

AGENDA

REGULAR MEETING OF CITY COUNCIL

2010 04 26

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

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

Resolved that the Minutes of the Regular Council Meeting of 2010 04 12 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover - Councillor L. Turco
Seconder - Councillor P. Mick

Resolved that the Agenda for the 2010 04 26 City Council Meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- (a) Joe Krmpotich, Executive Board Member of Sault Ste. Marie & District Labour Council and USW Local 2251 Union Coordinator will be in attendance concerning Proclamation – Day of Mourning
- (b) Bill Howe, Communication Technology Program teacher as well as Don Viotto V.P. of St. Mary's College accompanied by students, past and present, will present a premiere showing of an environmental video highlighting some Sault Ste. Marie initiatives.
- (c) Terry Caporossi, Regional Supervisor Client Services will be in attendance concerning Proclamation – May Vision Month.
- (d) Lisa Chlebus, Chair of Community Living Algoma's Council will be in attendance concerning Proclamation – Community Living Awareness Week.

4. (e) Dr. Lynn Ryan MacKenzie, Executive Director of Algoma Family Services will be in attendance concerning Proclamation – Children's Mental Health Week.
- (f) Margaret Nicholson – Representative of Elks and Royal Purple will be in attendance concerning Proclamation – Hearing & Speech and Hearing Awareness Month.
- (g) A representative of Child Find will be in attendance concerning Proclamation – Missing Children's Month.
- (h) Diane Morrell, Regional Services Coordinator – Canadian Paraplegic Association Ontario will be in attendance concerning agenda item 5. (c).
- (i) Chief Petty Officer Debbie Eisan will be in attendance concerning agenda item 5. (d).
- (j) Debbie Amaroso, Chair and Mary Jane Yorke, Coordinator, Sault Ste. Marie Physician Recruitment and Retention Committee will be in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

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

Resolved that all the items listed under date 2010 04 26 Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from MMAH, OGRA and ADMA is attached for the information of Council.
- (b) Correspondence from the City of Oshawa (concerning the Public Sector Salary Disclosure Act) is attached for the information of Council.
- (c) Correspondence from the Canadian Paraplegic Association Ontario concerning the Chair-Leader Program is attached for the information of Council.
- (d) Correspondence from the Director Navy Public Affairs concerning the Namesake Community Partner Ship Program is attached for the information of Council.

5. (e) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from January 1, 2010 to March 31, 2010 is \$347,646.85 was received by Council.

Mover - Councillor T. Sheehan

Seconder - Councillor S. Butland

Whereas the Casino Sault Ste. Marie has been in operation for a number of years;

And Whereas a "partnership" was created when the Casino was located in Sault Ste. Marie which gave 5% of the slot revenue to the City;

And Whereas the City's revenue from this partnership has decreased by 23 percent since 2003 for a variety of reasons;

Now Therefore Be It Resolved that the Province of Ontario be requested to review this downward trend and the City of Sault Ste. Marie's revenue share be increased to 8%.

- (f) A letter from the General Manager, NetCentral Community Communications Network is attached for the information of Council.

- (g) A letter from President and Chief Administrative Officer, Property Assessment Corporation (MPAC) (concerning service delivery of MPAC) is attached for the information of Council.

(h) **Council Travel**

Mover - Councillor L. Tridico

Seconder - Councillor P. Mick

Resolved that Councillor Lou Turco be authorized to travel to the FONOM Annual Meeting being held in Kapuskasing (3 days in May) at an estimated cost to the City of \$525.00 and the Northern Ontario School of Medicine Retreat being held in Elliot Lake (3 days in May) at no cost to the City.

(i) **Staff Travel Requests**

A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover - Councillor L. Turco

Seconder - Councillor P. Mick

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 04 26 be approved as requested.

(j) **Tender for Seasonal Security (2010CT01)**

A report of the Manager of Purchasing is attached for the consideration of Council.

5. (j) Mover - Councillor L. Turco
Seconder - Councillor B. Hayes
Resolved that the report of the Manager of Purchasing, dated 2010 04 26 be endorsed and that the tender for Seasonal Security Service, required by various City Departments, be awarded as recommended.
- (k) **Quotation for Maintenance Hole and Catchbasin Frames & Covers**
A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor L. Turco
Seconder - Councillor P. Mick
Resolved that the report of the Manager of Purchasing, dated 2010 04 26, be endorsed and that the quotation for the supply and delivery of Maintenance Hole and Catchbasin Frames & Covers, required by the Public Works & Transportation Department, be awarded as recommended.
- (l) **Registration of Tax Arrears Certificate and Sale**
A report of the City Tax Collector is attached for the consideration of Council.

Mover - Councillor L. Tridico
Seconder - Councillor B. Hayes
Resolved that the report of the City Tax Collector be accepted to commence Tax Sale Proceedings in accordance with the report.
- (m) **Queenstown Board of Management (O/A The Downtown Association) 2010 Budget Estimates and 2009 Audit Report**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.
The 2009 Annual Report is provided under separate cover.

Mover - Councillor L. Tridico
Seconder - Councillor B. Hayes
Resolved that City Council acknowledge receipt of the Queenstown Board of Management (O/A The Downtown Association) Audit for the year 2009, as prepared by KPMG LLP Chartered Accountants and that Council approve the Downtown Association Budget Estimates for the year 2010.
- (n) **Contract 2010-2E – Third Line Extension – Fort Creek Ravine to Peoples Road**
A report of the Design & Construction Engineer is attached for the consideration of Council. The relevant By-laws 2010-84 and 2010-85 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

5. (o) **Sault Ste. Marie Municipal Landfill Site Purge Well Maintenance and Replacement**

A report of the Land Development & Environmental Engineer is attached for the information of Council.

Mover - Councillor L. Tridico
Seconder - Councillor P. Mick

Resolved that the report of the Land Development & Environmental Engineer dated 2010 04 26 concerning Landfill Purge Well Maintenance and Replacement be accepted and the recommendation to undertake the emergency work program outlined in the report at an estimated cost of \$45,000 with funding from the Landfill Site Reserve be approved.

(p) **7 Westridge Road**

A report of the Chief Building Official is attached for the consideration of Council.

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

Resolved that the report of the Chief Building Official/Property Standards Officer dated 2010 04 26 concerning Civic No. 7 Westridge Road be accepted and the recommendation that the Corporation hire the forces necessary to remove all exterior brickwork that is dislodged and shore the dwelling to make safe as a temporary measure and that time, if further assessment reveals that a permanent restoration is not possible by the owner, then the City undertakes to have the structure demolished; cost of this action will be added to the taxes of the subject property, be approved.

(q) **Fire Services' Revised Deployment Plan**

A report of the Fire Chief is attached for the consideration of Council.

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

Resolved that the report of the Fire Chief dated 2010 04 26 concerning Fire Services' Revised Deployment Plan, be accepted as information.

(r) **Martin's Trailers 626 Fifth Line East**

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

Mover - Councillor L. Turco
Seconder - Councillor P. Mick

Resolved that the report of the Assistant City Solicitor dated 2010 04 26 concerning Martin's Trailers 626 Fifth Line East, be accepted as information.

5. (s) **Amendment to Cemetery By-law #99-208**
A report of the Manager, Cemeteries Division is attached for the consideration of Council. The relevant By-law 2010-80 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (t) **A By-law to Authorize a Policy for Sault Ste. Marie Transit Services**
A report of the Transit Manager, Public Works and Transportation is attached for the consideration of Council. The relevant By-law 2010-79 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (u) **Ontario Heritage Act Registration – 162 Cathcart**
A report of the Chair, Sault Ste. Marie Municipal Heritage Committee is attached for the consideration of Council.

Mover - Councillor L. Turco
Seconder - Councillor P. Mick
Resolved that the report of Chair, Sault Ste. Marie Municipal Heritage Committee dated 2010 04 26 concerning Ontario Heritage Act Registration – 162 Cathcart Street be accepted and the recommendation that the residence at 162 Cathcart Street be removed from being registered under Part IV of the Ontario Heritage Act sub-section 21(1.2) as having cultural value or interest be approved.
- (v) **GIS Proposed Increase Cost and Payment**
A report of the Manager, Information Technology Division is attached for the consideration of Council.

Mover - Councillor L. Tridico
Seconder - Councillor B. Hayes
Resolved that the report of the Manager, Information Technology Division dated 2010 04 26 concerning GIS Proposed Increase Cost and Payment be accepted and the recommendation that:
 1. The proposed contract between the City and the Innovation Centre for the next five years.
 2. Information Technology Division become the administrator of this contract along with the "point of contact" for the Innovation Centre GIS services.
 3. Finance Breakdown;
 - a. Maintain current budget allocation of \$253,000.
 - b. 9% of the total cost comes from the Building Permit Reserve Fund.
 - c. Remaining balance funded from the Sanitary Sewer Surcharge.

be approved.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) Application No. A-7-10-OP – Denis Pepin – Located 165 Avery Road – Requesting Official Plan Amendment to Create Seven New Rural Residential Lots

A report of the Planning Division dated 2010 04 26 is attached for the consideration of Council.

Mover - Councillor L. Tridico

Seconder - Councillor B. Hayes

Resolved that the report of the Planning Division dated 2010 04 26 concerning Application No. A-7-10-OP – Denis Pepin – 165 Avery Road be accepted and the Planning Director's recommendation that City Council deny the applicant's request to amend Rural Area Policy 11 of the Official Plan to create seven (7) new rural residential lots on the subject property, be endorsed.

(b) Application No. A-8-10-Z – Frank Fata – Located 392 Second Line West Requesting Rezoning from R.3 (Low Density Residential) to C.4 (General Commercial) to Permit a Chiropractor Clinic

A report of the Planning Division dated 2010 04 26 is attached for the consideration of Council.

Mover - Councillor L. Turco

Seconder - Councillor B. Hayes

Resolved that the report of the Planning Division dated 2010 04 26 concerning Application No. A-8-10-Z – Frank Fata – 392 Second Line West be accepted and the Planning Director's Recommendation that City Council approve the application and rezone the subject property from "R.3" (Low Density Residential) zone to "C.4" (General Commercial) zone, subject to the following Special Exception:

- a) That the buffering requirements outlined in Section 4.9 of Zoning By-law 2005-150 are hereby waived for any office uses conducted within the existing building upon the subject property, and further;
- b) That a 5m strip across the frontage be transferred to the City for future road widening purposes; and further
- c) That Council designate the property as subject to Site Plan Control, be endorsed.

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

(a) **Sault Ste. Marie Physician Recruitment and Retention**

A report of the Physician Recruitment and Retention Office – April 2010 is attached for the consideration of Council.

The Sault Ste. Marie Physician Recruitment & Retention Report is provided under separate cover.

Mover - Councillor L. Tridico
Seconder - Councillor P. Mick

Resolved that the report of the Sault Ste. Marie Physician Recruitment and Retention Office dated April 2010 concerning the Sault Ste. Marie Physician Recruitment and Retention Activity Report and Proposed 2010/2011 Budget request to the City in the amount of \$464,850.00 for the period April 1, 2010 to March 31, 2011 BE REFERRED to the 2010 Budget deliberations for Council's consideration and decision.

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

(a) Mover - Councillor F. Fata
Seconder - Councillor D. Celetti

Whereas a request has been received from the Algoma Residential Community Hospice (ARCH) for signage on Fourth Line to the east and to the west of the entrance to the hospice to assist the public in identifying/accessing the property;
Now Therefore Be It Resolved that appropriate staff report back to Council as to the feasibility and costs of providing this signage.

(b) Mover - Councillor T. Sheehan
Seconder - Councillor S. Myers

Whereas graffiti negatively affects the entire community of Sault Ste. Marie;
And Whereas the City has been working with the Police, Citizens, Community Quality Initiative (CQI) and other organizations to lower the incidence of graffiti in Sault Ste. Marie;

Now Therefore Be It Resolved that City Council receives a verbal report on a program which works with young offenders to reduce the incidents of graffiti by having the individuals guilty of graffiti related crimes having to remove graffiti in the City of Sault Ste. Marie as part of their rehabilitation;

And Further that CQI be requested to implement such a program in the City of Sault Ste. Marie.

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) 2010-84 A by-law to authorize a contract between the City and Palmer Construction Group Inc. for the Third Line extension – Fort Creek Ravine to Peoples Road (Contract 2010-2E).
A report from the Design & Construction Engineer is on the agenda.
- (b) 2010-86 A by-law to authorize an agreement between the City, the City of Sault Ste. Marie Physician Recruitment and Retention Committee, Group Health Centre, Sault Area Hospital and Algoma West Academy of Medicine for the continued recruitment of physicians and health care professionals.

AMENDMENT TO BOUNDARIES OF URBAN SERVICE AREA

- (c) 2010-81 A by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area.
Approved by Council on April 12, 2010.

CEMETERIES

- (d) 2010-80 A by-law to authorize amendments to the text and the tariff rates of By-law 99-208.
A report from the Manager of Cemeteries is on the agenda.

PARKING

- (e) 2010-82 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.

10. **STREET ASSUMPTION**

- (f) 2010-83 A by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

TEMPORARY STREET CLOSING

- (g) 2010-85 A by-law to permit the temporary street closing of Third Line East from the Fort Creek Ravine to Peoples Road for extended periods when necessary between April 27, 2010 to September 30, 2011 for road extension/reconstruction.

TRANSIT

- (h) 2010-79 A by-law to authorize a policy for Sault Ste. Marie Transit Services.

A report from the Transit Manager is on the agenda.

ZONING

- (i) 2010-74 A by-law to amend the TEXT and certain schedules to Sault Ste. Marie Zoning By-law 2005-150.

Approved by Council on March 8, 2010

By-laws before Council for **THIRD** reading which do not require more than a simple majority.

LOCAL IMPROVEMENTS

- (j) 2010-56 A by-law to authorize the construction of a concrete sidewalk on Second Line East from Great Northern Road to Old Garden River Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06.

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 L. Turco

Seconder - Councillor P. Mick

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 04 12

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillor J. Caicco (vacation)

OFFICIALS: J. Fratesi, M. White, L. Bottos, N. Apostle, J. Elliott, B. Freiburger, J. Dolcetti, D. Elliott, D. McConnell, J. Luszka

1. ADOPTION OF MINUTES

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

Resolved that the Minutes of the Regular Council Meeting of 2010 03 22 be approved. CARRIED.

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

3. APPROVE AGENDA AS PRESENTED

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

Resolved that the Agenda for the 2010 04 12 City Council Meeting as presented be approved. CARRIED.

4. DELEGATIONS/PROCLAMATIONS

- (a) Wayne Greco, President – YMCA Board of Directors was in attendance to present a plaque to Mayor Rowswell.
- (b) Theresa Sharp, Chair Volunteer Appreciation Dinner & Awards Evening was in attendance concerning Proclamation - National Volunteer Week.

4. (c) Randy Schuran, Regional Chair for Catholic School Councils was in attendance concerning Proclamation - Catholic Priest Day.
- (d) Evelyn Theriault, Past Diocesan President was in attendance concerning Proclamation - Catholic Women's League Week.
- (e) Mike Murphy was in attendance concerning Proclamation – Parental Alienation Week.
- (f) Patti-Jo Duggan, Liver Recipient and Member of the Provincial Volunteer Committee for Trillium Gift of Life Network, was in attendance concerning Proclamation – National Organ & Tissue Donation Awareness Week.
- (g) Chief Bob Davies was in attendance concerning agenda item 6. (8)(a).
- (h) Tom Vair was in attendance concerning agenda item 5. (o).

PART ONE – CONSENT AGENDA

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

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes

Resolved that all the items listed under date 2010 04 12 Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Township of Burpee and Mills (concerning Manitoulin Island land claims implementation); City of Timmins (concerning request to expedite permitting for new resource developments) was received by Council.
- (c) Correspondence from a citizen concerning the waterfront boardwalk was received by Council.
- (d) Correspondence from the Algoma Residential Community Hospice concerning an upcoming fundraiser was received by Council.
- (e) A memo from Mayor Rowswell and a copy of an article from Sootoday.com concerning wage freeze was received by Council.
- (f) A letter from the Minister of Transportation concerning 2010 Highway Connecting Link Allocation was received by Council.

5. (f) Moved by - Councillor T. Sheehan
Seconded by - Councillor B. Hayes
Resolved that a maximum of \$862,500 allocated to the City of Sault Ste. Marie by the Province of Ontario will be used for the rehabilitation of the Root River Bridge on Great Northern Road, 0.4 km north of Fourth Line, being part of the Connecting Link Capital Improvements; and
Further that the City agrees that funds intended for this project that are not used in accordance with MTO Connecting Link guidelines or not expended by March 31, 2012 will be returned to the Province; and
Further that a final project summary report detailing expenditures, use of Provincial funding, and outcomes achieved shall be attested to by the Chief Administrative Officer and submitted to the Ministry on the understanding that the Ministry may request an independent audit of the project, be approved.
CARRIED.
- (g) A letter from the Deputy Minister of Transportation concerning a one time grant of \$356,796 for the replacement of transit buses and notice of the termination of the Ontario Bus Replacement Program was received by Council.
- (h) A media communication from David Orazietti MPP concerning investment of \$15 Million to Upgrade Short-Line Railway was received by Council.
- (i) **Council Travel**
Moved by - Councillor L. Tridico
Seconded by - Councillor P. Mick
Resolved that Councillor Terry Sheehan be authorized to travel to the Algoma District Municipal Association meeting being held in Elliot Lake, Ontario (1.5 days in April) at an estimated cost of \$300 to the City. **CARRIED.**
- (j) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.
Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 04 12 be approved as requested. **CARRIED.**
- (k) **Tender for Selected Granular Materials**
The report of the Manager of Purchasing was accepted by Council.
Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes

5. (k) Resolved that the report of the Manager of Purchasing, dated 2010 04 12 be endorsed and that the tender for the supply of Selected Granular Materials required by the Public Works & Transportation Department be awarded as recommended. CARRIED.
- (l) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that Pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax accounts as outlined in the City Tax Collector's report of 2010 04 12 be approved and the tax roll be amended accordingly. CARRIED.
- (m) **2010 Budget Meeting**
The report of the Commissioner of Finance & Treasurer was accepted by Council.
- (n) **Corporation of the City of Sault Ste. Marie – User Fees – By-law 2010-2**
The report of the Manager of Budgets and Revenue was accepted by Council.
The relevant By-law 2010-2 is listed under Item 10 of the Minutes.
- (o) **Accountability Agreement with the Sault Ste. Marie Innovation Centre (SSMIC)**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that the report of the Commissioner of Finance and Treasurer, dated 2010 04 12 concerning Accountability Agreement with the Sault Ste. Marie Innovation Centre be accepted and the recommendation that Council approve the Memorandum of Understanding with the Sault Ste. Marie Innovation Centre be approved. CARRIED.
- (p) **Day Care – Service Agreement**
The report of the Commissioner Community Services was accepted by Council.
The relevant By-law 2010-73 is listed under Item 10 of the Minutes.
- (q) **Youth Crime Committee - Update**
The report of the Commissioner Community Services was accepted by Council.

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

5. (q) Resolved that the report of the Commissioner Community Services, dated 2010 04 12 concerning Youth Crime Committee - Update be accepted as information. CARRIED.
- (r) **Affordable Access to Recreation - Update**
The report of the Commissioner Community Services was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes
Resolved that the report of the Commissioner Community Services dated 2010 04 12 concerning Affordable Access to Recreation - Update be received as information. CARRIED.
- (s) **Request for Financial Assistance for National/International Sports Competitions**
The report of the Manager Recreation and Culture was accepted by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor P. Mick
Resolved that the report of the Manager Recreation and Culture dated 2010 04 12 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$400.00 grant to Team Jacobs (Tim Horton's Brier) be approved. CARRIED.
- (t) **Landfill Site, Operations and Monitoring 2009 Environmental Monitoring Committee**
The report of the Land Development & Environmental Engineer was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes
Resolved that the report of the Land Development & Environmental Engineer, dated 2010 04 12 concerning Landfill Site, Operations and Monitoring 2009 be accepted as information. CARRIED.
- (u) **Landfill Gas Collection Project**
The report of the Land Development & Environmental Engineer was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that the report of the Land Development & Environmental Engineer, dated 2010 04 12 concerning Landfill Gas Collection Project be accepted as information and the recommendation that an additional \$300,000 from the Landfill Reserve be used to fund the completion of the project. CARRIED.

5. (v) **Resurfacing of City Streets – 2010 Miscellaneous Construction Program**
The report of the Director of Engineering Services was accepted by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor P. Mick
Resolved that the report of the Director of Engineering Services, dated 2010 04 12 concerning Resurfacing of City Streets – 2010 Miscellaneous Construction Program be accepted as information. CARRIED.
- (w) **Contract 2009-12E – Town Line Road Bridge Replacement – Waive Half Load Restrictions on Base Line and Town Line Road**
The report of the Design & Construction Engineer was accepted by Council. The relevant By-law 2010-77 is listed under Item 10 of the Minutes.
- (x) **Contract 2007-4E – Trunk Road Improvements – Closure of Lake Street at Trunk Road**
The report of the Design & Construction Engineer was accepted by Council. The relevant By-law 2010-75 is listed under Item 10 of the Minutes.
- (y) **Palmer Construction Group – A-5-10-Z – 2325 Great Northern Road – By-law 2010-57**
The report of the City Solicitor was accepted by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor B. Hayes
Whereas Zoning By-law 2010-57 was passed by City Council on March 8, 2010 concerning lands located at 2325 Great Northern 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 April 12, 2010;
Now Therefore Be It Resolved that application be made to the Ontario Municipal Board for dismissal of this appeal. CARRIED.
- (z) **Request from Joe Spina and Sons Enterprises Ltd. To Deem The South Half Lot 8 and Lot 9, Plan 5240, Lots 7, 8 and 9 Plan 4250 as Not Being Part of a Plan of Subdivision (Farewell Subdivision) – Between Spring and March North of Bay Street**
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-71 is listed under Item 10 of the Minutes.
- (aa) **Acquisition of 1.47 Acres from Ontario Realty Corporation – Part 1 on 1R-11700 – McNabb and South Market Realignment**
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-76 is listed under Item 10 of the Minutes.

5. (bb) **Request to Extend the Urban Service Line – Allen's Side Road**
The report of the Planning Division was accepted by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor P. Mick
Resolved that the report of the Planning Division dated 2010 04 12 concerning the request to extend the Urban Service Line – Allen's Side Road be accepted and the Planning Director's Recommendation that City Council approve the request to extend the Urban Service Line 110m north along the east side of Allen's Side Road, be endorsed. CARRIED.
- (cc) **Signs By-law 2005-166 – Amendments to Portable Signs Regulations**
The report of the Planning Division was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes
Resolved that the report of the Planning Division dated 2010 04 12 concerning Signs By-law 2005-166 - Amendments to Portable Signs Regulations be accepted and the Planning Director's Recommendation that City Council accept this report as information, and authorize staff to proceed with public notice for the 3 amendments to Signs By-law 2005-166 contained in the report; and; That City Council approve a policy eliminating the placement of portable signs on public 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, be endorsed. CARRIED.
- (dd) **2010 Budget**
The report of the Commissioner of Finance & Treasurer was accepted by Council.

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes
Resolved that the report of the Commissioner of Finance & Treasurer dated 2010 04 12 concerning 2010 Budget be received as information. CARRIED.
- (ee) The email from the CAO to City Council concerning request from Polish Canadian Community was received by Council.

PART TWO – REGULAR AGENDA

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

6. (1) **ADMINISTRATIVE**

(a) **Acting Mayor**

The memo from Mayor Rowswell and the report from the Chief Administrative Officer were received by Council.

6. (3) **ENGINEERING**

Contract 2010-1E – Hub Trail Construction – Fort Creek Conservation Area

The report of the Director of Engineering Services and the memo to Council from Mayor Rowswell were accepted by Council.

(a) Mover - Councillor S. Myers

Seconder - Councillor T. Sheehan

Resolved that the questions now be put. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Celetti, S. Myers, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

Against: Councillor L. Turco, B. Hayes, O. Grandinetti, L. Tridico

Absent: Councillor J. Caicco

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Director of Engineering Services dated 2010 04 12 concerning Contract 2010-1E – Hub Trail Construction – Fort Creek Conservation Area be accepted and the recommendation that Council award contract 2010-1E to R.M. Belanger Limited in the amount of \$2,779,862.45 (including GST) and that the contracts be delivered and acted upon, and that copies of all site meeting minutes be circulated to members of Council, be approved. CARRIED.

Mover - Councillor S. Myers

Seconder - Councillor T. Sheehan

Whereas Mayor Rowswell is on record as stating due to professional reasons, he is unable to sign contract 2010-1E concerning Hub Trail Construction – Fort Creek Conservation Area; and

Whereas the contract documents were signed in March by the Acting Mayor in the month of March prior to the matter coming back to City Council on April 12; Therefore Be It Resolved that a new signature page be prepared for the immediate signature of April Acting Mayor Pat Mick.

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

(a) **Business Plan 2010-2012**

The report of the Chief of Police was accepted by Council.

The Business Plan 2010-2012 is provided under separate cover.

Moved by - Councillor L. Tridico

Seconded by - Councillor P. Mick

Resolved that the report of the Chief of Police be accepted as information.

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

(a) Moved by - Councillor S. Myers

Seconded by - Councillor P. Mick

Whereas 2010 "Change the World" Ontario Youth Volunteer Challenge is in its third year;

And Whereas this event has grown to include 21 communities across Ontario and this year Volunteer Sault Ste. Marie and United Way Youth Empowerment Committee have joined the challenge;

And Whereas Sault Ste. Marie youth will do their part to Change the World three hours at a time by participating in the first Ontario Youth Community Charity Car Wash Challenge;

And Whereas our youth will engage in a friendly competition to win trophies for their high school while raising funds for a charity of their choice, making this a great way to get involved and to start their volunteer experience;

And Whereas this year's campaign kicks off at the start of National Volunteer Week;

Now Therefore Be It Resolved that all members of City Council and the citizens of Sault Ste. Marie be encouraged to support our youth by going to a local high school location on Saturday April 24 between 10:00 a.m. – 4:00 p.m. to have their cars washed, witness great school spirit, and see unique themes.
CARRIED.

(b) Moved by - Councillor B. Hayes

Seconded by - Councillor P. Mick

Whereas a number of individuals have expressed interest in a municipally built and maintained multi-use gravity park;

And Whereas multi-use gravity parks for the use of non-motorized bicycles in summer and snowboards in winter can range from the very simple to the very complex;

And Whereas many municipalities operate multi-use gravity parks as a component of community services;

7. (b) Now Therefore Be It Resolved that appropriate staff be requested to report back to Council as to: the cost to the City of building and maintaining a multi-use gravity park, including the cost of insurance; and identifying potential locations for a multi-use gravity park. CARRIED.
- (c) Moved by - Councillor S. Myers
Seconded by - Councillor P. Mick
Whereas the existing procedure for dealing with derelict property complaints is for the By-law Enforcement Officer to perform an inspection, followed by a letter of warning to the property owner(s) (if deemed necessary);
And Whereas the current procedure does not provide for a face-to-face discussion with the property owner(s) at the time of inspection;
And Whereas some residents, particularly seniors, may benefit from an explanation of the process at the time of inspection;
And Whereas the City of Sault Ste. Marie's mission statement is "to provide quality and cost-effective services in a responsible and supportive manner";
Now Therefore Be It Resolved that the existing procedure for inspection of derelict properties be amended to require a telephone call prior to the inspection, or an on-site conversation at the time of inspection, identifying the staff member by position, explaining the reason for attending at the property, and describing the City's process. CARRIED.
- (d) Moved by - Councillor S. Butland
Seconded by - Councillor B. Hayes
Be It Resolved that Parks staff be requested to report back to Council with a cost analysis for: soil preparation, seeding, cultivation, and any other associated costs to ensure a sunflower crop for the summer of 2010 on the 11.6 acres east-end snow dump site. CARRIED.
- (e) Moved by - Councillor S. Butland
Seconded by - Councillor L. Turco
Whereas Sir James Dunn played an integral and seminal role in the history of Sault Ste. Marie;
And Whereas his time, energy, resources and considerable entrepreneurial skills were significantly dedicated to the survival and prosperity of the Algoma Steel Corporation;
And Whereas upon the closure of Sir James Dunn Collegiate and Vocational School, the last vestige of tangible recognition of this man's contributions to the very existence of Sault Ste. Marie will be lost;
Now Therefore Be It Resolved that the City of Sault Ste. Marie, in consultation with Sir James Dunn Collegiate and Vocational School, Essar Steel Algoma, Sault Ste. Marie Museum, and any other pertinent body, determine how best to commemorate this extraordinary individual's unparalleled contributions to our great City. CARRIED.

7. (f) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Myers
- Whereas the American non-profit agency "KaBOOM!" recently held a "Promote Your Project" video contest wherein forty-four communities created videos to show why they needed new playgrounds;
And Whereas only ten communities were chosen to compete in the final competition;
And Whereas thousands of family members, area residents and out-of-town supporters voted every day for a month to help the Queen Elizabeth School win this competition;
And Whereas Queen Elizabeth School successfully garnered 39,886 votes and placed first;
And Whereas this incredible effort has resulted in up to \$5,000 in grants towards equipment for the new playground being built in honour of Master Corporal Scott Vernelli;
Now Therefore Be It Resolved that City Council offer a big congratulations to Queen Elizabeth School and a thank-you to all who voted. CARRIED.
- (g) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Myers
- Whereas graffiti negatively effects the entire City of Sault Ste. Marie;
And Whereas the City has been working with police, citizens, Community Quality Initiative (CQI), and other organizations to lower the incidence of graffiti in Sault Ste. Marie;
Now Therefore Be It Resolved that City Council request that the Youth Crime Committee review the CQI report and report back to Council on a program which requires individuals guilty of graffiti-related crimes to remove graffiti as part of their rehabilitation. DEFERRED FOR TWO WEEKS.
- (h) Mover L. Turco
Seconder S. Butland
- Whereas the city of Sault Ste. Marie and in particular, Sault Ste. Marie's Polish community made up of more than 100 families, is deeply saddened by the plane crash Saturday that killed the eastern European country's president and many of its highest ranking officials;
Whereas the plane's occupants were on their way to a ceremony marking the 70th anniversary of the Katyn massacre, which occurred in April of 1940 when Russian troops took 22,000 captured Polish soldiers, civilians, and police officers to the Katyn Forest in Russia where they were killed;
Whereas the Country of Poland has declared a week of mourning to express the country's profound sadness in their loss;
Whereas a book of condolences is available today (Monday) at St. Andrew Bobola Polish Catholic Church and a mass will be held this evening at 7 p.m. The book of condolences will be brought to City Hall to allow citizens of Sault

7. (h) Ste. Marie to express their sympathy between Tuesday, April 13th until Friday, April 16th after which it will be sent to Poland;
Whereas Poland is recognized as one of the founding nations of Sault Ste. Marie, Ontario and the country's flag flies proudly with 24 other founding nations;
Whereas, in recognition of Poland's profound loss, the City of Sault Ste. Marie has lowered our flags and Poland's flag out of respect of the profound loss during this time from today to Wednesday, April 14;
Therefore, the City of Sault Ste. Marie offers its condolences to the people of Poland and families of the Polish Canadian Community in Sault Ste. Marie.
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 L. Turco

Seconded by Councillor B. Hayes

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2010 04 12 be approved. **CARRIED.**

Resolved that By-law 2010-2 being a by-law to establish user fees and service charges be **PASSED** in Council this 12th day of April, 2010.

Resolved that By-law 2010-62 being a by-law to provide access for the renovation of a dwelling at 104 Edmonds Avenue be **PASSED** in Council this 22nd day of March, 2010.

Resolved that By-law 2010-71 being a by-law to deem not registered for purposes of subdivision control certain lots in the Dunn "A" Subdivision and Farwell Subdivision, being South half Lot 8 and Lot 9, Plan 5240, Dunn "A" Subdivision and Lots 7, 8, and 9, Plan 4250, Farwell Subdivision pursuant to Section 50(4) of The Planning Act be **PASSED** in Council this 12th day of April, 2010.

Resolved that By-law 2010-72 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 Council this 12th day of April, 2010.

10. Resolved that By-law 2010-73 being a by-law to authorize a service contract between the District of Sault Ste. Marie Social Services Administration Board and the City for Municipal Day Nurseries effective January 1, 2010 be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-75 being a by-law to authorize the temporary closing of Lake Street along the south side of Trunk Road from April 21, 2010 to June 12, 2010 to facilitate the reconstruction of a section of the municipal watermain be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-76 being a by-law to authorize the City's acquisition from Ontario Realty Corporation acting as agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Energy and Infrastructure of the property described as Part 1 on Plan 1R-11700 be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-77 being a by-law to lift half load restrictions on a portion of Base Line and a portion of Town Line be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-78 being a by-law to authorize a licence of occupation between the City and The Batters Edge Inc. for the use of the batting cage operation being a portion of Strathclair Park be PASSED in Council this 12th day of April, 2010.

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 L. Turco

Seconded by - Councillor P. Mick

Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK

5(a)

**Ministry of
Municipal Affairs
and Housing**
Municipal Services Division
777 Bay Street - 16th Floor
Toronto ON M5G 2E5
Telephone: 416 585-7257
Fax: 416 585-6445

**Ministère des
Affaires municipales
et du Logement**
Division des services municipaux
777, rue Bay, 16^e étage
Toronto ON M5G 2E5
Téléphone: 416 585-7257
Télécopieur: 416 585-6445

March 31, 2010

To: All Municipal Clerks

Re: Municipal Service Delivery Reviews

Enclosed for your municipality's information and use is the recently updated pamphlet, *Making Choices: A Guide to Service Delivery Review for Municipal Councillors and Senior Staff*. Please make this letter available to all council members and department heads to ensure they are aware of this service delivery evaluation tool.

The Ministry of Municipal Affairs and Housing, the Association of Municipal Managers, Clerks and Treasurers of Ontario, the Municipal Finance Officers Association, and the Ontario Municipal Administrators Association developed this resource for municipalities, and particularly for elected officials, and senior staff.

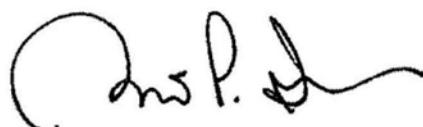
There are expectations for governments to make informed choices about the service they provide, whether municipalities are facing economic growth or challenges.

I hope this guide helps provide a better understanding of the benefits and overall considerations involved in a municipal service delivery review.

This document can also be read or downloaded from the ministry's website at: www.mah.gov.on.ca. A more detailed version of the pamphlet, intended for those working on a service delivery review, is also available on the ministry's website.

If you have questions, please contact staff in one of our ministry's Municipal Services Offices, which are listed on the back page of the pamphlet.

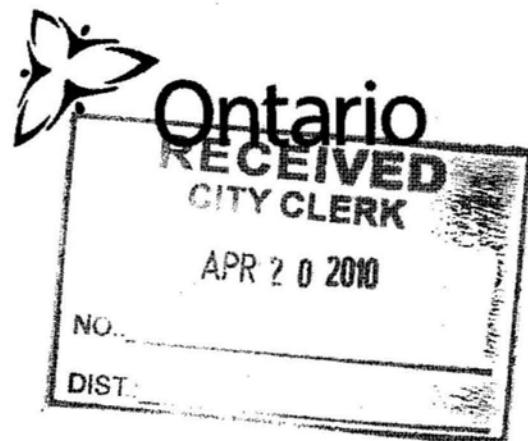
Yours truly,



Robert P. Taylor, B.A., M.PI., Ph.D
Assistant Deputy Minister

cc: Association of Municipal Managers, Clerks and Treasurers of Ontario
Municipal Finance Officers Association
Ontario Municipal Administrators' Association

Attach:





Working for Municipalities

Heads UP

Alert

Important Information for Municipalities

April 19, 2010

OGRA to Manage \$750,000 Fund for Municipalities

Cliquez ici pour la version française de ce signal d'alerte d'OGRA

On March 24, 2010, the Ontario Good Roads Association (OGRA) and Ontario's Ministry of Transportation (MTO) entered into an agreement to support municipal bridge infrastructure.

The Ontario government will provide \$750,000 to help Ontario municipalities collect and report data on the extent and condition of bridge structures in their jurisdiction.

All municipalities will be able to apply for matching funding to a maximum of \$5,000 to assist them with the costs of collecting, collating, compiling, formatting, and inputting bridge asset and condition data into Municipal DataWorks (MDW).

To qualify for the funding, municipalities will have to provide a letter of commitment to submit bridge asset and condition data for inclusion into MDW by March 31, 2011. The funding may be used for additional staff and/or consulting services.

