

**ADDENDUM**

**REGULAR MEETING OF CITY COUNCIL**

**2010 04 26**

**4:30 P.M.**

**PART ONE – CONSENT AGENDA**

**3. APPROVE ADDENDUM AS PRESENTED**

Mover - Councillor L. Turco  
Seconder - Councillor B. Hayes

Resolved that the Addendum for the 2010 04 26 City Council meeting as presented be approved.

**4. DELEGATIONS/PROCLAMATIONS**

- (k) Ken Coulter will be in attendance concerning agenda item 7. (b).

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

- (w) A letter from Denise Savoie, MP (NDP) concerning Federal legislation for transit and other green commuter choices is attached for the information of Council.

- (x) A letter requesting permission for a private property liquor license extension is attached for the consideration of Council.

Mover - Councillor L. Tridico  
Seconder - Councillor B. Hayes

Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written request for a liquor license extension on private property for an outdoor event on the following stated dates and times:

Docks Riverfront Grill

89 Foster Drive

July 1, July 4 and August 28, 2010 from 12:00 noon to 2:00 a.m.

August 29, 2010 from 12:00 noon to 11:00 p.m.

**(y) Elton John Ticket Sales**

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

Mover - Councillor L. Turco  
Seconder - Councillor B. Hayes

5. (y) Resolved that the report of the Commission of Community Services dated 2010 04 26, be accepted as information.

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

6. (6) **PLANNING**

- (a) Further correspondence is attached for the information of Council.  
(b) Further correspondence is attached for the information of Council.

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

- (c) Mover - Councillor J. Caicco  
Seconder - Councillor S. Butland

Whereas it has been over twenty years since the City of Sault Ste. Marie Sign By-law has been comprehensively reviewed and more than ten years since it was last amended; and

Whereas there continues to be many outstanding issues regarding billboards and portable signs and emerging issues with respect to new digital signage; and Whereas the existing By-law when written, did not anticipate the possible use of digital electronic technology for portable and permanent signage and therefore the control of such signage is questionable , at best;

Now Therefore Be It Resolved that the City's Planning Division be asked to report back to Council with recommendations on a Committee of Council reviewing the current By-law with a view to including the regulation of all types of signage throughout various locations of the City.

- (d) Mover - Councillor B. Hayes  
Seconder - Councillor

Whereas the Public Salary Disclosure Act commonly known as the Sunshine List became law in 1996; and

Whereas the Public Salary Disclosure Act requires organizations that receive public funding from the province of Ontario to disclose annually the names, positions, salaries and total taxable benefits of employees paid \$100,000 or more annually; and

Whereas since 1997 the annual rate of inflation has averaged 2.1%; and Whereas the value of \$100,000 in 1997 is closer to 131,000 in 2009 dollars;

Now Therefore Be It Resolved that the council of the City of Sault Ste. Marie request the Premier of the Province of Ontario to enact legislation to adjust the required salary disclosure level to approximately \$131,000 to account for the impact of inflation;

And Futhermore that this disclosure level be adjusted accordingly every 5 years.

RECEIVED  
CITY CLERK

APR 22 2010

NO.: 51648

DIST.:

April 14, 2010

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

**RE: Federal legislation for transit and other green commuter choices**

Dear Mayor Rowswell and Council,

Declining air quality and the threat of climate change demand creative ideas that encourage alternative commuting choices to the single-occupancy car.

We therefore write to ask for your support for Bill C-466, which would facilitate green commuter choices for Canadians by making employer-provided benefits for transit, carpooling and bicycle commuting tax-free at the federal level.

Across Canada, regional and municipal governments like yours are challenged to provide high-quality, accessible and affordable transit service to their residents within ever-tightening budgets. The annual choice between fare hikes, tax increases or operational deficits is not sustainable for the fiscal or social health of our communities.

Bill C-466 is a good first step toward alleviating this dilemma. In addition to increasing transit demand on individual and company-wide levels, it would assist long-term institutional planning for transit authorities by facilitating cost-effective bulk transit purchases by employers. The Bill is supported by the Canadian Urban Transit Association, which has advocated for this measure for over two decades.

Further, Bill C-466 incorporates other green commuter choices for the first time in Canadian history, in recognition of the exceptional efforts of Canadian cities to make sustainable transportation a priority in their municipal planning. Traffic congestion is increasingly recognized as a critical urban planning issue in need of cost-effective solutions, and the creation of viable, safe, user-friendly bicycle infrastructure requires increased demand and resources. Bill C-466 rewards green commuters and brings carpooling and bicycle commuting onto the radar of the federal government.

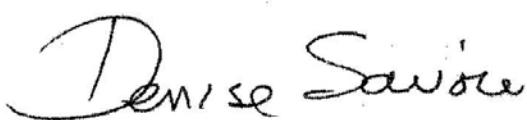
We recognize the gross fiscal imbalance between the federal government and Canadian cities that dates back to the downloading of social program costs during the 1990s. It is evidenced by today's cumulative \$238-billion municipal infrastructure deficit, and it is exacerbated by the continued requirement of cities to pay one third of shared project costs with only eight percent of national tax revenues. For that reason, the federal NDP remains committed to a national transit strategy and an increase in the municipal share of the gas tax.

5(w)

In the meantime, we respectfully ask for your written support of Bill C-466, addressed to the prime minister and copied to the Bill's sponsor, Denise Savoie, MP (Victoria). Any additional advocacy – in the media, to your residents, or in representations to your fellow municipal leaders and other levels of government – would be greatly appreciated. Please do not hesitate to contact Ms. Savoie's office at 613-996-2358 or [savoid@parl.gc.ca](mailto:savoid@parl.gc.ca) to discuss other avenues to express your support and contribute to our campaign to pass C-466 into law.

Thank you for your attention.

In solidarity,



Denise Savoie, MP  
Victoria



Jack Layton, MP, Leader  
New Democratic Party of Canada



Tony Martin, MP  
Sault Ste. Marie

5(x)

<b>RECEIVED</b>	
<b>CITY CLERK</b>	
MAR 26 2010	
NO.:	51633
DIST.:	Agenda

Docks Riverfront Grill  
 89 Foster Drive  
 Sault Ste. Marie, On  
 P6A 5x6

March 23, 2010

To Mayor Mr. Roswell and members of city council,

In accordance with the requirements of the Alcohol Gaming Commission of Ontario we at Docks have applied for a temporary extension of our LCBO license. The extension is for four special events during the summer months. In order for us to get required approval we are notifying you in advance and are hoping for your favorable consideration, as you have done for the last 9 years.

