations.

If consideration is given for physical remediation of the site (eg: excavation and disposal of soils), the approximate cost to clean up one acre of land will be in the order of \$2 million or more. The site extent is approximately 5.8 ha (or 14.3 acres).

Based on the foregoing, it is cost-effective to develop the site using the risk-based approach when compared to physical clean up. The risk assessment can be considered for the entire site using a conceptual development plan which may consist of parkland, residential or commercial use. The risk assessment cost will be significantly less compared to remediating the site.

Until an appropriate clean up approach is selected, it is recommended that the site be secured to discourage people from accessing the site and thus mitigating potential exposure to contaminants. It is also suggested that no additional impact be placed on site (eg: importing contaminated material to the site or operating the site that may result in release of contaminants to the environment)

Should you have any questions about this proposal, please do not hesitate to contact this office.

Yours truly,

Trow Associates Inc.

  
David R. Crawford, P.Geo.  
Senior Project Manager  
Environmental Division

  
Przem Manicks, P.Geo.  
Associate  
Environmental Division

5(x)

[« Back](#)

## Sault Ste. Marie hangs on to its Gateway site hopes and dreams

### TOURISM: Conceptual plan has been completed

Posted 2 days ago

A conceptual plan for the Gateway site has been completed and a committee charged with finding a developer for the site is looking for business plan financing.

Earlier this year, city council provided the Sault Ste. Marie Economic Development Corp., Tourism Sault Ste. Marie and its partners, a two-year mandate to pursue "an implementable" tourism project at the Gateway site.

Ian McMillan said the financial contribution from Tourism Sault Ste. Marie's direct market fund resulted in hiring an architect to complete a conceptual plan for the site.

Earlier this year, council was told that the group would use \$15,000 to finance the conceptual design.

The group now seeks government funding to draft a business plan that will identify the best attraction for the site.

The new concept includes a year-round glass and steel indoor structure that will provide walking paths, gardens, waterfalls and use of the stream that runs through the site, all in a controlled temperature environment.

The concept resembles an inside park, similar to the Gaylord properties in Nashville, Washington and Florida.

Other components could include retail space and other attractions, including a major tourist destination.

McMillan said the concept will be presented to Algoma Central Railway, which, in the past, indicated an interest in relocating its train depot on the site, and Ontario Lottery and Gaming, since the casino shares the location.

"We want to try to create an atmosphere that is attractive to area residents and to visitors, and make sure that area residents return regularly," McMillan said.

The major tourist destination, believed to be the much-needed anchor for the site, is still to be determined, he said.

Ideas in the early development stage include the train depot or something to highlight the natural environment of the North, or Sault Ste. Marie's focus on renewable energy.

"We know it has to have an educational component to it and something that is hands-on and has ever-changing exhibits," McMillan said.

It's expected that a business plan will determine what would best attract tourists.

Once the draft is completed, the group will present its conceptual design and business plan to private developers, with the hope of generating interest.

McMillan said he believes there will be interest.

"We keep hearing our economy is better than that of other parts in the world, and I believe this opportunity will be good timing," he said.

The group also hopes to garner \$5 million from the Northern Ontario Heritage Fund Corp., if it is able to find private-sector partners with which to move forward.

5(x)

If the city retains the almost 15-acre property, it will need to finance the \$2-million land purchase price that it completed more than a decade ago.

The original plan was to sell it to a private-sector tour operator, but attempts to work with developers for the site never got off the ground and the project was scuttled.

McMillan expects the committee will provide council with an update in the fall.

Copyright © 2010 The Sault Star

5(x)

[« Back](#)

## Companies back fight for park on Gateway site

Posted 1 day ago

Marty McCarthy envisions a new waterfront park on the east side of the Gateway site.

McCarthy wants the city to allocate 2.5 acres of the 14-acre property to parkland.

He says Fort Creek runs through this section, which is also home to a lovely stand of trees and the site contains many varieties of vegetation and plant life.

He has researched historical archives and maps and believes that unlike the rest of the site no contaminants were stored there. McCarthy says that it is important to remember the foresight of earlier citizens who created Bellevue Park. He would also like to see a handicapped children's playground included in the design.

"There is never a downside to developing a downtown park," McCarthy said. "Who is to say that this park will not be of economical value? Companies looking to invest or develop the site may be attracted to the possibilities because of the beauty."

"The city has owned this property for years, yet it took a resolution initiated by concerned citizens to council asking for a cleanup for the city to repair the fence," McCarthy said. "To my knowledge there is still no clear signage indicating contamination."

"We are trying to promote the Sault as environmentally progressive yet here we have an . . . unsightly city-owned piece of land in our downtown area. With knowledge comes responsibility and what does it say to elementary children and our youth when we do not take the necessary steps to clean it up and make it safe."

McCarthy has done his homework.

He has charts, maps, quotes from environmental engineers, and even has a survey completed by the Northwest Trading Co., dated 1797. He has talked to local businesses, organizations, citizens, school boards, and has gathered petitions and letters of support from ACR, Essar, and Algoma District School Board among others.

Kime Coliver, ADSB superintendent of education, says in her letter, "The Algoma District School Board supports any project that provides a safe environment for our students and our city. The proposed Fort Creek Park is in close proximity to one of our elementary schools, Etienne Brule. This area, if developed as a park would provide another green' area for our students and their families to enjoy. The ADSB supports the proposal concerning the creation of the Fort Creek Park in our city."

"We read with interest the proposal by Marty McCarthy," writes Brenda Stenta, manager of corporate communications for Essar Steel. "We support his idea to develop part of the area as an attractive downtown park. The preservation of green space is an important investment in sustainable development, offering significant aesthetic, social, environmental and health benefits to a community. The availability of diverse and readily accessible recreation areas enhances quality of life and assists in the attraction and retention of residents. We applaud Mr. McCarthy's foresight and we support his efforts to retain valuable natural parkland in our downtown core."

Hans Geenan says, "I wholeheartedly agree with Mr. McCarthy that in the last 20 years the site has continually become a magnet for vagrants, drug users and shoplifters. Mr. McCarthy's proposal to create a park like setting would deter this type of activity and transform the site into a people-orientated space." Hans Geenan is property manager at Station Mall, which is owned by Algoma Central Properties Inc.

McCarthy said he won't give up and he hopes the proposed park will become an issue in the upcoming municipal election.

"I have gotten nowhere in terms of getting the property cleaned up. People who live nearby are frightened. Especially the children. The police can't even see what is going on in there. Imagine the difference to our city if you see a park rather than a derelict property when you cross the International Bridge," he said.

"I am frustrated by the lack of information, the lack of accountability with respect to the Gateway Site. The general taxpayer doesn't seem to have much say in what goes on in this city but the people I have talked to who live nearby have plenty to say about the property."

Ward 1 Coun. Steve Butland told Sault This Week, "I am not opposed at all to what Mr. McCarthy is proposing if the public is supportive in carving out this section of property. We would need to see a concrete proposal. The hub trail project was initiated by a community activist and it is a tremendous asset to the city. I salute Mr. McCarthy. We need more of these people who have ideas and volunteer their time to make the Sault a better place to live."

Butland said, "Tourism Sault Ste. Marie has been very active in re-evaluating the Gateway site and a consultant has been hired to develop a concept for it. The city has had three cracks at the Gateway site and the \$15 million. Some failed because of specific circumstances as in the case of the casino. As for Garforth and Kittling Ridge I would rather not comment other than to say it was ill-fated from Day 1."

Sault This Week asked Butland whether council has abdicated its responsibility by referring a decision on a property it owns to an outside interest group, and a committee, which is both unaccountable to citizens and involves many of the same people who have failed miserably to achieve any positive results with the Gateway site over the past decade.

Butland responded that it comes down to the question of where the money for a park is going to come from.

Municipalities are being told that once the stimulus spending is completed there will be next to no additional money from either level of senior governments for projects such as this, he said.

Council will have the last say as to what goes on with the property, he said and pointed out the Federation of Canadian Cities has assisted other municipalities in funding the remediation of derelict and polluted city-owned properties.

A report dated Aug. 27, 2009, penned by Greg Punch, president of the Economic Development Corp., entitled SSMEDC Gateway Committee Report said, "A number of meetings were held between the CEO, Joe Fratesi, CAO, and Jerry Dolcetti, commissioner of engineering and planning, and then a subsequent meeting was held between Bill Durnford, chair of the Gateway Committee . . . in the interpretation of the city council resolution passed in late 2008 giving a mandate to the SSMEDC to continue efforts in securing a potential proponent for the Gateway site. This mandate has expired and the SSMEDC Gateway Committee would like to continue to lead the efforts on the next stage of the Gateway Development. . . . Tourism SSM hospitality partners have decided to commit \$15,000 toward the site plan and concept development drawings in order to convince other private stakeholders to participate in the next stage."

The Tourism Gateway Committee issued a "Public Call for Concepts/ Bright Ideas" Feb 9-27 and received more than 30 submissions from the public, many of which contained a park as a central component of their idea.

McCarthy told Sault This Week, "City council, and neither EDC nor a committee should be responsible for developing a plan for this property and making a decision because they are not elected and accountable to citizens and taxpayers. To shuffle this off to an unelected committee is unacceptable." He believes that several people involved in the Gateway site are in an obvious conflict of interest.

"It is marketed as a waterfront jewel but it is a contaminated eyesore located next to a hydro plant, a paper mill, and a railway line. At one time there was a first-class fish hatchery located there, with one of the few gravity-fed fish hatcheries in the country. Sault College has a Fish and Wildlife program. If the city partnered with them, this building could be a functioning lab. A fully functioning fish hatchery could both become a tourist attraction and an educational tool for students of any age."

McCarthy concludes, "Maybe it's time for council, and those who will be running in the next election, to take a look at the Gateway site and how it is being marketed. It seems the same people are involved year after year."

McCarthy credits Callie Griffin for her help in creating a website and said since she has come on board, she has become more like a full partner in trying to move this idea forward.

5(x)

McCarthy asks that Sault residents become involved: call their city council lors, visit the website [www.calliegriffin.net/gateway](http://www.calliegriffin.net/gateway) and sign the online petition contained therein.

Copyright © 2010 Sault This Week

Fire Chief – Marcel Provenzano

Division Heads:  
Frank Brescacin - Suppression  
David Stokes – EMS  
Paul Milosevich – Prevention  
Jim St. Jules – Support Services



Emergency Direct "911"  
Emergency Phone (705) 949-3333  
Business Phone (705) 949-3335  
Fire Prevention Phone (705) 949-3377  
Emergency Medical Services (705) 949-3387  
Fax Phone (705) 949-2341

5(y)

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

July 19, 2010

Mayor John Rowswell and  
Members of City Council

**Re: Exhaust Extraction System - #1 Station**

The diesel exhaust extraction system for the main fire station has been identified in the Corporate Strategic Plan for the past few years as a proactive approach to workplace health & safety. This project was approved as one of the supplementary line items in this year's budget.

The Nederman Canada Inc. system quote is within the approved supplementary funding and is the "same system" we presently use at the newest Fire/EMS station (RESC) for use with our fire trucks and ambulances. The system uses a magnetic hose and rail configuration designed to capture the exhaust from the tail pipes as soon as the doors are opened and the trucks started. All trucks are fitted with anchor plates to accommodate the mounting of the exhaust hose when leaving or entering the station.

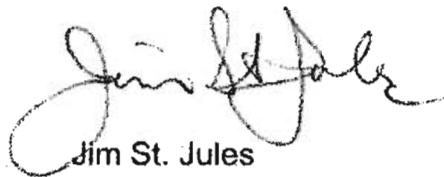
The advantages of keeping a similar system for this new installation are as follows:

- Known reliability of Nederman product we are currently using – It should be noted that Garden River uses a different manufacturer and in a few short months have already experienced many problems with hoses and special connections were required for both trucks that operate out of the Garden River Base.
- This manufacturer is presently the only one using the magnetic/rail/hose product technology (others would not meet specifications if tendered).
- The operations and use by personnel are simplified so no additional training or exhaust pipe connections would need to be added to our apparatus.
- This system is automatic and is programmable to run as energy efficient as desired to remove exhaust fumes when trucks are started.
- Maintaining established existing contacts for product support. Also, parts when required would be interchangeable for all stations therefore reducing overhead costs.
- Local contractor (Henderson Metal) is working with Nederman Canada Inc. to install the system and provide ongoing warranty and service (if required)

5(y)

This report was discussed with Ralph Robertson, Manager of Purchasing who reviewed the quote and agrees with purchasing the exhaust extraction system from Nederman pending Council's approval. It is our belief that it would be prudent to continue with the same manufacturer for the reasons listed. Therefore, I am recommending that the attached quotation from Nederman Canada Inc. at a cost of \$86,754.75 including installation, plus taxes and shipping, be approved for purchase as a single source item so that the project can move forward in accordance with the City's strategic plan and approved supplementary budget.

Respectfully submitted,



Jim St. Jules  
Assistant Fire Chief – Support Services  
Sault Ste. Marie Fire Services

Recommended for approval



Marcel Provenzano  
Fire Chief  
Sault Ste. Marie Fire Services

Attachment

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi  
Chief Administrative Officer

5(cy)

# Nederman

## QUOTATION

**Sold To:** Sault Ste. Marie  
**Contact:** Jim St. Jules  
**Address:** 72 Tancred Street  
  
**City:** Sault Ste. Marie  
**Province:** ON  
**Postal Code:**  
**Email:** j.st.jules@cityssm.on.ca  
**Phone:** (705) 949-4459  
**Fax:**

Date	Quote #
06/17/10	GXLTO1254

Sales Rep	Terms	Ship Via
Gerry Tracey	Net 30 Days	Prepaid

Industry Code- Mandatory
Emst

### Reference Hall # 1

Qty	Nederman Part #	Description	Unit Price	Ext. Price
1	20814564	Nederman MAGNARAIL®. Horizontal unit. Length= 20 m (66'). Includes busbar, brackets, trolley stop, end caps and transformer		
2	20374246	Top outlet connection for exhaust rail 920, 200 mm (8") duct connection		
1	20804564	Nederman MAGNATRACK® HS 15.3m horizontal unit. Includes guide track, mounting brackets for every 2.4 m, shock absorber, horizontal hose 160 mm diameter and transformer.		
2	20804464	Nederman MAGNATRACK® HS 11.8m horizontal unit. Includes guide track, mounting brackets for every 2.4 m, shock absorber, horizontal hose 160 mm diameter and transformer.		
2	20804364	Nederman MAGNATRACK® HS 9.5m horizontal unit. Includes guide track, mounting brackets for every 2.4 m, shock absorber, horizontal hose 160 mm diameter and transformer.		
2	20813464	Nederman MAGNARAIL®. Extraction unit for low level (LL) exhaust pipes. Includes hose ø 160 mm, length 3 m, trolley, balancer, shock absorber on trolley, electro-magnet assembly, anchor plate and disconnection box.		
5	20801764	Nederman MAGNATRACK® HS. Extraction unit for low level (LL) exhaust pipes. Includes vertical hose 160 mm diameter, length 3 m, trolley, balancer, electro-magnet assembly, anchor plate and disconnection box		
7	20802164	Nederman Magna Nozzle for low level (LL) exhaust pipes. Type "Standard", 160 mm diameter, 1000 mm long		
1	14524228	FAN NCF 120/15 7.5kW 575V 60Hz		
1	14374441	Inlet Adapter		
1	86900075	Variable Frequency Drive for 575/3/60 volt, 10 hp motor. Rated 11 amp. Without safety disconnect		

### Nederman products are covered by a three (3) year manufacturer limited warranty

All product, installation and service orders submitted to and accepted by Nederman Canada are subject to a 25% restocking fee if cancelled by the issuing company or one of its authorized partners.

5(y)

Qty	Nederman Part #	Description	Unit Price	Ext. Price
1		Mechanical And Electrical Installation		
		Mechanical & Electrical installation including door sensors for 6 doors, control box for door sensors, ductwork, installation and mounting of fans, electrical connection based on 3 phase power within 10' of Variable Frequency Drive locations, 115 V service within 10' of first Magan rail ( for step down transformers), start up and commissioning of systems. Roof openings included, any permits or inspection fees as may be required by any Federal, Provincial or Municipal authority will be the responsibility of the customer		
		F.O.B. our warehouse, Mississauga, ON, taxes extra Quotation is valid for 60 days Net 30 days	SubTotal	\$86,754.75
			Total	\$86,754.75

**Nederman products are covered by a three (3) year manufacturer limited warranty**  
All product, installation and service orders submitted to and accepted by Nederman Canada are subject to a 25% restocking fee if cancelled by the issuing company or one of its authorized partners.

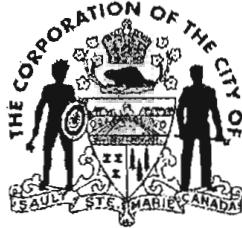
Nederman Canada 5775 McLaughlin Rd, Mississauga, ON, L5R 3P7 Phone: 905-366-2200 Fax: 905-366-2206  
Toll Free: 1-866-332-2611 [www.nederman.com](http://www.nederman.com)

5(z)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

FILE NO. P.2010-1

**REPORT TO:** Mayor John Rowswell  
and Members of City Council

**REPORT FROM:** Lorie Bottos  
City Solicitor

**DATE:** 2010 07 19

**SUBJECT:** LANE CLOSING APPLICATION  
HIME-CHITTY SUBDIVISION

We have received a petition to close and convey the following public laneway:

The lane shown as Parts 1 and 2 on the draft plan prepared by D. S. Urso Surveying Ltd. dated August 24, 2006 (File U-9615) in the Chitty's Re-Subdivision (Hime Subdivision), Plan 18954

We are prepared to recommend the closing and conveyance of this lane subject to the retention of any necessary easements.

For your information and convenience the draft plan showing the subject laneway is attached. By-law 2010-138 and By-law 2010-139 have been prepared for your consideration and appear elsewhere on your agenda. By-law 2010-139 is before council for first and second reading this evening.

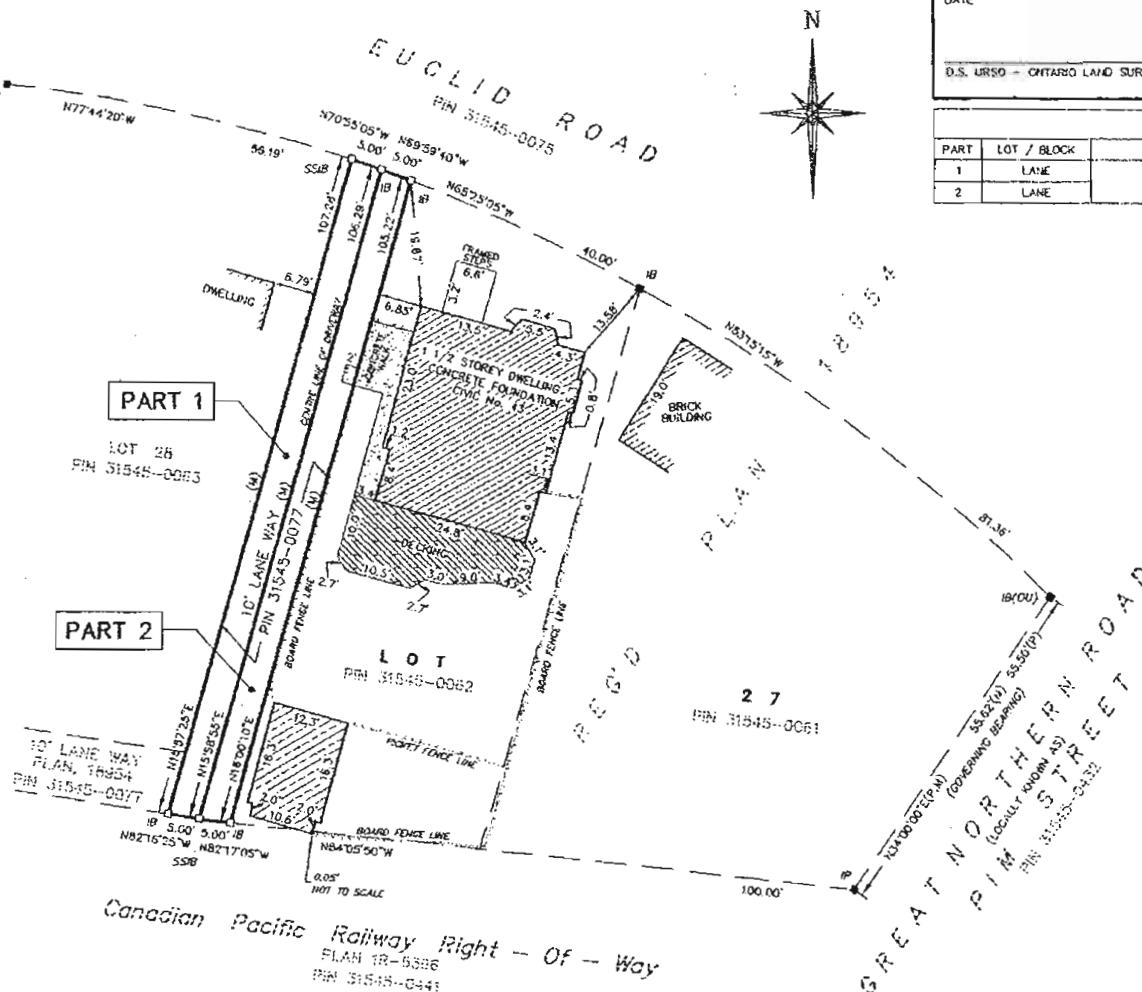
Respectfully Submitted,

L. A. Bottos  
City Solicitor

LAB/da  
attachment

RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

5(2)



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.		PLAN 1R-		
RECEIVED AND DEPOSITED				
DATE		DATE		
D.S. URSO - ONTARIO LAND SURVEYOR		DEPUTY LAND REGISTRAR FOR THE LAND TITLES DIVISION OF ALGOMA (NA 1)		
SCHEDULE				
PART	LOT / BLOCK	PLAN	AREA	PROPERTY IDENTIFICATION NUMBER
1	LANE	18954	530 Sq. Ft.	PART OF 31545-0077
2	LANE		525 Sq. Ft.	

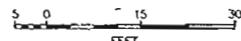
PLAN OF SURVEY OF  
PART OF A 10 FOOT LANE  
CHITTY'S RE-SUBDIVISION  
(OF HIME SUBDIVISION)  
(REGISTERED PLAN No. 18954)

IN THE

CITY OF SAULT STE. MARIE

DISTRICT OF ALGOMA

SCALE: 1 INCH = 20 FEET



D.S. Area Surveying Ltd.

## LEGEND

- DENOTES FOUND EVIDENCE
- DENOTES PLANTED MONUMENT
- IB DENOTES IRON BAR
- SB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- RIB DENOTES ROUND IRON BAR
- M DENOTES MEASURED
- P DENOTES REGISTERED PLAN 18954
- S DENOTES SET
- WT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- JBC DENOTES J.B. CHAMBERS, O.L.S.

## BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO PART OF  
THE EASTERN LIMIT OF LOT 27 AS SHOWN ON PLAN 18954  
HAVING A BEARING OF N34°00'00".

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE  
LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON AUGUST 11TH, 2006.

August 24th 2006  
SAULT STE. MARIE, ONTARIO

J.M. FARSTAD  
ONTARIO LAND SURVEYOR

D.S. Area Surveying Ltd.	
Ontario Land Surveyor & Canada Land Surveyors Planning Consultants	
100 HURON ST. SAULT STE. MARIE, ONT. P6A 2M6	TEL: (705) 254-7851 FAX: (705) 254-5215
DRAWN: <u>W. BLAIR</u>	FIELD: <u>A. M. JONES</u>
CHECKED: <u>W. BLAIR</u>	FILE NO.: <u>U-9615</u>

5 (aa)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

FILE NO. P.2010-2

**REPORT TO:** Mayor John Rowswell  
and Members of City Council

**REPORT FROM:** Lorie Bottos  
City Solicitor

**DATE:** 2010 07 19

**SUBJECT:** **LANE CLOSING APPLICATION  
ELDRIDGE BLOCK "C" SUBDIVISION,**

We have received a petition to close and convey the following public laneway:

The first 161.14 feet lane south of Wellington Street East, lying east of East Street and west of Pilgrim Street, Eldridge Block "C" Subdivision, Plan 1043.

There is a storm sewer that runs the length of this laneway. Staff is prepared to recommend the closing and conveyance of this lane subject to the retention of an easement for a storm sewer and any easements required for any utilities.

For your information and convenience a plan showing the subject laneway is attached. By-law 2010-132 and By-law 2010-133 have been prepared for your consideration and appear elsewhere on your agenda. By-law 2010-133 is before council for first and second reading this evening. It will then be advertised twice in the newspaper.

Respectfully Submitted,

A handwritten signature in black ink that appears to read "Lorie Bottos".

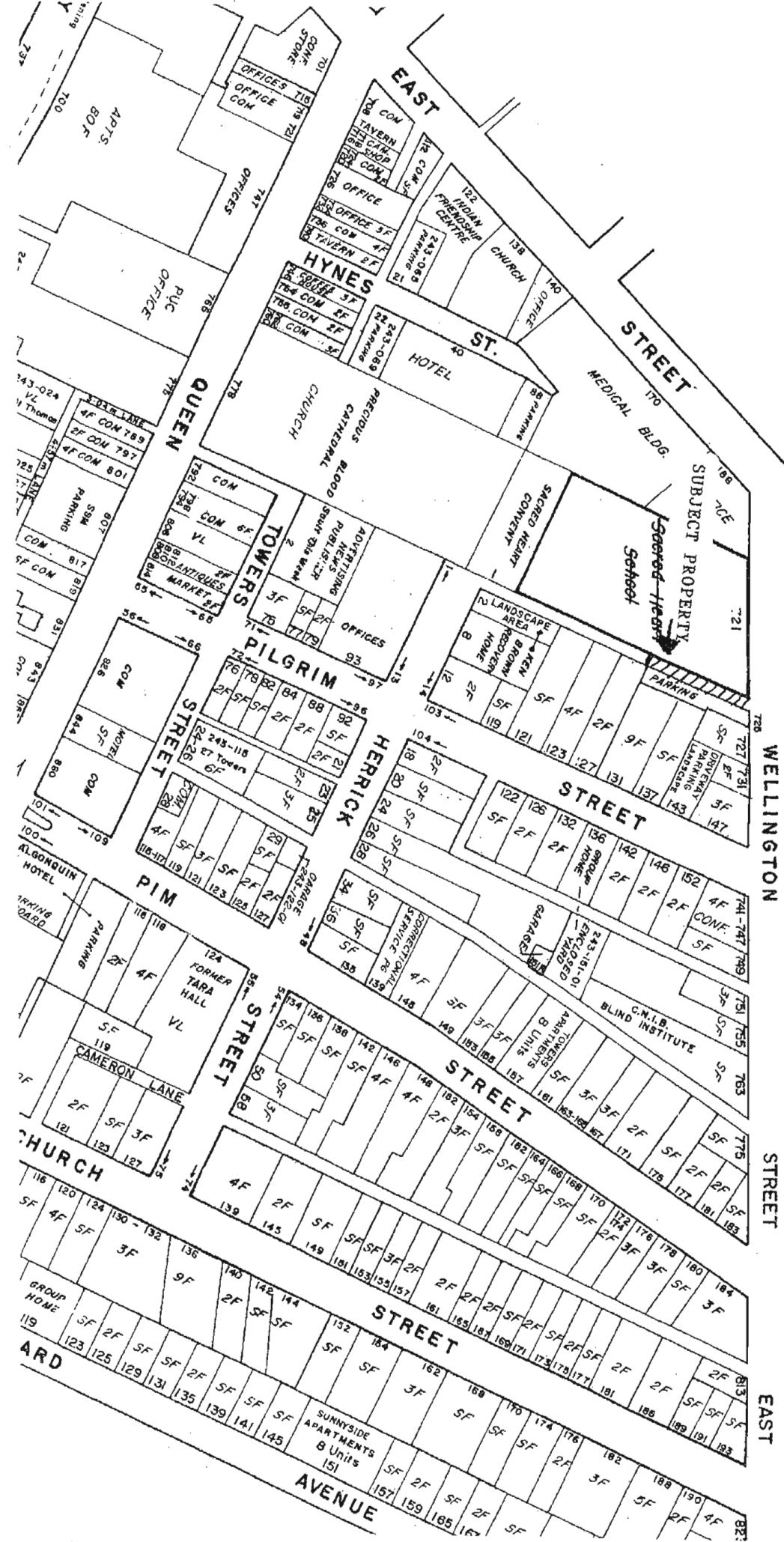
L. A. Bottos  
City Solicitor

LAB/da  
attachment

RECOMMENDED FOR APPROVAL  
A handwritten signature in black ink that appears to read "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)

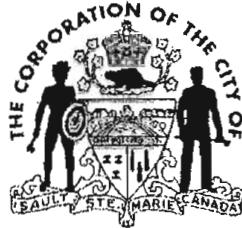
5 (aa)



LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



5(66)

LEGAL  
DEPARTMENT

File No. P.2.1.9 & P.2.1.9A

REPORT TO: Mayor John Rowswell  
and Members of Council

REPORT FROM: Nuala M. Kenny, Assistant City Solicitor

DATE: 2010 07 19

**Re: Expanding the Downtown Association Business Improvement Area (BIA) to Include the City Centre BIA**

**PURPOSE**

On May 31<sup>st</sup>, 2010, Council passed the following resolution moved by Councillor Tridico and seconded by Councillor Fata:

"RESOLVED that the appropriate staff review the process and steps to be followed to enable a proposed merger of the Downtown and City Centre Business Improvement Areas and report back to Council."

The purpose of this report, therefore, is to outline the process to be followed in expanding the boundary of the existing Business Improvement Area (BIA).

**COMMENT**

By-law 76-419 established the Downtown BIA (formerly the Queenstown Association). It runs from Pim Street to Dennis Street. By-law 85-140 established the City Centre BIA. It runs from Dennis Street to Gore Street and then up Gore Street to Wellington Street. The City Centre BIA has been inoperative since July 2003. The City has now received a request from Anna Boyonoski, the Manager of the Downtown Association, to change the boundary of the Downtown BIA to include the boundary of the City Centre BIA.

5(bb)

The process for amending the boundaries of a BIA is set out in the *Municipal Act*. Boundary changes to a BIA are done by way of by-law (section 209, *Municipal Act*). Before City Council passes a by-law to alter the boundaries it is necessary to give notice. The City is required to give notice of the proposed by-law to the BIA board of management and to every person who on the last revised assessment roll is assessed for rateable property that is of prescribed business class in both the existing BIA and in the area where the new BIA would be created (section 210(1), *Municipal Act*). In Sault Ste. Marie this would include the property owners located in the City Centre BIA.

