

AGENDA

REGULAR MEETING OF CITY COUNCIL

2010 02 22

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2010 02 08 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata

Resolved that the Agenda for the 2010 02 22 City Council Meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- (a) Roger Kinghorn, Chair Municipal Heritage Committee will be in attendance to present the Heritage Award to the Ukrainian Cultural Centre of Sault Ste. Marie, agenda item 5. (t).
- (b) Franco Pastore, EPOH Architects Inc. will be in attendance concerning agenda item 6. (2)(a).
- (c) Tom Vair, Executive Director Sault Ste. Marie Innovation Centre and Denis Turcotte, on behalf of the Alternative Energy Task Team and will be in attendance concerning agenda item 6. (8)(a).
- (d) Jeff Holmes, Chair and Ken Coulter, Executive Director, Community Quality Institute will be in attendance concerning agenda item 6. (8)(b).

PART ONE – CONSENT AGENDA

5.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata

Resolved that all the items listed under date 2010 02 22 Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO is attached for the information of Council.
- (b) Correspondence from the Township of West Lincoln (concerning the cost of illegally dumped and/or spilled material); Town of Richmond Hill (concerning declaring the David Dunlap Observatory Site a National Historic Site); City of Kingston (concerning Haiti relief efforts and debt forgiveness) is attached for the information of Council.
- (c) Letters of request for temporary street closings are attached for the consideration of Council.
 1. On Lake Street from Queen to south-east Bellevue Park entrance in conjunction with 2010 Sault Dragon Boat Festival (June 12th); and
 2. On St. Mary's River Drive from Waterfront Delta Hotel to Apartment Building (Station #49) in conjunction with Heart and Stroke Foundation's Walk, Car and Motorcycle Show (August 21st, rain date August 22nd).The relevant By-laws 2010-39 and 2010-43 are listed under item 10 of the agenda.
- (d) A letter from the Airport Manager Sault Ste. Marie Airport Development Corporation requesting an exemption to the Noise By-law for events at the Airport Fairgrounds for the winter season is attached for the consideration of Council. The relevant By-law 2010-44 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (e) **Council Travel**

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

Resolved that Councillor Terry Sheehan be authorized to travel to the Federation of Canadian Municipalities (FCM) 73rd Annual Conference being held in Toronto, Ontario (4 days in May) at an estimated cost of \$2,500. to the City.
- (f) **Staff Travel Requests**

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

5. (f) Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 02 22 be approved as requested.
- (g) **Property Tax Appeals**
A report of the City Tax Collector is attached for the consideration of Council.

Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax account as outlined in the City Tax Collector's report of 2010 02 22 be approved and the tax roll be amended accordingly.
- (h) **Request for Financial Assistance for National/International Sports Competitions – Richard MacLennan – Speed Skating**
A report of the Manager of Recreation and Culture is attached for the consideration of Council.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Manager of Recreation and Culture dated 2010 02 22 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Richard MacLennan (World Junior Speed Skating Championships in Moscow Russia March 12 – 14, 2010) be approved.
- (i) **Funding Application – Celebrate Canada Program**
A report of the Supervisor Community Services is attached for the consideration of Council.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Supervisor Community Services dated 2010 02 22 concerning Funding Application – Celebrate Canada Program be accepted and the recommendation that Council authorizes staff to apply to the Department of Canadian Heritage for the 2010 Celebrate Canada Program to assist in funding the City's Canada Day Celebration, be approved.
- (j) **Renewal of Lease – Pro Shop Lease John Rhodes Community Centre**
A report of the Manager Community Centres is attached for the consideration of Council. The relevant By-law 2010-47 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

5. (k) **Firearms By-law Exemption - Ermatinger•Clergue National Historic Site – Special Events**
A report of the Curator Ermatinger•Clergue National Historic Site is attached for the consideration of Council. The relevant By-law 2010-42 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (l) **Extension of Lease with Elementa at the Sault Ste. Marie Landfill Site**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2010-37 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (m) **Third Line Extension from Great Northern Road Through to Peoples Road – Acquisition of Property from 920939 Ontario Inc.**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2010-41 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (n) **Controlling Traffic in Construction Zones**
A report of the City Solicitor is attached for the information of Council. This is in response to a Council resolution dated 2009 09 14.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the City Solicitor dated 2010 02 22 concerning Controlling Traffic in Construction Zones be received as information.
- (o) **Notice of Vesting Regarding Northern Breweries Property at 503 Bay Street and Subsequent Conveyance to Robert Dumanski in Trust for a Company to be Incorporated**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2010-46 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (p) **Downtown Development Initiative - Grant Recommendations**
A report of the Planning Division is attached for the consideration of Council.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Planning Division dated 2010 02 22 concerning the Downtown Development Initiative – Grant Recommendations be accepted and the Planning Director's Recommendation that City Council approve the twelve funding requests described in this report be endorsed.
- (q) **Report from the Lions Club-Pointe Des Chenes Campground**
A report of the Commissioner of Public Works and Transportation Department is attached for the consideration of Council.

5. (q) Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 02 22 concerning Lions Club Pointe Des Chenes Campground be received as information and further that City Council expresses its appreciation to the Lions Club for operating the campground and providing a facility that is available for the enjoyment of both local residents and tourists alike.
- (r) **Changes to the Municipal Hazardous and Special Waste Program**
A report of the Commissioner of Public Works and Transportation is attached for the consideration of Council.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 02 22 concerning Changes to the Municipal Hazardous and Special Waste Program be received as information; and
Further resolved that Council authorizes City staff to meet with Stewardship Ontario to initiate an agreement for the transition from a City operated Municipal Hazardous Waste Program to a private sector program operated under the direction of Stewardship Ontario, be approved.
- (s) **Installation of No Parking Signs on Base Line**
A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council. This is in response to a Council resolution dated 2010 01 25.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2010 02 22 concerning installation of No Parking signs on Base Line be accepted and the recommendation that permanent No Parking signs be installed in the Spring of 2010 on Base Line (north side from West Davignon Creek to 450m to Flakeboard entrance; south side from West Davignon Creek to 240m fronting Essar property) and further that Leigh's Bay Road south of Base Line be plowed starting in winter of 2010/2011, be approved.
- (t) **Sault Ste. Marie Municipal Heritage Committee – Heritage Award 2009**
A report of the Chair Sault Ste. Marie Municipal Heritage Committee is attached for the consideration of Council.

Mover Councillor T. Sheehan
Seconder Councillor F. Fata

5. (t) Resolved that the report of the Chair Sault Ste. Marie Municipal Heritage Committee dated 2010 02 22 concerning Heritage Award 2009 be accepted and further that City Council expresses its sincere congratulations to the Ukrainian Cultural Centre of Sault Ste. Marie in being selected as the recipient of the 2009 Heritage Award.

PART TWO – REGULAR AGENDA

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

6. (2) **COMMUNITY SERVICES**

(a) **West End Community Centre (WECC) - Update**

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

Mover Councillor T. Sheehan
Seconder Councillor F. Fata

Resolved that the reports of the Commissioner Community Services on behalf of the West End Community Centre Steering Committee and the Commissioner of Finance and Treasurer dated 2010 02 22 concerning West End Community Centre (WECC) be accepted and the recommendation that Council authorize proceeding with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at an estimated cost of no more than \$10.7 million with funding to come from revenue received from the Invest in Ontario grant and the issue of long term debt in the amount of \$5.1 million, be approved; and Further resolved that Council acknowledges that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to 5 years in the absence of substantial funding from the senior levels of government or other outside sources.

6. (6) **PLANNING**

(a) **Applicant No. A-4-10-Z – McRain Developments Inc. – 520 Allen's Side Road – Request Rezoning in Order to Facilitate Future Development of a Manufacturing and Assembly Facility for Solar Panels**

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

Mover Councillor T. Sheehan
Seconder Councillor F. Fata

6. (6)(a) Resolved that the report of the Planning Division dated 2010 02 22 concerning Application No. A-4-10-Z – McRain Developments Inc. – 520 Allen’s Side Road be accepted and the Planning Director’s recommendation that City Council deny the applicant’s request for “M2: (Medium Industrial) zoning and approve Official Plan Amendment No. 171, deem the property under site plan control, and rezone the subject property from “RA” (Rural Area) zone to “M1” (Light Industrial) zone with the following Special Exception:
- 1)That a facility for the manufacture and assembly of solar panels is permitted on the subject property, in addition to those uses permitted in an “M1” (Light Industrial) zone;
- 2)That the following uses, as defined in Zoning By-law 2005-150, be prohibited from operating on the subject property:
- a. Contractor’s Yards
 - b. Delivery and Courier Services
 - c. Dry Cleaning and Laundry Plants
 - d. Manufacture of Food and Beverages
 - e. Rental and Leasing
 - f. Warehousing, Wholesaling and Distribution Services,
- be endorsed.

- (b) **Applicant No. A-5-10-Z – Palmer Construction Group – 2325 Great Northern Road – Request Rezoning to Permit Portable Asphalt Plant**

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

Mover Councillor T. Sheehan
Seconder Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning Application No. A-5-10-Z – Palmer Construction Group – 2325 Great Northern Road be accepted and the Planning Director’s recommendation that City Council approve the application and rezone the subject property from “REX” (Rural Aggregate Extraction) zone to “REX.S” (Rural Aggregate Extraction) zone with a Special Exception to permit a portable asphalt plant, subject to the 2 conditions contained in the report be endorsed.

- (c) **Hub Trail Construction - Fort Creek Conservation Area – City Contract 2010-E**

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

Mover Councillor T. Sheehan
Seconder Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning the Hub Trail Construction – Fort Creek Conservation Area – City Contract 2010-1E be accepted and the Planning Director’s recommendation that City Council award Contract 2010-1E (Hub Trail Construction - Fort Creek Conservation Area) to R.M. Belanger Limited, in the amount of \$2,779,863.45 (including GST) be endorsed.

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

(a) **Alternative Energy Task Team – Position Paper**

A report of the Alternative Energy Task Team is attached for the information of Council.

Mover Councillor S. Butland

Seconder Councillor F. Fata

Resolved that the report of the Alternative Energy Task Team concerning Alternative Energy Position Paper be received as information; and

Further resolved that City Council supports the Alternative Energy Committee in its efforts to accomplish the following recommended next steps:

1. to develop a governing structure for the Committee
2. to develop a strategy that enables continued growth in the alternative energy sector and report back to Council; and
3. to ensure appropriate community entities are aligned in their efforts to support the strategy and develop an action plan, be approved.

(b) **CQI – Request for Increase in Funding**

A report of the Chair and Executive Director, Community Quality Institute is attached for consideration of Council.

Mover Councillor B. Hayes

Seconder Councillor T. Sheehan

Whereas in September 2009, \$20,000 municipal funding was transferred to the Community Quality Initiative (CQI) from the 2009 Unforeseen Expense fund as temporary funding support; and

Whereas at that time, City Council requested that a full presentation by CQI be made to Council early in 2010 prior to budget in order that Council could know the status of CQI and consider further funding; and

Whereas at the time, Council also stated that any additional funding request would be referred to the 2010 budget;

Now Therefore be it resolved that the CQI request, contained in a report to City Council dated February 22, 2010, for an increase in annual funding in the amount of \$40,000 (total \$80,000 annually) BE REFERRED to the 2010 Budget deliberations, be approved.

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

- (a) Mover Councillor P. Mick
Seconder Councillor B. Hayes

7. (a) Whereas traffic on Black Road has become increasingly heavy, including a high proportion of truck traffic; and
Whereas there is very active residential, commercial and institutional construction in the surrounding area; and
Whereas both residential and commercial users have had inordinately long waits (reported at times to be from 7 - 21 minutes) in order to turn north onto Black Road from eastbound Second Line;
Now Therefore be it resolved that Council requests the Commissioner of Public Works and Transportation to report on the feasibility of traffic lights for the Black Road - Second Line intersection.

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) 2010-37 A by-law to authorize the execution of a Lease Extension Agreement dated the 22nd day of February, 2010 between the City and Elementa Group Inc.
A report from the City Solicitor is on the agenda.
- (b) 2010-47 A by-law to authorize the execution of a Lease Extension Agreement dated the 1st day of March, 2010 between the City and 882206 Ontario Inc.
A report from the Manager of Community Centres is on the agenda.

PARKING

- (c) 2010-36 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.

PROPERTY ACQUISITION

- (d) 2010-41 A by-law to authorize the City's acquisition from 920939 Ontario Inc. of Part 1 on Plan IR-11776 for the Third Line extension.

A report from the City Solicitor is on the agenda.

PROPERTY SALE

- (e) 2010-46 A by-law to authorize the vesting in the City's name and subsequent sale to Robert Dumanski In Trust for a company to be incorporated of the property known municipally as 503 Bay Street.

A report from the City Solicitor is on the agenda.

REGULATIONS

- (f) 2010-42 A by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 2008-168 being a by-law to prohibit the discharge of firearms in the municipality.

A report from the Curator Ermatinger-Clergue National Historic Site is on the agenda.

- (g) 2010-44 A by-law to amend By-law 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

TAXES

- (h) 2010-38 A by-law to provide for Interim Tax Levies.

TEMPORARY STREET CLOSINGS

- (i) 2010-39 A by-law to permit the temporary closing of Lake Street from Queen Street East to its south end at Bellevue Park to facilitate the Dragon Boat Festival.

- (j) 2010-43 A by-law to permit the temporary closing of St. Mary's River Drive from the Delta Sault Ste. Marie Waterfront Hotel to 49 St. Mary's River Drive to facilitate the Heart & Stroke Foundation Car, Walk & Motorcycle Show.

10. **TRAFFIC**

(k) 2010-40 A by-law to amend Schedule "Q" to Traffic By-law 77-200 regarding parking on Ken Danby Way.

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 T. Sheehan

Seconder - Councillor F. Fata

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 02 08

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillor S. Myers (recovering after hospitalization), D. Celetti

OFFICIALS: J. Fratesi, D. Irving, N. Apostle, J. Elliott, J. Dolcetti, L. Bottos, B. Freiburger, D. McConnell, B. Strapp, I. McMillan, J. Febbraro

1. ADOPTION OF MINUTES

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2010 01 25 be approved. CARRIED.

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

3. APPROVE AGENDA AS PRESENTED

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Agenda for the 2010 02 08 City Council Meeting as presented be approved. CARRIED.

4. DELEGATIONS/PROCLAMATIONS

- (a) Proclamation – 19th Annual March for Murdered and Missing Women.
- (b) Local Canadian Forces members recently returned from Afghanistan were in attendance to receive recognition plaques from the City.
- (c) Don Mitchell, Vice-President EDC Board of Directors, was in attendance concerning Bruce Strapp, CEO receiving an Achievement Award.

4. (c) Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that City Council expresses its congratulations and appreciation to Bruce Strapp, CEO Economic Development Corporation on his achievement of receiving the Joseph Montgomery Economic Development Achievement Award. This award is the highest award presented by the Economic Developers Council of Ontario and recognizes an individual's outstanding achievement and contribution within the economic development profession. CARRIED.
- (d) Bill Durnford, Chair EDC Gateway Committee and Donna Hilsinger, Chair Tourism SSM were in attendance concerning agenda item 6. (8)(a).

PART ONE – CONSENT AGENDA

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

- Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that all the items listed under date 2010 02 08 Part One - Consent Agenda be approved as recommended. CARRIED.
- (a) Correspondence from AMO, and FCM was received by Council.
- Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that Sault Ste. Marie City Council supports and endorses the Federation of Northern Ontario Municipalities resolution dated January 22, 2010 which was forwarded to the Premier of Ontario as follows:
Whereas the Federation of Northern Ontario Municipalities (FONOM) recognizes the challenges of the Northern Ontario economy, particularly regarding the recent and ongoing loss of natural resource-based industries such as:
1. Closure of Xstrata Copper Canada's Kidd Creek metallurgical site in Timmins;
 2. Sale of Grant Waferboard in Englehart to an American company;
 3. The cost of energy and its effect on the competitiveness of the mining, forestry, pulp and paper industry;
 4. Delays in the lower Mattagami Hydro-Electric Redevelopment Project.

Therefore Be It Resolved that the Federation of Northern Ontario Municipalities (FONOM) supports the group of Northeastern Ontario mayors in their efforts to communicate to the Government of Ontario the gravity of this situation; and
Be It Further Resolved that FONOM petitions the Government of Ontario to make securing the long-term sustainability and dependability of the Northeastern Ontario economy a key priority; and

5. (a) Be It Further Resolved that a copy of this resolution be forwarded to the Premier, the Minister responsible for Industry Canada/FedNor, the Minister of Natural Resources, the Minister of Northern Development and Mines and Leaders of the Opposition Parties. CARRIED.
- (b) Correspondence from the Township of South Stormont (concerning a review of Conservation Authority mandate); Township of Southwold (concerning regulating the exotic animal industry); Municipality of West Grey (concerning requesting the Province to place an indefinite moratorium on industrial wind turbines) was received by Council.
- (c) A letter from the Minister of Labour in response to a Council resolution concerning a proposed Workplace Fatalities Family Bill of Rights was received by Council.
- (d) A Toronto Star article by Peter Gorrie was received by Council.

(e) **Staff Travel Requests**

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

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 02 08 be approved as requested. CARRIED.

(f) **Short Line Railway from Sault Ste. Marie to Sudbury**

Correspondence from the Chief Administrative Officer was accepted by Council.

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Whereas a Working Group of Stakeholders concerned about securing the future of the rail line between Sault Ste. Marie and Sudbury, chaired by Sault Ste. Marie CAO Joe Fratesi, has recently announced that an "Agreement in Principle" has been entered into with Huron Central Railway; and

Whereas the parties to the Agreement, who make up the Working Group, include Essar Steel Algoma Inc., Domtar and the City of Sault Ste. Marie on behalf of a larger group of interested parties; and

Whereas the next steps in the efforts to secure a long term and viable solution for continued rail operations (which are of utmost importance to all of Northern Ontario), include significant capital contribution from both the Federal and Provincial levels of Government for the repair and improvement of the rail line, as well as a restructuring of the lease arrangement with CP Rail, the owner of said line; and

5. (f) Whereas Huron Central Rail, with the assistance and facilitation of the Working Group, has made two applications for funding from the senior levels of government towards the \$33 million capital requirements for this important piece of short line rail,
Now Therefore Be It Resolved that the Council of the Corporation of the City of Sault Ste. Marie strongly urges the Federal and Provincial Governments to give immediate attention to this urgent matter and confirm the availability of government support for the capital improvements that are required, and
Further Be It Resolved that the municipal councils representing all of the communities affected by the future of this important rail line, be urged to support this request and forward copies of such resolutions to Ministers Baird and Duguid. CARRIED.
- (g) **Historic Sites Board – Request for Proposals for Architectural and Engineering Services for the Heritage Discovery Centre at the Ermatinger•Clergue National Historic Site**
The report of the Manager of Purchasing and the Commissioner Community Services was accepted by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the reports of the Manager of Purchasing and the Commissioner Community Services dated 2010 02 08 be accepted and further that the proposal for the Architectural and Engineering Services for the construction of a Heritage Discovery Centre on the Ermatinger•Clergue National Historic Site required by the Community Services Department be awarded as recommended. CARRIED.
- (h) **Renewal of Lease – Brody's Sports Bay and Grill**
The report of the Manager Community Centres was accepted by Council. The relevant By-law 2010-22 is listed under Item 10 of the Minutes.
- (i) **Roberta Bondar Marina Fuel Dispensers**
The report of the Manager Recreation and Culture was accepted by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the Manager Recreation and Culture dated 2010 02 08 concerning Roberta Bondar Marina Fuel Dispensers be accepted and the recommendation that Council authorize replacement of the fuel dispensers at Roberta Bondar Marina with refurbished dispensers at an upset limit cost of \$15,000. + GST with funds to come from the Marina Reserve account plus the 2010 Roberta Bondar Marina Operating budget as necessary and further that staff be authorized to proceed immediately to tender this purchase, be approved. CARRIED.

5. (j) **Aqueduct Repairs – Alexandra and Young Street Crossings – Agreement for Engineering Services**
The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2010-28 is listed under Item 10 of the Minutes.
- (k) **Contract 2009-1E - McNabb/South Market Street Extension – Slip Around Lane at McNabb Street and Manitou Drive**
The report of the Design and Construction Engineer was received by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the Design and Construction Engineer dated 2010 02 08 concerning McNabb/South Market Street Extension – Slip Around Lane at McNabb Street and Manitou Drive be received as information. CARRIED.
- (l) **Safety Concerns on Goulais Avenue between Third and Fourth Line**
The report of the Commissioner Engineering and Planning was received by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the Commissioner Engineering and Planning dated 2010 02 08 concerning Safety Concerns on Goulais Avenue between Third and Fourth Line be received as information. CARRIED.
- (m) **Gateway Site Clean-up**
The report of the Commissioner Engineering and Planning was accepted by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the Commissioner Engineering and Planning dated 2010 02 08 concerning Gateway Site Clean-up be accepted and the recommendation that staff proceed with improvements to secure the site and improve its aesthetic appearance in the interim prior to any development occurring on the site, at the estimated cost of \$15,000.00 with funds to come from the Gateway Allocation Fund, be approved. CARRIED.
- (n) **Loftstrom Appeal to the Ontario Municipal Board – Official Plan Amendment and Zoning By-law Amendment – Hearing Date**
The report of the Assistant City Solicitor was received by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata

5. (n) Resolved that the report of the Assistant City Solicitor dated 2010 02 08 concerning Lofstrom Appeal to the Ontario Municipal Board - Official Plan Amendment and Zoning By-law Amendment - 626 Fifth Line East be received as information. CARRIED.
- (o) **Sponsorship Agreement – City, Royal Bank and Pino’s – Financial Commitment for the Video Scoreboard at Essar Centre**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2010-31 is listed under Item 10 of the Minutes.
- (p) **Set Fines under Scavenging By-law 2008-149**
The report of the City Solicitor was accepted by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the City Solicitor dated 2010 02 08 concerning Set Fines under Scavenging By-law 2008-149 be accepted and the recommendation that Council authorizes the Legal department to request approval from the Attorney General to establish set fines for offences under By-law 2008-149, be approved. CARRIED.
- (q) **Garforth and Legacy Quest Claim v. the City, Various Council Members and Others**
The report of the City Solicitor was received by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata
Resolved that the report of the City Solicitor dated 2010 02 08 concerning Garforth and Legacy Quest Claim v the City, Various Council Members and Others be received as information. CARRIED.
- (r) **Housekeeping Changes to By-law 84-170 Which Deals with Moving Structures on City Streets**
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-24 is listed under Item 10 of the Minutes.
- (s) **Lane Closing Application – Steelton Park Subdivision**
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-34 and 2010-35 is listed under Item 10 of the Minutes.
- (t) **Proposed Property Purchase from Philip & Michele Defazio – Rear Portion of 115 Fourth Line East**
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-27 is listed under Item 10 of the Minutes.

5. (u) **Parking on Ken Danby Way**

The report of the Assistant Manager Transit/Parking was accepted by Council.

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the report of the Assistant Manager Transit/Parking dated 2010 02 08 concerning Parking on Ken Danby Way be accepted and the recommendation that a two hour parking limit be placed on Ken Danby way be approved. CARRIED.

(v) **PUC Inc. – 2009 Fourth Quarter Report**

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

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the report of the President and C.E.O., PUC Inc. dated 2010 01 29 concerning PUC Inc. 2009 Fourth Quarter Shareholder Report be received as information. CARRIED.

(w) **Ontario Heritage Act Registration - Bishophurst**

The report of the Chair Sault Ste. Marie Municipal Heritage Committee was accepted by Council.

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the report of the Chair Sault Ste. Marie Municipal Heritage Committee dated 2010 02 08 concerning Ontario Heritage Act Registration - Bishophurst be accepted and the recommendation that City Council register the property known as 'Bishophurst' at 134 Simpson Street under Part IV Section 27 (1.2) of the Ontario Heritage Act, be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

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

(a) **EDC/TSSM Gateway Committee Update**

The report of the Chair – EDC Gateway Committee was accepted by Council.

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

6. (8)(a) Whereas Sault Ste. Marie was designated an international tourism gateway in 1995 and this designation was reconfirmed in a recent letter (January 14, 2010) from Minister Michael Gravelle to Mayor John Rowswell; and
Whereas the NOHFC program offering \$15 Million for the Gateway site tourist attraction has ended and they are offering \$5 Million to an implementable tourism project; and
Whereas NOHFC would be prepared to receive an application regarding a major destination attraction project; and
Whereas City Council previously asked the EDC Tourism Gateway Committee to look at the right type of destination attraction to be suitable along with a relocated train station and other tourism amenities; and
Whereas the EDC Tourism Gateway Committee wishes to continue to guide the development of the Gateway lands and major destination attraction project with the addition of two City Councillors (Susan Myers and Lorena Tridico and Mayor ex-officio);
Now therefore be it resolved that the report of the Chair EDC Gateway Committee dated 2010 02 02 concerning Update on Activities of the EDC/SSM Gateway Committee be received as information; and
Further resolved that City Council authorizes providing the mandate to the EDC Gateway Committee to pursue 'an implementable' tourism project in Sault Ste. Marie that would be eligible for \$5 Million in NOHFC funding, be approved; and further that City Council looks forward to receiving conceptual plans in four to eight months as part of the Committee's two year mandate. CARRIED.

Recorded Vote

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

Against: Councillor F. Manzo

Absent: Councillor D. Celetti, S. Myers

Councillor B. Hayes declared a pecuniary interest – employed by Ontario Lottery Corporation.

Economic Development Corporation – Tourism Sault Ste. Marie Gateway Committee

The report of the Commissioner of Finance and Treasurer was received by Council.

Moved by - Councillor T. Sheehan
Seconded by - Councillor F. Fata

Whereas, the City has invested approximately \$2 million in land acquisition costs for the Gateway site,

And Whereas, the EDC Gateway Committee is proposing a plan to develop the Gateway site,

Therefore Be It Resolved, the City Council require the recovery of approximately \$2 million of City land acquisition costs as part of any future Gateway plan proposal, and

Further Be It Resolved that for any proposal regarding a publicly owned and operated tourist attraction, the City be provided advance notice of its exposure for both the land cost recovery and any operational deficits be approved.
OFFICIALLY READ NOT DEALT WITH – Mover/Seconder removed their names from the motion.