In her comments, Minister of Transportation, Kathleen Wynne stated: "The acquisition of municipal bridge asset and condition information is of great importance to the Province in order to support the assessment of municipal bridge infrastructure needs."

"We were extremely pleased to be able to assist our members by managing these funds on behalf of MTO" said Paul Johnson, OGRA President and Operations Manager for the County of Wellington. "OGRA has been encouraging municipalities to get their infrastructure data into MDW, and this funding announcement will only accelerate our efforts."

"OGRA is well positioned to administer this program" stated OGRA Executive Director Joe Tiernay. "We already have close to 300 municipalities signed up to use MDW, and now that there is funding available to help offset costs, we hope to see the remaining 145 municipalities get on board. Only with solid infrastructure condition information, can municipalities truly manage their assets and make a solid case for future infrastructure funding."

Details on how to apply for funding are attached and can be found on the OGRA website at www.ogra.org.

-30-

ONTARIO GOOD ROADS ASSOCIATION

6355 KENNEDY ROAD, UNIT #2, MISSISSAUGA, ON L5T 2L5
TEL: 905-795-2555 FAX: 905-795-2660 EMAIL: info@ogra.org



Working for Municipalities

Application for Funding

Municipal Bridge Data Collection

Name of Municipality: _____

Address: _____

Primary Contact: _____

Telephone: _____ Fax: _____

E-mail: _____

This application must be accompanied by a certified copy of a resolution passed by the Council.

Sample Resolution

The Council of the (name of municipality) hereby applies for funding for the purpose of collecting, collating, compiling and formatting bridge asset and condition data, and agrees to submit bridge asset and condition data for inclusion in Municipal DataWorks by March 31, 2011.

Condition of Funding

1. One application per municipality.
2. Funding maximum – 50% of eligible expenses to a maximum of \$5,000.00.
3. Eligible expenses include:
 - Consulting services
 - Additional staff time and overhead
4. Equipment and/or software acquisition are ineligible.
5. An itemized statement of expenditures with supporting receipts must be submitted to OGRA no later than February 28, 2011 to the attention of Joe Tiernay (joe@ogra.org) or by fax at 905-795-2660.

ALGO DISTRICT MUNICIPAL ASSOCIATION
40 Broadway Ave, PO Box 500, ON P0S 1K0 ~ Canada
Phone 705-856-2244 ~ Fax 705-856-2120 ~
Lou Madonna, President
Chris Wray, Executive Director

5(a)

**Ms. Debbie Zimmerman, Chair
Municipal Property Assessment Corporation
1305 Pickering Parkway
Pickering ON L1V 3P2**

April 13, 2010

Dear Ms. Zimmerman:

Re: MPAC Service Delivery to Municipalities

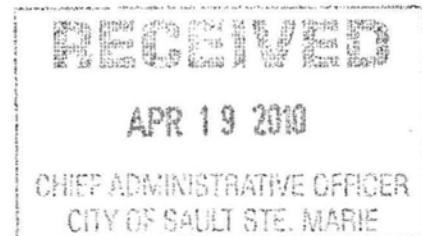
At the Algoma District Municipal Association meeting held on Saturday, April 10, 2010, the Members of the Association passed Resolution No. 2010-004, supporting the resolution by the City of Sault Ste. Marie concerning correspondence sent by Chief Administrative Officer, Joe Fratesi requesting that MPAC improve its service delivery to all municipalities. Please find a copy of both resolutions attached for your files.

If you have any questions or concerns, please feel free to contact me at (705) 856-2244 ext. 223 at your convenience.

Best Regards,


**Chris Wray
Executive Director**

cc City of Sault Ste. Marie
 Federation of Northern Ontario Municipalities



40 Broadway Ave, PO Box 500, ON P0S 1K0 ~ Canada
Phone 705-856-2244 ~ Fax 705-856-2120 ~

The Algoma District Municipal Association

5a)

REGULAR BUSINESS MEETING

RESOLUTION

Saturday, April 10, 2010

| | |
|--------------------------------------|------------------------------------|
| Resolution #2010-004 | Meeting Order: 4 |
| Moved by: <i>Sheraeen Ceelock</i> | Seconded by: <i>Lynn Wilcox</i> |

BE IT RESOLVED that the Algoma District Municipal Association supports the Resolution by the City of Sault Ste Marie concerning correspondence sent by Chief Administrative Officer, Joe Fratesi requesting that MPAC improve its service delivery to all municipalities. (copy attached)

FURTHER that a copy of this Resolution be forwarded to the City of Sault Ste Marie and the Federation of Northern Ontario Municipalities.

| RESOLUTION RESULT | RECORDED VOTE | YES | NO |
|--|--------------------|-----|----|
| <input checked="" type="checkbox"/> CARRIED | Members - See List | | |
| <input type="checkbox"/> DEFEATED | | | |
| <input type="checkbox"/> TABLED | | | |
| <input type="checkbox"/> RECORDED VOTE (SEE RIGHT) | | | |
| <input type="checkbox"/> PECUNIARY INTEREST DECLARED | | | |
| <input type="checkbox"/> WITHDRAWN | | | |

PRESIDENT - LOU MADONNA

Lou Madonna

EXECUTIVE DIRECTOR - CHRIS WRAY

Chris Wray

5(a)

Malcolm White B.P.H.E., CMO
City Clerk



City Clerk's Department

2010 03 24

FONOM
Lynne Reynolds
Executive Director
Box 2175, STN A
Sudbury, ON P3A 4S1

Dear Ms. Reynolds:

At the regular City Council Meeting of the Corporation of the City of Sault Ste. Marie held on March 22, 2010 the following resolution was approved:

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

Resolved that Council of the City of Sault Ste. Marie wholeheartedly endorse the concerns of its Chief Administrative Officer as outlined in his correspondence addressed to the Municipal Property Assessment Corporation dated March 11, 2010; and
Further be it resolved that this resolution and accompanying correspondence be circulated to the Algoma District Municipal Association, the Federation of Northern Ontario Municipalities and large urban Northern Ontario Municipal Councils for endorsement. CARRIED.

Councillor F. Fata declared a pecuniary interest – employed by the Municipal Property Assessment Corporation.

Sincerely,

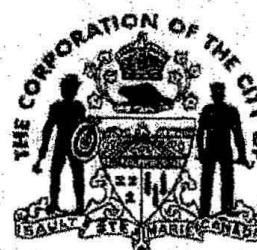
A handwritten signature of Malcolm White.

Malcolm White
City Clerk

RECEIVED
MAR 26 2010
MUNICIPALITY OF WAWA

cc: ADMA
 City of Timmins
 City of Greater Sudbury
 City of Thunder Bay
 City of North Bay

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@citysm.on.ca
b.berlingier@citysm.on.ca

2010 03 11

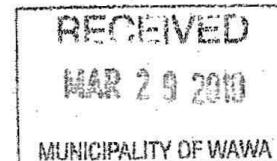
Mr. Carl Isenburg, President & CAO
Municipal Property Assessment Corporation
1305 Pickering Parkway
Pickering, ON
L1V 3P2

Dear Mr. Isenburg:

Like most municipalities in Ontario, the City of Sault Ste. Marie is currently preparing for presentation, its 2010 budget to cover the cost of delivering municipal services. As well, like most municipalities in Ontario, the City of Sault Ste. Marie is facing a very difficult set of financial circumstances brought on by many varying factors. As a result, City staff has been asked to look at ways in which the final budget can be fashioned so as to continue to deliver services which are important to our community, but at the same time, with a resulting tax bill that is affordable. While we examine our levels of services, as well as the costs which go into those services, we are also looking at ways in which we can generate increased revenues.

Obviously, the increases in assessments which Sault Ste. Marie is experiencing, is one way in which new revenues may be realized, but a more equitable way in which our ratepayers are better serviced, is by ensuring that we have captured all new assessment which has resulted from new construction or improvements to existing taxable properties.

For several years now, our City has complained about the decline in services which have been provided to us by MPAC. Many resolutions have been passed by not only our community, but by many others, asking for a significant improvement in the services which MPAC provides to us. As a matter of fact, many communities have asked the Provincial government to consider alternatives to MPAC as a manner of obtaining accurate and timely assessment information for tax and election purposes in our communities.



5(a)

You have been asked to attend to address our City Council and you have done so in the past and have promised better service. However, such improvement has not been realized. I have been advised that in our City, there is still outstanding the need to assess 130 new homes that date back to early 2007. For some of these people, tax bills will eventually be sent picking up three (3) years of assessment and taxes. Many will not have prepared properly for these large sums and the City is always criticized for the delay. I am told that the permit value (which is generally less than the assessed value) for these 130 homes is approximately \$24 million.

There are also new commercial, industrial and institutional structures which have not been assessed. An example of this is the new Youth Detention Centre, which has operated for several years. That permit alone has a value of \$6.5 million assigned to it.

While, I appreciate that MPAC has the ability to go back on this new assessment for the new construction referred to above, the City could desperately use the new revenue which would be generated by these structures now.

I am also advised that there are a large number of outstanding assessments related to permits which have been issued for renovations, garages, decks, etc. They number approximately one thousand (1000) outstanding and date back to 2002. The total permit value for these outstanding minor permits is almost \$20 million and the ability to tax back to when the improvements were made are considerably limited. Again, if the appropriate assessments were done in a more timely manner, the increased revenues to our municipality would go a long way in dealing with our predicament.

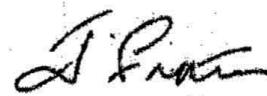
I am well aware that my concerns are shared by the members of the Sault Ste. Marie Municipal Council. My concerns are also shared by my counterparts in the other cities of Northern Ontario, as they too, struggle with their budgets. Our municipalities do not have other options to ensure that any growth which we may enjoy and which results in new revenue for us is readily captured with appropriate assessments. We can only rely on MPAC providing to us good service. The City of Sault Ste. Marie will be paying almost \$800 thousand for this service in 2010 and should expect better. There should be no reasonable excuse for not capturing new assessment within the first year of occupancy for new construction and certainly within the same time period for improvements to existing structures.

While I do not want to venture into the relationships between MPAC and its employees, I do want to express my serious concern about the existing service which is provided to Northern Ontario communities. If indeed the reason for the current level of service is a lack of staffing, any further reductions in the Northern communities will only compound our problem.

5(a)

I would very much appreciate it if you would review these concerns and provide me with a reply which gives me some reasonable expectation that the services that MPAC provides to Sault Ste. Marie and to the other Northern communities will significantly improve in the next short period of time.

Yours truly,



JMF:bb

Joseph M. Fratesi
Chief Administrative Officer

c.c. Mayor & Members of City Council
Bill Freiburger
David Orazietti, MPP
Darryl Bender, MPAC
Joe Torlone, CAO, City of Timmins
Dave Linkie, CAO, City of North Bay
Tim Commissio, City Manager, City of Thunder Bay
Doug Nadorozny, CAO, City of Greater Sudbury



File D-1100

April 13, 2010

Premier Dalton McGuinty
Province of Ontario
Room 281, Main Legislative Building
Queen's Park
Toronto, Ontario M7A 1A1

Re: The Public Sector Salary Disclosure Act, commonly known as the 'Sunshine List'

Oshawa City Council considered the above matter at a meeting held April 6, 2010 and adopted the following resolution:

"Whereas the *Public Sector Salary Disclosure Act*, commonly known as the Sunshine List, 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 City Councils have an obligation and responsibility to advocate other levels of government on behalf of their constituents where issues affect them and their level of taxation directly; and,

Whereas the section listing municipal salaries shows no salary in excess of \$325,000; and,

Whereas numerous salaries over \$325,000 are listed in other sections of the list; and,

Whereas many citizens in Ontario feel that employees on this Public Sector list earning \$325,000 and more annually is excessive;

Therefore be it resolved that the Council of the City of Oshawa requests the Premier of the Province of Ontario to enact legislation that would create a salary cap of \$325,000 to all individuals in the employment of the Public Sector who fall under the parameters of this Act; and,

That a copy of this resolution be forwarded to the Regional Municipality of Durham, the Association of Municipalities of Ontario, Oshawa Metro Area MPPs, and all Ontario municipalities with a population of 50,000 or more."

5(b)

- 2 -

Your consideration of this important matter is appreciated.

By copy of this letter, I am advising the other parties noted in the resolution of Council's decision.

If you need further assistance, please contact me at the address listed below, or by telephone at 905-436-5636, ext. 2230.



Sandra Kranc
City Clerk

- c: Regional Municipality of Durham
Association of Municipalities of Ontario
Christine Elliott, MPP – Whitby/Oshawa
Jerry Ouellette, MPP – Oshawa
Joe Dickson, MPP – Ajax/Pickering
John O'Toole, MPP – Durham
Rick Johnson, MPP – Haliburton/Kawartha Lakes/Brock
Wayne Arthurs, MPP – Pickering/Scarborough East
All 64 Ontario municipalities with a population of 50,000 or more



Chair-Leaders
WHEELCHAIR ROLLER



Canadian
Paraplegic
Association
Ontario

Association
canadienne des
paraplégiques
Ontario

About CHAIR-LEADERS

CHAIR-LEADERS is an awareness and fundraising initiative where individuals voluntarily agree to spend a day using a wheelchair. By being a CHAIR-LEADER, you will also raise awareness of the need for accessibility for all residents in Ontario.

CHAIR-LEADERS are provided with a wheelchair and Canadian Paraplegic Association (CPA) Ontario will offer basic wheelchair training. The CHAIR LEADER is encouraged to use the wheelchair during the entire day, while going about their routines at work and/or leisure.

Our hope is that by spending a day using a wheelchair you will gain a greater insight into some of the barriers faced by people with mobility issues in your community.

About CPA Ontario

CPA Ontario was founded 65 years ago by veterans with spinal cord injuries. Our mission is to assist persons with spinal cord injuries and other physical disabilities to achieve independence, self-reliance and full community participation.

Currently, CPA Ontario provides the following programs and services:

- advocacy
- peer support
- employment services

- attendant services
- information and education services
- volunteer and membership opportunities

With regard to community advocacy, CPA Ontario assists communities to identify, reduce and eliminate barriers which will allow for full community participation. Our Regional Services provide information and education on topics such as housing, financial assistance, health, sexuality, assistive devices and equipment and transportation.

Thank you for your commitment to CHAIR-LEADERS. Your involvement and participation in this fundraiser is commendable. You have made a difference in helping CPA Ontario rebuild lives one victory at a time!

**Andrea Ronan-Chair-Leaders Event Coordinator
Canadian Paraplegic Association (Ontario)**

80 Bradford St., Suite 111, Barrie, Ontario

Tel: (705) 726-4546 ext. 226 Fax: (705) 726-5054

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5(d)



National
Defence Défense
nationale

Chief of the Maritime Staff
Director Navy Public Affairs
101 Colonel By Drive, Pearkes Building
Ottawa, ON K1A 0K2

January 22nd, 2010

RECEIVED

JAN 28 2010

MAYOR'S OFFICE

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

Dear Mr. John Rowswell,

I am writing on behalf of the Canadian navy which is currently celebrating its centennial year. The theme of the centennial is *Bring the Navy to Canadians* and events and activities that are equally focused on honouring the past, showcasing the current navy, and reinforcing the enduring role for future naval forces are being planned across Canada.

One of these activities is a Namesake Community Partner Ship Program to honour the 320 Canadian communities whose names have been shared with Canadian warships since 1910. Your community of Sault Ste Marie is part of this legacy connection with Canada's navy.

Canadian warships carry their names with the utmost pride, and those still in service continue to value and promote the relationship between ship and community that their predecessors established and enjoyed before them. To further strengthen ties with the community and recognize the historic connection between ship and city, the navy is acknowledging every ship namesake community in Canada with the presentation of a framed picture and write up of the namesake ship. HMCS *Sault Ste Marie*, for example, is named for your community.

If convenient, we would like to send a naval representative to make the presentation to your Council and community representatives. Of course the decision of a presentation ceremony and format is up to you. You may prefer to do it at a Council meeting or perhaps for a wider audience at a community event or local sporting venue. We would appreciate that local 'friends of the navy' organizations, community leaders, public and the media be invited. The timeline is similarly flexible as we are aiming at presenting these mementos throughout 2010.

In order to liaise with your staff for the presentation plan and schedule, can you please provide us with the name of your point of contact. This can be done by letter, email: Amanda.Pierunek@forces.gc.ca or fax: (613) 945-0688.

We appreciate your community's support to the Canadian navy and look forward to building on the links between the navy and your namesake community.

Sincerely,

Denise LaViolette

Denise LaViolette
Commander
Director Navy Public Affairs

Canada



CONFIDENTIAL
FAX COVER SHEET

**ONTARIO LOTTERY AND GAMING
CORPORATION (OLG)**

4120 Yonge Street, Suite 500, Toronto, Ontario M2P 2B8
Ph: 416-224-7047 Fax: 416-224-7002

Date: April 19, 2010

To: Mayor John Rowswell
City of Sault Ste. Marie

Fax: 705-541-7171

From: Jake Pastore
Manager, Municipal and Community Relations

Message:

Please note that there will be a financial transaction to your Municipality's account today in the amount of \$347,646.85.

This transaction represents the quarterly payment of the 5%-2% allocation from January 1, 2010 to March 31, 2010 as per your agreement with the Ontario Lottery and Gaming Corporation on the operation of the OLG Casino Sault Ste. Marie. This brings the grand total to \$17,299,793.

Should you have any questions regarding this payment, feel free to contact me directly at 416-224-7047.

5(e)

CASINO REVENUE SUMMARY

City of Sault Ste. Marie

CITY 5% SLOT REVENUE

| | TOTAL | Increase over Previous Year |
|------------|-----------|--------------------------------|
| Total 1999 | 783,232 | |
| Total 2000 | 1,292,709 | 65.0% |
| Total 2001 | 1,611,235 | 24.6% |
| Total 2002 | 1,926,143 | 19.5% |
| Total 2003 | 1,915,935 | -0.5% |
| Total 2004 | 1,870,351 | -2.4% |
| Total 2005 | 1,577,078 | -15.7% |
| Total 2006 | 1,455,919 | -7.7% |

2007

| | | |
|--------------------------------|------------------|------|
| January 1 to March 31, 2007 | 358,727 | |
| April 1 to June 30, 2007 | 386,432 | |
| July 1 to September 30, 2007 | 418,484 | |
| October 1 to December 31, 2007 | 366,564 | |
| Total 2007 | 1,530,207 | 5.1% |

2008

| | | |
|--------------------------------|------------------|-------|
| January 1 to March 31, 2008 | 352,418 | |
| April 1 to June 30, 2008 | 388,382 | |
| July 1 to September 30, 2008 | 399,403 | |
| October 1 to December 31, 2008 | 376,837 | |
| Total 2008 | 1,517,040 | -0.9% |

2009

| | | |
|--------------------------------|------------------|-------|
| January 1 to March 31, 2009 | 356,734 | |
| April 1 to June 30, 2009 | 372,517 | |
| July 1 to September 30, 2009 | 404,405 | |
| October 1 to December 31, 2009 | 338,643 | |
| Total 2009 | 1,472,299 | -2.9% |

2010

| | | |
|--|-------------------|--|
| January 1 to March 31, 2010 | 347,646 | |
| Total Funds Received since 1999 | 17,299,794 | |

| | Jan. to March | % Increase | April to June | % Increase |
|------|---------------|------------|---------------|------------|
| 1999 | 0 | 0 | 0 | 0 |
| 2000 | 287,177 | 0% | 317,240 | 0% |
| 2001 | 320,150 | 11% | 392,289 | 24% |
| 2002 | 430,587 | 34% | 490,694 | 25% |
| 2003 | 445,897 | 4% | 496,830 | 1% |
| 2004 | 483,157 | 8% | 498,329 | 0% |
| 2005 | 393,120 | -19% | 403,218 | -19% |
| 2006 | 344,906 | -12% | 355,429 | -12% |
| 2007 | 358,727 | 4% | 386,432 | 9% |
| 2008 | 352,418 | -2% | 388,382 | 1% |
| 2009 | 356,734 | 1% | 372,517 | -4% |
| 2010 | 347,647 | -3% | | |

| | July to Sept. | % Increase | Oct. to Dec. | % Increase |
|------|---------------|------------|--------------|------------|
| 1999 | 475,421 | 0% | 307,811 | 0% |
| 2000 | 372,049 | -22% | 316,243 | 3% |
| 2001 | 473,346 | 27% | 425,450 | 35% |
| 2002 | 534,131 | 13% | 470,731 | 11% |
| 2003 | 480,977 | -10% | 492,231 | 5% |
| 2004 | 464,417 | -3% | 424,448 | -14% |
| 2005 | 408,222 | -12% | 372,518 | -12% |
| 2006 | 386,201 | -5% | 369,383 | -1% |
| 2007 | 418,484 | 8% | 366,564 | -1% |
| 2008 | 399,403 | -5% | 376,837 | 3% |
| 2009 | 404,405 | 1% | 338,643 | -10% |



5(f)

Times Square 1760 Regent Street South Sudbury ON P3E 3Z8
tel (705) 523-1677 fax (705) 522-1502
www.netcentral.on.ca

| | |
|-------------|-------------------------|
| RECEIVED | |
| CITY CLERK | |
| APR 13 2010 | |
| NO.: | 51640 |
| DIST.: | Mayor CFO Agendas |

April 7, 2010

Mr. Malcolm White
Deputy City Clerk
The Corporation of the City of Sault Ste. Marie
PO Box 580, 99 Foster Drive
Sault Ste. Marie ON P6A 5N1

Dear Mr. White:

I am pleased to advise The Corporation of the City of Sault Ste. Marie that NetCentral has submitted a funding application to the Northern Ontario Heritage Fund Corporation (NOHFC) to assist Bell Mobility to expand cellular telephone and High Speed Packet Access (HSPA -mobile broadband) services on Highway 17 West with new tower sites proposed for Desbarats and Echo Bay. NetCentral is working with Wilf Lefresne, Executive Director of Algoma District Network (ADnet), to secure improved services for residents.

Bell Mobility was selected as the service provider in a competitive tendering process in 2008. These new sites will include the new HSPA service plus the current CDMA services offered by Bell Mobility and available to subscribers from Telus and other networks that roam on the Bell network. One time public funding is required in order for Bell Mobility to introduce and operate the two new sites and services on a sustainable basis.

The proposed new tower at Desbarats will improve cell service and high speed wireless broadband on Hwy 17 and the north shore of St. Joseph Island. The new tower at Echo Bay will expand cell coverage on Highway 17 south of Sault Ste Marie and east on Hwy 638.

NetCentral is requesting \$1.2 million from NOHFC toward the \$1.6 million project to improve cellular and mobile broadband services on this important section of Hwy 17 from Desbarats to Sault Ste Marie and on St. Joseph Island. NetCentral has also requested FedNor to fund these investments in telecommunications infrastructure which expands broadband coverage to unserved and underserved communities.

We have included your April 27, 2009 resolution for the project in our funding application to NOHFC. I would encourage you to reiterate your support for this telecommunications infrastructure project by writing to the Honourable Michael Gravelle, Minister of Northern Development, Mines and Forestry and Chairman of NOHFC, with a copy to Aime Dimatteo, Executive Director of NOHFC, NetCentral and Wilf Lefresne, Executive Director of ADnet. A letter to Carmen De Marco, Manager of Northeastern, FedNor, requesting FedNor's support of these projects would also be timely.

... Page 2

NetCentral Community Communications Network

Northeastern Ontario's Community Based Broadband Telecommunications Network serving Chapleau, Elliot Lake, Town of Northeastern Manitoulin and the Islands, Parry Sound and Sudbury. Supported by FedNor and the Northern Ontario Heritage Fund Corporation.

5(f)



Times Square 1760 Regent Street South Sudbury ON P3E 3Z8
tel (705) 523-1677 fax (705) 522-1502
www.netcentral.on.ca

Thank you for your support to improve telecommunication services to residents, travellers, tourists and businesses in the region.

Sincerely,


Morry Brown
General Manager

cc Wilf Lefresne, Executive Director, ADnet

Honorable Michael Gravelle
Minister of Northern Development, Mines and Forestry and
Chairman of Northern Ontario Heritage Fund Corporation
Whitney Block - 5th Floor #5630
99 Wellesley Street W
Toronto ON M7A 1W3
Tel: 416- Fax: 416-327-0665

Mr. Aime Dimatteo, Executive Director
Northern Ontario Heritage Fund Corporation
70 Foster Dr., Roberta Bondar Place, Suite 200
Sault Ste. Marie, ON P6A 6V8
Tel (705) 945-5900 Fax (705) 945-5931

Mr. Wilf Lefresne, Executive Director
Algoma District Network (ADnet)
PO Box 668
Thessalon ON P0R 1L0
Tel: 705-649-1252
adnetinfo@adnetalgoma.ca

Mr. Carmen De Marco, Manager
FedNor
19 Lisgar Street Suite 307
Sudbury ON P3E 3L4
Tel 705-671-0697(877-333-6673) Fax 705-671-0717



5(g)

MUNICIPAL PROPERTY ASSESSMENT CORPORATION

April 12, 2010

Mr. Joseph M. Fratesi
Chief Administrative Officer
The Corporation of the City of Sault Ste. Marie
99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, ON P6A 5N1

Dear Mr. Fratesi:

Thank you for your e-mail of March 11, 2010 advising me of your concerns with respect to service delivery by the Municipal Property Assessment Corporation (MPAC).

We strive to provide property assessment excellence and outstanding service to our property taxpayer customers and our municipal and provincial stakeholders. In the past, when the City raised concerns, we responded directly to the issues. As you noted, both MPAC staff and I personally, have appeared before council on several occasions to hear the concerns of your municipality and exchange ideas and information.

We have promised to deliver improved service and I think we have made considerable advances, despite your observation that an improvement has not been realized. Specifically for Sault Ste. Marie, in 2007 we added \$31 million in additional assessment; in 2008, the amount was \$33 million and in 2009 that figure grew to more than \$47 million. In this three year period, that represents over \$111 million in new assessment.

MPAC processed more than 1,100 building permits in 2009 for properties in the City. You mentioned that there are 130 homes that need to be assessed, some dating back to 2007. I have been advised that as of today, there are three (3) homes from 2007 that have not been assessed. MPAC staff had visited these properties in the past with the goal of adding the properties to the roll, but at the time of the inspections the buildings were incomplete.

We will continue to work toward reducing the amount of outstanding permits from 2008 and 2009. While you indicate that we should capture growth within the first year of occupancy, you will be pleased to know that it is, in fact, our goal to process residential building permits within six (6) months of occupancy.

Office of the President and Chief Administrative Officer
1305 Pickering Parkway, Pickering, Ontario L1V 3P2
T: 905.837.6150 F: 905.831.0040 E: isenbuca@mpac.ca
www.mpac.ca

RECEIVED

APR 15 2010

CHIEF ADMINISTRATIVE OFFICER
CITY OF SAULT STE. MARIE

Mr. Joseph M. Fratesi

April 12, 2010

Page 2 of 3

In your letter, you also refer to special and exempt properties, such as the Youth Detention Centre. While the permit amounts appear sizeable, many of these properties may have a minimal impact on the municipality's taxable assessment base. However, I can commit that this permit will be reviewed, updated and added to the municipal roll this year.

It is also important for me to highlight that at the same time that we made progress in our work in Sault Ste. Marie, MPAC faced significant pressures in 2009. The provincial budgets in 2007 and 2008 introduced legislation that established the phase-in of assessment increases as a result of the province-wide Assessment Update. The phase-in provisions resulted in the need to change many of our business processes and computer system requirements. In addition, the province required MPAC to establish Current Value Assessment values for about 22,000 properties in the now reformed Provincial Land Tax areas.

Legislative changes resulted in making the Request for Reconsideration (RfR) a mandatory first step in the appeal process. In addition the 2009 RfR submission deadline was changed to March 31, 2009 and the legislation also called for MPAC to complete its review of each RfR by September 30, 2009, or November 30, 2009 if mutually agreed to by both parties. 2009 was also the first year for incorporating the changed RfR process and procedures into our work activities.

Across Ontario we completed more than 178,000 RfRs in 2009 that included increased contact with customers, higher quality responsiveness, greater transparency to our customers and a 98% customer complaint-free level of performance. We completed all of the 565 RfRs filed by property taxpayers of Sault Ste. Marie. MPAC will support the completion of any requests that proceed to a hearing before the Assessment Review Board, including any appeals currently outstanding from previous taxation years.

The processing of supplementary and omitted assessments in 2009 was also affected by the introduction of phase-in. Although MPAC continued with inspection activities in the field throughout 2009, we were prevented from processing and delivering supplementary and omitted assessments until August, as provincial regulations governing in-cycle changes were not approved until July 16, 2009. The late approval governing in-cycle changes demanded our rapid understanding of the implication of this regulation, requiring finalization of computer system modifications, assessing training needs and developing training tools in preparation for delivery in a condensed timeframe.

As soon as the government confirmed the business rules of the regulations, we were permitted to process our workload. We concentrated our efforts on keying the supplementary and omitted assessments that resulted in nearly \$25 billion of assessment base growth across the province. This was the second highest amount ever added to local assessment rolls and all delivered within 100 days after regulatory approval. Our immediate priority was to process the assessments for properties that had undergone a change that affected their value or classification in 2007, 2008 and 2009.

5(g)

Mr. Joseph M. Fratesi

April 12, 2010

Page 3 of 3

I certainly understand your concerns with getting timely supplementary and omitted assessments. Please be assured, MPAC is working hard to meet the legislative and regulatory changes resulting from the previous provincial budgets, including new deadline timeframes, while still providing accurate assessments and outstanding customer service to property taxpayers and delivering the services required by our municipal stakeholders at a reasonable cost.

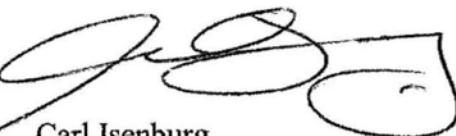
In order to improve on the delivery of supplemental assessments, MPAC is currently working on two (2) processes which we believe will assist us in meeting our goal of more timely assessments. First, we will be contacting your building department to reconcile the building permits we have tracked in our database against those in your inventory. This will identify any discrepancies, provide a framework for completion of these permits, assist us to regularly obtain occupancy permits and generally help to keep one another informed on our progress.

Secondly, we have set up a Municipal Liaison Sub-Group to address issues surrounding Assessment Growth Management. This group will be comprised of representatives from municipal organizations and municipalities. Darryl Bender, Account Manager, Municipal Relations has recommended Peter Liepa, Tax Collector for this committee.

MPAC takes its commitment to providing timely service to the communities in Northern Ontario very seriously. In 2009 we were able to supply similar or increased assessment growth numbers to the cities of North Bay, Sudbury, Timmins and Thunder Bay.

If you or your staff have any further questions, please do not hesitate to contact me at 1 877 635-6722 ext. 6150 or Arthur Anderson, Director, Municipal Relations at extension 6993.

Yours truly,



Carl Isenburg

President and Chief Administrative Officer

Copy Bianca Berlingieri, City of Sault Ste. Marie

Joe Torlone, City of Timmins

David Orazietti, M.P.P., Sault Ste. Marie

Dave Linkie, City of North Bay

Tim Commissio, City of Thunder Bay

Doug Nadorozny, City of Greater Sudbury

Paul Galaski, Vice-President, Customer Relations, MPAC

Arthur Anderson, Director, Municipal Relations, MPAC

Darryl Bender, Account Manager, Municipal Relations, MPAC

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
b.berlingieri@cityssm.on.ca

2010 04 26

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

The following staff travel requests are presented to you for approval:

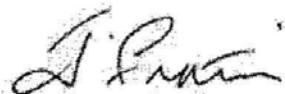
1. **Denis Desrosiers – Legal – POA Division**
Municipal Court Manager's Conference
May , 2010
London, ON
Estimated total cost to the City - \$ 1,281.00
Estimated net cost to the City - \$ 1,281.00
2. **Eric Vanderburg – Social Services Department**
Face to Face Meeting Employment MCSS
May, 2010
Sudbury, ON
Estimated total cost to the City - \$ 388.00
Estimated net cost to the City - \$ 194.00
3. **Kim Streich-Poser – Social Services Department**
OMSSA Annual Conference\\
June, 2010
Collingwood, ON
Estimated total cost to the City - \$ 2,060.75
Estimated net cost to the City - \$ 1,030.37
4. **Don Maki – Engineering & Planning – Building Division**
Northern Lights Chapter Meeting - OBOA
May, 2010
Espanola, ON
Estimated total cost to the City - \$ 116.00
Estimated net cost to the City - \$ 116.00

5. **Bryan Bunting – Engineering & Planning – Building Division**
Northern Lights Chapter Meeting - OBOA
May, 2010
Espanola, ON
Estimated total cost to the City - \$ 66.00
Estimated net cost to the City - \$ 66.00

6. **John Luszka, Human Resources**
2010 Drug Plan Management Conference
June, 2010
Mississauga, ON
Estimated total cost to the City - \$ 148.00
Estimated net cost to the City - \$ 148.00

7. **Malcolm White – Clerks Department**
AMCTO Zone 7 Workshop
May, 2010
Espanola, ON
Estimated total cost to the City - \$ 642.50
Estimated net cost to the City - \$ 642.50

Yours truly,



JMF: bb

Joseph M. Fratesi
Chief Administrative Officer

5(j)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2010 04 26

Mayor John Rowsell and
Members of City Council,
Civic Centre.

Re: Tender for Seasonal Security (2010CT01)

Attached hereto for your information and consideration is a summary of the tenders received for Seasonal Security Service for the 2010-2011 season, as required by various City Departments; mainly for security at the City Parks, Rinks, Marinas, Boardwalk and Works Centre.

The tender was publicly advertised and tender documents were forwarded to all firms on our bidders list. A public opening of the tenders received was held April 14, 2010, with Rachel Tyczinski, Deputy City Clerk, in attendance.

The tenders received have been evaluated and reviewed with Mr. Jim Elliott, P. Eng., Commissioner of Public Works and Transportation, and Mr. Nick Apostle, Commissioner of Community Services. The low tendered prices, meeting specifications, has been identified on the attached summary.

Funding for this service is derived from various Public Works & Transportation and Community Services accounts. Due to the increased rates from last year, it may be necessary to reduce security hours to fall within the various budgets.

RECOMMENDATION

It is therefore my recommendation that the tender for Seasonal Security be awarded to Norpro Company for Group A – Foot Patrol Security Service and for Group B – Driveby Patrol Security Service at their low tendered prices for each group.

This report is submitted for Council's approval.

Respectfully submitted,

Ralph Robertson
Manager of Purchasing

Recommended for approval,

W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi

Chief Administrative Officer

**FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: DRAWN FROM VARIOUS CSD & PWT ACCOUNTS**

**Received: April 14, 2010
File: #2010CT01**

**SUMMARY OF TENDERS
SEASONAL SECURITY**

| Group A - Foot Patrol Security Service | <u>Estimated 12 Month Requirements</u> | <u>G4S Security Services Sudbury, ON</u> | | <u>Norpro Company Sault Ste. Marie, ON</u> | | <u>North East Regional Sault Ste. Marie, ON</u> | |
|--|--|--|----------------------------|--|---------------------------|---|----------------------------|
| | | <u>Rate</u> | <u>Total</u> | <u>Rate</u> | <u>Total</u> | <u>Rate</u> | <u>Total</u> |
| Regular Hourly Rate | 6,200 | \$14.69 | \$91,078.00 | \$14.25 | \$88,350.00 | \$19.00 | \$117,800.00 |
| Statutory Holiday Hourly Rate | 170 | \$36.73 | \$6,244.10 | \$24.25 | \$4,122.50 | \$28.50 | \$4,845.00 |
| | | <u>Subtotal</u> | <u>\$97,322.10</u> | | <u>\$92,472.50</u> | | <u>\$122,645.00</u> |
| | | 5% G.S.T. | <u>4,866.11</u> | | <u>4,623.63</u> | | <u>6,132.25</u> |
| Total Tendered Price for Foot Patrol Security: | | | <u><u>\$102,188.21</u></u> | | <u><u>\$97,096.13</u></u> | | <u><u>\$128,777.25</u></u> |
| Group B - Driveby Patrol Security Service | <u>Estimated 12 Month Requirements</u> | <u>G4S Security Services</u> | | <u>Norpro Company</u> | | <u>North East Regional</u> | |
| | | <u>Rate</u> | <u>Total</u> | <u>Rate</u> | <u>Total</u> | <u>Rate</u> | <u>Total</u> |
| Patrols at Regular Rate | 1,525 | \$28.54 | \$43,523.50 | \$18.75 | \$28,593.75 | \$25.00 | \$38,125.00 |
| Patrols at Statutory Holiday Rate | 60 | \$28.54 | \$1,712.40 | \$28.25 | \$1,695.00 | \$35.00 | \$2,100.00 |
| | | <u>Subtotal</u> | <u>\$45,235.90</u> | | <u>\$30,288.75</u> | | <u>\$40,225.00</u> |
| | | 5% G.S.T. | <u>2,261.80</u> | | <u>1,514.44</u> | | <u>2,011.25</u> |
| Total Tendered Price for Driveby Patrol Security: | | | <u><u>\$47,497.70</u></u> | | <u><u>\$31,803.19</u></u> | | <u><u>\$42,236.25</u></u> |

Note: The low quoted prices meeting specifications for each Group are boxed above.