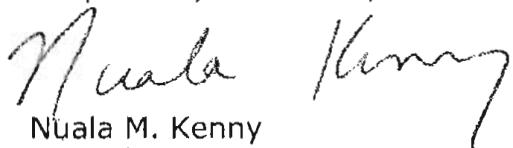
The Act also sets out a process by which people may object to the new boundary of the BIA. If within sixty days after sending notice of intent to pass the by-law the municipality receives objections and the objections are signed by at least one-third of the total number of persons entitled to notice, and in the case of adding to the boundary of the existing BIA the objectors are responsible for at least one-third of the taxes levied on the property in the existing BIA, or the objectors are responsible for at least one-third of the taxes levied on the business property in the newly-proposed area of the BIA the by-law cannot be passed (section 210(3), *Municipal Act*).

Determination as to whether or not such objections have been received is determination for the City Clerk. The Clerk's determination is final. If the Clerk determines that no objections were received or an inadequate amount of objections have been received, the bylaw is passed and the BIA is extended.

#### **RECOMMENDATION**

This report is provided for the information of City Council. If Council wishes to undertake the necessary steps to amend the BIA a by-law will be prepared and notice shall be given.

Respectfully submitted,

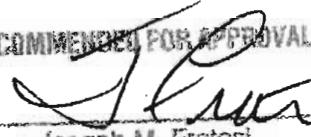
  
Nuala M. Kenny  
Assistant City Solicitor

Recommended for approval,

  
Lorie Bottos  
City Solicitor

NMK/dh

cc: Mr. Bill Freiburger, Commissioner of Finance & Treasurer  
Mr. Peter Liepa, City Tax Collector

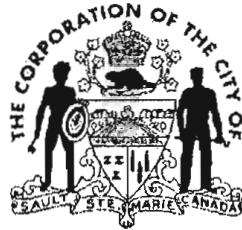
  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

5 (cc)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

File No. L.5.5.2

REPORT TO: Mayor John Rowswell  
and Members of Council

REPORT FROM: Nuala M. Kenny, Assistant City Solicitor

DATE: 2010 07 19

**Re: Appointment of Provincial Offences Officers for Enforcement of  
City By-laws Related to Animal Control**

The City contracts with the Sault Ste. Marie Humane Society for the provision of animal control services within the municipality. In order for the Humane Society to enforce City animal control by-laws it is necessary that the City appoint the Humane Society employees by by-law as municipal by-law enforcement officers and provincial offences officers. I attach a copy of a letter from Ms. Cindy Ross, Shelter Manager of the Sault Ste. Marie Humane Society, requesting the appointment of three employees for this purpose.

The appointment will allow the three employees to lay tickets and summonses for contraventions of City by-laws. Elsewhere on the agenda tonight is a by-law identifying the individuals to be appointed.

**RECOMMENDATION**

By-law 2010-127 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,

A handwritten signature in black ink.

Nuala M. Kenny  
Assistant City Solicitor

NMK/dh  
Attachment

Recommended for approval,

A handwritten signature in black ink.

Lorie Bottos  
City Solicitor

A handwritten signature in black ink.

RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

cc: Ms. Cindy Ross, Shelter Manager, Sault Ste. Marie Humane Society



## SAULT STE. MARIE HUMANE SOCIETY

5 (cc)

962 Second Line East  
Sault Ste. Marie, Ontario  
P6B 4K4  
Ph. (705) 949-3573  
Fax (705) 949-0169  
Email: ssmhs@soonet.ca  
Website: www.soonet.ca/humanesociety

**Sent via fax to 759-5405**

June 14, 2010

Nuala Kenny, Assistant City Solicitor  
City of Sault Ste. Marie  
99 Foster Drive  
Sault Ste. Marie, Ontario  
P6A 5N1

THE CORPORATION OF THE  
CITY OF SAULT STE. MARIE

JUN 24 2010

**LEGAL DEPARTMENT**

Dear Ms. Kenny

As the contracted provider of animal control services for the City of Sault Ste. Marie, the Sault Ste. Marie & District SPCA is applying for the following individuals to be designated as provincial offences officers:

Kimberly Leclair  
Wendy Corbett  
Natalie Lepage

Once designated as provincial offences officers, these individuals will be authorized to issue tickets on behalf of the City with respect to offences set out in By-laws 98-211, 87-125, 2000-49 and 2003-203, and enforce the Dog Owners' Liability Act.

Yours truly,

Cindy Ross  
Shelter Manager

5 (dd)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

**FILE NO.:** 2007 Tax Sale - Parcel 1

**REPORT TO:** Mayor John Rowswell  
and Members of City Council

**REPORT FROM:** Lorie A. Bottos  
City Solicitor

**DATE:** 2010 07 19

**SUBJECT:** FORMER EASTGATE HOTEL – 874 QUEEN STREET EAST

An article appeared in the Sault This Week on Wednesday July 14, 2010 regarding the Eastgate Hotel that requires clarification.

The article suggested that there was an obligation on the City to maintain the building. As has been explained to council, the City does not own this building. The City would have had no rights to enter onto the site to maintain the building unless the property was vested in the City.

Prior to the tax sale the property was marketed by a local real estate agent. My understanding is that there were no offers received during that time that the property was on the market. There were for sale signs on the building.

In August of 2007 a tax arrears certificate was registered against the property. Under the Municipal Act the property owner has one year after the tax arrears certificate is registered to pay the arrears of taxes. The arrears were not paid. After that a tax sale was held. Once again there was absolutely no interest shown in the property at that time.

Another building further along Queen Street was in the same situation, that is that no bids were received at the tax sale. The City retained Regent Property Management to try and sell both buildings. The other building at 258 Queen Street East was sold. However no acceptable bid was received for the 874 Queen Street East property.

5(dd)

The article in Sault This Week suggests that it was the role of Regent Property Management to maintain the building. That is not correct. As indicated above, the building is not owned by the City. There was no intent at any time that Regent Property Management would maintain the building. The deteriorating condition of the building was not a secret to anyone who drove by it.

The Article states that Council was given one choice on what to do. That is not correct. Council was given the option of continuing to market the building "as is" in addition to the option of vesting the building in the City's name, demolishing the building and selling the site.

Recommendations to vest property are not brought to council unless the property is needed by the City or there is a buyer for the property. The danger with vesting property without a City need or a prospective buyer is that there might be environmental issues or liens from senior levels of government that would have to be dealt with and which could get expensive.

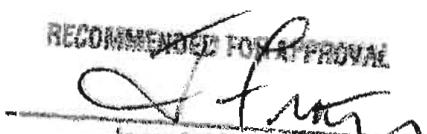
Respectfully Submitted,



Lorie A. Bottos  
City Solicitor

LAB/cf

council reports/2010reports/Tax Sale 2007 874 Queen Eastgate July 19.10

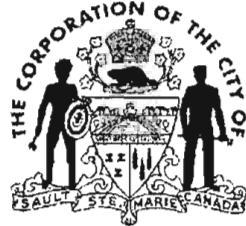
RECOMMENDED FOR APPROVAL  
  
Joseph M. Fratesi  
Chief Administrative Officer

5(e)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

REPORT TO: Mayor John Rowswell  
and Members of Council

REPORT FROM: Lorie A. Bottos  
City Solicitor

DATE: 2010 07 19

SUBJECT: DENIS PEPIN - 165 AVERY ROAD - A-7-10-OP - BY-LAW 2010-109

City Council passed By-law 2010-109 on May 31, 2010. The purpose of By-law 2010-109 is to adopt Amendment No. 172 to the Official Plan. The Applicant, Denis Pepin, is requesting an Official Plan amendment to create seven (7) new rural residential lots.

As required by the Planning Act notice was sent to the Ministry of Municipal Affairs and Housing. An appeal has been filed by the Ministry of Municipal Affairs and Housing and received in the Clerk's Office on Wednesday, June 23, 2010. A copy of the appeal is attached.

The procedure now is that the Legal Department sends a package of material to the Ontario Municipal Board (OMB) and in due course the OMB will set a hearing date for the appeal.

Yours truly,

A handwritten signature in black ink that reads "Lorie Bottos".

Lorie A. Bottos  
City Solicitor

RECOMMENDED FOR APPROVAL

A handwritten signature in black ink that reads "J. Fratesi".

Joseph M. Fratesi  
Chief Administrative Officer

LAB:on

c.c. Peter Tonazzo, Planner, Engineering & Planning Dept.  
c.c. Michelle Kelly, Secretary/Treasurer, Committee of Adjustment

Staff/Council Reports/2010/Pepin/on

Ministry of  
Municipal Affairs  
and Housing

Ministère des  
Affaires municipales  
et du Logement



# Fax

56

RECEIVED	
CITY CLERK	
JUN 23 2010	
NO.:	51696
DIST.:	

**TO:**

Name: Malcolm White- Clerk  
Fax No.: 705-759-2310  
Organization: City of Sault Ste. Marie

**FROM:**

Name: Scott Morrison  
Fax No.: 416-585-7292  
Phone No.: 416-585-6059  
Municipal Programs & Education Branch  
3<sup>rd</sup> floor, 777 Bay Street  
Toronto ON M5G 2B3

Date: June 23, 2010

No. of pages (including cover page):

4, including  
this cover

**Message:**

Attached please find the following, related to the decision to adopt Official Plan Amendment No. 172 to the Official Plan of the City of Sault Ste. Marie:

- A letter appealing the decision;
- A credit memo. The credit memo is for the prescribed Ontario Municipal Board fee.

Please call me at 416-585-6059 if you do not receive all four pages of this fax.

Scott Morrison  
Senior OMB and Information Coordinator  
Ministry of Municipal Affairs and Housing

THE CORPORATION OF THE  
CITY OF SAULT STE. MARIE

JUN 24 2010  
LEGAL DEPARTMENT

5(ee)

**Ministry of the  
Attorney General**

Legal Services Branch  
Ministry of  
Municipal Affairs and Housing

18th Floor, 777 Bay Street  
Toronto, Ontario M5G 2E5

Tel: (416) 585-6514  
Fax: (416) 585-4003  
Writer's Direct Line: (416) 585-6543

**Ministère du  
Procureur général**

Direction des services juridiques  
Ministère des Affaires  
municipales et du Logement

16<sup>e</sup> étage, 777, rue Bay  
Toronto, Ontario M5G 2E5

Tel: (416) 585-6514  
Téléc: (416) 585-4003  
Ligne directe du rédacteur: (416) 585-6543



June 23, 2010

Mr. Malcolm White  
City Clerk  
City of Sault Ste. Marie  
P.O. Box 580  
99 Foster Drive  
Sault Ste. Marie, ON P6A 5N1

Dear Mr. White:

**Re: Appeal to the Ontario Municipal Board (the "OMB")  
Decision of Official Plan Amendment # 172 to the City of Sault Ste. Marie  
Official Plan**

Pursuant to subsection 17(36) of the *Planning Act*, the Minister of Municipal Affairs and Housing hereby appeals the May 31, 2010 decision of Council of the City of Sault Ste. Marie to adopt Official Plan Amendment # 172 ("OPA # 172") to the City of Sault Ste. Marie Official Plan.

OPA # 172 provides for the creation of seven new rural residential lots plus one retained lot by consent, in the Rural Area designation of the City of Sault Ste. Marie Official Plan.

The basis for this appeal is that the decision by City Council allows for the creation of multiple lots for residential dwellings in a rural area of the municipality which is not permitted by the Provincial Policy Statement, 2005 (the "PPS"). As well, the specific reasons for this appeal are:

1. The *Planning Act* requires that Council, in carrying out its responsibilities and in exercising any of its authority that affects a planning matter, shall have regard to those matters of provincial interest under Section 2 of the *Planning Act*. The Council of the City of Sault Ste. Marie in making a decision to adopt OPA # 172 did not have regard to clauses 2 (a), (d), (e), (f), (h), (l), (o), (p), and (q) which are all relevant matters of provincial interest for the consideration of this matter.

5(ee)

Page 2 of 2

2. The *Planning Act* requires that the decision of Council shall be consistent with the PPS, issued under Section 3 of the *Planning Act*. The decision of Council to adopt OPA # 172 is not consistent with the policies of Sections 1.1.1 a) and b), 1.1.2, 1.1.3.1, 1.1.4.1 a) and c), 1.6.4, 1.6.5, 1.6.8.1 and 2.6 of the PPS which are relevant for the consideration of this matter.
3. OPA # 172 does not conform to the City of Sault Ste. Marie Official Plan in effect since August 9, 1996 and does not conform to Official Plan Amendment #167 in effect since November 6, 2009. Specifically, the decision to adopt OPA # 172 does not conform to the policies of:
  - Part IV – Social Development Section 2.4 Heritage;
  - Part V – Physical Development – Natural Environment Section 3.6 Fish Habitat;
  - Part V – Physical Development – Natural Environment Section 4.1 Groundwater Recharge Protection Area;
  - Part VI – Physical Development – Built Environment Section 2.3 Land Use;
  - Part VI – Physical Development – Built Environment Section 2.4 Municipal Services and,
  - Part VII – Implementation Section 2 Provincial Policy of the City of Sault Ste. Marie Official Plan.
4. The decision of the Council of the City of Sault Ste. Marie does not represent sound land use planning.

Attached is a credit memo, in the amount of \$125.00, which confirms payment from the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. This represents the appeal fee as prescribed under the *Ontario Municipal Board Act*.

Should you have any questions regarding this matter, please contact: Dan Tovey, Acting Manager, Community Planning & Development, or Charlsey White, Planner, in this Ministry's North Eastern Municipal Services Office in Sudbury, at (705) 564-7322.

Yours truly,



Irvin M. Shachter  
Senior Counsel

Encl:

c: Don McConnell, Planning Director, City of Sault. Ste. Marie  
Scott Morrison, OMB Coordinator, MMAH



June 23, 2010

**CREDIT MEMO - DUPLICATE COPY**

**MEMORANDUM TO:** Ali Arlani  
Chief Executive Officer  
Ontario Municipal Board

**Re:** **NOTICE OF APPEAL**  
Decision of Council to approve Official Plan Amendment # 172  
to the City of Sault Ste. Marie's Official Plan  
Credit Memo No.: 10-004

Please accept this Credit Memo as payment of the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00.

This Memo authorizes payment from the responsibility centre for the Municipal Programs and Education Branch. By copy of this Credit Memo the Financial Services Delivery Branch (Shared Services Bureau) is directed to transfer the above noted amount to the responsibility centre of the Ontario Municipal Board.

If you have any questions, please contact Scott Morrison, Senior OMB and Information Co-ordinator at (416) 585-6059.

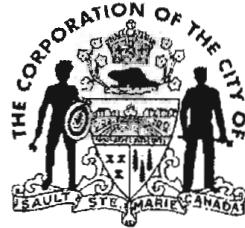
Diana Jardine  
Director  
Municipal Programs and Education Branch  
cc. Wayne Jones, Financial Services Delivery Branch  
Sanjay Varma, Ontario Municipal Board

5 (ff)

LORIE BOTTO  
CITY SOLICITOR

NUALA KENNY  
ASSISTANT CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK  
SOLICITOR / PROSECUTOR



LEGAL  
DEPARTMENT

REPORT TO: Mayor John Rowswell  
and Members of Council

REPORT FROM: Lorie A. Bottos  
City Solicitor

DATE: 2010 07 19

SUBJECT: AGNEW APPEAL TO THE ONTARIO MUNICIPAL BOARD  
– ZONING BY-LAW 2010-57 – 2325 GREAT NORTHERN  
ROAD – PALMER CONSTRUCTION GROUP

On March 8, 2010 City Council passed Zoning By-law 2010-57. That by-law proposed to rezone 2325 Great Northern Road from Rural Aggregate Extraction zone to Rural Aggregate Extraction zone with a special exception to permit a portable asphalt plant.

This application was appealed by Mr. James Agnew of 2515 Great Northern Road to the Ontario Municipal Board.

The Ontario Municipal Board has set a hearing date of Wednesday, August 4, 2010 at 10:30 a.m. setting aside 1 day for the hearing. Notice of the hearing date has been sent as directed by the Board.

Yours truly,

A handwritten signature in black ink that reads "Lorie Bottos".

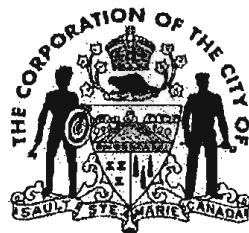
Lorie A. Bottos  
City Solicitor

LAB:on

Staff/Council Reports/2010/Palmer Construction Group/on

RECOMMENDED FOR APPROVAL  
A handwritten signature in black ink that reads "Joseph M. Fratesi".

Joseph M. Fratesi  
Chief Administrative Officer



2010 07 19

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:** Mayor John Rowswell  
and Members of City Council

**SUBJECT:** Hub Trail Construction  
Waterfront Walkway Extension  
City Contract 2010-6E

Tenders received for the Contract 2010-6E were opened at a public meeting on Thursday June 17, 2010. This contract includes all materials, labour and equipment necessary for the construction of the Hub Trail from the existing Clergue Park waterfront path, continuing along the southern side of Bay Street to lower Pim Street. The trail will continue at lower Church Street, and follow along the waterfront at the current hospital site (see attached maps). Improvements directly in front of the Public Library on lower East Street are also included as part of this contract.

A total of seven tenders were received, and as described in the attached report from Kresin Engineering, the low tender of \$1,547,365.86 (including HST) was submitted by Avery Construction Limited. This amount is 16.5% below the pre-tender estimate of \$1,853,200 (including HST) and includes a \$200,000 contingency allowance.

The preferred design of this section of the Hub Trail is to continue the trail along the waterfront of the Canadian Bushplane Heritage Centre property (Option 1, attached); however, this section was not included in the tender as the trail in this area will have an effect on the centre's operations. Since before and after the opening of the tenders, discussions have been ongoing with representatives of the Bushplane Centre and their board has approved routing the trail along the waterfront, in principle, based on recent revisions to the proposed plan as well as

a number of other conditions the board would like incorporated into the overall plan.

These conditions include the provision of:

- event barricades, which will be used for events hosted at the Centre such as weddings (approximately \$6,000);
- the construction of a new storage building to accommodate the barricades and other items so as to minimize outside storage (approximately \$25,000);
- the planting of 3 landscaped beds by the main entrance to the Centre (approximately \$5,000), and;
- reasonable legal costs associated with the execution of the lease required to facilitate the trail (approximately \$2,000).

It is estimated that these additional items will total approximately \$38,000.

A price of \$387,768.19 (including HST) was provided by the contractor who submitted the low tender for the additional work to construct the trail along the waterfront of the Bushplane Centre and can be included in the contract at a later date through the approval of a contract change order. These works include the installation of approximately 160 illuminated and non-illuminated bollards, an asphalt path and landscape works. The total for both the trail related works and the items that have been requested by the Bushplane Centre will total approximately \$425,768.19.

Although a final agreement could not be reached prior to this Council's meeting, staff recommends awarding the tender as is, which excludes the Bushplane Centre, to ensure the construction of the project proceeds in a manner that will satisfy the time requirements of the Provincial/Federal stimulus funding agreement, which is the funding source for this project. Both the tender amount and the additional work for the Bushplane Centre would be within the budget allowance for this project.

Finalization of the agreement with the Bushplane Centre should be completed by the August 23, 2010 meeting; however, during the preparation of this report, staff has received additional correspondence from the Bushplane Centre (see attached letter), introducing items into the negotiations that have not been previously under consideration. These items include general maintenance and liability issues for the Bushplane Centre. Staff will further review those items in conjunction with other City departments and the Bushplane Centre representatives. Should a final agreement be reached with the Bushplane Centre in advance of the next Council meeting, Council will be notified and the contractor will be advised to proceed on the additional work. Staff will report further at the August 23, 2010 Council Meeting.

Should a final agreement not be reached with the Bushplane Centre, the alternative to connect the Bay Street section of the trail with the Hospital section

5(55)

of the trail will be facilitated by improvements within the City's right of way along lower Pim Street, Queen Street and lower Church Street (Option 2, attached). These improvements would be less than the costs of the Bushplane waterfront alternative and would consist of replacing the sidewalk with an asphalt pathway with concrete banding (similar to Clergue Park, and Shannon Road).

Accordingly, staff recommends that City Council award Contract 2010-6E to Avery Construction Limited, in the amount of \$1,547,365.86 (including HST). Given that two thirds (2/3) of the funding for this project is through the Federal/Provincial Infrastructure Stimulus Fund, the project must be substantially completed by March 31, 2011.

By-law 2010-136, authorizing the execution of Contract 2010-6E will be found elsewhere on Council's agenda.

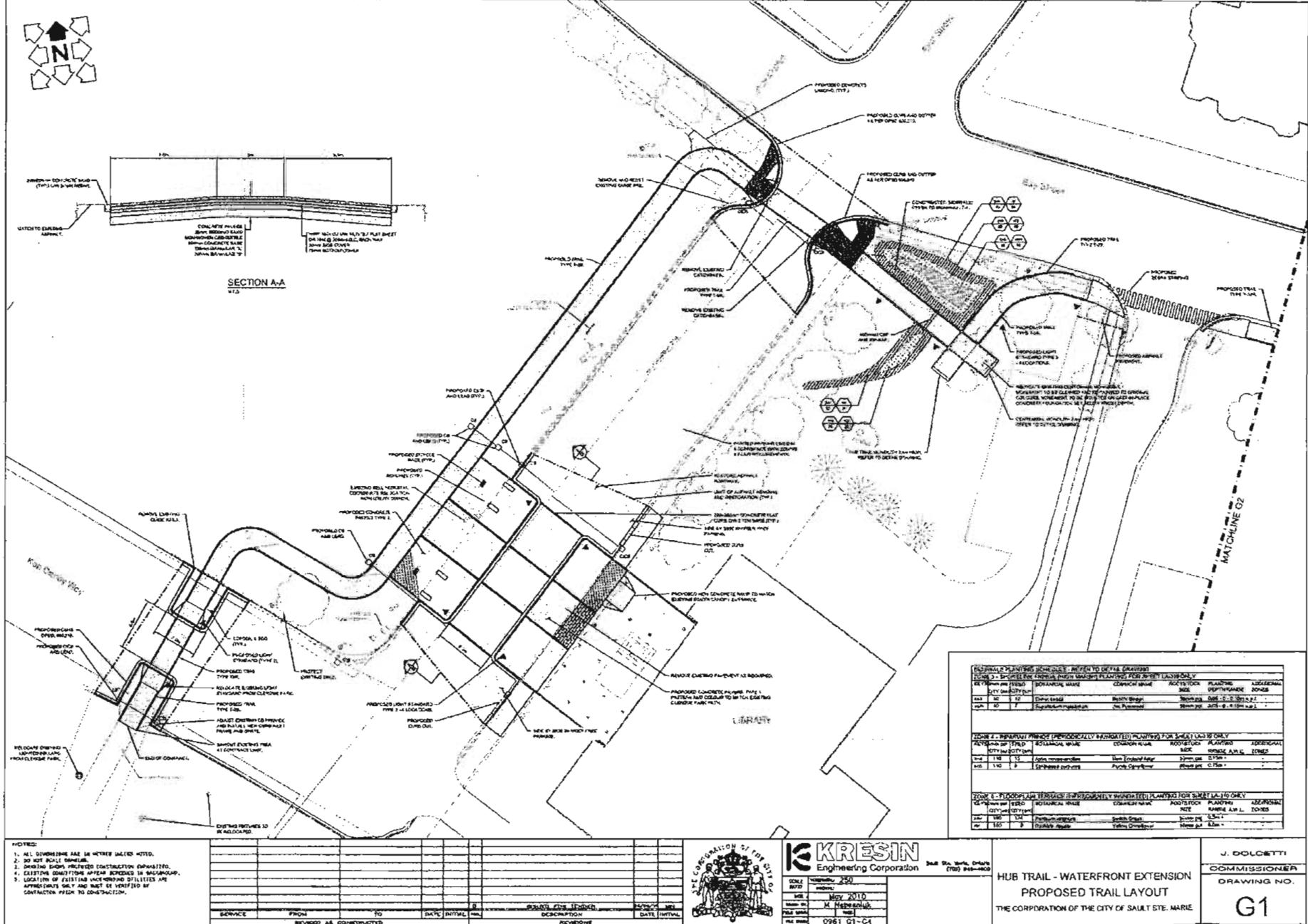
#### Planning Director's Recommendation

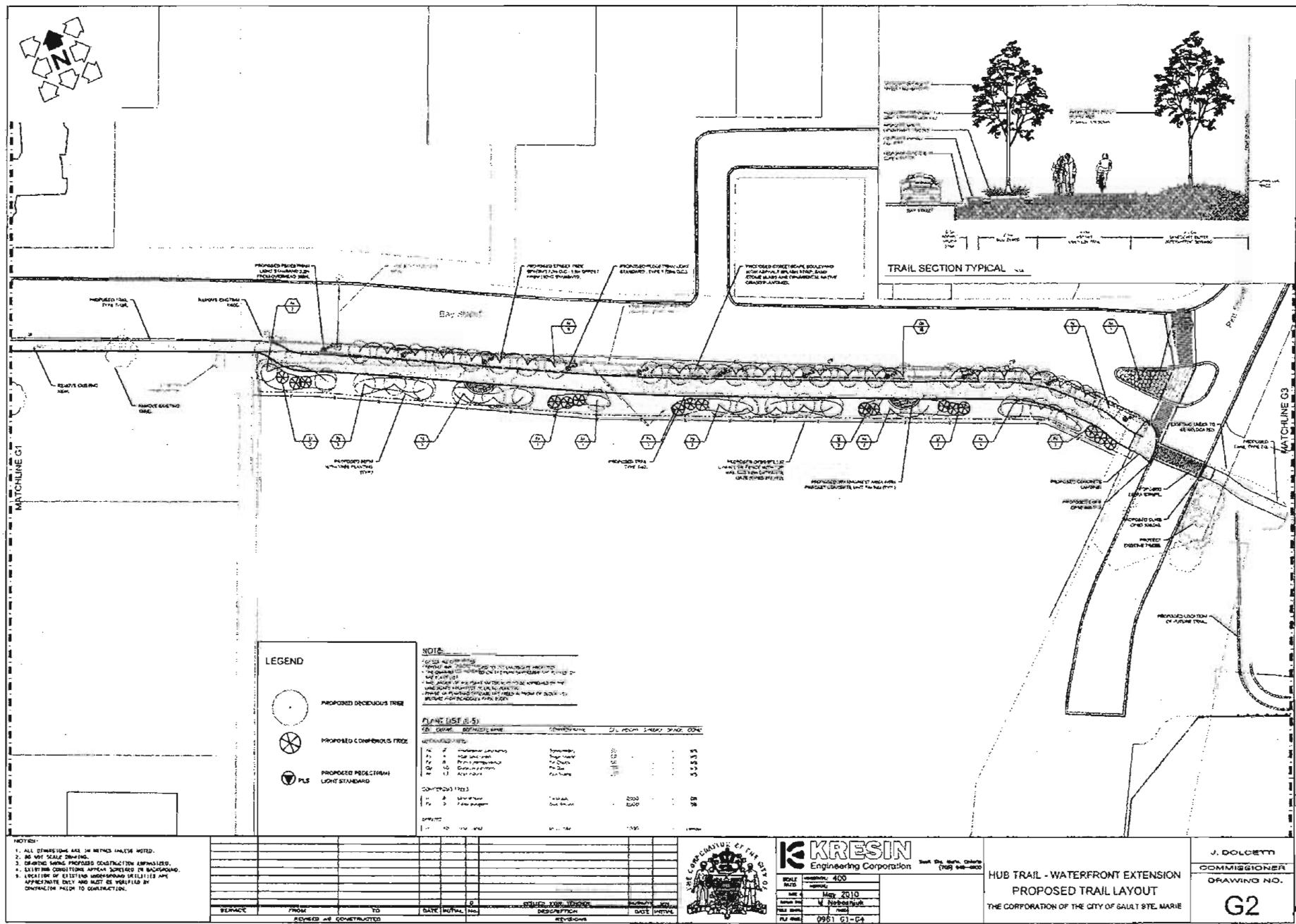
That City Council award Contract 2010-6E (Hub Trail Construction – Waterfront Walkway Extension) to Avery Construction Limited, in the amount of \$1,547,365.86 (including HST) and that staff continue with the negotiation of a lease agreement with the Canadian Heritage Bushplane Centre to continue the trail along the waterfront portion of their property, and that these works (at an estimated cost of \$425,768.19, including GST) be incorporated into the contract at a later date through a contract change order. Should an agreement not be reached with the Bushplane Centre, staff recommends proceeding with the alternative trail option outlined in the report.

SDT/pms

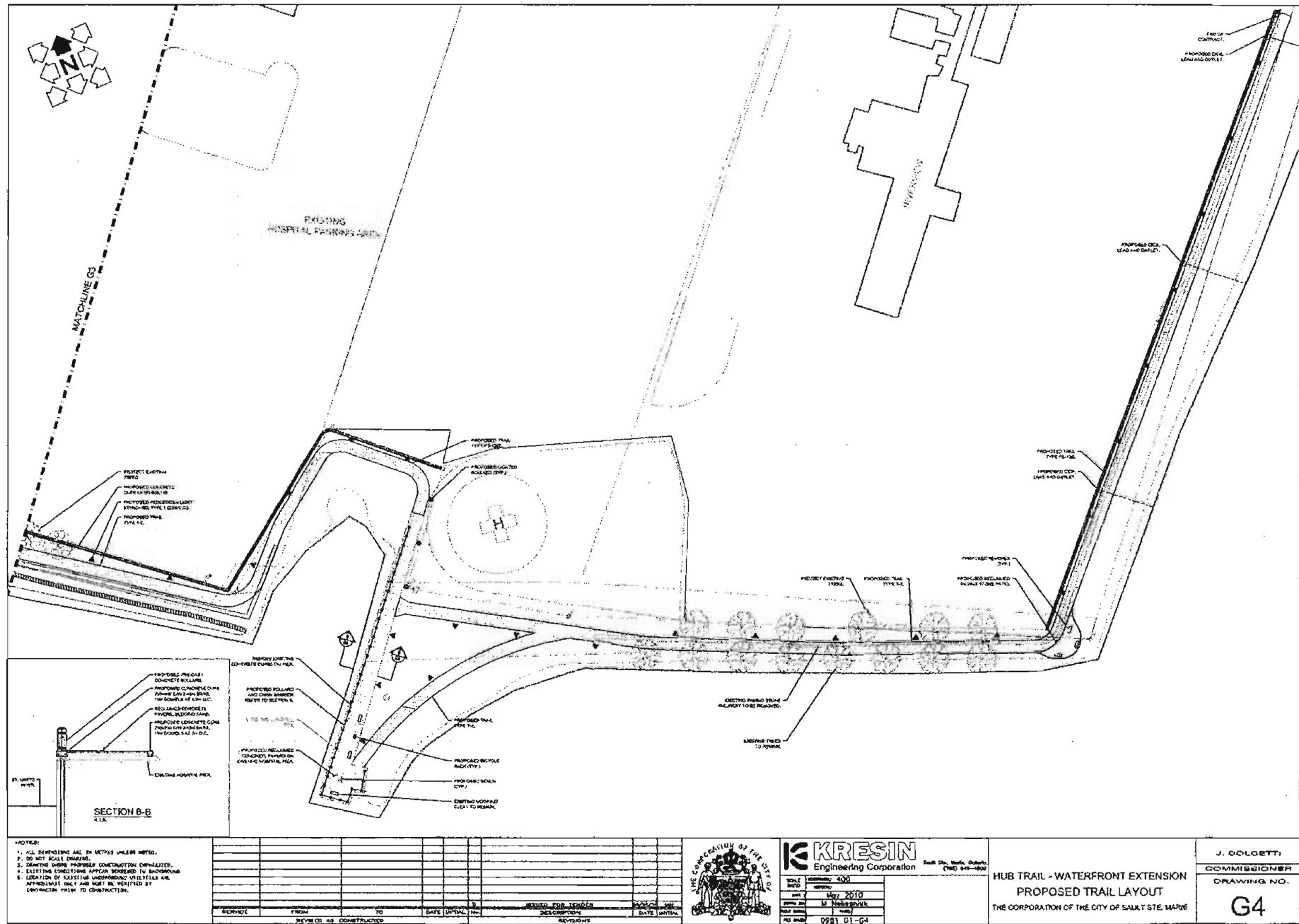
G:\PLAND\WData\TENDERS & CONTRACTS\Waterfront Walkway Extension - Hub Trail\Waterfront Walkway Extension - Hub Trail Contract 2010-6E (Awarding of Contract) (2).doc

*J.F. per RB*  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer





५५



**NOTES:**

1. ALL DIMENSIONS ARE IN METRES UNLESS NOTED.
2. DO NOT SCALE DRAWINGS.
3. DRAFTING SHEETS PROVIDED CONSTRUCTION ENTHALTED.
4. EXISTING CONDITIONS APPEAR SHOWN IN BACKGROUNDS.
5. LOCATION OF EXISTING UNDERGROUND UTILITIES AND APPURTENANCES MUST BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.