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

- (a) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Butland
Whereas Greyhound Canada in 2009 had announced that they would discontinue bus service to and from Sault Ste. Marie to/from Northwestern Ontario / Western Canada; and
Whereas bus service is important to Sault Ste. Marie as it provides affordable accessible transportation for those people who use it to travel for educational, health, business, family, tourism and other important reasons/matters; and
Whereas Sault Ste. Marie City Council has strongly lobbied for continued bus service west and north of this great City;
Whereas Greyhound has decided to continue and has announced changes to its scheduled routes in and out of Sault Ste. Marie;
Now therefore be it resolved that City Council continues to strongly encourage Greyhound Canada to continue this very important transportation service,
and further that a copy of this resolution be forwarded to Greyhound Canada.
CARRIED.
- (b) Moved by - Councillor O. Grandinetti
Seconded by - Councillor T. Sheehan
Whereas the City of Sault Ste. Marie enjoyed the distinguished honour of hosting the 2010 Scotties Tournament of Hearts, Canada's most prestigious ladies event; and
Whereas the best curlers representing all of the Provinces and Regions of Canada provided all of us great sports entertainment over an eight day period; and
Whereas the citizens of Sault Ste. Marie were very fortunate to experience this excitement first hand,

7. (b) Now Therefore Be It Resolved that Sault Ste. Marie City Council expresses its sincerest congratulations to Jennifer Jones and Team Canada on the occasion of their third straight victory and further that Sault Ste. Marie expresses its sincerest gratitude to all the teams, organizers, spectators and especially the many volunteers who made this event so special. CARRIED.

(c) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Butland
Whereas City Council has been and is concerned by the United States of America's Buy American Act; and
Whereas it has recently been reported that Canada has been exempt from some certain parts of the Buy American Act;
Now Therefore be it resolved that City Council requests that the Economic Development Corporation report back to Council on how these changes to the Buy American Act might affect local businesses and industry. 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 T. Sheehan

Seconded by Councillor F. Fata

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2010 02 08 be approved. CARRIED.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that By-law 2010-22 being a by-law to authorize an agreement between the City and 1309972 Ontario Limited for the operation of Brody's Sports Bar and Grill at the John Rhodes Community Centre be PASSED in open Council this 8th Day of February 2010. CARRIED.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that By-law 2010-24 being a by-law to amend By-law 84-170 (a by-law to regulate the moving of structures on the streets of the City of Sault Ste. Marie by a system of permits) be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that By-law 2010-27 being a by-law to authorize the City's acquisition from Michele Lisa Defazio and Philip Gerard Defazio of the rear portion of 115

10. Fourth Line East, an approximately 86.5' x 800' parcel of land be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-28 being a by-law to authorize an agreement between the City and STEM Engineering Group Incorporated to provide services in connection with the aqueduct repairs of the Fort Creek Aqueduct at Alexandra Street and the secondary Aqueduct on Central Street at the Young Street Crossing be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-31 being a by-law to authorize an agreement between the City, Royal Bank of Canada and 1138826 Ontario Limited operating as Pino's Get Fresh Foods to establish a financial support for the video scoreboard at the Essar Centre be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-32 being a by-law to appoint Malcolm White as City Clerk be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-33 being a by-law to appoint Rachel Tyczinski as Deputy Clerk and Manager of Quality Improvement be PASSED in open Council this 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-34 being a by-law to assume for public use and establish as a public lane, a lane in the Steelton Park Subdivision be PASSED in open Council with 8th day of February, 2010. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata

Resolved that By-law 2010-35 being a by-law to stop up, close and authorize the conveyance of a lane in the Steelton Park Subdivision be read a FIRST and SECOND time this 8th day of February, 2010. CARRIED.

11.

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

13.

ADJOURNMENT

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK

News

New Deputy Ministers at Health and Long-Term Care, Energy and Infrastructure - February 10, 2010

Premier Dalton McGuinty announced the following new Deputy Minister appointments, effective February 16, 2010:

- **Saäd Rafi** as Deputy Minister of Health and Long-Term Care. Mr. Rafi is currently the Deputy Minister of Energy and Infrastructure. Mr. Rafi brings extensive senior executive public and private sector experience to the challenges and opportunities at the Ministry of Health and Long Term Care. Mr. Rafi is a proven results-oriented leader and brings business, policy and operational experience to the ministry as it continues to implement key government priorities and to support the health system in the delivery of better health care in Ontario. Mr. Rafi's previous experience in the Ontario Public Service includes roles as Deputy Minister of Transportation and Deputy Minister of Community Safety. Mr. Rafi has also held several senior economic portfolio roles in the Ontario SuperBuild Corporation, Cabinet Office and Economic Development and Trade. Prior to returning to the Ontario Public Service in September 2008, Mr. Rafi was a Partner and National Leader, Infrastructure Advisory and Project Finance, Deloitte and Touche Canada LLP. Mr. Rafi holds a BA in psychology, an Honours BA in law and criminology and a Master's in public administration from Carleton University.
- **Fareed Amin** as Deputy Minister of Energy and Infrastructure. Mr. Amin is currently the Deputy Minister of Municipal Affairs and Housing and the Deputy Minister of Consumer Services. He was formerly the Deputy Minister of Economic Development and Trade and Deputy Minister of Small Business and Entrepreneurship. He was Deputy City Manager for the City of Toronto and his past experience in the Ontario Public Service includes Deputy Minister of Intergovernmental Affairs and Deputy Minister of Citizenship and Immigration, responsible for Seniors and Women's Issues. He has held senior management positions in Cabinet Office, and the ministries of Northern Development and Mines, Municipal Affairs and Housing, Finance and Transportation. Mr. Amin holds a bachelor's degree in applied geography and planning from the University of Guyana and a master of public administration from Queen's University.



200 University Ave, Suite 801
 Toronto, ON M5H 3C6
 Tel.: (416) 971-9856 | Fax: (416) 971-6191
 E-mail: amo@amo.on.ca

AMO Report to Members on January 2010 Board Meeting

To keep members informed, AMO provides updates on important issues considered at regular AMO Board of Directors' meetings. Highlights of the January 2010 Board meeting follow:

AMO Pre-Budget Submission

The Board approved an outline of the AMO 2010 pre-budget submission, delivered to the Standing Committee on Finance and Economic Affairs on February 2, 2010. Entitled "Propelling Economic Prosperity", the submission focused on the following issues: that the provincial deficit cannot alter negatively the current cost-shared arrangements that provide predictable municipal funding; calls for the reconciliation of Ontario Municipal Partnership Fund (OMPF) social programs grant for 2008 and 2009; continued investment in municipal infrastructure; improved economic development opportunities with several new financing tools; and, rebalancing municipal liability exposure as a result of the 1% rule through legislative change.

Contact: Matthew Wilson, Senior Policy Advisor, email: mwilson@amo.on.ca; phone: 416.971.9856 ext 323.

Joint and Several Liability Paper

The Board approved *The Case for Joint and Several Liability Reform in Ontario*. Joint and several liability provisions are having a significant impact on litigation and municipal governments and their insurance. The courts may oblige a defendant (i.e., a municipality) which is only 1% at fault, to pay the plaintiff's entire judgment particularly in cases where another defendant who has greater fault is unable to meet a court ordered award. As "deep pocket" defendants, municipalities, with what some view as seemingly limitless public resources at their disposal through the power of taxation, have often become the targets of litigation. The paper will be formally presented to the Attorney General at a future Memorandum of Understanding meeting.

Contact: Matthew Wilson, Senior Policy Advisor, email: mwilson@amo.on.ca; phone: 416.971.9856 ext 323.

Implementation of the Provincial Municipal Fiscal Service Delivery Review (PMFSDR)

The Board received an update on the progress of the PMFSDR implementation working groups. Activities are underway to implement the recommendations in all areas of the review. This includes the integration of employment services across Ontario Works, ODSP and Employment Ontario. Principles to determine the Ontario Works Cost of Administration are being discussed as well as the development of an accountability model in light of the planned upload of costs. Also in the human services portfolio, the consolidation of housing and homelessness programs is being undertaken which includes a new accountability framework and approach to community human services planning. On Court Security, costs

and standards work is progressing. In addition, the commitment to develop an option regarding responsibilities and funding arrangements for roads and bridges has been recently initiated.

As with the Review, the implementation is a joint partnership with the appropriate ministries and municipal staff representatives doing the work. Working groups each have an approved terms of reference, work plan and will keep the Ontario-AMO Memorandum of Understanding team informed of the progress. AMO staff will continue to keep the Board informed on progress.

Contact: Petra Wolfbeiss, Senior Policy Advisor, email: pwolfbeiss@amo.on.ca; phone: 416.971.9856 ext 329

Bill 237: An Act to Sustain and Encourage Improvement in Ontario's Water and Waste Services

This Private Member's Bill by MPP David Caplan would significantly restructure municipal water and waste water services in Ontario, including requiring municipalities to devolve their water and waste water assets to municipal service corporations for management, requiring water and waste water services serving fewer than 10,000 customers to amalgamate with other water and waste water services, and establishing an economic regulator to ensure full cost recovery pricing among other changes. The Board directed AMO staff to prepare a letter which outlines concerns with the Bill, and demanding full consultation with the sector before legislation is introduced.

Contact: Craig Reid, Senior Policy Advisor, email: creid@amo.on.ca; phone: 416.971.9856 ext 334.

Long Combination Vehicles

Some municipalities in Ontario are part of a one year pilot project by MTO to allow Long Combination Vehicles on Ontario roads. The Board directed AMO staff to request MTO to provide a report with the results of its pilot evaluation program after it has taken place and conclusions have been drawn.

Contact: Craig Reid, Senior Policy Advisor, email: creid@amo.on.ca; phone: 416.971.9856 ext 334.

Response to Waste Diversion Act "Towards Zero Waste"

AMO, Municipal Waste Association (MWA) and Regional Public Works Commissioners (RPWCO) jointly developed a response to the consultation paper on the Waste Diversion Act. The response recommendations support making individual producers fully and financially responsible (EPR) for management of all the material sold into the Ontario marketplace. It recommends that consumer services remain highly accessible, including service in the rural, northern and remote municipalities and that transition planning begin as soon as possible.

Contact: Milena Avramovic, Senior Policy Advisor, email: mavramovic@amo.on.ca; phone: 416.971.9856 ext 342.

CUTA Vision 2040

The Board received a presentation from the Canadian Urban Transit Association (CUTA) on "Vision 2040 – A Vision for the Next Generation". CUTA outlined the themes and strategic directions of the Vision, stating that municipalities play a leading role in coordinating transit and community development.

5(a)

Contact: Craig Reid, Senior Policy Advisor, email: creid@amo.on.ca; phone: 416.971.9856 ext 334.

OMERS Presentation

The Board received a presentation from MEPCO regarding the OMERS pension plan. In 2008, the OMERS pension plan fell from a surplus of \$82 million to a deficit of \$279 million. A contribution rate increase of 0.15% per side effective January 1, 2010 will address the deficit; however, investment losses during the same period will result in a loss of \$6.4 billion that must be accounted for over the next four years. Without changes to the plan or an exemption from solvency requirements, the 15.34% combined contribution rate that employers and employees currently pay could grow to more than 22% by 2013. Given decisions made by the Sponsors Corporation may not impact the Plan for more than a year, the time to discuss managing these impacts is now. To move beyond the annual cycle of various specific Plan change proposals by Plan sponsors, MEPCO is developing a long term funding strategy, which will consider all factors influencing Plan health and its future sustainability and affordability for both employers and employees.

Contact: Pat Vanini, Executive Director, email: pvanini@amo.on.ca; phone: 416.971.9856 ext 316 or Bruce McLeod, AMO staff, email: bmcleod@amo.on.ca; phone 416.971.9856 ext 350.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.

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**AMO Policy Update – February 18, 2010****Federal Gas Tax Fund****AMO Releases Municipal Gas Tax Agreement Amendment**

With the Gas Tax Fund officially extended to 2014 municipalities are now required to execute an amendment to the Municipal Funding Agreement with AMO. Municipalities can expect to receive a package in the next week that will include an updated version of the Municipal Funding Agreement guide and two copies of the amendment.

These amendments will include new allocation figures and revised timelines as a result of the extension. Revisions have also been made to the audit process, beginning with the 2010 municipal fiscal year. The major components of the agreement (i.e. eligible project categories, eligible costs, reporting requirements, etc.) remain the same.

Municipalities should execute the amendment as soon as possible. Each copy will require official municipal signatures, the affixing of the official municipal corporate seal (on the signature page), and the passing of a municipal by-law that will authorize its execution. Both copies of the executed amendment must be sent to AMO to be counter-signed. Once fully executed, AMO will return one copy to the municipality.

With the execution of this amendment and the timely completion of 2009 reporting, municipalities can expect uninterrupted payments from the Gas Tax Fund, with the first payout under the extension agreement expected in July 2010.

AMO Contact: Judy Dezell, Manager – Federal Gas Tax Fund, email: jdezell@amo.on.ca, (416) 971-9856 ext. 306.

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AMO Policy Update - February 18, 2010

Municipal Procurement

Buy American Deal Opens Municipal Procurement

The Canada-United States of America Agreement on Government Procurement will affect Ontario Municipalities by Opening some Municipal Bids to US companies.

Procurements by forty-five Ontario municipalities will now be open to U.S. bidders for construction contracts over \$8.5 million in return for access by Canadian firms to U.S. stimulus projects.

Forty-five Ontario municipalities with populations over 50,000 will open their municipal bidding processes to American bidders under the new Canada-U.S.A. deal on government procurement which came into effect on February 16, 2010.

The municipal commitments are part of a limited time agreement which expires on September 30, 2011 and will allow Canadian companies access to projects proposed under the \$787 billion American Recovery and Reinvestment Act, the American stimulus legislation.

In return, U.S. firms will have access to provincial and municipal procurements in Canada. The provinces and territories will sign on to the Government Procurement Agreement under the World Trade Organization (WTO) offering permanent access to provincial and territorial tenders.

Municipal construction tenders worth \$8.5 million and over will be open to American bids during the agreement timeframe. To be compliant, municipalities must have open and transparent bidding processes and bid protest processes. Cultural agencies, electrical distribution companies, transit, highway construction, sports and convention facilities and emergency response operations are exempted from the agreement.

The agreement is in direct response to municipal sector concerns regarding "Buy America" provisions in the stimulus legislation affecting local businesses and workers in Ontario municipalities and efforts by municipalities, FCM and AMO to have the federal government and the province reach a successful conclusion to the issue.

The following municipalities are covered:

- Ajax
- Barrie
- Brampton
- Brantford
- Burlington
- Caledon
- Cambridge
- Chatham-Kent
- Clarington
- Greater Sudbury/Grand Sudbury
- Guelph
- London
- Markham
- Milton
- Mississauga
- Newmarket
- Niagara Falls
- Norfolk County
- North Bay
- Oakville
- Oshawa
- Ottawa
- Regional Municipality of Niagara
- Regional Municipality of Peel
- Regional Municipality of Waterloo
- Regional Municipality of York
- Richmond Hill
- Sarnia
- Sault Ste. Marie
- St. Catharines
- Thunder Bay
- Toronto
- Vaughan

5(a)

- Halton Hills
- Hamilton
- Kawartha Lakes
- Kingston
- Kitchener
- Peterborough
- Pickering
- Regional Municipality of Durham
- Regional Municipality of Halton
- Waterloo
- Whitby
- Windsor

AMO Contact: Craig Reid, Senior Policy Advisor, email: craig@amo.on.ca, (416) 971-9856 ext. 334

5(a)



Propelling Economic Prosperity | 2010 AMO Annual

Conference

> **Register**
Caesars Windsor | August 15 - 18,
2010

Registration Overview

Registration now open for AMO Municipal Members.

Registration for the Companion Program and non-members delegate registration will be made available shortly.

REGISTRATION OPTIONS DEFINED:

Full Registration includes:

- Over 50 lectures, panels, sessions, roundtables including the Keynote sessions
- The Conference Exhibit Hall (Sun ~ Mon)
- Post Conference DVD
- All scheduled Conference events including the Banquet
- The Lunch of your choice (for voting members only)
- An educational lunch session (for non-voting members)
- All Access can also be purchased without a Banquet Ticket.

One Day Registration includes:

- All sessions scheduled on the day of your choice
- The Conference Exhibit Hall (Sun – Mon)
- Post Conference DVD
- Lunch and access to conference events are not provided with this pass

Companions Program includes:

- The scheduled Companion's itinerary (Mon and Tues)
- Access to the Conference exhibit hall (Sun and Mon)
- Please note a banquet ticket is not included in the Companions Program

THREE WAYS TO REGISTER

Online: Register easily on our secure online system. [Click here](#) to start the registration process.

Mail: Click here to download a registration form, complete, and mail with payment to: AMO 200 University Avenue, Suite 801, Toronto, ON, M5H 3C6

Fax: Click here to download a registration form, complete, and fax to (416) 971-6191.

REFUND POLICY

Cancellations MUST be made in writing before July 31, 2010. An administration charge of \$70.00 plus tax will apply. Any cancellations made after July 31st, will not be refunded.

For assistance, contact AMO Events at: (416) 971-9856 | (877) 426-6527
Monday - Friday, 8:30am-4:30pm EST

5(a)



AMO Policy Update – February 18, 2010

Bill 236, To Amend the PBA

Bill 236, an Act to amend the Pension Benefits Act

On December 9, 2009, the Minister of Finance introduced Bill 236 as a first step in pension reform in Ontario. The Bill moves forward on some of the Expert Commission on Pensions Report recommendations, which arose from the Commission's review of stakeholder concerns. Bill 236 addresses divestments, grow-in benefits, limited increases in Superintendent's powers, notice of plan amendments, phased retirement and a number of other more technical issues. There are three aspects of Bill 236 that are priority concerns for municipal employers because of the significant financial impacts that they may have on the OMERS Plan:

- 1) **Grow-in Benefits***: Bill 236 would provide for grow-in beyond partial and full wind-ups to all who are terminated (except for cause), by an employer in the private or public sector. At the same time, it provides MEPPs and JSPPs** with the ability to elect to exclude their plans from grow-in. This is because these types of plans involve both members and employers in benefit and funding decisions and some are public sector plans which are unlikely to wind up, thus making grow-in irrelevant. As the Bill currently stands, the grow-in provisions since they are currently provided for, would automatically require valuation and increase funding costs for MEPPs and JSPPs, thereby adding even more to the increasing funding pressures on members and employers of OMERS.
- 2) **Transfers of Assets**: The provisions in Bill 236 address long-standing concerns by OMERS members relating to the option of consolidating their pension service under one plan. Member consent would either be a requirement or an option, depending on circumstances, for transfer of assets to a successor employer pension plan. Transfers would be based on the value of benefits and there would also be clearer relationships between the transferred members and their prior plan. The provisions of the Bill, as they now stand, should be more flexible to address the specific needs of MEPPs and JSPPs, many of which have multiple employers and former employers which no longer exist.
- 3) **Phased Retirement**: Bill 236 would allow plans to include phased retirement provisions, to provide extra flexibility for some members. However, provisions in the Bill should provide more flexibility in the formula for phased retirement payments and in allowing plans to determine whether and how to offset amounts paid through a phased retirement benefit.

Status: Currently, Bill 236 has been ordered for Second Reading. After Second Reading debate, the Bill will proceed to Standing Committee. MEPCO will be making a written submission to the Standing Committee on its concerns with Bill 236 provisions.

*These benefits give plan members, whose age plus service equal at least 55, when their plan is wound up, the ability to "grow into" certain benefits they would have attained if they had continued in service and the plan had not been terminated.

** Multi-Employer Pension Plans and Jointly Sponsored Pension Plans

Contact: Bruce McLeod , email: bmcleod@amo.on.ca, (416) 971-9856 ext. 350

5(b)



TOWNSHIP OF WEST LINCOLN

Corporate Services Department

318 Canborough Street
P.O. Box 400
Smithville, Ontario
L0R 2A0
Phone: (905) 957-3346
Fax: (905) 957-3219

January 26, 2010

Association of Municipalities of Ontario (AMO)
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

Re: Illegally dumped and/or spilled material

Please find below a resolution that was adopted at our January 25, 2010 Council Meeting with respect to the above noted matter.

WHEREAS illegally dumped and/or spilled material on public and private land is a growing problem for municipalities and affected landowners;

AND WHEREAS Municipalities and landowners have no alternative but to comply with a Ministry of the Environment order to clean-up material that has been illegally dumped or spilled on their property;

AND WHEREAS municipalities and landowners must bear the cost of clean-up of illegally dumped and/or spilled material which can be financially devastating;

AND WHEREAS one illegal dumping or spill event has the potential to bankrupt a municipality and/or landowner;

NOW THEREFORE BE IT RESOLVED that the Township of West Lincoln hereby requests that the Province immediately amend the legislation and require that the Ministry of the Environment be responsible for the costs relating to clean-up of illegally dumped and/or spilled material; and,

AND THAT, this motion be forwarded to AMO for distribution to all municipalities for their support.

Sincerely,

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

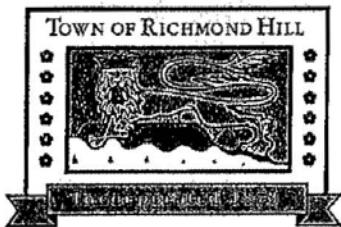
Derrick Thomson
CAO

cc. Tim Hudak, M.P.P.
AMO (All municipalities)
Members of Council

DISCLAIMER

This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.

5(b)



Town of Richmond Hill

P.O. Box 300
225 East Beaver Creek Road
Richmond Hill, Ontario
Canada L4C 4Y5
905-771-8800
www.richmondhill.ca

January 28, 2010

To: All Ontario Municipalities

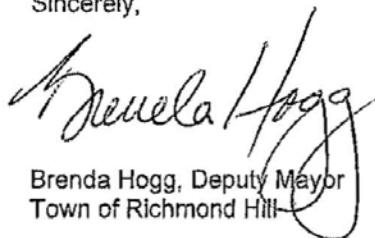
Re: Resolution Regarding the David Dunlap Observatory Site – 123 Hillsview Drive,
Richmond Hill, Ontario

The Council of the Town of Richmond Hill at its meeting held on January 25, 2010 passed the attached resolution regarding the David Dunlap Observatory Site located at 123 Hillsview Drive in Richmond Hill, requesting that the Federal Minister of the Environment identify and declare this site to be of national historic significance and approve the site as a National Historic Site, and that the Provincial Minister of Culture designate the site to be a cultural heritage property of Provincial significance.

We are further requesting that all Ontario municipalities support this resolution by forwarding their support to the Federal Minister of the Environment, the Provincial Minister of Tourism and Culture, and to the Members of Parliament and Members of Provincial Parliament in the ridings of Richmond Hill, Oak Ridges-Markham, Vaughan and Newmarket-Aurora.

If you have any questions or require further information regarding the resolution, please contact the Clerk's Office at 905-771-8800.

Sincerely,



Brenda Hogg, Deputy Mayor
Town of Richmond Hill



5(b)

**EXTRACT FROM COUNCIL MEETING
C#03-10 HELD JANUARY 25, 2010
CONFIRMATORY BY-LAW NO. 15-10**

**Resolution Regarding the David Dunlap Observatory Site – 123 Hillsview Drive,
Richmond Hill, Ontario**

Moved by: Councillor Chan
Seconded by: Councillor Foster

Whereas the Council of the Town of Richmond Hill has passed By-law No. 100-09 on September 29, 2009 to designate the David Dunlap Observatory site, 123 Hillsview Drive, including land and buildings, as a cultural heritage property under the *Ontario Heritage Act* to preserve the heritage attributes, associative and historical values, and contextual values of the designated property;

Whereas the Council of the Town of Richmond Hill recognizes the David Dunlap Observatory site as an important heritage and cultural resource not only for Richmond Hill, but also of Provincial, National and International significance, and as such, unanimously approved the resolution on September 14, 2009 to request the Premier of Ontario and the Ontario Minister of Culture to consider designating the site as a cultural heritage property of Provincial significance as noted in the Conservation Review Board's report of May 19, 2009 that the site could also be designated by the Province of Ontario;

Whereas the unanimously approved resolution of September 14, 2009 further requested the Prime Minister of Canada and the Federal Minister of Environment to take measures to preserve and protect the David Dunlap Observatory site in recognition of its landmark status in Canada;

Whereas the year 2010 is the 75th anniversary of the 1935 opening of the David Dunlap Observatory, a gift to the University of Toronto by Jessie Dunlap as a memorial to her husband, David Dunlap, to create a world-class astronomy facility;

Whereas the David Dunlap Observatory site has been a centre for astronomical research with the largest telescope in Canada where accomplished astronomers, such as Dr. Clarence Chant and Dr. Helen Hogg, conducted research, and a centre of scientific significance where Dr. Thomas Bolton confirmed the existence of the first Black Hole in 1972;

Whereas the Council of the Town of Richmond Hill wishes to request the Federal Minister of Environment to identify and approve the David Dunlap Observatory site as a National Historic Site so that the Parks Canada could consider the David Dunlap Observatory site under the established selection criteria to be a candidate for the National Tentative List for further consideration for recommendation to the United Nations Educational, Scientific and Cultural Organization (UNESCO) for designation to honour and recognize the site for its historical role in the field of international astronomy and to protect in perpetuity the green space for all the people of Canada;

(continued)

5(b)

**EXTRACT FROM COUNCIL MEETING
C#03-10 HELD JANUARY 25, 2010
CONFIRMATORY BY-LAW NO. 15-10**

Whereas the Toronto and Region Conservation Authority (TRCA) has adopted a motion to add the David Dunlap Observatory site to the TRCA's list of priority acquisition sites for the Regional Municipality of York, and directed its staff to work with the Town of Richmond Hill to develop an acquisition strategy for the property or portions thereof on November 27, 2009;

Whereas the Council of the Town of Richmond Hill wishes to support the TRCA's acquisition of the David Dunlap Observatory site to protect the Don River watershed and manage water balance in German Mills Creek;

Now therefore be it resolved that:

The Council of the Town of Richmond Hill requests the Federal Minister of Environment to identify and declare the David Dunlap Observatory site to be of national historic significance and approve the site as a National Historic Site;

The Council of the Town of Richmond Hill reiterates its request for the Provincial Minister of Culture to designate the David Dunlap Observatory site to be a cultural heritage property of Provincial significance;

The Council of the Town of Richmond Hill affirms its commitment to support the Toronto and Region Conservation Authority's acquisition of the site known as the David Dunlap Observatory, and seeks funding partnership among the levels of government serving the people of the Town of Richmond Hill, the Regional Municipality of York, the Province of Ontario and the Federal Government of Canada;

The Council of the Town of Richmond Hill circulates this resolution to all municipalities in Ontario and requests their municipal Council to support this resolution and further forward their support to the Federal Minister of Environment, the Ontario Minister of Culture, and to the Members of Parliament and Members of Provincial Parliament in the ridings of Oak Ridges- Markham, Richmond Hill, Vaughan and Newmarket-Aurora;

The Council of Richmond Hill gives the Mayor the power to do all things necessary to implement this resolution.