The events are: July 1, Canada Day... 12 noon till 2 am  
 : July 4, Independence Day... 12 noon till 2 am  
 Aug 28, Salmon Derby 12 noon till 2 am  
 Aug 29, Salmon Derby 12 noon till 11 pm

Your assistance is greatly appreciated to make these events a success. I'm asking if you could please send us a letter of non- objection.

Thanking you in advance,



Paul Smith  
 Owner/Operator



5(y)

April 26, 2010

Mayor John Rowswell  
and Members of City Council

### **ELTON JOHN CONCERT – TICKET SALES**

Elton John and The Band will be appearing at the Essar Centre on July 12, 2010. Tickets went on sale Friday, April 23, 2010 and it was sold out within minutes of going on sale – the fastest sell-out to date. This quick sale has created speculation on how tickets are allocated for sale for events at the Essar Centre.

It should be noted that the promoter was extremely pleased with how the process was conducted (see attached media release), the operation of the ticket sale procedures, and Essar Centre staff's coordination of the sales.

#### **Background**

Prior to the Essar Centre, only "hard" or printed tickets were sold and primarily at the Box Office. Occasionally secondary outlets were used. It was not uncommon for people to line-up for a day or two prior to the start of tickets going on sale, and then have to wait many hours, once the Box Office opened, before being able to purchase tickets.

With the construction of the new facility both promoters and the public wanted a computerized ticketing system that was capable of handling internet and phone sales as well as the traditional box office services.

The Essar Centre has a state-of-the-art ticketing system. New Era Ticketing is the provider of the ticketing system and supplies the software and hardware as well as the infrastructure to sell the tickets. The only exception is that the Essar Centre Box Office provides their own staff to sell tickets while using New Era's ticketing system.

#### **Elton John Concert – Ticket Sales**

Prior to the sale of tickets on April 23, 2010 there were numerous websites advertising tickets being available at inflated prices. This, coupled with the quick sell-out prompted people to speculate that tickets, and perhaps the majority of them, were reserved for other than public sale.

5ly

It is important to note that the City does not control the distribution/allocation of tickets; it lies with the promoter of the event. The City only rents the facility to the promoter. This arrangement with the promoter is the normal practice throughout the industry. The City would have a say in how tickets were distributed if they were either the promoter or co-promoter of the show. The City very seldom promotes or co-promotes events due to the high financial risk.

Approximately 4,500 tickets, including standing room, were available for the public sale on April 23<sup>rd</sup>. Any unreleased tickets are held by the promoter for their requirements.

### **How On-Line and Phone Order Ticket Sales Work**

The business of ticket selling is technical and complex. The information below is a simplified explanation of the process intended to assist in explaining it to Council and the public.

When tickets go on sale they are available, all at the same time, through the internet, phone order (call centre), and box office (in person).

There is only one data base - all of the available tickets are drawn from this single data base. There is certainly an element of chance in accessing these tickets. Below is a summary of the process used for selling the Elton John and The Band show tickets.

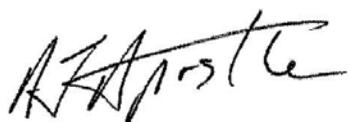
- There are millions of computers on the internet located throughout the world, including the computers that are set up in the box office.
- The ticket limit set by the promoter and our past practice is eight (8) per transaction.
- The call centre prepares for the first-day sales based on information provided by the venue, and makes the appropriate number of staff available to handle the call volume. When tickets go on sale they access tickets from the same data base using a computer.
- At precisely 10:00 a.m. all sales channels were opened. Computers were able access tickets from the single data base.
- Once the sales process begins, tickets become unavailable as single computer terminals access the available inventory.
- If the users do not want the tickets they have accessed they have an option to release the purchase.
- Tickets are also released back to inventory if the purchaser does not complete the transaction within the 360 second time limit.
- Released tickets are returned to the data base inventory (this is why at times you may get a message that there are no available tickets and later the same search shows a different result.)

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### Additional Information

- Suite holders are able to purchase tickets as outlined in the agreement with the City.
- Promotional and internet companies post, on their web site(s), tickets for sale before they actually purchase them. These companies are in no way affiliated nor have a business relationship with the Essar Centre. We strongly caution the purchase of tickets from other than the sanctioned means - buyers beware.
- There were less than 50 people in line the night before tickets went on sale.
- Security and ushers were in attendance overnight to answer questions and ensure that people were lined up in a fair manner.
- As per past practice, City Council members and some senior staff were offered two tickets for purchase. Although some Councillors have taken advantage of this opportunity, senior staff has not. The past practice was recently re-confirmed as a result of the Elton John concert in Sudbury two years ago and further re-affirmed with the recent KISS concert ticket sales.
- In this age of instant communication, it is common place for venues with capacities of 50,000 to 100,000 to have events sell-out in a matter of minutes.

All of which is submitted as information,



Nicholas J. Apostle  
Commissioner Community Services

Job council/Elton John ticket sales

attachment

5(y)

# elton john

with **BAND**

## **Essar Centre – SOLD OUT!**

### **Monday, July 12th**

Toronto, ON - Tickets for **Elton John**'s Sault Ste. Marie show on July 12<sup>th</sup> immediately sold out today! "Elton John proves once again that he holds a special place in the hearts of Canadians," comments Riley O'Connor, Chairman, Live Nation. "Elton John continues to bring his music to Canadian fans."

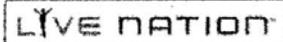
Elton and his band will perform their 'Rocket Man – the Greatest Hits Live' concert, featuring number one chart hits and classic album tracks from throughout Elton's incredible five-decade career. Elton's band comprises Davey Johnstone on guitar, Bob Birch on bass, John Mahon on percussion, Nigel Olsson on drums and Kim Bullard on keyboards. One of the most successful live acts on the road today, Elton and his band put on the kind of concert you never forget: the entire audience standing, dancing and singing along with much-loved classic songs such as "Your Song", "Daniel", "Rocket Man", "Bennie and the Jets" and many, many more.