The number of hours and driveby patrols shown above are an estimate of the City's annual requirements and are not guaranteed.

It is my recommendation that the tender for both Group A and Group B be awarded to Norpro Company; having tendered the low prices for each group.

Ralph Robertson

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

5(K)

2010 04 26

Mayor John Rowswell and
Members of City Council
Civic Centre

Re: Quotation for Maintenance Hole and Catchbasin Frames & Covers

Attached hereto for your information and consideration is a summary of the tenders received to supply and deliver Maintenance Hole and Catchbasin Frames & Covers required by the Public Works and Transportation Department.

The quotes received have been evaluated and reviewed with Mr. Jim Elliott, P. Eng., Commissioner of Public Works and Transportation and the low quoted prices, meeting specifications, have been indicated on the attached summary.

Funding for these materials is provided within the various Sewer and Catchbasin Repair accounts.

RECOMMENDATION

It is therefore my recommendation that the quotation for the supply and delivery of Maintenance Hole and Catchbasin Frames & Covers, Groups A & B, be awarded to Bibby Ste. Croix at their total low quoted price, meeting specifications, of \$59,673.61, including taxes.

This report is submitted for Council's approval.

Respectfully submitted,

R. Robertson
Ralph Robertson
Manager of Purchasing

Recommended for approval,

W. Freiburger
W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

RECOMMENDED FOR APPROVAL
Joseph M. Frates
Chief Administrative Officer

CASTINGS FOR STORES INVENTORY FOR ROAD REPAIRS - BUDGET DRAWN FROM VARIOUS PWT ROAD REPAIR ACCOUNTS

SUMMARY OF QUOTATIONS

MAINTENANCE HOLE AND CATCHBASIN FRAMES & COVERS

| Description | Quantity | Bibby Ste-Croix Hamilton, ON | | Corix Water Products Sudbury, ON | | H. Imbleau & Son Ltd. Renfrew, ON | | McCoy Const. Castings St. George, ON | | National Supply Centre Sault Ste. Marie, ON | |
|---|----------|---------------------------------|-------------|-------------------------------------|-------------|--------------------------------------|-------------|---|-------------|--|-------------|
| | | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price | Unit Price | Total Price |
| Group A | | | | | | | | | | | |
| Maintenance Hole Frame & Cover (OPSD 401-01-"A") | 90 | \$196.00 | \$17,100.00 | \$243.32 | \$21,898.80 | \$227.69 | \$20,492.10 | \$190.75 | \$17,167.50 | \$248.26 | \$22,343.40 |
| Flat Catchbasin Frame & Grates (OPSD 400-02) | 100 | \$215.00 | \$21,500.00 | \$264.92 | \$26,492.00 | \$234.57 | \$23,457.00 | \$223.75 | \$22,375.00 | \$273.44 | \$27,344.00 |
| Subtotal | | \$38,600.00 | | \$48,390.80 | | \$43,949.10 | | \$39,542.50 | | \$49,687.40 | |
| 5% G.S.T. | | 1,930.00 | | 2,419.54 | | 2,197.46 | | 1,977.13 | | 2,484.37 | |
| 8% P.S.T. | | 3,088.00 | | 3,871.26 | | 3,515.93 | | 3,163.40 | | 3,974.99 | |
| Total Tendered Price for Group A: | | \$43,618.00 | | \$54,681.60 | | \$49,662.48 | | \$44,683.03 | | \$56,146.76 | |

Group B

| | | | | | | | | | | | |
|--|----|--------------------|-------------|--------------------|-------------|-----------------|--|-----------------|--|----------|--------------------|
| Rectangular Catchbasin Frame & Grates (JW113) | 50 | \$284.17 | \$14,208.50 | \$451.96 | \$22,598.00 | Unable to Quote | | Unable to Quote | | \$384.47 | \$19,223.50 |
| Subtotal | | \$14,208.50 | | \$22,598.00 | | | | | | | \$19,223.50 |
| 5% G.S.T. | | 710.43 | | 1,129.90 | | | | | | | 961.18 |
| 8% P.S.T. | | 1,136.68 | | 1,807.84 | | | | | | | 1,537.88 |
| Total Tendered Price for Group B: | | \$16,055.61 | | \$25,535.74 | | | | | | | \$21,722.56 |

| | | | | | |
|-----------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Delivery: | 15 w/days | 10 - 15 w/days | 20 w/days or sooner | 5 w/days | 15 w/days |
| Remarks: | Meets specifications. |

| Description | Quantity | Northern Pipe Supply Sault Ste. Marie, ON | | WAMCO Waterworks Sudbury, ON | |
|---|----------|--|-------------|---------------------------------|-------------|
| | | Unit Price | Total Price | Unit Price | Total Price |
| Group A | | | | | |
| Maintenance Hole Frame & Cover (OPSD 401-01-"A") | 90 | \$210.95 | \$18,985.50 | \$227.25 | \$20,452.50 |
| Flat Catchbasin Frame & Grates (OPSD 400-02) | 100 | \$229.65 | \$22,965.00 | \$247.10 | \$24,710.00 |
| Subtotal | | \$41,950.50 | | \$45,162.50 | |
| 5% G.S.T. | | 2,097.53 | | 2,258.13 | |
| 8% P.S.T. | | 3,356.04 | | 3,613.00 | |
| Total Tendered Price for Group A: | | \$47,404.07 | | \$51,033.63 | |

| | | | | | |
|--|----|--------------------|-------------|--------------------|-------------|
| Group B | | | | | |
| Rectangular Catchbasin Frame & Grates (JW113) | 50 | \$289.50 | \$14,475.00 | \$436.20 | \$21,810.00 |
| Subtotal | | \$14,475.00 | | \$21,810.00 | |
| 5% G.S.T. | | 723.75 | | 1,090.50 | |
| 8% P.S.T. | | 1,158.00 | | 1,744.80 | |
| Total Tendered Price for Group B: | | \$16,356.75 | | \$24,645.30 | |

| | | |
|-----------|-----------------------|-----------------------|
| Delivery: | 10 w/days | 15 w/days |
| Remarks: | Meets specifications. | Meets specifications. |

Note: The low quoted prices meeting specifications for each Group are boxed above.

It is my recommendation that the low quoted prices for both groups submitted by Bibby Ste-Croix, be accepted.

Ralph Robertson, Manager of Purchasing

5/15

Peter A. Liepa
City Tax Collector



Finance Department
Tax & Licence Division

5(1)

2010 04 26

Mayor John Rowswell
and Members of City Council

RE: REGISTRATION OF TAX ARREARS CERTIFICATE AND SALE

Attached is the list of properties recommended for the registration of tax arrears certificates and sale in accordance with the Municipal Act, 2001.

The steps in the tax sale process are as follows:

- 1) Council endorses resolution for City Tax Collector to proceed.
- 2) City Tax Collector mails "Farm Mediation Service" notice to the property owner, allowing assessed farmers a 15-day appeal forum.
- 3) Registration of Tax Arrears Certificate on Title at Registry Office.
- 4) First Notice to owners and any other person(s) who may have an interest in the property within 60 days of registration.
- 5) Final Notice to owners and any other person(s) who may have an interest in the property within 280 days of registration.
- 6) Redemption period expires 365 days from date of registration.
- 7) Advertising in Sault Star and Ontario Gazette following the 365-day redemption period
- 8) City Tax Collector conducts Tax Sale,
- 9) Preparation of Documentation and Registration of Tax Deeds.

For the added information of Council, of 17 properties that were previously approved by City Council for tax sale in 2008, 11 properties were redeemed prior to the tax sale, 4 properties were sold and 2 properties were not sold at the June 24, 2009 tax sale. Of the 2 properties not sold, 1 was later vested to the City all being vacant land , the other being Northern Breweries has now been sold.

An appropriate resolution is attached for the consideration of Council.

Yours truly,

P.A. Liepa
City Tax Collector

Recommended for approval,

W. Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

5(1)

CITY OF SAULT STE. MARIE - MUNICIPALITY 57-61
LIST OF LANDS LIABLE TO BE SOLD FOR TAX ARREARS ON 2011
IN ACCORDANCE WITH THE MUNICIPAL ACT, 2001

| PARCEL NUMBER | ROLL NUMBER/ TAX CLASS | PROPERTY DESCRIPTION |
|---------------|--------------------------------|--|
| 1 | 030-056-038-05 CT 371,250 | 72 Northern Ave E Plan H732 Lot 94PT RCP RP 1R 7452 Parts 2 to 7 105.00 Fr 1.22 AC |
| 2 | 030-092-044 RT 18,250 | 134 Schultz Side Rd Section 8 SE 1/4 PT 60.00FR .14AC |
| 3 | 030-095-012 RT 15,350 | 238 Old Trout Lake Rd Sec 3 NW 1/4 PT PCL 3481 AWS 656.60FR 19.75 AC |
| 4 | 040-012-043 RT 38,375 | 254 Birch St Plan 681 Lot 191 50.00FR |
| 5 | 050-035-022-01 MT 1,082,750 | 1046 Peoples Rd Plan M302 BLK CPT Sec 25PT PCL 12252 12253 AWS RP 1R 9026 PT 5 6 9 10 & 11 303.11 FR 1.58 AC |
| 6 | 060-006-021 RT 17,700 | 603 Douglas St Plan H628 Lot 18 RCP 48.00FR |
| 7 | 060-012-028 RT 130,750 | 10 Donna Dr Plan H534 Lot 45 70.00 FR .20AC |
| 8 | 060-012-067-50 RT 1,025 | 628 Cooper St Plan IM 544 BLK 20 871.20SF |
| 9 | 060-027-002 RT 6,600 | 347 Pittsburg Ave Plan 2539 BLK 7 Lot 14 40.00FR |
| 10 | 060-027-003 RT 6,600 | 345 Pittsburg Ave Plan 2539 BLK 7 Lot 13 40.00FR |
| 11 | 060-027-003-01 RT 1,575 | 343 Pittsburg Ave Plan 2539 BLK 7 Lot 12 40.00FR |
| 12 | 060-027-004 RT 1,575 | 341 Pittsburg Ave Plan 2539 BLK 7 Lot 11 40.00FR |
| 13 | 060-027-004-01 RT 1,575 | 335 Pittsburg Ave Plan 2539 BLK 7 Lot 10 40.00FR |
| 14 | 060-070-180 RT 3,575 | 84 Victoria St Plan 58 Lot 159 40.00FR .12AC |

5(m)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2010 04 26

Mayor John Rowswell and
Members of City Council

**Re: Queenstown Board of Management (O/A The Downtown Association)
2010 Budget Estimates and 2009 Audit Report**

In accordance with Sections 204 – 215 of The Municipal Act, attached is a copy of the Queenstown Board of Management (O/A The Downtown Association) Audited Financial Statement for the year ended December 31, 2009, together with a copy of the 2010 Operating Estimates for your approval.

The 2010 Estimates of the Downtown Association are not a part of the City Budget Estimates and the levy is charged directly against the properties within the Downtown (Queenstown) area.

The Downtown Association 2009 Annual Report is appended under separate cover.

An appropriate resolution has been prepared for your consideration.

Respectfully submitted,

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

W. Freiburger, CMA
Commissioner of
Finance and Treasurer

WF/kl
attachments

RECOMMENDED FOR APPROVAL

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

Joseph M. Fratesi
Chief Administrative Officer

5(m)

| REVENUE | Budget 2010 |
|---|--------------------|
| Assessments | 185,000.00 |
| Adjustments | (18,000.00) |
| Associate Membership | 2,000.00 |
| Grants | |
| Downtown Improvement RED | |
| Interest Income | 500.00 |
| GST Rebate ** | |
| Reserve Working Fund | |
| Total Income | 169,500.00 |
| EXPENDITURES | |
| Salaries & Benefits | |
| Payroll | 126,556.00 |
| FedNor Intern Funding | (27,500.00) |
| Subtotal - Salaries & Benefits | 99,056.00 |
| Office Expenses: | |
| Rent | 18,720.00 |
| Renovations / Maintenance | 2,000.00 |
| Supplies | 1,500.00 |
| Equipment Repairs & Maintenance | 400.00 |
| Telephone | 2,500.00 |
| Internet | 885.00 |
| Insurance | 3,000.00 |
| Photocopier Rent | |
| Photocopies | 250.00 |
| Postage & Courier | 400.00 |
| Parking Tickets | |
| Parking passes | 50.00 |
| Subtotal - Office Expenses | 29,705.00 |
| Office Furniture & Equipment | |
| Maintenance & Beautification | |
| Marketing & Communication | |
| Advertising | 15,000.00 |
| Gifts/Presentation | 700.00 |
| Newsletters | 2,000.00 |
| Walk of Fame | 1,500.00 |
| Website | 1,200.00 |
| Subtotal Marketing & Communication | 20,400.00 |
| Special Projects (R&D) | |
| Meetings & Seminars: | |
| Board Meetings | 2,000.00 |
| Other Meetings (AGM) | 2,000.00 |
| Conferences/Meetings staff | 1,000.00 |
| Staff Training | 200.00 |
| Subtotal Meetings & Seminars | 5,200.00 |
| Professional Fees: | |
| Accounting | 2,800.00 |
| Bookkeeping | 1,700.00 |
| Subtotal Professional Fees | 4,500.00 |
| Downtown Development Initiative | |
| Project manager - Salary | |
| Office Expenses | |
| City of SSM Funding | |
| Downtown Development Initiative | |
| Other Expenses: | |
| Memberships/Publications | 700.00 |
| Workers Compensation | 1,000.00 |
| Bank Service Charges | 175.00 |
| Miscellaneous | |
| Subtotal - Other Expenses | 1,875.00 |
| Total Expenses | 160,736.00 |
| Net Income | 8,764.00 |

5(m)

Financial Statements

**BOARD OF MANAGEMENT OF QUEENSTOWN,
THE SAULT STE. MARIE CENTRAL BUSINESS
DISTRICT IMPROVEMENT AREA**

Year ended December 31, 2009



5(m)

KPMG LLP
Chartered Accountants
111 Elgin Street at Queen
Suite 200
PO Box 578
Sault Ste Marie ON P6A 5M6

Telephone (705) 949-5811
Fax (705) 949-0911
Internet www.kpmg.ca

AUDITORS' REPORT

To the Members of the Board of Management
of Queenstown, The Sault Ste. Marie Central Business
District Improvement Area and Members of Council, Inhabitants
and Ratepayers of The Corporation of the City of Sault Ste. Marie

We have audited the statement of financial position of the Board of Management of Queenstown, The Sault Ste. Marie Central Business District Improvement Area as at December 31, 2009 and the statements of financial activities and accumulated surplus and statement of changes in net financial assets for the year then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Board as at December 31, 2009, the results of its operations and the changes in its financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

Sault Ste. Marie, Canada
January 29, 2010

5(m)

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Financial Position

December 31, 2009, with comparative figures for 2008

| | 2009 | 2008 |
|--|------------------|------------------------|
| | | (restated - note 2) |
| Financial assets: | | |
| Cash | \$ 46,243 | \$ 49,272 |
| Term deposit | 25,422 | - |
| Accounts receivable | 1,821 | 10,097 |
| Total financial assets | 73,486 | 59,369 |
| Financial liabilities: | | |
| Accounts payable and accrued liabilities | 11,336 | 7,018 |
| Deferred revenue | 3,462 | 2,817 |
| Total financial liabilities | 14,798 | 9,835 |
| Net financial assets | 58,688 | 49,534 |
| Non-financial assets: | | |
| Tangible capital assets (note 3) | 6,290 | 8,034 |
| Commitment (note 4) | | |
| Accumulated surplus | \$ 64,978 | \$ 57,568 |

The accompanying notes are an integral part of the financial statements.

On behalf of the Board:

Maurice Thivierge Director

William Watts Director

5(m)

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Financial Activities and Accumulated Surplus

Year ended December 31, 2009, with comparative figures for 2008

| | Budget | 2009 | 2008 |
|---|----------------|------------------------|------------------|
| | | (restated - note 2) | |
| Revenues: | | | |
| Annual assessments | \$ 175,000 | \$ 175,000 | \$ 172,068 |
| Government grants – special projects | - | 16,376 | 54,027 |
| Downtown development initiative | 60,500 | 44,355 | 60,473 |
| FedNor Intern Funding | 3,173 | 3,173 | 24,327 |
| Membership fees | 2,000 | 600 | 300 |
| Interest | 500 | 422 | 2,588 |
| Total revenues | 241,173 | 239,926 | 313,783 |
| Expenses: | | | |
| Special project | 5,500 | - | 72,701 |
| Downtown development initiative | 60,500 | 45,049 | 60,473 |
| Wages and benefits | 98,500 | 89,674 | 113,867 |
| Rent | 18,720 | 18,720 | 18,720 |
| Promotion and marketing | 19,839 | 14,399 | 19,970 |
| Assessments written off and rebates | 10,000 | 35,073 | 12,487 |
| Insurance | 2,773 | 2,732 | 2,773 |
| Maintenance and beautification | 3,500 | 9,912 | 537 |
| Meetings and seminars | 5,000 | 2,687 | 3,641 |
| Miscellaneous | - | 100 | 132 |
| Office | 9,809 | 5,766 | 3,631 |
| Professional fees | 4,100 | 4,163 | 3,958 |
| Telephone | 2,500 | 2,497 | 2,524 |
| Amortization of tangible capital assets | - | 1,744 | 2,977 |
| Total expenses | 240,741 | 232,516 | 318,391 |
| Annual surplus | 432 | 7,410 | (4,608) |
| Accumulated surplus, beginning of year | | 57,568 | 62,176 |
| Accumulated surplus, end of year | | \$ 64,978 | \$ 57,568 |

The accompanying notes are an integral part of the financial statements.

**BOARD OF MANAGEMENT OF QUEENSTOWN,
THE SAULT STE. MARIE CENTRAL BUSINESS
DISTRICT IMPROVEMENT AREA**

Statement of Changes in Net Financial Assets

Year ended December 31, 2009, with comparative figures for 2008

| | Budget | 2009 | 2008 |
|--|------------------|------------------|------------------|
| Annual surplus | \$ 432 | \$ 7,410 | \$ (4,608) |
| Amortization of tangible capital assets | - | 1,744 | 2,977 |
| Change in net financial assets | 432 | 9,154 | (1,631) |
| Net financial assets, beginning of year | 49,534 | 49,534 | 51,165 |
| Net financial assets, end of year | \$ 49,966 | \$ 58,688 | \$ 49,534 |

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2009

The Board was established on September 28, 1976 to foster and enhance commercial interests in the downtown business improvement area of Sault Ste. Marie, Ontario.

1. Significant accounting policies:

The financial statements of the Board are the representation of management prepared in accordance with Canadian generally accepted accounting principles for local government organizations, as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants. Significant aspects of the accounting policies adopted by the Board are as follows:

(a) Fund accounting:

Funds within the financial statements consist of the operating fund and reserve funds. Transfers between funds are recorded as adjustments to the appropriate fund balance.

(b) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

(c) Tangible capital assets:

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value of the tangible capital assets is amortized on the declining-balance basis at the following annual rates:

| Asset | Method used | Rate |
|-------------------------|-------------------|----------|
| Furniture and equipment | Declining-balance | 20% |
| Computer equipment | Declining-balance | 30% |
| Leasehold improvements | Straight-line | 10 years |

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2009

1. Significant accounting policies (continued):

(d) Reserves:

Certain amounts, as approved by the Board, are set aside in reserves for future operating and capital purposes. Transfers to and/or from the reserves are recorded as an adjustment to the respective reserve when approved.

(e) Revenue recognition:

Government subsidies are recognized in the financial statements as revenues in the period in which events giving rise to the subsidy occur providing the subsidies are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made.

Assessments are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

(f) Use of estimates:

The preparation of the financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from those estimates.

2. Change in accounting policies:

The board has implemented Public Sector Accounting Board ("PSAB") sections 1200 Financial Statement Presentation and 3150 Tangible Capital Assets. Section 1200 establishes general reporting principles and standards for the disclosure of information in government financial statements. Section 3150 requires governments to record and amortize their tangible capital assets in their financial statements. In prior years, tangible capital asset additions were expensed in the year of acquisition or construction.

Methods used for determining the cost of each major category of tangible capital assets

The financial information recorded includes the actual historical cost of the tangible capital assets.

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BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2009

2. Change in accounting policies (continued):

This change has been applied retroactively and prior periods have been restated. This change in accounting policy has changed amounts reported in the prior period as follows:

Reserve fund at January 1, 2008:

| | |
|--|-----------|
| As previously reported | \$ 51,165 |
| Net book value of tangible capital assets recorded | 11,011 |
| <hr/> | |
| Reserve fund, as restated | \$ 62,176 |

Deficiency of revenue over expenditure for 2008:

| | |
|--|------------|
| As previously reported | \$ (1,631) |
| Amortization expense not previously recorded | (2,977) |
| <hr/> | |
| Annual surplus, as restated | \$ (4,608) |

3. Tangible capital assets:

| Cost | Balance at December 31, 2008 | Additions | Disposals | Balance at December 31, 2009 |
|-------------------------|------------------------------------|-----------|-----------|------------------------------------|
| Furniture and equipment | \$ 2,426 | \$ - | \$ - | \$ 2,426 |
| Computer equipment | 6,532 | - | - | 6,532 |
| Leasehold improvements | 12,581 | - | - | 12,581 |
| <hr/> | | | | |
| Total | \$ 21,539 | \$ - | \$ - | \$ 21,539 |

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2009

3. Tangible capital assets (continued):

| Accumulated amortization | Balance at December 31, 2008 | Disposals | Amortization expense | Balance at December 31, 2009 |
|--------------------------|------------------------------|-------------|----------------------|------------------------------|
| Furniture and equipment | \$ 1,941 | \$ - | \$ 485 | \$ 2,426 |
| Computer equipment | 6,532 | - | - | 6,532 |
| Leasehold improvements | 5,032 | - | 1,259 | 6,291 |
| Total | \$ 13,505 | \$ - | \$ 1,774 | \$ 15,249 |
| Net book value | \$ 8,034 | | | \$ 6,290 |

4. Commitment:

The Board rents its premises with minimum annual lease payments plus common area costs of approximately \$18,720 plus applicable taxes. The lease expires January 31, 2014.

5. Statement of cash flows:

A statement of cash flows has not been presented as it would not provide any additional meaningful information

6. Fair value of financial instruments:

The carrying value of the Board's cash, accounts receivable and accounts payable and accrued liabilities approximate their fair value due to the relatively short periods to maturity of these items.

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2009

7. Expenditure by object:

Total expenditures by object are as follows:

| | 2009 | 2008 |
|---|---------------------|---------------------|
| Wages and benefits | \$ 134,723 | \$ 173,867 |
| Materials, supplies, services and capital | 96,049 | 141,547 |
| Amortization | 1,744 | 2,977 |
| | <hr/> \$ 232,516 | <hr/> \$ 318,391 |

8. Budget figures:

The budget figures are as approved by the board and are unaudited.

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(n)

2010 04 26

Our File: Contract 2010-2E

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: CONTRACT 2010-2E
THIRD LINE EXTENSION – FORT CREEK RAVINE TO PEOPLES ROAD

Tenders received for Contract 2010-2E were opened at a public meeting Thursday, April 15, 2010 in the Biggins 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 reconstruction/extension of Third Line East from the Fort Creek Ravine to Peoples Road.

A total of five (5) tenders were received. Each tender has been checked as shown on the attached report from AECOM. The low tender of \$4,488,814.85 (excl. GST) was received from Palmer Construction Group Inc. which is lower than the pre-tender estimate of \$5,088,612.00. This is the fourth of four contracts for the completion of the Third Line project. At this time, according to our estimates to complete, we are tracking within budget. The attached report from AECOM summarizes the bids received for this contract.

Recommendation

It is recommended that Contract 2010-2E be awarded to Palmer Construction Group Inc. By-Law 2010-84 authorizing execution of the Contract and By-Law 2010-85 authorizing the closure of Third Line East (for extended periods) from the Fort Creek Ravine to Peoples Road from April 27, 2010 to September 30, 2011 have 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

5(n)



AECOM
523 Wellington Street East
Sault Ste. Marie, ON, Canada P6A 2M4
www.aecom.com

705 942 2612 tel
705 942 3642 fax

April 16, 2010

Mr. C. Rumiel, P. Eng.
City of Sault Ste. Marie
Engineering Department
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mr. Rumiel:

Project No: 60117626 (60383)

**Regarding: Third Line Extension
Peoples Road to Fort Creek Ravine
Contract No. 2010-2E
Tender Report**

We have reviewed the tenders received by the City Clerk's office on Thursday, April 15, 2010 for the above contract and present herewith our Tender Report.

1.0 Introduction

Contract No. 2010-2E – Third Line Extension consists of the reconstruction of Third Line from Peoples Road to the Fort Creek ravine, approximately 1,480 metres of roadway. The reconstruction work generally includes removals, grading, geotextile, select subgrade material, granular subbase and base, asphalt, curb and gutter, sidewalk, guide rail, storm sewers, sanitary sewers, watermains, street lighting and associated appurtenances.

The tender advertisement was published in the Sault Star on Saturday, March 20, 2010 for notification to prospective bidders of the availability of the tender documents. The tender documents were also available for review by potential bidders at the Sault Ste. Marie Construction Association, Sudbury Construction Association, and the Consultant's office.

A total of ten (10) Contractors and Suppliers picked up tender documents during the tender period following submission of the \$50.00 refundable deposit. Plan takers consisted of seven (7) general contractors and three (3) subcontractor.

During the tender period, there were questions from plan takers on a few issues that were subsequently clarified by addendum. Two (2) addenda were issued by the Consultant to address issues/questions raised by the plan takers and to incorporate some final design related changes.

2.0 Summary of Tenders

Five (5) Contractors submitted sealed tenders for Contract No. 2010-2E to the City Clerk's office prior to the closing time of 3:00 p.m. on Thursday, April 15, 2010. The tenders were publicly opened at 3:15 p.m. on the same day by Councillor Butland in the presence of City and Consultant staff as well as representatives of the bidding Contractors. At the time of the tender opening, the Total Tender Values were read and the tenders were reviewed to ensure they included the required \$200,000 tender deposit and agreement to bond.

The tender deposits, which were in the form of certified cheques, were retained by the City while the balance of the tender submissions were provided to the Consultant for a further review of each tender submitted.

The following were the results of the submitted Total Tender Prices, excluding GST, in ascending order of bid price:

| | | | |
|----|--------------------------------|---|----------------------------|
| 1. | Palmer Construction Group Inc. | - | \$4,488,814.85 |
| 2. | R.M. Belanger Limited | - | \$4,510,406.58 (corrected) |
| 3. | Pioneer Construction Inc | - | \$4,635,342.18 (corrected) |
| 4. | Ellwood Robinson Limited | - | \$4,900,408.55 |
| 5. | Avery Construction Limited | - | \$5,658,541.11 |

It should be noted that the Total Tender Price for each includes a contingency allowance of \$100,000 along with various provisional items.

The Engineer's tender estimate for this Contract was \$5,088,612 which was compiled based on prices from previous 2009 City contracts and the final tender items and quantities established for the proposed works. A General Summary of Tender Prices for each of the above tenders along with the Engineer's tender estimate is attached as Appendix 1. The original copies of all tenders received are attached to this report, for the City's records.

3.0 Review of Tenders Received

The tenders were reviewed to verify all tender submission requirements were complied with as stipulated in the Information to Tenderers. A Summary of the review is attached as Appendix 2. The following specific comments are noted:

1. All tenders were properly signed and executed.
2. The tenders were checked for mathematical errors. All tenders were correctly calculated in computing the Total Tender Price except for the tenders from R.M. Belanger which contained two minor errors that resulted in an overall price reduction of \$1,501.42. It should also be noted that the tender from Pioneer included an error in carrying their total tender price forward from their breakdown to the front page of the Form of Tender. In the process of carrying the figure forward, it seems that they added the 5% GST to their amount contrary to the specific requirements to exclude the GST. These differences for either tender did not change their ranking amongst the other tenderers and more importantly the low tenderer.

3. The Instructions to Tenderers indicated that all tenders were to include a \$200,000 tender deposit in the form of a certified cheque. All tenders complied with submission of the required certified cheques with Avery Construction submitting a cheque in the amount of \$250,000.
4. The tender document called for submission of Statements 'A' to 'D' which outline the tenderers' related work experience, supervisory staff, available construction equipment and proposed sub-contractors. All tenderers filled in the appropriate statements or attached separate breakdowns.
5. The tender also included Statement 'E' for alternative prices. Palmer Construction was the only bidding Contractor that submitted an alternative price relating to a possible change to the granular subbase material.
6. The tenderers were required to provide an Agreement to Bond from a Surety Company certifying that they are able to obtain the required 100% Performance and 50% Labour and Material Payment bonds. An Agreement to Bond was attached to each tender submitted.
7. The tenders were to provide a completed Statement of Canadian Content. All tenderers submitted the required form.
8. All tenderers were required to acknowledge any Addenda received during the tender period. All tenderers confirmed receipt of Addendum No.'s 1 and 2.

4.0 Discussions

In our review of the tenders submitted, we did not note any significant errors or omissions with the tenders that would lead to disqualification of any of the submitted tenders.

With respect to the low tenderer, Palmer Construction Group Inc., they are a well known local Contractor who have successfully completed many other similar contracts for the City of Sault Ste Marie. Subcontractors identified in their tender submission include Double S for the street lighting work, Superior Asphalt Markings for the pavement markings, and Northern Fencing for guide rail work. All are Contractors who have completed similar work for the City.

5.0 Tender Estimate

The low tender amount of \$4,488,814.85 (excl. GST) is lower than the Engineer's tender estimate by \$599,797.15(excl. GST) or approx. 12%. It is believed that the lower pricing is likely related to a decrease in similar City contracts scheduled for the 2010 construction season as compared to the past few years thus resulting in more competitive pricing.

6.0 Conclusions

In summary, based on our detailed review of the tenders submitted, we recommend the following:

1. The required by-law be passed by Council as per the attached Form of Agreement for execution of the related construction contract; and
2. AECOM be authorized to issue an award letter to the successful Contractor which will include requirements for the Contractor to submit the required contract documentation (ie: bonds, insurance, etc.) and prepare the related contracts for signing by both parties.

We hope you find this report acceptable, although, please do not hesitate to call should you have any questions regarding the contents of this Tender Report.

Yours very truly,
AECOM Canada Ltd.



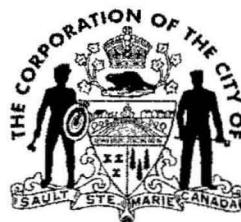
Darrell Maahs, C. Tech.
Project Manager

DRM:nm

Encl.
cc:

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(0)

April 26, 2010

Our File: B-77-33

Mayor John Rowswell
Members of City Council

**Re: SAULT STE. MARIE MUNICIPAL LANDFILL SITE
PURGE WELL MAINTENANCE AND REPLACEMENT**

As was reported to Council last meeting (2010 04 12) in our Annual Landfill Report, we have recently established a Contaminant Attenuation Zone ('CAZ') in the western area of the site and the proper function of our purge wells is critical in meeting the boundary compliance regulations. A rigorous maintenance program is implemented and includes an annual major event conducted by Rennison Well Drilling Limited. Last week Rennison was on-site and it was noted that our most reliable and effective purge well (# 4) is not functioning. With this determination, it is recommended that it be replaced immediately in order to not affect compliance. This well was originally drilled in 1996.

In addition to the emergency replacement of purge well #4 it is recommended that a second purge well be drilled in as a backup well. Additional wells not in use will be decommissioned at the same time in compliance with Ministry of Environment regulations.

Based on the emergency nature of this installation, Rennison is prepared to complete the work the week of April 26th 2010. It is estimated that the cost to complete the work is \$45,000. Bill Freiburger, Commissioner of Finance has been consulted and indicates that the Landfill Site Reserve should be the City's source of funding for this effort.

RECOMMENDATION

The Engineering and Planning Department recommends that the emergency work program be approved and that the Landfill Site Reserve be used to fund the effort.

Respectfully submitted,

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

Recommended for Approval:

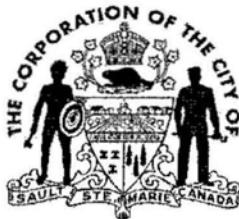
Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

F:\ENGINEERING DATA\COUNCIL\Hamilton-Beach\2010\Landfill Purge Well Replacement - 2010 04 26.doc

Jerry D. Dolcetti, RPP
Commissioner

Don W. Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING DEPARTMENT

5(p)

Building Division
Tel: (705) 759-5410
Fax: (705) 541-7165

2010 04 26

File No. 21324

Mayor John Rowswell and
Members of City Council

Re: 7 Westridge Road

During the course of the last 10 months we have been attempting to have the owners bring the above noted property into compliance with the Building Code Act. An unsafe order was issued May 15, 2009 to have the owners repair the foundation system and all supporting structure for the house or demolish the house.

The owner has not appealed the order which remains outstanding. The owners have failed to meet criteria of the order by providing an engineers report for partial safe salvage. The owner has stated that he has been in the process of engaging an engineer to assess the feasibility of repair. At this time no report has been submitted. It is hoped that the owners will proceed on their own to resolve this matter. At present the house is vacant and has been partially gutted in the interior.

At this time there is an immediate danger with the exterior brickwork being dislodged from the dwelling. Also the house is leaning in a northerly direction. These two immediate issues should be addressed at this time for public safety. The owners are having difficulty resolving this matter because of personal issues.

It is our recommendation that the corporation hire the forces necessary to carry out the order to remove the immediate danger by removing the exterior brickwork and shoring the dwelling as a temporary measure as deemed necessary by the Chief Building Official.

This matter will be further assessed for compliance after June 30, 2010 and if appropriate action is not undertaken by the owners towards possible restoration, then the City further becomes involved in demolition of the structure.

The costs associated with this action are to be added to the taxes for the subject property. A resolution to this effect appears elsewhere on your agenda.

Respectfully submitted,

Don W. Maki, CBCO
Chief Building Official

DM/ds

Recommended for approval,

Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(P)

Principal Authority
Corporation of the City of Sault Ste. Marie
Building Division, Level 5, 99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
(705) 759-5410

Unsafe Order

Pursuant to Subsection 15.9 – (4) of the *Building Code Act, 1992*

Date Order issued: 2009 05 15

File No.: 21324

Address to which Order applies:

Application/Permit Number

| | |
|-------------------------|--|
| <u>7 Westridge Road</u> | |
| | |

Order issued to:

| <i>Name</i> | <i>Address</i> |
|----------------------------|-----------------------------|
| 1. Larry Nick Piraino | 7 Westridge Road |
| 2. Sharon Marjorie Piraino | 17 Ferguson Avenue, Apt. #7 |

The inspection on or about May 15, 2009 (date) at the above-referenced address found that building poses an **immediate** danger to the health and safety of persons or is structurally or faulty for the purpose its being used for.

You are hereby ordered to correct the contraventions itemized below immediately, by the dates listed below, or by June 30, 2009 (date).

| Item: | Reference | Description and Location | Required action and compliance date |
|--------------|------------------|---------------------------------|--|
| 1. | 15.9 (1) | Single Family Dwelling | Repair foundation and all structural supports to make safe or demolish dwelling. |
| | | | |
| | | | |

Order issued by:

Name: Francois Couture BCIN 36518

Signature: Shane L Telephone no. (705) 541-7335

Note:

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Chief Building Official (Building Code Act, 1992 s.20).
- An Order may be appealed to the Superior Court of Justice within 20 days of being posted. (Building Code Act 1992 S.25).
- Failure to comply with an Order is an offence, which could result in a fine. (Building Code Act, 1992 s.13).
- No construction affected by this Order is to be covered until inspected and approved. (Building Code Act, 1992 s.13).
- Failure to comply to this order could result in the Chief Building Official prohibiting occupancy and/or undertaking repairs or demolition at your expense. (Building Code Act, 1992, s. 15. – 9 – (6).