Carried Unanimously



5(b)

Office of the City Clerk

February 2, 2010

TO: ALL MUNICIPALITIES IN ONTARIO WITH POPULATIONS OVER 50,000

Dear Sirs:

RE: KINGSTON CITY COUNCIL FEBRUARY 2, 2010 – MOTION (3) -

I would confirm that at the regular meeting of Kingston City Council held on February 2, 2010, the following Motion (3) was approved during the Motions portion of the meeting:

- (3) Moved by Councillor Matheson
Seconded by Councillor Foster

WHEREAS the impoverished island nation of Haiti has recently been completely devastated by an Earthquake; and,
WHEREAS the Federal Government has agreed to match funds raised by citizens; and,

WHEREAS it is the call to duty of all citizens and nations to rally to support our fellow human beings in need after a calamity of this magnitude;

THEREFORE BE IT RESOLVED THAT the City of Kingston encourage all citizens to donate to recognized charitable and humanitarian organizations rushing to help in relief efforts to Haiti;

CARRIED

- and further -

THAT due to the immense rebuilding and concerted effort that will be required to do so successfully, that the City of Kingston encourages the Federal Government to support the growing initiative to provide complete debt forgiveness to the nation of Haiti in order that all funds can be used towards rebuilding the nation of Haiti in this their greatest hour of need;

CARRIED

- and further -

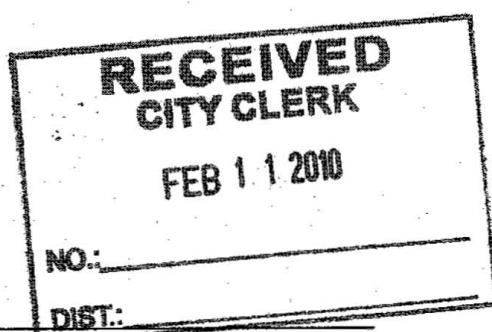
THAT this resolution be passed along to the Premier of Ontario, Dalton McGuinty, the Prime Minister of Canada, Stephen Harper, our MPP, John Gerretsen, our MP, Peter Milliken, Leaders of the Opposition both Federally and Provincially, and all municipalities with populations over 50,000.

CARRIED

(With Agreed To Amendments)

Yours truly,
John Bolognone
Acting City Clerk

/ki
Cc: Councillor R. Matheson
File No.



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

Phone: (613) 546-4291 ext. 1245

Fax: (613) 546-5232

cdowns@cityofkingston.ca

5(c)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: JACK RICE (co-chair) TELEPHONE: 256-9067

ADDRESS: 1228 Queen Street East POSTAL CODE: P6A 2E7

The above person hereby makes application for the closing of

LAKE STREET

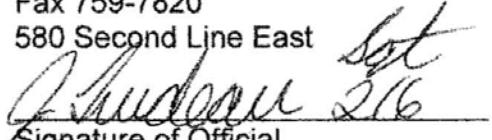
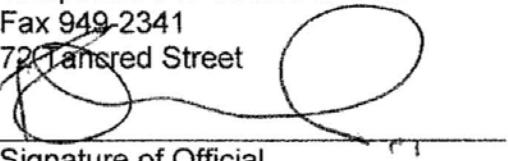
(Name of street to be closed)

from Queen Street East to SOUTH/EAST PARK ENTRANCE
(reference points - street numbers, cross streets, etc.)

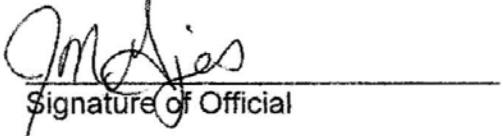
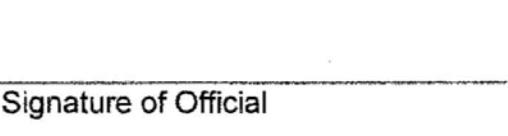
on the 12 day of JUNE, 2010 from 0700 am/pm to 8:00 am/pm

for the purpose of 2010 Sault Dragon Boat Festival

APPROVALS SECTION:

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

Signature of Official | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Lansdowne Street

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

Signature of Official | 4. Transit/Parking
Telephone 759-5320
Fax 759-5834
111 Huron Street

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

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

Signature of Official |

CITY CLERK SECTION:

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



59 Great Northern Road
Sault Ste. Marie, ON
P6B 4Y7
Telephone: 253-3775
Fax: 946-5760

January 26, 2010

Re: Walk and Roll

The Heart and Stroke Foundation is once again seeking permission to hold a Walk, Car and Motorcycle show on August 21nd on St. Marys River Drive from 9:00 a.m. to 5:00 p.m. We are also asking the city for a rain day of August 22nd.

We would like to close off St. Marys River Drive from the Sault Ste. Marie Waterfront Delta Hotel driveway to the Apartment building. We will be parking our vehicles on the road and conducting our walk from the closed road.

The foundation is hoping that you will grant permission to allow our event.

If you have any questions, you can contact me at the office at 253-3775.

Thank you for your past support in our event.

Sincerely,

A handwritten signature in cursive script that appears to read "Margo Grawbarger".

Margo Grawbarger
Area Administrator-Algoma District

RECEIVED	
CITY CLERK	
FEB 10 2010	
NO.:	
DIST: Council ; legal	

TEMPORARY STREET CLOSURE - APPLICATION FORM

Heart & Stroke Foundation

CONTACT NAME: Margo Grunberger TELEPHONE: 253-3775ADDRESS: 59 Great Northern Rd POSTAL CODE: P1B 4Y7

The above person hereby makes application for the closing of

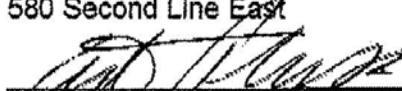
St Mary's River Drive

(Name of street to be closed)

from Waterfront Delta Hotel to Apartment Building
(reference points - street numbers, cross streets, etc.)on the 21st day of August, 2010 from 9 am/pm to 5 am/pmfor the purpose of A walk & car & motorcycle show

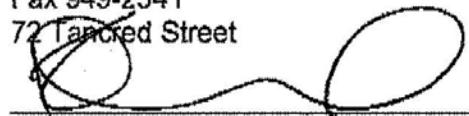
APPROVALS SECTION:

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



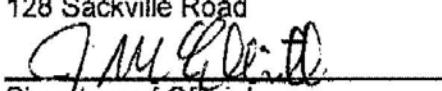
Signature of Official

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



Signature of Official

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



Signature of Official

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



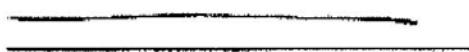
Signature of Official

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



Signature of Official

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



Signature of Official

CITY CLERK SECTION:

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

Sault Ste. Marie Airport Development Corporation

5(d)

February 16, 2010

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

Re: Airport Fairgrounds By Law 2002-75;

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

February 27/28 - Snow Drags 9:00 am to 6:00 pm

March 6 - Wheels On Ice 11:00 am to 4:00 pm

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

Thank you,



Terry Bos
Airport Manager



5(e)

Donna Irving

From: FCM Registration / Inscription de la FCM [register@fcm.ca]
Sent: February 10, 2010 1:41 PM
To: Donna Irving
Subject: FCM's 73rd Annual Conference and Municipal ExpoTM

Pour la version française, [cliquez ici](#).
Email not displaying correctly? [View it in your browser](#). To unsubscribe, please [click here](#)

HOLD THESE DATES!

May 28-31, 2010

Sheraton Centre Toronto, Ontario

FCM's 73rd Annual Conference and Municipal Expo™



2010 REGISTRATION FEES

CONTACT US

MUNICIPAL TRADE SHOW

HOTELS

Municipalities Leading the World

The countdown to FCM's 73rd Annual Conference and Municipal Expo™ is on. Be sure to book these dates in your calendar now, so you don't miss the municipal event of the year. Come to Toronto to celebrate our successes, to learn, share insights and experiences and make your voice heard on Parliament Hill. Go to www.fcm.ca/conferences for more information and regular updates.

Celebrating Success

5(e)

This year's conference falls on the fifth anniversary of the New Deal for Cities and Communities, an historic breakthrough that led to unprecedented progress on the national priorities of municipalities. This year's conference will be a chance for all of us to measure just how far cities and communities have come, and survey the ground we still need to cover.

Toronto is Canada's largest and most culturally diverse city, and home to many of the country's leading proponents of the cities and communities agenda. As conference host, Toronto offers a unique locale for celebrating what we have achieved together, from coast to coast to coast, and to survey the challenges that still lay ahead.

In addition to celebrating our progress with the federal government, Toronto 2010 will be a celebration of what municipal leaders do best: Taking the lead, acting and making positive change in our communities. Canadian municipal leaders are leading the world when it comes to tackling global challenges like climate change, sustainable development, immigrant settlement, rural sustainability, economic revitalization and international cooperation. Toronto 2010 will feature speakers and topics from across the country and around the world.

As always, the conference will bring municipal decision-makers together with experts in a broad range of disciplines to share ideas and best practices about how to deliver a high quality of life to communities, large and small. You'll learn how to tackle environmental, social and economic challenges in informative workshops and by networking with your peers from across the country.

And don't forget the biggest municipal trade show in Canada!

Where else can you find information on energy-efficient municipal fleet vehicles, innovative wastewater collection systems, solutions for traffic and parking problems, and best practices on how to fight climate change all under one roof?

Delegates can browse among over 165 booths at the Municipal Expo™ displaying a range of products and services geared to streamlining municipal operations, saving costs and enhancing service delivery.



Budget Now!

Be sure to include FCM's 73rd Annual Conference and Municipal Expo™ in your upcoming budget. The conference and trade show are designed to give political leaders and senior staff an opportunity to engage in professional development. Consider sending a team from your community to learn about and take home leading-edge innovations and solutions.

2010 REGISTRATION FEES

5(e)

Early Bird Fees (before March 31st, 2010)

Member: \$689.00

Non-Member: \$815.00

Regular Fees (after March 31st, 2010)

Member: \$815.00

Non-Member: \$970.0

FCM is very pleased to inform you that online registration is now OPEN for FCM's 73rd Annual Conference and Municipal Expo™. (May 28-31, 2010 in Toronto, ON)

[Click here to register online for the FCM's 73rd Annual Conference and Municipal Expo™ \(May 28 - May 31, 2010\).](#)

If you have any questions, need assistance with the on-line registration or have received this email in error, please contact us at register@fcm.ca or 613-907-6212.

Don't forget to book your hotel room



Sheraton®
HOTELS & RESORTS



Hilton

The Hilton Toronto and Sheraton Centre Toronto are the official hotels for FCM's 73rd Annual Conference and Municipal Expo™.

To reserve your hotel rooms, please click [here](#).

Welcome to Toronto. We've been expecting you!

Toronto is pleased to host the Federation of Canadian Municipalities in May 2010.

With a population of 2.6 million people, Toronto is heralded as one of the most

5(e)

multicultural cities in the world, where more than 100 languages are spoken. While French and English are the two national languages in Canada, the top five languages spoken in Toronto are Chinese, Italian, Tamil, Portuguese and Spanish. Toronto has something to offer everyone – great cultural and natural attractions, sporting events, shopping, dining, historic sites, architecture and more.

Plan your trip to Toronto for FCM's 73rd Annual Conference and Municipal Expo™ by visiting www.mytorontomeeting.com

Learn more about the City of Toronto at www.toronto.ca

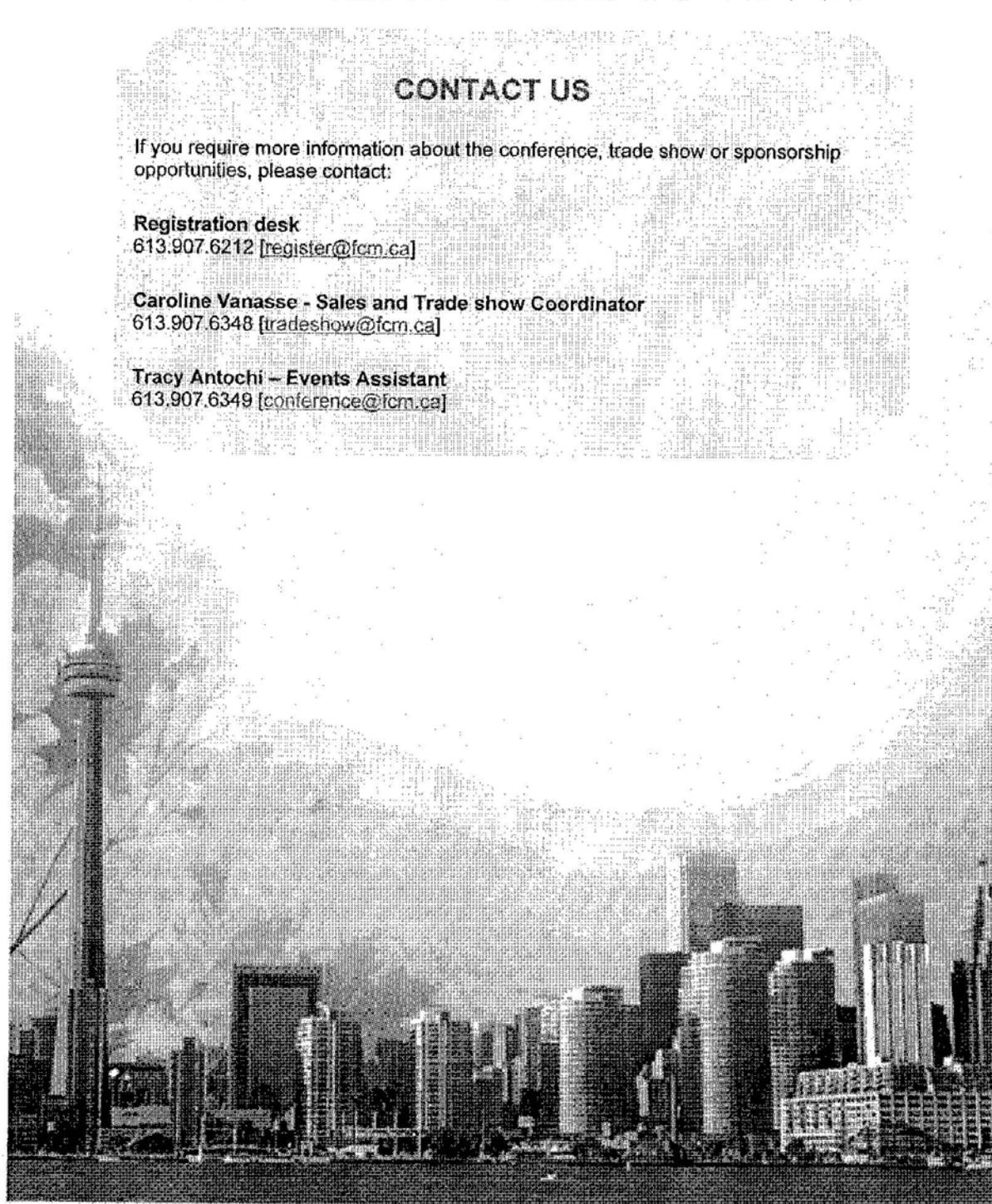
CONTACT US

If you require more information about the conference, trade show or sponsorship opportunities, please contact:

Registration desk
613.907.6212 [register@fcm.ca]

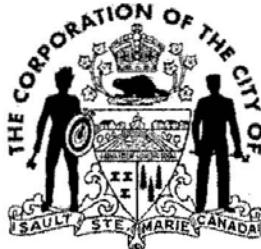
Caroline Vanasse - Sales and Trade Show Coordinator
613.907.6348 [tradeshow@fcm.ca]

Tracy Antochi - Events Assistant
613.907.6349 [conference@fcm.ca]



5(f)

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 02 22

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. **Larry Kennedy - Engineering & Planning – Building Division**
Part 9 – Building Structural Requirements
April, 2010
Woodbridge, ON (OBOA Office)
Estimated total cost to the City - \$ 1,446.00
Estimated net cost to the City - \$ 1446.00
2. **Randy Roy – Public Works & Transportation**
Fundamental Principles in Recycling Planning
February, 2010
Barrie, ON
Estimated total cost to the City - \$ 1,170.50
Estimated net cost to the City - \$ 1,170.50
3. **Norm Fera – Community Services – Community Centres & Facilities Division**
OHL Facilities MGT Meeting/Building Tours
March, 2010
Toronto/Southern Ontario
Estimated total cost to the City - \$ 1,861.00
Estimated net cost to the City - \$ 1,861.00

Yours truly,

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

JMF: bb

Joseph M. Fratesi
Chief Administrative Officer

Peter A. Liepa
City Tax Collector

Tax & Licence Division
Finance Department

5Lg)



2010 02 22

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: Property Tax Appeals

Attached are the listings that summarize applications for adjustments to the Tax Roll pursuant to Sections 357 of the Municipal Act, 2001.

The Municipal Property Assessment Corporation (MPAC) has recommended the amount of assessment to be adjusted. Each of the applications has been reviewed individually and recommended as shown.

An appropriate resolution has been prepared for your consideration.

Respectfully submitted,

A handwritten signature in black ink.

Peter A. Liepa
City Tax Collector

PAL/md

Attach.

Recommended for Approval:

A handwritten signature in black ink.

William Freiburger
Commissioner of Finance & Treasurer

RECEIVED AND APPROVED
MARCH 10, 2010

A handwritten signature in black ink.

William Freiburger
Commissioner of Finance & Treasurer
Chief Administrative Officer

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
DOWNTOWN BUSINESS IMPROVEMENT AREA WRITE-OFF

DATE: 2010-02-22
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	REASON FOR APPEAL	PROPERTY CLASS	TAX YEAR	CANCELLATION TOTAL	
						TAXES	ADJUSTMENT
040-021-067-00-000-90	254 Queen Street East	City of Sault Ste. Marie	Became Exempt After Return of Roll	CT	2009	\$ 204.49	\$ 204.49

Certified Correct:

Peter A. Liepa
City Tax Collector

REPORT TOTAL \$ 204.49 \$ 204.49

569

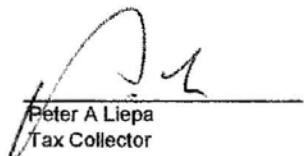
APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2009

DATE: 2010 02 22
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS TAXES	CANCELLATIONS INTEREST	TOTAL ADJUSTMENT
030-079-003	50 Old Garden River Road	Mar-Li Investments	RT	D	09-034	\$154.10	\$0.00	\$154.10
030-088-091-03	225 Fifth Line East	Bostelaar Anne Marie Fisher Mark Lee	RT	F	09-035	\$96.90	\$0.00	\$96.90
040-011-040	275 Spruce Street	Estate of Stephen Paul McKenna	RT	D	09-036	\$28.88	\$2.60	\$31.48
040-021-067-00-0000-90	254 Queen Street East	City of Sault Ste. Marie	CT	B	09-037	\$2,128.85	\$168.00	\$2,296.85

Certified Correct:



Peter A Liepa
Tax Collector

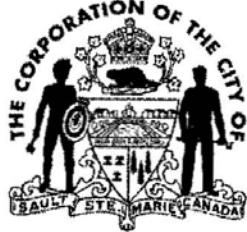
REPORT TOTAL \$2,408.73 \$170.60 \$2,579.33

-
- A. REALTY TAX CLASS CONVERSION
B. BECAME EXEMPT AFTER RETURN OF ROLL
C. RAZED BY FIRE AFTER RETURN OF ROLL

-
- D. DEMOLISHED AFTER RETURN OF ROLL
E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST
3 MONTHS DUE TO REPAIRS OR RENOVATIONS

(BNS)

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION



2010 02 22

5(b)
COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

Mayor John Rowswell
and Members of City Council

**REQUEST FOR FINANCIAL ASSISTANCE FOR NATIONAL / INTERNATIONAL
SPORTS COMPETITIONS – RICHARD MacLENNAN - SPEEDSKATING**

The Parks and Recreation Advisory Committee reviewed a financial assistance application from Richard MacLennan at their meeting on February 9, 2010 and found that it meets the criteria of the Financial Assistance Policy for National/ International Sports Competitions. The following resolution was passed:

Moved by: S. Milne
Seconded by: M. Kontulainen

"Resolved that the application by Richard MacLennan for financial assistance to attend the World Junior Speed Skating Championships in Moscow, Russia from March 12 – 14, 2010 be endorsed in the amount of \$200.00 and that a report be sent to City Council for their approval."

CARRIED.

City Council is therefore requested to approve a \$200.00 grant for Richard MacLennan to attend the World Junior Speed Skating Championships in Moscow, Russia from March 12 – 14, 2010.

Respectfully submitted,

A handwritten signature of Joseph J. Cain.

Joseph J. Cain
Manager Recreation and Culture

Recommended for approval,

A handwritten signature of Nicholas J. Apostle.

Nicholas J. Apostle
Commissioner Community Services

/b/council/2010/council report fin assst speedskating

attachments

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

5(h)



REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS
APPLICATION FORM

PLEASE PRINT

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: Richard MacLennan

Address: 50 Millstream Dr.
Sault Ste. Marie, ON Postal Code: P6B 6L5

Phone: (705)944-5774 (H) (W) Fax:

Email: Richard.maclennan@hotmail.com

Name and Address of Athlete(s): (if different from applicant)

Attach team list to application form if applicable. (athletes only)

Name: Richard MacLennan

Address: _____
Postal Code: _____

Name of Team or Club (if applicable):

Name of National or International Sporting Competition:

World Junior Speed Skating Championships

Date(s) of Competition:

March 12 to March 14, 2010

Location of Competition:

Moscow, Russia

Name of Sports Governing Body:

International Speed Skating Union

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested: \$ 200.00
(See Policy for application limits)

Please specify, as accurately as possible, how the financial assistance will be used if approved.

Transportation (taxi), food and
incidental

5(h)

- 2 -

Have you previously requested financial assistance from the City?

No _____ Yes Amount \$ 200,00

If yes, please indicate the year(s):

2009

If this application for funding is approved, the payment cheque should be payable to:

Richard MacLennan

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2010 02 06
Year Month Day

Richard MacLennan Athlete R MacLennan (705)946-5774
Name Title Signature Phone Number
(Applicant) (If applicable)

Sault Speed Skating Club Coach J. Lewis (705)779-2710
Name Title Signature Phone Number
(Club Official)

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

The information requested above is being collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information collected will be strictly used to determine eligibility for a financial assistance grant to attend a national or international sporting competition as defined in the Financial Assistance Policy. For more information or if you have any questions regarding its collection and use please contact the Recreation and Culture Division of the Community Services Department at 759-5310.

Joe Cain

From: Crispin Parkinson [cparkins@ucalgary.ca]
Sent: February 03, 2010 11:07 AM
To: Joe Cain
Cc: Don MacLennan
Subject: Financial Assistance for National International Sports Competition
Attachments: cparkins.vcf

Dear Mr Cain,

Please be advised that Richard MacLennan is qualified to represent Canada at the World Junior Championships to be held in Moscow, Russia March 12-14, 2010.

Please note that this is not an open competition. Entry is restricted to skaters who have qualified through National Championships.

Additional information on this competition and time standards is available on the Speed Skating Canada website.

Should you require additional information from me please call (403) 220-2542.

Regards

Crispin Parkinson
National Junior Long Track Coach
Olympic Oval, University of Calgary

Phone: (403) 220-2542

5(i)

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

LORI BALLSTADT, C.M.M.II
SUPERVISOR COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

2010 02 22

Mayor John Rowswell
and Members of City Council

Funding Application – Celebrate Canada Program

Each year on July 1st, the City of Sault Ste. Marie Recreation and Culture Division coordinates a Canada Day celebration held at Roberta Bondar Park. This celebration includes family entertainment throughout the day, followed by a fireworks presentation at dusk.

Financial support to assist with costs to host this event is available from the Department of Canadian Heritage – Celebrate Canada Program.

The Recreation and Culture Division is eligible to apply for assistance under the program; however, the applicant's governing authority must approve the grant submission.

RECOMMENDATION

It is therefore recommended that City Council authorize staff to apply to the Department of Canadian Heritage for the 2010 Celebrate Canada Program to assist in funding the City's Canada Day Celebration.

Respectfully submitted,

Lori Ballstadt
Supervisor Community Services
Recreation and Culture Division

Recommended for approval,

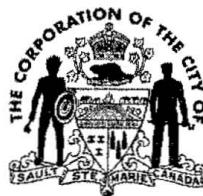
Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(j)

Norman Fera
Manager Community Centres



**Community Services Department
Community Centres Division**

2010 02 22

Mayor John Rowswell
and Members of City Council

RENEWAL OF LEASE – PRO SHOP LEASE JOHN RHODES COMMUNITY CENTRE

The Tenant, 882206 Ontario Inc, has requested that their lease be renewed for a further five (5) years as outlined in the agreement. The original agreement was struck in 2000 and renewed was in 2005. Under the terms of the agreement the Tenant is allowed three (3) options to renew the lease, each option being for five (5) years, with all terms of the lease being subject to review.

Staff from the Community Services Department, with the assistance of the Legal Department, has been in negotiations with the Tenant and are recommending the renewal of the agreement for another five (5) years.

The main change in the agreement is the reduction of the rent from \$15.00 per square foot to \$10.00 per square foot. Staff agrees with this request for the following reasons:

- Research has shown that rental rates may have to decrease when leases are renegotiated, if the occupancy cost ratio is too high and if the landlord wants to retain the tenant.
- Economic conditions have worsened over the recent past and in addition, property taxes and other taxes are increasing, making it more difficult for this type of business to earn a profit.
- The lower rent per square foot will bring the total occupancy cost to a level consistent with the local market and in line with industry guidelines.

In addition to the rent, the tenant is responsible to pay “common area” charges and municipal taxes.

We contacted a local property management person and reviewed the information on this matter and their comments are as follows:

- The rate is reasonable given the location and competitive circumstances.
- Although the rate is below normal competitive circumstances you probably couldn't get someone to pay higher.
- The Pro Shop is an important service to have at the facility. It provides skate sharpening and other hockey and skating services that are a necessity for the customers.
- Finding another quality sporting retailer will be very difficult to find.

5(j)

An RFP was performed in 2000 and the present retailer was the successful proponent. Since that time they have been in continuous operation. It is a tremendous asset when marketing the overall facility for sports tournaments and other special events. In addition, the management and staff at the Pro Shop deliver an excellent product with outstanding customer service, all of which are very important to take into consideration.