**Media Contacts:****For Elton John:**

Fran Curtis  
ROGERS & COWAN  
212-445-8423 / 212-445-8418  
[fcurtis@rogersandcowan.com](mailto:fcurtis@rogersandcowan.com)

**Local Media Contact:**

Erin Smyth  
Live Nation  
416-260-4226  
[erinsmyth@livenation.com](mailto:erinsmyth@livenation.com)



6(6)(a)

April 23, 2010

Dear Mayor and City Councillors;

**Re: Application No. A-7-10-OP**

Thank you for considering our application to Amend the Official Plan, filed by Dennis Pepin.

To facilitate this process, we have prepared a package of relevant information for your review and consideration.

Contents of this package include:

- 1) Summary of our plan regarding proposed severance
- 2) Copy of the Notice of Public Meeting
  
- 3) a) Neighbour J.N letter of support of severance/intent to purchase  
b) Neighbour J.C. letter of support of severance/intent to purchase  
c) Neighbour K.W. letter of support of severance/intent to purchase
- 4) Dennis and Cathy Pepin letter to neighbours
- 5) Site Plan
- 6) Letter to Mayor and City Council
- 7) Letter from Algoma Public Health
- 8) Report of the Engineering & Planning Department, February 26, 2007

6(6)(a)

Proposed Plan; Property Severance - 165 Avery Road, into 7 new rural residential lots.

A quick note about who we are; Dennis and Cathy Pepin, both life-long residents of ward 6, Dennis has lived his entire life on Avery Road. We have two sons. Dennis is a self-employed contractor, who has worked exclusively in the west end, and Cathy is a Registered Nurse at Sault Area Hospital. Our future plans include remaining on this property.

Where our property is located, there has had next to nil new development. Almost all the houses have been there for many years and have been occupied by the same families for generations. We have applied for creation of 7 new lots for rural residential purposes, which meet the requirements indicated in R.A. 11 a-h.

There has been an increased demand to develop in this area as evidenced by the quick sales of lots that have been sold. Having a contracting business has provided opportunity to talk with potential homeowners looking for property in this area, and reinforces that this location is in demand. Feedback we have received from neighbours have indicated their desire to purchase the proposed lots for their families, (attachments 3a, b, c). We visited our neighbours, provided them with a letter, (attachment 4) and discussed our plans. If amendment is successful, neighbours will be given priority to purchase so that they may continue to live in the area with their families. Two of the proposed lots are intended for our two sons.

A site plan, (attachment 5) is included outlining the boundaries and dimensions of the proposed lots. A site inspection was completed by Peter Tonazzo, Planner, on April 16, 2010. A letter was sent to the mayor and each city council member inviting them to see our home and property (attachment 6). The proposed lot sizes are consistent or above average acreage for the area, and will fit into the general character of the surrounding area. The 165 Avery Road property has 2245 feet of road frontage along Maki and Avery Roads. Adequate provisions of on-site services can be achieved as supported by letter from Algoma Public Health, dated March 30, 2010, (attachment 7).

To compare a situation that is similar to our circumstances, refer to Report of Engineering & Planning Department February 26, 2007 (attachment 8). The applicant proposed a severance located on the southeast corner of Third Line and Carpin Beach Road which resulted in the creation of 7 lots. The request required an amendment to policy of the official plan which prohibits the creation of additional rural lots. The Planning Director's Recommendation approved the Official Plan Amendment, and was passed by City Council.

Dennis has attended all public meetings about the new Official Plan, and has talking to the Planning Department on numerous occasions and has expressed his opposition. If Official Plan 2.3.6 is applied to our property, the result could mean a substantial decrease in the market value of our property.

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The cost to the city of Sault Ste. Marie for this severance will be minimal, and will provide an increase to the tax base of new homes and lots created.

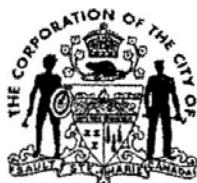
Lastly, we would like to reinforce that Sault Ste. Marie is striving to become an "extraordinary community." Providing the residents of this city with choices and opportunities to fulfill their lives contributes to achieving this goal. We hope that mayor and city council will favourably consider our application.

Sincerely,

Dennis and Cathy Pepin

Dennis and Cathy Pepin

(6)(a)



## NOTICE OF PUBLIC MEETING

APPLICATION NO. A-7-10-OP - A request to amend the Official Plan – filed by Denis Pepin

### SUBJECT PROPERTY:

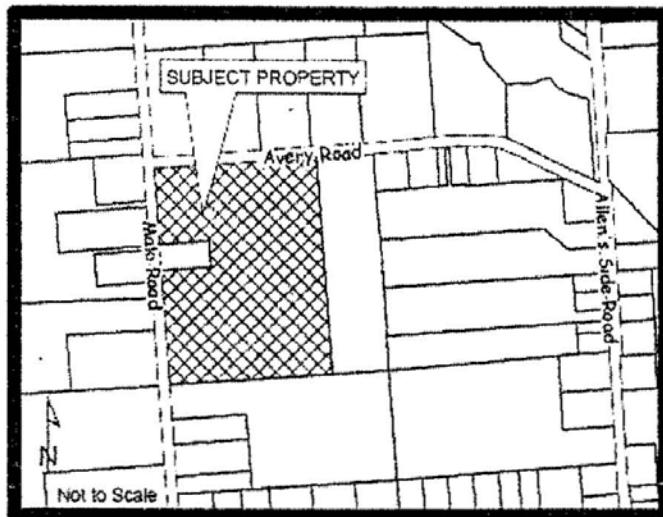
Location – Located on the south east corner of Maki Road and Avery Road

Civic No. – 165 Avery Road

Size – Approximately 294m (965') frontage x 390m (1,280') depth; 11.5 ha (28.4 acres)

Present Use – Rural Residential

Owner – Denis Pepin



### APPLICATION A-7-10-OP

**REQUEST:** The applicant, Denis Pepin, is requesting an Official Plan amendment to create seven (7) new Rural Residential lots.