5(p)

Principal Authority

**Corporation of the City of Sault Ste. Marie
Building Division, Level 5, 99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
(705) 759-5410**

Order to Not Occupy Or Use

Pursuant to Subsection 15.9 – (6) of the *Building Code Act, 1992*

Date Order issued: 2009 05 15 **File No.:** 21324

| Address to which Order applies: | Application/Permit Number |
|--|----------------------------------|
| 7 Westridge Road | |
| | |

Order issued to:

| <i>Name</i> | <i>Address</i> |
|---------------------------|----------------------------|
| 1. Larry Nick Piraino | 7 Westridge Road |
| 2. Sharon Majorie Piraino | 17 Ferguson Avenue Apt. #7 |

The inspection on or about May 15, 2009 (date) at the above-referenced address found you have failed to comply with an unsafe order issued May 15, 2009.

You are hereby ordered not to occupy the locations or buildings **immediately**

| Item: | Reference | Description and Location | Required action and compliance date |
|--------------|------------------|---------------------------------|---|
| 1 | 15.9 (6) | Single Family Dwelling | Vacate house immediately and barricade to prevent access. |
| | | | |
| | | | |

Order issued by:

Name: Don Maki BCIN 13614

Signature: Don Maki Telephone no. 705-759-5399

Note:

- It is illegal to obstruct the visibility of a posted Order. It is also illegal to remove a posted Order unless authorized by an inspector or Registered Code Agency.
[Building Code Act, 1992 s.20]
- An Order may be appealed to the Superior Court of Justice within 20 days of being posted.
[Building Code Act, 1992 s.25].
- Failure to comply with this Order could result in a Stop Work Order.
[Building Code Act, 1992 s14]
- Failure to comply with an Order is an offence, which could result in a fine.
[Building Code Act, 1992 s.36]
- Please be advised the corporation may undertake the necessary repairs or demolish the building to make the building safe at your expense
(Building Code Act, 1992, s. 15-9-(6)).









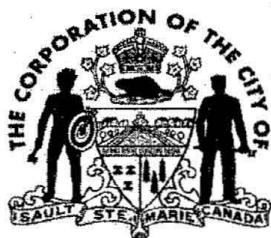


5(g)

Fire Chief Marcel Provenzano

Division Heads:

Suppression – Frank Brescacin
EMS – Robert Rushworth
Fire Prevention – Paul Milosevich
Support Services – Jim St. Jules



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

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

April 26, 2010

Mayor John Rowswell
and Members of Council

Re: Fire Services' Revised Deployment Plan

This report is provided for Mayor and Council as information.

Background:

With the arrival of two new Pumper/Rescue apparatus, Fire Services' Fire Suppression Division is now able to revise and enhance its 'Emergency Response Deployment Plan'. Prior to the new pumper/rescue apparatus, the Fire Suppression Division would respond to most fire related incidents with a pumper, back-up pumper, rescue truck (R-1), Platoon Chief (PC-1), and additional resources as deemed necessary by the Incident Commander (IC). Under these conditions our pumpers would normally have a crew of three firefighters onboard.

Revised Deployment Plan:

Fire Services' revised deployment plan now has a pumper/rescue apparatus, back-up pumper, PC-1, and additional resources as required when responding to an incident, thereby eliminating one responding vehicle. Staffing levels at the scene will be the same as the previous deployment plan; however the crew previously assigned to the Rescue-1 will now be re-deployed to the pumper/rescue apparatus resulting in a crew of four firefighters onboard at all times. Depending on staffing levels, a four person crew may also be assigned to Number 1 and Number 4 Pumpers. The new pumper/rescue apparatus will respond from Number 2 and Number 3 Fire Stations. Fire Services will only deploy one pumper/rescue apparatus at any given incident, thereby providing balanced emergency coverage at all times for the community.

As a result of the new deployment plan, fire suppression crews will now be able to conduct rescue and firefighting operations more safely and effectively with the first apparatus on scene. The new pumper/rescue apparatus are also equipped with various specialized rescue equipment previously housed on R-1.

5(g.)

In addition, the revised deployment plan has R-1 re-assigned as a utility vehicle, able to respond strictly on an 'as needed' basis when deemed necessary by the IC.

Both new vehicles are identical and as a result, create a more efficient process for training personnel. Provincially, pumper/rescue apparatus are becoming the new industry standard because of the many advantages this type of vehicle provides to better serve firefighters and the needs of the community.

The tentative date for the new deployment plan to be implemented is May 15, 2010.

Following is Fire Services' response locations and related cache of resources;

Pumper 1, Recue 1, Aerial 1, Command Bus 1, Tanker 1 and Water Rescue 1 –
Deployed from Number 1 Station on Tancred Street.

Pumper/Rescue 2 – Deployed from Number 2 Fire Station on Second Line West.

Pumper/Rescue 3 – Deployed from Number 3 Fire Station on Bennett Boulevard.

Aerial 3 – Used when Aerial 1 is out of service and stored at Number 3 Fire Station on Bennett Boulevard.

Pumper 4 – Deployed from Number 4 Station, Regional Emergency Services Complex (RESC) on Old Garden River Road.

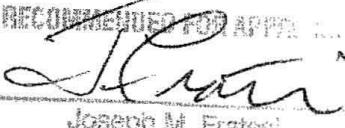
Back-Up Pumper- Used when other pumpers are out of service and deployed from any fire station.

Water Rescue 2 – Docked and deployed at the Roberta Bondar Marina from May – October.

Ambulances – three ambulances deployed from the RESC, and one deployed from the Garden River First Nation Emergency Medical Services Station.

Respectfully submitted,


Marcel Provenzano
Fire Chief
Sault Ste Marie Fire Services

~~RECOMMENDED FOR APPROVAL~~

Joseph M. Fratesi
Chief Administrative Officer

5(r)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

FILE NO.: P.2.4.3.

REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Nuala M. Kenny, Assistant City Solicitor

DATE: 2010 04 26

RE: **MARTIN'S TRAILERS 626 FIFTH LINE EAST**

The purpose of this report is to advise Council of the Ontario Municipal Board proceedings concerning the above mentioned property. On Thursday, April 15, 2010 an Ontario Municipal Board hearing took place concerning the rezoning of 626 Fifth Line East. The hearing was chaired by Mr. Christou. Ed Lofstrom of Martin's Trailers was represented by Paul Cassan. Two neighbours Leeanne Robert and Wilma Deplonty were represented by Helen Scott. Council may recall that Mr. Lofstrom sought to rezone the property at 626 Fifth Line East to allow for the sale and service of trailers and RV's. He is currently operating across the street at 32 Powley Road pursuant to a special exception. In June of 2009 Council turned down Mr. Lofstrom's request to rezone Fifth Line. The Planning Director had recommended in favour of the rezoning pursuant to a number of conditions.

Prior to the hearing date there were a number of meetings between Counsel for all parties. Mr. Cassan retained Bill Wierzbicki as a Planning expert on behalf of Martin's Trailers. Helen Scott retained Anthony Usher as a Planning expert on behalf of the two neighbours. Together with Don McConnell the Planners were able to reach a consensus in order to allow for the sales and service of RV's but meeting the concerns of neighbours. In the end it was agreed that the zoning on 32 Powley Road should be by way of a temporary zoning by-law to permit Martin's Trailers to relocate to 626 Fifth Line East. It was agreed that the time period for the relocation should be two operating seasons (ending December 31, 2011). The business on Powley Road would be relocated to 626 Fifth Line East to a rezoning by-law with numerous conditions on the rezoning. The conditions

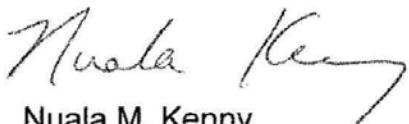
- 2 -

include increased buffering, limits on fuel storage, limits on types of service and repair that may take place and limits on types of vehicles that may be sold or present on site. The property is also subject to site plan control. It was agreed between the party that a number of issues including spill response would be adopted in the site plan control agreement.

At the hearing on April 15th Mr. Chair Christou asked to hear from the Planners as to the proposed by-laws and how they would meet the concerns of neighbours. Each of the three Planners presented evidence outlining that the by-laws and site plan control agreement as proposed. After hearing from the Planners Mr. Chair Christou asked if there were other members from the audience who wished to put forward views. One neighbour Mr. Giunti expressed concern about the ability to enforce the conditions. The Chair asked the City to respond. I indicated that there is provision to prosecute under the zoning by-laws as well as the Planning Act. I also indicated that Martin's Trailers has already been convicted of one such offence. Three other neighbours also testified in support of the rezoning.

At the end of the hearing Mr. Chair Christou indicated that he would be providing a written ruling but that the parties could expect his ruling would be favourable. Once a written ruling is received it will be provided to City Council.

Respectfully Submitted,



Nuala M. Kenny
Assistant City Solicitor

NMK/on

Recommended for approval,



Lorie Bottos
City Solicitor

RECOMMENDED FOR APPROVAL



Joseph M. Pates
Chief Administrative Officer



2010 04 26

Mayor John Rowswell and
Members of City Council
Civic centre

RE: Amendments to Cemetery By-law #99-208

This is in response to the council resolution dated March 22, 2010

"Resolved that the appropriate staff report on a request for an exception to the Cemetery By-law #99-208 to allow for a large monument to be placed on a family plot in Holy Sepulchre Cemetery."

Background

In 1992, a public committee was formed to review cemetery by-laws and maintenance procedures. This committee developed a number of recommendations that were implemented into the bylaw, including monument regulations.

As a result of this committee review, By-Law 99-208 was prepared which states that for 3 graves lots or more; no monument shall exceed 54" in height and shall not be longer than 78" in length. This was implemented as a safety factor to ensure that the monuments would not tip or fall as the cement foundation allotment for graves in a single row is only 24" wide and would not support anything higher or wider.

Discussion

The site for this requested family monument is located in the front south corner of Holy Sepulchre Cemetery near Fourth Line East and the individual has purchased 10 gravesites. The proposed monument is 6' in height and 8' 6" in length. This size exceeds the maximum allowable in By-law 99-208 by 1'6" in height and 2'0" in length.

Attached are the proposed revisions to page 14 of the cemetery bylaw # 99-208 section 5.2.7.1 (Monuments and Markers). The following is a summary of those changes.

Current By-law 99-208 reads as:

5.2.7.1 - Except as hereinafter set forth for Shrine Sections of a cemetery, the number, location and maximum size of monuments shall be as follows: Slant markers on a 4" concrete slab will be permitted on all gravesites, with the exception of the Urn Garden and Baby Shrine. The maximum size for a single grave shall not exceed 1,650 cm (256 square inches).

Despite the provisions of Section 5.2.7.1. in the area of the twenty-eight (28) pre-need gravesites purchased by the Roman Catholic Diocese of Sault Ste. Marie a monument 6 ft. in height x 8 ft. 6 inches in width may be erected.

| <u>Monument Thickness</u> | <u>Maximum – Height (including base)</u> |
|---------------------------|--|
|---------------------------|--|

| | |
|-------------------|-------------|
| .15 m (6") | 1.1 m (42") |
| .2 m or over (8") | 1.4 m (54") |

| <u>Lot Size</u> | <u>Maximum Monument/or Base Length</u> |
|-----------------|--|
|-----------------|--|

| | |
|-----------------------------|-------------|
| single grave | .8 m (32") |
| two grave lot | 1.6 m (63") |
| three grave lot or more lot | 2.0 m (78") |

Proposed changes to By-law 99-208 – Add the following

Despite the provisions of Section 5.2.7.1. in the area of the twenty-eight (28) pre-need gravesites purchased by the Roman Catholic Diocese of Sault Ste. Marie **and for (10) pre-need gravesites or more that are situated back to back having an allowance of 48"** for a cement foundation a monument 6 ft. in height by 8 ft. 6 inches in width may be erected.

5(s)

The cemetery has reviewed the specifications for the monument and since the gravesites purchased are back to back, the allowance of 24" for the cement foundation would increase to 48" doubling the support required and thus would accommodate the increased height and length requested.

In November 2000, another monument of the same identical size was approved for the Priest Memorial in Holy Sepulchre Cemetery utilizing the wider cement foundation.

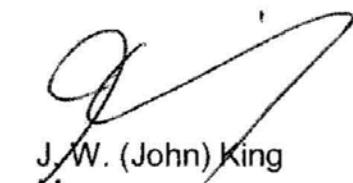
Since the safety concerns of the cemetery have been addressed, the cemetery has no difficulty in supporting this application, however, such requests need to be tightly controlled and approved on an individual basis.

Attached and included in the bylaw section of this agenda is by-law 2010-80 amending Cemetery bylaw # 99-208.

RECOMMENDATION

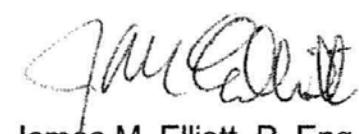
This report and the attached bylaw changes are submitted for council's approval.

Respectfully submitted,



J.W. (John) King
Manager
Cemeteries Division

Recommended for approval,



James M. Elliott, P. Eng
Commissioner
Public, Works & Transportation

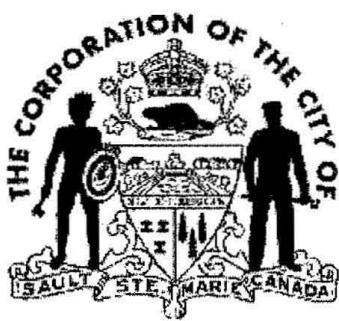
RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

Mr. Don Scott
Transit Manager

5(4)
Public Works and Transportation
Department
Transit Division



April 26, 2010

Mayor John Rowswell &
Members of City Council
Civic Centre

SUBJECT: A BY-LAW TO AUTHORIZE A POLICY FOR SAULT STE. MARIE TRANSIT SERVICES

BACKGROUND

Transit management is seeking Council's approval to establish a by-law to authorize a policy for Sault Ste. Marie Transit Services. This by-law will regulate the collection of bus fares and passenger conduct on Transit property. The proposed by-law will be administered by the Transit Services Division of the Public Works and Transportation Department.

DISCUSSION

Over the years, Transit management and hourly staff have dealt with the public on many different issues regarding, for example, what is an acceptable bus pass, correct bus fare, transfers, what items are or are not permitted on a bus, can animals ride and what is acceptable passenger conduct while riding our buses or waiting at the Queen/Dennis St. bus terminal.

Although Transit staff have used informal policies for the day-to-day operation of public transit in Sault Ste. Marie, it is now recommended by Transit staff that our past practices be consolidated and formulated into one by-law that provides supervisory and hourly staff with consistent regulations for managing the day to day movement of the local public choosing to use public transportation in Sault Ste. Marie. This by-law, when approved by Council, will be posted for public information at the bus terminal and on the City's web site.

ENFORCEMENT

The proposed by-law will be enforced by Transit staff and by Police Services when their assistance is required by Transit staff or on-site security.

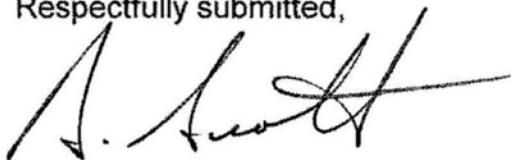
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- 2 -

RECOMMENDATION

It is recommended that Council approve by-law 2010-79 to authorize a policy for Sault Ste. Marie Transit Services. It appears elsewhere on your agenda this evening.

Respectfully submitted,



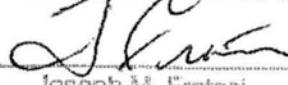
Don Scott
Transit Manager
Public Works and Transportation

Recommended for approval,



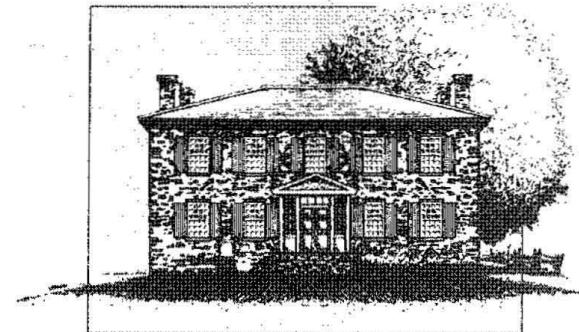
Jim Elliott, P. Eng.
Commissioner
Public Works and Transportation

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

5(u)



*Sault Ste. Marie
Municipal Heritage Committee*

2010 04 26

Mayor John Roswell
and Members of City Council

Ontario Heritage Act Registration – 162 Cathcart

The Sault Ste. Marie Municipal Heritage Committee advises City Council as to the cultural heritage value or interest of properties within the Municipality and recommends that significant properties be designated under the Ontario Heritage Act (O.H.A.). The owners of heritage properties are consulted and asked if they are in favour of a property being designated. Although their consent is not required, if they do not agree that the designation of a property is in their best interest, the Committee does not force the issue.

An alternative that is less restrictive to the property owner under the Act is Registration of the Property. Part IV Section 27 (1.2) of the O.H.A. allows the Council of a municipality to keep a register of properties that are deemed of "cultural heritage value or interest". Currently there are seven properties on the City's Register of "cultural heritage value or interest". The only restriction for such properties is that owners are required to give the municipality 60 days notice in writing of the owner's intention to demolish or remove the building or structure, or to permit the demolition or removal of the building or structure.

The owners of 162 Cathcart Street were consulted about designation of their property and they felt it was not in their best interest. The Sault Ste. Marie Municipal Heritage Committee recommended that City Council register the property. Upon notification that their property was added to the register, the owners expressed intense objection. Meetings with staff and the Sault Ste. Marie Municipal Heritage Committee failed to change their position and their demand to have their property removed from the registration list. At the March 3, 2010 meeting of the Sault Ste. Marie Municipal Heritage Committee the following motion was passed:

5(u)

Moved by: Dr. Ewing
Seconded by: T. Wall

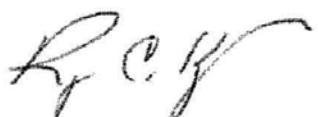
"Whereas the owners of 162 Cathcart have strongly objected to having their property registered as a property of cultural heritage value or interest under the Ontario Heritage Act. Part IV Sec 27 (1.2) and have requested removal from the registration list; and whereas the Sault Ste. Marie Municipal Heritage Committee is not opposed to the request for removal of the property from the registration list; be it resolved that the Sault Ste. Marie Municipal Heritage Committee request City Council to approve removing the property from the registration list of properties of cultural heritage value or interest."

CARRIED

Recommendation

City Council is requested to approve the recommendation of the Sault Ste. Marie Municipal Heritage Committee to remove 162 Cathcart Street from the City's Register of Properties of "cultural heritage value or interest" under Part IV Section 27 (1.2) of the Ontario Heritage Act.

Respectfully submitted for approval,



Roger Kinghorn, Chair
Sault Ste. Marie Municipal Heritage Committee

li/rec&cult/Historic/SSMMHC/2010/Council Report Ont Heritage Act Registration 162 Cathcart

cc: J. Fratesi
L. Bottos
N. Apostle
Members SSMMHC

Frank F. Coccimiglio
Manager, Information Technology
Division



FINANCE DEPARTMENT
Information Technology (IT)
Division

5(v)

April 26, 2010

Mayor John Rowswell and
and Members of City Council

Re: GIS Proposed Increase Cost and Payment

Overview

Attached is a letter from the Innovation Centre regarding the renewal of the City GIS contract for a five year period commencing April 2010 to December 31, 2014. The attached letter outlines the reasons for the increased costs associated with a major redesign and redevelopment of the GIS system due to Version 10 release of ESRI and Oracle Version changes. The cost for the redevelopment is significant and is above and beyond the standard maintenance costs for the GIS service.

The Information Technology Division is in full support of the Sault Ste. Marie Innovation Centre (SSMIC) providing the GIS services to the City and the proposed increases in the GIS maintenance cost. The increase in the GIS contract is due to the software and hardware upgrades required by the SSMIC dictated by the industry. Information Technology is fully aware and concurs with the Innovation Centers on a number of items:

- Compared to other municipalities who have GIS service in-house, the City of Sault Ste. Marie is indeed receiving the most comprehensive GIS second to none for a very economical cost.
- Information Technology Division does not have the staff or the expertise to provide the GIS service to the Corporation. The Innovation Center's GIS solution has been in the making for the past 10 years and to replace this would cost the city three times what is being proposed in capital investment, additional city staff and development man-hours.
- Information Technology Division also faces technological changes in the industry and the reality is that technology (development software, operating systems and database management systems and computer hardware) becomes outdated and reaches "end-of-life". The industry large development giants such as Oracle, Microsoft, PeopleSoft and others force the end-user to upgrade at some point during the lifespan of the software/system solution.

The Information Technology Division and the Engineering Division strongly believe that the GIS system is an essential part of the core services we provide at a cost which is very competitive compared with other municipalities. Our GIS solution has been recognized as one of the most comprehensive municipal solutions in the world.

GIS serves as the portal into the city's intellectual data management solution and helps to streamline business practices by getting the right information to the right people at the right time.

Attached are testimonials from different City departments, Public Utility Commission, and POD Generation reaffirming the fact that the GIS solution plays a key role in the delivery of services.

5(v)

The Engineering Division administered the contracts with the Innovation Centre for the past 10 years, due to the fact that the GIS system was primarily a development phase where engineering records and general information was converted into a digital format and programmed into the GIS solution. Given that the Innovation Centre provides GIS services now primarily as an “**Information Utility**” for the entire corporation, it is appropriate for the Information Technology Division assume the role of administering the contract. This has been agreed upon by both Divisions.

The existing contract is valued at \$253,000.00 and will increase for the 2010 budget by an additional \$57,000.00 bringing it up to \$350,000.00. The following four years would be at an average cost of \$465,000.00 per year.

Based on a historical percentage usage breakdown, records indicate that nine percent (9%) of the total GIS usage is associated to the Building Division. Also, forty eight percent (48%) of the total GIS usage is related to Sanitary Sewer operations from both the PWT and Engineering Department.

To maximize usage of the Building Permit Reserve Fund we recommend funding 9% of the total GIS costs from the Building Permit Reserve. We also recommend maintaining the current budget allocation of \$253,000.00 per year for GIS operations. The balance of the GIS funding requirements would be financed from the Sewer Surcharge based on the forty eight percent (48%) usage. Below is a breakdown of the funding.

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| Sanitary Sewer Surcharge | \$65,500.00 | \$179,250.00 | \$179,250.00 | \$179,250.00 | \$142,850.00 |
| Building Reserve | \$31,500.00 | \$42,750.00 | \$42,750.00 | \$42,750.00 | \$39,150.00 |
| GIS Levy - Yearly Budget | \$253,000.00 | \$253,000.00 | \$253,000.00 | \$253,000.00 | \$253,000.00 |
| Total | \$350,000.00 | \$475,000.00 | \$475,000.00 | \$475,000.00 | \$435,000.00 |

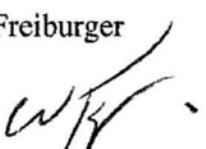
Recommendation

It is recommended that City Council approve;

- (1) The proposed contract between the City and the Innovation Centre for the next five years.
- (2) Information Technology Division become the administrator of this contract along with the “point of contact” for the Innovation Centre GIS services.
- (3) Finance Breakdown;
 - a. Maintain current budget allocation of \$253,000.00
 - b. 9% of the total cost comes from the Building Permit Reserve Fund.
 - c. Remaining balance funded from the Sanitary Sewer Surcharge.

Submitted By,

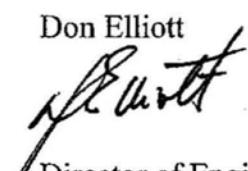
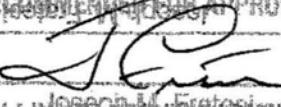
Bill Freiburger


Commissioner of
Finance/Treasurer

Frank F. Coccimiglio


Manager, Information
Technology Division

Don Elliott


Director of Engineering
Services
RECOMMENDED APPROVAL

RECOMMENDED APPROVAL

5(v)

THIS AGREEMENT made the 1st day of April, 2010

BETWEEN:

SAULT STE. MARIE INNOVATION CENTRE

(hereinafter referred to as the "Consultant")

OF THE FIRST PART

-and-

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

(together hereinafter referred to as the "client")

OF THE SECOND PART

WHEREAS

- A) The consultant is in the business of providing integrated geomatics services; and
- B) The client wishes to retain the Consultant to provide geomatics services and maintain the integrated geomatics solution currently in place.

IN CONSIDERATION of the premises and the mutual covenants and agreements contained herein the parties hereto agree as follows:

1.0 SERVICES

- 1.1. The Client hereby retains the Consultant to provide and maintain a geographic information system (the "Services"), the description, stages, terms and conditions of which are set forth in Schedule A which forms an integral part of this agreement.
- 1.2. Schedule A to this Agreement will continue to be modified after this Agreement is signed, over time and in accordance with the project, schedule and milestones referred to in Schedule A. The parties acknowledge that the Schedule and the milestones therein may have to be adjusted from time to time based on experience. Schedule A shows the state of development of the planning to date and all additions and changes to Schedule A are intended to be incorporated into and form part of this Agreement as they are made. Notwithstanding the foregoing the parties agree that no changes to Schedule A will be effective without the prior written consent of both parties.

2.0 SHARED INITIATIVE

- 2.1.** The client recognizes that both the City of Sault Ste. Marie (City) and the PUC Services Inc (PUC) share common goals and objectives and that the delivery of the Services for both are closely related. Accordingly, a model described in Schedule A for the delivery of Services provides for one work plan for both the City and PUC. Schedule A defines the management of the project by the City and PUC through the City PUC Status Committee and the City PUC GIS Steering Committee.

3.0 APPLICABLE CHARGES

- 3.1.** Schedule A sets forth the fees payable by the client for the services.
- 3.2.** All sales taxes, Goods and Services Taxes and other taxes applicable to the Services shall be in addition to the fees. Changes in taxes, due to the introduction of the new Harmonized Sales Tax (HST) are set to take effect starting July 1, 2010. This may affect the amount of taxes applicable to the services.
- 3.3.** The Consultant will submit invoices of all applicable charges incurred by it in respect to the Services on a monthly basis and any invoice submitted shall be due and payable within 30 days of receipt by the Client

4.0 TERM

- 4.1.** The term of this agreement shall be for five years from April 1st, 2010 to and including December 31st, 2014
- 4.2.** If this agreement is not renewed or extended at the expiration of the term the Consultant shall deliver to the Client all data and source code for the customized applications and data models developed pursuant to this Agreement. All costs associated with the relocation of the geographic information system shall be the responsibility of the Client.

5.0 TERMINATION

- 5.1.** If either party (the "Defaulting Party") shall at any time neglect, fail or refuse to perform under any of the provisions of this Agreement, then the other party may serve upon the Defaulting Party, notice of intention to terminate this Agreement, which notice shall specify the alleged neglect, failure or refusal and shall be served by registered mail, and, if within ninety (90) days after the date of service of this notice, the Defaulting Party shall not have fully cured all the defaults indicted in the notice, or presented a plan acceptable to the other party to cure these defaults, then upon expiration of the ninety (90) days, the other party may, at its option, elect to terminate this Agreement.

- 5.2. If the Client fails to pay the Consultant as set forth in this Agreement, the Consultant may immediately suspend all activity related to this Agreement upon delivery of written notice to the Client and may, in addition to any other rights it may have under this Agreement or otherwise under law, pursue termination pursuant to 5.1 above.
- 5.3. The right of either party to terminate this Agreement hereunder shall not be affected by its failure to take action with respect to any previous default.
- 5.4. In the event of termination, as set forth in this clause, the Consultant shall be paid on a pro rata basis for all Services performed up to the date of termination

6.0 ACCEPTANCE OF DELIVERABLES

- 6.1. The Client will tell the Consultant in writing within ten (10) days of receipt of a paper deliverable and within 90 days of receipt of a data set deliverable whether it accepts or rejects such deliverable. The Client may reject any deliverable which does not comply with the description of work and/or with the Client's standards. If the Client fails to notify the Consultant within the specified time, the Client will accept the deliverable. If the Client rejects it, the Client shall allow the Consultant five days to revive a paper deliverable and 30 days to revise a data set deliverable to render such deliverable acceptable to the Client
- 6.2. Special customization projects beyond the allotted customization days in the contract will be administered through the Clients Information Technology Division.

7.0 STATUS REPORTING

- 7.1. Information with respect to the status of the work and issues of accomplishments and difficulties shall be addressed at Status Committee meetings and Steering Committee meetings between representatives of the parties. Status reporting procedures shall be further detailed in Schedule A. The Consultant shall provide to the Client an agenda for Steering Committee meetings not less than five working days prior to such meeting and shall provide to the Client sufficient copies of all agendas and reports for delivery to all members of the Steering Committee.

8.0 WARRANTY

- 8.1.** The Consultant warrants that the Services will be performed consistent with mutually acceptable industry standards. With respect to software applications this warranty shall be for the duration of the Contract and for software applications delivered within the last six months of the Contract this warranty shall extend to such applications for a period of six months after the date of delivery. This warranty is exclusive and in lieu of all other warranties, whether express or implied. For any breach of this warranty, the Client's exclusive remedy, and the Consultant's entire liability, shall be the re-performance of the Services. If the Consultant is unable to re-perform the Services as warranted, the Client shall be entitled to recover the fees paid to the Consultant for the deficient Services.

9.0 LIMITATION OF LIABILITY

- 9.1.** In no event shall either party be liable for any indirect, incidental, special or consequential damages, or damages for loss of profits, revenue, data or use, incurred by either party whether or not such damages are foreseeable or whether or not the other party or any other person has been advised of the possibility of such damages.

10.0 CLIENT OBLIGATIONS

- 10.1.** The Client shall be responsible for the timeliness, accuracy and completeness of any data supplied to the Consultant. If such data is incorrect or incomplete the Client shall have the option to either correct, complete or otherwise prepare such data or to request in writing that the Consultant correct, complete or otherwise prepare such data at such additional cost as the parties may agree in writing.
- 10.2.** The cost of the fibre connection from the Client to the GIS data warehouse will be funded by the Client.
- 10.3.** The Client shall be responsible to maintain under its care adequate backup materials that will enable the regeneration of files and other data in the event of loss, damage or destruction thereof. The Consultant shall be responsible to back up the GIS data warehouse using a "Grand Father, Father, Son" backup methodology [Monthly (Grand Father), Weekly (Father) and 3 Days a week (Son)].
- 10.4.** The Client shall be responsible for re-engineering work flows resulting from the introduction of the geographic information system and the Consultant will provide such consultation and support as required to assist the Client in this regard.

10.5. The Client shall ensure that the users of the system attend the training sessions provided by the Consultant.

10.6. The Client shall appoint data custodians to ensure all data is kept updated on the system.

11.0 CLIENT PREMISES

11.1. The Consultant agrees that access to any of the Client's premises by any of the Consultant's employees which is necessary for the performance of the Services shall only be granted by the Client during the normal hours of the Client's premises in question unless otherwise previously authorized by the Client. The Consultant also agrees to observe all of the Client's security requirements and measures in effect at any of the Client's premises to which access is granted by this Agreement.

12.0 CHANGES IN SCOPE OF WORK

12.1. Changes in the scope of work will only be made in strict compliance with the "change request" procedure set forth in Schedule A.

13.0 CONSULTANT, STAFFING AND TRAINING

13.1. The consulting and professional personnel provided by the Consultant shall have appropriate technical and application skills to enable them to perform their duties. The Consultant shall supply the necessary instruction and training to enable the Client to utilize the Services contracted for hereunder. All instructions shall be given by qualified personnel.

14.0 PROPERTY RIGHTS TO DATA, CONFIDENTIALITY AND SECURITY

14.1. The Consultant hereby acknowledges that all data provided by the Client is proprietary to the Client and constitutes valuable, confidential information. The Consultant agrees that it shall keep confidential all such data and shall not disclose or divulge or use any of such data otherwise without the prior written consent of the Client. The Consultant shall maintain reasonable security relating to the data belonging to the Client held at the premises of the Consultant or stored on any computer storage media under the care, custody and control of the Consultant or its agents.

14.2. The Consultant agrees that all information, records, files, input materials, forms and other data received, computed, created, used or stored pursuant to this Agreement are the exclusive property of the Client.

15.0 INTELLECTUAL PROPERTY RIGHTS TO DEVELOPED MODELS AND TOOLS

- 15.1.** All developed database models, software tools, training materials are the intellectual property of the Consultant during this Agreement and after any termination of this Agreement.

The Client has full access to the use of all developed database models, software tools, training materials during this Agreement and after any termination of this Agreement. No fees will be charged for the continued use of these items.

16.0. RELATIONSHIP BETWEEN THE PARTIES

- 16.1.** The Consultant is an independent contractor and nothing in this Agreement shall be construed to create a partnership, joint venture or agency relationship between the parties.

17.0. GOVERNING LAW

- 17.1.** This Agreement and all matters arising out of or relating to this Agreement shall be governed by the laws of the Province of Ontario.

18.0. NOTICES

- 18.1.** All notices, demands or other communications including notices of address changes required or permitted to be sent hereunder shall be in writing, and sent either by personal delivery, overnight courier or facsimile or e-mail transmission to the respective address of the parties. Any notice, demand or communication delivered in person or by overnight courier shall be deemed to have been received on the day of its delivery and if sent by facsimile transmission or e-mail, on the first business day following its transmission.

19.0. SEVERABILITY

- 19.1.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force.

20.0. WAIVER

- 20.1.** No term or provision of this Agreement shall be deemed waived by either party, and no breach excused by either party, unless the waiver or consent shall be in writing signed by the party granting such waiver or consent.

21.0. ENTIRE AGREEMENT

21.1. Schedule A together with the terms of this Agreement represents the entire Agreement of the parties and supercedes all previous agreements, proposals or representations written or oral with respect to the Services specified in this Agreement and Schedule A. Modification to Schedule A or this Agreement shall be valid only when made in writing and signed by both parties.

22.0 SUCCESSORS AND ASSIGNS

22.1. This Agreement shall be binding upon and enure to the benefit of each of the parties hereto and their respective successors and assigns. This Agreement may not be assigned by either party except with the prior written consent of the other party.

IN WITNESS WHEREOF the parties hereto have executed this agreement by their duly authorized representatives as of the reference date.

THE PARTIES AGREE that a facsimile copy signature shall be deemed as effective as an original signature for purposes under this agreement.

SAULT STE. MARIE INNOVATION CENTRE

Per: _____

Per: _____

I/We have authority to bind the Corporation

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Per: _____
John Rowswell, Mayor

Per: _____
Malcolm White, City Clerk

I/We have authority to bind the Corporation



City and PUC of Sault Ste. Marie Integrated Geomatics Services (IGS)



IGS Project Plan City of Sault Ste. Marie - Year 11 to 15

April 1st 2010 to December 31st 2014

Version 1.0

Date: April 15, 2010

REVISION HISTORY

| Version/ Release | Date | Description of Revisions |
|-----------------------------|----------------|-------------------------------------|
| 0.1, Draft | April 1, 2010 | Initial version by Project Manager. |
| 1.0 | April 15, 2010 | Version delivered to Client |
| | | |
| | | |
| | | |
| | | |
| | | |

PROPRIETARY & CONFIDENTIAL INFORMATION

The Sault Ste. Marie Innovation Centre ("SSMIC") considers all of the information contained in this Proposal to be proprietary and confidential. Such information consists of, but is not limited to, product or service recommendations, the manner, method and techniques to be used in the performance of the services set forth in the Proposal. Information contained in this Proposal shall not be disclosed to any third party, including but not limited to contractors and/or consultants, and shall not be disseminated or distributed to entities of persons except your personnel on a need-to-know. This restriction shall not apply to information which is known to you from a source other than SSMIC, or is or becomes known through no wrongful act of yours, or is rightfully required from a third party or independently developed by you, or is subsequently public disclosed by SSMIC or is approved for release by written authorization of SSMIC.

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1 INTRODUCTION

This document is the Project Plan (PP) of the Sault Ste. Marie Innovation Centre (SSMIC) Integrated Geomatics Service (IGS) project covering the period from April 1st, 2010 to December 31st, 2014. The Information Systems and Technologies (IST) department of the SSMIC is responsible for the execution of the IGS project. The objective of the IGS project is to operate an Integrated Geomatics System (IGS) for the City and PUC Services Inc. (PUC) of Sault Ste. Marie (SSM). The goal of the IGS (system) is to support the City's and PUC's services and asset management needs.

The goal of the IGS PP is to integrate all project management related information into one document to facilitate communication among stakeholders. The PP for the period from April 1st, 2010 to December 31st, 2014 is based on the scope of the initial PP adapted to reflect the results of the first ten (10) years of implementation.