Elsewhere in Council's agenda is the bylaw and signed agreement which are recommended for approval.

Recommendation

It is recommended that Council approve the agreement between the City and 882206 Ontario Inc, for a further renewal term of five (5) years for the operation of the Pro Shop at the John Rhodes Community Centre.

Respectfully submitted,



Norm Fera
Manager Community Centres

Recommended for approval,



Nicholas J. Apostle
Commissioner of Community Services

jbf/council/proc pro shop lease renewal

cc: L. Bottos

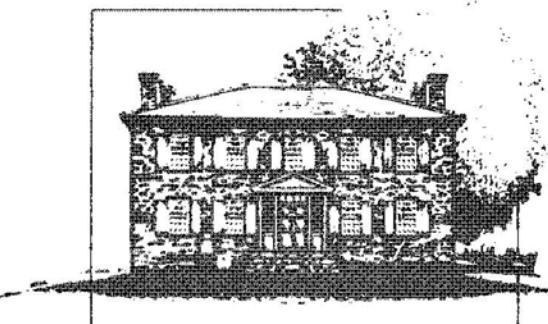
RECOMMENDED FOR APPROVAL



Joseph M. Fratosi
Chief Administrative Officer

5(K)

February 22, 2010



Mayor John Rowswell
and Members of City Council

Ermatinger • Clergue National Historic Site

FIREARMS BYLAW EXEMPTION

ERMATINGER•CLERGUE NATIONAL HISTORIC SITE – SPECIAL EVENTS

This season the staff and volunteers of the Ermatinger-Clergue National Historic Site will be hosting a number of special events at the site. At these events we often will have displays and re-enactments by our local Coureur Du Bois II, and also special event re-enactors.

The Coureur Du Bois II have members in full Voyageur costumes that will set up an encampment exhibit and conduct demonstrations depicting daily life of the early 1800's. In their re-enacting, this group will be demonstrating the loading and firing of heritage firearms (Black Powder Shooting).

In the fall we will also be hosting the 1812 Rendezvous – a four-day event that will involve a larger group of re-enactors who will be utilizing black powder in their muskets and cannons.

The Historic Sites Board has discussed the bylaw concerning firearms and is aware that this request is being submitted for the annual exemption of the 2010 season for purposes of the discharge of historic firearms within City limits at the Ermatinger-Clergue National Historic Site.

Due to the nature of our National Historic Site, the Coureur Du Bois II are contacted to be a part of our interpretation on a regular basis – sometimes with little to no lead time, and they are most willing to join our re-enactments; therefore, we are requesting that this exemption be effective during our prime operational season.

It is therefore recommended that the Coureur Du Bois II and other special event re-enactors, be exempt from the bylaw concerning the discharge of firearms within the City limits at the Ermatinger-Clergue National Historic Site; and further that this exemption for this entity be effective from April 5, 2010 to December 10, 2010.

Respectfully submitted,

Kathy Fisher, Curator
Ermatinger•Clergue National Historic Site

Recommended for approval,

Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

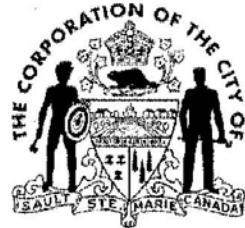
historicental/2010/firearms bylaw request to council

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

5(1)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Lorie Bottos, City Solicitor

DATE: 2010 02 22

RE: EXTENSION OF LEASE WITH ELEMENTA AT THE SAULT STE. MARIE LANDFILL SITE

Appearing on your Agenda this evening is By-law 2010-37. On February 9, 2009 City Council approved a Report from the Land Development and Environmental Engineer which recommended the extension of the lease between the City and Elementa at the Fifth Line land fill for a period six months beyond the allowable operating period of the Certificate of Approval issued by the Ministry of the Environment for the Elementa pilot project. The lease attached to By-law 2010-37 extends the lease to that period.

Respectfully submitted,

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

Lorie Bottos,
City Solicitor

LAB/da
c.c. Susan Hamilton Beach,
Land Development & Environmental Engineer

RECOMMENDED FOR APPROVAL

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

Joseph M. Fratesi
Chief Administrative Officer

5(m)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

FILE NO.: P.4.5.357

REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Lorie A. Bottos
City Solicitor

DATE: 2010 02 22

SUBJECT: THIRD LINE EXTENSION FROM GREAT NORTHERN
ROAD THROUGH TO PEOPLES ROAD – ACQUISITION
OF PROPERTY FROM 920939 ONTARIO INC.

PURPOSE

The purpose of this report is to bring to council's attention the negotiations with 920939 Ontario Inc. for the acquisition of a piece of property that is essential to the extension of Third Line between Great Northern Road and Peoples Road.

ATTACHMENT

The following is attached:

1. A map showing the property in question.

COMMENTS

The numbered company owns property extending from the north end of North Street up to Third Line. The property near the Third Line is needed for the Third Line extension west of Great Northern Road.

The City obtained an appraisal from Judy Luzzi of J E Luzzi Appraisals Limited, which valued the property the City needs at \$54,703. Although the principal of 920939 Ontario Inc. does not accept that value, he does not want to hold up the City and the City's plans for the extension of the road. The funding the City has for the Third Line extension has a deadline on it and more importantly, it is important that work proceed so that the road will be complete around the time of the opening of the hospital.

5(m)

- 2 -

The arrangement that has been worked out with 920939 Ontario Inc. is that the City will pay an interim amount of \$54,703 to 920939 Ontario Inc. for the property. The property is legally described as Part 1 on Plan 1R-11776. If the City and the company cannot agree on the final value then the matter will be sent to arbitration for determination of the value. In addition, the numbered company will be allowed to connect to Sackville Road for a subdivision if and when that right of way is extended to Third Line.

RECOMMENDATION

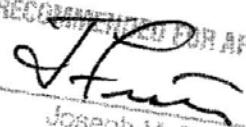
By-law 2010-41 appears on your agenda this evening. It authorizes the payment to 920939 Ontario Inc. of the amount of \$54,703 and the acquisition by the City of Part 1 on 1R-11776. As negotiations continue with the company there will be a further report to Council.

Respectfully Submitted,



Lorie A. Bottos
City Solicitor

LAB/da
c.c. Don Elliott,
Director of Engineering Services

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

A portion of Plan 1R-11776
D.S. Urso Surveying Ltd.

REGISTRAR'S

C O M P I L E D

PLAN

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PART 9, PLAN 1R-2002

Lorie Bottos
City Solicitor

Legal Department



File No. T.2.1

2010 02 22

REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Lorie Bottos, City Solicitor

DATE: 2010 02 22

RE: **CONTROLLING TRAFFIC IN CONSTRUCTION ZONES**

PURPOSE

This report is to respond to the resolution of Council dated September 14, 2009, a copy of which is attached.

ATTACHMENTS:

1. Council resolution of September 14, 2009.
2. Letter from Inspector Art Pluss dated December 11, 2009.

COMMENTS

This report was prepared after consultation with Mr. Jim Elliott and Mr. Andy Starzomski from the Department of Public Works & Transportation and Inspector Art Pluss of Patrol Services from Sault Ste. Marie Police Service.

CONSTRUCTION ZONES

Section 128(8.1) of the Highway Traffic Act allows a person appointed by the municipality to designate a highway or a portion of a highway under the municipality's jurisdiction as a construction zone. The City has done this by By-law 2007-122. This is incorporated into section 27c of traffic By-law 77-200. That section 27c provides that the person holding the position of

Report to Council – Controlling Traffic in Construction Zones

2010 02 22

Page 2.

Manager of Traffic may designate a portion of a highway under the City's jurisdiction as a construction zone and further that person may designate the rate of speed in the construction zone once signs have been posted. Section 128(14) of the Act sets out the penalties for persons who contravene the speed limit in a construction zone.

As for the signs that have to be posted, that is covered in section 42 of R.R.O. 1990 Regulation 615 filed under the Highway Traffic Act. That section sets out the type of signs that have to be posted at the beginning and the end of the construction zone. It sets out the size of the signs and where they have to be located in relation to the roadway. The signs also have to post the maximum speed in the construction zone (section 128(10.1)).

Therefore, the mechanism for addressing the portion of the resolution dealing with speed in a construction is already in place. The Manager of Traffic can designate a construction zone under section 27c of By-law 77-200. Signs can be posted in accordance with section 128(8.1) of the Highway Traffic Act identifying the construction zone and the speed limit in the construction zone.

As for increased penalty for speeding in a construction zone, the answer to that is found in section 128(14.1). Briefly, the penalty for speeding in a construction zone is \$6.00 for each kilometres per hour over the speed limit if the vehicle was driven at a speed less than 20 kilometres over the limit; between 20 kilometres per hour and 30 kilometres per hour the fine is \$9.00 per kilometre between 30 kilometres per hour and 50 kilometres per hour the penalty is \$14.00 for each kilometre; and for more than 50 kilometres per hour the penalty is \$19.50 for each kilometre over the limit.

DETOUR AROUND CONSTRUCTION ZONE

The next part of the resolution deals with speeding and traffic violations in areas near construction zones that serve as detours. I do not think the Highway Traffic Act allows the municipality just to erect construction zone signs in areas where there really isn't construction going on. I think in the areas surrounding the construction zones we have to rely on stepped up enforcement to catch traffic violators. Please see Inspector Pluss's letter regarding the commitment of the Sault Ste. Marie Police Service subject to resources being available.

Public Works & Transportation as well as Police Services have been made aware of the 2010 road construction program proposed by the Engineering Department. Public Works will install construction zone signs in accordance with the Highway Traffic Act where applicable. Police Services will be aware of these construction zones and will carry out enforcement in detour areas around these construction zones.

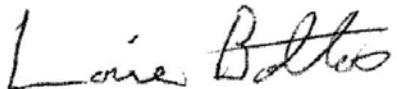
5(n)

Report to Council – Controlling Traffic in Construction Zones
2010 02 22
Page 3.

RECOMMENDATION

It is recommended that this report be accepted by Council as information.

Respectfully submitted,

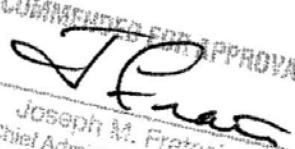


Lorie Bottos
City Solicitor

LAB/dh

Attachment(s)

cc: Mr. Jim Elliott, Commissioner, Public Works & Transportation

RECOMMENDED APPROVAL

Joseph M. Frates
Chief Administrative Officer



CITY COUNCIL RESOLUTION

5(n)

Date: September 14, 2009

Agenda Item

TGJ

MOVED BY
SECONDED BY

Councillor
Councillor

T. Sheehan
S. Myers

Whereas the City of Sault Ste. Marie and Ward 2 have and will be undergoing an unprecedented amount of construction; and
Whereas many City Councillors including the representatives from Ward 2 have received a number of complaints from residents in construction zones and from residents living on road detours, in regards to traffic violations, which have been relayed to City Police and City Staff for action; and
Whereas many people continue to drive dangerously in these construction zones and detour areas;
Now therefore be it resolved that City Council requests that City Police redouble its efforts of traffic enforcement in and around construction areas, and
Further that fines/penalties be appropriately displayed through street signage; and
Further that the City Solicitor in consultation with City Police and others report back to City Council on how we might be able to substantially increase penalties for traffic violations in construction zones and construction detours.

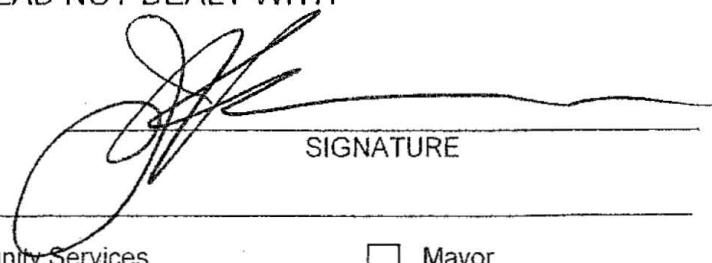
*Promiscuous Interest - Councillor L Turco - spouse
employed by Police Services*

CARRIED
 REFERRED

DEFEATED
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED


SIGNATURE

C.A.O.
 City Solicitor
 Comm. Finance/Treasurer
 Comm. Eng. & Planning
 Comm. Human Resources

Comm. Community Services
 Comm. P.W. & Transportation
 City Clerk
 Fire Chief
 Police Chief

Mayor
 Dir. Libraries
 E.D.C.
 Cons. Authority
 T. Sheehan

sec. 42 of

R.R.O. 1990 Regd. Jun 6/5

5(n)



SAULT STE. MARIE POLICE SERVICE

580 Second Line East
Sault Ste. Marie, Ontario P6B 4K1

ROBERT D. DAVIES
Chief of Police

EMERGENCY DIAL: 9-1-1
TELEPHONE: (705) 949-6300

BOB KATES
Deputy Chief of Police

EXECUTIVE FAX: (705) 949-3082
OPERATIONS FAX: (705) 759-7820

December 11, 2009

Mr. Lorie A. Bottos
City Solicitor
Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

Dear Mr. Bottos:

In follow up to the exchange of email between yourself, Mr. Elliott, Mr. Starzomski and my office to confirm that we look to partner with all involved to address speeding in designated construction zones. As I understand it we are contemplating reducing speed limits in areas of the city impacted by road construction.

Going into the New Year I have asked our traffic supervisor Sergeant Joseph Trudeau to liaise with both Public Works & Engineering to be part of the traffic management plan at the 2010 proposed road construction sites.

I agree fully that education and enforcement, more so the latter, will go a long way to address community concerns, particularly the concerns of area residents impacted by the construction.

Be assured of my commitment, resources permitting, to have officers available to monitor and enforce speed and/or other violations. From our end simply looking for the assurance, whatever the signage that it conforms to the regulations of the Highway Traffic Act and any other related statute or by-law as applicable.

Trust this will suffice in assisting you with your report to council. We look forward to their direction in this regard.

Sincerely,

Art Pluss, Inspector
Patrol Services

cc: Sergeant J. Trudeau

Committed to Excellence in our Community

5(0)

LORIE BOTTO
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

FILE NO.: 2004 Tax Sale - Parcel 9

REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Lorie A. Bottos
City Solicitor

DATE: 2010 02 22

SUBJECT: NOTICE OF VESTING REGARDING NORTHERN BREWERIES PROPERTY AT 503 BAY STREET AND SUBSEQUENT CONVEYANCE TO ROBERT DUMANSKI IN TRUST FOR A COMPANY TO BE INCORPORATED

PURPOSE

The purpose of this report is to recommend to Council first of all to approve the vesting of 503 Bay Street (Northern Breweries) in the name of the City and the subsequent conveyance of that property to Robert Dumanski in Trust for a company to be incorporated.

BACKGROUND

Regent Property Management Limited was retained by the City to try to market the Northern Breweries property on the southeast corner of Bay and Spring streets. No bids were received for this property at 2 tax sales. Mr. McGuire placed notices in the local newspaper. It was also listed on the multiple listing service. Anyone who contacted the City and expressed an interest in the property was directed to Mr. McGuire to view the property.

There are outstanding liens on the property that had priority over the City taxes. These outstanding liens are from the Federal government through the Canada Revenue Agency and the Provincial government through both the Ministry of Revenue and the Ministry of the Environment.

The notice that Mr. McGuire gave through newspaper ads and the MLS listing was that no offers could be presented before January 20, 2010. Sufficient time was provided for acceptance to allow the City Finance Department to get approvals from the Federal and Provincial governments.

Three offers were received. The highest offer was from Bob Dumanski in Trust for a company to be incorporated. That offer was \$511,000. The offer proposes a closing date of April 30. The second highest bid was approximately \$300,000. There will be a commission payable of approximately \$25,600 plus G.S.T.

The Finance Department has now heard from its contacts at the Canada Revenue Agency, the Provincial Ministries of Revenue and Environment. They have all agreed to a pro rata sharing of the net proceeds of the sale. Basically, the percentage of sharing is that the City will get 46% of the net proceeds, education taxes amount to 17%, the Ministry of the Environment 2%, the Canada Revenue Agency 18% and the Ministry of Revenue 18%.

The Agreement of Purchase and Sale has standard conditions, such as the right to search title, confirmation of zoning (which is C3, Riverfront Zoned), that the property shall be transferred free and clear of any encumbrances.

RECOMMENDATION

By-law 2010-46 appears on your Agenda this evening and is recommended for your approval. It authorizes the Mayor and Clerk to:

- 1) Sign an Agreement of Purchase and Sale between the City and Robert Dumanski in Trust for a company to be incorporated;
- 2) Execute any documents required to give effect to a Notice of Vesting under The Municipal Act.

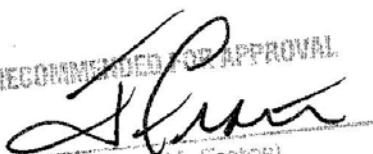
Respectfully Submitted,



Lorie A. Bottos
City Solicitor

LAB/da

c.c. Bill Freiburger, Commissioner of Finance/Treasurer
Peter Liepa, City Tax Collector
council reports/2010reports/Tax Sale 2004 503 Bay Street Feb 22 10

RECOMMENDED FOR APPROVAL

Joseph M. Fratino
Chief Administrative Officer

5(p)



2010 02 22

REPORT OF THE DOWNTOWN DEVELOPMENT INITIATIVE GRANT EVALUATION COMMITTEE

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Downtown Development Initiative
Grant Recommendations

Background

To date, a total of 84 grants have been approved including the four Municipal Tax rebates.

The Downtown Development Initiative grant programs include: building restoration and improvements (BRIG); façade improvements (FIG); project feasibility studies (PFSG); electricity conservation projects (ECMG); a municipal tax increment rebate program (MTIR); a tax cancellation program for Brownfield redevelopment (BPTC); and architectural design assistance (ADAP). **Note:** Brownfield Property Tax Cancellation program remains the only program that has not been used.

Grant evaluation committee members are:

Chair

Don McConnell, Planning Director

City Representatives

Bill Freiburger, Commissioner of Finance
Peter Liepa, City Tax Collector
Don Maki, Chief Building Official
Steve Turco, Planner

PUC

Randy Johnson, Manager Marketing & Communications

Downtown Association
Shirley Richards, Chair
Alison Walton, Past Chair

Downtown Development Initiative
Deni Consoli, Project Coordinator

Applicants

On February 11, 2010 the Downtown Development Initiative Grant Evaluation Committee met to review an additional round of financial incentive grant applications. A total of 12 applications are recommended for approval, with an approximate \$450,000 of private sector investment proposed. The following applications are recommended for approval:

1. 789 Queen Street East
Applicant: Mel Percival
Funding Request: Architectural Design Assistance Program - \$2,000

The applicant is seeking design assistance for both front and rear facades of the building. The committee is recommending the requested grant outlined above.

2. 290 Queen Street East (Savoy's Jewelers)
Applicant: Richard Rosset
Funding Request: Architectural Design Assistance Program - \$2,000

The applicant is seeking design assistance to improve the aesthetics of the building. These items will include resurfacing and modernizing the upper front of the building, replacing upper front windows and new signage. The committee is recommending the requested grant outlined above.

3. 188 Bruce Street (AK Graphics)
Applicant: Patricia Fitzsimmons
Funding Request: Architectural Design Assistance Program - \$2,000
Electricity Conservation Measures Grant - \$5,000

The applicant is seeking design assistance to update the exterior and is seeking to improve electricity usage with the assistance of the conservation measures grant. The committee is recommending the requested grant outlined above.

4. 272 Albert Street East (Quattra SCS)
Applicant: Patricia Fitzsimmons
Funding Request: Architectural Design Assistance Program - \$2,000
Electricity Conservation Measures Grant - \$5,000

The applicant is seeking design assistance to update the exterior and is seeking to improve electricity usage with the assistance of the conservation measures grant. The committee is recommending the requested grant outlined above.

5. 677 Queen Street East (The Yoga Door)
Applicant: Shirling Kao
Funding Request: Façade Improvement Grant - \$7,500

The applicant is proposing a renovation and retrofit of the exterior of the building. These items will include new wood and galvanized steel paneling, cultured stone, windows and entrance (see attached rendering). The committee is recommending the requested grant outlined above.

6. 485 Queen Street East (Kwik Kopy)
Applicant: Marson Developments (Soo) Limited c/o Joe Martella
Funding Request: Façade Improvement Grant - \$7,500

The applicant is proposing a renovation and retrofit of the exterior of the building. These items will include repair and painting of the upper level, along with new tile along the lower level façade. The committee is recommending the requested grant outlined above.

7. 305 Queen Street East
Applicant: Dave Sawer
Funding Request: Building Restoration and Improvement Grant - \$15,000

The applicant is proposing to update the buildings heating and ventilation systems, which will result in more efficient climate control, and better reliability. Also involved in this work is the removal of asbestos insulation, which will remove a health hazard. The committee is recommending the requested grant outlined above.

8. 612 Queen Street East (Studio Dance Arts)
Applicant: Richard Kim
Funding Request: Building Restoration and Improvement Grant - \$15,000

The applicant is proposing to update the current dance studio with the installation of a professional dance floor system, a new reception area as well as new bathroom fixtures. The committee is recommending the requested grant outlined above.

9. 488 Albert Street East (Fabio's Hair Salon)
Applicant: Fabio Tonello
Funding Request: Building Restoration and Improvement Grant - \$15,000
Façade Improvement Grant - \$7,500

The applicant is proposing a number of exterior improvements including new stairs, barrier free ramp, landscaping improvements and updates to the existing porch. Also planned are a series of interior improvements including refinishing of existing flooring, improved insulation as some lighting upgrades. The committee is recommending the requested grants outlined above.

10. 536 Queen Street East (Current Pita Pit)
Applicant: Roberta Pozniak
Funding Request: Building Restoration and Improvement Grant - \$15,000
Façade Improvement Grant - \$7,500

The applicant is proposing a series of interior and exterior updates as the current tenant (Pita Pit) will be vacating soon. Interior improvements proposed include improved fire rating between the lower and upper floor, new interior layout on the ground floor, replacing the flooring, as well as new bathroom facilities. Exterior improvements include new masonry on the lower façade level, as well updated signage and a signage backdrop. The committee is recommending the requested grants outlined above.

11. 721 Queen Street East (Foch's Drycleaning)
Applicant: Eugene Scarfone
Funding Request: Building Restoration and Improvement Grant - \$15,000
Façade Improvement Grant - \$7,500

The applicant is proposing to update the interior retail and office area of the existing dry-cleaning business including a new custom customer counter as well as a new flooring pattern. Exterior improvements proposed include enhanced architectural features and new windows on the upper façade, as well as improved signage and cultured stone on the bottom façade. The committee is recommending the requested grants outlined above.

12. 503 Queen Street East
Applicant: Sal Dan Developments c/o Sam Biassucci
Funding Request: Project Feasibility Study Grant - \$5,000
Electricity Conservation Measures Grant - \$5,000

The applicant recently purchased the building is exploring options for renovating both the interior and exterior, for the purposes of creating 6 to 8 residential units,

as well as creating enhanced commercial space along the ground floor. Electricity conservation measures are also planned for this building. The committee is recommending the requested grants outlined above.

Note: A sample of renderings of proposed works is attached to this report. Additional information on other applications and renderings can be viewed in the Planning Division

SUMMARY

The grant requests received to date are a sign of the success of the Downtown Development Initiative sparking new investment into this important area of the community. Some of the critical goals of this initiative are to enhance the built form in the Downtown and to create additional employment and entertainment opportunities which will lead to a more vibrant city centre. The projects proposed meet the criteria set out in the Downtown CIP and are recommended for approval.

With respect to the successful grant applications, the evaluation committee is recommending an expiry date of six (6) months for projects involving feasibility and design work, and one (1) year for construction projects. Applicants will be informed of these timelines in their notice of successful application.

The committee is recommending that \$ 140,500 (\$125,500 for financial incentive grants and \$15,000 for electricity conservation grants) be approved for the grant applications referenced in this report.

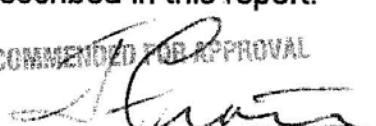
At this time, staff would like to note that a number of applications during this round of application intake were deferred by the Evaluation Committee due to insufficient information provided by the applicants. It should be noted that once these applicants provide the necessary information, these applications will be brought back to Council for final approval. It should be noted, however, that should these applications be approved, the funding available under the Downtown Development Initiative's private sector assistance grants will be exhausted.

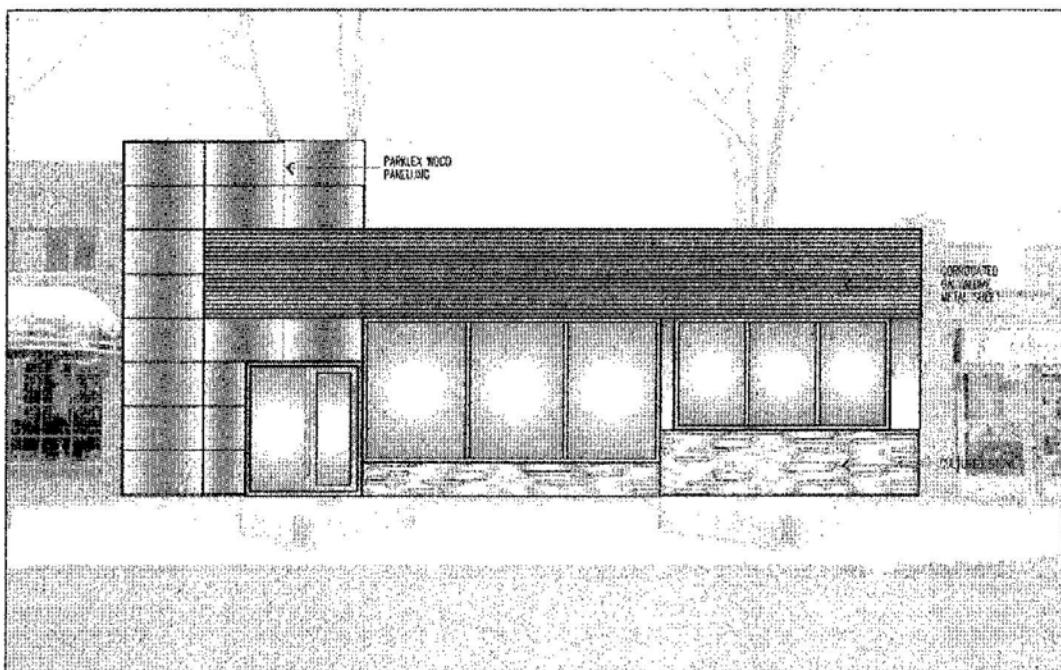
Planning Director's Recommendation

That City Council approves the twelve funding requests described in this report.