**PUBLIC MEETING:** The Council of The Corporation of the City of Sault Ste. Marie will consider this application on **MONDAY, APRIL 26, 2010, at 5:30 p.m.**, or thereafter in the Council Chambers of the Civic Centre. City Council will receive written and verbal submissions concerning this application. However, only written submissions will form part of the official record of this application. Any such written submissions must be addressed to the City Clerk at the address shown below.

If a person or public body that files a Notice of Appeal of the decision of the City of Sault Ste. Marie in respect of the proposed Official Plan Amendment or the Zoning By-law, does not make oral submissions at a public meeting or make written submissions to the City of Sault Ste. Marie before the proposed Official Plan Amendment or the Zoning By-law is adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

If you wish to be notified of the adoption of this application you must make a written request to the City Clerk at the address noted above.

**FURTHER INFORMATION:** This application is on file and may be reviewed in the Planning Division Office on Level 5 of the Civic Centre, 99 Foster Drive.

The Report of the Planning Division will be available for review any time after April 22, 2010, during regular office hours in the Planning Division. Telephone inquiries should be directed to (705) 759-5368. Please refer to the application number appearing at the top of this Notice.

M. White, City Clerk  
P.O. Box 580, Sault Ste. Marie, Ontario P6A 5N1  
[cityclerk@cityssm.on.ca](mailto:cityclerk@cityssm.on.ca)

5a b(6)(a)

Joyce & Will Nelles  
106 Jean Ave.  
Sault Ste. Marie, ON  
P6B 4B4  
(705) 945-1412

To the Mayor and City Council:

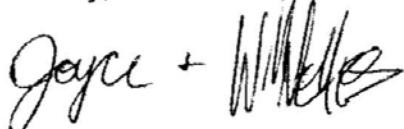
We have recently been informed of potential property for sale along Avery Road which is currently owned by Dennis and Cathy Pepin. The property that we are interested in is adjacent to our parent's (Bob and Bonnie King) home and property. The King family has owned this adjacent property for over 80 years. We also have two sets of aunts and uncles, as well as second cousins who live on Avery Road. Around the corner, our grandmother, uncle and two cousins also have homes on Allan Side Road.

We have a very close family that spends a lot of time together. For this reason, we have been looking for property in the Avery Road area for some time. In addition to the proximity of family, another reason for wanting to live on Avery Road is our preference for country living. Having both grown up in "the country" we have realized how much we missed country living over the past four years while living in a mature subdivision in the city. Buying a lot in a subdivision such as Queensgate, Windsor Farms or Fox Run would never be an option for us as these cookie-cutter, jam-packed, large-scale home subdivisions have no appeal to us.

We love the idea of looking out our front window and watching our neighbour's horses gallop in the field. To have the room to grow a flower garden and a vegetable garden is an opportunity we would love to have. Helping our neighbours round up their horses or cows when they get out or lending a hand with barn or fence repairs is something we would look forward to doing.

The reason this property appeals to us the most is that we hope our children have the opportunity to walk across their lawn to visit "Papa" and "Grandma B" whenever they want. Family is what means most to us and this is our only chance to be next door to our parents. We hope that this letter compels you to allow Dennis and Cathy to subdivide their property. They are honest, hard-working people who want their potential neighbours to be country lovers as well, and I think we fit that mold.

Sincerely,



Joyce & Will Nelles

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b6(a)

Jennifer & Jeremy Callon  
30 Sutton Place  
Sault Ste. Marie, ON  
P6A 6B4  
(705) 942-4535

To the Mayor and City Council:

The current proposal, regarding potential property for sale along Avery Road, currently owned by Dennis and Cathy Pepin, is the purpose of our letter. The property that we are interested in is adjacent to our parent's (Bob and Bonnie King), 115 Avery Road. Three generations of the King family has owned this Avery Road property. We also have two sets of aunts and uncles, as well as second cousins who live on Avery Road. Around the corner, our grandmother, uncle and two cousins also have homes on Allen Side Road.

We have been looking for a permanent home for our family for the last year. As our current house on Sutton Place was always considered our starter home, we have been looking for a lot with more space in the West End. As both of us grew up on Avery and Allen Side Road, the opportunity to live on Avery Road is perfect for us and our 3 year old daughter. Our aim is to move into a new home prior to her starting Junior Kindergarten next year.

The location of this property would provide country living and family connection, that every child would enjoy. Our daughter's favorite thing to do is helping her "Papa" feed his horse his supper. She would be in heaven if she could put on her rubber boots, walk across our backyard, and help her "Papa" with his barn chores. Ultimately, this opportunity would allow her to grow up around her family, grandparents, great grandparents and aunts.

We ask for your support and strong consideration in allowing Dennis and Cathy to subdivide their property. They have been truly great neighbors to our parents, always there when they need them. We look forward to the chance to move back into this "Country Neighborhood".

Sincerely,



Jennifer & Jeremy Callon

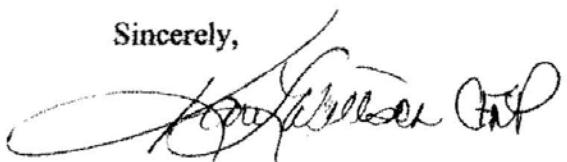
*3c  
b6)(a)*

April 15, 2010

To Whom It May Concern,

I am a resident of Sault Ste. Marie, Ontario. I have lived in the west end of town for my entire childhood and recently relocated back to the Soo. I am interested in purchasing a home or property in the west end of town. My entire family lives in the west end and my daughter goes to school at Isabel Fletcher Public School. I have been searching for property to purchase since last autumn, to no avail. The cost of housing and age of the homes available make it prohibitive for purchasing what is currently available. It would be helpful to find some property to purchase in this area so that I may build something suitable and within my budget. Therefore I hope that you will take this into consideration so that perhaps I may purchase property which is currently under consideration for severance. I thank you for your time. If you have any further questions, please do not hesitate to contact me directly. My home number is 705-779-3987.

Sincerely,



Kari Willson, RN, BSN, MSN, CFNP

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66(a)

April 10, 2010

Dear Neighbours,

By now you should have received notice that we are wishing to subdivide our property. We would like to provide you with some information relating to this.