**KRESIN**  
Engineering Corporation

Smith, Maria, October  
2000, 1-10

HUB TRAIL - WATERFRONT EXTENSION  
PROPOSED TRAIL LAYOUT  
THE CORPORATION OF THE CITY OF SAULT STE. MARIE

J. COLOGETTI  
COMMISSIONER  
DRAWING NO.

683

June 18, 2010

Ref. No. 0961.03

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 – Waterfront Extension  
Contract No. 2010-6E

Dear Mr. McConnell:

We have reviewed the tenders received at the Sault Ste. Marie Clerk's Office on June 17, 2010 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 May 29, 2010 for supplying all materials, labour and equipment necessary for the construction of a multi-use trail along Bay Street and through the Sault Area Hospital site on Queen Street.

The contract was publicly advertised in The Sault Star on Saturday, May 29, 2010. 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 fifteen plan takers. Documents were also provided to the Sault Ste. Marie Construction Association, the City of Sault Ste. Marie and the Sault Ste. Marie Region Conservation Authority.

During the tender period, various inquiries from plan takers and material suppliers were received regarding the technical specifications and drawings. A total of three (3) addenda were issued to provide clarification on issues as they arose throughout the tender period.

### 2.0 Summary of Tenders

Seven (7) bids were received at the City Clerk's office prior to the tender closing deadline of 3:00 p.m. on Thursday, June 17, 2010.

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. \$100,000.00 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 price as read at the opening:

Contractor	Tender Price	13% HST	Total Bid Price
1. Avery Construction Limited	\$ 1,369,350.32	\$ 178,015.54	\$ 1,547,365.86
2. R.M. Bélanger Limited	\$ 1,417,949.89	\$ 184,333.49	\$ 1,602,283.38
3. General Contracting	\$ 1,449,962.17	\$ 188,495.08	\$ 1,638,457.25
4. Ellwood Robinson Limited	\$ 1,652,324.83	\$ 194,554.88	\$ 1,691,130.88
5. Pioneer Construction Inc.	\$ 1,652,324.83	\$ 214,802.23	\$ 1,867,127.06
6. Harold Phillips Haulage	\$ 1,676,577.54	\$ 217,955.08	\$ 1,894,532.62
7. Palmer Construction Group Inc.	\$ 1,728,431.00	\$ 224,696.03	\$ 1,953,127.03

The Engineer's pre-tender estimate for this contract was \$1,640,000.00 plus HST.

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.
2. The Instructions to Tenderers indicated that all tenders were to include a \$ 100,000.00 bid deposit, in the form of a certified cheque. All bidders complied with the submission of a certified cheque in the specified amount.
3. The tender documents called for submission of Statements 'A' to 'D' which outline the Tenderers' work experience, staff, available construction plant, proposed sub-contractors and additional pricing. All bidders complied.
4. A Statement of Canadian Content was also required to be completed and submitted with the bids; all Tenderers submitted this Statement.
5. 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.
6. All Tenderers were required to acknowledge receipt of Addenda. All bidders acknowledged receipt of the three (3) addenda issued.
7. 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

8. All submissions were reviewed for mathematical errors. One minor error was discovered in the Tender from Harold Phillips Haulage resulting in an increase to their bid of \$2,000.00 (plus HST). This adjustment does not affect the ranking of bids received. No errors were discovered in any of the other submissions

#### 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, Avery Construction Limited, 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 Avery Construction Limited, we believe the prices quoted, are reasonable for the proposed work under Contract 2010-6E. Furthermore, based on our knowledge of their related experience, it is our opinion that Avery Construction Limited is capable of carrying out and completing the work under this contract. We recommend that the tender submitted by Avery Construction Limited in the amount of \$1,369,350.32 (excluding GST) be accepted for award.

Attached please find a Draft Form of Agreement for your review.

We further recommend that Tender Deposits received from Avery Construction Limited and R.M. Bélanger Limited be retained until a contract has been properly and fully executed by Avery Construction Limited. All other deposits should be returned without undue delay.

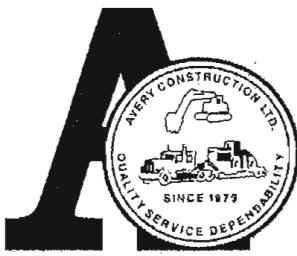
Please call should you have any questions or require further elaboration or clarification regarding this Tender Report.

Yours very truly,  
Kresin Engineering Corporation



Michael Kresin, P. Eng.  
Consulting Engineer

Encl.  
MK/ew  
0960 Tender Report



**AVERY CONSTRUCTION LIMITED**  
940 Second Line West, Sault Ste. Marie, Ontario P6C 2L3  
*Telephone (705) 759-4800 Toll Free (800) 461-0525 Facsimile (705) 759-6775 Email: [averymail@shaw.ca](mailto:averymail@shaw.ca)*  
GST R100360320

5(33)

July 12, 2010

Kresin Engineering Corporation  
536 Fourth Line  
Sault Ste. Marie, Ontario  
P6A 5K8

Attention: Mike

**Re: Hub Trail Contract 2010-6E Bush Plane**

Mike, please see a breakdown of items included in the following price. The price is just a budget, but I have tried to get as accurate as possible with most items.

Clear and Grub  
Remove fence and gates  
Saw cut concrete and remove in area of trail only  
Saw cut asphalt and remove  
Remove existing bollards  
Relocate existing shed  
New Fence and gates  
Asphalt trail(excavation, Geotextile, 300mm "B", 100mm "A", concrete curb and asphalt  
Bollards  
Line Painting  
Pavers  
Electrical  
Restoration

**LUMP SUM PRICE** \$ 336,963.00 Taxes Extra

### Notes:

I have not included the item of remove of existing equipment. There are live electrical and live gas tanks in this area. In addition to this there is 2 -3 addition fuel tanks located along the area of the new trail which I did not include anything for. The electrical is a guess, still have not heard from electrical contractor, used \$75,000.

Also as I mentioned that the existing concrete is in very rough shape and that if anything is placed on top of it (asphalt concrete etc.) will not last it will crack and lift like the concrete below it.

In addition, the fence and gates on the two piers will have to be heavily flanged to support this material.

Any questions please call.

Yours truly,  
Avery Construction Ltd.

Joe Nelles  
General Superintendent

# Law Office of HUGH N. MACDONALD

5(5)

Barrister & Solicitor

421 Bay Street, Suite 603, Sault Ste. Marie, Ontario P6A 1X3

Hugh N. MacDonald LL.B

Telephone: (705) 946-5830

Faxsimile: (705) 946-5835

Email: [hugh.macdonald@on.aibn.com](mailto:hugh.macdonald@on.aibn.com)

## FAX MEMO

TO: Steve Turco FAX #: 541-7165

Planning Division

FROM: Hugh MacDonald PAGE 1 of 5

SUBJECT:

DATE: July 13, 2010

MESSAGE:

Signed: \_\_\_\_\_

Teri

If you encounter any difficulties in reading this fax, please contact:

(705) 946-5830

This teletypescript is privileged and may contain information only for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this teletypescript in error, please notify us immediately by telephone and return the original transmission to us by mail without making a copy.



5(6g)

July 13, 2010

VIA FACSIMILE 541-7165

Steve Turco  
Planning Division  
Corporation of the City  
of Sault Ste. Marie  
99 Foster Drive  
Sault Ste. Marie, ON P6A 5X6

Dear Sir:

RE: Sub-lease of Hub Trail – Canadian Bush Plane Heritage Centre

On behalf of CBHC I confirm that we are prepared to grant to the City a sub-lease of a hub trail corridor along the waterfront together with certain adjacent areas of our grounds to allow for gardens and green space and/or for the purposes of maintaining the environs of the trail in an attractive manner for the public. This sub-lease would be subject to the approval of our landlord and a right-of-way in favour of CBHC to use the areas of the trail needed for access to its apron, ramps etc.

It is proposed that the sub-lease be for a term of twenty (20) years commencing August 1<sup>st</sup>, 2010. CBHC would have the right to terminate the sub-lease in the event of material default by the City or if our own lease were terminated or expired during that period.

We are prepared to accept nominal rent each year provided the City agrees to a partial rebate of realty taxes each year in an amount to be agreed.

In addition to installing the trail as per the last plans provided to us, installation of mutually agreed improvements to our entrance including gardens and maintenance of same would need to be agreed. You will note that we have included the apron concrete deck as an area to be maintained by the City as asphalt has been ruled out for the time being and the concrete deck will require routine weed control.

Where adventure takes off!

50 Pim Street, Sault Ste. Marie, Ontario P6A 3G4  
Telephone: (705) 945-6242 Fax: (705) 942-8947

A new storage building is to be supplied with dimensions of 24' x 30' to be of a specification and location mutually agreed.

Once the fences have been erected we ask the City to seal and reline our public parking area.

In that regard the City has agreed to supply a sufficient number of portable barricades (approximately 50) together with carrying trolleys. These will become the property of CBHC. During the term of the sub-lease if these barricades require replacement the City will do so.

The City will provide regular round the clock security patrols of the trail and prevent users from entering adjacent CBHC/Humphrey areas. The City will lock the gates at 11 p.m. during periods of the year when regular patrolling by security personnel is not provided.

CBHC will be entitled to lock the hub trail gates for occasional events or when public safety dictates for periodic waterfront operations.

The City will naturally insure the trail and add CBHC as a named insured in a manner similar to the Suncor arrangement. The City will indemnify CBHC for any loss, damage or injury to trail users including those who may trespass on CBHC property. The City will maintain and repair the sub-leased areas including cleaning litter and will make good any damage to the CBHC building or chattels caused by entrants to the sub-leased area.

Signage on the sub-leased property will be by mutual agreement. If required, the City agrees to provide pavement markings or other signage to discourage users entering upon CBHC's private areas.

The City will design the Bay Street trail approaching CBHC so as not to interfere with site lines to the museum.

The City will install sufficient lighting in and upon the sub-leased premises and will install overhead illumination of the Beechcraft exterior display in a location and manner to be mutually agreed.

The City will cover CBHC's reasonable legal expenses to complete the negotiation and execution of a definitive lease based upon the foregoing general terms.

5(99)

3

Please get in touch with me if you require any clarification of the above.

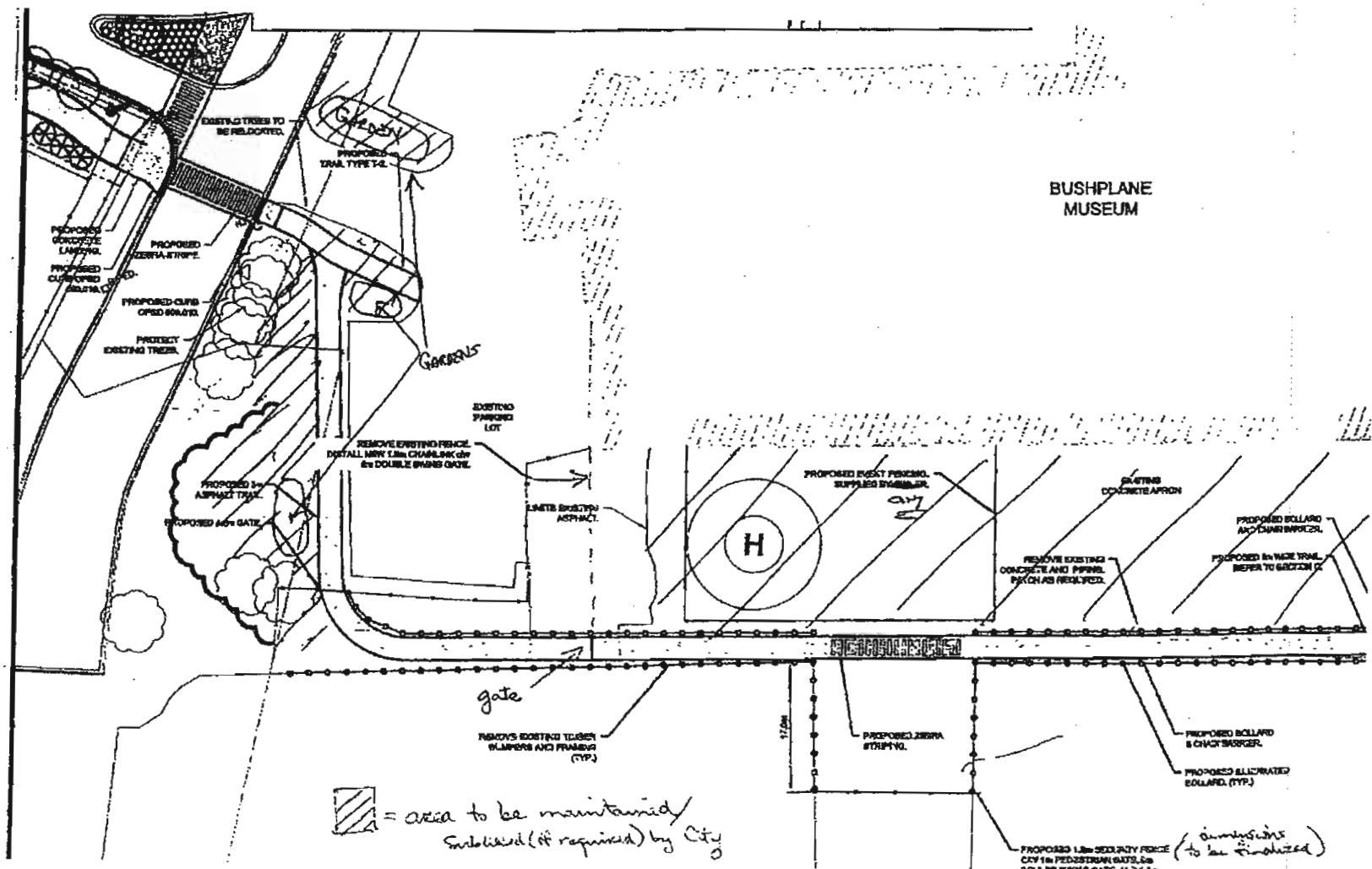
We look forward to working together with you on this project.

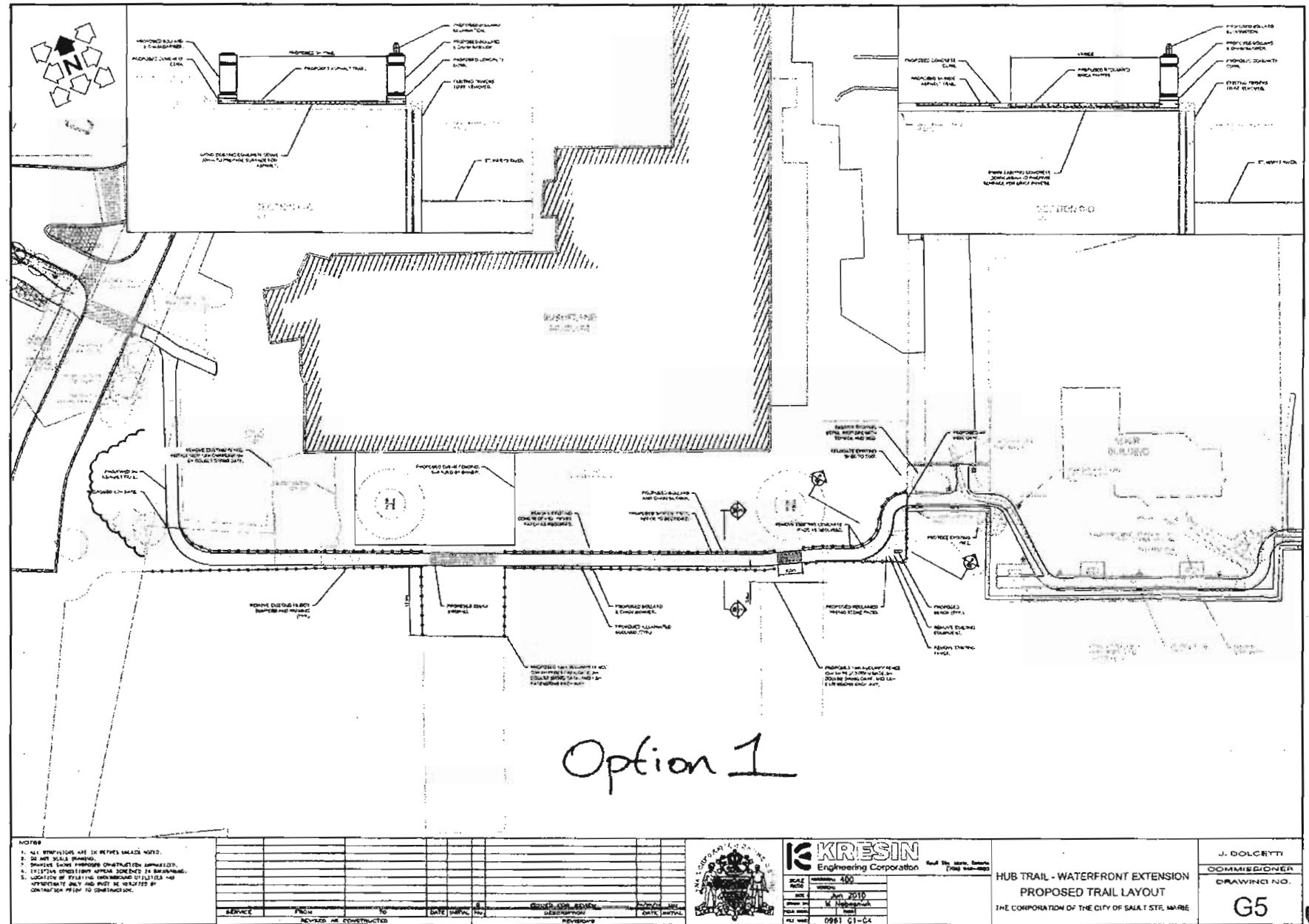
Yours very truly

Hugh N. MacDonald  
President  
Canadian Bushplane Heritage Centre

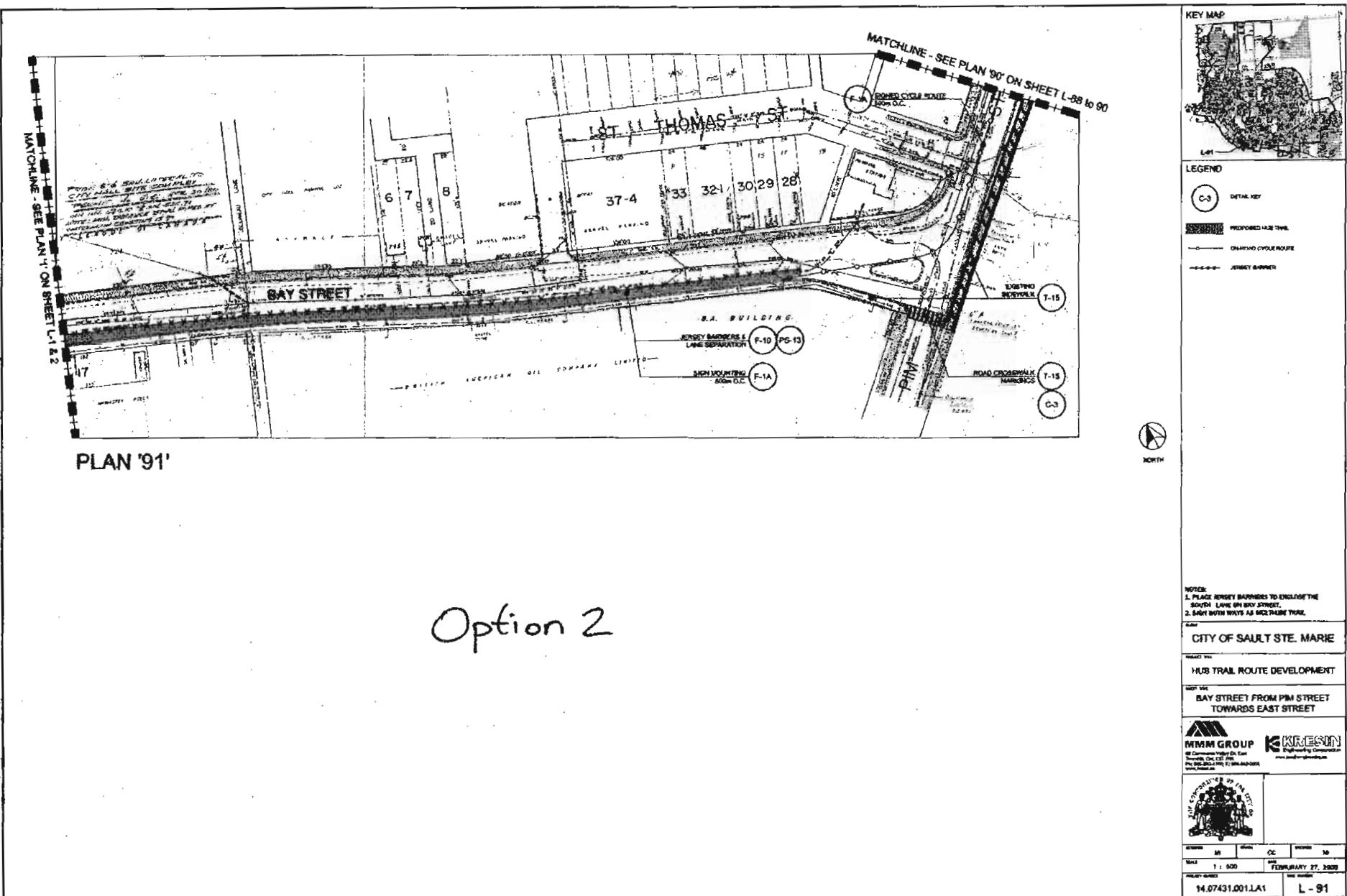
Encl. Diagram  
\*tk

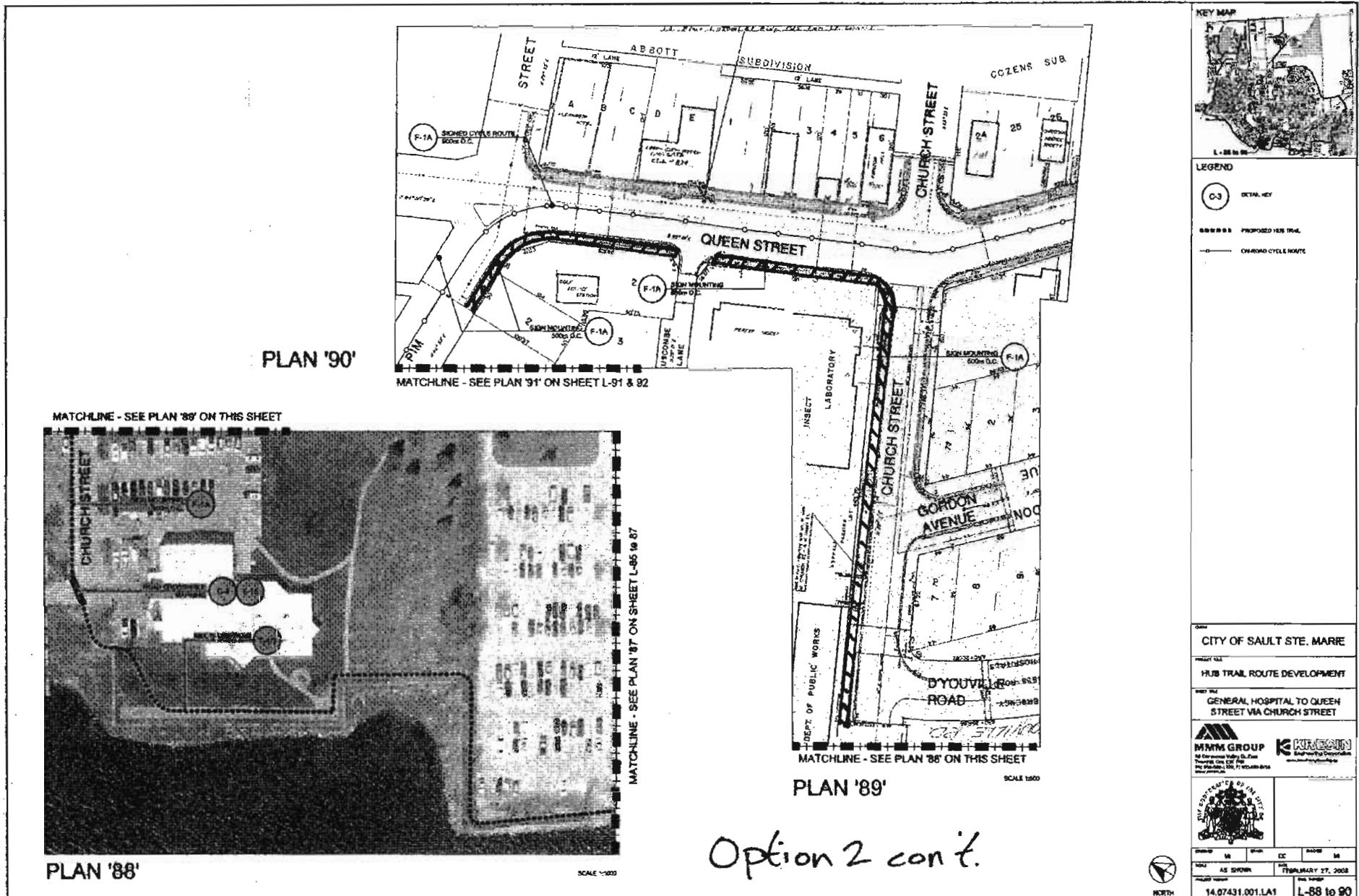
5(5)



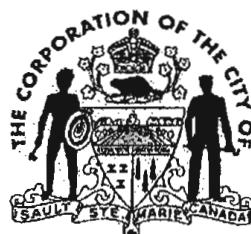


5(69)





5(h)



2010 07 19

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:**

Mayor John Rowswell  
and Members of City Council

**SUBJECT:**

Signs By-law 2005-166 – Amendments to  
Portable Signs Regulations

**REQUEST:**

City staff is requesting City Council to approve amendments to the current portable signs regulations, as they pertain to enforcement, placement on city property, and the sight triangle setback.

**CONSULTATION:**

Engineering – No Objection  
Building Division – No Objection  
Legal Department – No Objections  
PUC Services – No Objections  
PW&T – No Comment

### Introduction

In 2005, City Council approved Signs By-law 2005-166. At that time, the intent was to consolidate a number of By-laws, with minimal changes.

Since that time a number of issues have arisen with the consolidated By-law, especially as it pertains to regulations for portable signs and more specifically, enforcement, the location of portable signs on City property, and the site triangle setback.

Recently Council passed a resolution requesting a comprehensive review of the City's Sign By-law. Planning staff fully support this request and will begin a review shortly. However, the portable sign concerns and recommendations

discussed in this report have been largely identified by the sign industry and it is appropriate to proceed at this time to ensure consistency within the industry. A further more detailed review of portable signs will be undertaken as part of the requested comprehensive review of the City's Sign By-law.

### **Portable Sign Enforcement**

Section 2.1 notes that 'the Municipality may remove an illegal portable sign ten (10) working days after written notice to the owner of the portable sign'. Illegal signs include those signs for which a permit has not been obtained. While a ten (10) day notice prior to removal is currently a legal requirement, it has created a number of issues for the Building Division. Once the owner receives notice the sign is removed, only to be relocated illegally. The result has been the Building Division chasing illegal portable signs throughout the community.

The Building Division notes that this has become a strategy to avoid permit fees, and erect signs in illegal locations, until such time that notice is given, than the sign is moved to another illegal location without a permit.

This amendment proposes the following enforcement tools:

1. Where a portable sign or portion thereof, is illegally located on City property, the sign will be towed, without notice, and at the sign owner's expense. Once towed, the sign will be stored for a period not to exceed fifteen (15) days, upon which the sign will be destroyed. Such signs towed from City property may still be subject to applicable fines.
2. Where a portable sign is located on private property without a permit, or located in a manner that is contrary to Signs By-law 2005-166, the property owners for which the sign is located shall be subject to fine(s) in accordance with the Provincial Offenses Act.

The Building Division will continue to use sound judgement procedures prior to removing a sign, or fining a property owner. If the violation appears to be an oversight, the owner will be notified to correct the situation; however, where signs are repeatedly located without permits, fines will be levied without prior notice.

### **Sight Triangle Setbacks for Portable Signs**

Part of the goal of the original consolidation of Signs By-law 2005-166 was to minimize any changes to the regulations, especially numeric changes to setbacks. Signs, buildings, structures, fences, and hedges all must meet 'sightline triangle' setbacks on corner lots, or where a driveway intersects with a roadway. These setbacks often referred to as 'daylight triangles' ensure an open sightline toward oncoming traffic and pedestrians.