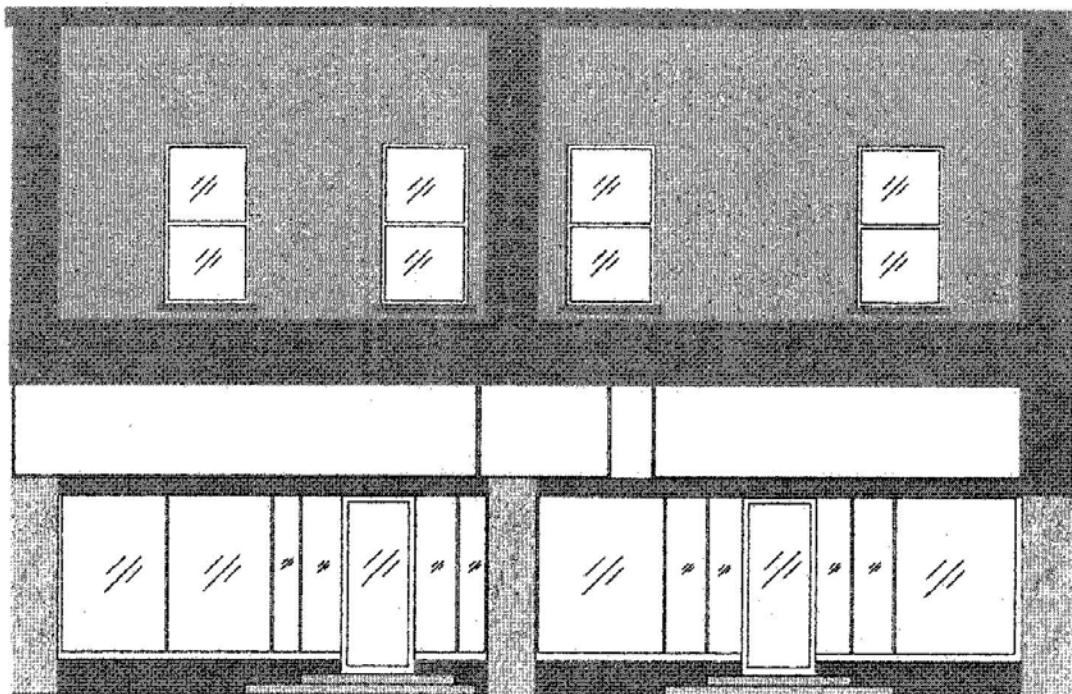
SDT/pms

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

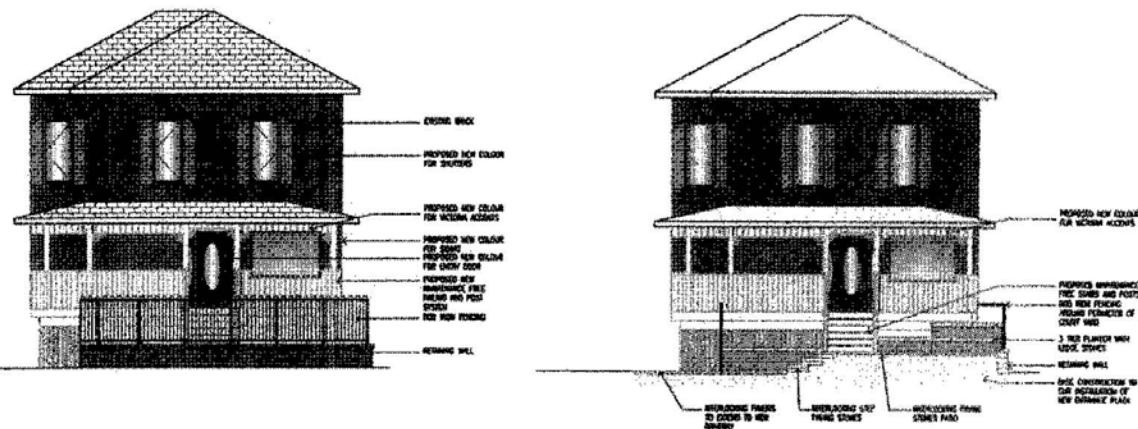


Proposed Façade Improvements: 677 Queen Street East



Proposed Façade Improvements: 485 Queen Street East

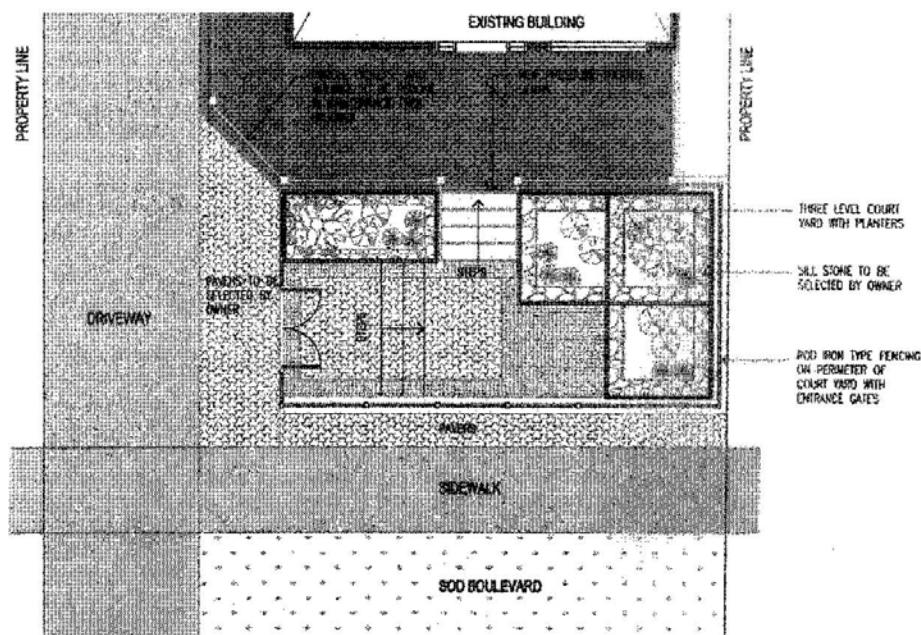
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Proposed South Elevation

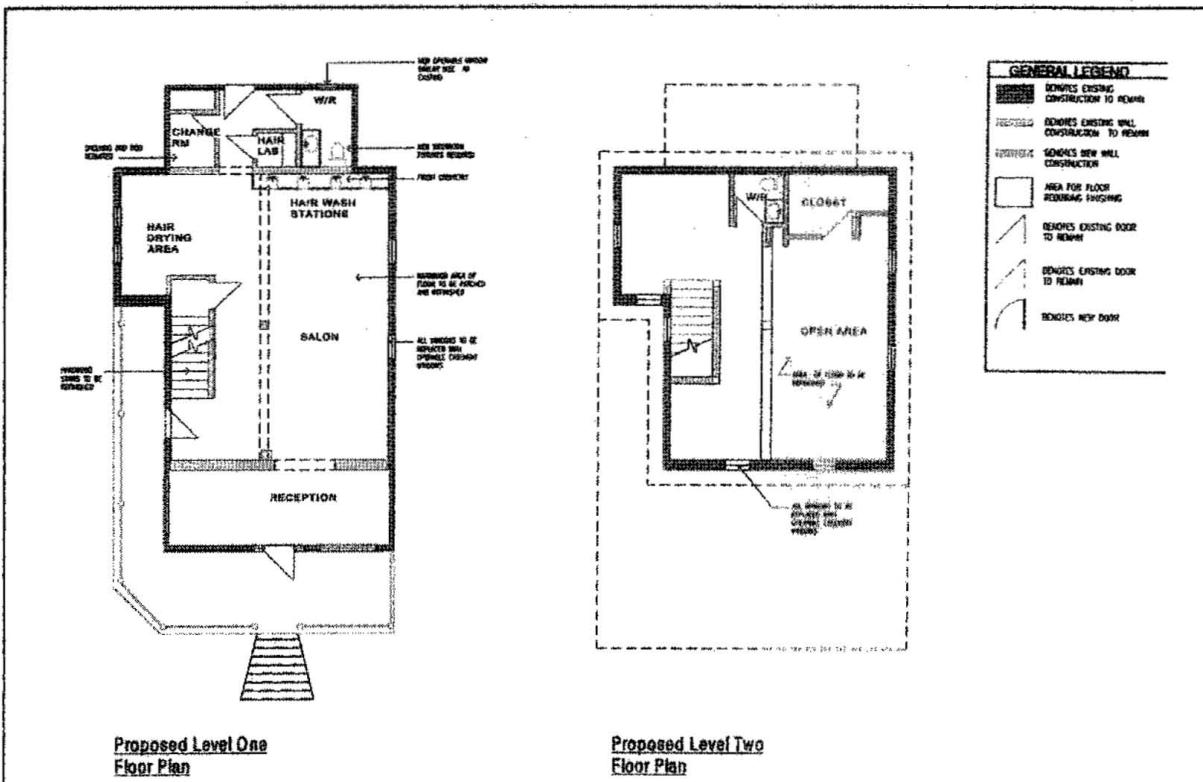
Schematic Section Entry Court Yard

Proposed Façade Improvements: 488 Albert Street East

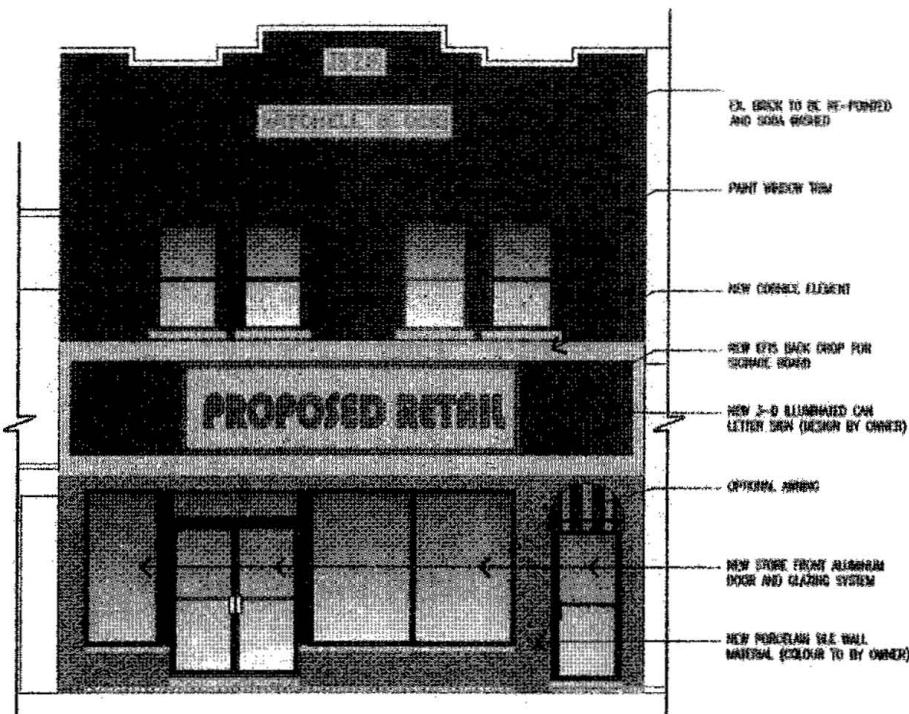


Proposed Landscaping Improvements: 488 Albert Street East

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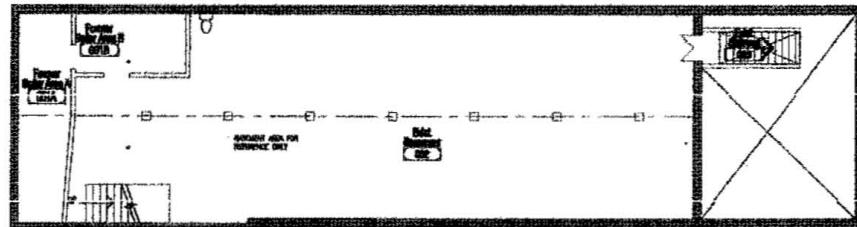
Proposed Interior Improvements: 488 Albert Street East



QUEEN STREET ELEVATION - Option 2

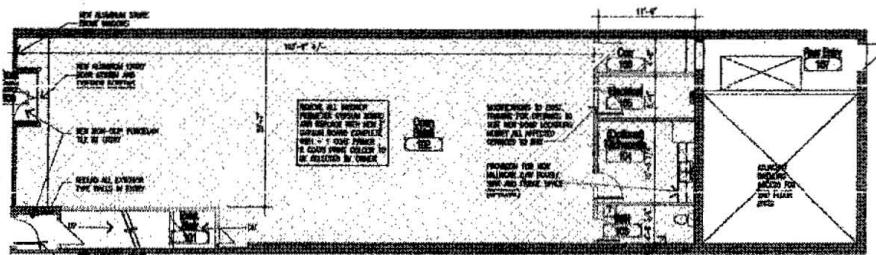
Proposed Façade Improvements: 536 Queen Street East

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PROPOSED BASEMENT FLOOR PLAN

NOTE:
DIMENSIONS OF ENGINE COMPARTMENT AS ARE APPROPRIATE, NOT TO
BE USED FOR CONSTRUCTION PURPOSES.

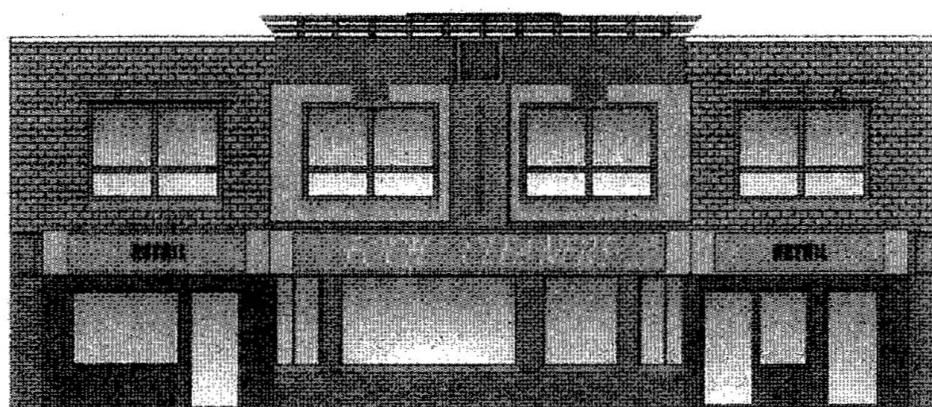


PROPOSED LEVEL 1 BLDG PLAN

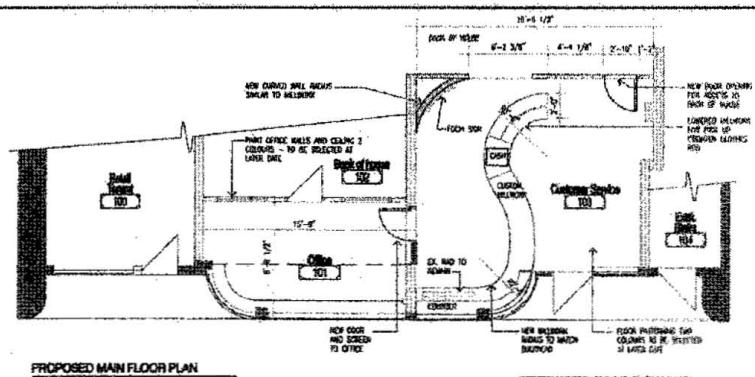
PROBLEMS FOR TERM 2 AND TERM 3 IN
3/7 -
NAME OF MEMBER TO ONE POSITION
ENTER THE WORDS IN SECTION 4 OF

PRINTED AND MADE NOT FOR CONSTRUCTION

Proposed Interior Improvements: 536 Queen Street East



Proposed Façade Improvements: 721 Queen Street East



PROPOSED MAIN FLOOR PLAN

PRELIMINARY NOT FOR CONSTRUCTION

Proposed Interior Improvements: 721 Queen Street East

5(q)

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

February 22, 2010

Mayor John Rowswell
And Members of Council

Subject: Report from the Lions Club-Pointe Des Chenes Campground

The Sault Ste. Marie Lions Club operates the Point Des Chenes Campground on a year to year renewable agreement with the City. This Campground is a 10 acre City-owned site adjacent to the Point Des Chenes day use Park.

The following is information with regard to the Lions Club operation.

- 100% of the net profit is returned to the community through various donations to community needs or reinvestment in the Campground.
- The members of the Sault Ste. Marie Lions Club donate considerable amount of volunteer time towards the Campground operations.
- The Lions Club has operated the Campground for the past 23 years.

As part of the agreement, the Lions Club, on an annual basis provides the City with a statement of income and expenses. The 2009 statement is attached for Council's information. It is noted in the statement that the club has enjoyed another successful year.

In last year's report it was noted that benzene levels exceeded the Ontario drinking water standard during the summer of 2007 and the water was deemed non-potable for a period of time by the Algoma Health Unit. As a result of the water testing, signs were posted that the water was not potable and should not be used for drinking purposes.

Water testing results during the summer of 2009 indicated that the benzene levels did not exceed the Ontario drinking water standards however, in the interest of public safety, non-potable signs will remain for the 2010 camping season. If continued sampling indicates the level of benzene has remained below the drinking water standards, consideration will be given to removing the non-potable water signage for the 2011 camping season.

5(g)

It is staff's opinion that the Lions Club should be commended for operating the Campground and providing a facility that is available for the enjoyment of both local residents and tourists alike.

All of which is respectfully submitted

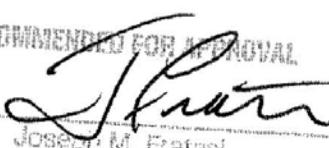


J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department

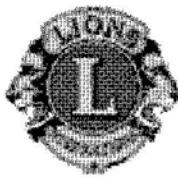
C: Andy Pederson
Lyons Club
Campground Chair

Randy Travaglini
Manager of Parks

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



Lions Club of Sault Ste. Marie, Ontario
Box 20106, 150 Churchill Blvd.,
Sault Ste. Marie, Ontario
P6A 6W3

January 21, 2010

The Corporation of the City of Sault Ste. Marie
C/o Mr. J. M. Elliott, P.Eng., Commissioner
Public Works & Transportation
128 Sackville Road
Sault Ste. Marie, Ontario
P6B 4T6

Dear Sir:

We are pleased to submit this report to you concerning our operation of Pointe Des Chenes Campground and our attached financial statement for 2009.

Members of our Lions Club, management and staff have concluded another successful year at Pointe Des Chenes Campground. Lions members and in particular our Lions Campground committee, continue to do their very best to insure camping at the park continues to be an enjoyable experience. Lions and their families also assisted with our annual cleanup, picnic table replacements, fall camper BBQ, general administration and bookkeeping.

Our weather was not the best in the spring and summer of 2009, but September was warmer and it helped to replace some of the business lost earlier in the year. Overall we had 395 rentals, up slightly from 2008. These totals are in addition to our seasonal customers. The largest majority of these non-seasonal rentals came from Sault Ste. Marie. When combined with other locations in Ontario, they totaled 363. Thirty-one additional rentals were from the United States and one from overseas.

Unfortunately, the filtration system was unable to remove entirely, or significantly reduce contaminants in the water at the campground and we were advised to continue posting signs indicating "No Drinking Water", restricting its use to washing only again. Customers brought their own drinking water and bottled water was also available at the campground store for the full season. It is frustrating to have seen annual costs for maintaining the system escalate from \$26,000 in 2008 to \$37,500 in 2009, a rise of over 40% and still not realize full benefit from the water provided. With the installation of smart meters in 2009 the future costs of hydro combined with significant annual increases for the water system, may

soon make it difficult to operate the campground profitably, while remaining competitive with other campgrounds in our area. The Lions Club look forward to working with Public Works and Transportation and City parks staff to find workable, cost-effective solutions as we plan for 2010.

2009 Pointe Des Chenes Campground Improvements

- In addition to the general repairs and maintenance in the Campground and the Comfort Stations, four stainless steel sinks were installed, one toilet replaced and a new hot water tank was installed in the west location. Privacy Screens were repaired and repainted at all washroom locations.
- A new fridge and dryer were purchased for the office and manager's residence.
- A number of new picnic tables were constructed.
- New signage was purchased and installed at the park entrance.
- New eave troughs were installed on the front and rear of the main office building.
- Bathroom in the garage has been rebuilt.
- New entranceway door, window and frame installed at main office.
- New hinges were installed at the dumping station
- Repairs were made to the park tractor and new tires installed on the Gator.
- Water hookup problems on sites 42, 43, 53 & 54 have been re-plumbed.

2009 Pointe Des Chenes Campground Environmental

- Energy efficient light bulbs are now in all public areas and the main campground office. This includes all flood lights.
- City staff removed 50 trees that were diseased or posed a potential danger to campers in October of 2008.
- 70 trees were planted in the summer of 2009 with assistance from the Ontario Forest Research Institute, Clean North, Campers and our staff. Our ultimate goal is to improve energy conservation, beautify the campground and increase privacy for the campers.
- Our recycling efforts continue to bring increased participation from campers and there is a growing demand for containers.

2009 Pointe Des Chenes Campground Special Events

- All of our events were well received which included Canada Day celebrations, Halloween in July, Family and Volley Ball Tournaments, Cardboard Boat Races, Family Washer Toss Tournament, Wii Bowling Tournament, Frisbee Golf Tournament, Dog Parade, weekly games, kids crafts, kids campfires and daily soccer, with the assistance of Mr. Henk Van Denzen.
- This year we had our own "Relay for Life" luminary ceremony in conjunction with the Canadian Cancer Society on June 13th. We sold over a 100 luminaries in the campground @ \$5.00. This was organized by the campers and was very well received.

A large number of day visitors also used the campground in 2009. They spent time with friends and relatives, who were camping with us. When these visitors are added to the total number of rental customers, the campground was busy for most of the summer.

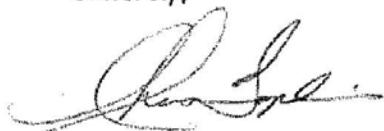
We extend a special thank you to the Mayor, members of City Council, Public Works & Transportation and the Parks Department management and staff for their kind support and assistance to the Lions Club. We could not do the job without you.

Our sincere appreciation is given to our Park Manager Mr. Ken Montgomery and his wife Debbie, for their contribution to the success of the 2009 season. They provided consistent high levels of customer service while making improvements to existing programs, maintaining others and introducing new ones. They have significantly improved the children's programs, as well as those enjoyed by all campers. Our customers and members of the Lions Club are sincerely grateful for their efforts to assist us again this past season.

We also wish to acknowledge the many loyal customers using Pointe Des Chenes Campground for their seasonal, monthly, weekly, or daily rentals and to those who found extra time to volunteer and participate in children's programs and other activities during the summer.

Thank you for allowing us to continue operating Pointe Des Chenes Campground on behalf of the City of Sault Ste. Marie. The Sault Lions Club continues to make improvements in the Campground and fund other service projects, which benefit our City and its residents. In addition, operating costs support local business and create employment for our Manager, office staff and summer students.

Sincerely,



Chuck Toplis
President



Anders Pedersen
Pointe Des Chenes Campground Chair

c.c. Mr. Randy Travaglini, Manager of Parks
Secretary Lion Don Cameron, SSMLC
Sault Ste. Marie Lions Club Board of Directors
Sault Ste. Marie Lions Club Campground Committee

5(q)



The Lions Club of Sault Ste. Marie, Ontario
Box 20106, 150 Churchill Blvd
Sault Ste. Marie, Ontario
P6A 6W3

Pointe Des Chenes Campground..... Profit & Loss Statement

January 1, 2009 to December 31, 2009

Income

Seasonal 15 amp Service	\$62,400.00
Seasonal 30 amp Service	\$23,142.78
Daily Tent Sites	\$4,238.32
Daily 15 amp Service	\$8,834.02
Daily 30 amp Service	\$2,166.45
Weekly 15 amp Service	\$10,697.84
Weekly 30 amp Service	\$1,440.00
Monthly 15 amp Service	\$22,416.81
Monthly 30 amp Service	\$2,745.02
Daily Visitor Fees	\$1,918.41
Daily Visitor Passes	\$1,147.75
Non Refundable Site Deposit Fees	\$280.00
Canteen Sales General	\$9,665.10
Canteen Ice Sales	\$2,110.05
Canteen Wood Sales	\$2,774.25
Winter Storage 2008-9	\$560.00
Retail Sales Tax Discount	\$31.74
SCP Program	\$3,990.00
Ontario Summer Jobs Program	\$2,870.00
Total Income	\$163,428.54
	\$163,428.54

5(q)

Page 2 of 2

Expense

Manager Salary & Vacation Pay	(\$20,092.80)
Managers Travel Assistance	(\$1,610.00)
Managers Canada Pension	(\$994.29)
Managers Employment Insurance	(\$525.66)
Managers WSIB	(\$546.58)
Office Staff Wages & Vacation Pay	(\$10,285.60)
Office Staff Canada Pension	(\$429.18)
Office Staff Employment Insurance	(\$249.10)
Office Staff WSIB	(\$258.77)
Student Staff Wages & Vacation Pay	(\$15,581.95)
Student Staff Canada Pension	(\$618.02)
Student Staff Employment Insurance	(\$377.31)
Student Staff WSIB	(\$392.87)
Staff "T" Shirts	(\$304.15)
BDO Dunwoody LLP, Bookkeeping	(\$5,400.00)
Advertising	(\$225.00)
Bank Service Charges	(\$2,095.40)
Spring Clean Up & Fall Camper Picnic	(\$779.68)
Canteen Cost of Sales	(\$6,106.77)
Canteen Ice Cost of Sales	(\$1,143.80)
Comfort Station Supplies	(\$1,377.91)
Garbage Removal	(\$891.63)
Gasoline	(\$550.05)
Hydro, House & Sites	(\$16,361.99)
Hydro, Sentinel Lights	(\$303.88)
Hydro, Water System Main Pump	(\$843.46)
Liability Insurance	(\$4,952.88)
Kids Entertainment Programs	(\$978.35)
Maintenance Repairs & Equipment + **	(\$3,378.41)
Memberships - Chamber & Tourism License	(\$255.64)
Office Supplies & Postage	(\$1,336.12)
Photocopier Contract & Copying	(\$636.68)
Telephone	(\$1,725.57)
Web Site Fee	(\$119.88)
Water System Maintenance	(\$14,285.72)
Miscellaneous	(\$492.61)
Total Expense	(\$116,507.71)

2009 Campground Improvements Other **

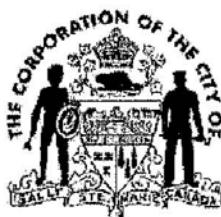
Fridge & Dryer Main Office/Residence	(\$948.24)
Eaves Trough Main House	(\$373.04)
Signage - Main Entrance	(\$326.45)
Tree Planting	(\$500.00)
Propane Water Heater	(\$3,443.50)
Door, Glass & Frame, Main Office	(\$2,142.86)
Picnic Table Replacements	(\$845.57)
	(\$8,579.66) (\$8,579.66)

Net Profit 2009 Pointe Des Chenes Campground

\$38,341.17

Lion Ron Anderson, Treasurer

J. M. Elliott P. Eng
Commissioner



Public Works &
Transportation department

February 22, 2010

Mayor John Rowswell
And Members of Council
Civic Centre

Subject: Changes to the Municipal Hazardous and Special Waste Program

Purpose

The purpose of this report is to advise Council of changes to the Waste Diversion Act (Regulation 542/06) and the effects it will have on the City's Municipal Hazardous and Special Waste Program.