When we originally purchased the house and property in 2002, we had a vision to turn it into a working farm with a house that would be a complete turn-around from the condition it was in. As most of you saw, we spent numerous hours, money and tremendous effort toward our vision. Our intent was not to subdivide the property. We tried farming and found that we did not have the lifestyle available to commit to farming. While we will continue to live in our house, for personal reasons we have decided to subdivide the property into eight lots.

Three of these lots will remain with us; our home and two lots which will be given to our two sons. As we will continue to remain in our neighbourhood, we will be mindful of who may become our potential neighbours. We have had positive responses from neighbours who have indicated an interest in purchasing lots for their family, so that they can continue to live in the neighbourhood.

The lot sizes will be consistent or above the average acreage for the area. We will be happy to discuss this with anyone who may have questions or would like more information. Please call 253-6481, or cell 542-8519.

Sincerely,

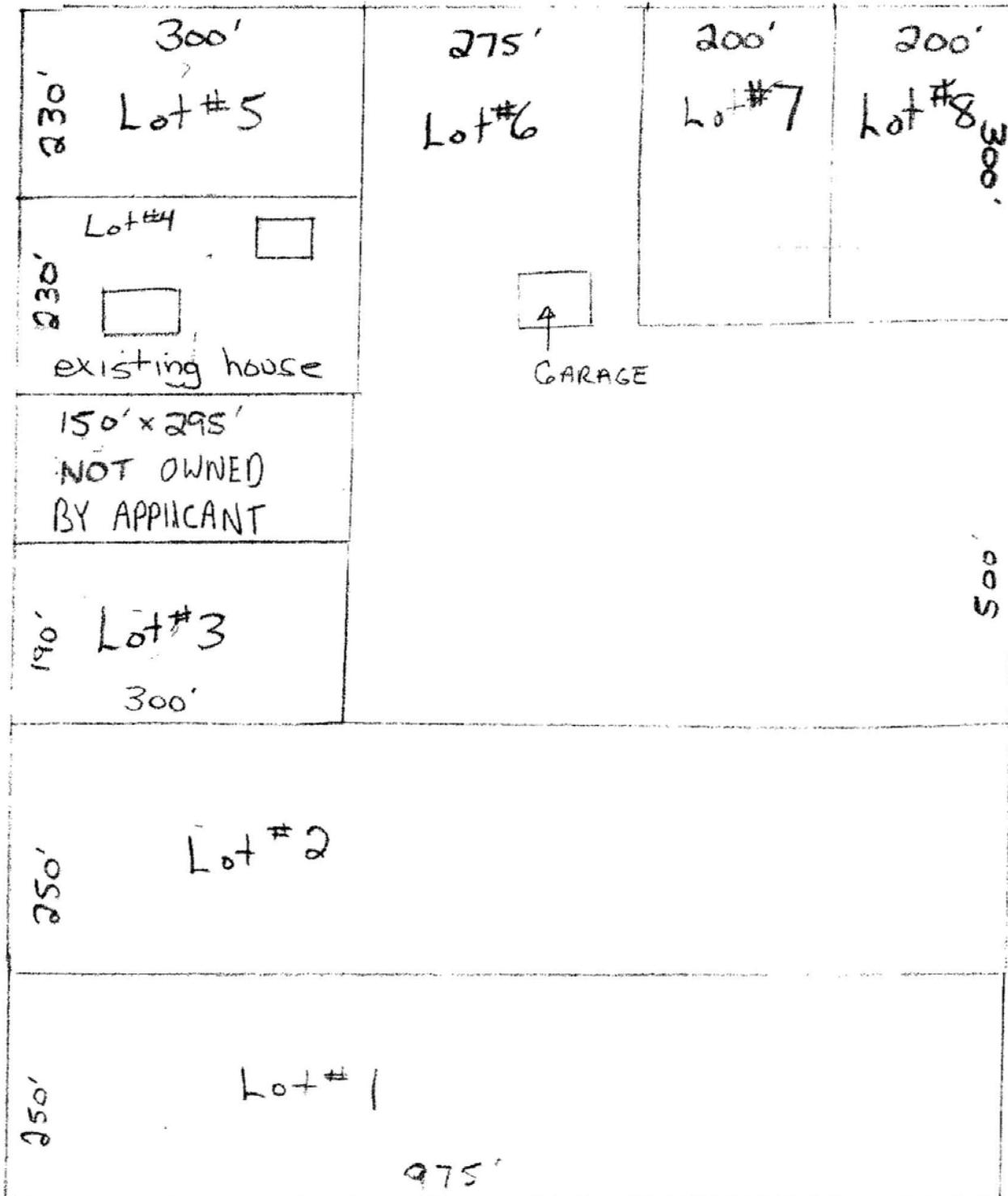
Dennis and Cathy Pepin

# Site Plan

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6(b)(a)

$\leftarrow$  AUERY ROAD  $\rightarrow$

WIAKI ROAD  $\downarrow$



(6)(b)(a)

April 9, 2010

Dear Mayor and City Council;

Re: Application No. A-7-10-OP Amendment to Official Plan

We are writing this letter to our mayor and each of the city counselors of Sault Ste. Marie to provide relevant information that pertains to our request to amend the Official Plan of our property located on the South East corner of Maki Road and Avery Road.

Our home is located at 165 Avery Road, the house faces Maki Road. We purchased the property in 2002 while we were residents of this neighbourhood, living on Avery Road. We both grew up in the area, Dennis growing up on Avery Road. Many of our neighbours have become our friends, whom we have known most of our lives. Wanting to remain in this area and raise our family here, we purchased the 165 Avery Road property with great enthusiasm. What we purchased was a run-down shambles of a house, with property that suffered years of abuse and neglect. However, we both are energetic and put in great effort in turning that house and property into the home it is today and we are proud of it. Numerous neighbours have complimented us over the years on the remarkable job we have done and how we have beautified a once sour point of the neighbourhood.

While we will continue to live in our house, we have personal reasons for requesting that the property be subdivided. Three of the lots will remain with us; our home and two lots which will be given to our two sons. The lot sizes will be consistent or above the average acreage for the area.