The original portable Signs By-law outlined a 3.05m (10') sightline triangle, whereas the current By-law outlines a 10m (33') sightline triangle. The signs industry has noted that even though the By-laws were to remain the same, this was substantially changed. In consultation with Public Works and Transportation, it has been determined that it is appropriate to revert back to the original 3.05m (10') sightline triangle, and that public safety will still be maintained. It is likely that the required 10m sight triangle requirement was an administrative error that occurred during the consolidation of By-law 2005-166.

### **Portable Signs Located On City Property**

Section 2(g) of the By-law notes that 'portable signs shall be located on private property, however, where special circumstances warrant, portable signs may be allowed on the road allowance or City property subject to the approval of Public Works and Transportation once the site has been inspected and found to be safe and not obstructive to traffic movements.'

Over the years, the interpretation of 'special circumstances' has been one of public safety. Basically, if the sign did not pose a threat to the safe movement of vehicular and pedestrian traffic, it was permitted to be located on City property.

The original intent of 'special circumstance' was that it was physically impossible to locate the portable sign on public property. Such special circumstances might include a future road widening taking which encroached on private property, or required parking spaces abutting a lot line.

The term 'special circumstances' creates a grey area, however, this grey area is appropriate in granting staff the flexibility of application, as each scenario is different.

In this case, an amendment is not being requested, but rather a change of interpretation on the term 'special circumstances'. Going forward, applications to locate a portable sign on City property must include reasoning why the sign cannot be located on private property. When reviewing such applications, the Planning Director must be satisfied that the sign cannot be reasonably located on private property. A review for vehicular and pedestrian safety will also be conducted by PWT. This is consistent with other parts of the Signs By-law which can be amended by the Planning Director in consultation with among other departments, PWT.

### **Public Notice**

The proposed amendments were sent to the signs industry for comment on May 12, 2010. Formal notice was sent to the signs industry on June 23, 2010, and a notice was posted in the Sault Star on June 26, 2010.

One comment was received from a local portable signs business owner. His main concern is the proposed removal of any notice prior to the issuance of a fine or removal of an illegal sign. The sign owner has requested a twenty-four hour notice prior to an enforcement action. This notice would give the sign owner time to either remove or relocate the sign in the case of an honest mistake, clear up any possible Building Division errors.

From an enforcement standpoint a twenty-four hour notice is much more practical than the current ten day notice requirements, such notice could still result in the current issue of sign owners relocating illegal signs once notice is received. Further, the City needs the ability to immediately tow signs that may be a traffic hazard, or blocking a sidewalk.

Although a twenty-four hour notice prior to enforcement action is not recommended, it is worth reiterating that Building Division will use sound judgement in enforcement. Where it appears that an honest mistake has occurred, like a sign is slightly on City property, or within a required setback, the sign owner will be contacted to resolve the situation. Furthermore, where an existing permit has expired, Building Division will also use sound judgement. As for repeat offences or signs blatantly located without a permit, notice will not be given.

## **SUMMARY**

This report is requesting that City Council approve two amendments to Signs By-law 2005-166. The first amendment deals with the enforcement, or removal of illegal signs. The requirement that the Municipality provide notice to the illegal sign owner has created a loophole whereby signs are relocated prior to being removed. This has become a never ending game of 'cat and mouse'. This is not fair to those sign owners that do follow the rules. The second amendment reduces the sight triangle requirements from 10m to 3.05m, which is consistent with the original requirement.

City Council's endorsement is also requested to limit the placement of portable signs on City property to those circumstances where it can be demonstrated that the placement of the sign on private property is not appropriate, or possible.

It is also important to note that the proposed amendments do not relate to recent regulations requiring locates for temporary signage such as election signs, non-profit advertising for an upcoming event. Generally speaking, portable signs are placed on the ground and do not require underground locates.

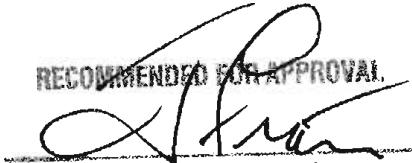
### **Planning Director's Recommendation**

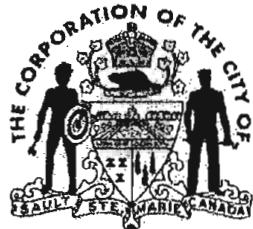
That City Council approve the following amendments to Signs By-law 2005-166:

5(44)

1. Part 1: 2.1(1) – Where a portable sign, or portion thereof is illegally located on City property; the sign may be towed, without notice, and at the owner's expense. Once towed, the sign will be stored for a period not to exceed 15 days from the day it was removed. After 15 days the sign will be destroyed. Such signs towed from City property may also be subject to applicable fines.
2. Part 1: 2.1(2) - Where a portable sign is located on private property without a permit, or located in a manner that is contrary to the provisions set out in Signs By-law 2005-166, the property owner for which the sign is located shall be subject to prosecution in accordance with the provisions of By-law 2005-166.
3. Part 1: 2 (j) – No portable sign shall be located within a distance of 3.05m (10') from the intersecting lot lines, or projections thereof that abut a street intersection, or driveway.
4. That City Council approve a policy eliminating the placement of private portable signs on City property, except where it can be demonstrated to the satisfaction of the Planning Director that it is not appropriate, or physically possible to locate such signage on private property.

PT/pms

  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer



2010 07 19

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:**

Mayor John Rowswell  
and Members of City Council

**SUBJECT:**

Comprehensive Official Plan Review Update

In 2008 the City's Planning Division began a comprehensive review of the Official Plan (OP). Approved in 1996, the Official Plan outlines the community's development policies for the next 20 years. Provincial Policy and the Planning Act require a comprehensive review of Official Plans every 5 years.

The purpose of this report is twofold. First, this report provides City Council with a brief update on the Official Plan review. Second, pursuant to Section 26 of the Planning Act, a Resolution of Council authorizing staff to begin the formal comprehensive review is required.

The comprehensive review of the City's Official Plan includes 3 parts:

Part 1 – Population Projections

Part 2 – Residential Land Inventory and Rural Area Severance Policy Review

Part 3 – Line-By-Line review of Official Plan Policies to ensure consistency with Provincial Policy, emerging development trends, and industry best practises.

Parts 1 & 2 have been completed and staff has begun Part 3. Some of the major items to be reviewed include, but are not limited to:

- Bringing environmental protection policies up to date with current legislation and industry best practises
- Office space outside the downtown policies

5(ii)

- Land division policies outlining the various processes required to subdivide land
- Strengthening of urban design policies.

Planning staff will be reporting on the results of Part 3 later this year. At that time, the Planning Advisory Committee will host a public open house to solicit public comments.

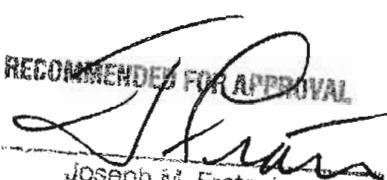
After the open house City Council will be asked to approve an amended Official Plan in principle. Given that this is a Comprehensive Review, the amended Official Plan will be sent to the Ministry of Municipal Affairs and Housing for a preliminary Provincial review under the Provinces' One Window Planning Service. Any requested changes would come back to Council for final approval. The Official Plan then gets sent back to the Ministry for final review and approval.

This project will be completed using existing Planning Staff resources. At this time Staff does not foresee the need for additional funding to complete this comprehensive OP review.

#### Planning Director's Recommendation

That City Council accept this Report as information and authorize staff to proceed with a comprehensive review of the Official Plan.

PT/pms

RECOMMENDED FOR APPROVAL  
  
Joseph M. Fratesi  
Chief Administrative Officer

6(6)(a)



2010 07 19

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

TO:

Mayor John Rowswell  
and Members of City Council

SUBJECT:

Application No. A-10-10-Z -- filed by Burgess Enterprises (Sault) Inc.

SUBJECT PROPERTY:

Location – Located on the east side of Great Northern Road approximately 30m (98.4') south of its intersection with Killarney Road

Size – Approximately 19m (62') frontage x 62.5m (205') depth; 0.39 ha (.96 acres), civic no. 21 Killarney Road

Present Use – Single Detached Residential

Owner – Jeffery Michael Rathwell

REQUEST:

The applicant, Burgess Enterprises (Sault) Inc., is requesting a Rezoning from "R.2" (Single Detached Residential) zone to "R.2" (Single Detached Residential) zone with a Special Exception to permit a commercial parking lot in association with the property at 688 Great Northern Road, in order to facilitate the expansion of the "Wacky Wings" parking lot onto the rear 31m (102') of the subject property.

CONSULTATION:

Engineering – See attached letter

Building Division – No comments

CSD – No concerns

Municipal Heritage Committee – No concerns

Fire Services – No objection

PUC Services – No objection

Accessibility Advisory Committee – Request a Site Plan  
Conservation Authority – See attached letter  
PW&T – See attached letter

## PREVIOUS APPLICATIONS

There are no previous applications.

## Conformity with the Official Plan

The subject property is designated 'Residential' on Land Use Schedule 'C' of the Official Plan. The abutting properties to the west with frontage on Great Northern Road are designated 'Commercial' on Land Use Schedule 'C'. As per Part VII Policy 1.2 of the Official Plan, boundaries between land use designations are only fixed when they coincide with physical features, not including a lot line, which in this case, forms the boundary between Residential and Commercial land use classifications. Consequently an Official Plan Amendment is not required.

## Comments

The applicant, Burgess Enterprises (Sault) Inc., is requesting a rezoning by way of a Special Exception to the existing Single Detached Residential (R2) zoning to permit the expansion of the Wacky Wings (also owned by applicant) parking lot to the rear 31m of the subject property. The applicants are requesting this rezoning in order to correct an existing parking shortage. In 1995 the previous owners of the property at 688 Great Northern Road received Committee of Adjustment approval to reduce the overall parking requirements to 35 spaces. At the time Planning staff recommended to deny the application, however, it was approved and remains in effect today, as the general food service use has not changed, although the property has changed ownership and the applicants have increased the occupant load of the building.

Referring to the preliminary site plan and maps attached, the applicant is proposing to extend the Wacky Wings parking lot to the rear 31m of the subject property. The existing home at 21 Killarney Road will be retained and rented out as a single detached dwelling. There is an approximate 1m (3.3') grade separation between the Wacky Wings parking lot and the subject property. The applicant is proposing to fill the rear of the subject property to bring the grades in line. The parking lot expansion will result in an increase of 18 paved spaces. Referring to the attached Retaining Wall Cross Section, the applicant is proposing to provide the required buffering from surrounding residential uses with a 1.3m (4') retaining wall and a 1.8m (6') fence on top of the retaining wall. This will result in a 6' high buffer when viewed from the parking lot, and a 10' buffer when viewed from the abutting residential properties. Given the grade

separation, this is the best option in ensuring that abutting residential properties are adequately buffered from the encroaching commercial use.

A review reveals that the expansion of commercial properties towards residential areas behind is common along portions of Great Northern Road. Prior to filing this application, the applicant approached and received 9 signatures of support from abutting and adjacent residents. The petition is attached to this Report.

The attached correspondence from the Engineering Department notes that there is an existing drainage ditch at the rear of the Wacky Wings property. This ditch runs in a north/south direction between Killarney Road and Terrence Avenue. The applicant is proposing to raise the grade roughly 1m above the abutting residential properties, and then pave this portion of the lot. Consequently, an appropriately designed drainage system is critical. Based on a preliminary review by the applicant's Engineer, the parking lot will have at least one catch basin which will be piped across the subject property and drained north, to the storm sewer under Killarney Road. Given that this solution would accommodate all drainage upon the applicant's property. Such a solution would not require an easement over downstream properties, as all drainage would be accommodated within the applicant's land holdings.

The applicant is also aware that the storm sewers in this area of Great Northern Road are at capacity, and post development flows may not exceed predevelopment flows.

Staff from Public Works and Transportation (correspondence attached) has no objections to this application, and wish to note several complaints of Wacky Wings customers parking on both sides of Killarney Road causing traffic issues. The additional parking spaces created should eliminate any further action by PW&T to resolve the current parking problems on Killarney Road.

The attached correspondence from the Conservation Authority notes that the property is not within the Conservation Authority's jurisdiction and a permit from the Conservation Authority will not be required prior to development. The property is under consideration of the Drinking Water Source Protection Program, and as such, the applicant is urged to ensure that proper safeguards for the storage and handling of any petroleum and chemical products are instituted on site, both during and after construction.

### SUMMARY

The effect of this application is to expand the Wacky Wings parking lot. While the encroachment of commercial uses towards residential properties behind is common along certain portions of Great Northern Road, it is important to ensure that adequate buffering protects the residential properties. The proposed grade of the parking lot will be approximately 1m higher than abutting residential

6(6)(c)

properties, therefore a lot grading and comprehensive drainage plan is important to ensure that area drainage is not negatively impacted.

Given the buffering and drainage requirements, it is recommended that Site Plan Control be applied to the rear 31m of the subject property. Site Plan Control will be utilized to ensure that prior to development the applicant provides adequate buffering and an appropriate drainage plan to the satisfaction of the City's Engineering Department.

#### **Planning Director's Recommendation**

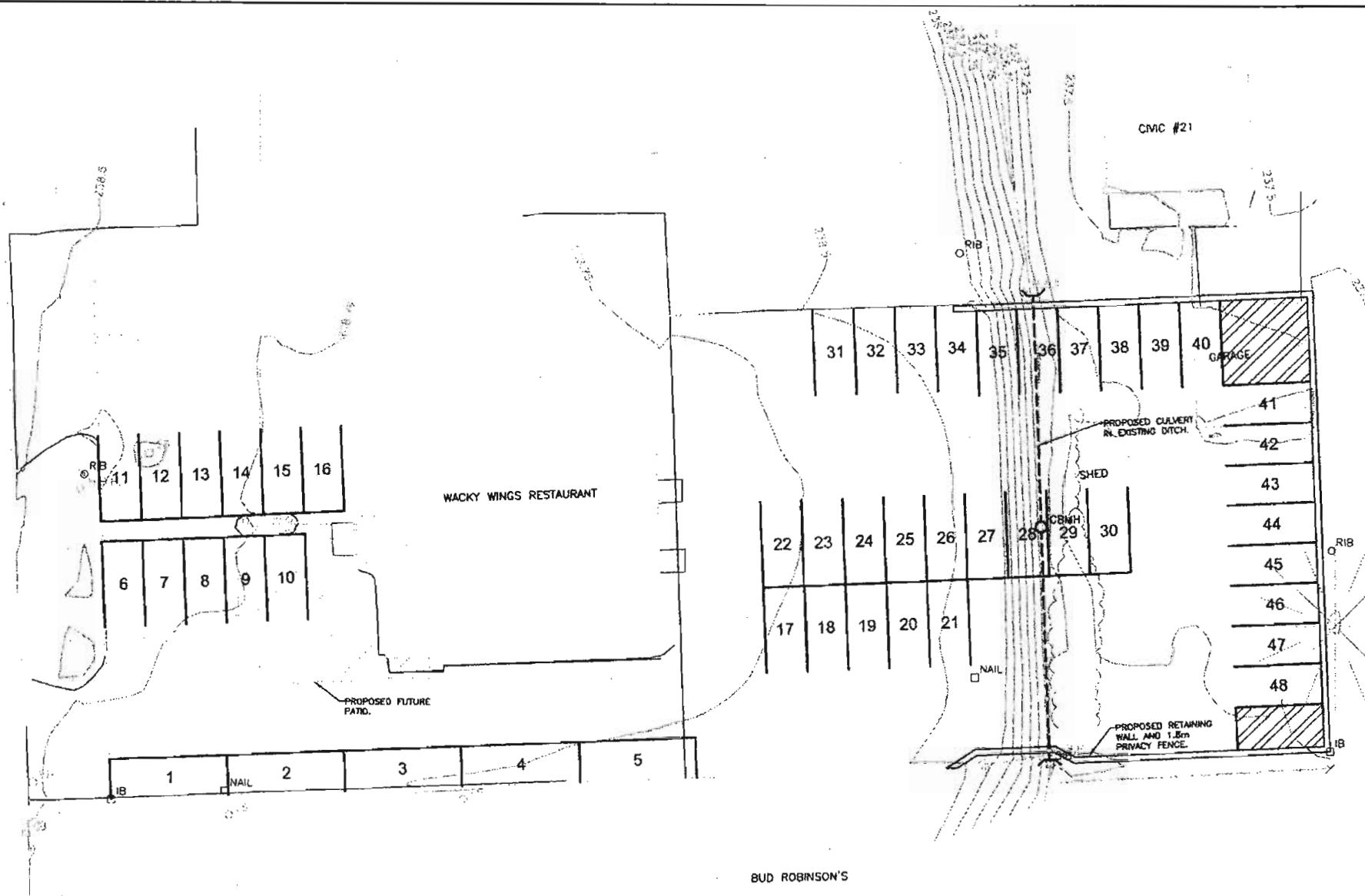
That City Council approve this application and rezone the rear 31m of the subject property from "R.2" (Single Detached Residential) zone to "R.2.S" (Single Detached Residential) zone with a Special Exception to permit a commercial parking lot on the rear 31m of the subject property, subject to the following special conditions:

1. That Site Plan Control be applied to the rear 31m of the subject property.
2. That a fence may be erected to a maximum height of 1.8m (6') from the established grade of the parking lot.

*J. Fratesi*  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

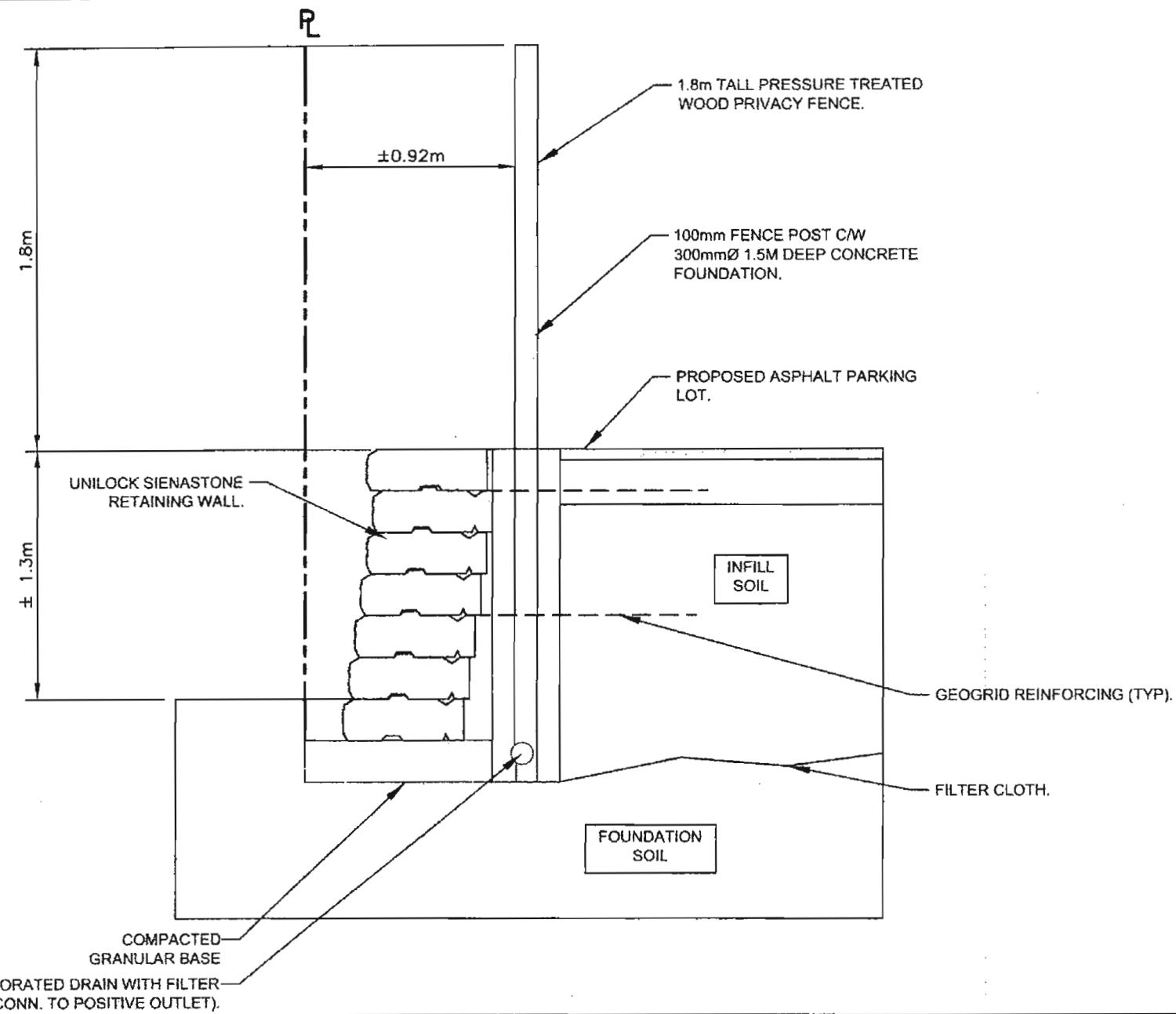
PT/pms

**PUBLIC NOTICE** – 2010 07 19, Council Chambers, Civic Centre



6(6K)

6(6)(a)



6(6)(a)



Attn. Planning Department  
City of Sault Ste. Marie

From: Wacky Wings Eatery & Beverage Co.  
688 Great Northern Rd.  
Sault Ste. Marie, ON

The names and addresses listed below are from people who do not object to the re-zoning of lot # 21 Killarney Rd. for the purpose of using the back portion of the property as a parking lot for patrons of Wacky Wings Eatery. Should you have any questions, please feel free to contact me at 705-206-2001.

Sincerely,

Damon Burgess  
Owner, Wacky Wings Eatery

Name

Signature

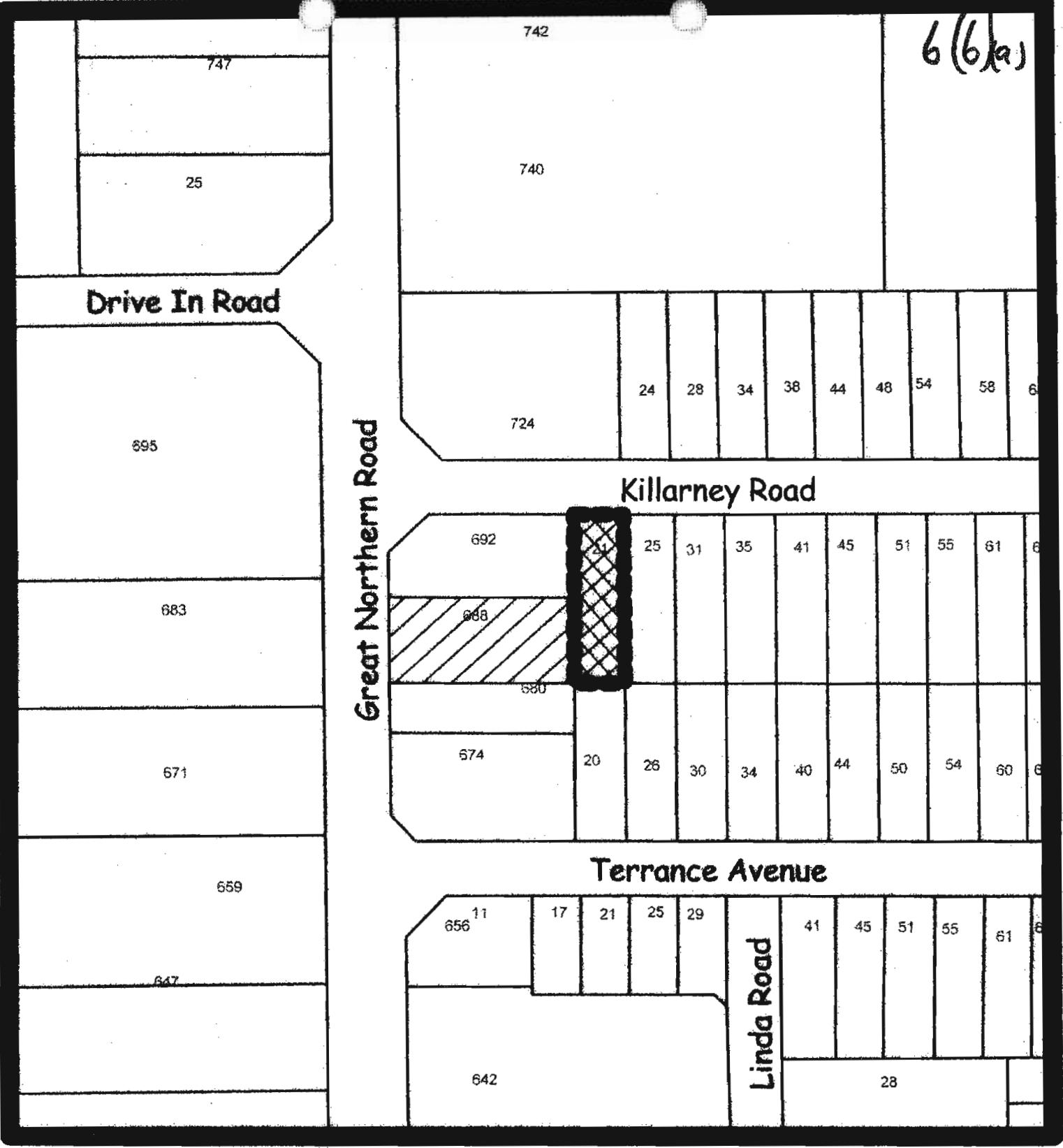
Address

Phone # (optional)

Marnie & Brian Merrifield *Brian* 31 Killarney Rd 949-6314

JEBBIE + IVAU TRUDEAU 28 KILLARNEY RD 949-8494

Ernie Millward 25 Killarney Rd.  
779-2191 - Does support our project on  
behalf of his mother. RB.

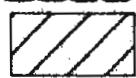


## SUBJECT PROPERTY MAP

Application 10-10-Z    21 Killarney Road



Subject Property-21 Killarney Road

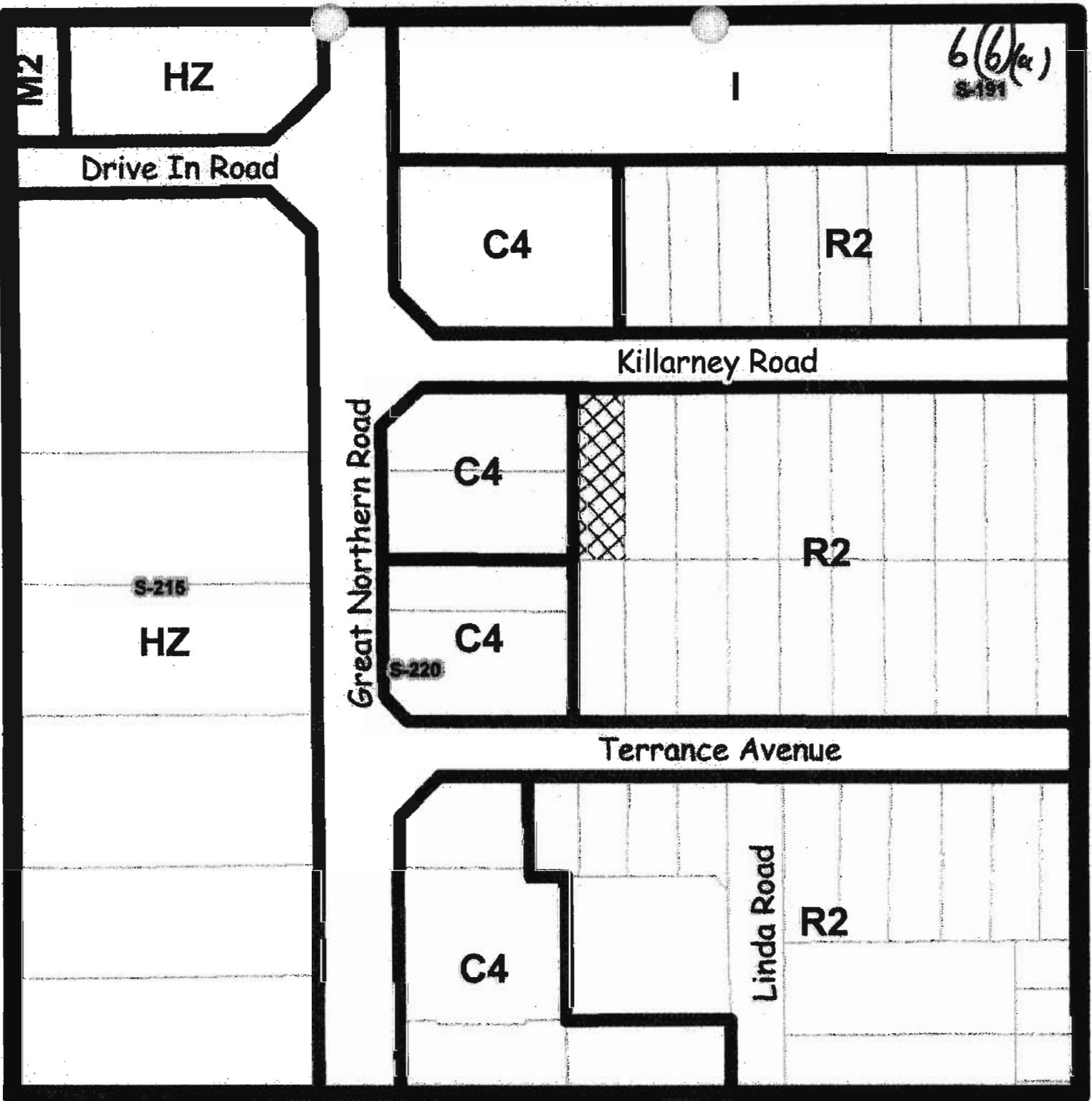


Land Owned By Applicant-68 Great Northern Road

Metric Scale  
1 : 2000

Maps  
99 & 1-113

June 16, 2010



## EXISTING ZONING MAP

Application 10-10-Z

21 Killarney Road



Metric Scale  
1 : 2000

- Subject Property-21 Killarney Road
- R2 - Single Detached Residential Zone
- C4 - General Commercial Zone
- HZ - Highway Zone
- I
- M2 - Medium Industrial Zone

Maps  
99 & 1-113

Special Exception Zoning

June 16, 2010



## SUBJECT PROPERTY MAP

Application 10-10-Z    21 Killarney Road



Subject Property-21 Killarney Road



Land Owned By Applicant-68 Great Northern Road



Metric Scale

1 : 2000

Maps

99 & 1-113

June 16, 2010

6(6)(a)



Attn. Planning Department  
City of Sault Ste. Marie

From: Wacky Wings Eatery  
688 Great Northern Rd.  
Sault Ste. Marie, ON

The names on this list are residents of Killarney rd. who would prefer to see our proposed parking lot on 21 Killarney rd. be approved by the city rather than having By-law 77-200 "Schedule A" be put into effect. This By-law would prohibit parking by anyone between the hours of 4:30pm – 10pm - 7 days a week on Killarney rd. between Great Northern Rd. and civic address 44 and 45 respectively.