The PP is based on the deliverables of the Integrated Geomatics Services Conceptual Design Study and Schedule A of the Contract between the Innovation Centre and the City and PUC of Sault Ste. Marie covering the period of 2000 to March 31st, 2005, as well as Schedule A of the Contract between the Innovation Centre and the City and PUC of Sault Ste. Marie covering the period of 2005 to March 31st, 2010. The following documents should be consulted in order to establish a complete review of the project history and scope:

- ❑ SSMIC, Implementation Consulting Services, IGS Conceptual Design Study, Current Situation Assessment, Volume I, Description;
- ❑ SSMIC, Implementation Consulting Services, IGS Conceptual Design Study, Current Situation Assessment, Volume II, Needs;
- ❑ SSMIC, Implementation Consulting Services, IGS Conceptual Design Study, Specifications report, Volume I;
- ❑ SSMIC, Implementation Consulting Services, IGS Conceptual Design Study, Specifications report, Volume II, Part I and II;
- ❑ SSMIC, Implementation Consulting Services, IGS Conceptual Design Study, Planning report.
- ❑ SSMIC, City and PUC of Sault Ste. Marie, IGS, Contractual agreement, 23rd day of August 2000.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 2.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 3.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 4.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 5.
- ❑ SSMIC, Integrated Geomatics Service, Project Management Plan, Year 6.
- ❑ SSMIC, Integrated Geomatics Service, Project Plan, Year 6 to 10.

Extracts of the IGS PP are used to manage the project on a day-to-day basis. These extracts include the schedule, the project management forms, and potentially other sections. These extracts are used to track the progress of the project. On a yearly basis, a Project Management Plan covering a specific fiscal year will be developed to document in more detail the tasks for a specific year.

The IGS procedures are governed by the guidelines of the IST department and SSMIC procedures. Moreover, the project management, system development and system support activities of the IST are conducted following the guidelines of the EDS Global Solutions Management System (GSMS) methodology procedures as adopted by SSMIC.

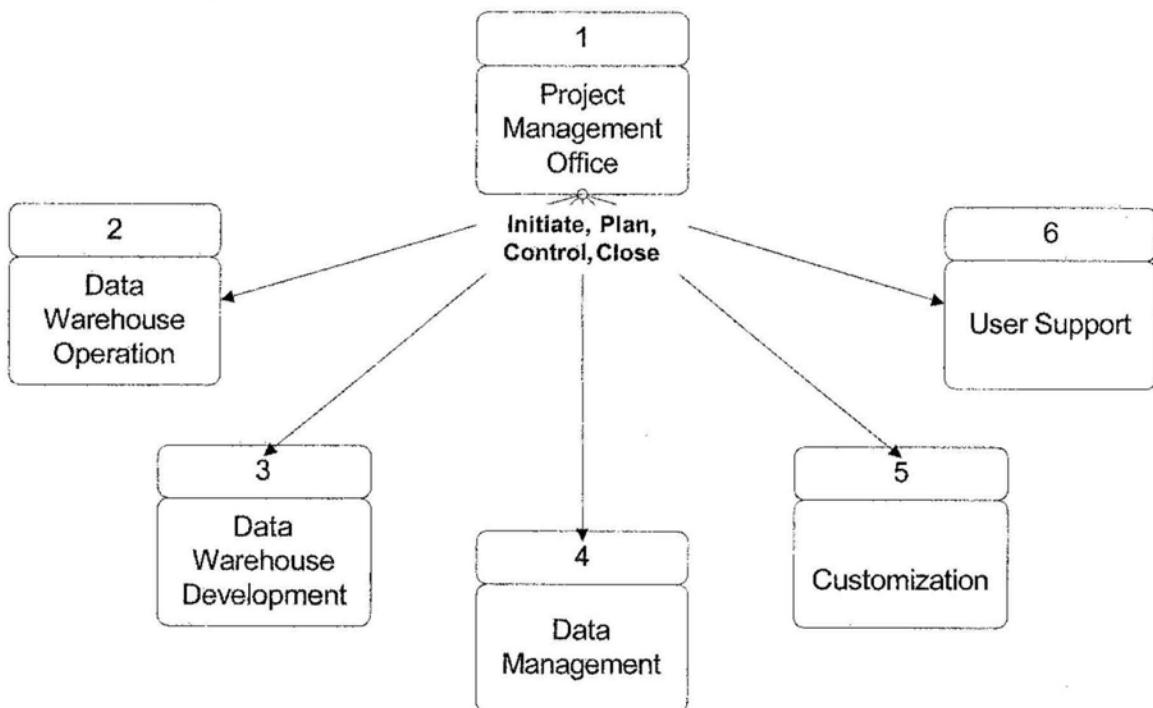
2 SCOPE MANAGEMENT

This chapter presents the scope of the IGS project for the period April 1st, 2010 to December 31st, 2014.

The project scope is managed using a high level Work Breakdown Structure (WBS) as used in the previous contracts of 2000 to March 31, 2005 and April 1, 2005 to March 31, 2010. The objective of the WBS is to subdivide a project's activities and deliverables into smaller and more manageable components to allow tracking and controlling of cost, performance, and quality. The WBS structures the IGS project into sub-projects. Each sub-project is subdivided into tasks and activities. Tasks may be structured using multi-levels; however, the last level of a task breakdown is always the activity level. In a project schedule, the resources and effort estimation are always attached to the activity level.

The following WBS is used through out this document to present the activities and deliverables of the IGS project.

Figure 1: WBS of the IGS Project



2.1 SCOPE

This section presents project scope in terms of activities to be executed and deliverables to be completed.

2.1.1 ACTIVITIES EXECUTED

The activities to be executed are presented following the WBS structure of the project.

2.1.1.1 Project Management (WBS 1.0)

Project management and control are ongoing tasks that have been carried on since the beginning of the project. Appropriate efforts will be devoted to the development, the implementation and the application of state-of-the-art project management methods and procedure in the project.

2.1.1.2 Operate Data Warehouse (WBS 2.0)

The Operate Data Warehouse sub-project includes three (3) categories of tasks: Upgrading of the Data Warehouse Equipment, day-to-day Operation of the Data Warehouse and User Training.

The upgrading of the data warehouse equipment activities will continue during the duration of the Project in order to optimally deliver and secure GIS data and services. This includes hardware upgrades and staying current with all software upgrades and patches.

The operation of the Data Warehouse is an ongoing activity that involves network administration, system administration, database administration, troubleshooting and support of SSMIC system developers.

Finally, User training is an on going activity that will allow for adding more IGS users from the City and the PUC or upgrading skills. Training is divided into four categories: Basic Introduction to GIS, ArcGIS Desktop and IGS Functionality, Editing Procedures and other custom GIS training.

The following table presents the total number of training days available per year for the project until December 31st 2014.

| City |
|-----------|
| Allocated |
| 10 |

2.1.1.3 Develop Data Warehouse (WBS 3.0)

The Develop Data Warehouse sub-project is structured into four (4) major groups of tasks: Data Modeling, Data Access, Web GIS Development and Desktop GIS Development.

The first task group includes all System modeling activities for Landbase, Administration Limits, Road, Traffic & Transit, Electricity, Water & Sewer, and Telecom. This would include updating, enhancing and maintaining all GIS data models to reflect changes in technology or Client needs.

The second task group also includes the updating, enhancing and maintaining of the Security and Profile module.

The third group of tasks involves the updating, enhancing and maintaining of the Web GIS interface (public GIS access).

The fourth group of tasks involves the updating, enhancing and maintaining of functions or applications implemented on the ArcGIS desktop technology.

2.1.1.4 Manage Data (WBS 4.0)

The Manage Data sub-project is structured around the same subject area as the modeling tasks: Landbase, Administration Limits, Transportation, Electricity, Water & Sewer, and Telecom. The activities of this sub-project are related to data capture, data loading, data validation and maintenance. Data loading and validation are processes that depend on data capture activities.

Data Management Activities would include:

- MPAC Data Assessment Loads
- Loading of new satellite or orthophoto Imagery
- Managing data editing and versioning
- Updates of existing data from revised clean data sources
- Hyperlinked document management

2.1.1.5 Customization Interface (WBS 5.0)

The following table presents the total number of customization days available for the project until December 31st 2014.

| Time Period | City |
|----------------------------------|------|
| Y11 April 2010 – December 2010 | 75 |
| Y12 January 2011 – December 2011 | 100 |
| Y13 January 2012 – December 2012 | 100 |
| Y14 January 2013 – December 2013 | 100 |
| Y15 January 2014 – December 2014 | 100 |

Customization Days may be used for developing or enhancing new applications, data editing or any task agreed upon by the IGS Project Manager and the City and PUC. Customization days may be rolled into future years or borrowed from future years at the

discretion of the IGS Project Manager. Customization days may be converted to User support or training days at the discretion of the IGS Project Manager.

Customization request and execution processes would continue to follow the guidelines defined in the 2000 to March 31, 2005 and 2005 to 2010 contract deliverables and as per the original definition defined in the document below:

SSMIC, Integrated GeoMatics Service, Customization Procedures (2002).

2.1.1.6 User Support (WBS 6.0)

User support processes would continue to follow the guidelines defined in the 2000 to March 31, 2005 and 2005 to 2010 contract deliverables and as per the original definition defined in the document below:

SSMIC, Integrated GeoMatics Service, User Support Procedure (2002).

The following table presents the total number of user support hours available for the project until December 31st 2014 .

| Time Period | City |
|----------------------------------|------|
| Y11 April 2010 – December 2010 | 60 |
| Y12 January 2011 – December 2011 | 80 |
| Y13 January 2012 – December 2012 | 80 |
| Y14 January 2013 – December 2013 | 80 |
| Y15 January 2014 – December 2014 | 80 |

2.1.2 PREVIOUS CONTRACT DELIVERABLES

All previous contract deliverables would still be valid as supported products or procedures unless superceded by any future deliverable. The exception to this would be the ArcIMS Web Client Viewer that was phased out and replaced with Citrix – served desktop functionality.

2.1.3 SCOPE CHANGES

This section summarizes the different Change Requests that have been accepted during the 2000 to March 31, 2005 and 2005 to 2010 contracts. All Change requests would still be valid as supported changes to products or procedures unless superceded by any future deliverable or change request.

| # | Description | Resolution |
|-----|---|--|
| 6 | Sewer, Attribute names | No charges. |
| 7 | Sewer Conversion Rules | No charges. |
| 8 | Sewer Conversion Rules (Pilot) | Paid by City to SSMIC using 7 Cust Day. |
| 8a | Sewer Conversion Rules (Other Areas) | Cost assumed by SSMIC & JDB half and half. |
| 9 | Sewer Conversion Rules | No charges. |
| 10 | Water Conversion, Population of Comments | PUC has paid for it. |
| 12 | New Sewer Feature (Pilot) | Paid by City to SSMIC using 1 Cust Day. |
| 12a | New Sewer Feature (Area 2,3,4) | Cost assumed by SSMIC & JDB half and half. |
| 13 | Delivery of Draft Address Feature of City | Paid by City/PUC to SSMIC using 2 Cust Day each. |
| 14 | If current rating is unknown/unavailable, set to 0. | No charges. |
| 16 | Transformers not owned by PUC: Owner field set to "Customer Owned". | No charges. |
| 17 | Conversion for MountType should be Concrete Pad or Concrete Foundation | No charges. |
| 18 | Change Facility ID's display for Valves, Hydrants and Chambers | Paid by PUC to SSMIC using 1 Cust Day. |
| 19 | Convert the junction on the "free" end of a PDC to a PDC_Connect. | Paid by City to SSMIC using 2 Cust Day. |
| 21 | Relate pipe class to material type | No charges. |
| 22 | Sewer pipe type naming | No charges. |
| 23 | Change to wording of Water Field Inventory Rules concerning watermains and service leads | No charges. |
| 24 | Changes to four sewer domains: SewerMaterial, PDCMaterial, PDCCPiperDiameter, OtherDiameter | No charges. |
| 25 | Add a value to PipeClass domain in Water | Paid by PUC to SSMIC using 1.5 Cust Day. |
| 26 | Move 40 days assigned to Permitting application to general customization days | No charges |
| 27 | Move 30 days assigned to Construction Scheduling application to general customization days | No charges |

| | | |
|----|---|--|
| 28 | Changes to Electric (field lengths for DsoNo and PONo) and Water models (field lengths for Measurement1 and 2 and TurnsNumber) | Paid by PUC to SSMIC using 0.5 Cust Day |
| 29 | Changes to water model (taps and tees), Changes to water conversion rules. | Paid for by PUC with half day of user support time |
| 30 | Addition of 50mm and 75mm to SewerDiameter domain | Paid by City with Half day user support time |
| 31 | Move 32 days assigned to Link to SCADA application to general customization days | No charges |
| 32 | Move 10 days assigned to Link to Network Load Analysis application to general customization days | No charges |
| 33 | Move 10 days assigned to Link to RMS application to general customization days | No charges |
| 34 | Move 5 days assigned to Cemeteries data capture and load to general customization days | No charges |
| 35 | Domain Change to DMNFMeOwner for streetlights feature | Paid by PUC to SSMIC using 0.25 Cust Days |
| 36 | Material/Construction/Size/Orientation default table and the Material/Assembly/Size default table | No charges |
| 37 | Convert 12.5 days assigned to routing application to general City credit of 12.5 days | No charges |
| 38 | Increase the amount of customization days from 100 to 200 for the PUC for the period April 1, 2006 to March 31, 2007. This allocation of days will be reviewed on an annual basis for future years beyond April 2007 | Increase in monthly invoice |
| 39 | Move the remaining 40 days allocated to outstanding Work Manager tasks carried forward from the City PUC 2000 -2005 contract to the general customization pool. Move the 10 remaining GIS training days from the 2006-2007 contract year to the general customization pool. | No charges |

2.1.4 CANCELLED TASKS

In this section, scope adjustments are presented in terms of activities cancelled according to the previous 2005 to March 31, 2010 project scope. The following activities were cancelled and transferred to general customization days:

- WBS 3 – Develop Data Warehouse
 - 3.10 Work Management System;
 - 3.10.1 Installation & Configuration;
 - 3.10.1.2 Population of Maintenance Database
 - 3.10.1.3 Integration to GIS
 - 3.10.2 WOS Subject Area Customization

2.1.5 ACTIVITIES TO BE CARRIED FORWARD

There are no tasks remaining uncompleted during the 2005 to 2010 contract that need to be carried forward into the 2010 to 2015 contract.

2.1.6 KEY WBS ACTIVITIES FOR APRIL 1, 2010 TO DECEMBER 31, 2014 (Y11 TO Y15)

- WBS 1 – Project Management
 - 1.1 Project Management Tasks
- WBS 2 – Operate Data Warehouse
 - 2.1 Upgrade Data Warehouse
 - 2.2 Operate Data warehouse
 - 2.3 User Training
 - 2.4 Maintain IGS Configurations
- WBS 3 – Develop Data Warehouse
 - 3.1 Database Customization (Model support and enhancement)
 - 3.1.1 Landbase
 - 3.1.2 Administration
 - 3.1.3 Transportation
 - 3.1.4 Sewer
 - 3.1.5 Electric
 - 3.1.6 Water
 - 3.1.7 Telecom
 - 3.2 Web GIS Development (Public GIS Interface)
 - 3.3 ArcMap Development
 - 3.4 Security Module Development
- WBS 4 – Manage Data
 - 4.1 Landbase Data

- 4.2 Administration Data
 - 4.3 Transportation Data
 - 4.4 Sewer Data
 - 4.5 Electric Data
 - 4.6 Water Data
 - 4.7 Telecom Data
 - 4.8 Procedure Development
 - 4.9 Data QC
- WBS 5 – Customization
 - 5.1 City Customization
 - 5.2 PUC Customization
- WBS 6 – User Support
 - 6.1 City Support
 - 6.2 PUC Support

2.1.7 SUMMARY OF SERVICE TO BE PROVIDED

WBS 1 – Project Management

- Scope
- Cost
- Time
- Quality
- Coordination
- Prioritization of work
- Administration of licensing and maintenance agreements
- Business Development (new partners)
- Assist in promoting and selling City – PUC data
- Integration with legacy systems
- Work flow change analysis

WBS 2 – Operate Data warehouse

- Database administration (ArcSDE, Oracle)
- System administration
- Administer Citrix environment
- GIS architecture
- Data backups
- Data security
- Category, context administration
- User privilege administration
- System optimization
- Public GIS website administration
- GIS Software and SSMIC server side hardware upgrades
- User Training
- System documentation

WBS 3 – Develop Data Warehouse

- Maintain, enhance developed data models to work with data, software or other IT changes.
- Maintain, debug, enhance developed applications to work with software, hardware and other IT changes.

WBS 4 – Manage Data

- Data loading
- Data versioning, posting, reconciliation
- Assessment data import
- Orthophoto, satellite Imagery loading
- Data QC Processes
- Hyperlink Management
- Year end data archiving
- Procedure development and documentation

WBS 5 – Customization

- Development or enhancements of GIS applications
- Data Editing
- Other assigned tasks

WBS 6 – User Support

- User Support for all developed GIS interfaces and tools
- Data and modeling support and subject matter expertise for landbase, administration, transportation, sewer, electric, water and telecom.
- Front line ESRI GIS support

3 CHANGE MANAGEMENT

Project change management procedures are unchanged from the 2000 to March 31, 2005 and 2005 to 2010 contract as described in the PP for year 1:

- SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1;

4 ASSUMPTIONS

All 2000 to March 31, 2005 and 2005 to 2010 contract Project assumptions are still valid except where specified in this document.

Project assumptions from the 2000 to March 31, 2005 and 2005 to 2010 contracts are listed in the Schedule A of the Agreements between the SSMIC and the City and PUC of Sault Ste. Marie and are initially defined in the document below:

- SSMIC, City and PUC of Sault Ste. Marie, IGS, Contractual agreement, 23rd day of August 2000.

Additional assumptions for the 2010 to 2015 Contract include:

- City and PUC will have assigned Data Custodians for each GIS feature. Data Custodian assumes responsibility for accuracy and completeness of GIS feature.
- SSMIC will be replacing all data warehouse hardware in 2010 / 2011.
- The next release of the ESRI software will function on the Windows 7 operating system.
- SSMIC will migrate the public GIS interface to ArcGIS Server starting in 2010.
- There are no provisions for new GIS subject areas to be added to the project. Current subject areas include: Landbase, Administration, Transportation, Sewer, Electric, Water and Telecom. As well, new features would be captured under customization time.
- City and PUC will maintain compatible IT infrastructures to what the GIS will support.
- City and PUC will notify SSMIC and each other six months in advance of any operating system or network infrastructure changes.
- City and PUC data editors are responsible for the privacy and security of all GIS data derived for editing purposes.
- All attempts will be made to ensure the GIS is operational between 8 to 5 Monday to Friday. The GIS will be operational outside of these hours except for backup or maintenance processes. Users will be notified of maintenance processes ahead of time.
- User support will be available 8 to 5 Monday to Friday, except for statutory holidays.
- City and PUC LANs and Fibre connection to the GIS data warehouse and all associated costs are the responsibility of the City and PUC.
- Field data capture and related technologies do not fall within the scope of this project but may be customization items.
- The current ESRI Enterprise License Agreement (ELA) expires April 1, 2012. This license agreement allows unlimited access to specific desktop GIS software. It is assumed that this three year agreement for the City PUC will be renewed by ESRI in 2012 for another three years. Though there is unlimited ESRI licensing, there are limitations to the number of concurrent Citrix licenses available as detailed in the table below. If the City or PUC has demand above the amount of Citrix licenses, the City or PUC will have to pay for additional Citrix licenses to be added.

- The ESRI GIS Enterprise License Agreement (ELA) applies to the City as well as the PUC because the PUC is one hundred percent owned by the City. If this ownership situation were to change the PUC would not qualify to participate in the ELA and would be required to attain independent GIS licensing at the cost of the PUC.
- The standalone and active concurrent use GIS licenses will be split as follows:

Standalone Desktop GIS Licenses

| GIS Software | City |
|--------------------|------|
| Standalone ArcView | 8 |
| Standalone ArcInfo | 3 |

Concurrent Citrix Licenses

| Time Period | City |
|----------------------------------|------|
| Y11 April 2010 – December 2010 | 25 |
| Y12 January 2011 – December 2011 | 28 |
| Y13 January 2012 – December 2012 | 31 |
| Y14 January 2013 – December 2013 | 34 |
| Y15 January 2014 – December 2014 | 37 |

The limits shown above primarily reflect the availability of Citrix licenses as well as the hardware and bandwidth capacity. The numbers for Citrix do not limit installations, just concurrent use.

5 TEAM MANAGEMENT

The Team Management structure is unchanged from the 2000 to March 31, 2005 and 2005 to 2010 contracts and is described in details inside the PP for year 1:

- SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1

However, since the creation of the Year 1 PP, the SSMIC has developed and implemented an Engagement Human Resource Management Plan (EHRMP) that defines in more details the reporting structure, job categories, role and responsibilities inside the IST department of the SSMIC. The EHRMP is a complement to the Team Management Plan of the IGS project and is accessible to the City and PUC on request.

6 COMMUNICATION MANAGEMENT

Communication Management is the vehicle by which project stakeholders and the project team exchange information about the project progresses and issues. The Communication Management structure is unchanged from the 2000 to March 31, 2005 and 2005 to 2010 contracts and is described in detail inside the PP for year 1:

- SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1

However, since the creation of the Year 1 PP, the SSMIC has developed and implemented an Engagement Configuration Management Plan (ECMP) and an Engagement Communication Management Plan (ECmMP) that defines how documents and information are managed inside SSMIC projects. The ECmMP is a complement to the Communication Management Plan of the IGS project and is accessible to the City and PUC on request.

7 SCHEDULE MANAGEMENT

Time spent on each milestone will be monitored to compare progress to planning. SSMIC-IGS Project Manager will review the schedule on a weekly basis. The Project Schedule will also be reviewed during Status meetings. The following SSMIC Engagement Management plans, available on demand, provide more details about schedule and time management on the project:

- SSMIC, IST Engagement Human Resource Management Plan (EHRMP);
- SSMIC, IST Engagement Time Management Plan (ETMP);

8 RISK MANAGEMENT

As work on the project proceeds, risks might be identified. The Project Manager will register and track the risks as well as risk mitigation approaches. The purpose of the risk management component of the project is to ensure early identification of technical/resource problems and high visibility for the process to reduce or eliminate the risks. Identified risks are logged on the project Status Meeting Minutes Form and individual team members will be tasked with the elimination or reduction of the risk. The success or failure of these activities is closely monitored and reported during Project Status Meetings.

9 PROJECT CONTROL

The primary means by which progress will be brought to management's attention is by tracking the project work plans and documenting issues.

9.1 MEASUREMENT PLAN

The measurement plan defines the project metrics and the method to track and control them. The processes and metrics utilized to track and control projects are detailed below.

9.1.1 METRICS

The following metrics are used to track project progress.

Table 1: Project Metrics

| Metric | Frequency | Where Recorded |
|----------|---|------------------------------|
| Staff | Weekly | Schedule |
| Effort | Weekly | Schedule |
| Duration | Weekly | Schedule |
| Change | Monthly | Change Request forms |
| Defects | Defects are recorded during Walkthroughs. Defects are reported Monthly. | Walkthrough Minutes. |
| Risks | Monthly | Status Meeting Minutes form. |

9.1.2 ANALYSIS TRIGGERS

The project will use the following measurements as triggers to evaluate the need for corrective action.

Table 2: Project Analysis Triggers

| Metric | Trigger Measurement | Variance Limit - When is there cause for action? | Report to Monitor |
|----------|--|--|--|
| Staff | Actual peak staff to estimated peak staff | (Act. peak staff)/(Est. peak staff) <= 0.8 or (Act. peak staff)/(Est. peak staff) >= 1.2 | Actual vs planned staff over time (peak) |
| Effort | Actual hours entered against project tasks, compared to estimated effort | (Act. hours)/(Est. hours) <= 0.85 or (Act. hours)/(Est. hours) >= 1.15 | Planned vs. Actual Effort |
| Duration | Actual milestones to estimated milestones | (Actual Milestones)/(Estimated Milestones) <= 0.8 or (Actual Milestones)/(Estimated Milestones) >= 1.2 | Milestone Completion Over Time |
| Change | # of changes to requirements | # of change requests received (per unit time) exceeds # CRs received in preceding time period, within the same phase | Disposition of change requests over time |
| Defects | # of defects | # of defects discovered increasing faster than # corrected | Defect Discovery vs. Closure |
| Risks | # of risks | # of risks discovered increasing faster than # of risk closure | Risk Discovery vs. Closure |

9.2 QUALITY PLAN

Quality Assurance (QA) involves assessing that the quality control processes are followed in a project. QA are audit type processes. Quality Control (QC) tasks are related to the direct inspection (conformance review) of products to ensure they meet quality standards.

The Quality Plan of the project is unchanged from the 2000 to March 31, 2005 and 2005 to 2010 contracts. More details about it can be found in the following documents:

- SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1;

However, since the creation of the Year 1 PP, the SSMIC has developed and implemented an Engagement Quality Management Plan (EQMP) that defines how quality is managed inside SSMIC projects. The EQMP is a complement to the Quality Plan of the IGS project and is accessible to the City and PUC on request.

9.2.1 TERMS OF ACCEPTANCE

The terms of acceptance of the IGS project are unchanged from the 2000 to March 31, 2005 and 2005 to 2010 contracts and are described in detail in the following documents:

- SSMIC, City and PUC of Sault Ste. Marie, IGS, Contractual agreement, 23rd day of August 2000.
- SSMIC, Integrated Geomatics Service, Project Management Plan, Year 1;

10 COSTS

SSMIC agree to execute the project based on the specifications of this document based on the fixed monthly costs specified below:

| Term | Monthly | Annual Amount |
|--------------------------------------|----------|---------------|
| April 1, 2010 to December 31, 2010 | \$30,980 | \$350,000 |
| January 1, 2011 to December 31, 2011 | \$39,583 | \$475,000 |
| January 1, 2012 to December 31, 2012 | \$39,583 | \$475,000 |
| January 1, 2013 to December 31, 2013 | \$39,583 | \$475,000 |
| January 1, 2014 to December 31, 2014 | \$36,013 | \$435,000 |

Note: The monthly payment for the period January 1, 2010 to March 31, 2010 is \$23,728.

The monthly payment for April 1, 2010 to December 31, 2010 is \$30,980
\$23,728 for 3 months = \$ 71,184
\$30,980 for 9 months = \$278,816
Total for 2010 = \$350,000

The above costs do not include applicable taxes.

Appendix I:

- Acronyms and Definitions

ACRONYMS USED IN THIS DOCUMENT

| Acronym | Description |
|---------|---|
| CI | Configuration Items (Under a Configuration Management Plan) |
| CMP | Configuration Management Plan |
| ECmMP | Engagement Communication Management Plan |
| ECMP | Engagement Configuration Management Plan |
| EHRMP | Engagement Human Resource Management Plan |
| EQMP | Engagement Quality Management Plan |
| ETMP | Engagement Time Management Plan |
| EDS | Electronic Data Systems inc. (Also known as EDS Systemhouse inc.) |
| GIS | Geographic Information System |
| IGS | Integrated Geomatics Service |
| IS | Information System |
| IT | Information Technology |
| LAN | Local Area Network |
| OS | Operating System |
| PM | Project Manager |
| PP | Project Plan (Also named Schedule A in the Context of MNR/SSMIC Agreement). |
| PWP | Project Work Product |
| QA | Quality Assurance |
| QC | Quality Control |
| SSMIC | Sault Ste. Marie Innovation Centre |
| VPN | Virtual Private Network |
| WAN | Wide Area Network |
| WBS | Work Breakdown Structure |

PROJECT MANAGEMENT DEFINITIONS USED IN THIS DOCUMENT

| Term | Definition |
|--------------------------------|--|
| Deliverable | Any measurable, tangible, verifiable outcome, results, or item that must be produced to complete the project or part of the project. |
| Initiation | Committing the organisation to begin a project phase. |
| Milestone | A significant event in the project, usually completion of major deliverable(s). |
| Project Phase / Stage | A collection of logically related project activities, usually cumulating in the completion of a major deliverable(s). |
| Project Management Plan | A formal, approved document used to guide both project execution and project control. The primary uses of the Project Management Plan are to document planning assumptions and decisions, to facilitate communication among stakeholders, and to document approved scope, cost, and schedule baselines. This document is the SSM Innovation Centre "Implementation Consulting Services" Project Management Plan. |
| Project Work Book | A document that integrates all deliverables of a project. |
| Quality Assurance (QA) | The processes of evaluating overall project performance on a regular basis to provide confidence that the project will satisfy the relevant quality standards. |
| Quality Control (QC) | The process of monitoring specific project results to determine if they comply with relevant quality standards and identify ways to eliminate causes of unsatisfactory performance. Also known as Conformance Review. |
| Project Stakeholders | Individuals or organisations who are closely involved with a project |
| Scope | The sum of the products and services to be provided by the project. |
| Work Breakdown Structure (WBS) | A deliverable-oriented grouping of project elements, which organises and defines the total scope of the project. |
| Project Work Product | A document or other tangible resulting from a process conducted during the engagement but which does not constitute a deliverable. A project work product becomes the basis for other work conducted by the engagement team. |

5(v)



April 8, 2010

Bill Freiburger
Commissioner of Finance and Treasurer
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

RE: GIS Services Contract

Dear Bill,

The Sault Ste. Marie Innovation Centre (SSMIC) GIS solution for the City and PUC has been documented to be the most comprehensive GIS solution in the world and one of the most recognized and awarded GIS solutions in the world. The GIS system has been leveraged in Sault Ste. Marie with great success to improve municipal efficiency, save lives, improve quality of life and attract economic development.

Most noteworthy, the success of the Sault Ste. Marie GIS is being delivered to the City and PUC at about one half of the cost of other GIS solutions in communities of similar size in Ontario. A study in 2005 determined that the City / PUC solution cost is fifty percent of the next closest cost for a community of similar size with about ten times as much data and services being delivered. Re-evaluation of municipal GIS costs in 2010 has reaffirmed that the above status is still valid.

During the ten years of GIS service to the City and PUC, SSMIC has had the following awards and designations:

Awards

- URISA 2009 Best Public Sector GIS in Ontario
- ESRI Inc. 2008 Communication Award at GIS in Health Conference (Washington)
- ESRI Inc. 2007 Special Achievement Award in GIS (SAG)
 - International Award (Category: Public Health & Human Services)
- URISA 2006 Leadership in the Field of GIS
- URISA 2006 Best Municipal GIS Award
- ESRI Canada 2006 Award of Excellence
- URISA 2005 – Silver Award – GIS Leadership in Ontario
- SSM Police 2005 Award – Commitment to the Community
- URISA 2003 Best Municipal GIS Award
- ESRI Canada 2002 Business Partner Award

Designations

- Designated as most the comprehensive municipal/utilities GIS dataset in Canada by ESRI (2003)
- Third party review comparing the Sault to 10 other similar sized municipalities showed the Sault was lowest cost by 50% with at least 10 times as much to show for it. (2005)
- Stated by the Canadian Urban Institute as the first real "Information Utility" (2006)
- nGenera lists the Sault Community Geomatics Centre as the best example of leveraging public data for public good (2008)
- ESRI Canada states that SSMIC is leading the world in health geomatics (2008)
- Northern Ontario Growth Strategy recognizes SSMIC as the worlds first Information Utility (2009)
- SSMIC recognized for contributions to the field of GIS in Ontario by provincial government (2009).

The Sault Ste. Marie GIS is comprehensive, efficient and best in class in the following areas:

- Depth of information
- Comprehensiveness of data layers
- Level of intelligence within the data models
- Data constraint rules to enforce data accuracy
- Data update workflows
- Staff experience and knowledge
- Existence of data sharing arrangements with community organizations

Major GIS Benefits**1) Municipal / Utilities**

- Sault Ste. Marie has one of the most comprehensive, powerful and cost effective GIS of any community in North America.
- GIS has had the following benefits:
 - Increased efficiencies
 - Reduced liabilities
 - Increased access to information
 - Improved decision making
 - Greatly reduced burden of new PSAB accounting requirements

2) Emergency Management

- Sault Ste. Marie has the best GIS dispatch data in the province
- GIS is an invaluable tool for emergency management planning and response

3) Economic Development

GIS was used to find suitable sites for the following renewable energy projects:

- Prince Wind Farm – one of Canada's largest wind farms; \$400M project
- Pod Solar – one of Canada's largest solar farms; \$400M project
- Ellsin Tire recycling facility
- Elementa energy from waste facility
- Numerous rooftop solar projects

4) Health / Social Services Benefits

- GIS aided in reducing C. Difficile at Sault Area Hospitals from 10 cases a month to 1 case a month since fall 2006
- GIS has played a major role in reducing West Nile Virus in the community
- GIS analysis has placed water filters in approximately 200 homes across Sault Ste. Marie.
- GIS is being used to determine where to optimally place audible pedestrian crosswalks
- GIS is being used by many organizations to optimize service delivery

5) Other Benefits

- The SSMIC GIS department employs about 20 staff with a combined salary of nearly \$1,000,000
- The GIS group has brought in over \$10,683,000 of funding to Sault Ste. Marie
- The CGC relationship with GIS Software vendor ESRI Canada was a significant factor in bringing funding for the AU Health Informatics Research Chair to Sault Ste. Marie (\$333,000 contribution from ESRI Canada)
- CGC is an important component of the AU Bio-Sciences and Technology Convergence Center which attracted \$16,000,000 to the community based largely on the SSMIC-AU partnership

GIS System Redevelopment

In municipal and utilities GIS solutions the average lifespan of a developed solution is about five years before redesign and redevelopment occurs. In Sault Ste. Marie, good planning and a sound design based on the newest technologies available at the time allowed the GIS solution to have a life span of ten years. The current solution, though running well at the moment, requires redesign and redevelopment in order to maintain functionality for another five to ten years. In 2010 the GIS software provider, ESRI, will be implementing a major new edition of the GIS software (ESRI Version 10). There are three main driving forces related to the new ESRI software that will require the GIS solution for Sault Ste. Marie to be redesigned and redeveloped:

- ESRI Software Version 10 will not support any GIS tools written in the VB6 programming language. All VB6 programming code must be rewritten in a new programming language. Currently all GIS tools are written in VB6.
- ESRI Software Version 10 will not support Oracle 9i as the related database management system. Oracle 9i is the current database management system in use in Sault Ste. Marie. The GIS solution must be redesigned to work with a newer version of Oracle.
- ESRI Version 10 will also function on the Windows 7 operating system. This will mean changes to the look and feel of the GIS solution which will require changes to the training materials for the GIS solution and retraining for GIS users.

Almost all municipalities and utilities across North America face these same issues. The GIS solutions for these organizations will need to be overhauled to remove VB6 code and, if Oracle was the database management system in use, an upgrade to the latest version of Oracle is

required. The effort and costs to redesign and redevelop the GIS solution is not included in the City/PUC GIS contracts. The historical contracts cover maintenance and support only.

Version 10 of the ESRI software will be released in 2010. SSMIC must redesign and redevelop the GIS solution in 2010. The cost for the redevelopment is significant and is above and beyond the standard maintenance costs for GIS service. Below is a proposed payment plan to distribute the costs for the redevelopment over five years in the upcoming GIS contract covering the period April 1, 2010 to December 31, 2014. The costs below include the standard maintenance and support costs and the redevelopment costs.

Payment Schedule

| Term | Monthly | Annual Amount |
|--------------------------------------|----------|---------------|
| April 1, 2010 to December 31, 2010 | \$30,980 | \$350,000 |
| January 1, 2011 to December 31, 2011 | \$39,583 | \$475,000 |
| January 1, 2012 to December 31, 2012 | \$39,583 | \$475,000 |
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\$23,728 for three months = \$ 71,184

\$30,980 for nine months = \$278,816

Total for 2010 = \$350,000

If you have any questions please feel free to be in touch.

Best regards,



Tom Vair
Executive Director
Sault Ste. Marie Innovation Centre

 pod generating group

April 9, 2010

Tom Vair
Director, Sault Ste. Marie Innovation Centre
1520 Queen Street East
Sault Ste. Marie Ontario
P6A 2G4

To Whom It May Concern:

Pod Generating Group is a development of renewable energy infrastructure. Our first 60MW of solar power generating facilities were developed in Sault Ste. Marie.

During development of our first facilities, we relied heavily on the SSMIC Community Geomatics Center ("CGC") for GIS services.