We have had positive responses from our neighbours who are interested in purchasing lots for their family who also wish to continue to live in this neighbourhood. Choosing to remain in this area ourselves we will be mindful of who may potentially become our neighbours.

We are hoping for your support with our endeavour, and are available to meet with you, show you our home and property and answer any questions you may have. We may be contacted at 253-6481, or by email at [cathypepin@shaw.ca](mailto:cathypepin@shaw.ca)

Thank you for considering our application.

Sincerely,

Dennis and Cathy Pepin

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66(a)



*Algoma*  
**PUBLIC HEALTH**  
Santé publique Algoma

AA Norton MD MHSc FRCP(C)  
Medical Officer of Health  
[www.algomapublichealth.com](http://www.algomapublichealth.com)

**Blind River**  
P.O. Box 194  
9B Lawton Street  
POR 1B0  
Tel: 1 (705) 356-2551  
TF: 1 (888) 356-2551  
Fax: 1 (705) 356-2494

**March 30, 2010**

**Donald B. McConnell, Planning Director**  
**The Corporation of the City of Sault Ste. Marie**  
**99 Foster Drive, 5<sup>th</sup> Floor, Civic Centre**  
**Sault Ste. Marie, ON P6A 5X6**

**Elliot Lake**  
Algo Centre  
151 Ontario Avenue  
P5A 2T2  
Tel: 1 (705) 848-2314  
TF: 1 (888) 211-6749  
Fax: 1 (705) 848-1911

**RE: Application No. A-7-10-OP**  
**Denis Pepin - 165 Avery Road**

**Algoma Public Health has no objections to the request for an amendment to the Official Plan.**

**Sault Ste. Marie**  
Civic Centre  
99 Foster Drive  
P6A 5X6  
1st Floor  
6th Floor  
Tel: 1 (705) 759-5287  
TF: 1 (866) 892-0172  
Fax: 1 (705) 759-1534

126 Queen Street East  
P6A 1Y5  
Tel: 1 (705) 942-3103  
Fax: 1 (705) 942-9915

186 East Street  
P6A 3C6  
Tel: 1 (705) 759-3935  
Fax: 1 (705) 759-2105

63 East Street  
Unit 1  
P6A 3C4  
Tel: 1 (705) 759-1844  
Fax: 1 (705) 759-5953

**Wawa**  
18 Ganley Street  
P0S 1K0  
Tel: 1 (705) 856-7268  
TF: 1 (888) 211-8074  
Fax: 1 (705) 856-1752

For healthier communities,



**Kara Flannigan, CPHI (C), BASc**  
**Public Health Inspector**

/cs

**cc. Denis Pepin**

8  
66(a)



2007 02 26

## REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

### PLANNING DIVISION

**TO:**

Mayor John Rowswell  
and Members of City Council

**SUBJECT:**

Application No. A-4-07-OP – filed by Don Bruni.

**SUBJECT PROPERTY:**

Location – Located on the southeast corner of Third Line West and Leigh's Bay Road. Civic No. 1415 Third Line West. Zone Map 1-102.

Size – Approximately 381m (1,250') x 323m (1,060') with an area of 16.7 ha (41.3 acres).

Present Use – Rural Residential.

Owners – Anita & Maurizio Fata, Nanda & Mike Ianni-Palarchio, Don Bruni, Veronica Bruni, Elvira Bruni, Ralph Cuglietta, Diana & Sylvester Bruni.

**REQUEST:**

The applicant, Don Bruni is requesting an Official Plan amendment to create 6 new Rural Area lots for residential purposes.

**CONSULTATION:**

Engineering – No objections.

Building Division – No comment.

PUC Services Inc. – See attached letter.

Conservation Authority – See attached letter.

C.S.D. – No concern.

Algoma Health Unit – See attached letter.

**PREVIOUS APPLICATIONS:**

There have been no previous applications on the subject property.

(b)(a)

### **Conformity with the Official Plan**

The applicant's request to divide the subject property to create a total of 7 lots requires an amendment to Policy RA 4 of the Official Plan which prohibits the creation of additional Rural lots.

### **Comments**

The applicant is proposing to sever of the northern portion of a lot located on the southeast corner of Third Line West and Carpin Beach Road. As shown on the attached plan, the ~~severance will result in the creation of 7 lots~~. More specifically;

- 5 lots for rural residential purposes;
- 1 large vacant parcel intended to be reserved for future development purposes, and;
- 1 parcel containing the existing dwelling unit on the subject property.

The proposed lots will meet the minimum frontage and area requirements as set out in the Rural Area provisions of Zoning By-law 2005-150. The large, southern portion of the parcel will remain vacant. The proposed severance has been designed to incorporate a 20m (66') strip of land to accommodate a future right-of-way, between the large vacant parcel to the south and Third Line West. Consequently, the future development potential of the large vacant parcel is maintained. The City is not in any way assuming ownership or responsibility for this future right-of-way. If and when a public right-of-way is constructed, the existing house to the east will remain in conformity with the yard setbacks required by the Zoning By-law.

Historically the lands in this area were utilized for agricultural purposes. Over the years the area has transformed to rural residential. The air photo and site visits indicate that some agricultural uses of the land exist, however there are no visible barns or livestock in the immediate area of the subject property. The rural residential lots to the north and west of the subject property are consistent with and similar to the proposed lots of this application.

Attached to this report, correspondence from the Conservation Authority (CA) notes that the southeastern portion of the lot containing the existing dwelling is under the jurisdiction of the Conservation Authority. At this time no development is planned within the regulated area, and all 5 lots proposed for rural residential development are outside of the CA's regulated area. The applicant is aware that any future alterations to the existing residence or the future development of the southeastern portion of the large vacant parcel will require Conservation Authority approvals. The applicant is also aware that proper setbacks surrounding water wells and septic systems will be required at the time of a building permit application.

6(6)(a)

Correspondence attached to this report from the Algoma Health Unit notes no objection to this application; however, suitable fill material will be required to ensure the proper functioning of the septic beds. The applicant is aware of these requirements, which must be completed as a condition of the issuance of a building permit.