<u>Name</u>	<u>Address</u>	<u>Phone #</u>
D. Sweet	38 Killarney	949-0879
B. Clemons	34 Killarney	254-7833
George Parsons	45 Killarney	942-4180
Carolyn Ochman	35 Killarney Rd.	256-5068
I. Dean	41 Killarney Rd.	949-4032
Andrea lace Kevin /	41 Killarney Rd	945-9831

6 (b)(a)



2010 07 08

Our File: A-10-10-Z

MEMO TO: Don McConnell, MCIP, RPP  
Planning Director

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

SUBJECT: APPLICATION A-10-10-Z - BURGESS ENTERPRISES (SAULT) INC.  
21 KILLARNEY ROAD

---

Thank you for the memo dated June 16, 2010 in relation to the above noted property.

There is an existing drainage ditch at the rear of the property at 688 Great Northern Road. The General Plan shows a proposed culvert in the existing ditch, and a proposed maintenance hole. The stormwater from the site eventually drains to a system on Great Northern Road that is currently at capacity. As such, post-development flows cannot exceed predevelopment flows. A stormwater management plan and associated grading plan will be required. The grades on adjacent property should be shown in relation to existing and proposed grades on the subject property.

It is recommended that a drainage easement over downstream properties be obtained by the applicant. The property owners could potentially block drainage in the future if an easement is not secured. Due to the proposed piped system, it would be beneficial to ensure that drainage is protected.

If you have any questions, please contact the undersigned.

Sincerely,

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

Catherine Taddo, P. Eng.  
Municipal Services Engineer

6(6)(a)

Donald McConnell  
Planning Director

**Subject:** Application Number A-10-10-Z  
Request for an amendment to the Zoning By-law

**Applicant:** Burgess Enterprises (Sault) Inc.

**Subject Property:** 21 Killarney Road

Staff from Public Works and Transportation has reviewed this application and have no concerns with the request for an amendment to the Zoning by-law. As a matter of fact it is a resolution to an existing problem we are having with customers of Wacky Wings parking on both sides of Killarney causing traffic issues. The additional parking spots created should eliminate any further action by PWT to resolve the parking problems on Killarney Road .

Larry Girardi  
Deputy Commissioner  
Public Works and Transportation

6(6)(a)

## Pat Schinners

**From:** Marlene McKinnon [mmckinnon@ssmrca.ca]  
**Sent:** June 25, 2010 10:07 AM  
**To:** Pat Schinners  
**Cc:** Peter Tonazzo; Frank Tesolin (Home); Linda Whalen  
**Subject:** SSMRCA Response - A-10-10-Z

June 25, 2010

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

### **Conservation Authority Comments:**

**Application #** A-10-10-Z  
**Burgess Enterprises (Sault) Inc.**  
21 Killarney Road  
Sault Ste. Marie

The subject property is NOT located in an area under the jurisdiction of the Conservation Authority with regard to the O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

The subject property is under consideration of the Drinking Water Source Protection Program of the Conservation Authority with regard to Drinking Water Source Protection as it is within the Potential Groundwater Recharge Area.

Therefore the following recommendations on the rezoning application from the Drinking Water Source Protection are offered (during and after construction):

1. Safeguards for the proper storage of any petroleum products are instituted on site.
2. Safeguards for the proper storage of any chemical products are instituted on site.

Should you have any questions on our comments please contact our office.

**Marlene McKinnon**  
GIS Specialist  
Sault Ste. Marie Region Conservation Authority  
1100 Fifth Line East,  
Sault Ste. Marie, Ontario P6A 5K7  
Business: (705) 946-8530 ext 204  
Fax: (705) 946-8533  
Email: [mmckinnon@ssmrca.ca](mailto:mmckinnon@ssmrca.ca)

6(6)(a)

July 14, 2010

M. White, City Clerk  
P.O. Box 580,  
Sault Ste. Marie, On  
P6A 5N1

From: Nancy Christie Parker, Mike Zelinski  
20 Terrance Avenue  
Sault Ste. Marie, ON

RE: Application # A-10-10-Z

We are writing this letter in response to a request by the applicant, Burgess Enterprises(Sault) Inc. to have the zoning changed from residential to commercial. (parking lot) We feel that this change in land use will have a negative impact on our quality of life. The green areas that we have enjoyed are disappearing at an alarming rate. Trees on this subject property are over 30 years old, consideration must be given to that issue. In place of a quiet residential backyard where grass and trees have been the norm a Dusty, Dirty, Noisy parking lot will take its place. Negative impact, YES!

Drainage is also a huge issue on our property, drainage has been non existent as the ditches are clogged with debris and overgrown with vegetation. (see memo, Catherine Tadoo) Our back yard at times is a swamp, mosquitoes are so bad we cannot enjoy our backyard. Water collects and stays year round as we deal with drainage from the entire Gliss parking lot. (no, it does not drain north, it does not drain period) Snow clearing and dumpsters being emptied at all hours. Car doors slamming, cars and trucks, patrons and delivery transports, vehicles in and out accessing the used car lot from Terrance Ave. (ingress and egress from Terrance to Bud Robinson used cars is against the agreement, alas, ignored too) We are already fed up with the dirt, drainage and noise pollution from the existing businesses.

6(6)(a)

There is a very sad history with 20 Terrance Ave. and the abuse that has been bestowed by both the city who should be protecting our quality of life and the business owners who wheedle their way out of past agreements and blatantly disregard our right to enjoy our property.

**Drainage - Privacy - Quality of Life - Noise - Pollution- Property Value**

These are the issues that need to be carefully considered. Above all know that we have little faith that what is agreed upon and what actually takes place are often two different deals. Over time we have also learned that once a fence or retaining wall becomes decrepit and falls apart it is rarely if ever replaced. We here at 20 Terrance Avenue have come to know this first hand. We have had to fight "twice" to have a fence put in place and most recently only got half a fence as a buffer. Unbelievable!

We here at 20 Terrance already have endured more than our fair share of negative impact. Restaurant/drainage difficulties, car lot/ garage gas and oil pollution/ ditch full of waste and inoperable drainage. Lack of privacy/ no fencing/ fence fell apart, never replaced (Bud Robinson Used Cars). The ongoing repair/restoration, body work, grinders etc. This business used to be a Car Rental, no mechanical took place, very quiet, low impact. Now the noise is intolerable.

Gliss Resto-Bar (BAR) was The Clock and Gold shop and Bavarian Restaurant (RESTAURANT). A substantial amount of green space between properties was the norm, huge pine trees existed, prior to the banquet hall being approved. Over the course of a weekend this green space with all of its huge trees became a parking lot, we were never considered as that certainly had a negative impact on our world. We lost our buffer completely and then were forced to fight for one, for a small amount of privacy (twice see above comments).

As our world responds to the need for Green space and the importance of quality of life, surely putting up a parking lot to replace a beautiful

6(6)(a)

residential yard full of trees, grass and flowerbeds is not the ideal plan.

I ask that you consider all of our concerns before allowing this huge land use change. If you should decide to allow this change in land use, at the very least, firm agreements, in writing should be in place to protect the residential properties involved, and make them stick, police them. (We would like copies of these).

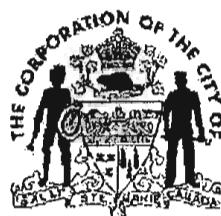
We are firmly in disagreement with this change in land use, we have had enough (after 28 years) changes that are not in the best interest of our residence and the enjoyment of our home.

Respectfully;

Mr. Mike Zelinski  
Ms. Nancy Christie Parker  
705 942-5035

6(7)(g)

J. M. Elliott P. Eng  
Commissioner



Public Works &  
Transportation department

July 19, 2010

Mayor John Rowswell  
And Members of Council  
Civic Centre

**Subject:** Installation of Signs by the Public on City Property

### **Introduction**

This report has been prepared to address the issue of the public installing signs on City property and rights of ways. In order to brief Council on the regulations, a representative of TSSA was asked to attend this Council meeting. Mike Goldberg from TSSA is in attendance to address Council and answer questions.

### **Background**

At the June 4, 2010 Council meeting, staff provided an information report concerning the installing of stakes/pickets by the public on the City's rights of ways (attached report). As a result of this report, staff was to report back to Council on what other municipalities are doing to meet TSSA requirements and whether Sault Ste. Marie can make changes to procedures/by-laws that will satisfy the regulations set out in the Technical Standards and Safety Act.

### **Discussion**

Staff investigated the obligations set out in the Technical Standards and Safety Act (under Ontario Regulation 210/01) as well as reviewed what other municipalities have been doing to meet the regulations.

### ***Requirements of the Law***

The City of Sault Ste Marie like other municipalities must abide by the  
**Technical Standards and Safety Act**  
**Ontario Regulation 210/01**

The following is an excerpt from the Act that sets out what we can or cannot do.

**"Ascertaining pipeline locations"**

9.(1) no person shall dig, bore, trench, grade excavate or break ground with mechanical equipment or explosives without first ascertaining from the license holder the location of any pipeline that may interfere with regulation. O. Reg 210/01, S9 (1).

(2) the license holder shall provide as accurate information as possible on the location of any pipeline within a reasonable time in all circumstances.

**No interference with pipeline**

10. No person shall interfere or damaged a pipeline without authority to do so.

Information from "**Guideline for Excavation in the Vicinity of Utility Lines**"

***Definition of mechanical excavation:*** means boring or open cut excavation by means of ***mechanical excavating equipment such as power excavator, earthmover, earth piercing equipment including handheld augers, picks, bars, stakes or any other device that may damage the utility line.*** Please note the regulations require a locate including hand digging applications.

TSSA states the requirements very clearly in an information paper (see attached). The following is from the information paper.

***"Any activity that disturbs the soil, such as digging, driving bars in the ground, or installing underground systems, etc., could damage a pipeline. Their depth may change over time due to erosion or changes in landscape, so do not take any chances even if your activity is relatively shallow."***

***"If you strike a pipeline, alongside the most obvious safety risk to workers and the public at large, you'll be facing a host of costly prosecutions.-from the Technical Standards and Safety Authority (TSSA) and the Ministry of Labor (MOL) for starters-which could run you as high as \$50,000 (for an individual), \$1 million (for a Corporation) and imprisonment for a year from TSSA-let alone what other authorities throw at you."***

***Other Municipalities***

Staff looked at what other municipalities are doing with regard to signage on public property. The following is a table that outlines what cities have been doing with regard signs.

<u>City</u>	<u>Status of Signs on Public Property Rights of Way</u>
Barrie	not allowed
Newmarket	allowed
Brantford	not allowed
Thunder Bay	not allowed (process of being implemented)
North Bay	allowed
Windsor	not allowed
London	not allowed
Oshawa	not allowed
Orillia	not allowed
Sudbury	allowed (being discussed)
Hamilton	not allowed
Kitchener	not allowed
Niagara Falls	not allowed
Guelph	allowed

The above information is based on discussions as well as sign by-laws from various cities in Ontario. Some of the by-laws are very strong and clearly state that signs are not allowed on public rights of way while others are vague. The message staff is receiving from the majority of municipalities is that they do not allow signs to be placed on public property. It is understood that along with visibility concerns the major factor is with regard to the Technical Standards and Safety Act that is administered by TSSA.

6 (7)(a)

### **The City of Sault Ste. Marie's Sign By-law 2005-15**

Under the Sign By-law 2005-15 the City allows the public to place signs on "public streets" without addressing underground services. The public is required to take out a permit through the Building Division that is reviewed by the PWT Traffic Division. This permit covers visibility issues and does not approve the driving of stakes, iron bars etc. into the ground surface. As noted in the information from TSSA, the City under its present practices is exposed to significant liability (\$1 million fine).

#### **Summary**

- The Technical Standards and Safety Act states that locates must be obtain prior to breaking ground with mechanical equipment i.e. stakes, iron bars etc..
- The placing of signs by the public using stakes, bars etc. that breaks the ground surface, places the City of Sault Ste. Marie in jeopardy of being charged by TSSA. The fines can run as high as \$1000 for an individual and \$1 million for a Corporation.
- The trend with other municipalities is to not allow signage to be placed on public property and rights of way.
- The existing Sign By-law does not address this situation and the public has had no restrictions with regard to driving stakes/pickets into the ground to support signs.

#### **Recommendations**

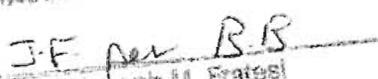
It is recommended that the Sign By-law 2005-15 and Municipal Elections Signs By-law 2002-16 be revised with the intent that signs which break the ground surface be prohibited on public property or City rights of way.

Respectfully submitted



J. M. Elliott, P. Eng  
Commissioner  
Public Works and Transportation Department

RECOMMENDED FOR APPROVAL

  
J.F. per B.R.  
Joseph M. Fratesi  
Chief Administrative Officer

6 (7)(a)



**Electrical  
Safety  
Authority**



# Guideline for Excavation in the Vicinity of Utility Lines

Ontario Regulation 210/01 Oil and Gas Pipeline Systems

Ontario Regulation 22/04 Electrical Distribution Safety

December 2008

6(7)(a)



**Electrical  
Safety  
Authority**

**Guideline for Excavation  
in the Vicinity of Utility Lines**



**Legal Disclaimer.**

This document contains **GUIDELINES ONLY** to assist members of the industry in interpreting:

- Ontario Regulation 22/04 - Electrical Distribution Safety - made under subsection 113(1) of Part VIII of the Electricity Act, 1998
- Ontario Regulation 210/01 – Oil And Gas Pipeline Systems – made under the Technical Standards and Safety Act, 2000

These guidelines do not have the force of law. Where there is a conflict between these guidelines and any legislation or regulation which may apply, the relevant law prevails.

Retention Periods stated in the guidelines set out the minimum period for which referenced documents are to be retained. Each distributor needs to make its own assessment of the appropriate retention period for specific documents based on its assessment of risk factors and potential liability.

6(7)(a)



Electrical  
Safety  
Authority

Guideline for Excavation  
in the Vicinity of Utility Lines



## Definitions

**Abandoned utility lines** means those *utility lines* that have been identified by the *utility* in the *locate* as abandoned.

**Blanket Locate or Alternate Locate Agreement** means permission to excavate, subject to the terms and conditions outlined by a written agreement between the *Contractor* or *Excavator* and the *utility*.

**Boundary Limits** means the volume of soil contained by vertical planes placed 1.0 metre each side of the centre line of the marked *utility line* or 1.0 metre on either side of the marked limits of the underground structure.

**Contractor or Excavator** means the individual, partnership, corporation, public agency, or other entity that digs, bores, trenches, grades, excavates or breaks ground with mechanical equipment or explosives in the vicinity of a *utility line*.

**Hand dig** means to excavate using a shovel with a wooden or insulated handle, not including picks, bars, stakes or other earth piercing devices. Please note that Regulations requiring a *locate* include hand digging applications.

**Hydrovac** means the use of pressurized water or compressed air to loosen soil and a vacuum system to remove it.

**Live** means:

- electrically connected to a source of voltage difference or electrically charged so as to have a voltage different from that of the earth,
- connected to a source of fuel under the *Technical Standards and Safety Act, 2000*.

**Locate** means identification on the ground of the position of the *utility line(s)* based on records or electronic locating equipment and includes provision of necessary documentation such as a locate sheet.

**Mechanical Excavation** means boring or open cut excavation by means of mechanical excavating equipment such as powered excavator, earth mover, earth piercing equipment including hand held augers, picks, bars, stakes or any other device that may damage the *utility line*. Please note that Regulations requiring a locate include hand digging applications.

**Utility** means the individual, partnership, corporation, public agency, or other entity that is licensed to operate an electric distribution system under the *Ontario Energy Board Act* or a pipeline under the *Technical Standards and Safety Act, 2000*.

**Utility line** means those facilities operated by a *utility* through which gas or electric energy is conveyed and includes pipe, cables, and other directly related equipment and components such as switches, valves, meters and supporting structures.

6 (7)(a)



Electrical  
Safety  
Authority

Guideline for Excavation  
in the Vicinity of Utility Lines



## 1.0 General Conditions

- 1.1 All work shall be carried out in accordance with:
  - (a) The *Occupational Health and Safety Act* (OH&S) and Regulations which apply under this Act including Regulations for Construction Projects; and
  - (b) as appropriate,
    - (i) the *Technical Standards and Safety Act, 2000* and Ontario Regulation 210/01 Oil and Gas Pipeline System and other regulations which apply under this Act; and / or
    - (ii) the *Electricity Act, 1998* and the Ontario Regulation 22/04 Electrical Distribution Safety Regulation and other regulations which apply under this Act.
- 1.2 The guidelines, procedures and requirements described herein are prepared in the interest of safety to the general public, the workers carrying out the excavation, and the prevention of damage to *utility lines* and property.
- 1.3 The *Excavator* shall assume that all *utility lines* are *live* unless otherwise expressly identified by the *utility* on the *locate*.

## 2.0 Locate Request

- 2.1 Prior to excavation the person responsible for the work shall contact "Ontario One Call" at the telephone or facsimile numbers listed in Table 1 below, or the *utility*, and request a *locate* of *utility lines* in the areas where excavation will be taking place. The *Excavator* must receive the *locate* as described in Section 3.0 prior to commencing any excavation.

Table 1:

Ontario One Call	
Telephone	1-800-400-2255
Fax	1-800-400-8876

**Note:** Not all *utilities* belong to Ontario One Call. If you are planning to excavate in an area not serviced by Ontario One Call please contact the local municipality for information on *utilities* in that area and contact the *utility* directly for *locate* requests.



- 2.2 Subject to entering into an agreement with an *Excavator*, the *utility* may provide that *Excavator* with a *blanket locate*.
- 2.3 If removing asphalt but not road base or underlying structure a *locate* is not required.  
**Note:** *Locates* are required for sidewalk removal.
- 2.4 The *Excavator*, when requesting a *locate*, shall provide the *utility* with relevant information describing the location where the work will take place, the expected time when the work will begin, the scope of the work, the nature of the work, the expected duration, the name address and telephone number of the *Excavator*, and the name of the *Excavator*'s site representative.
- 2.5 Except in emergency situations, requests for stakeouts or *locate* information should be made as early as possible, and at least 5 working days in advance.
- 2.6 Except in cases of emergency, or where the response for the *locate* request has been agreed with the *Excavator*, the *utility* shall make every reasonable effort to respond to notification requests and provide *locates* within 4 working days of receiving the notification, and 5 working days during peak times.
- 2.7 In emergency situations, requests for *locate* information shall be provided by the *utility* as soon as possible.

### **3.0 Locates**

- 3.1 The *utility* shall provide information using labeled stakes, flags, and/or highly visible paint marks (See section 11.0 for colour code) continuously or at regular intervals on the surface of the ground. The markings should clearly indicate the centre line of the *utility line* and the limits of underground structures, where applicable, in the defined area of the proposed excavation.
- 3.2 The *utility* shall also provide a diagram describing the *locate* information to the person who requested the *locate* or when requested to the *Contractor*'s site representative at the time of the *locate*. The diagram should indicate in clear legible terms the *locate* information including additional clarifications, dimensions from fixed objects, orientation, and any unusual depths, if known.
- 3.3 When requested by either party, the *utility* and the *Excavator* shall meet on site to confirm details of the excavation and the location of the *utility line*.
- 3.4 Where there are no *utility lines* in the defined area of the proposed excavation the *utility* may provide verbal confirmation to the *Excavator*. Written confirmation will be provided on request.

6(7)(a)



Electrical  
Safety  
Authority

Guideline for Excavation  
in the Vicinity of Utility Lines



## 4.0 Locate Boundaries and Accuracy

- 4.1 The *Excavator* shall not excavate outside the area covered by the *locate* request without first obtaining a further *locate*.
- 4.2 *Locate* accuracy shall be considered to be 1 metre on either side of the surface centre line *locate* or 1 metre on either side of the marked limits of the underground structure, unless the *locate* instructions specifically indicate other *boundary limits*.
- 4.3 Irrespective of the depth of the *utility line*, the *Excavator* must not use mechanical excavating equipment to dig within the *boundary limits* to expose the *utility line*.

## 5.0 Duration

- 5.1 The *utility* shall indicate the expiry date (normally 30 days) on the *locate* form or diagram and the *utility* contact phone number.
- 5.2 Stakes or markings may disappear or be displaced. *Excavators* shall not rely on expired *locates*. Where delays occur beyond the period specified in 5.1 or where the *locate* markings become unclear, a new *locate* must be requested by the *Excavator*.
- 5.3 Where the *utility* has ascertained that no changes have taken place since releasing the locate information and the *locate* markings are still clear, the *utility* may provide a new expiry date in writing.

## 6.0 Hydrovac Excavation

- 6.1 With prior agreement of the *utility*, *hydrovac* may be used as an alternative to *hand digging*.
- 6.2 For detailed procedures for using *hydrovac* excavation in the vicinity of pipelines see Appendix 5.
- 6.3 For detailed procedures for using *hydrovac* excavation in the vicinity of electric distribution lines see the E&USA Safe Practice Guide "*Excavating with Hydrovacs in the Vicinity of Underground Electrical Plant*"

6(7)(a)



Electrical  
Safety  
Authority

Guideline for Excavation  
in the Vicinity of Utility Lines



## 7.0 Initial Exposure

- 7.1 At no time, with the exception of 2.3, should an *Excavator* use *mechanical excavation* within the *boundary limits* of the *locate* without first *hand digging* test holes to determine the exact centre line and depth of cover of the *utility line*.
- 7.2 Where the proposed excavation is to be parallel and within the *boundary limits* of a *utility line*, the *Excavator* shall expose the *utility line* by *hand digging* a series of test holes along the entire route at regular intervals. The separation between test holes shall not exceed 4.5 metres.
- 7.3 Test holes may be excavated by one of the following methods:
  - (a) *mechanical excavation* may be used to dig test holes immediately outside of the *boundary limits* and then *hand digging* used laterally until the *utility line* is found; or
  - (b) A combination of *hand digging* and *mechanical excavation* as follows:
    - (i) *hand digging* between the *boundary limits* of the *locate* in cuts of at least 0.3 metre (1 foot) in depth,
    - (ii) *mechanical excavation* could then be used to widen the hand dug trench to within 0.3 metre (1 foot) of the depth of the *hand digging*,
    - (iii) repeat step (i) and (ii) until the *utility line* is located.
- 7.4
  - (a) Concrete saws, jackhammers, hand tools or other similar equipment may be used to break concrete or asphalt on a road or sidewalk surface.
  - (b) With the exception of 2.3 and 7.3, mechanical excavating equipment should only be used to remove broken asphalt or concrete.
  - (c) Concrete below the road and sidewalk surface layers may have *utility lines* encased therein and should not be removed without consultation with the *utility*.
- 7.5 The *Excavator* shall dig additional test holes where the *utility* has identified changes in alignment or in elevation.
- 7.6 Where the *utility line* cannot be located following the procedures described above, the *Excavator* shall contact the *utility* for assistance with the *locate*.



## 8.0 Excavating After Test Holes Are Completed

- 8.1 Where test holes in an area have been completed and the *utility line* located, *mechanical excavation* may take place provided the following procedures are used:
  - (a) wherever possible, mechanical excavating equipment should be operated parallel to the direction of the *utility line* when the excavation is within 1 metre of the *utility line*; and
  - (b) *mechanical excavation* must not be used closer than 0.3 metre (1 foot) in any direction to the *utility line*;
  - (c) excavation within 0.3 metre (1 foot) in any direction of the *utility line* must be carried out by *hand digging*;
- 8.2 Prior to initiating any blasting activities in proximity of *utility lines* *Excavators* must obtain specific guidelines from the *utilities*.
- 8.3 Specific instructions for *utility lines* needing support must be obtained from the *utilities*. The *Excavator* will install temporary support acceptable to the *utilities* that is adequate to prevent any deflection or damage to the *utility line*. (for an electric utility sample see Appendix 4).
- 8.4 Temporary support shall remain in place until the backfill material underneath the structure has cured or it has been compacted adequately to restore support.
- 8.5 Under no circumstances shall an *Excavator* attempt to move *utility lines*. Where such a need arises during excavation, the *Excavator* shall contact the *utilities* to make the necessary arrangements.

## 9.0 Backfilling Trenches

- 9.1 Where trenches are to be backfilled, the following requirements should be followed:
  - (a) backfilling should be performed in such a manner as to provide firm support under the *utility lines*; and
  - (b) the trench must be backfilled with clean fill or granular material free of material injurious to the *utility lines*
  - (c) where flooding of gas *utility* trenches is done to consolidate the backfill, care must be exercised so that the gas line is not floated from its firm bearing on the ditch bottom.
  - (d) backfilling should be performed without using tamping equipment directly on exposed *utility lines* and using extra caution around electric cable splices.



## 10.0 Unidentified and Abandoned Distribution Lines

- 10.1 Where a *utility line* is found during excavation that was not identified by the *utility*, but within the area covered by the *locate*, the *Excavator* shall never assume the line is an abandoned *utility line*. The *Excavator* shall immediately contact the *utility* as appropriate, to determine if the line is abandoned or *live*.
- 10.2 Excavations in the vicinity of *abandoned utility lines* shall not be subject to the guidelines in Section 8.0.

**Note:** In circumstances where a *locate* shows an abandoned utility line the *utility* should clearly state on the locate form that the *utility line* is abandoned.

## 11.0 Colour Coding

Markings on stakes, streets and sidewalks must be "Safety Yellow" for gas lines and highly visible "Safety Red" paint for electric distribution lines

COLOUR		TYPE OF FACILITY/INDICATOR	MUNSELL NOTATIONS
Red		Electric - Powerlines, Cables, Conduit & Lighting cables Gas, Oil, Steam, Petroleum, Compressed air, Gases and other hazardous liquid or gaseous materials	(Safety Red 7.5R 4.0/14) (Safety Yellow 5.0Y 8.0/12)
Blue		Potable water	(Safety Blue 2.5PB 3.5/10)
Orange		Communications - Alarm, Cable TV, Signal lines, Cables & Conduit	(Safety Orange 5.0YR 6.0/15)
Green		Sewers & Drain lines	(Safety Green 7.5G 4.0/9)
Purple		Reclaimed/treated water, Irrigation & Slurry lines	
Pink		Temporary survey markers	
White		Proposed excavation	

6(7)(a)



**Electrical  
Safety  
Authority**

Guideline for Excavation  
in the Vicinity of Utility Lines



## **12.0 Procedure When Damage Occurs**

- 12.1 If damage to the *utility line* occurs, including damage to the coating, the *Excavator* shall leave the *utility line* exposed, barricade the area and contact the *utility* immediately.
- 12.2 If gas is escaping from a gas pipeline, shut off vehicles or equipment, remove or extinguish all ignition sources, barricade the area off, and keep public and workers away. Call 911 and the Gas *utility* immediately. No attempt should be made to control the escaping gas.
- 12.3 If there are any flames or sparks originating from the exposed electric distribution line or other works, barricade the area off, and keep public and workers away. Call 911 and the Local Electric Distribution *utility* immediately.

**Note:** In no case shall the *Excavator* attempt to control or make repairs to the damaged *utility line* or equipment.

## **13.0 Acts and Regulations**

A copy of the relevant sections of Acts and Regulations are attached as appendices.

Appendix 1: The *Technical Standards and Safety Act, 2000* and the *Ontario Regulation 210/01 Oil and Gas Pipeline Systems*.

Appendix 2: The *Ontario Energy Board Act*

Appendix 3: *Ontario Regulation 22/04 "Electrical Distribution Safety"*.

Appendix 4: Guideline for Temporary Support of Electric Distribution Lines across the Trench

Appendix 5: Procedures for using hydro-excavation machines in the vicinity of Pipelines.

6(7)(a)



## Appendix 1

### Sections of the *Technical Standards and Safety Act*:

#### Offences

37. (1) Every person who,
- (a) contravenes or fails to comply with any provision of this Act, the regulations or a Minister's order;
  - (b) knowingly makes a false statement or furnishes false information under this Act, the regulations or a Minister's order;
  - (c) contravenes or fails to comply with a term or condition of an authorization;
  - (d) contravenes or fails to comply with an order or requirement of an inspector or obstructs an inspector,

is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both, or, if the person is a body corporate, to a fine of not more than \$1,000,000. 2000, c. 16, s. 37 (1).

#### Duty of director or officer

- (2) Every director or officer of a body corporate has a duty to take all reasonable care to prevent the body corporate from committing an offence under subsection (1). 2000, c. 16, s. 37 (2).

#### Offence

- (3) Every director or officer of the body corporate who has a duty under subsection (2) and who fails to carry out that duty is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 or to imprisonment for a term of not more than one year, or to both. 2000, c. 16, s. 37 (3).

#### Separate offence

- (4) Where a person contravenes any of the provisions of this Act, the regulations, a Minister's order or any notice or order made under them on more than one day, the continuance of the contravention on each day shall be deemed to constitute a separate offence. 2000, c. 16, s. 37 (4).

#### Administrative penalty

- (5) A person against whom an administrative penalty has been levied by a designated administrative authority or, in the absence of such authority, by the Minister does not preclude a person from being charged with, and convicted of, an offence under this Act for the same matter. 2000, c. 16, s. 37 (5).

#### Time limit

6(7)(k)



**Electrical  
Safety  
Authority**

**Guideline for Excavation  
in the Vicinity of Utility Lines**



- (6) No proceeding in respect of an alleged offence under this Act may be commenced after two years following the date on which the facts that gave rise to the alleged offence were discovered. 2000, c. 16, s. 37 (6).
- 41.** Every contractor and employer shall take all reasonable precautions to ensure that they and their agents and employees comply with this Act, the regulations or a Minister's order.

**Sections of the Oil and Gas Pipeline Systems Regulation:**

**Ascertaining pipeline locations**

- 9.** (1) No person shall dig, bore, trench, grade, excavate or break ground with mechanical equipment or explosives without first ascertaining from the licence holder the location of any pipeline that may be interfered with.  
(2) The licence holder shall provide as accurate information as possible on the location of any pipeline within a reasonable time in all the circumstances.

**No interference with pipeline**

- 10.** No person shall interfere with or damage any pipeline without authority to do so.

6(7)(a)



**Electrical  
Safety  
Authority**

Guideline for Excavation  
in the Vicinity of Utility Lines



## Appendix 2

### Ontario Energy Board Act, Section V

#### Requirement to hold licence

57. Neither the OPA nor the Smart Metering Entity shall exercise their powers or perform their duties under the Electricity Act, 1998 unless licensed to do so under this Part and no other person shall, unless licensed to do so under this Part,

- (a) own or operate a distribution system;
- (b) own or operate a transmission system;
- (c) generate electricity or provide ancillary services for sale through the IESO-administered markets or directly to another person;
- (d) retail electricity;
- (e) purchase electricity or ancillary services in the IESO-administered markets or directly from a generator;
- (f) sell electricity or ancillary services through the IESO-administered markets or directly to another person, other than a consumer;
- (g) direct the operation of transmission systems in Ontario;
- (h) operate the market established by the market rules; or
- (i) engage in an activity prescribed by the regulations that relates to electricity. 1998, c. 15, Sched. B, s. 57; 2002, c. 1, Sched. B, s. 6; 2004, c. 23, Sched. B, s. 10; 2006, c. 3, Sched. C, s. 4.