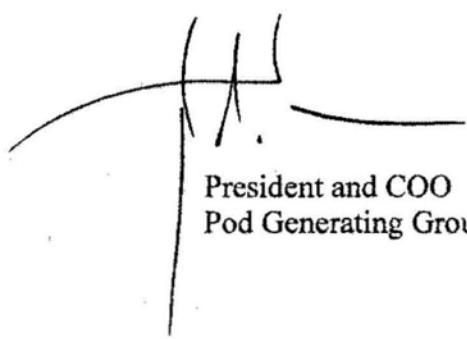
The provided our development team with parcel, topographical, zoning and other critical data for siting of our facilities, on both a cost effective and timely basis.

In our development efforts in other parts of Ontario and California, we have yet to come across an information utility with the same breadth of data as SSMIC/CGC. In fact, our team has introduced the SSMIC/CGC personnel to USC's Spatial Sciences Institute with hopes that the same model be adopted for our use in the Los Angeles market.

PGG strongly endorses the SSMIC/CGC efforts and hope to see them continue their expansion into other markets.

Sincerely yours,

Glen Martin



President and COO
Pod Generating Group



5(v)

**PUC
SERVICES**

765 Queen Street East, P.O. Box 9000
Sault Ste. Marie, Ontario, P6A 6P2
tel. (705) 759-6500 fax. (705) 759-6534

April 12, 2010

Mr. J. Fratesi, C.A.O.
City of Sault Ste. Marie,
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

Dear Mr. Fratesi:

Re: Contract Renewal – Innovation Centre Geomatics Service

The GIS solution provided by the Innovation Centre is a proven, highly successful service that is integral to the daily operations of various PUC departments. This service is critical to our operations, as I believe it is also critical to the City's operations. The value and benefits of this solution have clearly been demonstrated in the past.

As you are well aware, we share this service with the City whereby both parties benefit from the inherent synergies. Renewal of our contract with the Innovation Centre has been approved at the staff level and is recommended to our Board for approval, subject to Council approving renewal of the City's involvement.

We support ongoing affiliation with the Innovation Centre and ask that the City reaffirm their support by renewing their contract with the Centre as well.

Yours truly,
PUC Services Inc.

A handwritten signature in black ink, appearing to read 'Dominic Parrella'.

Dominic Parrella, P. Eng.
Vice President, Operations & Engineering

Tel. (705) 759-6552 Fax. (705) 759-6534 Email: dominic.parrella@ssmpuc.com

cc. Brian Curran, PUC Services Inc.

(6)(a)



2010 04 26

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-7-10-OP -- 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

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

CONSULTATION: Engineering – See attached memo
Building Division – No comments
Fire Services – No objection
CSD – No concerns
Municipal Heritage Committee – No concerns
Conservation Authority – See attached letter
Algoma Public Health – No objections
PUC Services – See attached letter
Accessibility Advisory Committee – No comments
Legal Department – See attached letter

PREVIOUS APPLICATIONS

In 2004, the applicant requested an Official Plan Amendment to create one new lot by way of a severance. The application was withdrawn by the applicant prior to the Council hearing.

Comments

The applicant, Denis Pepin is requesting an Official Plan Amendment to create seven (7) new lots for rural residential purposes, whereas Rural Area Policy 11 limits rural area lot creation to 1 new lot. Referring to the attached site plan, proposed lots will meet the minimum lot requirements in terms of frontage and area. The applicant has indicated that Lot's 4 and 6 would remain under the current ownership at this time.

Referring to the attached maps, the subject property is located on the southeast corner of Maki Road and Avery Road, with approximately 291m (955') of frontage along Avery Road, and 340m (1,115') of frontage on Maki Road. The total area of the subject property is 11.5ha (28.4 acres).

Planning Division cannot support the approval of this application. The proposal does not conform to the recently amended Rural Area Policies of the Official Plan or Provincial Policy.

Released in 2005, the Provincial Policy Statement is the guidance document which forms the backbone of local Official Plans throughout the Province. Official Plans 'shall be consistent with' Provincial Policies.

The overall goal of the Provincial Policy Statement (PPS) is to '*promote efficient development and land use patterns which sustain the financial well-being of Municipalities over the long-term.*' Section 1.1.3 of the PPS states that '*Settlement Areas shall be the focus of growth and their vitality and regeneration shall be promoted.*' Section 1.1.4.1 of the PPS further states that '*permitted uses and activities within rural areas shall relate to the management of resources, resource-based recreational activities, limited residential development, and other rural land uses.*

The PPS defines 'Rural Areas' as those areas outside of an Urban Settlement Area. The subject property is located well beyond the Urban Settlement Area, and although '*limited residential development*' is not defined within the PPS, the creation of seven (7) new lots is not '*limited*' within the local context. Historically an average of ten (10) new lots are created in the Rural Area each year, accounting for approximately 10% of the communities total residential development. The creation of seven (7) new rural area lots represents a substantial proportion of the community's average annual rural area lot creations.

The basic philosophy of Provincial Policy is to promote efficient growth from within. Good planning principles are based on limiting sprawl and promoting development, redevelopment and intensification within the urban settlement area at densities that can effectively support city services such as water, sewer and road maintenance etc. A characteristic of the rural area is large lot sizes and low development densities. As people move out to the Rural Area, there is a greater demand for services, even though densities are not high enough to generate a tax base capable of effectively sustaining such service demands.

The concept also revolves around limiting urban sprawl and maintaining rural areas as large blocks to accommodate future growth, or traditional rural area uses such as agriculture. As large blocks of land are subdivided, future development potential is severely impacted.

The City's Official Plan (OP) is the primary document which implements the Provincial Policy Statement. In 2007 Planning staff began a comprehensive review of the OP. While there were several reasons prompting this review, the driving force was the need to update Rural Area Policies as they pertained to the creation of new lots, by way of severance or subdivision.

When the Official Plan was approved in 1996, the creation of new rural residential lots was prohibited. This was a reflection of the local economy and the limited demand for new lots at the time. Starting in 2001, as the local economy strengthened and the population began to stabilize, demand for residential development increased. Given this new climate, Planning staff began recommending approval for single lot severances, and eventually a few estate subdivisions and multiple lot severances.

As demand continued to strengthen and additional multiple lot severance applications were filed, it was decided that a comprehensive review was required. In April 2007 Planning staff presented a 'Rural Residential Development Update' to Council. The report recommended an interim policy of approving single lot severances where appropriate, and maintaining the existing prohibition of new rural subdivisions. This prohibition was based in part on the number of previously approved subdivisions (some dating back to the mid 1980's) that have not yet been developed.

In December 2009 Council approved Official Plan Amendment 167 which amended the Rural Area Policies to permit the creation of not more than one new lot by way of a severance, without the need for an Official Plan Amendment. The prohibition of new rural area subdivisions was maintained.

Considerable discussion was held with the Ministry of Municipal Affairs and Housing, who eventually agreed with the proposal to allow one severance for every existing rural area lot. City staff recommended this policy as being the fairest approach to additional rural residential development. Council should be

aware that City staff have received similar multi-severance requests from other rural area landowners who did not proceed given Provincial and Official Plan policies.

Correspondence from the Engineering Department (attached) notes that if approved, the applicants will be required to enter into a subdivision agreement with the City, which will require hydrogeology and soils reports, and a lot grading plan. All plans must be completed by a qualified professional to the satisfaction of the Commissioner of Engineering and Planning or his designate.

PUC Services also notes that the owner will be required to enter into a subdivision agreement for the purposes of providing electrical service to the new lots.

The attached correspondence from the Legal Department notes that the lots should be created by way of a plan of subdivision instead of severances by the Committee of Adjustment. Dealing with lots on a plan of subdivision is easier for future owners of the lots.

Given staff's reluctance to support this application, it was decided to proceed with the Official Plan Amendment and if approved by Council, begin the more costly draft subdivision approval process. The applicant is aware that if approved further steps are required to complete a draft plan of subdivision.

Correspondence from the Conservation Authority (attached) notes that the proposed lots 1, 2 and 6 will require a permit from the Conservation Authority prior to any site alteration and grading. The Conservation Authority also notes that the subject property is under the consideration of the Sourcewater Protection Program. Although residential land uses do not pose a major threat to the aquifer, the applicants are reminded to ensure the proper storage and handling of chemical and petroleum products.

SUMMARY

Traditionally Council has been sympathetic in allowing Rural Area property owners to sever or create one additional property where appropriate. There exists a strong local market for rural residential properties, however widespread 'rural sprawl' is problematic and not in accordance with sound long term planning principles.

Rural development occurs at densities that are not high enough to support the provision of city services in a cost effective manner. Experience shows that as more people move to an area, it eventually results in greater demands for local services, however at rural densities, the tax base is not sufficient enough to effectively sustain such services.

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Provincial Policy indicates that residential development within a rural area shall be 'limited'. Although more homes may be built on existing lots of record, an average of only ten (10) new lots are created in the Rural Area each year. Given this local context, the proposal to create a 7-lot subdivision is not 'limited residential development'. Furthermore, if this application is approved, precedence would be set and Council will be faced with numerous multi-lot creation applications.

Planning Director's Recommendation

That City Council deny the applicant's request to amend Rural Area Policy 11 of the Official Plan to create seven (7) new rural residential lots on the subject property.

[Signature]
RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

PT/pms

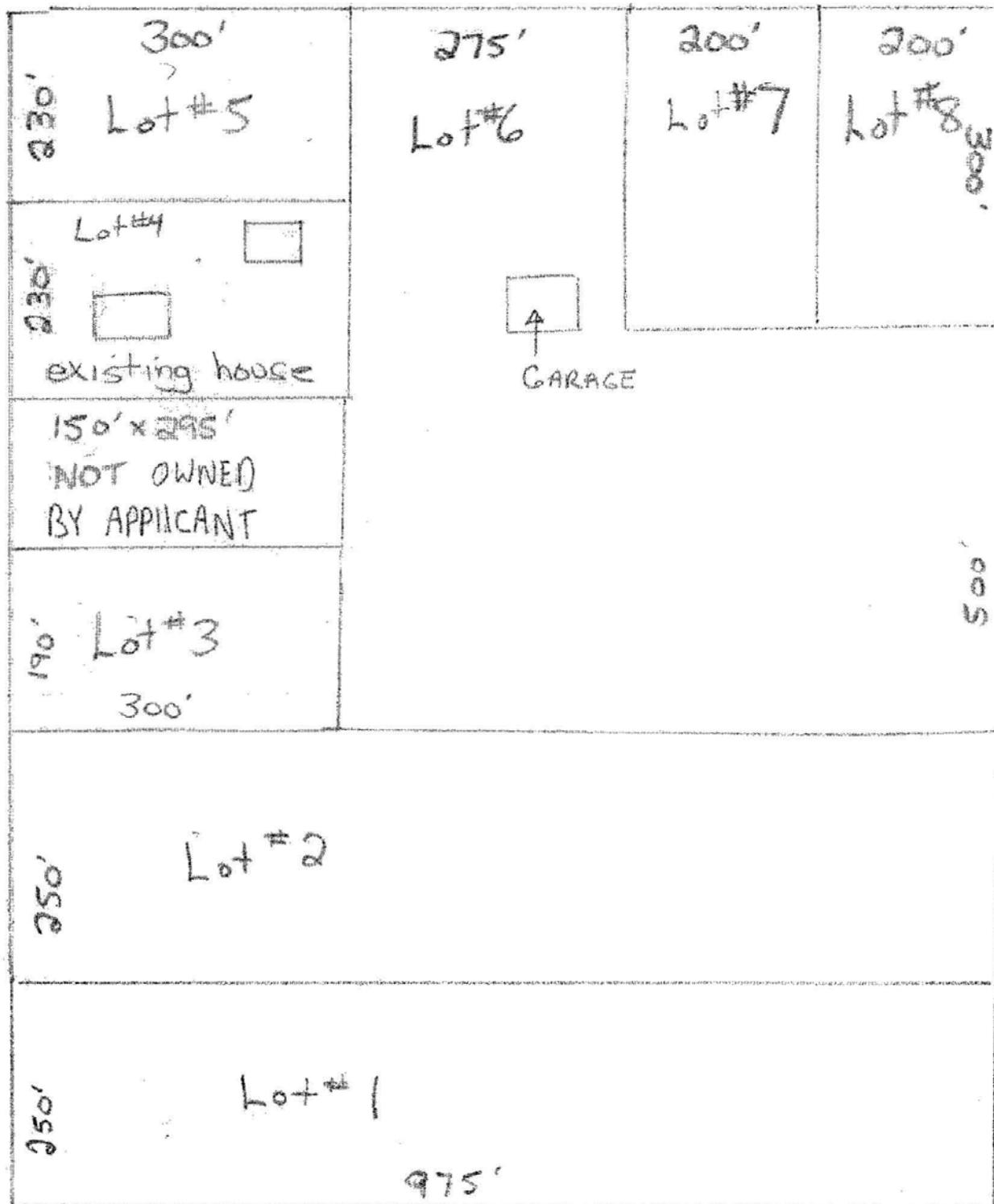
PUBLIC NOTICE – 2010 04 26, Council Chambers, Civic Centre

Data\APPL\REPORT\7-10-OP.doc

6(6)(a)

← AVERY ROAD →

↓ MACKI ROAD →



(b)(6)(a)

Pat Schinners

From: Don McConnell
Sent: April 12, 2010 10:30 AM
To: Pat Schinners; Peter Tonazzo
Subject: FW: application to amend

From: Renee Wysynski **On Behalf Of** John Rowswell
Sent: April 12, 2010 10:10 AM
To: Don McConnell
Subject: FW: application to amend

FYI

From: Cathy Pepin [mailto:cathypepin@shaw.ca]
Sent: April 09, 2010 9:27 PM
To: John Rowswell
Subject: application to amend

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 this 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 are both energetic and put great effort into 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 are 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

Thank you for considering our application.

Sincerely,
Dennis and Cathy Pepin



(d6)(a)

2010 03 29

Our File: A-7-10-OP



MEMO TO: Don McConnell, MCIP, RPP
Planning Director

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

SUBJECT: APPLICATION No. A-7-10-OP
165 AVERY ROAD
REQUEST FOR AN AMENDMENT TO THE OFFICIAL PLAN

The Engineering Department has reviewed the above noted application. If a Plan of Subdivision is approved:

- The Engineering & Construction Division would require that the applicant enter into a Subdivision Agreement with the City;
- A hydrogeology report and soils report are typically required at the Plan of Subdivision stage, in order to ensure that the property is serviceable;
- The Owner may be required to submit soil tests by an independent testing laboratory on the stability of the soil and its ability to sustain superimposed loads from building and filling operations and to furnish at no cost to the City certified copies of the results thereof for examination by the Commissioner of Engineering & Planning or his designate;
- A Lot Grading Plan may be required with existing and proposed grades, to control grading and lot drainage for all of the Subdivision to the approval of the Commissioner of Engineering and Planning or his designate.

If you require anything further please, contact me.

Sincerely,

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

Catherine Taddo, P. Eng.
Municipal Services Engineer

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

b(6)(a)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: March 23, 2010 3:33 PM
To: Pat Schinners
Cc: Peter Tonazzo; Frank Tesolin (Home); Linda Whalen
Subject: SSMRCA Response - A-7-10-OP

March 23, 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-7-10-OP**
 Denis Pepin
 165 Avery Road
 Sault Ste. Marie

The subject property is 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 are adjacent to an open water course on the eastern boundary. Therefore the proposed lots 1, 2 and 6 would require a review by SSMRCA of any development.

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 Significant and 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



(b)(6)(a)

PUC SERVICES INC.
ENGINEERING DEPARTMENT
765 QUEEN STREET EAST, P.O. Box 9000
SAULT STE. MARIE, ONTARIO, P6A 6P2

April 6, 2010

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

FAXED: (705) 541-7165

Dear Sir:

**Re: Application A-7-10-OP
165 Avery Road**

PUC wishes to advise that the Owner will be required to enter into a Subdivision agreement for purposes of providing electrical service to the new lots.

Yours truly,

PUC SERVICES INC.

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

Kevin Bell, P. Eng.
Manager of Engineering

KB*jf

6(6)(a)

Pat Schinners

From: Don McConnell
Sent: April 13, 2010 2:39 PM
To: Pat Schinners; Peter Tonazzo
Subject: FW: Official Plan amendment application A-7-10-OP-Pepin @ 165 Avery Road

From: Lorie Bottos
Sent: March 30, 2010 7:34 AM
To: Don McConnell
Subject: Official Plan amendment application A-7-10-OP--Pepin @ 165 Avery Road

Don: On this application my recommendation is that the lots be created by way of a plan of subdivision. Seven lots are being created plus the existing lot. I think that warrants a plan of subdivision instead of severances by the committee of adjustment and a resulting reference plan. Dealing with lots on a plan of subdivision is easier for future owners of the lots. Lorie

Lorie Bottos
City Solicitor
City of Sault Ste. Marie
Phone (705) 759-5403
Fax (705) 759-5405



2008 ORTHO PHOTO

APPLICATION A-7-10-OP

165 AVERY ROAD



Metric Scale
1 : 6000

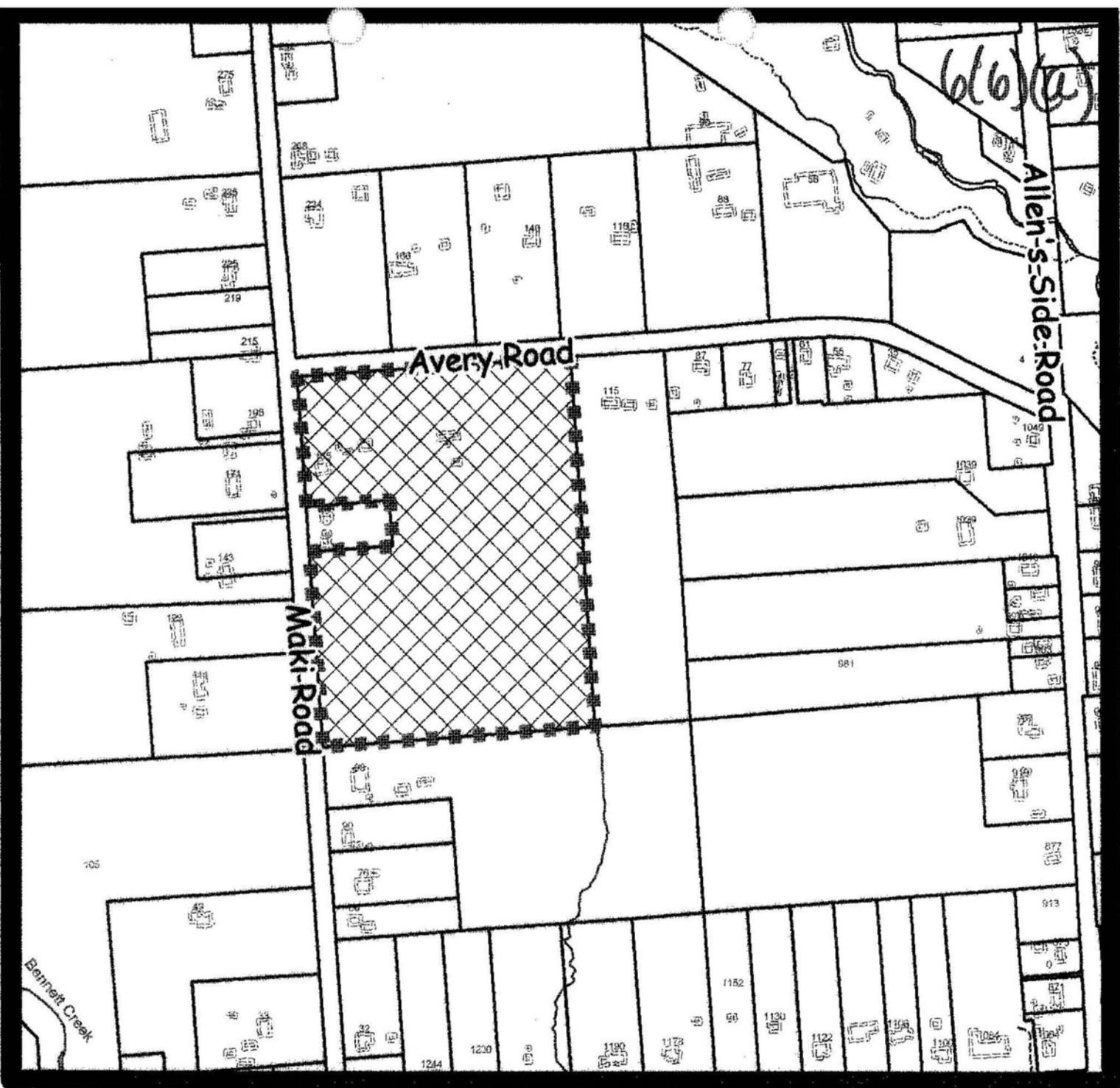
Map Reference
104 & 1-119

Legend

Mail Label ID
A7-10

Subject Property - 165 Avery Road

March 19, 2010



SUBJECT PROPERTY MAP

APPLICATION A-7-10-OP

165 AVERY ROAD



Metric Scale
1 : 6000

Map Reference
104 & 1-119

Legend



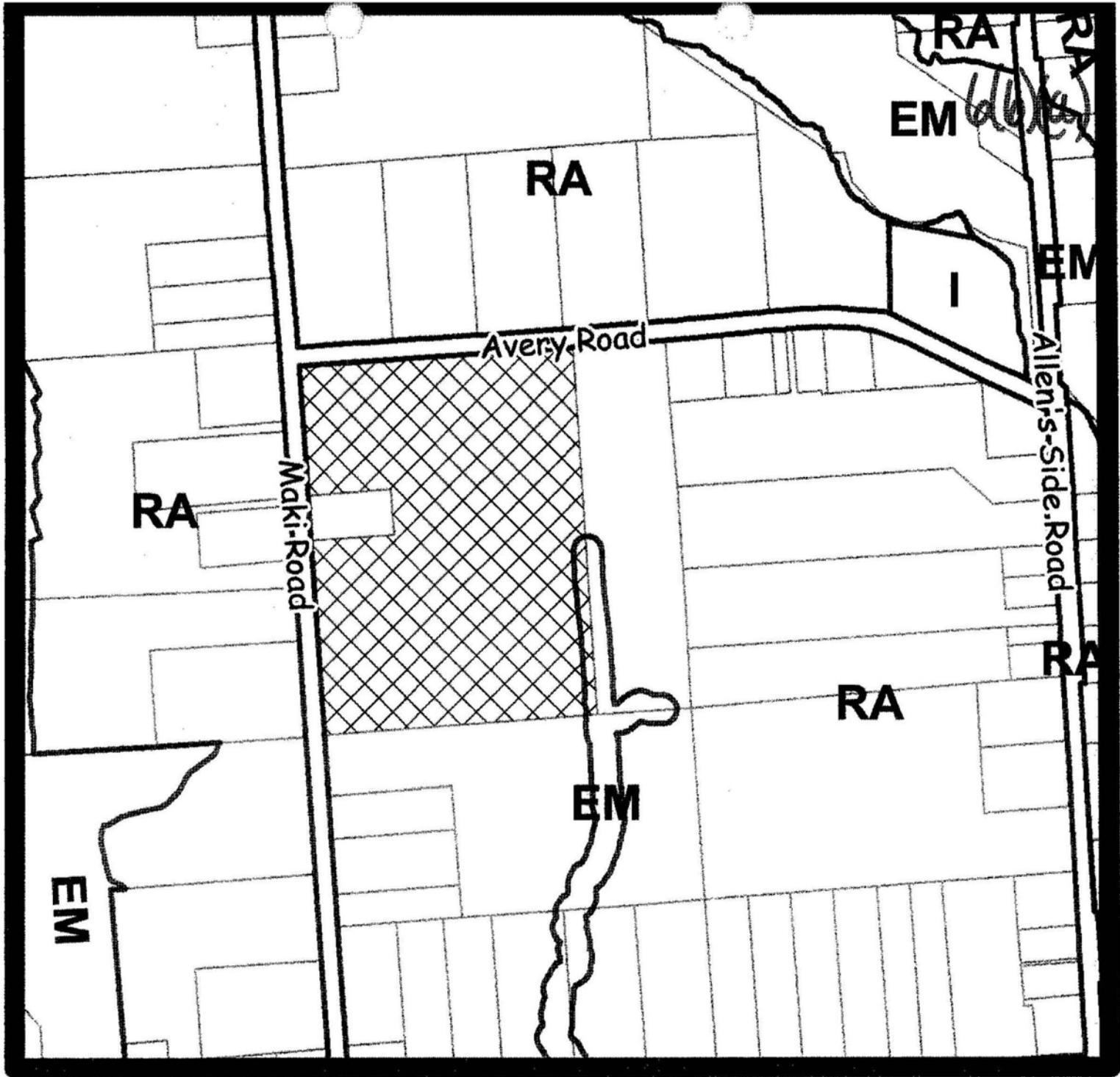
Subject Property - 165 Avery Road



Subject Property - 165 Avery Road

Mail Label ID
A8-10

March 19, 2010

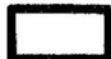


EXISTING ZONING MAP

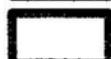
APPLICATION A-7-10-OP

165 AVERY ROAD

 Subject Property - 165 Avery Road

 RA - Rural Area Zone; RAhp

 EM - Environmental Management Zone

 I - Institutional Zone



Metric Scale
1 : 6000

Map Reference
104 & 1-119

Mail Label ID
A7-10

March 19, 2010

(b)(6)(b)



2010 04 26

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Application No. A-8-10-Z – filed by Frank Fata

SUBJECT PROPERTY:

Location – Located on the north side of Second Line West, approximately 107m (351') east of its intersection with Prentice Avenue, civic no. 392 Second Line West

Size – Approximately 24m (79') frontage x 79m (259') depth; 1,896m² (.47 acres)

Present Use – Single Detached Residential
Owner – Lucas Fata

REQUEST:

The applicant, Frank Fata, is requesting a Rezoning from "R.3" (Low Density Residential) to "C.4" (General Commercial) to permit a chiropractor clinic and massage therapist to operate within the existing building on the subject property.

CONSULTATION:

Engineering – See attached letter

Building Division – See attached letter

Fire Services – No objection

PUC Services – No objection

CSD – No concerns

Municipal Heritage Committee – No concerns

PW&T – No objections

Conservation Authority – See attached letter

Accessibility Advisory Committee – See attached letter

Legal Department – No comments

6(6)(b)

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. Residential Policy 7 of the Official Plan permits commercial development within residentially designated areas, so long as such development does not exceed 200m² (2,152sq.ft.). The existing building on the subject property is less than 200m², and an Official Plan Amendment is not required.

Comments

The applicant, Frank Fata is requesting a rezoning from "R.3" (Low Density Residential) zone to "C.4" (General Commercial) zone to permit a chiropractor clinic and massage therapist to operate within the existing building on the subject property. The applicant has indicated that at this point the chiropractor clinic and massage therapist will occupy the ground floor, with a residential dwelling above.

Located on a major arterial roadway (Second Line), the character of this area is a mixture of commercial and residential uses, although commercial land uses are becoming more prevalent. In 2000, City Council approved a rezoning to permit the Shoppers Drug Mart development. Referring to the maps attached, the pharmacy occupies a large block of land, which abuts the subject property to the rear. Given the nature of Second Line as a busy arterial route, the relatively large lot sizes, and the area's proximity to large scale commercial developments, it is likely that commercial growth will continue along this portion of Second Line.

The proposed chiropractor clinic and massage therapist uses will have a minimum impact on surrounding residential uses. Although Zoning By-laws cannot regulate times of operation, it is assumed that the proposed office uses will be of a 9-5 nature. Completely surrounded by residentially zoned properties, the buffering provisions of the Zoning By-law require fencing around the entire site. Given the innocuous nature of the proposed uses, a 'hard' barrier such as a fence would be onerous and aesthetically inappropriate for the area. It is recommended that the buffer requirements of the Zoning By-law be waived for any office uses occupying the existing building. If the existing building is expanded, or new commercial uses (non-office related) occupy the site, buffering would then be required.

Although at this point the applicant intends to utilize the existing building for office uses, the property is large enough to support bigger, more intense commercial uses. Given the abutting residential uses, it is recommended that the property be designated subject to site plan control. Because the applicant plans to utilize the existing building, a site plan control agreement may not be required, as per the

Planning Act. However, the designation of the property would grant staff an opportunity to review any future redevelopment or expansion plans.

Correspondence from the Building Division (attached) notes that permits were issued for a rear addition and a side carport, however the work has not been completed and the permits remain outstanding. The applicant is also reminded that a 'change of use' permit will be required for the proposed commercial uses.

The attached correspondence from the Engineering Department notes that there is a 5m road widening requirement that has not been taken along this portion of Second Line West. The transfer to the City of a 5m strip for road widening purposes will form a condition of the rezoning.

Given that a minimum of 50% of the required front yard must be landscaped, the taking may result in 2 or more parking spaces being relocated to the rear of the building. The overall impact is minimal, as there is ample space to accommodate parking behind the existing building.

The attached correspondence indicates that the subject property is located very close to the Steelton Municipal drinking well. The proposed uses will not use chemicals or petroleum products that could pose a threat to the well. The applicant is however reminded that any chemicals or petroleum products utilized both during and after construction be stored and handled in a manner that reduces the risk of a spill and subsequent contamination of the City's drinking water system.

Correspondence from (attached) the Accessibility Committee outlines several items pertaining to the accessibility of the site. The uses are proposed to occupy the existing building and therefore a site plan control agreement is not likely. Even without utilizing site plan control, the Zoning By-law and Building Code will ensure a level of accessibility that is appropriate for the re-use of an existing building. Any future development would trigger a site plan review, including circulation to and comments from the Accessibility Committee.

SUMMARY

The proposed chiropractor and massage therapist uses will have minimum impact to abutting neighbours. Even though the uses are expected to occupy the existing building, the property is large enough to support more intensive commercial uses, which could impact abutting residences.

Given this future potential, it is recommended that the property be designated subject to site plan control, although it is unlikely that the need for an agreement will be triggered, so long as the existing building is utilized for the proposed uses. If and when the uses change, or the building is expanded, then site plan control

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will be useful, as it will allow staff to review details to ensure impacts to neighbouring properties are minimized.

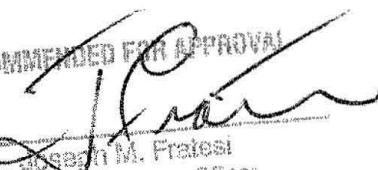
The recommendation to waive the buffering requirements is based on the same concept, that being the innocuous nature of the proposed uses, versus the overall general commercial development potential upon the subject property. It is recommended that the buffering requirements be waived for the proposed office uses occupying the existing building. If and when the uses are changed or the existing building is expanded, the buffering provisions will be required.

The character of the area surrounding the subject property is mixed, and it is likely that future commercial growth will occur, although case-by-case reviews by way of rezoning applications remains appropriate, given the scope of permitted commercial uses, and potential impacts to nearby residences.

Planning Director's Recommendation

That City Council approve the application and rezone the subject property from "R.3" (Low Density Residential) zone to "C.4" (General Commercial) zone, subject to the following Special Exception:

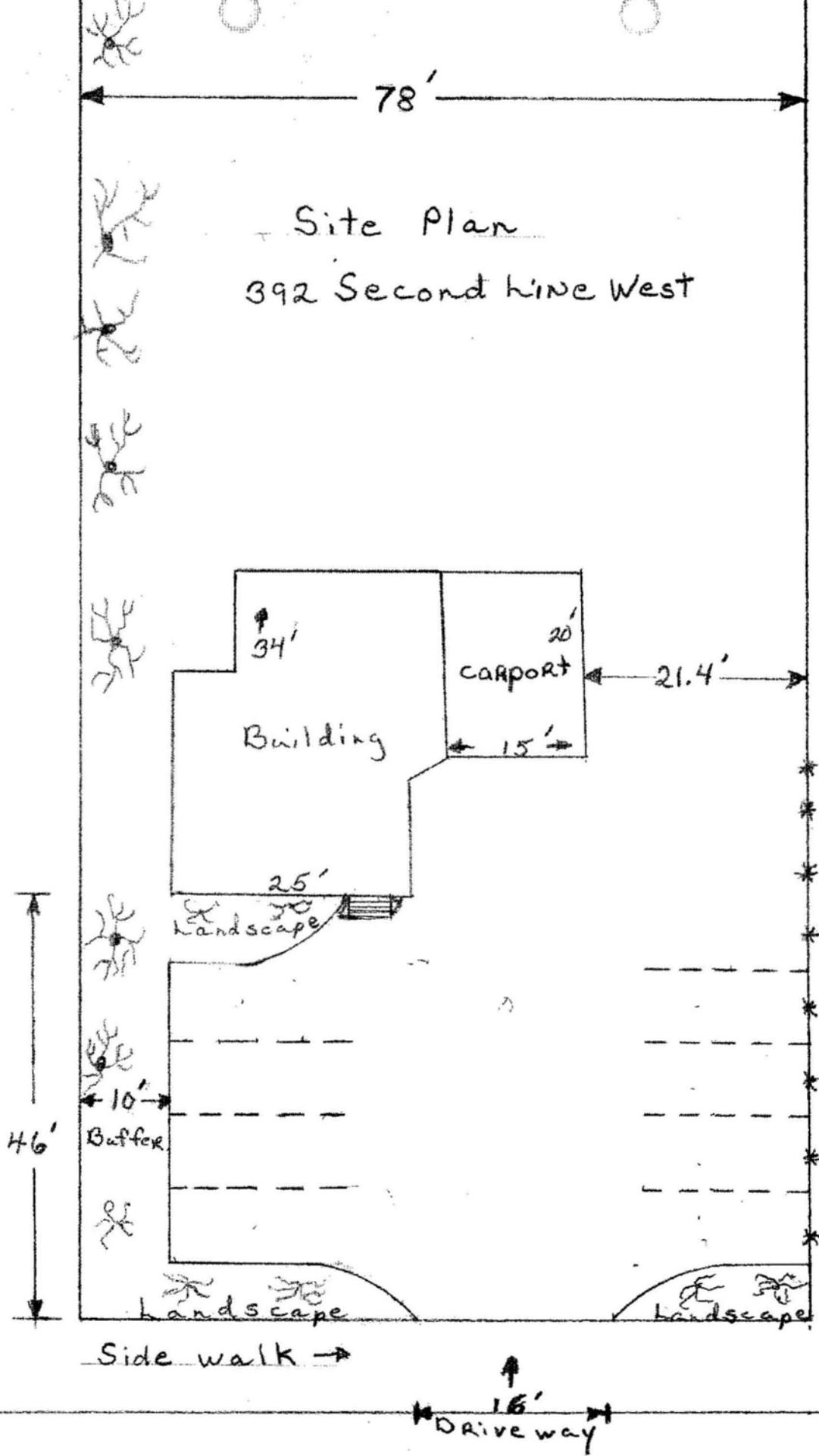
- a) That the buffering requirements outlined in Section 4.9 of Zoning By-law 2005-150 are hereby waived for any office uses conducted within the existing building upon the subject property, and further;
- b) That a 5m strip across the frontage be transferred to the City for future road widening purposes and;
- c) That Council designate the property as subject to Site Plan Control.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

PT/pms

PUBLIC NOTICE – 2010 04 26, Council Chambers, Civic Centre

6(6)(b)



Second Line



2010 04 08
Our File: A-8-10-Z

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

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

SUBJECT: **APPLICATION No. A-8-10-Z**
FRANK FATA
REQUEST FOR AN AMENDMENT TO THE ZONING BYLAW

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

- A 5 m road widening is required in addition to the existing 20 m right-of-way. Sandy Davidson of the Legal Department has advised that it has not been transferred to the City.

If you require anything further please, contact me.

Sincerely,

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

Catherine Taddo, P. Eng.
Municipal Services Engineer

c: Jerry Dolcetti, RPP
Jim Elliott, P. Eng.
Sandy Davidson

b(6)(b)

Pat Schinners

From: Don Maki
Sent: March 24, 2010 2:40 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-8-10-Z

Hi Don

We have issued permit for a rear addition and a side carport addition to the existing dwelling. These permits are still outstanding as the work has not been completed. A new permit would be required to change the use of the building to the proposed office use.

Don

Don Maki CBCO
Chief Building Official
Building Division
Engineering and Planning
705-759-5399

6(b)(b)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: March 23, 2010 3:37 PM
To: Pat Schinners
Cc: Peter Tonazzo; Frank Tesolin (Home); Linda Whalen
Subject: SSMRCA Response - A-8-10-Z

March 23, 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-8-10-Z
Frank Fata
392 Second Line West
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 and the WHPA Zone A.

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



Bruce St. Marie - Algoma Region

6(b)(b)

March 29, 2010

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – A-8-10-Z 392 Second Line West

Dear Mr. McConnell

The Accessibility Advisory Committee makes the following recommendations in respect of barriers to access for person with disabilities on the subject rezoning application.