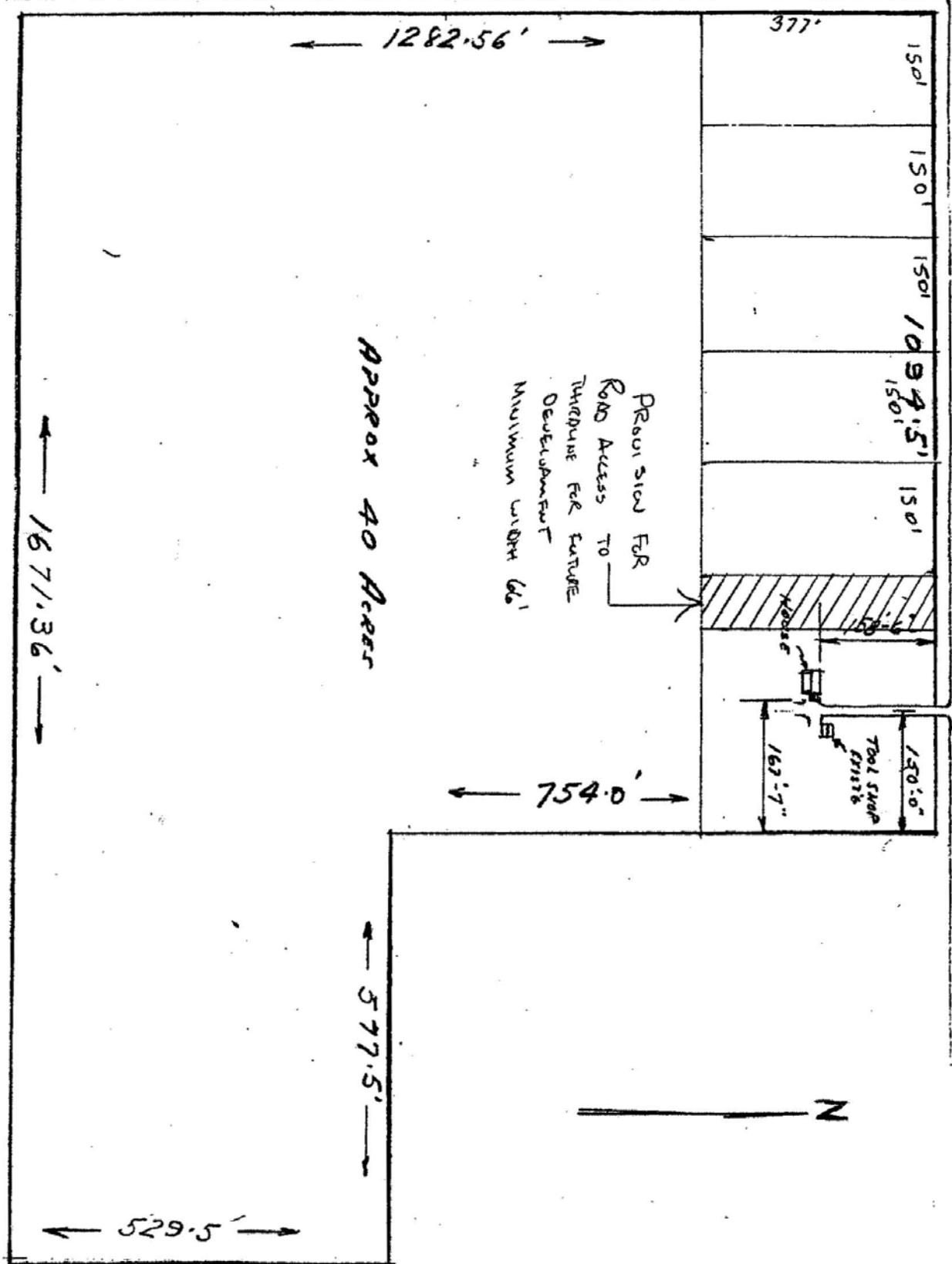
Correspondence from the PUC notes that the owner must enter into a subdivision agreement with PUC Services Inc. in order to provide underground electric service to the proposed development. Again, the applicant is aware of this requirement, which can be handled prior to the issuance of a building permit.

Attached to this report is a letter from Mr. Goodmurphy and Mrs. Lumen who reside near the proposed development at 1329 Leigh's Bay Rd. They are not disputing the proposed rural area severances, but would like to ensure that the hedgerow located along the northern and western lot lines be maintained. The hedgerow appears to be located upon the City owned right-of-way. Municipal approvals will be necessary prior to the removal of any part of the hedgerow. The applicant has no intentions of removing any vegetation, and will ensure that prospective purchasers are aware that the hedgerow is on City owned property.

The proposed residential severance represents a substantial development in the form of 5 new rural residential lots. The 6<sup>th</sup> lot will contain the existing 'homestead', while the 7<sup>th</sup> and remaining larger parcel will at this point remain vacant. The resulting lots are within the character of the area, and similar to the rural residential lots to the north and west of the subject property. A right of way has been reserved for the purposes of accessing the vacant portion of the parcel from Third Line West, thus maintaining all future development options for the site.

**Planning Director's Recommendation:** That City Council approve Official Plan Amendment No. 120.

OP Bylaw - 2007-47  
OP #120 BL 07-47



Lor & Pior Plan

Sketch 1/200:0



**PUC**

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

(b)(6)(a)

January 24, 2007

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

**FAXED: (705) 541-7165**

Dear Sir:

**Re: 1415 Third Line West – A-4-07-OP**

We wish to advise that the Owner must enter into a Subdivision agreement with PUC Services Inc. in order to provide underground electric service to the proposed development.

Yours truly,

PUC SERVICES INC.

*C. Stefano*

Claudio Stefano  
Manager of Engineering P. Eng. MBA

CS\*jf



"Man and Nature"

*Sault Ste. Marie Region  
Conservation Authority*

(b)(6)(a)

January 24, 2007

**Conservation Authority Comments:**

**Application #** A-4-07-OP  
**Don Bruni**  
**1415 Third Line West**  
**Sault Ste. Marie**

- The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the Development, Interference with Wetlands and Alterations to Shoreline and Watercourses O.Reg.176/06.
- This property is subject to the Shoreline Management Plan.
- This property is subject to Source Water Protection
- A permit is required prior to ANY site grading, excavating, filling, development or construction.
- We have no comments or objections to this application
- Other:

The subject property is under the jurisdiction of the Conservation Authority and therefore will require a permit for any fill or development in the area of the existing home and 'tool shop' (as noted on the site plan).