#### Emergency

59. (1) Despite this Act, the Board may issue an interim licence authorizing a person to undertake any of the activities described in section 57 if the Board considers it necessary to do so to ensure the reliable supply of electricity to consumers. 1998, c. 15, Sched. B, s. 59 (1).

6 (7)(a)



**Electrical  
Safety  
Authority**

Guideline for Excavation  
in the Vicinity of Utility Lines



## Appendix 3

### Ontario Regulation 22/04, "Electrical Distribution Safety"

#### Section 10 Proximity to Distribution Lines

- (1) Despite section 4 of CSA Standard C22.3, No. 1-01 Overhead Systems, a person may place an object closer to an energized conductor forming part of a system of overhead distribution lines than the required minimum separations from energized conductors forming part of such a system if the person first obtains an authorization from the distributor responsible for the energized conductor. O. Reg. 22/04, s. 10 (1).
- (2) Despite sections 4 and 5 of CSA Standard C22.3, No. 7-94 Underground Systems (Reaffirmed 1999), a person may place an object closer to an energized conductor forming part of a system of distribution lines than the required minimum separations from energized conductors forming part of such system if the person first obtains an authorization from the distributor responsible for the energized conductor. O. Reg. 22/04, s. 10 (2).
- (3) Before digging, boring, trenching, grading, excavating or breaking ground with tools, mechanical equipment or explosives, a Excavator, owner or occupant of land, buildings or premises shall, in the interests of safety, ascertain from the distributor responsible for the distribution of electricity to the land, building or premises the location of any distribution line that may be interfered with in the course of such activities. O. Reg. 22/04, s. 10 (3).
- (4) The distributor shall provide reasonable information with respect to the location of its distribution lines and associated plant within a reasonable time. O. Reg. 22/04, s. 10 (4).

Note: Section 10 came into force on November 11, 2004.

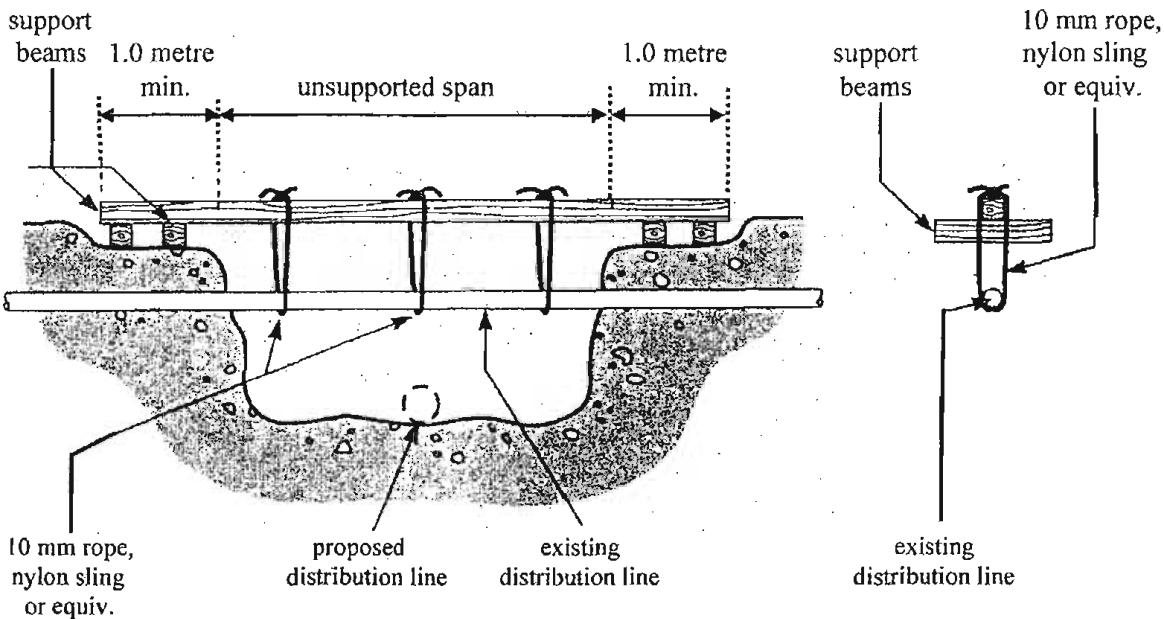


## Appendix 4

### Guideline for Temporary Support of Electric Distribution Lines across the Trench

1. When trenching beneath underground conduit systems a temporary support may be required to prevent deflection and damage to the electric distribution line.
2. Prior to trenching beneath the electric distribution line the Excavator is to install a temporary support if the unsupported span of conduit in the trench exceeds 1.0 meter in length. However, a support with closer spacing intervals may be required as identified below.

#### TYPICAL TEMPORARY SUPPORT OF EXISTING ELECTRIC DISTRIBUTION LINE CROSSING EXCAVATION



From EUSA Handbook for Excavation near Electrical Cables

3. **Concrete Encased PVC, Transite, or Fibre Conduit** must not be underexposed without adequate support. When temporary support is required, support beams and posts shall be placed in a manner that will prevent damage to the conduit and eliminate sag. The maximum span that the conduit is permitted to be supported in this manner is 2.0 metres and the spacing between supports shall not exceed 1.0 metre. The Excavator is to contact the distributor for special instructions if the distribution line is to be underexposed by more than 2.0 metres or if the conduit cross-section dimensions exceed 1.5 metres by 1.5 metres.

6(7)(a)



**Electrical  
Safety  
Authority**

Guideline for Excavation  
in the Vicinity of Utility Lines



4. **Concrete Encased Clay Tile Conduit** must be supported at short-spaced intervals. Since the conduit can be damaged very easily, exposed conduit should be inspected by the distributor's representative when uncovered and again before backfilling. The maximum span that the conduit is permitted to be supported in this manner is 2.0 metres and the spacing between supports shall not exceed 0.6 metres. The Excavator is to contact the distributor for special instructions if the distribution line is to be underexposed by more than 2.0 metres or if the conduit cross-section dimensions exceed 1.5 metres by 1.5 metres.
5. **High Density Polyethylene (HDPE) and Direct Buried PVC Duct** are very flexible and must be continually supported with a set of pressure treated timbers consisting of 50 mm x 150 mm planks nailed together in a "V" formation. These timbers shall be placed under the cable and supported every 2.0 metres with vertical 100 mm x 100 mm timbers with a "V" notch at the top to hold the 50 mm x 150 mm planks in place. The conduit bundles must not be separated or displaced.
6. Support is required when a trench is parallel to a distribution line and soil rupture or lateral movement of the soil may undermine the distribution line.
7. Table #1 shows the maximum allowed horizontal distances from the edge of the trench to the distribution line affected by the excavation. Shoring may be already in place if workers are to enter a trench excavation that is deeper than 1.2 metres.
8. In case the distributor's structure is closer than the maximum allowed distances given in Table 1, then the excavation shall be suitably shored to prevent movement of the conduit structure. The shoring shall remain in place until the backfill material has restored support. A sliding trench box does not provide adequate support.
9. Where the trench bottom is below the water table, the trench shall be suitably shored with close sheathing.

**TABLE #1**  
**Maximum Allowed Horizontal Distances from**  
**Distribution Line to Edge of Unshored Excavation**

Proposed Trench Depth (m)	Horizontal Distance Type 1 and 2 Soils Hard, Dry, Stiff (m)	Horizontal Distance Type 3 and 4 Soils Wet, Soft, Clay, or Sand (m)
Up to 1.2	0.6	0.6
Up to 2.4	1.0	1.0
Up to 3.6	1.0	2.0
Up to 4.5	1.5	3.0
Over 4.5	2.0	4.0



## Appendix 5

### Procedures for using hydro-excavation machines to locate and expose pipelines as an alternative to hand digging.

Please note that this applies to pipelines only.

For hydrovac excavation in the vicinity of electric distribution lines see the E&USA Safe Practice Guide "*Excavating with Hydrovacs in the Vicinity of Underground Electrical Plant*"

The following procedures shall be followed at all times when excavating with hydro-excavation technology within 1 m of gas plants.

1. Obtain locates prior to commencement of work. Only a competent, qualified worker shall operate hydro-excavation equipment.
2. The maximum water pressure to be used at any time with a straight tip nozzle<sup>1</sup> during excavation in public roads or easements shall be 17250 kPa (2500 psi). Below a depth of 45 cm (18") the water pressure to be used at any time with a straight tip nozzle<sup>1</sup> during excavation shall be reduced to a maximum of 10350 kPa (1500 psi). All pressure measurements are to be taken at the hydro-excavation machine (truck, pump).
3. The maximum water pressure to be used at any time with a spinning tip nozzle<sup>2</sup> during excavation shall be 20684 kPa (3000 psi). When a spinning tip nozzle<sup>2</sup> is used, pressure measurements are to be permanently monitored using a calibrated device mounted on either the hydro-excavation machine (truck, pump) or the wand.
4. The wand shall never remain motionless during excavation. Aiming directly at the plant shall be avoided at all times.
5. A distance of 20 cm (8") shall be maintained between the end of the pressure wand nozzle and the plant and / or subsoil. The nozzle shall never be inserted into the subsoil while excavating above the plant.
6. Only use hydro-excavation equipment and nozzles that have been specifically designed for use above buried gas lines or other reasonably expected underground gas plant.
7. A device capable of stopping the excavation on demand, such as a dead man trigger or valve, shall be installed on the wand.

6(7)(a)



**Electrical  
Safety  
Authority**

**Guideline for Excavation  
in the Vicinity of Utility Lines**



8. If heated water is used during excavation, the temperature and pressure of the water shall never exceed 115 °F (45 °C) and 17250 kPa (2500 psi) respectively.
9. If damage to gas plant occurs while using hydro-excavation technology or any other method of excavation, the excavator shall contact the gas utility.

**Notes:**

- 1) Straight Tip Nozzle – A straight tip nozzle is a single orifice fitting that can be inserted into the end of the wand used with a hydro-excavation machine such that there is a single concentrated jet of water exiting from the tip of the nozzle.
- 2) Spinning Tip Nozzles – A spinning tip nozzle consists of a conically shaped housing that contains a single exit port (to facilitate the flow of liquid) as well as a rotor insert. The rotor insert has a series of blades such that when liquid is flowing through the nozzle, the rotor is forced to spin around the longitudinal axis of the nozzle. The rotor insert also contains three or more channels that force liquid to flow in different pathways through the rotor insert to the tip of the rotor which, as a result of the high pressure liquid is forced into contact with the nozzle housing. The liquid flowing through the nozzle is dispersed through the tip of the nozzle housing in a conical shape, having an angle of not less than 20°.



## The Real Dirt on Pipeline Strikes

What happens when you hit an underground fuel pipeline? Well, a number of things – the most immediate being a release of gas under pressure and, with the right spark, a catastrophic explosion. Follow that up with the death of a worker, possible property damage, and a bevy of hair-raising lawsuits – and you've got one massive nightmare on your hands.

So the next question is – why do they occur? Well, a number of reasons – the most common being a twist of thrift. Here's a typical excuse...

*Why should I be paying my guys to stand around, waiting for some locate company to show up? Time is money!*

Really? Consider this...

If you strike a pipe, alongside the most obvious safety risks to workers and the public-at-large, you'll be facing a host of costly prosecutions – from the Technical Standards and Safety Authority (TSSA) and the Ministry of Labour (MOL) for starters – which could run you as high as \$50,000 (for an individual), \$1,000,000 (for a corporation) and imprisonment for a year from TSSA – let alone what other authorities throw at you.

While that certainly gives most pause for thought, as the majority of contractors are compliant with fuels safety regulations, there were over 2,500 pipeline strikes in Ontario over a sixteen month period, spanning January 2008 to April 2009. Couple that with two fatalities and two injuries – Niagara Falls in the summer of 2008 and Georgian Bluffs a few months later – and you've got some serious stats to contend with.

TSSA recently prosecuted two companies, Reid's Heritage Homes Ltd. in Guelph (February 2010) and Elgin Construction in Kitchener (February 2008), for damaging a service tee on a six-inch gas pipeline, causing the release of natural gas, prompting an immediate evacuation. While both areas were quickly made safe, the two companies were fined \$20,000 (respectively) for failing to comply with Ontario Regulation 210/01.

If you excavate, or contract with a building owner to excavate or perform ground disturbances, you are obliged to abide by fuels safety regulations. First, look for any potential source of fuel usage on the property prior to disturbing the soil.

Any activity that disturbs the soil, such as digging, driving bars in the ground, installing underground systems, etc., could damage a pipeline. Their depth may change over time due to erosion or changes in the landscape, so do not take any chances even if your activity is relatively shallow.

If you see any indication of fuel use in the vicinity, ascertain the fuel type and source. If the fuel source is not apparent (such as a cylinder at the appliance), investigate further prior to excavation. You could be over a fuel pipe and hitting one is disastrous. Hire the services of a private locate company if unsure.

If a leak occurs, even through what may seem to be a minor scrape of a pipe from a shovel or backhoe, it can spread long distances and ignite, if near a flame or spark, causing a fire or deadly explosion. Underground fuel supply lines are designed to keep the gas or fuel oil safely inside. In order to stay that way, there are rules for digging.

Contact your local utility for the location of all nearby pipelines. A simple call will quickly and easily get your underground utility lines marked. Check the paperwork left by the locator to ensure it covers your dig area, and make sure you understand all the markings. If not, discuss it with the locator.

Unknown to the utility, there may also be underground residential supply lines installed by a contractor at the request or under contract with the homeowner.



As per TSSA's gaseous fuels regulations, all underground piping must be locatable. While a homeowner should be asked for locations, they may not have accurate and complete information. If unsure of any underground line, contact a private locator (under 'Cable Detection, Installation and Splicing' in the Yellow Pages or Google 'Private Locates' in your area).

As a final note, any excavation activity will require a 'valid locate'. What's valid? Paint markings, stakes or flags in the ground where excavation will take place and appropriate paper work indicating the limits of a locate or the digging boundary (found on a locate sheet).

Markers only indicate the presence of a pipeline. They should not be used or relied upon to determine the exact location of a pipeline. With that in mind, you must carefully hand dig within three feet (or one metre) of those markings as required by law under TSSA's Guidelines for Excavations.

Even if you happen to cause what seems to be only minor damage to a buried utility pipeline, notify the utility company immediately. A gouge, scrape, dent or crease to the pipe or coating may cause a future break or leak, so don't cover it up. Do not attempt to squeeze off the break or control the flow of gas – you could cause an explosion. Applying pressure to the pipe could potentially cause a static spark, ignite the gas and create a catastrophic explosion.

It is imperative that the utility company, and only those qualified to do so, inspect and repair any damage to the line – for everyone's safety. If you become aware of such an incident or potential incident, please contact your local utility immediately.

TSSA, the Ontario Regional Common Ground Alliance (ORCGA), Ontario One-Call, and various industry stakeholders are collectively tackling the issue, but there is still a way to go yet. With your help we'll keep the gas flowing, safely in the pipe, underground where it belongs. You dig?

If you have any questions about this or other fuel safety issues, feel free to contact TSSA toll-free at **1-877-682-8772**. Access important information, such as 'TSSA's Excavation Guidelines' and 'How to Read a Locate Sheet', at [www.tssa.org](http://www.tssa.org) and [www.safetyinfo.ca](http://www.safetyinfo.ca). Call today to receive a free pocket-size version of the new guidelines. Please post the attached 'Call Before You Dig' sign in your area as an important reminder of underground utility locates.

April is **Dig Safe Month**, honoured by all Common Ground Alliance members across North America, to spread awareness of safe excavation practices, and remind contractors to call before you dig. Visit ORCGA's [www.digsafe.ca](http://www.digsafe.ca) for **Dig Safe Month** events across Ontario.

#### *About TSSA*

TSSA is an innovative, self-funded, non-government organization focused on delivering public safety services. It provides not-for-profit regulatory safety services in industry sectors such fuels, amusement devices, elevating devices, boilers and pressure vessels, operating engineers, and upholstered and stuffed articles. The organization's vision is to be the world leader in public safety services.

#### **For more information, please contact:**

Gregory Kerr, Public Relations and Communications  
 Technical Standards and Safety Authority  
 Telephone: 1-877-682-8772; Email: [media@tssa.org](mailto:media@tssa.org)

For more information on the Technical Standards and Safety Authority, please visit [www.tssa.org](http://www.tssa.org).

6(7)(a)



**CALL BEFORE  
YOU DIG**

To arrange for free natural gas pipe location service at your site,  
call Ontario One-Call five working days in advance.

**1-800-400-2255**

[www.tssa.org](http://www.tssa.org)  
[www.orcga.com](http://www.orcga.com)

6 (7)(a)

July 13, 2010

Alan Patrick Smith  
117 Albert St. E.  
Sault Ste. Marie, ON  
P6A 2J2

Mayor John Rowswell and City Council  
c/o Malcolm White, City Clerk  
99 Foster Drive  
Sault Ste. Marie, ON  
P6A 5N1

Dear Mayor Rowswell:

Please accept this letter as information and comment on the topic of Election Signs with regard to the recent TSSA requirement of having locates performed on both City and Private Property. The comments are extended to include the July 19 Council Meeting and By-law 2005-166.

We may begin with the Sault Star article of June 11, 2010 entitled "**Tougher enforcement of rules may result in fewer election signs.**" The article basically speaks of digging or driving stakes into the ground on any City "right of way" and includes Private property as well.

By-law 2005-166 defines Election Signs as any sign, advertising or promoting the election of any candidate in a Municipal, Provincial or Federal election. In contrast, article 3.4, entitled, "Election Signs" states that this by-law does not apply to any Federal, Provincial or Municipal election. Clearly, this section should be revamped.

We now reach the TSSA Fuels Safety Program information sheet sent by Mr. White as an attachment to an e-mail question regarding the difference between a bag sign that penetrates the ground up to 6-8 " and a stake penetrating the ground. The TSSA article speaks of excavations and major ground disturbances.

I am debating the validity of the "non-governmental" TSSA'S position on bag signs and the need to obtain cable and pipeline locates. Election sign practices have been allowed for decades as designated by the City's traffic manager. Their article describes some instances of pipeline scrapes, explosions, etc., but, there is not one example of any election sign damaging any pipeline or cable without excavation taking place. Since no incidents have occurred over the years in this City, I submit that Council discusses this matter at length in the upcoming Council Meeting.

In closing, a bag sign anchor only penetrates the ground up to 8", whereas, a stake can be much deeper. Stakes and excavations are understandably paramount and subject to the TSSA'S authority.

Sincerely yours,

Alan Patrick Smith

6 (7)(a)

canoe.ca



www.WaterTowerInn.com

23°  
MONDAY JULY 18, 20115 day  
Forecast  
Sault Ste. Marie  
Overcast

Weather Sponsorship Available

# The Sault Star

[News](#) [Sports](#) [Special Sections](#) [Business](#) [Arts/Life](#) [Blogs](#) [Links](#) [Contact Us](#)
[Careers](#) [Obituaries](#) [E-Edition](#)  
[Classifieds](#) [Autos](#) [Shopping](#)

ONLINE SERVICES THURSDAY, JULY 18, 2011

## Archives

[Home](#) / [Archive](#) Tougher enforcement of rules may result in fewer election signs


## Tougher enforcement of rules may result in fewer election signs

Posted By ELAINE DELLA-MATTIA, THE SAULT STAR

Updated 28 days ago

Election candidates wanting to put stakes in the ground on public property are going to have a tougher time this year.

Stronger enforcement of regulations will force individuals to have locates done prior to digging or driving stakes in the ground on any city right of way.

That means the number of election candidate signs on public property are expected to be minimal.

The same holds true for other advertising signs, such as those put in the ground for last weekend's Dragon Boat Festival or the upcoming Rotaryfest.

With a municipal election scheduled for Oct. 25, it's expected that the issue will be at the forefront in the next few months.

Traditionally, candidates have used the city's right of way in many locations to peg their candidacy signs.

CAO Joe Fratesi warns that the legislation, while not new, is being more closely monitored and that it also includes placing stakes in the ground on private property as well.

In the past, the public applied to the city's building division, where there was a list of authorized locations prepared by the city's traffic manager.

The applications were reviewed by the building division and received final approval from the traffic manager.

But the Technical Standards and Safety Authority say that process is no longer acceptable and if the municipality doesn't comply with the proper procedure — to have locates done at each site for each applicant — it could face fines of \$1,000 per incident.

Applications for locates take a minimum of seven days to complete.



The same process must be done for stakes going into the ground on private property.

The city's public works and transportation department is contacting other municipalities to determine whether there is some method or procedure that will meet these TSSA requirements and allow the public to place signs within the city's right of way.

canoe.ca

Share Tools

Submit content

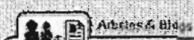


SUBMIT JOIN FORUM

Community: Sports



Business Name  
City  
Find a:  Business  Person



**Looking for Work?**  
If you are currently looking for employment, Employment Solutions provides a variety of personalized services to help job seekers discover suitable work opportunities and skills training programs. These services include: Retraining, Consulting, App

**HORNEPAYNE: WHO CAN PENETRATE MCGUINNITY'S WALL OF SHAME ?**

How can anyone penetrate McGuinnty's wall of shame ? We send him letters, pleading with him to take a little responsibility, and what does he do? He or his implant responds with an old generic Form Letter that he has used over and over again, the same one he sent at the end of Ap

**HORNEPAYNE: LET OUR FOREFATHERS SPEAK**

On Cemetery hill the tiger flies low, snarling the two lions row on row that mark their place under the sky, the playfull ones, lying by scarce heard and the ones below. They are the dead, shot years ago they died, carved down in the wilderness we now Bu

Laird Township Museum Discover local and family history of the Laird Township Museum. This museum is now open to the public for the summer season. Located just East of Sault Ste. Marie, the Laird Township Museum offers an intriguing collection of genealogical reports, agricultural artifacts, ph



**Sign up for**  
The Sault Star, Digital Edition, Photo Galleries, E-mail newsletters, and more!  
It's free to sign up!

**What are these icons?**  
 = Photo Gallery  
Click here for the icon legend



6(8)(a)

## MEMORANDUM

---

**TO:** CITY OF SAULT STE. MARIE MAYOR AND COUNCILLORS  
**FROM:** H. J. BRIAN CURRAN, GENERAL MANAGER  
PUBLIC UTILITIES COMMISSION  
**DATE:** July 13, 2010  
**SUBJECT:** Water Conservation Strategy

---

I will be giving a presentation to City Council Monday July 19<sup>th</sup> on the water conservation strategy that was recently approved by the Public Utilities Commission.

The strategy is contained in the attached report which will be the basis for my presentation.



---

H. J. Brian Curran, General Manager

e.c. City of Sault Ste. Marie, C.A.O.  
City Clerk  
PUC Commissioners

Attachments: Water Conservation Strategy Report

6(8)(a)

**WATER CONSERVATION STRATEGY FOR SAULT STE. MARIE**

**Public Utilities Commission  
April 29, 2010**

## OUR SOURCES OF SUPPLY

The City of Sault Ste. Marie is fortunate to have two high quality and secure sources of water: Lake Superior and groundwater.

Lake Superior water is drawn from a pipeline whose inlet is 15 meters below the surface and 800 meters offshore of Gros Cap. Water is pumped to two holding tanks located on Marshall Drive. The Gros Cap pumping station has a firm capacity of 75,000 m<sup>3</sup>/day.

Water from the holding tanks flows by gravity to the A. S. Boniferro water treatment plant on Second Line West. Water entering the plant flows through a recently installed turbine to reduce water pressure and also generate up to 45 kW of electricity. Water then passes through flocculation tanks where alum and polymers are added to aid in the formation of flocculent particles which are removed by sand filters. The final step in the treatment process is the addition of chlorine for disinfection and the addition of ammonia to combine with chlorine and maintain a disinfection residual in the distribution system. The design capacity of the plant is 40,000 m<sup>3</sup>/day.

The groundwater portion of the water supply comes from six wells. Two wells, both approximately 76 meters deep, are located at the Lorna pumping station. One well, 28 meters deep, is at the Steelton pumping station; one well, 101 meters deep, is located at the Shannon pumping station; two wells, both 55 meters deep, are located at the Goulais pumping station. As the wells are not influenced by surface water they only require disinfection treatment. Chlorine and ammonia are injected into the water prior to entering the distribution system. The authorized total supply capacity of the wells is 39,779 m<sup>3</sup>/day.

We have not added to our supply capacity since commissioning of the water treatment plant in 1987.

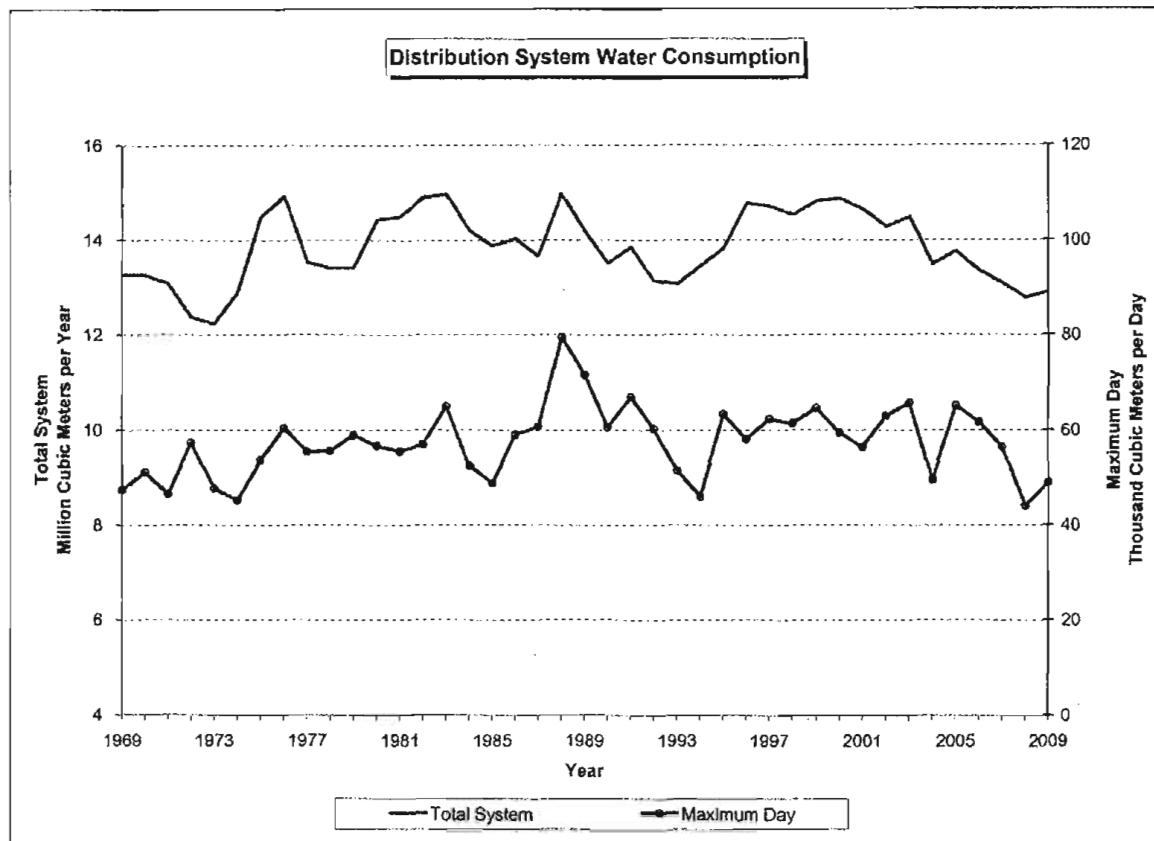
## OUR DISTRIBUTION SYSTEM

We have approximately 450 kilometers of water distribution pipes of various diameters, from 25 mm to 900 mm, and of various materials including reinforced concrete, cast iron, ductile iron and plastic. A large portion of the distribution system was installed when the city was rapidly growing in the 1950s to the 1980s. A significant portion of this vintage of pipe needs to be replaced and its replacement will consume most of our capital for the next 20 years.

## WATER CONSUMPTION RECORD

Our highest annual and daily peak water consumption occurred in 1988. That year annual consumption was 14.98 million m<sup>3</sup> and the daily peak was 79,482 m<sup>3</sup>. Annual consumption is influenced primarily by population and the type of industry in the

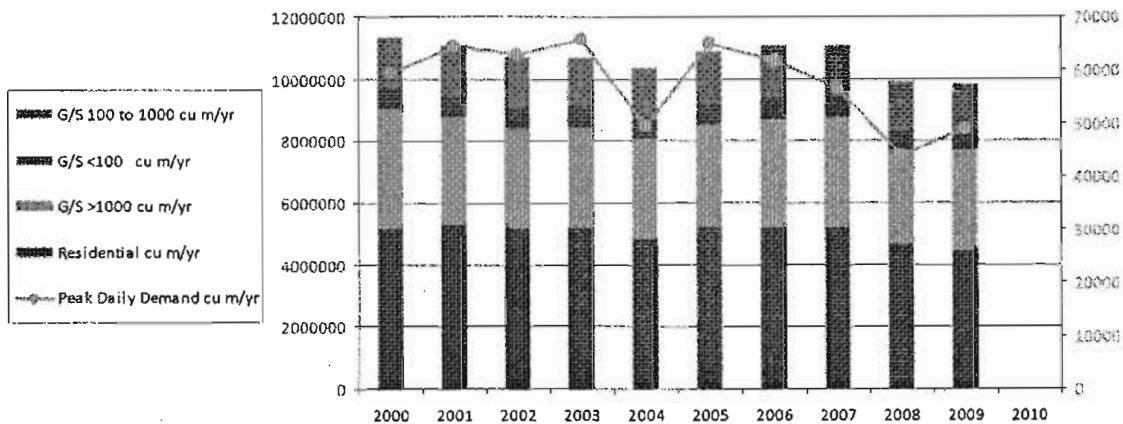
community. Peak daily consumption is most heavily influenced by summer weather conditions but extensive hydrant testing and watermain breaks coincident on the peak day, as likely happened in 1988, can also be a contributor.



The past 10 years are of greatest relevance for trends in water consumption as our population has stabilized and has begun to grow again. Many water conserving fixtures and appliances, such as low flush toilets and low water use washers, have been available for a number of years and are gaining market share.

The water consumption chart for the period 2000 to 2009 shows the annual consumption of our four customer billing groups. Approximately half of our water use is by residential consumers. The next largest consumer group is commercial/industrial whose monthly consumption exceeds 1,000 m<sup>3</sup>/month, followed by those with monthly consumption 100 and 1,000 and lastly by commercial customers consuming less than 100 m<sup>3</sup>/month. During the past ten years annual consumption has fluctuated by 16%; peak daily consumption, however, has fluctuated by 49%. The relatively hot summer of 2003 generated the highest peak consumption of 65,727 m<sup>3</sup> and the cool wet summer of 2008 saw the lowest peak of 44,044 m<sup>3</sup>.