Exterior

1. Parking: In accordance with the Zoning Bylaw 2005-150
2. Walkways & Sidewalks: Safe paths of travel
3. Curb Cuts: If curbs are installed, curb cuts must be included on path of travel to/from entrance
4. Ramping: Preferred at grade entrance otherwise ramping is required at main entrance
5. Transit Access: no issues
6. Lighting: In accordance with the Illuminating Engineers Society of North America Standards
7. Signage: Clear directional signage and parking signage in accordance with MTO HTA
8. Other: As this is a new business, consideration should be given to accessibility features at the highest level. The Accessible Customer Service Standard will require all businesses to provide accessible customer service to patrons.

Thank you for your attention to these recommendations.

We request a Site Plan We do not want a Site Plan for review



Sussex Road

Donna Drive

Kordh Road

Second Line West

Third Avenue

Second Avenue

First Avenue

Prentice Avenue

Turner Avenue

2008 ORTHO PHOTO

APPLICATION A-8-10-Z

392 SECOND LINE WEST



Metric Scale
1 : 2500

Map Reference
80 & 1-92

MAIL LABEL ID
A8-09

DATE
March 18, 2010

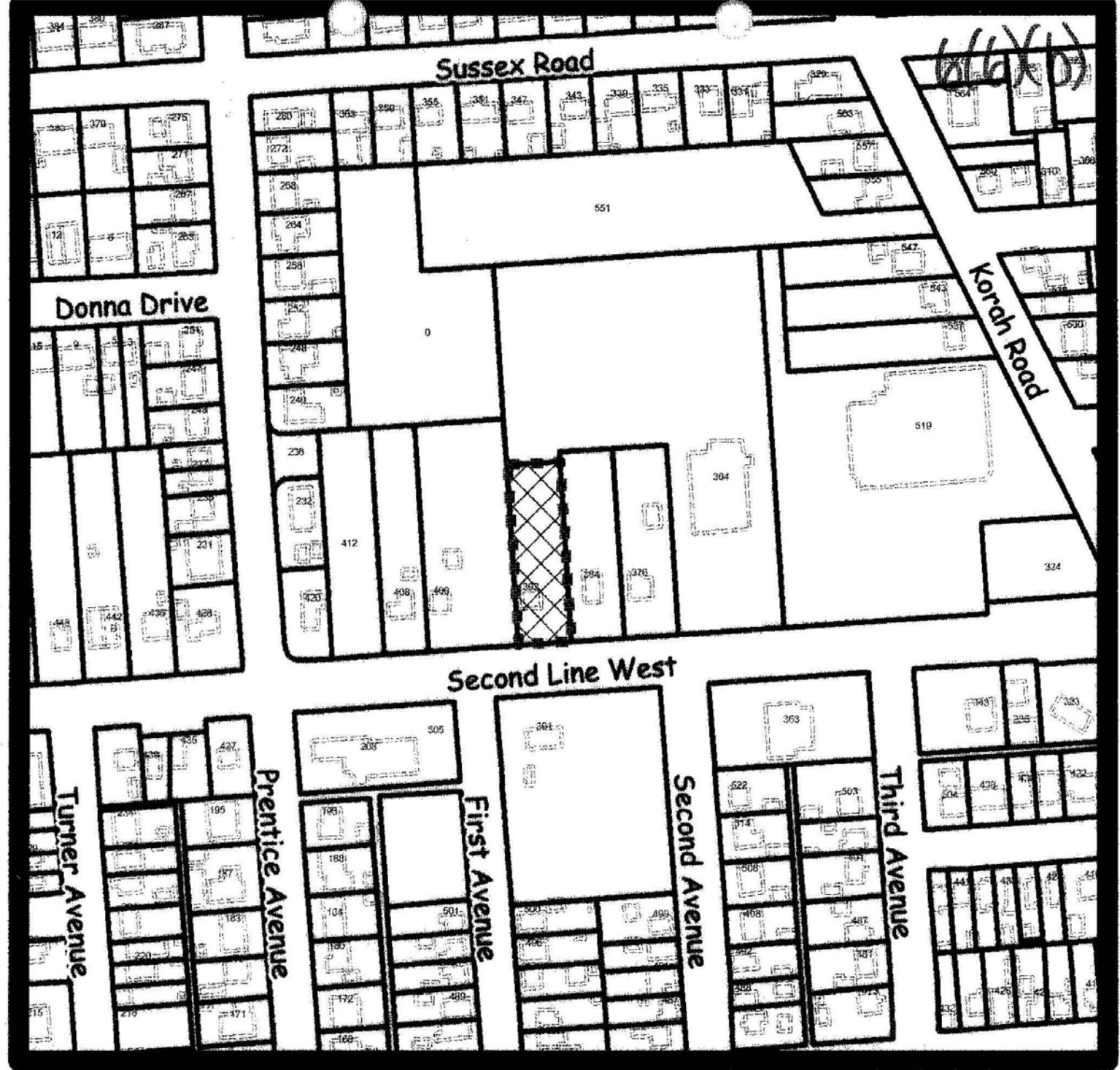
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Subject Property - 392 2nd Line W



Subject Property - 392 2nd Line W



SUBJECT PROPERTY MAP

APPLICATION A-8-10-Z

392 SECOND LINE WEST



Metric Scale
1 : 2500

Map Reference
80 & 1-92

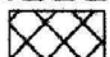
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A8-09

DATE
March 18, 2010

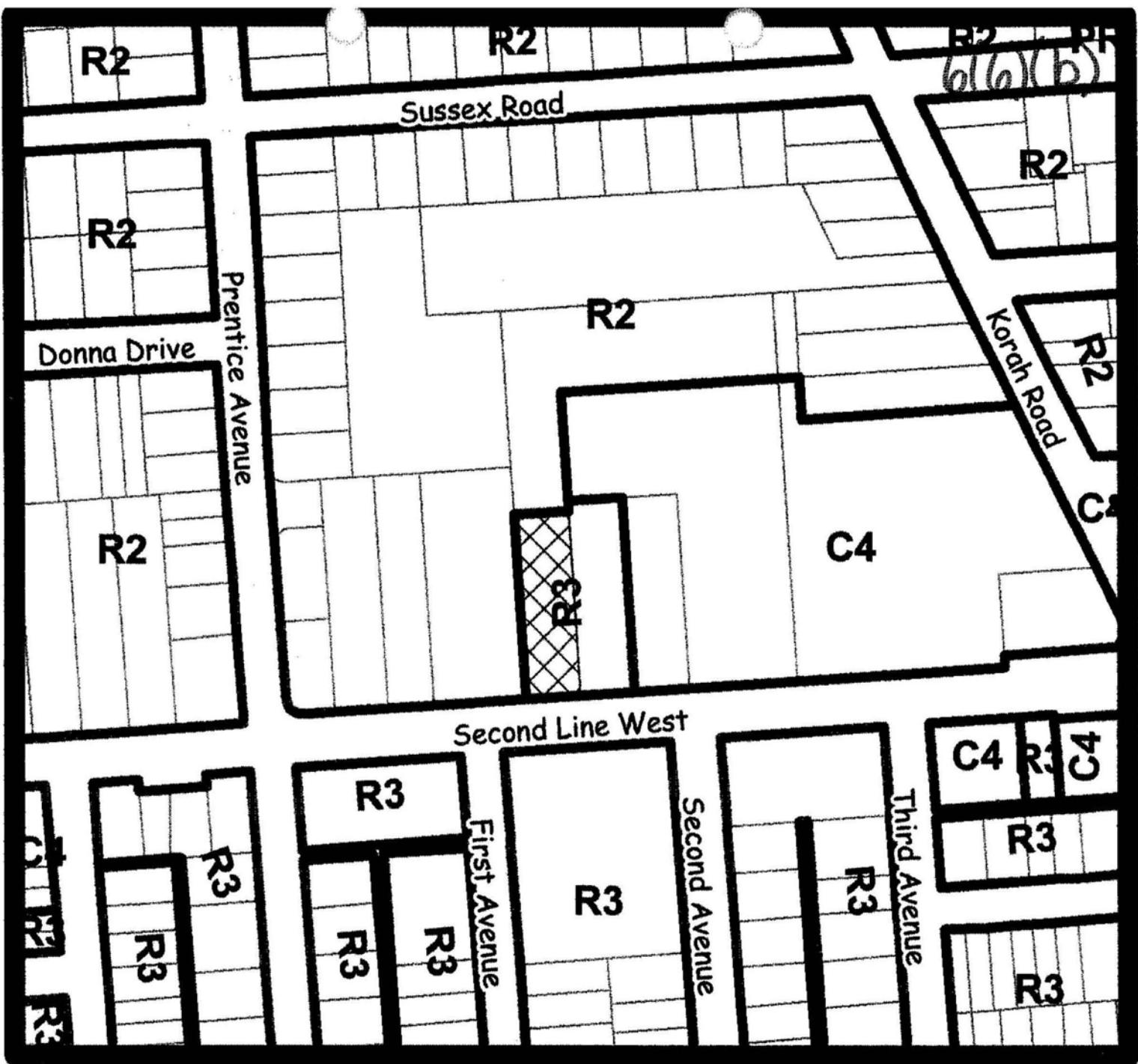
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Subject Property - 392 2nd Line W



Subject Property - 392 2nd Line W



EXISTING ZONING MAP

APPLICATION A-8-10-Z

392 SECOND LINE WEST



Metric Scale
1 : 2500



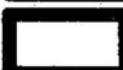
Subject Property - 392 2nd Line W



R2 - Single Detached Residential Zone



R3 - Low Density Residential Zone



C4 - General Commercial Zone

Map Reference
80 & 1-92

MAIL LABEL ID
A8-09

DATE
March 18, 2010

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-84

AGREEMENTS: (E.3.4.) A by-law to authorize a contract between the City and Palmer Construction Group Inc. for the Third Line extension – Fort Creek Ravine to Peoples Road. (Contract 2010-2E)

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 26th day of April, 2010 and made between the City and Palmer Construction Group Inc. for the Third Line extension - Fort Creek Ravine to Peoples Road. (Contract 2010-2E)

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 26th day of April, 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 form of the DRAFT copy.

CITY SOLICITOR

SCHEDULE "A"**CORPORATION OF THE CITY OF SAULT STE. MARIE****Contract No. 2010-2E****Third Line Extension****Peoples Road to Fort Creek****FORM OF AGREEMENT**

This Agreement made (in triplicate) this 26th day of April in the year 2010 by and between

Palmer Construction Group Inc. 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:

CONTRACT NO. 2010-2E
THIRD LINE EXTENSION
PEOPLE ROAD TO FORT CREEK

which have been signed in triplicate by both parties and which were prepared under the supervision of AECOM Canada Ltd., acting as agent and Contract Administrator and herein entitled, the Contract Administrator.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions, Instructions to Tenderers, Form of Tender, Addenda, if any, and the Drawings.
3. The Contractor will complete all the work under the supervision and direction and to the entire satisfaction of the Contract Administrator 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 Contract Administrator 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.
7. All communications in writing between the Corporation, the Contractor and the Contract Administrator 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 telegram addressed as follows:

The Corporation:

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

The Contractor:

Palmer Construction Group Inc.
1115 Peoples Road
Sault Ste. Marie, Ontario
P6C 3W4

The Contract Administrator:

AECOM Canada Ltd.
523 Wellington Street East
Sault Ste. Marie, Ontario
P6A 2M4

10(a)

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

Company Name

(seal)

Signature

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-86

AGREEMENT: (L.5.8) A by-law to authorize an agreement between the City, the City of Sault Ste. Marie Physician Recruitment and Retention Committee, Group Health Centre, Sault Area Hospital and Algoma West Academy of Medicine for the continued recruitment of physicians and health care professionals.

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

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 2nd day of April, 2010 and made between the City, the City of Sault Ste. Marie Physician Recruitment and Retention Committee, Group Health Centre, Sault Area Hospital and Algoma West Academy of Medicine for the continued recruitment of physicians and health care professionals.

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.

READ THREE TIMES and PASSED in open Council this 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK - MALCOLM WHITE

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CITY SOLICITOR

10(b)

SCHEDULE "A"

OPERATING SERVICE AGREEMENT

This Agreement made this 2nd day of April 2010

B E T W E E N:

CITY OF SAULT STE. MARIE
PHYSICIAN RECRUITMENT AND RETENTION COMMITTEE
hereinafter referred to as the "Committee"

- and -

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
hereinafter referred to as the "City"

- and -

GROUP HEALTH ASSOCIATION
hereinafter referred to as "GHA"

- and -

SAULT AREA HOSPITAL
hereinafter referred to as 'SAH'

- and -

ALGOMA WEST ACADEMY OF MEDICINE
hereinafter referred to as "AWAM"

WHEREAS the above parties agree that the recruitment of physicians is vital to the citizens of Sault Ste. Marie and district;

AND WHEREAS a program is required to attract such physicians to the area;

AND WHEREAS the parties hereto recognize and support the initiative to attract physicians to the area;

NOW THEREFORE the parties hereto agree as follows:

1. This Agreement shall be for a term of one (1) year commencing April 2, 2010 and terminating April 2, 2011.
2. The parties hereto agree that the Committee has the authority to act independently on matters of physician recruitment.
3. The Committee shall prepare annually a budget relating to the Committee's activities for the year. The budget shall be prepared by the Executive Committee consisting of the Chairperson of the Committee, the Chief Administrative Officer of the City, the President and Chief Executive Officer of SAH, the President and Chief Executive Officer of GHA, and the President of Algoma West Academy of Medicine.
4. The Committee shall forward the City's portion of the budget to City Council at the end of January annually for review, with reference to the Finance Committee, if desired by City Council.
5. The Committee will administer the program for the recruitment of physicians. All activities of the Committee will be approved by the Committee in consultation with the Executive Committee as outlined in clause 3 above.
6. Payment of expenses related to the program shall be made by SAH upon approved instructions from the Committee Chair or Manager. SAH will ensure all payments are made with due expedience and recorded in an accurate, complete and timely fashion in accordance with generally accepted accounting principles (GAAP).
7. Copies of all original invoices, requests for payment and other instructions documenting financial transactions shall be retained in the Physician Recruitment Office.

8. Original documentation shall be provided by SAH and will be retained in accordance with all privacy legislation including the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Personal Information Protection and Electronic Documents Act* (PIPEDA).

9. Upon request of the City, GHA, SAH or AWAM, the Committee shall provide financial documentation. Provision of documentation shall be in accordance with the principles of privacy legislation including MFIPPA and PIPEDA.

10. SAH shall maintain financial records sufficient to produce a monthly statement of income and expenses and any other report that may be reasonably requested by the Committee, including a list of committed expenses.

11. SAH shall prepare monthly financial reports for the Committee as outlined in clause 10 of this Agreement and shall invoice the City for reimbursement monthly. In addition, SAH shall prepare a financial report for the period April 1st to March 31st annually.

12. Upon review and approval, the City shall reimburse SAH for all expenses on the basis of the monthly invoice provided by SAH. Approved expenses include but are not limited to those outlined in Schedule "A" attached hereto.

13. The Committee shall inform the City of any commitments for future expenditures negotiated during the operating year but to be paid in future years. The City shall ensure that sufficient funds are retained in the Physician Recruitment Reserve to fund these future commitments. Contracts for physicians which extend for several years shall be treated as future expenses as outlined in this clause.

14. SAH and GHA agree to make an annual contribution of \$100,000 each on June 1st of each year. The SAH and GHA contributions shall be used for the

physician recruitment program. AWAM agrees to make annual in-kind contributions having a value of at least \$100,000.

15. Any costs or liabilities incurred by SAH in the administration of this program arising out of decisions made by the Committee will be the sole responsibility of the Committee.

16. Any of the parties to this Agreement or their agents shall have the right to review any documents or records relating to this program at any time upon reasonable written request directed to the Chair or Manager of the Committee.

17. This Agreement shall not be assigned without prior written consent of all parties hereto.

18. The terms and provisions of this Agreement shall extend to and be binding upon and enure to the benefit of the parties hereto, their successors and, where permitted, assigns under this contract.

IN WITNESS HEREOF the parties hereto have set their hands and seals this
26th
~~xx~~ day of April, 2010.

**CITY OF SAULT STE. MARIE
PHYSICIAN RECRUITMENT AND RETENTION COMMITTEE**
Per:

Debbie Amaroso, Chairperson

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

John Rowswell, Mayor

Malcolm While, City Clerk

GROUP HEALTH ASSOCIATION
Per:

Greg Punch, Acting CEO

SAULT AREA HOSPITAL
Per:

Ron Gagnon, President and CEO

ALGOMA WEST ACADEMY OF MEDICINE
Per:

Dr. Peter Schwarz, President

SCHEDULE "A"**A. COSTS ELIGIBLE FOR REIMBURSEMENT WILL INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:**

1. Salaries, wages and benefits including any future amounts due as payment for severance or in lieu of notice. In the event of severance, the City shall be responsible only for that portion of the severance payment that relates to the employee's service with the Committee. Prior employment will not be calculated for the City's severance payment.
2. Expenses related to the administration of the program including office costs, minor equipment and professional fees.
3. Costs for advertising and promotion including marketing displays, conferences and meetings and receptions.
4. Recruiting costs including professional recruitment services, travel, site visits and recruitment events.
5. Travel expenses for physicians including transportation, lodging and meals.

B. COSTS INELIGIBLE FOR REIMBURSEMENT WILL INCLUDE:

1. No amount will be charged for rent for office space provided by SAH.
2. No amounts will be charged for utilities or office maintenance provided by SAH.
3. No amounts will be paid for locum costs reimbursable by the Ministry of Health and Long Term Care.
4. No amounts will be paid as the principal of loans.
5. Any costs incurred by physicians other than travel expenses (transportation costs, lodging and meals).

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-81

AMENDMENT TO BOUNDARIES OF URBAN SERVICE AREA - AMALGAMATION ORDER N. 4804-63 (Part 2)
(L.2.2.) – A by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area.

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

-and-

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

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

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

| BY-LAW NO. | O.M.B DATE OF APPROVAL | O.M.B. FILE NO. |
|-------------------|-------------------------------|------------------------|
| 78-122 | September 19, 1978 | M 78106 |
| 88-193 | November 18, 1988 | M 8800070 |
| 90-34 | April 20, 1990 | M 900039 |
| 92-5 | February 24, 1992 | M 920022 |
| 93-91 | August 31, 1993 | M 930088 |
| 94-20 | March 25, 1994 | M 940027 |
| 94-109 | August 22, 1994 | M 940067 |
| 97-136 | November 10, 1997 | M 970089 |
| 2000-24 | July 20, 2000 | M 000013 |
| 2001-175 | December 7, 2001 | M 010083 |
| 2004-53 | March 8, 2004 | M 040033 |
| 2006-54 | April 24 th , 2006 | M060039 |
| 2007-203 | June 3, 2008 | MM070013 |

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

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

1. APPLICATION TO ONTARIO MUNICIPAL BOARD

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

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CITY SOLICITOR

10(c)

2. **PROPOSED AMENDMENT**

It is proposed to amend Schedule "A" attached to the said supplementary order dated May 17, 1965 as amended by incorporating the addition outlined on Schedule "A" to this by-law, which schedule consists of a map showing the expanded urban service line area for municipal water and sewer services.

3. **SCHEDULE "A"**

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

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

By-law 2006-213 is hereby repealed.

5. **EFFECTIVE DATE**

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

PASSED in Open Council this 26th day of April, 2010.

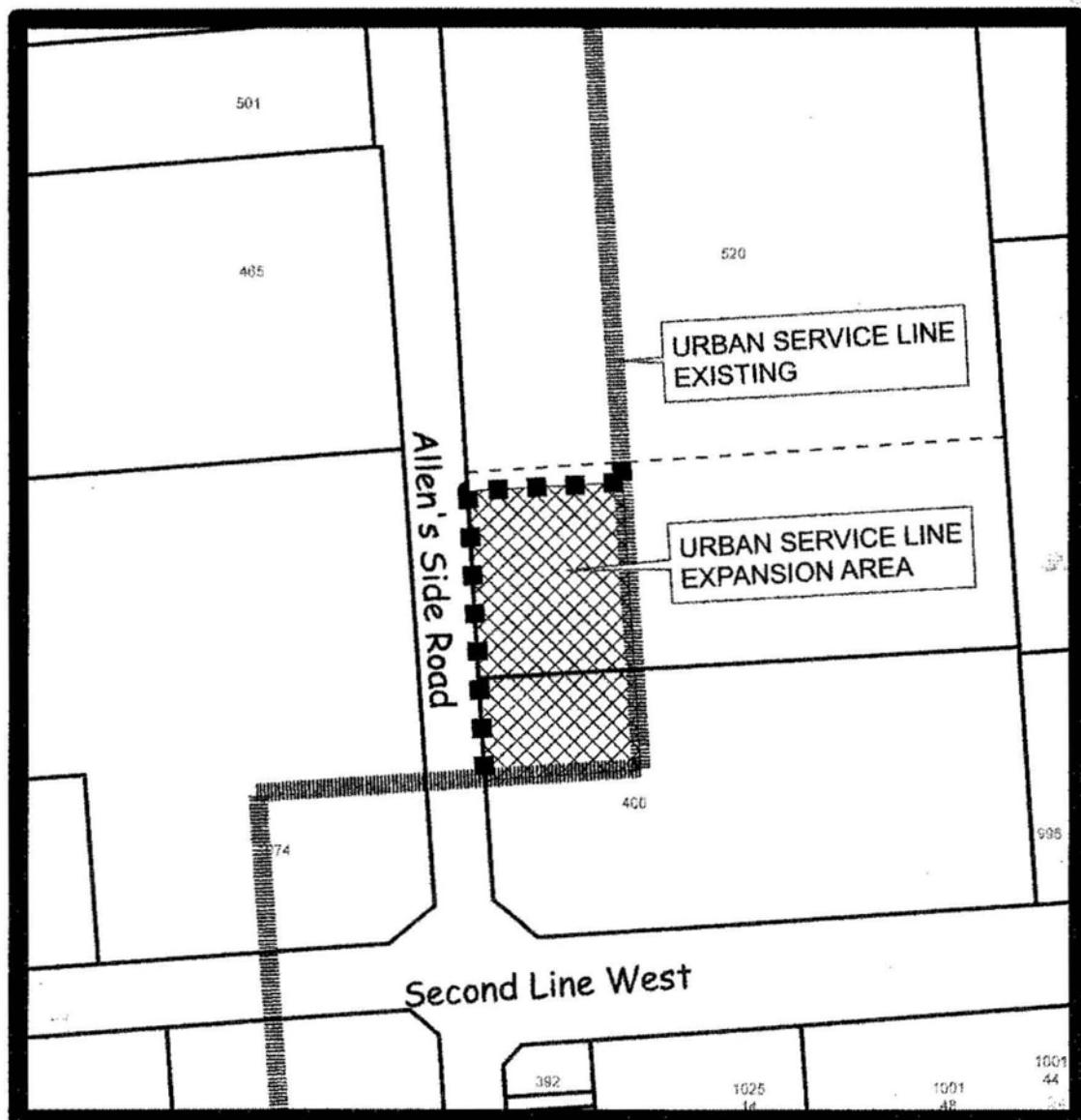
MAYOR – JOHN ROWSWELL

CLERK – MALCOLM WHITE

10(c)

SCHEDULE "A"

TO BY-LAW 2010-81 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE PASSED IN OPEN COUNCIL THIS 26TH DAY OF APRIL, 2010.



URBAN SERVICE LINE AMENDMENT 520 ALLEN'S SIDE ROAD (original parcel civic)

===== EXISTING URBAN SERVICE LINE

===== URBAN SERVICE LINE EXPANSION AREA

■ ■ URBAN SERVICE LINE AMENDMENT

[- -] PROPOSED NEW LOT AREA



Metric Scale
1 : 2000

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-80

CEMETERIES: (R.1.2.3.) A by-law to authorize amendments to the text and the tariff rates of By-law 99-208.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to the Cemeteries Act (Revised) R.S.O. 1990, Chapter C.4 and amendments thereto and the regulations made thereunder, **ENACTS** as follows:

1. AMENDMENTS TO BY-LAW 99-208

- (a) Subsection 5.2.7.1 is hereby amended by deleting the paragraph at the top of page 15 commencing with "Despite the provisions of Section 5.2.7.1...." and inserting the following paragraph:

"Despite the provisions of Section 5.2.7.1. in the area of the twenty-eight (28) pre-need gravesites purchased by the Roman Catholic Diocese of Sault Ste. Marie and for (10) pre-need gravesites or more that are situated back to back having an allowance of 48" for a cement foundation a monument 6 ft. in height by 8 ft. 6 inches in width may be erected."

2. SCHEDULE "A" TO BY-LAW 99-208 REPEALED

Schedule "A" to By-law 99-208 as amended is hereby repealed.

3. SCHEDULE "A"

Schedule "A" to this by-law forms a part of this by-law and becomes Schedule "A" to By-law 99-208.

4. EFFECTIVE DATE

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

PASSED in open Council this 26th day of April, 2010.

MAYOR - JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

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10(d)

YEAR 2010 PRICE LIST

SCHEDULE "A"
PASSED 26 APRIL 2010

(Rates do not include G.S.T.)

(Rates include Prov. Lic. Fee)

SALE OF LOTS **LAND** **CARE & MNTCE** **PRICE**

| | | | |
|---|----------|----------|------------|
| a) Adult | | | |
| 1 grave lot 3.5' x 10.0' (min.) | \$437.00 | \$291.00 | \$728.00 |
| 2 grave lot 7.0' x 10.0' (min.) | \$874.00 | \$582.00 | \$1,456.00 |
| b) Infant (under 5 years) | | | |
| 1 grave lot 2.0' x 4.0' | \$174.00 | \$115.00 | \$289.00 |
| c) Child (5 years to 10 years) | | | |
| 1 grave lot 2.0' x 6.0' | \$198.00 | \$131.00 | \$329.00 |
| d) Care and Maintenance Fund | | | |
| <i>Lots on which care and maintenance charges have not been paid</i> | | | \$291.00 |
| <i>This only pertains to lots purchased prior to January 1, 1955. This is a one-time charge (per lot)</i> | | | |

Cremation Lots

| | | | |
|----------------------------|----------|----------|----------|
| a) 1 grave lot .6m x .6m | \$125.00 | \$83.00 | \$208.00 |
| b) 2 graves lot .6m x 1.2m | \$250.00 | \$166.00 | \$416.00 |

Cremorial Wall Niches

| | | | |
|--------------------------------|----------|----------|----------|
| a) Rows 1 to 4 | | | |
| single 10.16cm x 20.36cm front | \$590.00 | \$103.00 | \$693.00 |
| b) Rows 5 & 6 | | | |
| single 10.16cm x 20.36cm front | \$536.00 | \$100.00 | \$636.00 |
| c) Rows 7 & 8 | | | |
| single 10.16cm x 20.36cm front | \$436.00 | \$100.00 | \$536.00 |

Urn Garden Columbarium "GC" Section A-B-C-D-E-F-G-H-I-J-K

| | | | |
|---------------------|------------|----------|------------|
| a) Companion Niches | \$1,259.00 | \$222.00 | \$1,481.00 |
| b) Single Niches | \$760.00 | \$133.00 | \$893.00 |

Urn Garden Columbarium "GC" (New Extg.) Section "L"

| | | | |
|---------------------|------------|----------|------------|
| a) Companion Niches | \$1,400.00 | \$246.00 | \$1,646.00 |
| b) Single Niches | \$850.00 | \$149.00 | \$999.00 |

Holy Sepulchre Columbarium "HC" Section O-P-Q-R

| | | | |
|---------------------|------------|----------|------------|
| a) Companion Niches | \$1,335.00 | \$235.00 | \$1,570.00 |
| b) Single Niches | \$799.00 | \$141.00 | \$940.00 |

Holy Sepulchre Columbarium "HC" (New Extg.) Section "S"

| | | | |
|---------------------|------------|----------|------------|
| a) Companion Niches | \$1,400.00 | \$246.00 | \$1,646.00 |
| b) Single Niches | \$850.00 | \$149.00 | \$999.00 |

Wall Niches (Mausoleum Phase V11) Section "MJ"

| | | | |
|---------------|----------|----------|----------|
| Single Niche | | | |
| a) Rows 2 & 7 | \$625.00 | \$110.00 | \$735.00 |
| b) Rows 4 & 5 | \$724.00 | \$127.00 | \$851.00 |

Wall Niches (Mausoleum Phase V111) (Extg.) Sections "ML" & MM"

| | | | |
|------------------|------------|----------|------------|
| Companion Niches | | | |
| a) Rows 1 & 8 | \$1,081.00 | \$190.00 | \$1,271.00 |
| b) Rows 3 & 6 | \$1,259.00 | \$222.00 | \$1,481.00 |

| | | | |
|------------------------|----------|----------|----------|
| Single Niches | | | |
| a) Rows 1, 2, 6, 7 & 8 | \$661.00 | \$116.00 | \$777.00 |
| b) Rows 4 & 5 | \$760.00 | \$131.00 | \$893.00 |

Mausoleum Crypts Sections "MN"

| | | | |
|-------------------|------------|------------|------------|
| a) Row 4 (single) | \$4,730.00 | \$1,182.00 | \$5,912.00 |
|-------------------|------------|------------|------------|

Mausoleum Crypts Sections "MO"

| | | | |
|-------------------|------------|------------|------------|
| a) Row 4 (single) | \$4,730.00 | \$1,182.00 | \$5,912.00 |
|-------------------|------------|------------|------------|

Mausoleum Crypts Sections "MP"

| | | | |
|----------------------|------------|------------|-------------|
| c) Row 4 (single) | \$4,967.00 | \$1,241.00 | \$6,208.00 |
| f) Row 4 (companion) | \$8,255.00 | \$2,056.00 | \$10,281.00 |

10(d)

| Mausoleum Crypts (Family Unit) | | <u>Sections "MQ"</u> | | | | |
|--|--------------|---|--|--------------|--|--|
| a) Unit 1 | (6 singles) | \$34,560.00 | \$8,640.00 | \$43,200.00 | | |
| b) Unit 2 | (8 singles) | \$44,800.00 | \$11,200.00 | \$56,000.00 | | |
| Mausoleum Crypts (New) | | | <u>Sections "MR"</u> | | | |
| a) Row 1 | (single) | \$5,515.00 | \$1,103.00 | \$6,618.00 | | |
| b) Rows 2 & 3 | (singles) | \$6,594.00 | \$1,319.00 | \$7,913.00 | | |
| c) Row 4 | (single) | \$5,215.00 | \$1,043.00 | \$6,258.00 | | |
| d) Row 1 | (companion) | \$9,141.00 | \$1,829.00 | \$10,970.00 | | |
| e) Rows 2 & 3 | (companion) | \$10,877.00 | \$2,176.00 | \$13,053.00 | | |
| f) Row 4 | (companion) | \$8,642.00 | \$1,729.00 | \$10,371.00 | | |
| Interment Charges With Committal Service in the Chapel | | | Single Depth | Double Depth | | |
| a) Adult | | \$705.00 | \$867.00 | | | |
| b) Infant (under 5 years) | | \$278.00 | \$347.00 | | | |
| c) Child (5 to 10 years) | | \$398.00 | \$502.00 | | | |
| d) Cremated remains | | \$167.00 | | | | |
| e) Entombment in Mausoleum | | \$705.00 | | | | |
| Interment Charges With Committal Service at the Gravesite | | | Single Depth | Double Depth | | |
| a) Adult | | \$907.00 | \$1,109.00 | | | |
| b) Infant (under 5 years) | | \$422.00 | \$590.00 | | | |
| c) Child (5 to 10 years) | | \$601.00 | \$751.00 | | | |
| d) Cremated remains | | \$268.00 | | | | |
| e) Cremated remains (Columbarium or Mausoleum Niches) | | \$268.00 | | | | |
| e) Entombment in the mausoleum | | \$907.00 | | | | |
| Cremation Resident (at the time of death) | | | | | | |
| a) Adult | | | \$572.00 | | | |
| b) Infant (under 5 years) | | | \$231.00 | | | |
| c) Child (5 to 10 years) | | | \$330.00 | | | |
| Non Resident (at the time of death) | | | | | | |
| a) Adult | | | \$731.00 | | | |
| b) Infant (under 5 years) | | | \$302.00 | | | |
| c) Child (5 to 10 years) | | | \$341.00 | | | |
| Disinterment Charges | | Another Gravesite in a Municipal Gravesite | Same Gravesite or Removal from a Municipal Cemetery | | | |
| a) Adult | | \$2,079.00 | \$1,467.00 | | | |
| b) From single depth to double depth | | \$2,264.00 | \$335.00 | | | |
| c) Infant (under 5 years) | | \$601.00 | \$676.00 | | | |
| d) Child (5 to 10 years) | | \$1,005.00 | \$191.00 | | | |
| e) Cremated remains | | \$335.00 | \$179.00 | | | |
| f) Niche to niche | | \$179.00 | \$179.00 | | | |
| g) From in ground burial to Mausoleum | | \$3,148.00 | | | | |
| h) Extra charge if not in concrete container | | \$641.00 | | | | |
| i) Extra costs for a container and shipment of a removal from a Sault Ste. Marie Municipal Cemetery to another location shall be the responsibility of the deceased persons representative. | | | | | | |
| ** Double Depth Disinterment Are Not Permitted ** | | | | | | |
| Additional Miscellaneous Charges (Rate do not include tax) | | | | | | |
| a) Funerals arriving after 4:00 P.M. - \$135.00 for each half-hour or portion thereof for any funeral or service entering the cemetery after 4:00 P.M. | | | | | | |
| b) Saturday Funerals after 1:00 P.M. - \$135.00 for each half-hour or portion thereof for any funeral or service entering the cemetery after 1:00 P.M. | | | | | | |
| c) Niche Plate \$213.00 including installation. <i>Plus applicable taxes.</i> | | | | | | |
| d) Cremations - mailing inside Canada (insured) \$80.00 - mailing to U.S.A. (insured) \$97.00 - outside Canada and U.S.A. (insured) \$212.00 | | | | | | |
| e) Removal of trees or shrubs from lots - there will be a fee of \$44.00 plus tax per tree for the removal of the tree and the repair of the lot where each item has been planted by the interment rights holder. | | | | | | |
| f) Additional charges for the handling of wooden shells. \$121.00 | | | | | | |
| g) Transfer fee \$36.00 | | | | | | |
| h) Removal of crypt plate or niche plate from the mausoleum for vase installation or extra engraving. \$110.00 | | | | | | |
| i) Removal of niche plate from the columbarium for vase installation or extra engraving. \$50.00 | | | | | | |
| j) Rental of temporary storage facility \$40 per month | | | | | | |

10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-82

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 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

DH Bylaws\2010\2010-82 Parking Officers – Private lots

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CITY SOLICITOR

10(e)