Background

Under the Provincial "Waste Diversion Act", a new regulation (542/06) will come into effect on July 1, 2010 that will require industry to take ownership and pay for collection, packaging and transportation of municipal hazardous and special waste. The new regulation will be enforced by the Ontario Ministry of the Environment and implemented through an industry sponsored organization called "Stewardship Ontario". Stewardship Ontario has developed a program called the "Consolidated Municipal Hazardous or Special Waste Program" that provides end-of-life management for materials designated as municipal hazardous waste or special waste.

The regulation mandates industry to take total ownership/responsibility for hazardous waste materials (23 materials) that they produced and sell to the public. This means that the collection, processing and transportation of hazardous waste products are no longer a municipal responsibility but rather a responsibility of the industries that produce the various products.

Discussion

Stewardship Ontario has been mandated to provide a service to the public that meets a standard that has been set out in the regulation. It understood that this standard will be equal to the standard that is being provided by the City of Sault Ste. Marie's existing program. As part of the regulation, Stewardship Ontario has

the option of either starting up a new program to service a municipality or negotiating an agreement with a municipality to continue an existing operation.

City Staff has reviewed the requirements with respect to the new regulation and has the following comments.

- The new regulation will provide an opportunity for the City to reduce operational costs. The City run Municipal Hazardous Waste Program costs the City approximately \$218,000 per year with a subsidy of \$100,000 per year. The Budget cost will be eliminated when Stewardship Ontario takes over the program.
- Staff has always looked at ways to reduce liability to the City. As a result of Stewardship Ontario taking over the program, the City will not have to continue to deal with hazardous waste materials such as prescription drugs, chemicals etc..
- There will be an opportunity for the private sector to be involved in this area. This program will be totally funded through Stewardship Ontario and we expect that the private sector will be submitting tenders to provide this service.
- The City's Municipal Hazardous and Special Waste Program are presently funded through City taxes. We do get funding from Stewardship Ontario and outlying communities, but not to the level that covers the City's costs. Under the new regulation, products that are being purchased by the consumer will be taxed at the point of purchase and these funds will go to Stewardship Ontario to run their program.
- Under the current program, the City accepts hazardous waste products from outlying communities thereby creating additional liability for the City. Stewardship Ontario will now be responsible for all the hazardous waste products from the smaller outlying municipalities.

Waste Oil

Waste oil is one of the products that are collected at the Sault Ste. Marie Municipal Hazardous Waste Facility. It is presently classified as "lubricating oil" and has not been included as one of the 23 materials that are now the responsibility of Stewardship Ontario. Staff has made inquiries to the Ministry of the Environment and we are awaiting their response on how this material will be controlled in the future. In the meantime, staff is proposing that the disposal of oil be part of the negotiations with Stewardship Ontario. If this is not successful, the oil collection can be combined with services provided at the City's Landfill Site.

5(r)

Existing Employees

There are presently three (3) employees that work three (3) days a week at the Household Hazardous Waste Site from the middle of April to October 31 of each year. These employees are part of the complement of the Works Division and go back to this division as labourers/operators during the winter season.

With the elimination of this program, there will be no employee job losses and these employees will be reassigned within the Works Division according to their seniority. The Works Division Superintendent has made it clear that this division has been short staffed each year during the construction season and they need these employees for the whole year. In order to compensate for the lack of staff during the construction season, the Works Division has had to hire trucks for the various construction/maintenance operations.

Future Activities with Regard to the Blue Box Program (Recycling Program)

It is now understood that the Ministry is looking at the Blue Box funding formula with regard to the future. There could be changes within the Waste Diversion Act that goes in the direction of "extended producer responsibility". Manufacturers of paper and packaging products could become responsible for the collection and processing of their products. At the present time the municipality is responsible for the collection and processing of these materials through the City's Recycling Program. The changes that have taken place with respect to the "Municipal Hazardous and Special Waste" may be emulated in the Blue Box Program. If this legislation is approved, these changes are expected to occur within the next few years.

Summary

It is staff's opinion that the City will benefit with Stewardship Ontario taking ownership/operation of the Municipal Hazardous Waste Program and having the private sector run the operation. This is especially true from an economic and liability point of view.

In order for a smooth transition of services after the July 1, 2010 date, City staff is proposing to negotiate with Stewardship Ontario on the various changes that are required. These negotiations will include a requirement for the reimbursement of all costs associated with the City's operation during the transition time period. In addition the disposal of waste oil will be part of these negotiations.

As far as this year is concerned, Staff will start the City's Hazardous Waste Program operation up in April of this year and continue operations until the transition has taken place. It is expected that the transition period will continue over the summer months with a Stewardship Ontario program up and running for the fall of 2010.

5(r)

Recommendation

It is recommended that staff meet with Stewardship Ontario to initiate an agreement for the transition from a City operated Municipal Hazardous Waste Program to a private sector program operated under the direction of Stewardship Ontario.

Respectfully submitted



J. M. Elliott, P. Eng
Commissioner

RECOMMENDED FOR APPROVAL



Joseph M. Frabegi
Chief Administrative Officer

5(s)

Larry Girardi
Deputy Commissioner



Public Works and
Transportation

2010 02 22

Mayor John Rowswell
And Members of Council
Civic Centre

RE: INSTALLATION OF NO PARKING SIGNS ON BASE LINE

On January 25, 2010 Council passed the following resolution:

Whereas there have been a number of complaints of people parking on both sides of Base line near the West Davignon extension (creek) to access the waterway.

Now therefore be it resolved that City staff be requested to install temporary no parking signs (from December to April) on Base Line or snow plow an area just west of the West Davignon extension for people to park while fishing.

Purpose

This report addresses the request to install no parking signs on both sides of Base Line between West Davignon Creek and the Flakeboard Company entrance. It will also address the request for parking in that area.

Background

Staff from Public Works and Transportation attended a meeting with Flake Board Company and Councillor Grandinetti on January 29th 2010 to discuss their concerns regarding restricted traffic flow due to the parking of vehicles on both sides of Base Line. Mike Nott the representative for Health and Safety at Flakeboard Company expressed serious concerns regarding the vehicles that are parked on Base Line from West Davignon Creek to the Flakeboard Company entrance. He estimates approximately 200 plus transports pass this area each week and there is limited space left for traffic flow when vehicles are parked in this area. Flakeboard Company has had several complaints from transport operators regarding near misses as they pass by the parked vehicles.

PWT staff explained to Flakeboard that there might be an option suggested by Councillor Manzo which could help resolve this issue. It would entail opening the gate owned by the City on Leigh's Bay road and plowing to the original truck turn around that was being used until a few years ago. This would allow the fishermen who park on Base Line the option to move to a safer environment for parking. At present there is little or no traffic in this area. Although Mike Nott felt this would improve the situation he still believes that the only way to provide safety for all and to insure that this issue is addressed would be to have permanent no parking signs put up on both sides of Base Line to address summer and winter seasons.

Proposed Solution

In the Spring of 2010 it is proposed to have PWT employee's install No Parking signs in the following areas:

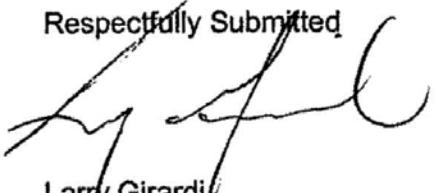
<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>
Base Line	North	W. Davignon Creek	450m to Flakeboard Entrance
Base Line	South	W. Davignon Creek	240m fronting Essar Property

The gate on Leigh's Bay Road will be relocated so that PWT can proceed to plow it in the winter of 2010/2011 thus allowing the option for fisherman to park on Leigh's Bay Road. This location provides a much safer environment.

Recommendation

It is recommended that permanent no parking signs be installed on both sides of Base Line as suggested and the plowing of Leigh's Bay Road South of Base Line proceed in the winter of 2010/2011.

Respectfully Submitted



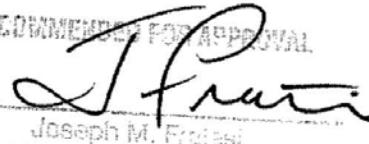
Larry Girardi
Deputy Commissioner
Public Works and Transportation

Recommended for Approval



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

Attachment(s)



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Public Works & Transportation
The Corporation of the City of Sault Ste. Marie 128 Sackville Road ~ Sault Ste. Marie, ON P6B 4T6
Telephone: (705) 541-7000 ext. 224 ~ Fax: (705) 541-7010 www.cityssm.on.ca

5(s)



Flakeboard Company Limited

657 Base Line
Sault Ste. Marie, Ontario P6A 5K8
Tel: (705) 253-0770
Fax: (705) 253-6888

1/31/10

Larry Girardi
Deputy Commissioner
Public Works & Transportation

cc. Councilor O. Grandinetti
Councilor F. Manzo

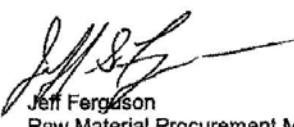
Larry,

Thank you very much for taking the time to visit our facility on 1/29/10 in order to discuss the issues and potential options regarding our request for No Parking signs on Base Line. As a company that puts safety first for our facility and staff, this commitment also extends to our neighborhood and community at large.

After considering the options you have presented, Flakeboard respectfully requests that in addition to any other options/solutions that you also consider placing no parking signs along both sides of the roadway, extending from the bridge West to the Flakeboard entrance. As you will recall from our initial conversation regarding this matter when we first raised the request for no parking signs, our concern was with the parking along both sides of Base Line, which caused a severely restricted traffic flow and presented a very dangerous situation for all users of Base Line Road. Our goal is not to thwart the recreational pursuits of the fishermen but instead to pursue a safer alternative for them and all motorists using Base Line. It is our understanding that the placement of no parking signs along here creates an enforceable action and it is our hope that said signs will be enough of a deterrent that no other actions will be necessary.

We appreciate the efforts you have made in addressing this concern and look forward to working with you and council on a solution that best addresses the safety of our community.


Michael Nott
Health & Safety Coordinator


Jeff Ferguson
Raw Material Procurement Manager



Sault Ste. Marie
Municipal Heritage Committee

2010 02 22

Mayor John Rowswell
and Members of City Council

**SAULT STE. MARIE MUNICIPAL HERITAGE COMMITTEE - HERITAGE AWARD
2009**

In November of 2004, City Council accepted the recommendation of the Sault Ste. Marie Municipal Heritage Committee to create a Sault Ste. Marie Municipal Heritage Committee Heritage Award Program. The Heritage Award is offered annually by the Corporation of the City of Sault Ste. Marie upon recommendation of the Sault Ste. Marie Municipal Heritage Committee and recognizes contributions to the preservation, restoration and enhancement of the City's Heritage Resources as defined in the Cultural Policy for the Corporation of the City of Sault Ste. Marie.

Under the proposed program an award may be given to an individual, group or an organization for the following contributions:

A heritage property that has been maintained or that is an enhancement to a neighbourhood or the community.

- An addition to a historic property or new construction (infill) that is sensitive to the historic context of the property of a neighbourhood or the community.
- Restoration or adaptive reuse projects.
- Other contributions to the preservation, restoration and enhancement of heritage resources.
- The nominee and/or heritage activity must directly relate to the community of Sault Ste. Marie, Ontario.

Nominations for the award are considered from the community and from the Sault Ste. Marie Municipal Heritage Committee. The Sault Ste. Marie Municipal Heritage Committee may make one or more nominations of an individual, group or organization each year, providing an excellent opportunity to reward local achievement in heritage preservation, restoration and enhancement.

5(f)

There were no nominations from the community at large for the 2009 award. As a result the members of the Sault Ste. Marie Municipal Heritage Committee made a nomination for the award. At their December 2, 2009 meeting, the members of the Sault Ste. Marie Municipal Heritage Committee passed the following resolution:

Moved by: A. Macgregor
Seconded by: D. Ellis

"Resolved that the Sault Ste. Marie Municipal Heritage Committee award the 2009 Heritage Award to the Ukrainian Cultural Centre of Sault Ste. Marie. This award acknowledges the work of the Ukrainian Cultural Centre in planning and installing the memorial plaque commemorating the internment of Ukrainian and other Europeans from 1914 – 1920, as part of their efforts to promote awareness of this event in the history of Sault Ste. Marie and the Ukrainian culture in the community; and further that this be sent to members of City Council for their information."

CARRIED

Appended for your review is the nomination form.

The Members of the Municipal Heritage Committee request that City Council congratulate the Ukrainian Cultural Centre of Sault Ste. Marie in being selected as the recipient of the 2009 Heritage Award.

Respectfully submitted on behalf of the Sault Ste. Marie Municipal Heritage Committee,

for Roger Kinghorn, Chair
Sault Ste. Marie Municipal Heritage Committee

li/rec&cult/historic/mhc/2010/council report heritage award 2009

cc: N. Apostle, Commissioner Community Services
J. Cain, Manager Recreation & Culture

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Heritage Award 2009: Ukrainian Cultural Centre of Sault Ste. Marie

NOMINATOR: Sault Ste. Marie Municipal Heritage Committee

NOMINEE: Ukrainian Cultural Centre of Sault Ste. Marie
293 St. George's Avenue East
Sault Ste. Marie, Ontario, P6B 6E8
(Lucy Konkin, Secretary, 942- 6270)**1. DESCRIPTION OF CONTRIBUTION WORTHY OF RECOGNITION:**

In 2008 the Ukrainian Cultural Centre undertook a campaign to recognize the 1914-1920 internment of Ukrainians and other Europeans as “enemy aliens” in Sault Ste. Marie. With the help of the Ukrainian Canadian Civil Liberties Association and the excellent cooperation of City Council and staff they were successful in erecting a plaque to commemorate this event on the site of the Sault Ste. Marie Museum.

2. BENEFITS TO HERITAGE RESOURCES IN OUR COMMUNITY:

- They have increased our understanding of our city’s past
- Providing information about the internment for current and future generations,
- Providing a lasting memory of those persons who were unjustly detained,
- Providing an enhancement to the museum site that is both esthetically pleasing and a reminder of an event of our past that we must guard against repeating.

3. RELEVANT BACKGROUND OF THE NOMINEE:

The Ukrainian Cultural Centre has played an important role in protecting the cultural heritage in this community. Through programs that have successfully encouraged the continuation of the language, traditions, arts and culture of the Ukrainian community they have enriched the whole culture of Sault Ste. Marie.

Some specific examples are:

- Ukrainian dance classes
- Language classes
- Prepared an excellent display of the Ukrainian presence in the city for the Museum
- Work is underway to create a permanent display and source of research and commemorative materials.



2010 02 22

Mayor John Rowswell
and Members of City Council

WEST END COMMUNITY CENTRE (WECC) – UPDATE

This report is provided to Council as a supplement to the presentation by the architect for the project, Franco Pastore of EPOH Inc. In addition, elsewhere on your agenda is a report from the Commissioner of Finance and Treasurer regarding the financing of the project.

Background

As Council may recall, the West End Community Centre (WECC) project consists of a new indoor turf facility, a library - replacing the existing Korah Branch Library, and an arena replacing the existing McMeeken Centre. This project was ranked as the City's number one priority under the Infrastructure Stimulus Fund (ISF) program.

An ISF application was submitted under Round One of the program. It did not get approved; however, the City was encouraged by the senior levels of government to further develop the project by getting it to a shovel-ready state and to apply for Round Two of the ISF program. Council subsequently approved the hiring of EPOH Inc. to proceed with developing the project to the end of the Design Development stage. In addition, Council approved the acquisition of two properties adjacent to the McMeeken Centre site that are necessary for accommodating the West End Community Centre.

The WECC Steering Committee, recognizing that all of the funding may not be available for a total project at this time, had the architect, Mr. Pastore, develop an implementation strategy that would see the Centre designed into three phases:

- Phase 1 - indoor turf facility
- Phase 2 - library
- Phase 3 - arena

In November 2009, the Committee directed the architect to scope the Phase 1 component of the project based on funding of \$8 - \$10 million.

Correspondence was received in December 2009 from the ISF stating that the WECC project was not approved for funding under their program.

Recent Developments

At the WECC Steering Committee on January 25, 2010 Mr. Franco Pastore presented a detailed report on the design and costing for Phases 1 and 2 of the project that could be achieved for \$8 -10 million. His report was basically the same report that Council is receiving at their meeting today. The highlights of the report are:

- Phase 1 project costs are approximately \$9.1 million including ancillary costs such as professional fees and fit-ups (FF&E)
- Phases 1 and 2 project costs are approximately \$10.7 million including ancillary costs such as professional fees and fit-ups (FF&E)
- The cost estimate for the design was provided by the same cost consultant (Hanscomb Ltd.) used on the John Rhodes Community Centre and Essar Centre projects, where they provided highly reliable cost estimating. Design information was provided to Hanscomb Ltd., including a wide range of elements such as materials, local construction market, and area geology (received from bore hole samples).
- The architect is ready to commence working drawings immediately which would allow for construction to start in September 2010 with completion by September 2011.

At the conclusion of Mr. Pastore's January 25th presentation, the Committee had a discussion regarding whether to recommend proceeding with the project without funding from the senior levels of government or to wait for further funding opportunities. It was noted that recent information from the senior levels of government points to further Stimulus Funding programs not being offered for recreational opportunities in the very near future. In addition, staff informed the Committee that there was no reason not to believe that the McMeeken Centre could operate for an additional five years without too much problem. Therefore the Committee felt that the project should be recommended to proceed with Phases 1 and 2 right away, and not to proceed with Phase 3 (replacement of the McMeeken Centre) within the next five (5) years unless there is substantial funding from the senior levels of government or other outside sources. The Committee unanimously approved the following resolution:

"The WECC Steering Committee recommends that Council proceed with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at a cost estimated to be no more than \$10.7 million; and further that it is acknowledged that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to five (5) years in the absence of substantial funding from the senior levels of government or other outside sources." **CARRIED.**

6(2)(a)

Letters supporting the project from the Sault Amateur Soccer Association, Tourism Sault Ste. Marie and the Sault Ste. Marie Library Board are attached.

Finally, it should be noted that the WECC project is the only project of the City's top four priorities not to receive funding from the senior levels of government. Algoma Public Health, Hub Trail, and Historic Sites Board's Visitors Centre all received funding.

Recommendation

The West End Community Centre Steering Committee unanimously recommends that Council proceed with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at a cost estimated to be no more than \$10.7 million; and further that it is acknowledged that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to five (5) years in the absence of substantial funding from the senior levels of government or other outside sources.

Respectfully submitted on behalf of the WECC Steering Committee,

Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

jbtouncil/2010/wecc update Feb 22

cc: WECC Steering Committee

attachments

6(2)(a)



February 22, 2010

TO: Mayor John Rowswell & Members of City Council
FROM: Sault Amateur Soccer Association Indoor Facility Committee

Dear Councillors:

The SASA Indoor Facility Committee enjoys representation on the West End Community Centre Steering Committee. Recently, information from the Committee's January 25, 2010 meeting was reviewed by the SASA Indoor Facility Committee and they unanimously supported the resolution from the WECC Steering Committee to proceed with the construction of Phase 1 (an Indoor Turf Facility) and Phase 2 (a replacement Branch Library for the Korah Branch Library) at the W.J. McMeeken Centre site.

This is an extremely exciting development for the youth of our City.

Thank you, on behalf of the SASA Indoor Facility Committee,

A handwritten signature in black ink that appears to read "T. Zeppa".

Terry Zeppa, Chair
SASA Indoor Facilities Committee

6(2)(a)



Sault Ste. Marie
ECONOMIC
DEVELOPMENT
CORPORATION



DEVELOPMENT
Sault Ste. Marie
a division of the SSMEDC



ENTERPRISE
CENTRE
Sault Ste. Marie
a division of the SSMEDC



TOURISM
Sault Ste. Marie
a division of the SSMEDC

February 2010

Community Services Department
99 Foster Drive, Level 2
Sault Ste. Marie, ON. P6A 5X6
Attn: Mr. Nick Apostle, Commissioner

Dear Mr. Apostle:

On behalf of Tourism Sault Ste. Marie and our many private sector industry partners, I would like to lend support in your efforts to secure funding for the development of the West End Community Centre, and specifically the building of a twin indoor soccer complex as part of the overall construction.

The proposed development will greatly assist in our efforts to position Sault Ste. Marie as a major sports tournament destination, and enable us to continue to attract regional, provincial and national sporting events.

As you are aware, the tourism industry in Ontario has been significantly impacted on the downturn in visitation from U.S. residents. These declining numbers are no where more evident than in border communities, such as Niagara Falls, Sarnia, Windsor and of course Sault Ste. Marie. Traditionally the U.S. market made up almost 65% of our overall visitation. U.S. visitors now only account for 35% of the total tourists traveling to our city and region. These numbers are reflected in the low attendance figures at our attractions and the low occupancy levels at our local accommodations, which have had a significant negative economic impact on our community.

One of the few areas of growth that the tourism industry has seen is in the area of sports tournaments, and most of those increases have been directly attributable to the opening of the Essar Centre and the amenities within that facility. By building this indoor soccer complex, it will add to the impressive inventory of sports facilities in our city and enable us to capture even more of this important market segment.

This proposed facility will provide the flexibility to offer additional opportunities for hosting major sporting events, while at the same time increase the capacity for hosting and serving large numbers of delegates attending conventions in our city, as it will have the largest square footage of useable indoor space in the city.



...2

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2.

This fact is driven home in that the indoor soccer facility was an important component in the recent announcement that Sault Ste. Marie was chosen as the host for the 2012 CARHA World Hockey Cup, and event that will bring over 125 hockey teams from around the world to our city. The proposed facility will be utilized to host the opening and closing banquet, as well as provide additional sports opportunities for the teams throughout the tournament.

Tourism Sault Ste. Marie, in its Strategic Plan 2010 - 2014 has identified meetings/Conventions/Sports Tournaments as a priority, and as such will continue to dedicate a significant percentage of the annual \$1.3 million budget towards the growth and marketing of this tourism segment. TSSM has a unique partnership with the private sector in the community, resulting in the development of a focused Business Plan that is fully supported by the tourism industry.

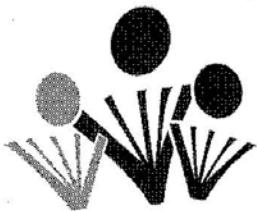
We trust that this application will be given due consideration as it has the ability to positively impact the tourism industry in the city and region for decades to come, and will result in significantly enhanced economic impacts. Additionally, we trust that this application will in no way impede the ability to access the full amount of funding that was previously identified for the purpose of developing a tourist attraction on the Gateway Site, here in our city

Yours truly,



Donna Hilsinger
Chairperson
Tourism Sault Ste. Marie

cc: EDC Board of Directors



Sault Ste. Marie Public Library

50 East Street, Sault Ste. Marie, Ontario P6A 3C3

6(2)(a)

Mayor John Rowswell and Members of Council
City of Sault Ste Marie
99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
P6A 5N1

February 8, 2010

Re: West End Community Centre & Korah Library Branch

Your Worship Mayor John Rowswell & Members of Council:

In June 2009 the Sault Ste. Marie Public Library Board wrote a letter indicating its wholehearted support of the City's senior administrative staff and Council's efforts to find a new location for the Sault Ste Marie Public Library's Korah Branch within the proposed West End Community Centre. This letter was written to assist the City in obtaining federal/provincial infrastructure funding for this much needed west end facility.

Even though the City's application for infrastructure funding was turned down, the Library Board is once again writing to you to reiterate its support for locating a west end library branch in the re-designed proposed West End Community Centre and that the Library portion be built at the same time as the indoor turf facility.

As you are aware, our Korah Branch which currently serves the west end of the City is located in the old Korah Township Administration building which is over 50 years old and is no longer suitable for use as a public library branch. In particular, it will be very costly to retrofit the building to meet the accessibility standards the province is mandating for all public buildings. As well, the current building configuration does not provide the Library with appropriate space to conduct programs and provide services that speak directly to the needs of the west end residents. Its two floor set up is also costly to operate from a staffing and service perspective.

The Library Board has over the past few year's consistently identified the building of a west end library branch in its 10 year capital forecasts with an estimated cost of \$5M. It is our understanding that within the costing options City Council will be reviewing the Library portion of the proposed West End Community Centre facility has been estimated to cost \$1.5M plus professional fees and fit up costs. There is no doubt in the Library Board's mind that the Korah Branch will need to be replaced sooner than later and that a stand alone library would cost more to construct than a facility in a multi-use complex. It is also the Library Board's understanding that building the Library portion of the proposed

6(2)(a)

West End Community Centre at the same time as the indoor turf facility would result in further construction cost savings.

Locating a community library branch in the proposed West End Community Centre creates a win-win situation for the public, the Library, and no doubt the other partners by:

- being centrally located within the west end of the City
- allowing residents to participate in a number of community activities under one roof or in close proximity, so to speak (ie. soccer, arena, library, and community meeting space)
- acting as a local community gathering place – the Library would be able to enhance and increase its community based programs with on-site access to community meeting rooms and well designed library space
- allowing the Library to broaden its outreach activities in the west end of the City, which includes partnering with other social and community service providers.
- providing users of the proposed West End Community Centre with a well rounded experience melding fitness with culture and learning.

The Sault Ste Marie Public Library Board is supportive of the City's efforts to assist the Library in finding a new location for its Korah Library Branch by way of including it as a vital community partner in the proposed West End Community Centre. Although currently there are no federal or provincial capital grants geared specifically for public libraries, the CEO/Director of Public Libraries and the Commissioner of Community Services are constantly looking for grant programs they might be able to access to leverage the funds the City would put forth for the building of the proposed West End Community Centre.