From the information provided in the application there is no indication of the location of the drinking water well. Our office is concerned with development around drinking water well(s) as a potential pathway of contaminants to groundwater.

Sincerely,

Marlene McKinnon  
GIS Specialist

File: A-4-07-OP\_24Jan07.doc

AA Northan  
MD MHSc FRCP(C)  
Medical Officer of Health  
[www.ahu.on.ca](http://www.ahu.on.ca)

**Blind River**  
Community Services  
Centre  
15 Hanes Avenue  
P0R 1B0  
Tel: 1 (705) 356-2551  
TF: 1 (888) 211-4739  
Fax: 1 (705) 356-2494

**Elliot Lake**  
Algo Centre  
151 Ontario Avenue  
P6A 2T2  
Tel: 1 (705) 848-2314  
TF: 1 (888) 211-6749  
Fax: 1 (705) 848-1911

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**Wawa**  
18 Ganley Street  
POS 1K0  
Tel: 1 (705) 856-7208  
TF: 1 (888) 211-8074  
Fax: 1 (705) 856-1752

June 14, 2006

Don Bruni  
268 Prentice Avenue  
Sault Ste. Marie, ON P6C 4R3

**Re: Applicant: Don Bruni  
Property: 1415 Third Line West  
Sault Ste. Marie**

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The Algoma Health Unit has no objections to this application provided that the approval authority's conditions indicate that up to 1.5 metres of suitable fill mantle material to a depth of 250 mm will be required for at least 15 m beyond the leaching bed area in the direction that effluent will move horizontally.

For healthier communities,

**Wes Terry, CPHI (C)**  
Public Health Inspector

/cs

**cc. Planning Division  
City of Sault Ste. Marie**

6(6)(a)

1329 Leigs Bay Rd.  
Sault Ste Marie Ont.  
P6A-6K4

FEB. 12/07

RECEIVED
CITY CLERK
FEB 14 2007
NO. 50736
DIST. Planning file

Re: Application No. A-4-07-OP

Dear Mr. Irving

We have no dispute with six new Rural Area lots. However, we request that the majestic fur trees lining Leigs Bay Road remain intact. Our threatened environment requires our greatest consideration . A barrier for wind and drifting snow is of utmost importance on Leigs Bay Road. It also maintains privacy for all involved.

Thank you for your consideration.

Sincerely

Karen Lumen

Paul Goodmurphy

*Karen Lumen  
Paul Goodmurphy*

66(a)

**AMENDMENT NO. 120  
TO THE  
SAULT STE. MARIE OFFICIAL PLAN**

**PURPOSE:**

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

**LOCATION:**

Part of the NW 1/4 of Section 28, located on the southeast corner of Third Line West and Leigh's Bay Road. Civic No. 1415 Third Line West.

**BASIS:**

This amendment is necessary in view of a request for a severance on the subject property to create seven (7) rural residential lots from the existing rural lot.

Council now considers it desirable to amend the Official Plan.

**DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:**

The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

"Special Exceptions"

- # Notwithstanding the Rural Area policies of the Official Plan, lands described as Part of the NW 1/4 of Section 28, located on the southeast corner of Third Line West and Leigh's Bay Road, civic no. 1415 Third Line West may be used to create 7 rural residential lots.

**INTERPRETATION:**

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

THIRD LINE WEST

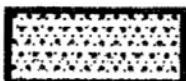
THIRD LINE WEST

LEIGHT'S BAY

SUBJECT  
PROPERTY

LEIGHT'S BAY

OFFICIAL PLAN SCHEDULE "C"  
LAND USE LEGEND



RESIDENTIAL



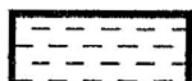
INDUSTRIAL



PARKS  
RECREATIONAL



COMMERCIAL

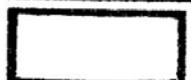


INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 120



(b)(a)



# 2004 ORTHO PHOTO MAP

APPLICATION A-4-07-OP



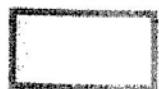
METRIC SCALE  
1 : 6800

1415 THIRD LINE WEST

MAP  
1-102



SUBJECT PARCEL



PROPOSED AREA FOR LOT CREATION

DATE  
January 17, 2007

(d)(b)

# AIELLO, PAWELEK

BARRISTERS AND SOLICITORS

ANGELO V. AIELLO, B.A., LL.B.

MARTIN J. PAWELEK, B.A., LL.B.

Suite 102, 123 March Street, Sault Ste. Marie, Ontario. P6A 2Z5

Telephone (705) 946-8590

Fax (705) 946-8589

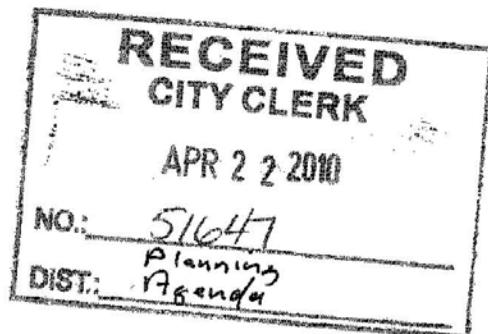
April 21, 2010

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

Attention: M. White / City Clerk

Dear Sir:

**Re: Zoning Application No. A-8-10-Z  
392 Second Line W**



Please be advised that we act on behalf of Rodney Bolduc and Charmaine Bolduc who have just purchased civic 384 Second Line West being the property abutting the subject property to the east.

Our clients wish to advise that they are not objecting to the applicants rezoning application. However, they are somewhat concerned about their privacy with the adjoining property potentially being converted into a commercial property.

If the application is to be approved, our clients would appreciate that as a condition of the approval, the applicant construct a privacy fence extending from the rear of our clients' house to the rear of the property.

Neither our clients nor I will be attending the meeting. Thank you for your consideration.

Yours truly,  
AIELLO, PAWELEK

Angelo V. Aiello  
AVA/nb

C.c: Mr. & Mrs. R Bolduc