SCHEDULE "A"

| <u>BADGE NO.</u> | <u>SPECIAL CONSTABLE</u> | <u>EMPLOYER</u> | <u>PROPERTY LOCATION</u> | PASSED 26 APR 2010 BYLAW 2010-82 |
|------------------|--------------------------|-------------------------|--|-------------------------------------|
| 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 | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 37 | MILLER,STEVE | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 59 | BARONE,MARCELLO | ALGOMA UNIVERSITY | 1520 QUEEN ST E | |
| 109 | SEBECIO,JOHN,LUDVIC | DENTAL BUILDING | 846 & 216 QUEEN ST E. | |
| 113 | TAYLOR,GARY | ALGOMA UNIVERSITY | 1520 QUEEN ST E | |
| 115 | LEE,ROICARD,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 | ELGIN TOWER/SAUTL 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. | |
| 179 | DARLOW,LEONARD | ALGOMA UNIVERSITY | 1520 QUEEN ST E | |
| 186 | HARMAN,JASON | ALGOMA CENTRAL PROP | STATION MALL/STATION 49/STATION TOWER | |
| 190 | LALONDE,BRIAN | CITY OF SAULT STE MARIE | BELLUVE MARINA & BONDAR MARINE & PARK | |
| 191 | BROWN,STEVEN,GEORGE | SEP. SCHOOL BOARD | SEPARATE SCHOOL BOARDS PROPERTIES | |
| 198 | SEABROOK,LAURA,LEE | ALGOMA CENTRAL PROP | STATION MALL/STATION 49/STATION TOWER | |
| 238 | BECK,DESMOND | G4S SECURITY | SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY | |
| 240 | MASON,STEPHEN | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 241 | COGHILL,ROBIN | NORPRO SECURITY | ELGIN TOWER/SAUTL 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 | TRAVSON,TERRANCEY(TERRY) | NORTH EAST SECURITY | BELLUVE MARINA & BONDAR MARINE & PARK | |
| 262 | ADAM,CINDY | SAULT COLLEGE | SAULT COLLEGE | |
| 263 | RECOLLECT,HOLLY | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 287 | CORBIERE,JOHN,ALLAN | G4S SECURITY | CROSS COUNTRY/DAVEY HOME/HOSPITAL/ALGOMA UNIVERSITY/AIRPORT | |
| 274 | DAVIDSON,JAMES | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 275 | EGBRE,WALLACE | G4S SECURITY | DAVEY HOME/HOSPITAL/UNIVERSITY/308 FARWELL TERR/AIRPORT | |
| 276 | SMITH,DENNIS,ROBERT | G4S SECURITY | DAVEY HOME/HOSPITAL/UNIVERSITY/AIRPORT | |
| 296 | MURDOCK,IESHIA | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 297 | SWIRE,WILLIAM,JAMES | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 298 | MANN,DUSTIN | G4S SECURITY | SAULT HOSPITAL/DAVEY HOME/AIRPORT | |
| 299 | DIMMA,WILLIAM,GEORGE | G4S SECURITY | SAULT HOSPITAL/DAVEY HOME/ALGOMA UNIVERSITY/AIRPORT | |
| 301 | COTTINGHAM,EDWARD,ALLEN | G4S SECURITY | SAULT HOSPITAL/DAVEY HOME/AIRPORT | |
| 307 | GUREVITCH,JASON | NORTH EAST SECURITY | CAMBRIAN MALL/PINE/CHURCHILL PLAZA/BELLVUE PARK&MARINA/STEELBACK | |
| 309 | PIGEAU,EDWARD | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 314 | AASEN,PAULINE | KOPRASH BULDING SER. | ONTARIO REALTY CORP/ROBERTA BONDAR PLACE | |
| 316 | MCCULLOCH,BRANDON | G4S SECURITY | SAULT HOSPITAL/ALGOMA UNIVERSITY/AIRPORT | |
| 321 | LORENZO,COREY | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 330 | O'NEILL,ROY | RIOCAN PROPERTIES | CAMBRIAN & PINE & CHURCHILL PLAZAS | |
| 331 | HAMILTON,SILVI | RIOCAN PROPERTIES | CAMBRIAN & PINE & CHURCHILL PLAZAS | |
| 334 | MILLER,BRAD | CITY OF SAULT STE MARIE | TRANSIT SERVICES AREAS | |
| 335 | GROSSO,DONALD | NORTH EAST SECURITY | CHURCHILL & PINE PLAZAS/CAMBRIAN MALL | |
| 337 | RENNISON,JEFF | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 340 | DAMIGNANI,MATTHEW | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 342 | PICK,DENNY | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 343 | CHILLMAN,JODI | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 344 | HARPE,KENNETH | DAYS INN | DAYS INN HOTEL | |
| 345 | SETCHELL,ROODY | NORTH EAST SECURITY | CHURCHILL & PINE PLAZAS/CAMBRIAN MALL/STEELBACK/BELLVE MARINA | |
| 346 | HAZELTON,MARGARET | CITY OF SAULT STE MARIE | BELLEVUE MARINA | |
| 347 | BEDELL,LUCAS | CITY OF SAULT STE MARIE | BELLEVUE MARINA | |
| 348 | LEWIS,PETER | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 351 | MCLEOD,JENNIFER | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 352 | O'CONNOR,DANIEL | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 354 | STEEVES,ROBERT | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 357 | BONENFANT,TERRANCE | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 358 | COLLINS,LESLEE | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 360 | HALIGAN,AGNES | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 363 | SMELTZER,LESLEY | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 384 | SMELTZER,PETER | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 355 | CLOUDSTON,JOHN | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 386 | TROIOW,VICTORIA | G4S SECURITY | SAULT HOSPITAL/ALGOMA UNIVERSITY/AIRPORT | |
| 367 | MORIN,NATHAN | NORTH EAST SECURITY | STEELBACK CENTRE | |
| 368 | WILLET,JORDAN | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 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 | TAAVEL,ANDRE | CITY OF SAULT STE MARIE | TRANSIT SERVICES AREAS | |
| 376 | FINN,ROBERT | G4S SECURITY | SAULT HOSPITAL/AIRPORT | |
| 377 | BADGERO,PAUL | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 378 | SMITH,BENJAMIN | G4S SECURITY | SAULT HOSPITAL/AIRPORT | |
| 379 | MANGONE,MATTHEW | G4S SECURITY | SAULT HOSPITAL/AIRPORT | |
| 380 | MARIN,MARTY | G4S SECURITY | SAULT HOSPITAL/AIRPORT | |
| 381 | DEVCE,PATT-JEAN | SOLID SECURITY SERVICES | CAMBRIAN MALL | |
| 382 | HALPIN,MATTHEW | SOLID SECURITY SERVICES | CAMBRIAN MALL | |
| 383 | DEVCE,DANIEL | SOLID SECURITY SERVICES | CAMBRIAN MALL/CHURCHILL PLAZA | |
| 384 | BOREAN,RICK | CITY OF SAULT STE MARIE | ROBERTA BONDAR PARK/BELLEVUE MARINA | |
| 385 | LOUBERT,JACOB | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 386 | MAJOR,ROBERT | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 387 | DENNING,ROBERT | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |
| 388 | VILLENEUVE,CHRIS | NORPRO SECURITY | ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER | |

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| 388 | SANDIE,KEVIN | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 390 | DUNN,PAR | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 391 | MCLEOD,HEIDI | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 392 | MEINCKE,KENNETH | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 393 | PRESCOFF-LACASSE,JOSEE | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 394 | REID,RAYMOND | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 395 | KELLY,PATRICK | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 396 | THOMAS,RANDALL | NORTH EAST SECURITY | ESSAR CENTRE/ALGOMA UNIVERSITY |
| 397 | LAFRAMBOISE,YVON | NORTH EAST SECURITY | ESSAR CENTRE/ALGOMA UNIVERSITY |
| 398 | BELANGER,CAROL | NORTH EAST SECURITY | ALGOMA UNIVERSITY |
| 399 | MELLEA,ALDO | NORTH EAST SECURITY | ESSAR CENTRE/ALGOMA UNIVERSITY |
| 400 | JOHNSON,MICHAEL | NORTH EAST SECURITY | ESSAR CENTRE/ALGOMA UNIVERSITY |
| 401 | MARTIN,DANIEL | ALGOMA CENTRAL PROP | STATION MALL/STATION 49/STATION TOWER |
| 402 | DOWNEY,ALEXANDER | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 403 | RUFFOLO,DOMINIC | ALGOMA CENTRAL PROP | STATION MALL/STATION 49/STATION TOWER |
| 404 | HUDSON,BRIAN | CORPS OF COMM. | 22 BAY ST |
| 405 | MATCHETT,CASEY | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 406 | LEBLANC,SERGE | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 407 | CYR,SARAH | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 408 | ST PIERRE,ANDRE | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 409 | MOAR, ALEXANDRA | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 410 | POYNTER,HAROLD | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 411 | MOORE,ROBERT | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 412 | MEINCKE,EMILY | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 413 | HILL,MICHAEL | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 414 | HUGHES,HEATHER | G4S SECURITY | SAULT AREA HOSPITAL/AIRPORT |
| 415 | KOCHANOWSKI,DAVID | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 418 | VELTRI,ROBERT | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 417 | CHIAROT,LUCIO | G4S SECURITY | AIRPORT |
| 418 | ROSENTE,JOSH | G4S SECURITY | AIRPORT |
| 419 | RAYMO,ADAM | G4S SECURITY | AIRPORT |
| 420 | FABIANO,ANTONIO | G4S SECURITY | AIRPORT |
| 421 | DUNN,PATRICK | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 422 | BENNETT,JEFF | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 423 | VANDERKLIFT,DYLAN | G4S SECURITY | SAULT AREA HOSPITAL |
| 424 | REDPATH,BRITTNEY | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE |
| 425 | ELLIS,MARTY | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GROUP HEALTH CENTRE |
| 426 | DIMMA,JUSTIN | G4S SECURITY | SAULT AREA HOSPITAL |
| 427 | CADA,TY | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 428 | DIAS,JASON | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 429 | STEWART,MARK | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 430 | RUSCIO,DOMINIC | MAJOR CONTRACTING LTD. | TRAVELODGE |
| 431 | DICKSON,SHANE | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 432 | KING,SEAN | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 433 | MAJOR,ROBERT | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 434 | SIMONCINI,TREVOR | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 435 | TRUMBLE,GEORGE | G4S SECURITY | SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY |
| 436 | COUTURIER,NATASHA | G4S SECURITY | SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY |
| 437 | GIROUX,JOSEPH | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 438 | GRASLEY,JOSEPH | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 439 | LAMBERT,KEN | KOPRASH BULDING SER. | ROBERTA BONDAR BUILDING |
| 440 | HAMMERSTEDT,ERIC | NORTH EAST SECURITY | ALGOMA UNIVERSITY/ESSAR CENTRE |
| 441 | WILSON,DAVID | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 442 | MACLENNAN,MATTHEW | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 443 | MARCIL,MARK | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 444 | MARSHALL,JONATHAN | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |
| 445 | AMADIO,AARON | NORPRO SECURITY | ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER |

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-83

STREET ASSUMPTION: a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Sections 11(1) and 31(1) of the Municipal Act, S.O. 2001, c.25 thereto ENACTS as follows:

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 26th day of April, 2010.

MAYOR - JOHN ROWSWELL

CLERK – MALCOLM WHITE

NOTICE

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CITY SOLICITOR

10(f)

SCHEDULE "A"

1) Carpin Beach Road

PIN 31612-0224 LT

PT SEC 31 KORAH, BEING PTS 3 & 4 1R-11798 S/T INTEREST IN
T444739; SAULT STE. MARIE

2) Moss Road

PIN 31584-0134 (LT)

PT SEC 26 KORAH PT 2 1R11701; SAULT STE. MARIE

3) Rossmore Road

PIN 31584-0135 (LT)

PT SEC 26 KORAH PT 8 1R11701; SAULT STE. MARIE

4) Shannon Road - Between Bennett Blvd. and Hussey Street

PIN 31501-0181 (PART)

PT LT 1-24 PL H458 ST. MARY'S AS IN T17444 BEING SHANNON
RD BTN BENNETT BLVD & HUSSEY STREET; SAULT STE. MARIE

5) Block 96, 1M-509 - Bianchi Estates, abutting Millcreek Subdivision
Phase II

PIN 31513-0096 (LT)

PCL 96-1 SEC 1M509; BLK 96 PL 1M509 TARENTORUS;
SAULT STE. MARIE

6) Block 94, 1M-478 - Cambrian Heights Phase II, abutting Sunrise Ridge
Phase II

PIN 31515-0121 (LT)

PCL 93-1 SEC 1M478; BLK 94 PL 1M478 ST. MARY'S;
SAULT STE. MARIE

7) Property In Front Of Pt Lt 48 RCP H737 Being Pt 1 1R1088

PIN 31501-0100 (LT) (PART)

THIRD LINE RD RCP H737 TARENTORUS PT 1 PLAN 1R1708

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-85

TEMPORARY STREET CLOSING: (S.2.) A by-law to authorize the temporary closing of Third Line East from the Fort Creek Ravine to Peoples Road for extended periods when necessary between April 27, 2010 to September 30, 2011 for road extension/reconstruction.

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 THIRD LINE EAST FROM THE FORT CREEK RAVINE TO PEOPLES ROAD**

The Council of The Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of Third Line East from the Fort Creek Ravine to Peoples Road for extended periods when necessary between April 27, 2010 to September 30, 2011 for road extension/reconstruction.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

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CITY SOLICITOR

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-79

TRANSIT: (L.5.7.) A by-law to authorize a policy for Sault Ste. Marie Transit Services.

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

1. **DEFINITIONS**

In this by-law,

- (1) "Bicycle" includes a tricycle and unicycle but does not include a motor assisted bicycle.
- (2) "Fare" means the amount to be paid for travel on the transit system as determined by The City of Sault Ste Marie.
- (3) "Fare media" means any ticket, token, pass, transfer or other media issued by and acceptable to Sault Ste. Marie Transit Services ("Transit Services"), and includes, without limitation, an electronic trim kit ticket, any single ride or multi ride ticket, day pass, semester pass, or any period pass.
- (4) "Guide dog or service animal" shall have the same meaning as set out in Ontario Regulation 429/07 of the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, as amended
- (5) "Loiter" means to linger without due cause and includes but is not limited to:
 - i) idly spending time in or on Transit Services property without express purpose of using the transit system;
 - ii) lingering, sauntering or remaining in or on Transit Services property without due cause; and
 - iii) failing to board the next available Transit Services vehicle, where possible, for the intended route.
- (6) "Multi-pass" means a multiple of single ride passes on one card.
- (7) "Proper authority" means any employee or agent of Transit Services wearing a Transit Services uniform.
- (8) "Transit Services" means Sault Ste Marie Transit Services.
- (9) "Terminal" means 160 Queen Street East – the point where all buses meet.
- (10) "Transfer" means points between lines ridden in succession as part of one continuous trip from origin to destination.
- (11) "Transit system" means the transit system, or any part thereof, operated by or on behalf of Transit Services and includes but is not limited to Transit Services cab, charter, conventional, specialized and community bus services.

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CITY SOLICITOR

2. **REQUIREMENT TO PAY FARE – CONDITIONS OF USE**

- (1) No person shall travel or attempt to travel on the transit system without paying the appropriate fare:
 - i) Where the amount of the fare charged for passage on the transit system is disputed, the passenger shall pay the amount requested by the proper authority.
 - ii) A passenger who refuses to pay the amount of fare requested by a proper authority shall be refused passage on the transit system.
- (2) No person shall, unless otherwise set out in the conditions of use:
 - i) in any way alter, change or recreate any fare media, other than an employee or agent of Transit Services authorized to do so;
 - ii) travel or attempt to travel on the transit system with fare media that has been altered, changed, recreated in any way by a person other than an employee or agent of Transit Services who is authorized to do so;
- (3) Fare media shall be:
 - i) valid for the period as indicated on the fare media; and
 - ii) valid in accordance with the conditions of use of the fare media.
- (4) It is a term and condition of each fare media issued by Transit Services or on behalf of Transit Services and for every ride on the transit system that Transit Services, its employees and agents:
 - i) are not liable to passengers for damaged, lost or stolen fare media;
 - ii) are not liable for delays or cancellations of any kind caused by any reason;
 - iii) shall have the right, whenever operating circumstances require it, to transfer a passenger from one vehicle to another vehicle; and
 - iv) are not responsible for loss of or damage to property of passengers carried onto the transit system.
- (5) No person paying a fare using cash fare or multi-pass shall be entitled to more than one transfer.
- (6) No person paying a fare using a form of fare media not mentioned in subsection (5) shall be entitled to a transfer.
- (7) No person shall sell exchange or give away a transfer unless otherwise authorized by Transit Services.
- (8) No person shall be issued a transfer at the terminal. Transfers are to be used only for one trip from origin to destination within the sixty minute time limit.

3. **CONDUCT ON TRANSIT SYSTEM**

No person shall:

- (1) Travel on the transit system with an animal unless the animal is in an enclosed container that remains secured at all times while on the transit system provided that the animal does not inconvenience or jeopardize the safety of other passengers or Transit Services employees.

The above does not prohibit a guide dog or service animal from accompanying any passenger with a disability provided that the guide dog or service animal remains under control of the passenger at all times while on the transit system.

- (2) No person shall operate, park or store an unplied vehicle, save and except for a Transit Services vehicle on Transit Services property.
- (3) No person shall roller-skate, in-line skate or skate-board in or on Transit Services property.
- (4) No person shall wear roller-skates or in-line skates while in or on Transit Services property.
- (5) No person shall operate a bicycle on Transit Services property except on the portion of the property consisting of a roadway which is intended for public use for the purpose of arriving at or departing from Transit Services property.
- (6) No person shall willfully obstruct or interfere with the proper authority in the performance of his or her duties.
- (7) No person shall display, offer, distribute or place handbills, signs, notices or any form of written or printed matter on or in Transit Services property without authorization.
- (8) No person shall sell or attempt to sell any merchandise, article or other thing or solicit members of the public for any purpose on SSM Transit property without authorization.
- (9) No person shall operate any camera, video recording devise, movie camera or any similar devise for commercial purposes upon the transit system without authorization.
- (10) No person shall place his or her foot or feet on a vehicle seat or lay thereon any object or substance that may soil the seat.
- (11) No person shall lie down on a bench, seat or floor of any Transit Services property.
- (12) Every person while on Transit Services property shall wear shoes, boots, sandals or similar footwear.
- (13) No person shall ride, hang or stand on any exterior portion of a vehicle or lean out of or project any part of his or her body through any window of the bus.
- (14) No person shall hold or force a vehicle door open or hinder or delay the closing of a bus door.
- (15) No person shall smoke within five meters of a Transit Services entrance or shelter or carry a lighted cigar, cigarette, pipe, other tobacco product, or any other lighted smoking equipment or material while in or on Transit Services Property.
- (16) No person, unless authorized, shall enter or remain on any Transit Services property that is in possession of a firearm, air gun, air rifle, pellet

10(h)

gun, pellet rifle, gas charged gun, and gas charged rifle, imitation firearm, an offensive weapon or a prohibited weapon.

- (17) No person shall cause a disturbance or act contrary to the public peace on Transit Services property, including but not limited to;
- i) urinating, expectorating or defecating, except in facilities specifically intended for such actions;
 - ii) using profane, insulting or obscene language or gestures;
 - iii) behaving in an indecent or offensive manner;
 - iv) shinning any type of light at an operator of Transit Services vehicle or any other passengers;
 - v) fighting; or
 - vi) behaving in a manner which would interfere with the ordinary enjoyment of persons using the transit system.
- (18) A proper authority may refuse passage on the transit system to:
- i) a person behaving or appearing to behave in a manner that would interfere with the ordinary enjoyment of persons using the transit system or that may result in harm to themselves or others;
 - ii) a person whose conduct is or is likely to be objectionable to other passengers;
 - iii) a person carrying luggage, a large parcel or any object or thing that does inconveniences or is likely to inconvenience other passengers or Transit Services employees; and
 - iv) a person who alters their identity through the use of a disguise intended to obscure or otherwise alter their appearance.

4. PENALTIES AND ENFORCEMENT

- (i) Any person who contravenes any provision of this by-law may be removed from the transit system and Transit Services property and may have any fare media confiscated by Transit Services.
- (ii) Any person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in Provincial Offences Act.

5. EFFECTIVE DATE

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

PASSED in open Council this 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-74

ZONING: A by-law to amend the TEXT and certain schedules to Sault Ste. Marie Zoning By-law 2005-150.

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

By-law 2005-150 is amended as follows:

1. DEFINITION OF "THE DOWNTOWN" AMENDED

Section 2.9 of By-law 2005-150 is repealed and replaced with the following:

"For the purposes of this by-law the downtown consists of those lands bounded by or with frontage on:

- On the north by Wellington including those properties on Bruce Street south of the Huron Central Railway property,
- On the east by Church Street, Queen Street East to the east limit of 969 Queen Street East (commonly referred to as the hospital lands),
- On the south by the St. Mary's River, and
- On the west by North Street, Cathcart Street, Andrew, Albert Street West and Huron Street."

The Defined Downtown



2. DEFINITION OF EXTERIOR SIDE YARD AMENDED

Section 2.47 of By-law 2005-150 is repealed and replaced with the following:

"A side yard immediately adjoining a public street extending between the required front yard and the rear lot line."

3. PERMITTED PROJECTIONS INTO REQUIRED YARDS

Section 4.2 of By-law 2005-150 is amended by adding the words "and canopies" immediately following the word "Awnings" in the table set out therein.

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CITY SOLICITOR

4. SIGHT TRIANGLE REQUIREMENTS FOR BUILDINGS AND STRUCTURES - AMENDED

Subsection 4.8.1 of By-law 2005-150 is repealed and replaced with the following:

“On a corner lot, no building, structure or fence shall be erected and no hedge, shrubs, foliage or landscaping shall be allowed to grow beyond a height greater than 0.75m above established grade within a distance of 9m from the intersecting lot lines or projections thereof that abut a street intersection. In The Downtown in the Traditional Commercial Zone or where there is a fully signalized street intersection, the site triangle is reduced to 5m from any intersecting lot lines or projections thereof which abut a street intersection.”

5. BUFFER REQUIREMENTS AMENDED

(1) Section 4.9 of By-law 2005-150 is amended by deleting the words “bushes, shrubs” from sub clause 4.9B.

(2) Section 4.9 of By-law 2005-150 is further amended by adding the following sub clause:

“4.9.C – 15m, wherever such a strip contains existing vegetation of at least 1.8m above established grade that provides an effective visual barrier.”

6. REDUCED SIDE YARD REQUIREMENTS FOR EXISTING LOTS LACKING THE REQUIRED FRONTAGE AMENDED

Subsection 4.11.5 of By-law 2005-150 is repealed and replaced with the following:

“Where an existing lot does not have the required frontage the interior side yard requirement may be reduced to 75% of the interior side yard otherwise required by this by-law.”

7. PARKING SPACES ON NEIGHBOURING LOTS AMENDED

(1) Subsection 5.3.5 of By-law 2005-150 is amended by adding the words “and for apartment dwellings (as defined in section 1.30 of this by-law) may be provided on a neighbouring or contiguous lot” immediately following the words “industrial zones” in the first paragraph of that subsection.

(2) Subsection 5.3.5 of By-law 2005-150 is further amended by deleting sub clause 5.3.5.D and replacing it with the following sub clause 5.3.5.D:

“The land to be used for parking is in a Commercial Zone, Industrial Zone, Institutional Zone, Medium Density Residential Zone (R4) or a High Density Residential Zone (R5), and”.

8. REQUIRED OFF-STREET STACKED SPACES - AMENDED

Subsection 5.6.1 of By-law 2005-150 is repealed and replaced with the following:

- A. Automatic car wash - shall provide at least 10 stacked spaces counted back from the point of entry into the car wash building.
- B. Self service car wash shall provide at least 4 stacked spaces per washing stall. Such stacked spaces shall not interfere with vehicles exiting any washing stalls.
- C. Drive thru facilities - food related - shall provide at least 10 stacked spaces

- counted back from the pick up or service window.
- D. Drive thru facilities - non food related - shall provide at least 4 stacked spaces counted back from the pick up or service window.
 - E. Designated employee parking a use or building may provide stacked spaces for employee parking only. Such stacked spaces shall be clearly marked and reserved for employees of the said user building and may not exceed 50% of the total number of required spaces."

9. LOW DENSITY RESIDENTIAL ZONE PERMITTED USES AND BUILDING REGULATIONS AMENDED

- (1) Subsection 9.7.1 of By-law 2005-150 is amended by adding the words "multiple attached dwellings" immediately following the words "rooming house" in that subsection.
- (2) Subsection 9.7.2 of By-law 2005-150 is amended by adding the words "multiple attached dwellings" immediately following the words "Rooming Houses" in the second column of the chart in that subsection.

10. PERMITTED USE IN C3 RIVERFRONT ZONE AMENDED

Subsection 13.4.1 of By-law 2005-150 is amended by adding the words "nursing homes" immediately following the words "movie theatres" in that subsection.

11. (GENERAL COMMERCIAL ZONE (C4) BUILDING REGULATIONS AMENDED

- (1) Subsection 13.5.2 of By-law 2005-150 is repealed and replaced with the following:

"All minimums unless otherwise noted.

| | Setback |
|-----------------------------|---|
| Front Yard | 6m |
| Exterior Side Yard | 6m |
| Interior Side yard | 0m |
| Abutting a Residential Zone | 3m or 50% of the building height, whichever is greater |
| Rear Yard | 3m or 30% of the building height, whichever is greater |
| Abutting a Residential Zone | 10m or 50% of the building height, whichever is greater |
| Landscaped open space | 50% of required front and exterior side yards |

- 11. (2) Section 13.7.2. is amended by deleting "Landscaped open space-100% of required front and exterior side yards, with the exception of driveways."

12. LIGHT, MEDIUM AND HEAVY INDUSTRIAL ZONES PERMITTED USE AMENDED

- (1) Subsection 14.1.1 of By-law 2005-150 is amended by deleting the words "caretakers dwelling unit" in that subsection.
- (2) Subsection 14.2.1 of By-law 2005-150 is amended by deleting the words "caretakers dwelling unit" in that subsection.
- (3) Subsection 14.3.1 of By-law 2005-150 is amended by deleting the words "caretakers dwelling unit" in that subsection.

10(1)

13. AMENDMENTS TO SCHEDULE A OF BY-LAW 2005-150

Maps 1-29 and 1-70 attached as Schedule A to By-law 2005-150 are replaced with maps attached to this by-law as Schedule A and B respectively.

14. CERTIFICATE OF CONFORMITY

It is hereby certified that this by-law is in conformity with the Official Plan for the city of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law.

15. EFFECTIVE DATE

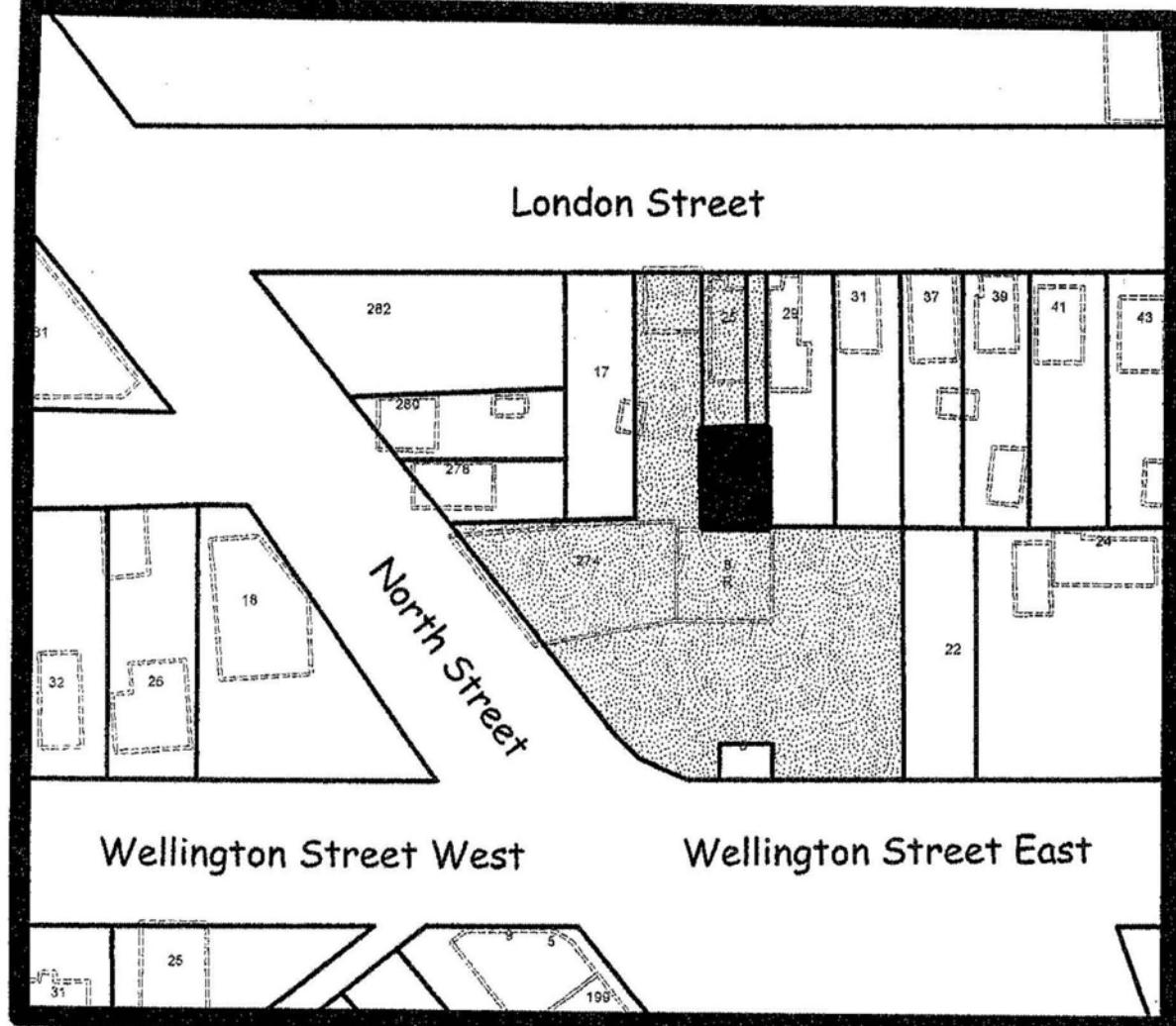
This by-law takes effect on the date of its final passing.

PASSED in open Council this 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

10(i)



SUBJECT PROPERTY MAP

APPLICATION A-3-10-Z-a

25 London Street & 274 North Street



Metric Scale
1 : 800

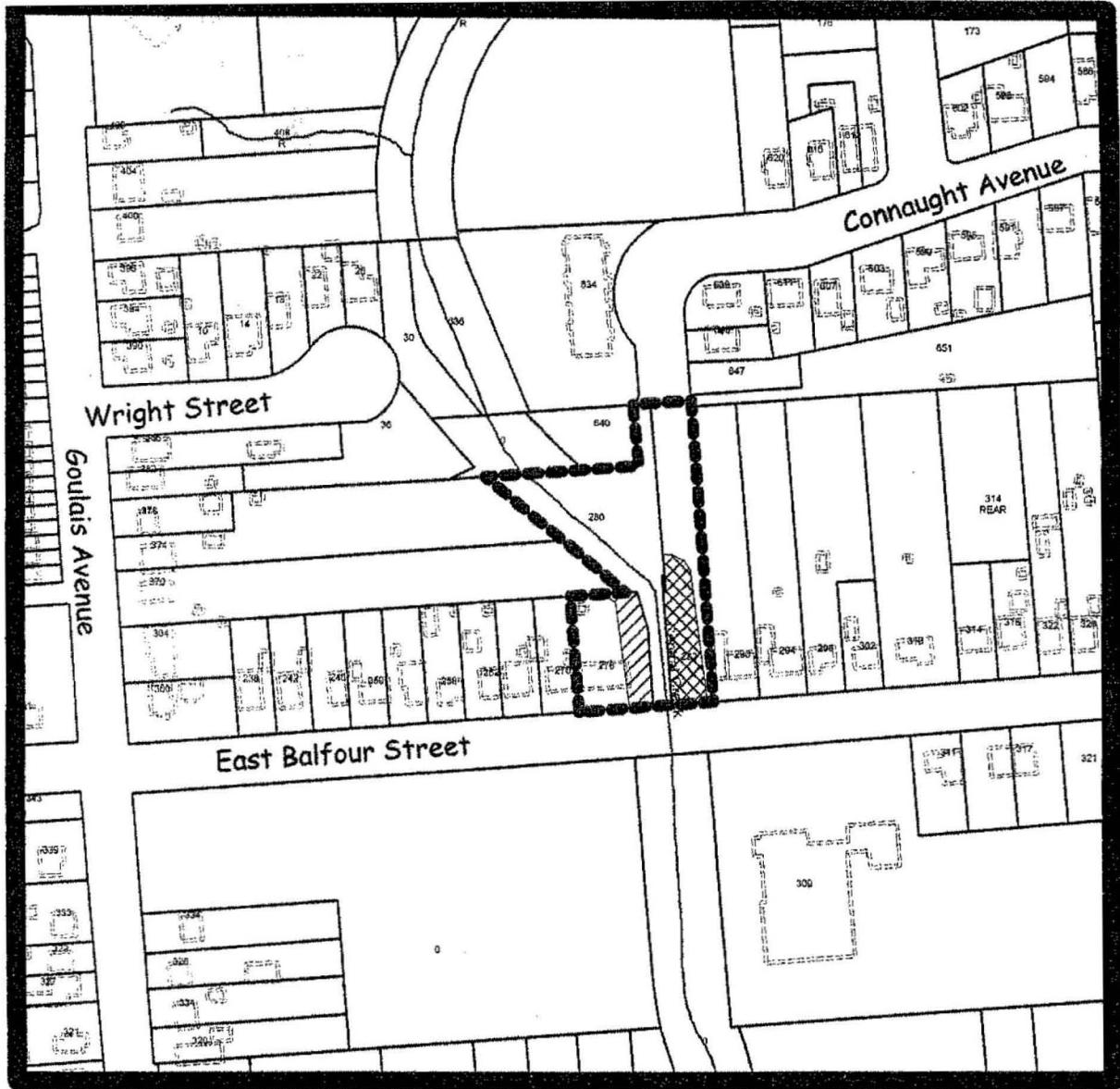
Maps
26 & 1-29

Mail Label ID
A-3-10-Z-a

Area to be Rezoned

25 London St & 274 North St

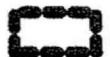
10(i)



SUBJECT PROPERTY MAP

APPLICATION A-3-10-Z-b

278, 280 & 282 East Balfour St



Subject Properties



Area 1 -To Be Rezoned



Area 2 - To Be Rezoned



Metric Scale

1 : 2200

Maps
54 & 1-70

Mail Label ID
A3-10-Z-b

10(j)

LOCAL IMPROVEMENT: A by-law to authorize the construction of a concrete sidewalk on Second Line East from Great Northern Road to Old Garden River Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the work described in Schedule "A" hereto as a local improvement under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said work.
3. The construction and completion of the said work shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$27.00 per metre frontage shall be specially assessed upon the lots abutting directly on the said work according to the extent of their respective frontages thereon and the remainder of the cost of the work shall be borne by the Corporation.
6. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual installments.
7. The debentures to be issued for the loan to be effected to pay the cost of the work when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
8. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
9. The said Schedules "A" forms a part of this by-law.
10. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 26th day of April, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – MALCOLM WHITE

FIRST reading: March 8, 2010

SECOND reading: March 8, 2010

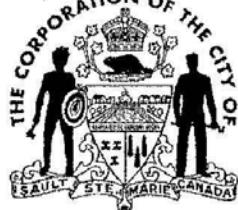
THIRD reading: April 26, 2010

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CITY SOLICITOR

SCHEDULE "A"



106J

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Civic Centre
99 Foster Drive
P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

**LOCAL IMPROVEMENT CONSTRUCTION BY-LAW 2010-56, SECTION 3
REGULATION 586/06 MUNICIPAL ACT**

ENGINEER'S REPORT

2010 03 08

| | | |
|----------------|------------------|-----------------------------------|
| Nature of Work | Construction of: | Construction of concrete sidewalk |
| | On: | Second Line East |
| | From: | Great Northern Road |
| | To: | Old Garden River Road |

| | |
|------------------------|-------------|
| Estimated Cost of Work | \$45,000.00 |
|------------------------|-------------|

| | |
|--|----------|
| Estimated Assessable Abutting Frontage | 311.657m |
|--|----------|

| | |
|---|-------------|
| Estimated Cost to be Borne by Assessable Abutting Property | \$ 8,414.74 |
|---|-------------|

| | |
|--|-------------|
| Estimated Cost to be Borne by The Corporation | \$36,585.26 |
|--|-------------|

| | |
|---------------------------------|---------|
| Special Rate per Metre Frontage | \$27.00 |
|---------------------------------|---------|

| | |
|---------------------------------|-------------------|
| Estimated Interest Rate Term | 2.25% 10 years |
|---------------------------------|-------------------|

| | |
|--|--------|
| Estimated Annual Rate per Metre Frontage | \$3.05 |
|--|--------|

| | |
|--------------------------------|----------|
| Estimated Lifetime of the Work | 20 years |
|--------------------------------|----------|

Respectfully submitted,

Carl Rumieli, P. Eng.
Design & Construction Engineer

CR/al

Recommended for Approval

Jerry D. Dolcetti, RPP
Commissioner of Engineering & Planning

CORPORATION OF THE CITY OF SAULT STE. MARIE
CONCRETE SIDEWALK - SECTION 3

SCHEDULE "A"

BY-LAW 2010-56

| <u>JOB NUMBER</u> | <u>STREET</u> | <u>FROM</u> | <u>TO</u> | <u>LENGTH</u> | <u>WIDTH</u> | <u>SIDE</u> | <u>ASSESSABLE FRONTAGE</u> | <u>ESTIMATED COST</u> |
|-------------------|------------------|---------------------|-----------------------|---------------|--------------|-------------|----------------------------|-----------------------|
| A-10-9-01 | Second Line East | Great Northern Road | Old Garden River Road | 340m | 1.5m | South | 311.657m | \$45,000.00 |

CR/al
2010 03 08

(05)