The Board looks forward to a favourable outcome of your February 22, 2010 deliberations on the matter of proceeding to fund and build a West End Community Centre that includes as Phases One and Two an indoor turf facility and a Library Branch.

Should you have any questions regarding the Library Board's need for and support of a new library branch in the City's west end feel free to contact the undersigned and/or Liz Rossnagel, CEO/Director of Public Libraries.

Sincerely,



Chris Rous, Chair
Sault Ste. Marie Public Library Board

cc. David Orazietti, Member of Provincial Parliament for Sault Ste. Marie
Hon. Michael Chan, Ontario Minister of Tourism and Culture

6(2)(a)

William Freiburger, CMA
Commissioner of Finance
and Treasurer

Finance Department



2010 02 22

Mayor John Rowswell and
Members of City Council

Re: West End Community Centre

Background

Under the Infrastructure Stimulus Fund program, the City had submitted an application for two-thirds funding to construct a \$22 million West End Community Centre with two soccer fields, library and single ice pad. A one-third municipal share would have resulted in a local cost of \$7.5 million. The West End Community Centre was not approved under the Infrastructure Stimulus Fund program.

Estimated Capital Project Costs for West End Community Centre

Soccer fields	\$ 8,136,500
Library	1,500,000
Architecture and Engineering	809,500
Furniture and Fixtures	<u>250,000</u>
Total	<u>\$ 10,696,000</u>

The Sault Area Soccer Association (SASA) will arrange financing for an office space addition to the West End Community Centre should it wish to build such at an estimated cost of \$500,000.

Estimated Operating Costs

A Business Plan prepared by BDO Chartered Accountants was presented to the West End Community Centre Steering Committee with Projected Statements of Operations and Cash Flow for the Sault Ste. Marie Indoor Multi-Use Sports Facility (Exhibit A).

Total annual revenues over five years range from \$457,000 in 2012 to \$521,000 in 2016. Total annual operating expenditures range from \$543,000 in 2012 to \$611,000 in 2016 resulting in a net City cost of approximately \$85,000 per year.

6(2)(a)

West End Community Centre

2010 02 22

Page 2.

In addition, SASA has projected an annual contribution to the City of \$45,000 resulting in a net operating cost of approximately \$40,000.

City Operating Risk

If annual revenue projections are not achieved or operating costs are greater than planned, the annual net City cost could be greater than the projected \$40,000 per year. The City is responsible for the annual operating costs of approximately \$550,000 and is expecting the majority of these costs will be offset by rental revenue from user fees.

Funding from SASA

SASA has stated that they will have approximately \$150,000 in a reserve fund which may be available for either capital or operating expenditures, but this has not been approved by their board.

City Funding of the West End Community Centre

In a report to Council on April 4, 2009, staff recommended the following plan to finance the local share of a federal, provincial and municipal infrastructure program.

Invest in Ontario Grant (August 2008)	\$ 7.1 million
New Municipal Debt Issue	<u>5.1 million</u>
Total Municipal Contribution	\$12.2 million

This local share would have leveraged a total infrastructure program of \$36.6 assuming an equal one-third contribution from each participant.

Infrastructure Stimulus Fund Approvals

The City had submitted several projects for approval. On July 17, 2009 the City received federal and provincial funding of \$14,666,666 for an Algoma Public Health building. The local share of this building will be funded from the Algoma Public Health with no cost to the City.

The City also received federal and provincial funding of \$3,333,334 for a Hub Trail & Waterfront Walkway expansion with a local share of \$1,666,667.

Recreation Infrastructure Canada Grant Program

On July 8, 2009, the City received approval under the Recreation Infrastructure Canada program to upgrade the Bondar Park tent canvas, John Rhodes Centre improvements, and renovations to Manzo and Greco Pools. The estimated net City cost is approximately \$700,000.

West End Community Centre

2010 02 22

Page 3.

Infrastructure Financing Summary

Revenues

Invest in Ontario Grant (August 2008)	\$ 7,100,000
New Municipal Debt Issue	<u>5,100,000</u>
Total Municipal Funding Available	<u>\$ 12,200,000</u>

Expenditures

Hub Trail & Waterfront Walkway	\$ 1,700,000
Recreation Infrastructure Canada Program	<u>700,000</u>
Subtotal Expenditures	<u>\$ 2,400,000</u>
Net funding available for West End Centre	<u>9,800,000</u>
Estimated cost of West End Centre	<u>10,696,000</u>
Funding Shortfall for West End Centre	<u>896,000</u>
Application to the Northern Ontario Heritage Fund	<u>\$ 2,000,000</u>

The City has made application to the Northern Ontario Heritage Fund Corporation for a grant to finance this project. The City is requesting a \$2 million grant for the new facility however the Northern Ontario Heritage Fund Corporation normally contributes \$1 million per facility unless there are extraordinary circumstances.

Other Issues

The original infrastructure financing plan assembled \$12.2 million to leverage an equal amount of federal and provincial funding. As listed above, our funding sources will be fully allocated with the approval of the West End Community Centre based on the 100% City funding.

At an estimated cost of \$11.4 million to replace the McMeeken Centre, I would recommend the replacement of this ice surface be postponed for approximately 5 years due to debt considerations. The City may consider the project if a significant grant program is offered.

6(2)(a)

West End Community Centre
2010 02 22
Page 4.

Debt Issue

The attached Exhibit B is a revised debt schedule. The long term debt of \$5,100,000 is expected to be issued for a 10 year period with annual payments of approximately \$630,000 for a total cost of \$6,300,000.

The debt service costs for this project will be financed within the current budget allocation for debt **repayments due to retirement of previous debt obligations**.

Recommendation

City Council fund the West End Community Centre from revenue received from the Invest in Ontario grant and the issue of long term debt in the amount of \$5.1 million dollars.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachments

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

**Sault Ste. Marie Indoor Multi-Use Sport Facility
Projected Statements of Operations and Cash Flow
Based on Management Estimates**

(Unaudited - see Notice to Reader and Significant Assumptions)

For the year ended August 31,	Notes	2012	2013	2014	2015	2016
Revenue						
Facility rental	4					
- prime and shoulder revenue		405,463	425,736	447,023	455,963	465,083
- non-prime revenue		49,143	50,126	51,128	52,151	53,194
Vending	5	2,500	2,625	2,756	2,811	2,868
		<u>457,106</u>	<u>478,487</u>	<u>500,907</u>	<u>510,925</u>	<u>521,144</u>
Operating Expenses	6					
Facility Maintenance	7					
- Wages	8	156,061	160,743	165,565	170,532	175,648
- Utilities		247,500	254,925	262,573	270,450	278,563
- Repairs and maintenance		96,250	99,138	102,112	105,175	108,330
- Insurance		7,088	7,301	7,520	7,745	7,978
- Supplies		35,750	36,823	37,927	39,065	40,237
		<u>542,649</u>	<u>558,929</u>	<u>575,696</u>	<u>592,967</u>	<u>610,756</u>
Excess (deficiency) of revenue over expenses		(85,543)	(80,442)	(74,789)	(82,042)	(89,612)
Amortization	2	(229,000)	(229,000)	(229,000)	(229,000)	(229,000)
Net income (loss) for the year		(314,543)	(309,442)	(303,789)	(311,042)	(318,612)
Cash provided (used) during period:						
Amortization		229,000	229,000	229,000	229,000	229,000
Working capital financing		20,463	409	417	426	434
Capital asset additions		(8,050,000)	-	-	-	-
Government grants	9					
- City of Sault Ste. Marie		1,000,000	-	-	-	-
- Other government funding		7,050,000	-	-	-	-
Other contributions (SASA)	3	45,000	47,250	49,613	50,605	51,617
Increase (decrease) in cash for the year		(20,081)	(32,783)	(24,759)	(31,011)	(37,561)
Cash beginning of year		-	(20,081)	(52,863)	(77,623)	(108,634)
Cash (line of credit) end of year		(20,081)	(52,863)	(77,623)	(108,634)	(146,195)

The Corporation of the City of Sault Ste. Marie

Summary of Debt By Function

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Roadways	3,107,100	1,733,487	761,746	155,000	0	0	0	0	0	0
Recreation - John Rhodes Centre	6,469,922	5,675,995	4,860,300	4,025,619	3,276,685	3,051,257	2,807,636	2,544,351	2,259,818	1,952,320
Industrial Land Development - NOHFC	1,152,270	1,152,270	1,152,270	1,152,270	1,152,270	1,152,270	1,152,270	0	0	0
Davey Home	7,600,000	6,805,000	5,975,000	5,105,000	4,190,000	3,225,000	2,210,000	1,135,000	0	0
Essar Centre		11,220,000	10,626,973	10,002,988	9,346,428	8,655,593	7,928,693	7,163,847	6,359,072	5,512,285
										0
Total City Debt Issued to Date	18,329,293	26,586,752	23,376,289	20,440,876	17,965,383	16,084,120	14,098,599	10,843,198	8,618,890	7,464,605
PUC Water Utility Debt to Finance Water Operations \$5.2 million for 10 years					4,996,435	4,573,910	4,129,995	3,663,607	3,173,608	2,658,802
Infrastructure Program - \$5.1 million West End Cente/Hub Trail/Recreation Grant					4,985,985	4,545,029	4,086,258	3,608,952	3,112,364	2,595,713
Total Debt	18,329,293	26,586,752	23,376,289	20,440,876	27,947,803	25,203,059	22,314,852	18,115,757	14,904,862	12,719,120
Per Capital based on a population of 75,000	244	354	312	273	373	336	298	242	199	170

Notes - PUC debt and interest costs are fully recoverable from PUC water revenues.

Other Possible Debt Issues

Gateway site land purchase \$2 million

6(6)(a)



2010 02 22

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Application No. A-4-10-Z.OP -- filed by McRain Developments Inc.

SUBJECT PROPERTY:

Location – Located on the east side of Allen's Side Road, approximately 98m (322') north of its intersection with Second Line West, civic no. 520 Allen's Side Road
Size – Approximately 288m (945') x 198m (650'); 5.85 ha (14.5 acres)
Present Use – Vacant
Owner – McRain Developments Inc.

REQUEST:

The applicant, McRain Developments Inc., is requesting an Official Plan Amendment and a Rezoning on the southern 76m (249') of the subject property, from "RA" (Rural Area) zone to "M.2" (Medium Industrial) zone in order to facilitate the future development of a manufacturing and assembly facility for solar panels.

CONSULTATION:

Engineering – No comments
Building Division – No comments
Legal Department – No comments
PW&T – No objections
CSD – No concerns
Municipal Heritage Committee – No concerns
PUC Services Inc. – No objection
Conservation Authority – See attached letter

Accessibility Advisory Committee – No
comments

PREVIOUS APPLICATIONS

In 2005 City Council approved an application to rezone the northeast corner of Second Line West and Allen's Side Road to "M1" (Light Industrial) zone in order to facilitate the development of the offices and storage yard of Brascan Power Wind Corporation. At that time the property was one, but has since been severed away from the subject property.

Conformity with the Official Plan

The subject property is designated 'Rural Area' on Land Use Schedule "C" of the Official Plan. Although there is existing industrial development to the south and east of the subject property, this area was not considered as part of the 2001 Industrial Land Strategy. There are substantial blocks of vacant industrially zoned lands within the community, however a number of issues have arisen with several properties, including the Black Road area and the rear lands on the west side of Great Northern Road, between Third Line and Fourth Line. Given these issues, Planning Division is currently reviewing the Municipality's industrial land supply.

The proposed manufacturing and assembly facility for solar panels requires an amendment to Land Use Schedule "C" of the Official Plan, from Rural Area to Industrial.

Comments

The applicant, McRain Developments Inc., is requesting an Official Plan Amendment and a Rezoning on the southern 76.2m (250') of the subject property, from "RA" (Rural Area) zone to "M.2" (Medium Industrial) zone in order to facilitate the future development of a manufacturing and assembly facility for solar panels.

Referring to the site plan attached, the portion of the property proposed to be rezoned is approximately 1.52 ha (3.77 acres) with 76.2m (250') of frontage along Allen's Side Road. Based upon the site plan, the building housing the manufacturing facility will be approximately 1,579m² (17,000 sq. ft.). The loading area will be located at the rear of the building, and the majority of the site will be paved, excluding a gravel area behind the building.

The manufacturing process of solar panels will be highly mechanized, with minimal emissions associated with light soldering. The applicant anticipates that truck traffic will be limited to one or two trucks per day. Outdoor storage is not required as part of the use.

Referring to the zoning maps attached, the character of the area is mixed. Abutting the property to the east is Frankie's Automotive. A large contractor's yard supporting civil and heavy engineering projects is located further east across the creek channel. Brascan Wind Power Corporation operates its offices and storage yards on the "M1" (Light Industrial) zone parcel which abuts the subject property to the south. Nearby sensitive uses include a church which is located across Allen's Side Road, rural residential properties further up Allen's Side Road, and Estate Residential uses along Second Line West. The church building is approximately 130m (427') away from the site, and the nearest residential dwelling (465 Allen's Side Road) is approximately 100m (328') away from the subject property.

For all intents and purposes, the manufacturing and assembly of solar panels is a light industrial use, given minimal emissions of noise, dust, and odour. Truck traffic will be minimal, predicted at roughly 1 to 2 trucks per day. Even though off-site impacts are more reflective of a light industrial use, by Zoning By-law definition, the manufacturing and assembly of solar panels is a Medium Manufacturing use, which is why the applicant has applied to rezone the property to "M2" (Medium Industrial) zone.

As part of the circulation of this application there have been discussions with concerned neighbours. Correspondence attached to this Report notes that it is within their 'best interest that the rezoning application be put forward as light industrial'. The main concern is that if the solar panel manufacturing facility does not materialize, there are a number of uses permitted within the "M2" (Medium Industrial) zone that may not be conducive to the area. For this reason, it is recommended that the property be rezoned to "M1" (Light Industrial) zone, with a Special Exception to permit the manufacturing and assembly of solar panels.

To further protect surrounding neighbours, it is also recommended that the following uses permitted in the "M1" zone be prohibited from operating on the subject property:

1. Contractor's Yards
2. Delivery and Courier Services
3. Dry Cleaning and Laundry Plants
4. Manufacture of Food and Beverages
5. Rental and Leasing
6. Warehousing, Wholesaling and Distribution Services.

Correspondence from the same neighbour also indicates a concern with contamination of nearby wells. The subject property will be serviced with Municipal water and sewer services, located upon the abutting Brookfield property to the south. Given the nature of the use, and access to municipal sewer and water services, the potential contamination risk of nearby wells will be minimal.

Further to the neighbours water related concern, correspondence from the Sault Ste. Marie Region Conservation Authority notes that the property is not within their regulated area, although it is under the consideration of the Drinking Water Source Protection Program as it is located within the Potential Groundwater Recharge Area. Consequently, the applicant must ensure that safeguards are in place to ensure the proper on-site storage and handling of chemical and petroleum products.

SUMMARY

The proposed 1,579m² (17,000 sq. ft.) manufacturing and assembly facility for solar panels is appropriate for this area, given its size and scope. Off-site impacts such as noise, dust, odour, air emissions and traffic will be minimal. The applicant has also noted that permanent outdoor storage will not be required.

Although impacts associated with the solar panel facility will be minimal, given nearby residential and institutional uses, it is recommended that the property be rezoned to "M1" (Light Industrial) zone with a Special Exception to permit the manufacture and assembly of solar panels.

This rezoning should not be considered as precedent setting for the remainder of the property. Even though the proposed use is fairly innocuous, with minimal off-site impacts, the subject property is far enough away from rural residential uses further north. The remainder of the property is much closer to these rural residential uses and achieving adequate minimum distance separations (based upon the specific use) could be much harder to achieve.

As previously noted, it is recommended that a number of "M1" permitted uses be prohibited from operating upon the subject property. Such uses are not conducive to the rural residential character further north on Allen's Side Road.

It is also recommended that Site Plan Control be utilized, so that staff can review the exterior details of the development to ensure that the site is developed in an aesthetically pleasing manner with special regard for landscaping, and to ensure that off-site impacts are minimized through appropriate buffering, paving, and orientation of noxious aspects of the use (loading facilities) away from nearby sensitive uses.

Planning Director's Recommendation

That City Council deny the applicant's request for "M2" (Medium Industrial) zoning and approve Official Plan Amendment No. 171, deem the property under site plan control, and rezone the subject property from "RA" (Rural Area) zone to

6(6)(a)

"M1" (Light Industrial) zone with the following Special Exception:

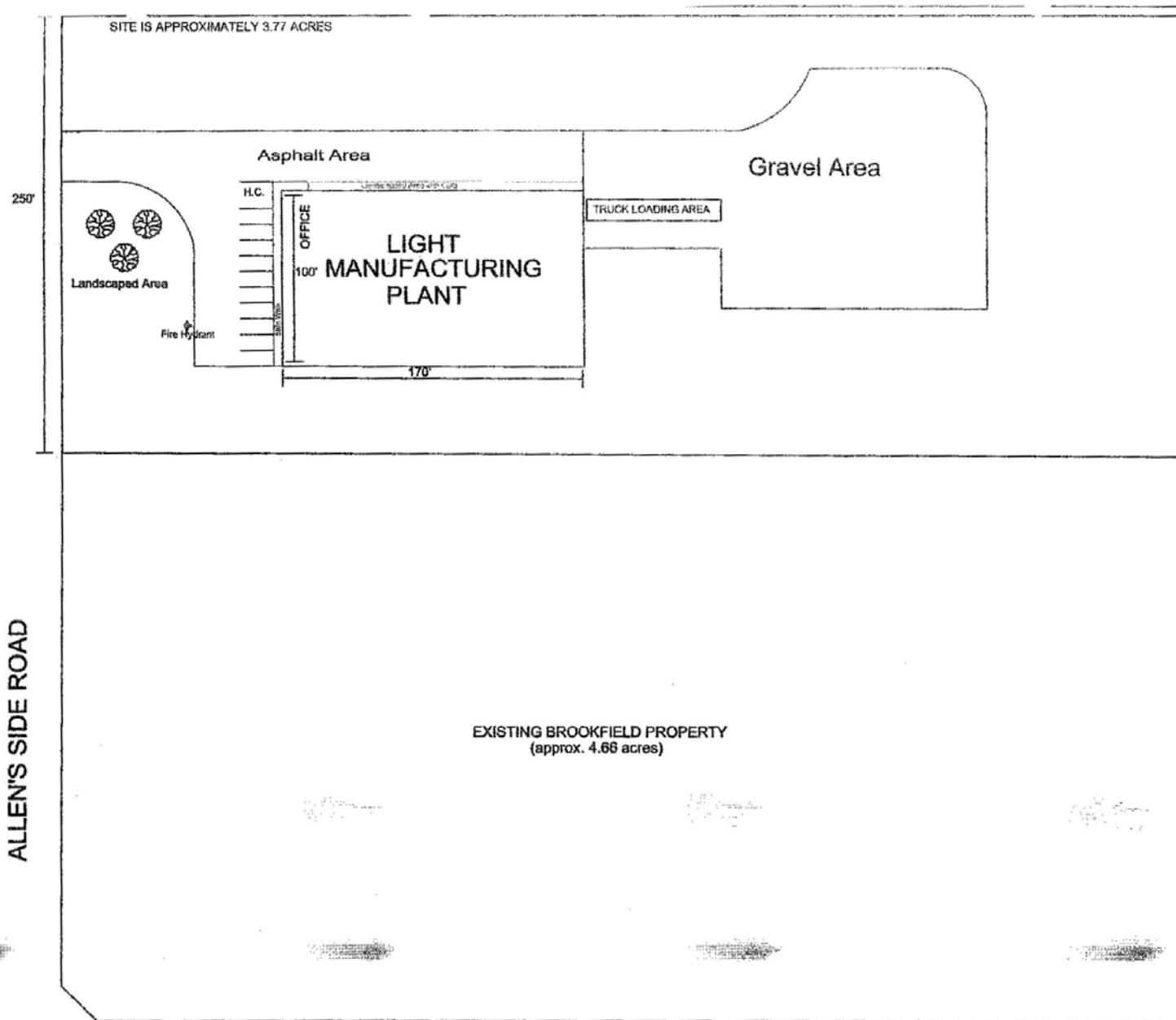
1. That a facility for the manufacture and assembly of solar panels is permitted on the subject property, in addition to those uses permitted in an "M1" (Light Industrial) zone.
2. That the following uses, as defined in Zoning By-law 2005-150, be prohibited from operating on the subject property:
 - a. Contractor's Yards
 - b. Delivery and Courier Services
 - c. Dry Cleaning and Laundry Plants
 - d. Manufacture of Food and Beverages
 - e. Rental and Leasing
 - f. Warehousing, Wholesaling and Distribution Services.

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

PT/pms

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PROPOSED SITE PLAN
LIGHT MANUFACTURING

66946

Peter Tonazzo

Subject: FW:

From: M Pagnotto [mailto:mariopagnotta@shaw.ca]

Sent: February 17, 2010 12:18 PM

To: Peter Tonazzo

Subject: Re:

Dear Peter it is in our best intrest that the re-zoning app on allen side road be put forth as light industrial the other concern we have is if there would be any contamination in the near future to our water since we are all on wells can you please respond with guide line from algoma health since when we applied for severence a few years back they recommended that single family dwelling be 2.5 acrese has anyone looked in to the recomendation please get back to me Mario Pagnotta

b(b)(a)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: January 25, 2010 4:04 PM
To: Pat Schinners
Subject: SSMRCA Response - A-4-10-Z.OP

January 25, 2009

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-4-10-Z.OP
McRain Developments Inc.
520 Allen's Side Road
Sault Ste. Marie

The subject property is not located in an area under the jurisdiction of the Conservation Authority with regard to the O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

The subject property is under consideration of the Drinking Water Source Protection Program of the Conservation Authority with regard to Drinking Water Source Protection as it is within the Potential Groundwater Recharge Area.

Therefore the following recommendations on the rezoning application from the Drinking Water Source Protection are offered (during and after construction):

1. Safeguards for the proper storage of any petroleum products are instituted on site.
2. Safeguards for the proper storage of any chemical products are instituted on site.

Should you have any questions on our comments please contact our office.

Marlene McKinnon
GIS Specialist
Sault Ste. Marie Region Conservation Authority
1100 Fifth Line East,
Sault Ste. Marie, Ontario P6A 5K7
Business: (705) 946-8530 ext 204
Fax: (705) 946-8533
Email: mmckinnon@ssmrca.ca

6 (b) (a)



ORTHO PHOTO

APPLICATION A-4-10-Z-OP

520 ALLEN'S SIDE ROAD



Metric Scale
1 : 5000



Subject Property - 520 Allens Side Rd



Area-to-be-Rezoned - Frontage = 76.2m [250']

Maps
77 & 1-85

Mail Labels
A4-10

**AMENDMENT NO. 171
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE

This Amendment is an amendment to Schedule "C" of the Official Plan.

LOCATION

Portion of the southwest ¼ of Section 27 in the former Township of Korah, being the southerly 76.2m of Part 2 in Plan No. 1R11187 located on the east corner side of Allen's Side Road approximately 97m north of its intersection with Second Line West. Civic No.520 Allen's Side Road.

BASIS

This Amendment is necessary in view of the request to rezone the subject property in order to utilize the subject property as a manufacturing and assembly facility for solar panels.

The proposal does not conform to the existing Rural Area policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan re-designating the subject property from "Rural Area" to "Industrial".

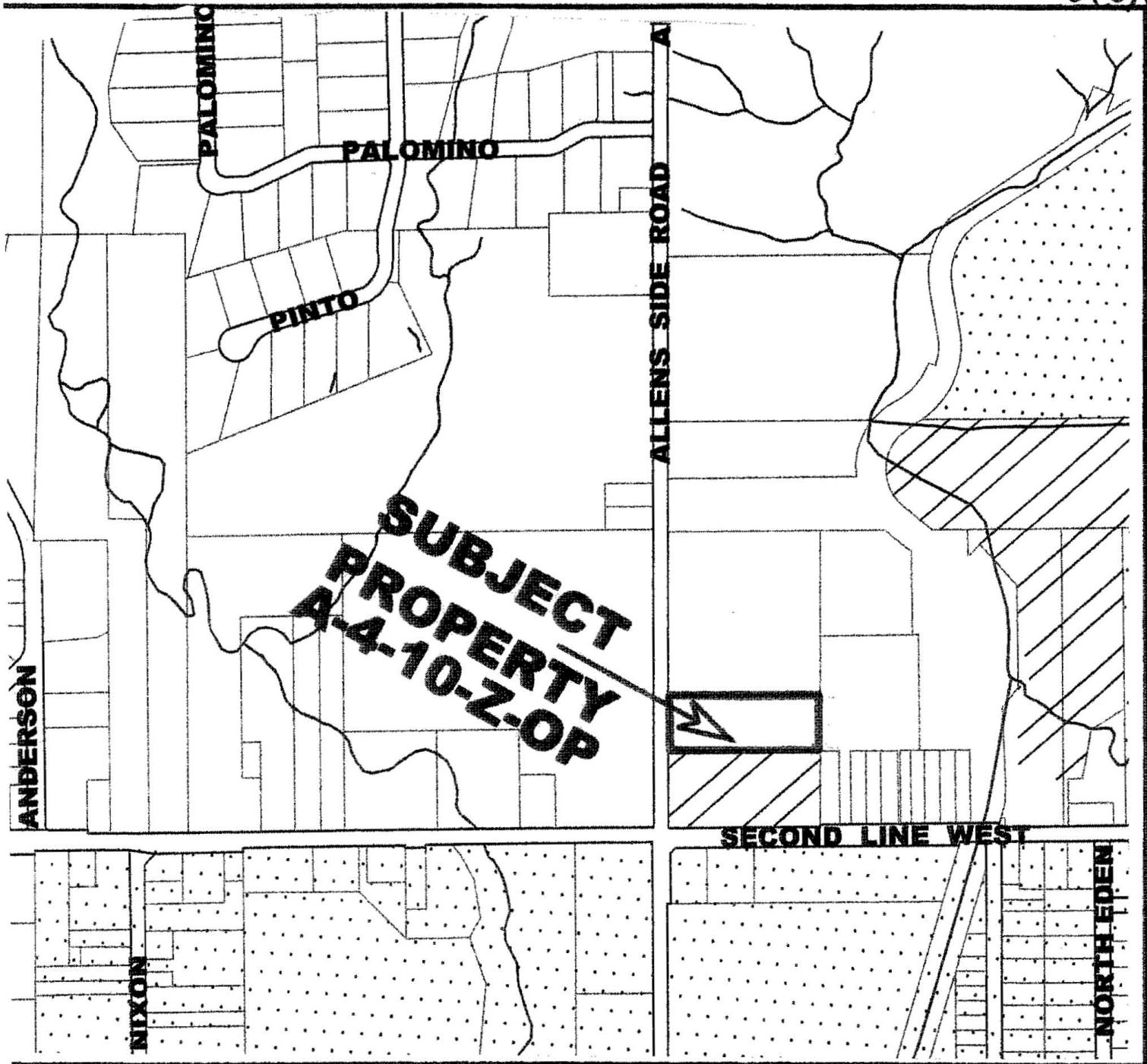
DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Rural Area" to "Industrial".