## ANNUAL WATER CONSUMPTION &amp; PEAK DAILY DEMAND



Consumption during winter months gives an indication of what the internal residential and business water use is. The table below indicates that average internal use per customer per winter month has declined in every category over the past 10 years. The biggest factor for the residential sector is likely due to a decrease in the number of residents per household.

Customer Category	2000	2009
Residential	18 m <sup>3</sup>	15 m <sup>3</sup>
>1,000 m <sup>3</sup> /month	6,162 m <sup>3</sup>	4,447 m <sup>3</sup>
100-1,000 m <sup>3</sup> /month	310 m <sup>3</sup>	272 m <sup>3</sup>
<100 m <sup>3</sup> /month	29 m <sup>3</sup>	25 m <sup>3</sup>

The average monthly customer consumption over the months of June, July and August for the four customer categories in 2000 and 2009 is contained in the following table.

Customer Category	2000	2009
Residential	24 m <sup>3</sup>	19 m <sup>3</sup>
>1,000 m <sup>3</sup> /month	6995 m <sup>3</sup>	5910 m <sup>3</sup>
100-1,000 m <sup>3</sup> /month	352 m <sup>3</sup>	301 m <sup>3</sup>
<100 m <sup>3</sup> /month	31 m <sup>3</sup>	27 m <sup>3</sup>

Although the highest peak daily demand in the ten year period occurred in 2003 the highest residential monthly consumption occurred in July 2005 at 29.82 m<sup>3</sup>. The highest monthly consumption for the greater than 1,000 m<sup>3</sup>/month customer category was in May 2000 at 6,971m<sup>3</sup>. For the 100 – 1,000m<sup>3</sup>/month customer category a monthly high of 396m<sup>3</sup> occurred in August 2001. The highest monthly consumption for the less than 100 m<sup>3</sup>/month customer category was recorded in 2005 at 32 m<sup>3</sup>.

The difference between the winter and summer average residential customer use in 2000 was 33%. The difference between winter and summer use in the other customer categories ranged from 6.9% and 13.6% in that same year. In 2005 the difference between winter and summer average residential use was 71.1%. For the other categories the variation in the year of highest summer consumption with the winter average ranged from 21% to 33%. Every customer type is influenced by summer weather conditions but none more so than the residential customer.

Records over the past ten years indicate a slight decline in overall consumption. Water use is highly variable depending on summer weather and that the greatest amount of variation is by the residential consumer.

## RESERVE CAPACITY

The combined output of our water supply facilities is 79,779 m<sup>3</sup>/day. However, prudent management accepts that equipment failure can occur that will reduce one's ability to respond to daily water demand. In 2008, for example, the Steelton well was not in service due to repairs that were required to the retention main connected to the well. Fortunately the daily well production of 8,208 m<sup>3</sup> was not required that summer due to the cool wet weather. The Ten States Standards in the U.S. suggest that the largest well should be removed when calculating reserve capacity. In our case our secure production capacity would be reduced to 71,571 m<sup>3</sup>/day. The standard in the Fire Underwriter's Survey suggests that capacity should be based on the two largest wells being out of service at the same time, in which case our capacity would be 64,292 m<sup>3</sup>/day.

In deciding what margin of safety we should have in our supply we need to determine the risk of having supply points out of service when the peak demand occurs, the cost of having a high reserve margin, the consequence of not being able to meet demand and measures that can be taken to reduce demand should unplanned supply outages occur.

A reasonably prudent position would be to assume that the largest well is unavailable on the peak water consumption day. If we use the peak that occurred over the past 10 years (65,727 m<sup>3</sup>), our reserve capacity is 5,844 m<sup>3</sup> (71,571 - 65,727). Assuming the contribution on the peak day is 0.92 m<sup>3</sup>/capita and there are 2.5 residents per household, we can accommodate an additional 2,540 households in our service area. If we add 250 homes to our system each year, we have over 10 years of reserve capacity.

To increase our reserve capacity we have two choices: increase supply or decrease demand.

## WATER CONSERVATION OPTIONS

A water conservation strategy must be effective, equitable, and efficient. The measures must meet the following criteria:

1. achieve a change in consumption, i.e. a reduction in both the amount used and the time of use;
2. any cost to implement conservation programs must benefit all consumers; and,
3. the delivery of these programs must achieve the greatest savings at the least cost.

There are both short and long term benefits to water conservation. Economic benefits in the short term will be modest as most of the costs to operate and maintain the system are fixed. Savings of 8¢/m<sup>3</sup> would result from lower electricity consumption due to less pumping and to lower chemical and analytical costs. To put this into perspective, if a three person household replaced a standard toilet that uses 19 litres per flush with an ultra high efficiency toilet that uses only 6 litres a flush, the annual decrease realized by the water utility would be \$4.56\*. The savings to the consumer, however, would be much greater. If a resident's monthly consumption is greater than 19.7m<sup>3</sup> the savings would be in the second rate block of 95¢/m<sup>3</sup> and would total \$108.18\*\* annually. The savings include avoided sewage charges. If the resident's monthly consumption was less than 15m<sup>3</sup> he would be charged at the first rate block of 34.1¢/m<sup>3</sup> and he would save \$38.84 annually, including avoided sewage charges.

The long term economic benefit from water conservation is in delaying the installation of new supply. Given that we have at least 10 years of reserve capacity, we would have to discount any investment that we make today to account for deferred savings. The lowest cost supply alternative would be to install another well if the groundwater supply is available. It is estimated that a well with a capacity of 8,000 m<sup>3</sup>/day would cost approximately \$2 million. Expansion of the water treatment plant would double its capacity to 80,000 m<sup>3</sup>/day at an estimated cost of \$50 million.

Assuming that we installed another well and that it operated on average 50% of the time, costs are estimated as follows:

	¢/m <sup>3</sup>
Electricity	6
Chemicals & testing	2
Grants in lieu	4
Labour & mtce	10
Depreciation	<u>6</u>
Total	28

---

\* Assumes 4 flushes per person per day. (.013x4x3x365x.08 = \$4.56)

\*\* (.013x4x3x365x.95x2= \$108.18. Sewage charges are the same as the water rates)

Adding to supply at this time would only satisfy a seasonal increase in demand that arises primarily due to lawn water during periods of hot dry weather. Distributing the time for lawn watering to lessen peak demand would be a much lower cost alternative to bringing on additional supply.

### Price Structure

One of the most critical factors in shaping water use is the price. Are we giving the correct price signal to consumers to use the water appropriately?

Our first objective is to recover the full cost of service. Rates have increased significantly over the past ten years and will continue to increase primarily to cover the cost of replacing our aging distribution system. The second objective is to encourage consumers to conserve water use. The third objective is to not unfairly shift the cost of supply from one group of customers to another.

Our fee structure contains a basic monthly charge and a three tiered block of rates. The monthly charge applies regardless of the amount of water used reflecting the fact that a portion of the cost to operate the system is fixed. In fact the majority of our costs are fixed. The basic monthly charge varies according to the size of the service from \$14.91 for a 37 mm service up to \$243.59 for a 450 mm service. The tiered rates for all customers are as follows:

$\leq 15 \text{ m}^3/\text{month}$	34.1 ¢/m <sup>3</sup>
$> 15 \text{ m}^3/\text{month} \& \leq 250 \text{ m}^3/\text{month}$	95.0 ¢/m <sup>3</sup>
$> 250 \text{ m}^3/\text{month}$	71.9 ¢/m <sup>3</sup>

The block structure provides a significant incentive primarily to the residential and small commercial consumer to keep their consumption below 15 m<sup>3</sup>/month. Water consumption above that level is significantly more expensive. The rate decrease in the last block is for very large water consumers. Simply being a large user does not mean that one is using water inefficiently. Large water consumers should not have to carry an unreasonable cost burden that may affect their competitive position. The rate for the third block is still significantly above that of the first block.

Because the sewage charge is based on the same structure as the water rate, any savings due to water conservation is doubled as a result of avoided sewer charges.

The rate structure provides a clear incentive to reduce consumption to all but the lowest water users. To further increase the incentive to take advantage of more efficient plumbing and appliances consideration will be given to gradually reducing the first rate block to 10 m<sup>3</sup>/month.

## **Water Use Bylaws**

Many municipalities have introduced bylaws that prescribe when lawn watering can be done. The most successful municipalities have escalation features in the bylaw that call for more restrictions as supply reserves decrease. If there are no supply concerns, residents can water any time. If hot dry weather brings less watering diversity and the demand begins to encroach on supply capacity, once per week watering is allowed. If supply is threatened, no watering is permitted.

The municipality of Waterloo has a tiered water restriction bylaw that has been found to be very effective in reducing water demand during periods of heavy use.

## **Appliance and Plumbing Standards**

According to Environment Canada, Canadian homes use water internally in the following manner:

Showers and baths	35%
Toilet flushing	30%
Laundry	20%
Kitchen & drinking	10%
Cleaning	5%

Homes built prior to 1980 are likely to have toilets that use 20 litres per flush. Between 1980 and 1995, 13 litre toilets were the most common in new home construction. Since 1996 the Ontario Plumbing Code has mandated the installation of low flush toilets using 6 litres. High efficiency toilets are also available that include 3 litre and 6 litre flush options. Unfortunately, 13 litre toilets can still be purchased in Ontario but new regulations making the 6 litre toilet mandatory for new buildings as well as for retrofits are expected effective January 1, 2011.

High efficiency clothes washers have been on the market for some time and are gaining greater market share.

## **Losses and Unaccounted for**

Over the past ten years the amount of water that was lost or was unaccounted for ranges from a low of 14.8% to a high of 26%. We differentiate between what is lost through leakage, that which is used but not metered and that which is incorrectly measured due to meter error. Unmetered water use includes water that is used for hydrant flushing and pressure testing, and hydrant use for fire fighting. The amount of leakage will vary according to the number of watermain breaks that we have in a year. Cold weather typically means more breaks. The unaccounted for amount will be higher in years when an extensive hydrant flushing and pressure testing programs are carried out.

Not all watermain leaks are visible and therefore can exist for a period of time before they are detected. This past year PUC Services contracted a firm to survey the complete

distribution system for leaks. We discovered 31 leaks that we were unaware of and we repaired them. We intend to continue with leak detection so that a third of the distribution system is checked every year.

Not all leaks are in the distribution system. Leaks occur in homes and can be costly to the resident over time. In some cases the resident may not be aware of the magnitude of the leaking fixture or appliance. The American Water Works Association estimates that 13.7% of residential use is lost due to internal leaks.

## **OUR CONSERVATION STRATEGY**

At the present time we have adequate supply capacity. The trend over the past ten years has seen a decrease in per capita consumption reflecting the impact of higher water rates, the replacement of older appliances with more water efficient models and the installation of low flush toilets in new homes.

Nevertheless we are still vulnerable to periods of drought and hot weather when there is a loss in diversity in consumption due to the perceived need for lawn watering.

Our water conservation target is to delay the addition to our reserve capacity for at least 20 years so that the demand by new customers is offset by reduced water use by existing customers.

### **Bylaws**

We intend to work with the City to develop a municipal bylaw that will impose watering restrictions during the summer months when water capacity is being stressed. We expect the bylaw to be in place for the summer of 2011. Prior to that we will inform residents of the need to take this action and how the bylaw will take effect.

### **Losses and Unaccounted For**

PUC Services will monitor the distribution system continuously for leaks that would otherwise go undetected. We will continue to measure consumption at the locations in the city where city and contractor trucks fill up with water. Both measures will reduce the amount of water that is lost or unaccounted for.

### **Rebates**

Water utilities have used incentives such as rebates to encourage consumers to purchase appliances and plumbing fixtures that use less water. Rebates are useful to bring attention to devices that are entering the market and which would normally not get broad consideration in the marketplace. They are also used to reduce the price premium that new products usually have when they first enter the marketplace. Rebates have been common for low flush toilets and clothes washers that use less water.

Municipalities and utilities are now moving away from rebates. The Capital Regional District that includes the City of Victoria in British Columbia states on its website:

"Over the past fifteen years the CRD has introduced residential water conservation rebates to encourage the purchase of appliances and fixtures that use innovative water-saving technology.

These days, the use of such fixtures and appliances has become standard. Provincial codes now require all new toilet installations to use six litres of water or less per flush and most appliance stores now feature high efficiency washing machines. Clearly, incentives are no longer necessary and the residential rebate programs for irrigation systems, low-flow toilets and high efficiency washing machines came to an end effective December 31, 2009."

We concur with this position. The increasing cost of water and the availability of water efficient devices that are decreasing in cost with greater competition are factors that are influencing consumers to choose water conserving devices.

There is still a role to provide assistance to those who, because of income restrictions or physical inability, cannot install devices like low flush toilets or low water shower heads. PUC Services will work with organizations in the community to assist this segment of our customer base in reducing water consumption.

### **Consumer Education**

We have only a superficial understanding of how and when our customers use water. We have started to install smart water meters, which take advantage of the communications system that has been installed for the smart electric meters. Our current water meters only provide the total amount of water consumption over time. With the new meters we will be able to obtain an hour by hour profile of customer use. Our current plan is to gradually change over to the remotely read meters by changing out approximately 1,000 existing meters annually as they come to the end of their useful lives. The complete change over could take in excess of twenty years.

As it will take many years before we have all the smart water meters installed, we plan to randomly select 500 water customers and install smart water meters. This sample size will provide water use data that will reflect the general population with 95% accuracy, 97.5% of the time. The hourly metering data will tell us how much each customer contributed to the daily peak demand and indicate if the customer possibly has leaky fixtures. Information would also be gathered from the homes and businesses that participate in the sample. We would look at the number of residents in the home, the type and number of plumbing fixtures, appliance type, and age of the building. The information collected would assist us in determining the market penetration of water conservation devices, the impact of rate restructuring and water conservation promotion programs and to more equitably assign cost of service to the appropriate customer group.

6 (8)(a)

We believe that the information obtained from this initiative would be of interest to other municipalities. To defray a portion of the estimated \$200,000 cost of the study we will seek funding from sources such as the Green Municipal Fund.

## Enterprise Centre Sault Ste. Marie

### Report to City Council re: Small Business Incubator Recommendation

#### Background

In October, 2009 City Council, through resolution, requested Enterprise Centre Sault Ste. Marie and its General Manager, Andrew Ross, to explore the feasibility of developing a Small Business Incubator within Sault Ste. Marie. Over the last few months ECSSM has been consulting a number of private and public sector players about the Multi Facet Incubator, including the Innovation Centre, Community Development Corporation, Downtown Association and Chamber of Commerce; in addition to these partners, ECSSM has also been in discussion with private landlords, Station Mall management, current and former clients, and City staff. These discussions were to include community partners from, and were to develop a recommendation to present to council on this topic. In exploring the idea of a small business incubator within Sault Ste. Marie, it was imperative to look at models that would not duplicate the Innovation Centre's efforts with IT based businesses, as well as to recognize available space and associated costs for operations.

The results of the consultation process has led to the determination across the board that a Multi Facet Incubator would be beneficial to the community, and that ECSSM and its partners should continue to work towards developing a working business plan for implementation, that takes into account working relationships and partnerships while also defining a local working model that avoids duplications.

#### Recommendation

It is my recommendation, based on the consultation process and input from partners, that Enterprise Centre retain a third party consultant with expertise in this area be retained to conduct a full financial and operational feasibility study for this project. ECSSM is asking for up to \$10,000 for this study; up to \$5,000 will be sought through an application to the Community Development Corporation, while the matching dollars will be an ask to the EDF.

The consultation process will look to identify:

- the potential for uptake of this service within the community;
- the most appropriate size and scope of such an incubator;
- the recommended best location(s) for the project;
- the most appropriate model to be utilized;
- the funding model to incorporate, with identified sources.

While Enterprise Centre could do such a study in house, the drain on existing resources would be too great, and other services to the community would suffer as a result. Also, a third party consultant would have the most objective perspective moving forward, which could be integral when looking at funding options for such a project. With this in mind, a majority of the costs

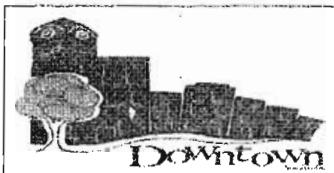
6 (8)(b)

will be able to be defrayed with ECSSM providing information and staff assistance throughout the process to whom-ever the chosen consultant may be.

I feel that this project, with the already identified partner support and Community interest, is definitely worth further study as to the total costs and structure that would potentially best work within Sault Ste. Marie. This project could have a lasting supportive impact on the business community for many years to come, and significantly add to the solid foundation of small business support within the community.

Andrew Ross  
General Manager, Enterprise Centre Sault Ste. Marie  
759.5461

6(8)(b)



## downtown association

Sault Ste Marie, Ontario

July 12, 2010

Andrew Ross  
General Manager  
Enterprise Centre  
99 Foster Drive, Level 3  
Sault Ste. Marie, ON P6A 5X6

Re: Small Business Incubator Project

Dear Mr. Ross:

On behalf of the Downtown Association membership, I am writing this letter in support of the Small Business Incubator Project and its potential location in the Downtown.

The Downtown is home to many small and medium-sized businesses; currently there are 271 retail shops and services. Many of these businesses have chosen to locate in the downtown for reasons as varied as the shops themselves; space, size, location, history, ambience, economics, etc.

One of our main roles at the Downtown Association is to promote the Downtown as a great, economically-viable place to operate a business. We promote the area and area businesses using a range of media including award-winning publications (e.g., *Downtown News* and *Downtown Times*), our website ([www.saultdowntown.com](http://www.saultdowntown.com)) and most recently, our Facebook page.

The combination of these factors makes the Downtown a solid choice for the location of the Small Business Incubator Project; the size and type of businesses served by the project would fit well with the businesses currently in the area and the Downtown Association makes every effort to promote area businesses, an extra boost for those starting out.

It is our understanding that the Small Business Incubator Project would be able to offer local potential small business owners and entrepreneurs a number of valuable services including support and guidance as well as the offer of space and equipment at reduced rates (for a limited time). We

6(8)6

believe this assistance would be very beneficial for those starting out especially in these uncertain economic times as they would not only be able to take advantage of solid business and marketing advice but also have the opportunity to test these tips and strategies in actual business settings.

The Sault Ste. Marie Innovation Center, a Business Incubator Organization, has been very helpful to entrepreneurs specializing in science, technology and gaming. We believe our community would also support a center that offers assistance to those in other sectors such as retail and services.

A feasibility study is a positive step in determining the potential for such an initiative as well as solidifying additional criteria including size and location. Once again, the Downtown Association is in support of this initiative. Do not hesitate to contact us should you require additional information. Best of luck!

Sincerely,

  
Anna Boychoski,  
Manager  
Downtown Association

cc. Bill Watts, Chair, Downtown Association

6 (8)(b)



Sault Ste. Marie  
**INNOVATION**  
CENTRE

RECEIVED

JUL 12 2010

SAULT STE. MARIE  
ECONOMIC DEVELOPMENT CORPORATION

July 9, 2010

Andrew Ross  
General Manager, ECSSM  
Sault Ste. Marie Economic Development Corporation  
99 Foster Drive, Level Three  
Sault Ste. Marie, Ontario  
P6A 5X6

Dear Andrew:

The Sault Ste. Marie Innovation Centre is sending this letter in support of proceeding with a feasibility plan for a Small Business Incubator project.

The Sault Ste. Marie Innovation Centre was founded in 1999 and serves as a catalyst for growth in the IT, science and knowledge based sectors in the Algoma District. We are a member of the National Business Incubation Association and are supportive of building an entrepreneurial culture in Sault Ste. Marie. Incubators are a valuable tool to support entrepreneurs and help establish new businesses. The focus of our incubator is on science and technology start-ups, in this regard, we would be happy to share successes and lessons learned from our experience. There is also a wealth of information that the NBIA and others can provide to assist in these efforts.

As you know, there are many types of Incubators worldwide (retail, office, kitchen, etc.) and each has its own unique requirements in order to help start-ups succeed; therefore it is important to carefully examine the need/demand in the community to determine feasibility. The Innovation Centre would be in support of conducting a thorough study to determine the viability of the Small Business Incubator project and would be happy to assist in the process. We look forward to working with you in the future!

Yours truly,

Tom Vair  
Executive Director

TV/aw

6 (8)(b)



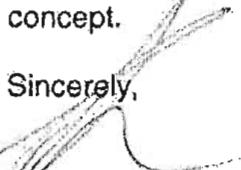
July 13, 2010

To Whom It May Concern:

The Sault Ste. Marie Chamber of Commerce Executive Committee is in support of the concept of a Small Business Incubator. We agree with the Enterprise Centre's recommendation to hire a professional to conduct a feasibility study to gather more information to help determine whether a Small Business Incubator concept might be viable for Sault Ste. Marie.

Should the recommendation from City Council be to proceed with the feasibility study and once the feasibility study is complete we would be interested in having access to the study to determine whether we would support going further with the concept.

Sincerely,



Cale Krezek

2009-2010 President

***Sault Ste. Marie Chamber of Commerce***

CK/sb

7(s)

## Ozzie Grandinetti

**From:** Lisa Pearson [LPearson@barrie.ca]  
**Sent:** May-26-10 10:12 AM  
**To:** City Info; Ozzie Grandinetti  
**Subject:** RE: Poppies on street signs

Hi Mr. Grandinetti.

Thank-you for your inquiry regarding poppies on our street signs. This was an initiative of our City Council back in 2002. The following motion approved the program, a by-law was not required.

### 02-G-581 STREET SIGNS COMMEMORATING WAR VETERANS

1. That staff from the Engineering Department implement a program to place, as soon as possible, a Poppy on all existing Street signs on streets named for residents of the Barrie area who gave their lives in defence of their country as described on the Barrie cenotaph in Memorial Square to signify the distinction.
2. That the City's Street naming policy be amended to specify that all future streets named for residents of the Barrie area who gave their lives in defence of their country as described on the Barrie cenotaph in Memorial Square be required to have street signs decorated with a Poppy to signify the distinction. (File: T00)

The cost to produce the poppies is very minimal as they are a stick on decal.

I hope this information is useful. Please let me know if you have further questions.

Thank-you and have a nice day.

Lisa Pearson, B.A.  
Supervisor, Vital Statistics, Corporate Mail and Print Services  
ext. 4367

Please consider the environment before printing this email

**From:** City Info  
**Sent:** Wednesday, May 26, 2010 9:46 AM  
**To:** 'Ozzie Grandinetti'  
**Cc:** Lisa Pearson  
**Subject:** RE: Poppies on street signs

Thank you for visiting the City of Barrie Web Site.

We have forwarded your email to the City Clerk's Office for response.

Cityinfo  
City of Barrie  
Central Ontario's Premier Waterfront Community

City of Barrie  
70 Collier Street P.O. Box 400  
Barrie ON L4M 4T5

7(g)

Please consider the environment before printing this email.

**From:** Ozzie Grandinetti [mailto:[ograndinetti@shaw.ca](mailto:ograndinetti@shaw.ca)]  
**Sent:** May 25, 2010 9:00 PM  
**To:** City Info  
**Subject:** Poppies on street signs

My Name is Ozzie Grandinetti, I am a City Councillor in Sault Ste. Marie. It was brought to my attention that the City of Barrie has poppies on the street signs that are named after veterans. The City of Sault Ste. Marie is entertaining this idea.

Would you be able to provide me with some information on this? Did your City Council pass a by-law to start this initiative? Are there any cost associated?

Any information you could provide me would be appreciated.

Thank you

Ozzie Grandinetti  
City Councillor  
City of Sault Ste. Marie  
705-949-7198  
[ograndinetti@cityssm.on.ca](mailto:ograndinetti@cityssm.on.ca)



# THE ROYAL CANADIAN LEGION BRANCH 25

7(g)

P.O. BOX 22040 – SAULT STE. MARIE, ON – P6B 6H4  
OFFICE: (705) 945-8721 ~ Lounge (705) 256-6921  
FAX (705) 945-6372

June 23, 2010

Dear Councilor Grandinetti,

Further to our phone conversation concerning the placing of the Poppy symbol on city street signs bearing the names of our fallen Sault Ste. Marie soldiers. Branch 25 Royal Canadian Legion and its membership fully endorse the initiative by City Council. The citizens of Sault Ste. Marie owe a debt of gratitude to these brave individuals and the act of placing the Poppy on those street signs would be a fitting tribute to them.

Should you require anything else from Branch 25 please do not hesitate contacting us at the address or phone number above!

Sincerely,

Robert Gardner

President Branch 25

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-128

AGREEMENTS: (E.3.4.) A by-law to authorize a contract between the City and R.M. Belanger Limited for the installation of approximately 98 metres of 900mm dia. Storm Sewer Casing by trenchless method. (Contract 2010-7E).

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

1. EXECUTION OF DOCUMENTS

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" hereto dated the 19<sup>th</sup> day of July, 2010 and made between the City and R. M. Belanger Limited for the installation of approximately 98 metres of 900mm dia. Storm Sewer Casing by trenchless method. (Contract 2010-7E).

2. SCHEDULE "A"

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

3. EFFECTIVE DATE

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

PASSED in open Council this 19<sup>th</sup> day of July, 2010.

MAYOR ~ JOHN ROWSWELL

CITY CLERK ~ MALCOLM WHITE

CF \Bylaws\2010\ 2010-128 Contract 2010-7E.doc

**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**

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

**CONTRACT 2010-7E**

**FORM OF AGREEMENT**

This Agreement made (in triplicate) this 19th day of July in the year 2010 by and between  
**R. M. Belanger Ltd.** hereinafter called the "Contractor"

**AND**

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

**WITNESSETH:** That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

**NORTH STREET RAVINE STORM CULVERT REPLACEMENT**

**CONTRACT 2010-7E**

which have been signed in triplicate by both parties and which were prepared under the supervision of Jerry D. Dolcetti, RPP, Commissioner of Engineering & Planning, acting as and herein entitled, the Engineer.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.
3. The Contractor will complete all the work to the entire satisfaction of the Engineer within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

*10(a)*

7. All communications in writing between the Corporation, the Contractor and the Consultant shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile addressed as follows:

**THE CORPORATION:** The Corporation of the City of Sault Ste. Marie  
P.O. Box 580  
99 Foster Drive  
Sault Ste. Marie, Ontario  
P6A 5N1

**THE CONTRACTOR:** R.M. Belanger Limited  
100 Radisson Avenue  
Chelmsford, Ontario  
P0M 1L0

**THE CONSULTANT:** STEM Engineering Group  
875 Queen Street East, Suite 2  
Sault Ste. Marie, Ontario  
P6A 2B3

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

Signed, Sealed and Delivered  
in the presence of

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

---

MAYOR - JOHN ROWSWELL

(seal)

---

CITY CLERK - MALCOLM WHITE

**THE CONTRACTOR**

**R.M. BELANGER LIMITED**

(seal)

---

SIGNATURE

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-134

**AGREEMENTS:** (E.3.4.) A by-law to authorize a contract between the City and Harold Phillips Haulage for the removal and replacement of portions of the Aqueducts at Young Street and Alexandra Street. (Contract 2010-8E).

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

1. **EXECUTION OF DOCUMENTS**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" hereto dated the 19<sup>th</sup> day of July, 2010 and made between the City and Harold Phillips Haulage for the removal and replacement of portions of the Aqueducts at Young Street and Alexandra Street (Contract 2010-8E).

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 19<sup>th</sup> day of July, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

**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 format the DRAFT copy.

CITY SOLICITOR

10(b)

Schedule A

CORPORATION OF THE CITY OF SAULT STE. MARIE  
CONTRACT 2010-8E  
FORM OF AGREEMENT

This Agreement made (in triplicate) this 19th day of July in the year 2010 by and between  
**Harold Phillips Haulage** hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

**Aqueduct Repairs at Alexandra Street and Young Street Including White Oak Drive**

CONTRACT 2010-8E

which have been signed in triplicate by both parties and which were prepared under the supervision of Jerry D. Dolcetti, RPP, Commissioner of Engineering & Planning, acting as and herein entitled, the Engineer.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings including **Addenda #1, #2 and #3**.
3. The Contractor will complete all the work to the entire satisfaction of the Engineer within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

10(b)

7. All communications in writing between the Corporation, the Contractor and the Consultant shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile addressed as follows:

**THE CORPORATION:** The Corporation of the City of Sault Ste. Marie  
P.O. Box 580  
99 Foster Drive  
Sault Ste. Marie, Ontario  
P6A 5N1

**THE CONTRACTOR:** Harold Phillips Haulage  
565 Second Line East  
Sault Ste. Marie, Ontario

**THE CONSULTANT:** STEM Engineering Group  
875 Queen Street East, Suite 2  
Sault Ste. Marie, Ontario  
P6A 2B3

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

Signed, Sealed and Delivered  
in the presence of

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

---

MAYOR - JOHN ROWSWELL

(seal)

---

CITY CLERK - MALCOLM WHITE

**THE CONTRACTOR**

**HAROLD PHILLIPS HAULAGE**

(seal)

---

SIGNATURE

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-127

**APPOINTMENTS:** (L.5.5.2) A by-law to appoint municipal by-law enforcement officers and provincial offences officers to enforce City animal control by-laws.

WHEREAS the City has an existing agreement with the Sault Ste. Marie Humane Society for the enforcement of animal control by-laws;

AND WHEREAS the effective enforcement of the said by-laws and statute requires the appointment of municipal by-law enforcement officers and provincial offences officers;

NOW THEREFORE The Corporation of the City of Sault Ste. Marie pursuant to the Police Services Act, s. 15(1), and amendments thereto, ENACTS as follows:

**1. MUNICIPAL BY-LAW ENFORCEMENT OFFICERS AND PROVINCIAL OFFENCES OFFICERS**

The following persons are appointed as municipal by-law enforcement officers and provincial offences officers for the purpose of enforcing animal control by-laws for The Corporation of the City of Sault Ste. Marie:

Kimberly Leclair  
Wendy Corbett  
Natalie Lepage.

**2. EFFECTIVE DATE**

This by-law is effective on the date of its passing.

PASSED in Open Council this 19<sup>th</sup> day of July, 2010.

---

MAYOR - JOHN ROWSWELL

---

CITY CLERK – MALCOLM WHITE

DH By-laws\2010\2010-127 Humane Society officers.doc

**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(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-131

**ELECTIONS** (E.2.1.): being a by-law to provide for advance votes to be held prior to voting day.

**WHEREAS** Section 43.(1) of the Municipal Elections Act, S.O. 1996 provides that a municipal council shall pass a by-law establishing one or more dates for an advance vote, and the hours during which voting places shall be open on that date or dates;

**NOW THEREFORE** the Council of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. **ADVANCE VOTES**

Advance votes shall be held on the following dates and times at the Civic Centre in the Russ Ramsay Board Room:

Saturday, October 9, 2010 between the hours of 10:00 a.m. and 6:00 p.m.;

Wednesday, October 13, 2010 between the hours of 10:00 a.m. and 8:00 p.m.; and

Saturday, October 16, 2010 between the hours of 10:00 a.m. and 6:00 p.m.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 19<sup>th</sup> day of July, 2010.

MAYOR - JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

DH Bylaws\2010\2010-131 Elections-Advance

**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(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-129

**LANE ASSUMPTION:** a by-law to assume for public use and establish as a public lane, a lane in the Markretta "B" Subdivision, Plan 52553 (P.2010-4)

THE Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANES ESTABLISHED AND ASSUMED**

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as a public lane, the lane more particularly described on Schedule "A" to this by-law.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

The by-law takes effect on the day of its final passing.

PASSED in open Council this 19th day of July, 2010.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK - MALCOLM WHITE

da/by-laws/by-laws2010/ 2010-129 lane assump Markretta "B" Sub

**NOTICE**

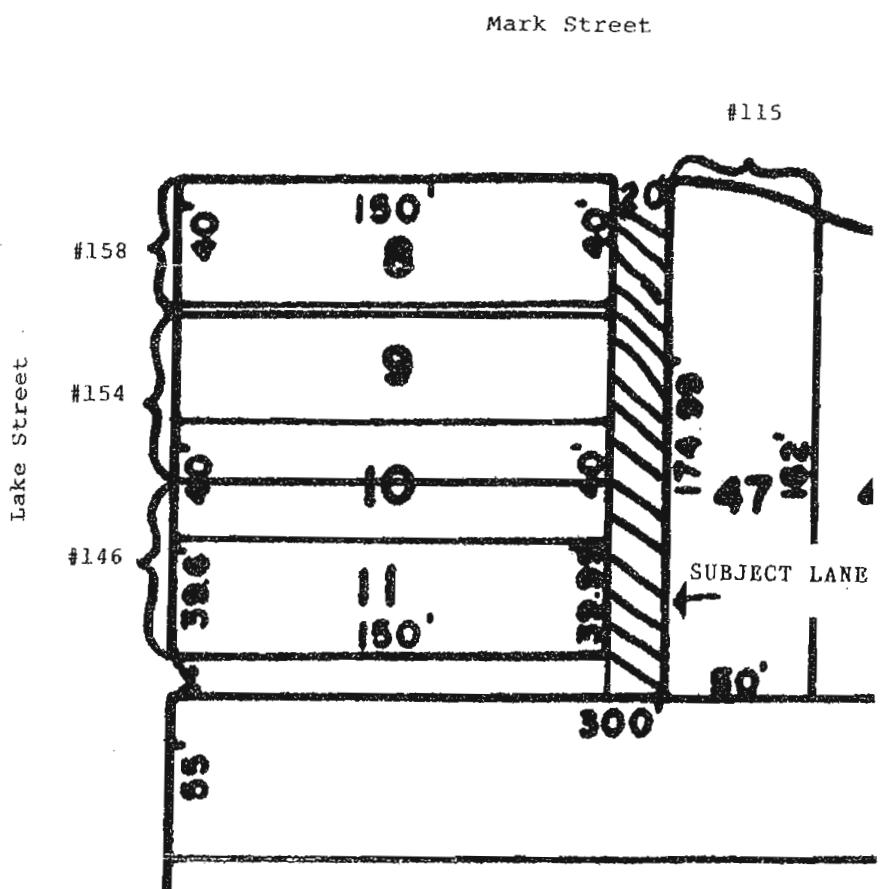
THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all **AND** if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(e)

SCHEDULE "A"  
TO BY-LAWS 2010-129 AND 2010-130

The first 20' lane lying south of Mark Street and east of Lake Street, Markretta  
"B" Subdivision, Plan 52553



10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-132

LANE ASSUMPTION: a by-law to assume for public use and establish as a public lane, a lane in the Eldridge Block "C" Subdivision, Plan 1043 (P. 2010-2)

THE Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. LANES ESTABLISHED AND ASSUMED

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as a public lane, the lane more particularly described on Schedule "A" to this by-law.

2. SCHEDULE "A"

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

3. EFFECTIVE DATE

The by-law takes effect on the day of its final passing.

PASSED in open Council this 19th day of July, 2010.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK - MALCOLM WHITE

da/by-laws/by-laws2010/ 2010-132 lane assump Eldridge C Sub

**NOTICE**

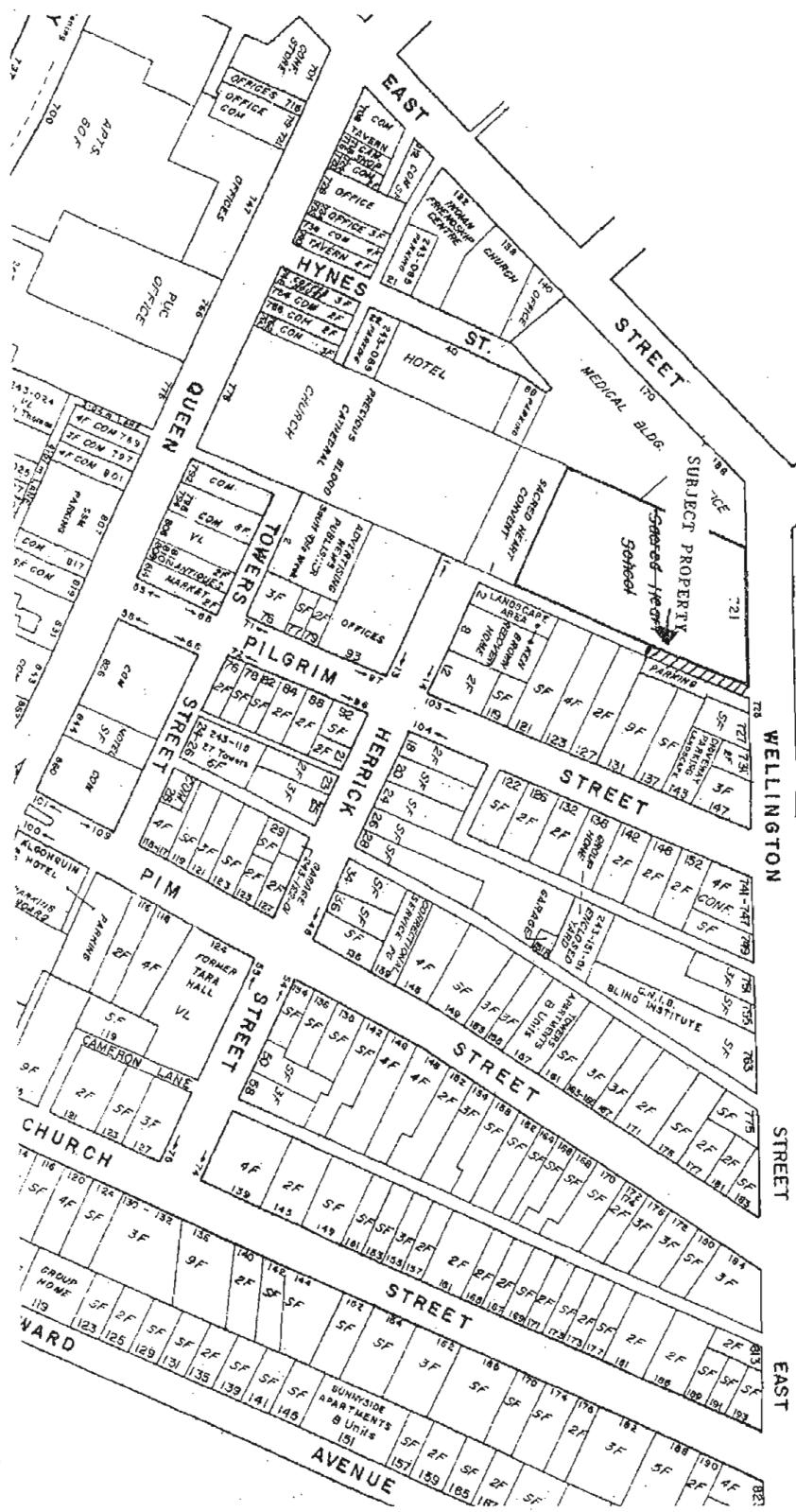
THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(f)

SCHEDULE "A"

The first 161.14 feet lane south of Wellington Street East, lying east of East Street and west of Pilgrim Street, Eldridge Block "C" Subdivision, Plan 1043 to the rear of civic addresses 131-147 Pilgrim Street.



10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-138

**LANE ASSUMPTION:** a by-law to assume for public use and establish as a public lane, a lane in the Hime-Chitty Subdivision Plan 18954 (P.2010-1)

THE Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANES ESTABLISHED AND ASSUMED**

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as a public lane, the lane more particularly described on Schedule "A" to this by-law.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

The by-law takes effect on the day of its final passing.

PASSED in open Council this 19th day of July, 2010.

---

MAYOR – JOHN ROWSWELL

---

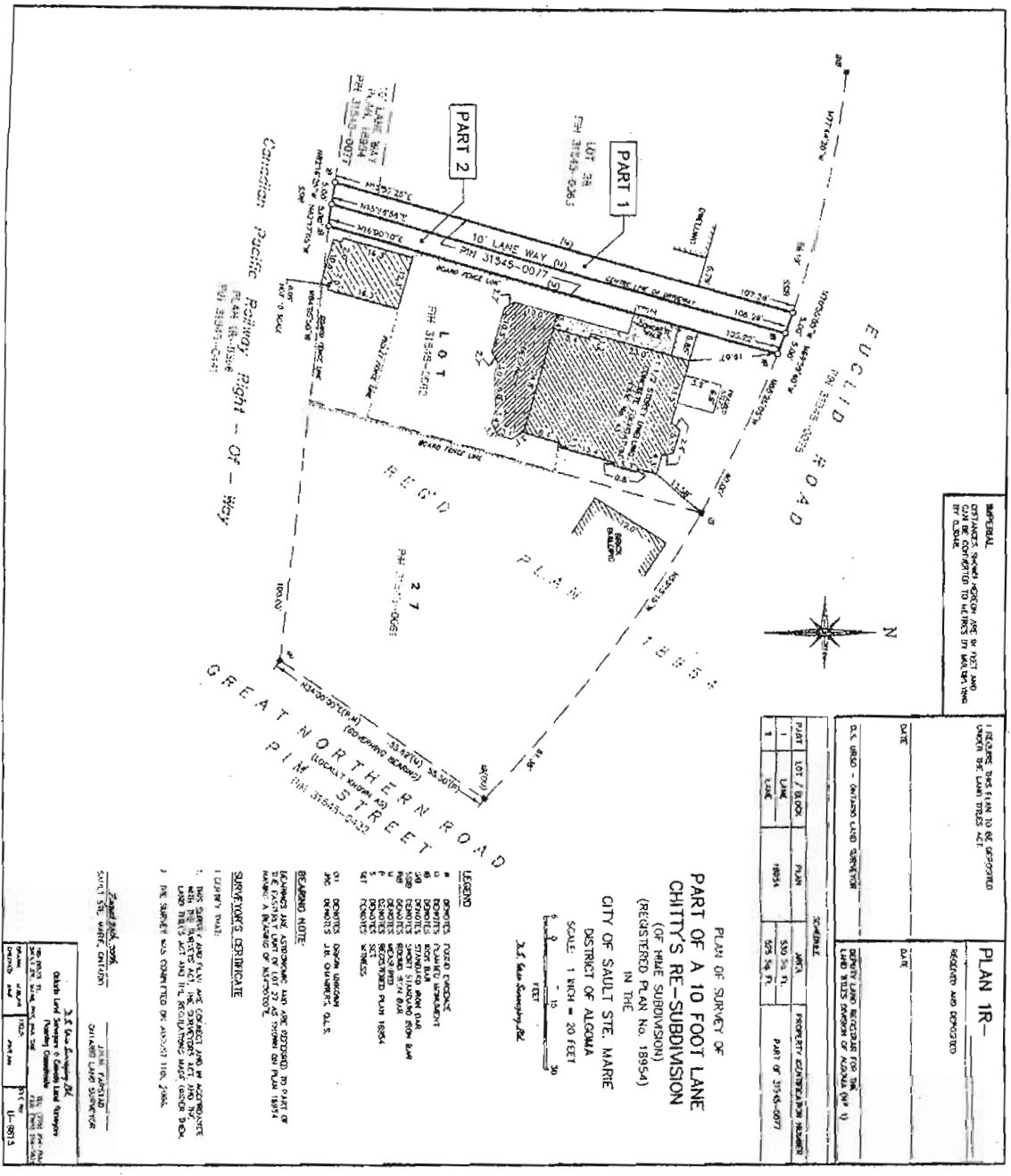
CITY CLERK - MALCOLM WHITE

da/by-laws/by-laws2010/ 2010-138 lane assump Hime Chitty Sub

10(g)

SCHEDULE "A"  
TO BY-LAW 2010-138 AND BY-LAW 2010-139

The lane shown as parts 1 and 2 on the draft plan prepared by D. S. Urso Surveying Ltd. dated August 24, 2006 (File U-9615) in the Chitty's Re-Subdivision (Hime Subdivision), Plan 18954



10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-126

**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.

**PASSED** in open Council this 19th day of July, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

bb Bylaws\2010\2010-121 Parking Officers – Private lots

**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

## SCHEDULE "A"

## Schedule "A"

10(h)

<u>BADGE NO.</u>	<u>SPECIAL CONSTABLE</u>	<u>EMPLOYER</u>	<u>PROPERTY LOCATION</u>
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 49/STATION TOWER
35	ORR,DEREK	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
37	MILLER,STEVE	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
59	BARONE,MARCELO	ALGOMA UNIVERSITY	1520 QUEEN ST E
105	SEBECIC,JOHN,LUDVIC	DENTAL BUILDING	946 & 216 QUEEN ST E.
113	TAYLOR,GARY	ALGOMA UNIVERSITY	1520 QUEEN ST E
115	LEE,RICHARD,JOHN	ALGOMA UNIVERSITY	1520 QUEEN ST E
138	CAIN,JOSEPH	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK
151	PARR,DEREK,RAYMOND	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
153	TASSONE,VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACCO,PHILIP,CARMEN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
178	D'AGOSTINI,ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST
186	HARMAN,JASON	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
191	BROWN,STEVEN,GEORGE	SEP SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
195	SEABROOK,LAURA LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
240	MASON,STEPHEN	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
241	COGHILL,ROBIN	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
248	CHAN,GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST / 129 SECOND LINE W
249	CHO,LINDA	DR. RAYMOND CHO	71 & 131 EAST ST / 129 SECOND LINE W
253	TRAVSOH,TERRANCE(TERRY)	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA
274	DAVIDSON,JAMES	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
276	SMITH,DENNIS,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
297	SWIRE,WILLIAM,JAMES	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
299	DIMMA,WILLIAM,GEORGE	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
314	AASEN,PAULINE	UNIT PARK	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
321	LORENZO,COREY	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
334	MILLER,BRAD	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREAS
335	GROSSO,DONALD	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
342	PICK,DENNY	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
343	CHILLMAN,JODI	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
344	HARPE,KENNEITH	DAYS INN	DAYS INN HOTEL
345	SETCHELL,RODDY	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
346	HAZELTON,MARGARET	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK
354	STEEVES,ROBERT	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
366	TROILOV,VICTORIA	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
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	RISSANEN,ANJA	ON.FINNISH HOME ASS.	FINNISH REST HOME
374	TAVEL,ANDRE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREAS
376	FINN,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
377	BADGERO,PAUL	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
378	MANGONE,MATTHEW	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
380	MARIN,MARTY	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
381	BOREAN,RICK	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK
385	LOUBERT,JACOB	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
389	SANDIE,KEVIN	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
391	MCLEOD,HEIDI	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
392	MEINCKI,KENNETH	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
395	KELLY,PATRICK	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
396	THOMAS,RANDELL	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
397	LAFRAMBOISE,YVON	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
400	JOHNSON,MICHAEL	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
404	HUDSON,BRIAN	CORPS OF COMM	22 BAY ST.(FEDERAL BUILDING )
405	MATCHETT,CASEY	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
406	LEBLANC,SERGE	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
409	MOAR,ALEXANDRA	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
410	POYNER,HAROLD	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
411	MOORE,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
412	MEINCKI,EMILY	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
413	HILL,MICHAEL	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
415	RAYMO,ADAM	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
420	FABIANO,ANTONIO	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
421	DUNN,PATRICK	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
422	BENNETT,JEFF	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
423	VANDERKLIFT,DYLAN	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
425	ELLIS,MARTY	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
426	DIMMA,JUSTIN	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
428	DIAS,JASON	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
429	STEWARD,MARK	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
430	RUSCIO,DOMINIC	MAJOR CONST.	TRAVELOGUE
431	DICKSON,SHANE	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
433	MAJOR,ROBERT	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
435	TRUMBLE,GEORGE	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
436	COUTURIERE,NATASHA	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
438	GRASLEY,JOSEPH	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
439	LAMBERT,JOSEPH	UNIT PARK	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
440	HAMMERSTEDT,ERIC	NORTH EAST SECURITY	ALGOMA UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA
441	WILSON,DAVID	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
442	MACLENNAN,MATTHEW	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER

10(h)

444	MARSHALL,JONATHAN	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
448	HALLIDAY,DANA	SAULT COLLEGE	SAULT COLLEGE
447	FRIGAULT,JESSE	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
449	ARCHIBALD,THOMAS	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
450	CHAPMAN,DANIEL	NORPRO SECURITY	REGENT PROPERTY/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER

10(1)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-137

**REGULATIONS:** (R.1.2.6.) A by-law to exempt the Tall Ships event sponsored by the Ermatinger-Clergue National Historic Site from By-law 2008-168 being a by-law to prohibit the discharge of firearms in the municipality.

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

1. **BY-LAW 2008-168--EXEMPTION**

Despite the provisions of By-law 2008-168, participants in the Tall Ships event sponsored by the Ermatinger-Clergue National Historic Site at the Roberta Bondar dock and park site on July 21<sup>st</sup> and 22<sup>nd</sup>, 2010 may discharge historic firearms and canons as follows:

- (a) the ships HMS Bounty and the Pride of Baltimore II may discharge their canons; and
- (b) Coureur du Bois II and other special event re-enactors may discharge historic firearms.

2. **EFFECTIVE DATE**

This by-law comes into effect on the day of its final passing.

PASSED in Open Council this 19th day of July, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

DH By-laws\2010\2010-137 Tall Ships firearms exemption

**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(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-135

**TEMPORARY STREET CLOSING:** (S.2.) A by-law to authorize the temporary closing of Alexandra Street (30m east of John Street) and Central Street/Young Street intersection from July 20, 2010 until October 31, 2010.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY CLOSING OF ALEXANDRA STREET AND CENTRAL STREET/YOUNG STREET INTERSECTION**

The Council of The Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of Alexandra Street (30m east of John Street) and Central Street/Young Street intersection from July 20, 2010 to October 31, 2010.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 19th day of July, 2010.

---

MAYOR – JOHN ROWSWELL

---

CLERK – MALCOLM WHITE

CF BYLAWS\2010\2010-135 – TEMP ST CLOSING – ALEXANDRA

**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(k)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-140

**TEMPORARY STREET CLOSING:** (S.2.) A by-law to permit the temporary street closing of Bishop's Court from 100 Bishop's Court to 144 Bishop's Court on August 14, 2010 to facilitate first Annual Block Party.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY STREET CLOSING OF BISHOP'S COURT**

Council hereby authorizes the closing to vehicular traffic of Bishop's Court from 100 Bishop's Court to 144 Bishop's Court on August 14, 2010 from 3:00 p.m. to 10:00 p.m. to facilitate the first Annual Block Party.

2. **EFFECTIVE DATE**

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

PASSED in Open Council this 19<sup>th</sup> day of July, 2010.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK – MALCOLM WHITE

CF Bylaws\2010\2010-140 Temp. St. Closing Bishop Crt Block party

**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(1)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-124

**TRAFFIC:** (T.2.1.) A by-law to amend Schedule "Z" of Traffic By-law 77-200 regarding Biggins Avenue.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions Section 10 of the Municipal Act, 2001, S.O., 2001 c.25 and amendments thereto, ENACTS as follows:

1. **SCHEDULE "Z" OF BY-LAW 77-200 AMENDED**

Schedule Z of Traffic By-law 77-200 is amended by adding thereto the following:

<u>NO</u>	<u>STREET</u>	<u>BETWEEN</u>	<u>MAXIMUM SPEED</u>
8.	Biggins	Wellington Street East and Queen Street."	40 km/hr

2. **EFFECTIVE DATE**

This by-law is effective from the day of its final passing.

PASSED in open Council this 19<sup>th</sup> day of July, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

/staff/on/trafficby-laws/2010-124(T.2.1.)

**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(m)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2010-139

**LANE CLOSING:** a by-law to stop up, close and authorize the conveyance of a lane in the Hime-Chitty Subdivision, Plan 18954 (P. 2010-1)

**WHEREAS** the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2010-138;

**NOW THEREFORE** the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

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 give effect to this by-law.

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time this 19<sup>th</sup> day of July, 2010.

**NOTICE**

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.  
CITY SOLICITOR

**MAYOR - JOHN ROWSWELL**

**CITY CLERK - MALCOLM WHITE**

10(m)

READ a THIRD time and finally PASSED in open Council this      day of  
2010, after notice thereof had been published once a week for two consecutive  
weeks and after the Council had met to hear every person who had applied to be  
heard.

---

MAYOR – JOHN ROWSWELL

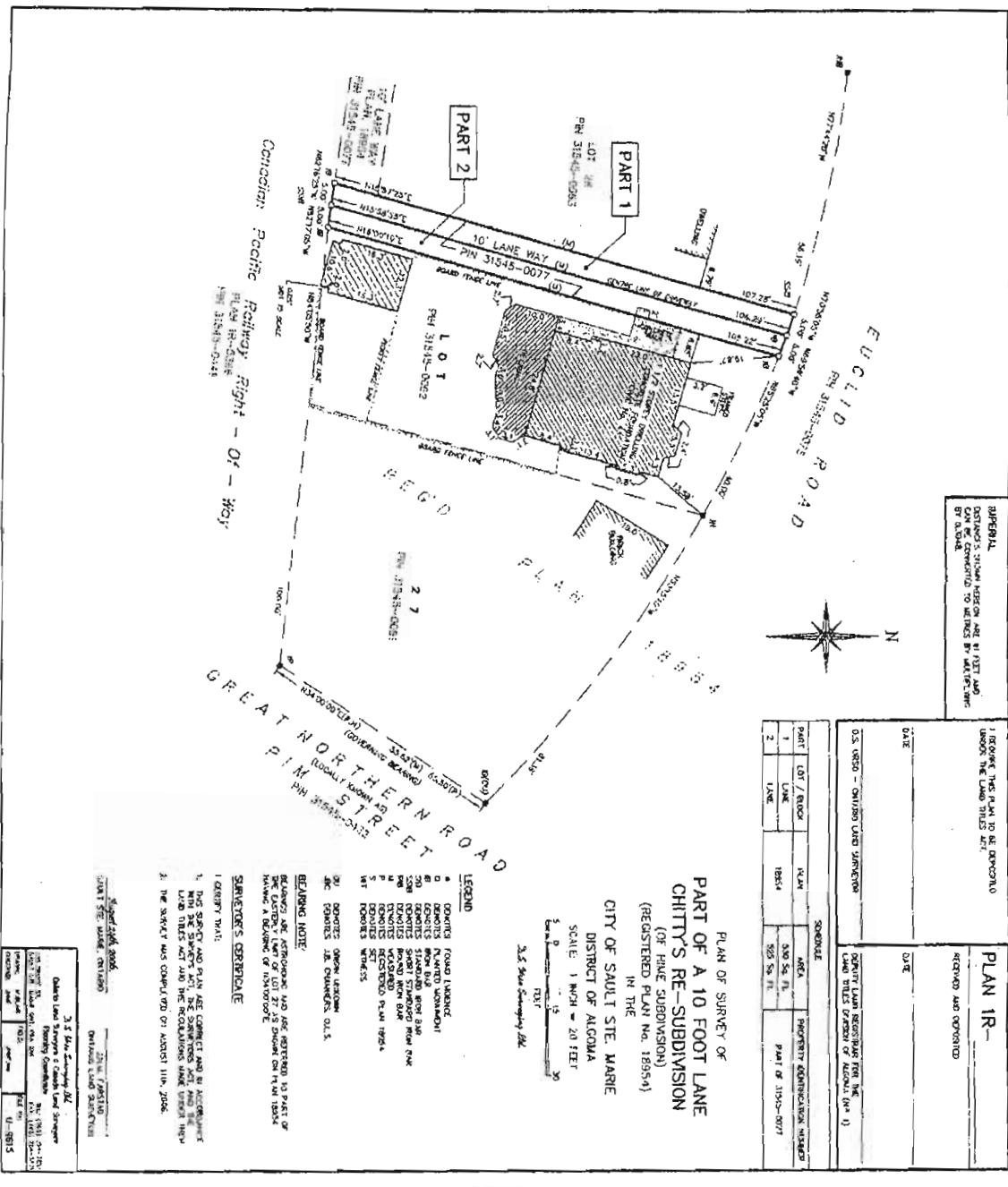
---

CITY CLERK - MALCOLM WHITE

10(m)

SCHEDULE "A"

The lane shown as parts 1 and 2 on the draft plan prepared by D. S. Urso Surveying Ltd. dated August 24, 2006 (File U-9615) in the Chitty's Re-Subdivision (Hime Subdivision), Plan 18954.



10(n)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2010-130

**LANE CLOSING:** a by-law to stop up, close and authorize the conveyance of a lane in the Markretta "B" Subdivision, Plan 52553 (P.2010-4)

**WHEREAS** the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2010-129;

**NOW THEREFORE** the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

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 give effect to this by-law.

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time this 19<sup>th</sup> day of July, 2010.

**NOTICE**

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CITY CLERK - MALCOLM WHITE

10(n)

da/by-laws/2010 by-laws/2010-130 Lane Closing Markretta B Sub

READ a THIRD time and finally PASSED in open Council this \_\_\_\_\_ day of 2010, after notice thereof had been published once a week for two consecutive weeks and after the Council had met to hear every person who had applied to be heard.

---

**MAYOR – JOHN ROWSWELL**

---

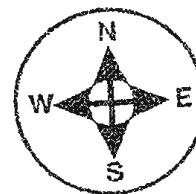
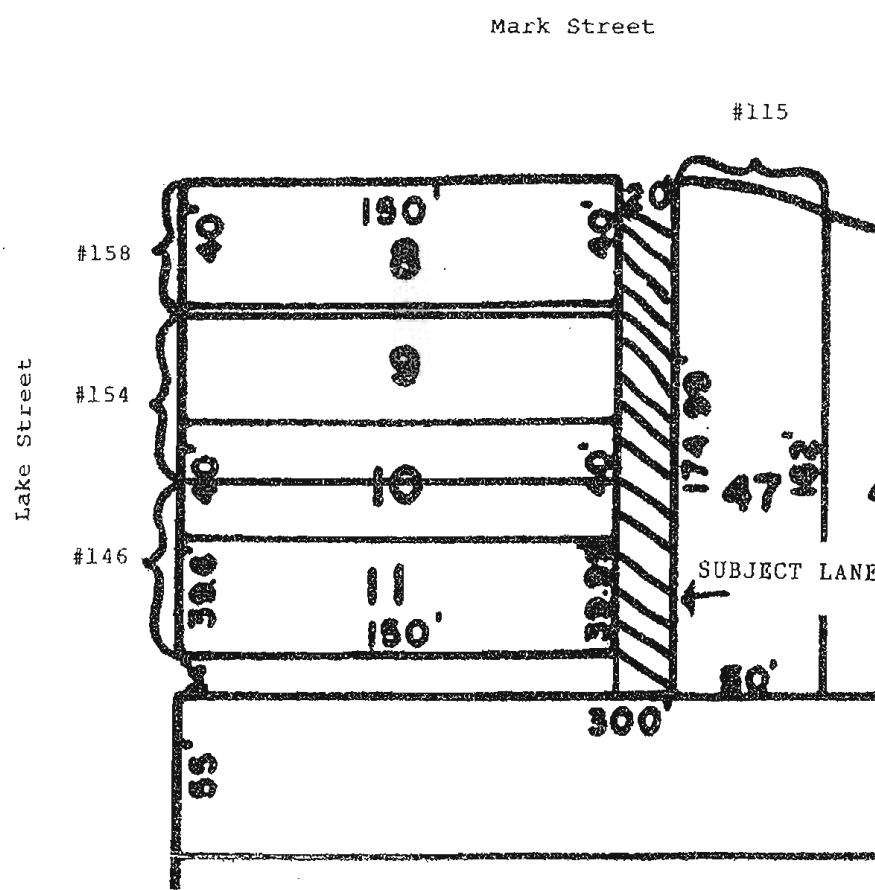
**CITY CLERK - MALCOLM WHITE**

da/by-laws/2010 by-laws/2010-130 Lane Closing Markretta B Sub

10(n)

SCHEDULE "A"  
TO BY-LAWS 2010-129 AND 2010-130

The first 20' lane lying south of Mark Street and east of Lake Street, Markretta  
"B" Subdivision, Plan 52553



Markretta "B" Subdivision  
Plan 52552  
Map 3

10(0)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE  
BY-LAW NO 2010-133

**LANE CLOSING:** a by-law to stop up, close and authorize the conveyance of a lane in the Eldridge Block "C" Subdivision, Plan 1043 (P.2010-2 )

**WHEREAS** the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2010-132;

**NOW THEREFORE** the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

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 give effect to this by-law.

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

READ the **FIRST** and **SECOND** time this 19<sup>th</sup> day of July, 2010.

---

MAYOR – JOHN ROWSWELL

**NOTICE**

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

---

CITY CLERK - MALCOLM WHITE

10(0)

da/by-laws/2010 by-laws/2010-133 Lane Closing Eldridge Block "C" Sub

READ a THIRD time and finally PASSED in open Council this      day of  
2010, after notice thereof had been published once a week for two consecutive  
weeks and after the Council had met to hear every person who had applied to be  
heard.

---

MAYOR – JOHN ROWSWELL

---

CITY CLERK - MALCOLM WHITE

da/by-laws/2010 by-laws/2010-133 Lane Closing Eldridge Block "C" Sub

10(0)

SCHEDULE "A"  
TO BY-LAW 2010-132 AND BY-LAW 2010-133

The first 161.14 feet lane south of Wellington Street East, lying east of East Street and west of Pilgrim Street, Eldridge Block "C" Subdivision, Plan 1043 to the rear of civic addresses 131-147 Pilgrim Street.