INTERPRETATION

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

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OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 171

b(6)(a)



SUBJECT PROPERTY MAP

**APPLICATION A-4-10-Z-OP
520 ALLEN'S SIDE ROAD**

Metric Scale
1 : 5000



A small, empty rectangular frame made of a dark, textured material, possibly leather or cloth, with rounded corners.

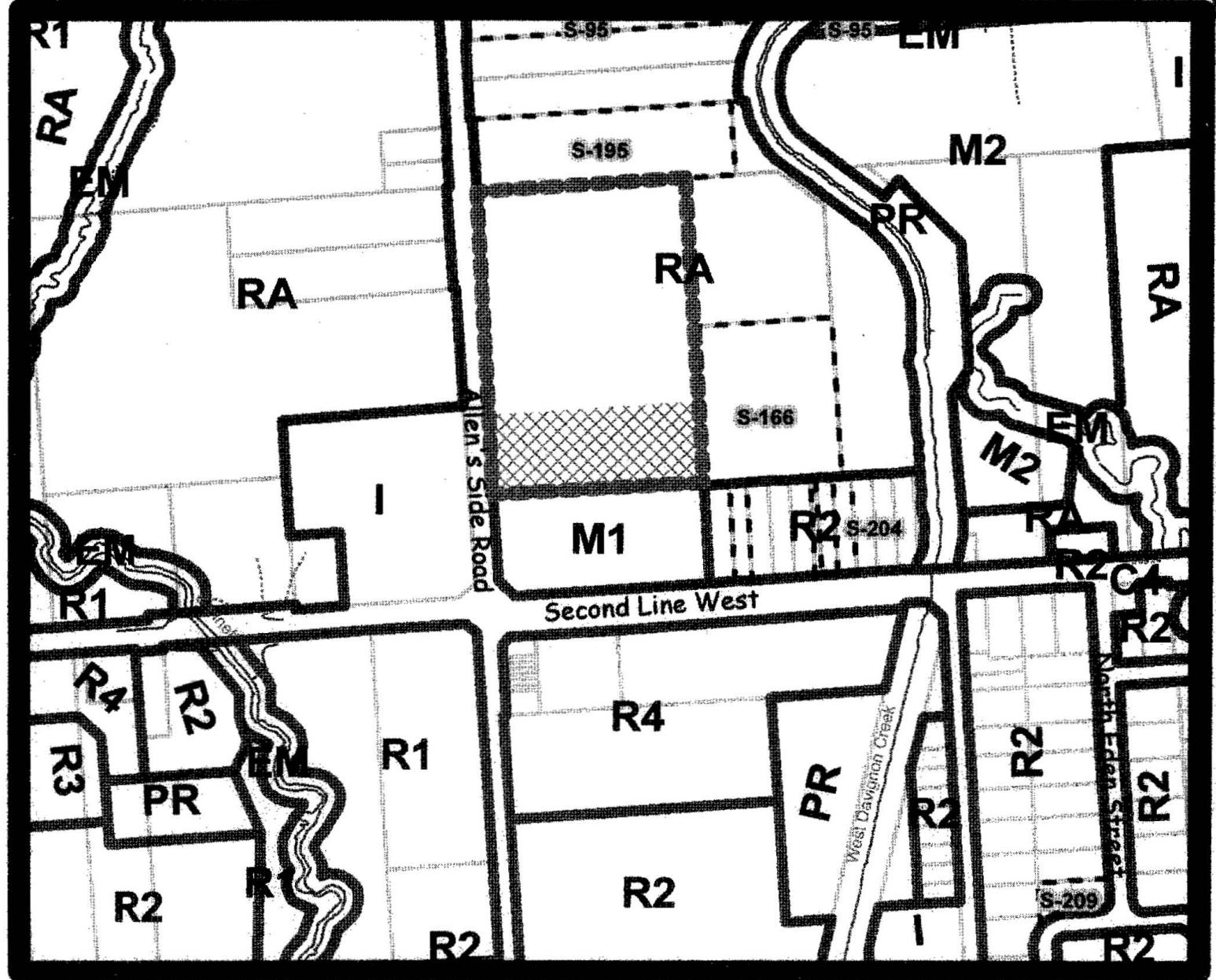
Subject Property - 520 Allens Side Rd



Area-to-be-Rezoned - Frontage = 76.2m [250']

**Maps
77 & 1-85**

Mail Labels



EXISTING ZONING MAP



Subject Property - 520 Allens Side Rd



Area-to-be-Rezoned - Frontage = 76.2m [250']



S-Number = SPECIAL ZONING BYLAW 2005-151



M1 - Light Industrial Zone



R1 - Estate Residential Zone



R2 - Single Detached Residential Zone



R3 - Low Density Residential Zone



R4 - Medium Density Residential Zone



RA - Rural Area Zone; RAhp



EM - Environmental Management Zone



PR - Parks and Recreation Zone

APPLICATION A-4-10-Z-OP 520 ALLEN'S SIDE ROAD



Metric Scale
1 : 5000

Maps
77 & 1-85

Mail Labels
A4-10

6(6)(b)



2010 02 22

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-5-10-Z - filed by Palmer Construction Group

SUBJECT PROPERTY: Location - Located on the west side of Great Northern Road approximately 158m (518') south of its intersection with Sixth Line, civic no. 2325 Great Northern Road
Size - The triangular shaped parcel is approximately 466m (1,529') x 228m (748'); 5.6 ha (13.8 acres)
Present Use - Vacant property
Owner - Palmer Construction Group

REQUEST: The applicant, Palmer Construction Group, is requesting a rezoning by way of a Special Exception to the Rural Area Extraction zone to permit a portable asphalt plant on the subject property.

CONSULTATION: Engineering - No comments
Building Division - No comments
Legal Department - No comments
CSD - No concerns
Municipal Heritage Committee - No concerns
PW&T - See attached letter
Conservation Authority - See attached letter
Accessibility Advisory Committee - No comments

PREVIOUS APPLICATIONS

In 1989 Council approved an application to permit the manufacture of canoes.

Conformity with the Official Plan

The subject property is designated 'Rural Area' on Land Use Schedule "C" of the Official Plan. The Rural Area policies of the Official Plan permit among other things "extractive uses such as mining, quarrying and aggregate removal." The applicant is requesting to locate a portable asphalt plant on the subject property. Such units are generally accessory to and located within an active pit operation. Given that the proposed use is customarily associated with extractive operations, an Official Plan Amendment is not required.

Comments

Introduction

The applicant, Palmer Construction Group is requesting a rezoning by way of a Special Exception to the "REX" (Rural Area Extraction) zone to permit a portable asphalt plant on the subject property. The REX zone permits asphalt plants as accessory to an active pit operation. In the future, the applicant plans to operate a pit on the subject property, and is currently in the process of applying for a pit license through the Ministry of Natural Resources. It is important to note that aggregate extraction is permitted under the current zoning, and City Council is not being asked to approve a pit, but rather the placement of a portable asphalt plant in the absence of an active pit.

Referring to the maps attached, the triangular shaped parcel is located on the northwest side of Great Northern Road, approximately 158m (518') south of its intersection with Sixth Line. The vacant property is treed. Adjacent and abutting properties are also vacant, with the nearest residential dwelling located approximately 140m (459') north of the northern extent of the subject property.

Portable asphalt plants have the potential to impact nearby sensitive uses in terms of noise, dust, odour and vibrations. Referring to the site plan attached, the proposed plant will be located along the western portion of the subject property, setback at least 30m (98') from the west lot line. In December 2009, HGC Engineering prepared an '*Environmental Noise Assessment for a Mobile Asphalt Plant*'. The Assessment recommends a minimum distance separation of at least 400m (1,312') from the nearest sensitive receptor. The nearest sensitive receptor, a residential dwelling at 2515 Great Northern Road, will be approximately 450m (1,476') away from the proposed asphalt plant location.

Future residential development potential within this area is minimal. The surrounding area is currently zoned "REX" (Rural Area Extraction), as it is located on significant sand and gravel deposits with mining potential. Given that such aggregate is a provincially significant resource, any residential development is limited to existing lots of record. Adding to this, the area is near the city limit and is well outside of the Urban Settlement Area.

Groundwater Protection

The attached correspondence from PUC Services Inc. and the Sault Ste. Marie Region Conservation Authority notes that the subject property is located within the groundwater

recharge area. The development will also require a permit from the Conservation Authority prior to any development or site alteration.

The subject property is located within the Groundwater Recharge Area (Schedule B). Due to the porous nature underlying sand and gravel, any chemical or petroleum spill could result in contamination of the City's drinking water system, or nearby private wells. Given these concerns, the following Official Plan policies, intended to minimize the risk of contamination, must be adhered to as a condition of this rezoning, to the satisfaction of the PUC and Conservation Authority:

a) Fuel Storage and Handling

- i) In-ground fuel storage tanks are not permitted.
- ii) The maximum amount of fuel stored for aggregate operations shall not exceed 5,000 litres.
- iii) Fuel storage is limited to fuel for vehicles operating on site only.
- iv) The fuel storage tank must be of double walled construction with an audible alarm system that announces failure of the inner or outer wall integrity. Double walled construction is not a substitute for spill containment.
- v) The tank and associated fuelling equipment must be installed on an impervious surface with sufficient containment to hold 110% of the total tank volume. The fuelling area must be designed to collect all runoff, separate the fuel from the water, and allow for proper disposal of the contaminants before the runoff enters the ground or surface water systems.
- vi) The tank must be situated so as to minimize its exposure to moving equipment and vehicles. It must also incorporate collision protection features.
- vii) On-site fuelling equipment should be in a fixed location. Where the equipment to be fuelled is in a fixed location and cannot be moved the portable fuelling equipment shall provide a means to catch and contain any spillage that may occur during refuelling. The method of containment will be reviewed and approved by the Conservation Authority and the PUC Services Inc.
- viii) The area where a portable fuel tank is stored must have an impervious ground surface or be within a building containing a floor drain that does not discharge to a surface or sewage system. The floor drain must be directed to a holding tank or pond that is designed to capture a spill. The holding area will have the capacity of 110% of the portable fuel storage tank.

b) Chemical Storage and Handling

- i) The bulk storage of chemicals, petroleum products, and other hazardous materials is prohibited.
- ii) The storage and handling of chemicals on site for the routine operations of the use must be closely monitored and controlled.
- iii) The storage and handling of chemicals needed for the day-to-day operations of the use are restricted to an indoor or covered area

equipped with adequate spill and runoff containment structures, designed to prevent any loss of chemicals into the ground.

- iv) All persons handling chemicals must be trained to ensure the substances are properly stored and handled

c) Vehicle Maintenance, Repair and Storage

- v) Vehicular maintenance and repair will be limited to only those vehicles owned or leased, and used in conjunction with the main use permitted on site. A public garage for the repair and maintenance of vehicles is prohibited.
- vi) Maintenance and repair of vehicles and equipment shall be conducted entirely within an enclosed building.
- vii) The building must be equipped with suitable floor drainage, collection, and retention systems to ensure that any spillage and runoff is prevented from entering the ground.
- viii) The floor of the building must be structurally sound and constructed of materials capable of preventing any loss of liquids to the underlying ground.
- ix) Any portion of the property used to store vehicles or motorized equipment will be equipped with an impermeable surface layer to prevent the migration of contaminated runoff into the ground.

d) Spill Response

- x) A "Spill Response Action Plan" must be established, and staff must be trained to carry out the plan. A copy of the plan shall be provided to Conservation Authority and PUC Services Inc. for their review and approval.
- xi) The spill response plan must be reviewed annually to ensure it is kept up-to-date.

e) Stormwater Management

- xii) On-site stormwater must be collected, stored and treated, and properly disposed of in order to remove contaminants before the stormwater is allowed to enter into the ground or exit the property.

Access

Referring to the site plan attached, access will be gained along the western lot line. The attached correspondence from Genivar Engineering notes that the entrance has been designed in accordance with Ministry of Transportation's "*Commercial Site Access Policy and Standard Designs*". Based upon a design speed of 100km/hr (posted speed limit plus 20km/hr), MTO regulations require minimum sightline distances of 230m (755'). Genivar estimates that the sight distance in the northeast direction is "in the order of 350m (1,148') , while that in the southwest direction is approximately 500m (1,640')." The applicant has also indicated that if required, he is willing to install a 'slip-around' lane so that northbound traffic will not be impeded when vehicles are turning left into the subject property. Correspondence from Public Works (attached) indicates that Genivar has sufficiently addressed PWT concerns.

Even though the proposed entrance adheres to MTO regulations, it is recommended that Site Plan Control be utilized to ensure that the access is safe, which may require the installation of a 'slip around' lane. Such details will be worked out through Site Plan Control.

Correspondence from Neighbours

Up until the drafting of this report, one letter of objection (attached) has been received from Mr. and Mrs. Agnew who reside at 2515 Great Northern Road, which is the nearest neighbour to the north. The core objections including Planning Division responses are outlined below:

1. Risk to aquifer through Contamination

Chemicals and petroleum products will be stored and handled in association with the asphalt plant. Risks to contamination will be mitigated through the Groundwater Recharge Area policies found in the Official Plan. Among other things, fuel and chemical storage shall be within a double walled container with an alarm to enunciate failure of either the inner or outer wall. Such storage containers must be located on an impervious surface with the ability to contain 110% of the total capacity of the storage tanks.

2. Groundwater withdrawal for Industrial Use

According to the applicant, the use of water will be for domestic purposes only.

3. Visual Blight on the Highway Approach from the North

The subject property is located along the City's northern 'gateway' and as such aesthetics are an important concern. Based on the site plan attached, the asphalt plant will be setback at least 100m (328') from the highway. A buffer of at least 30m (98') from the edge of the Highway Right-of-Way is also required. Given the existing foliage within this 30m buffer, the use will be visually screened from the highway. Site Plan Control is also recommended to give staff an opportunity to review development details. If it is determined that the existing foliage within the buffer does not provide an adequate screen from the highway, additional planting may be requested.

4. Turning Traffic on Curve

As previously mentioned, the proposed access adheres to sightline requirements of the Ministry of Transportation. Site Plan Control will also be utilized to ensure a safe access, which may require the installation of a 'slip through' lane to for northbound traffic.

5. Air and Noise Pollution

The portable asphalt plant will require a Certificate of Approval from the MOE prior to operation. MOE approvals will ensure that among other things, regular maintenance and inspection of equipment, dust suppression measures, and minimum distance separations are adhered to. Based upon studies completed by HGC Engineering, the minimum distance separation to sensitive receptors is 400m (1,312'). The nearest neighbours dwelling (2515 Great Northern Road) will be approximately 450m (1,476') from the asphalt plant.

6. Hours of Operation

Any City Council approvals with respect to this application cannot regulate hours of operation. The applicant has stated that during the summer months, the plant will operate during normal construction/daylight hours, excluding Sundays.

7. Detriment to the Recreational Use of Land

As with any undeveloped vegetated area there exists informal and formal recreational uses. Glenview Cottages has a substantial land holding which abuts the subject property to the north. The actual cottages will be approximately 750m (2,460') away from the proposed asphalt plant location. Given this distance, the hilly topography, and the heavy vegetation, noise impacts from the proposed use should not impact the cottages.

8. Pressure for Contiguous Development (Gravel Extraction, Trucking Yard and Equipment Storage) & Industrial Sprawl

The subject property and surrounding areas to the east, west and south are all zoned "REX" (Rural Aggregate Extraction) zone. The REX Zone permits open pit aggregate extraction without the need for a rezoning, although a license from the Ministry of Natural Resources is required.

The Provincial Policy Statement notes that 'mineral aggregate resources shall be protected for long term use'. The PPS further states that in areas adjacent to or in known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new operations or access to the resources are generally discouraged.

Aggregate is a provincially significant resource which is critical to the local and regional construction industry. Given the aggregate deposits in the area, it is possible that future pit operations will occur, including the subject property and surrounding areas.

SUMMARY

Under the current "REX" (Rural Area Extraction) zone, asphalt plants are permitted as an accessory use to an active pit. In this instance the applicant requires a rezoning to permit the asphalt plant in the absence of an active pit. The applicant has noted that an application for a pit license on the subject property is currently underway with the Ministry of Natural Resources. Given that aggregate extraction is already permitted under the current zoning, it is important to note that this is not an application to operate a gravel pit.

Asphalt plants have the potential to create off-site impacts such as noise, dust, and odour, not to mention the nature of the use which requires heavy truck traffic to not only feed the plant, but take away the finished product to prospective job sites throughout town. Given these concerns, minimum distance separation and buffering becomes paramount in reducing off-site impacts to nearby sensitive uses. Based on acoustical studies completed by HGC Engineering, the required minimum distance to a sensitive receptor is 400m (1,312'). Based upon the proposed location for the asphalt plant, the nearest neighbours dwelling will be roughly 450m (1,476') away. Off-site impacts will be further reviewed and mitigated by the Ministry of Environment through their Certificate of Approval process.

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Based on the preliminary site plan attached, the applicant is proposing a 30m (98') buffer around the entire parcel. The area is currently treed, with mature maples, and some evergreens in the undergrowth. The buffer will help mitigate off-site impacts to neighbours and screen operations from those travelling through the northern 'gateway' towards the City. Given the time of year and the heavily vegetated state that the property is currently in, at this time it is difficult to determine if the proposed 30m buffer will adequately screen the use from the roadway.

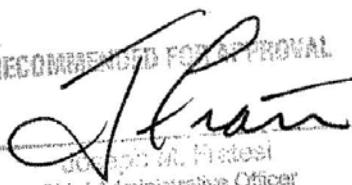
It is recommended that Site Plan Control be utilized in order to grant staff the opportunity to further review details of the development. Provisions can be put in place to require additional planting within the buffer, to ensure adequate screening, and further mitigate noise emissions.

The subject property is also located within the City's Groundwater Recharge Area, and as such, proper safeguards are critical to ensuring the continued safety of Sault Ste. Marie's drinking water system, as well as nearby private wells. A condition of this rezoning will require the applicant to adhere to the Official Plan requirements as outlined previously in this report. The safeguards are intended to ensure the proper storage and handling of chemicals and petroleum products, with engineered solutions to minimize the risk of a spill and subsequent contamination of the City's groundwater regime.

Planning Director's Recommendation

That City Council approve the application and rezone the subject property from "REX" (Rural Aggregate Extraction) zone to "REX.S" (Rural Aggregate Extraction) zone with a Special Exception to permit a portable asphalt plant, subject to the following conditions:

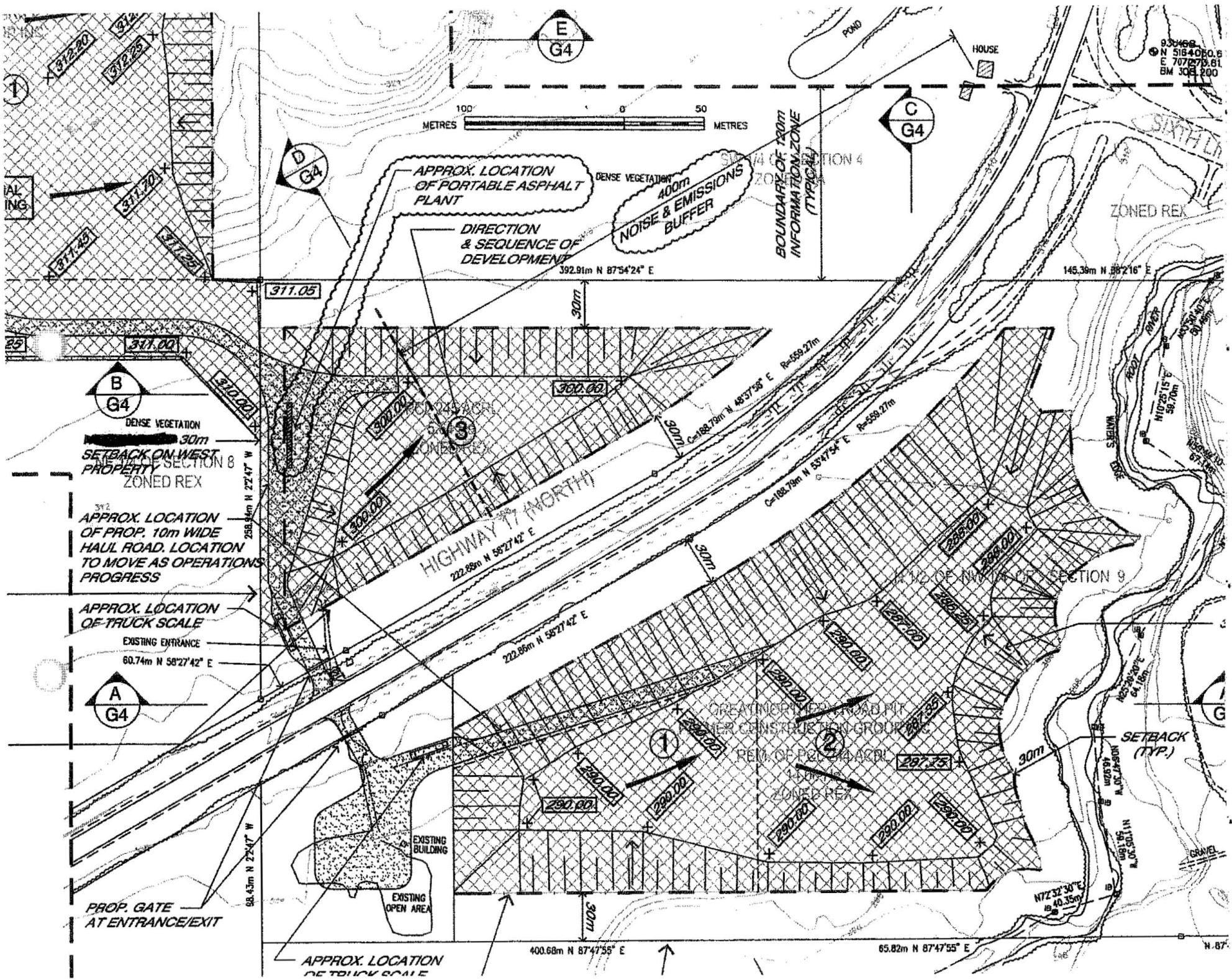
1. That the subject property be deemed subject to Site Plan Control.
2. That future development upon the property adhere to the Official Plan Policies pertaining to the Groundwater Recharge Area and more specifically:
 - i. Fuel/chemical storage and handling
 - ii. Vehicle maintenance, repair and storage
 - iii. Spill response
 - iv. Stormwater management.

RECOMMENDED FOR APPROVAL

Joseph M. Piotrowski
Chief Administrative Officer

PT/pms

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

Feb. 5, 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-5-10-Z
2325 Great Northern Road

PUC wishes to note that given that the proposed site is within the water supply recharge area, that any water contamination sources such as fuel storage and site runoff should be reviewed by Sault Ste. Marie Conservation Authority.

Yours truly,

PUC SERVICES INC.

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

Kevin Bell, P. Eng.
Manager of Engineering

KB*ds

b(b)(b)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: January 25, 2010 4:06 PM
To: Pat Schinners
Subject: SSMRCA Response - A-5-10-Z

January 25, 2009

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-5-10-Z
Palmer Construction Group
2325 Great Northern Road (new civic)
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. A permit may be required and therefore any development plans will have to be reviewed by SSMRCA.

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 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

6(6)(b)

Peter Tonazzo

From: Larry Girardi
Sent: February 16, 2010 10:59 AM
To: Peter Tonazzo
Cc: Andy Starzomski
Subject: FW: New Entrance Location 2325 Great Northern Road
Attachments: Girardi 02-12-10.pdf

Peter - PWT has received the attached letter from Genivar (Larry Jackson) and he has addressed the concerns that we had regarding traffic entering and exiting the site. You may want to remind Palmer's that they would have to move the existing information sign with direction coming from PWT Traffic Dept. in order to have a clear view when exiting the property.
We have no further comments.

Larry Girardi

From: Linda Carter [mailto:walker@walkerengineering.on.ca]
Sent: February 12, 2010 4:38 PM
To: Larry Girardi
Cc: Larry Jackson; Andy Starzomski; Jim Elliott; terry@palmergroup.ca; billpletsch@shaw.ca; p.tonazzo@cityssm.ca
Subject: New Entrance Location 2325 Great Northern Road

The attached letter is forwarded on behalf of Larry Jackson, P.Eng. of this office.

<<Girardi 02-12-10.pdf>>

Linda Carter | Senior Administrative Assistant

GENIVAR | *Constructive people*

T 705-942-2070 linda.carter@genivar.com

F 705-942-3532

Please consider the environment before printing.

(66)(b)



February 12, 2010

Mr. Larry Girardi
Deputy Commissioner of
Public Works & Transportation
City of Sault Ste. Marie
128 Sackville Road
Sault Ste. Marie, ON P6B 4T6

l.girardi@cityssm.ca

Via E-mail
2008-50

RE: 2325 Great Northern Road – New Entrance Location

Palmer Construction Group Ltd. is proposing a new commercial entrance at the above-noted property for a portable asphalt plant and, eventually, a new pit / quarry. We have previously provided drawings showing the location of the proposed entrance and a typical entrance design from the Ministry of Transportation's "*Commercial Site Access Policy and Standard Designs*".

The posted speed in this area of Great Northern Road is 80 km/hr and MTO typically recommends that facilities be designed for a design speed of 20 kilometres per hour greater than the posted speed. In our opinion, the proposed entrance location meets the MTO's required sight distances for commercial entrances for a design speed of 100 km/hr. In arriving at this opinion, we are relying on Table 1 - Minimum Sight Distance of the MTO's Commercial Site Access Policy wherein it specifies a sight distance of 230 metres for a design speed of 100 km/hr. At the subject location, we estimate that the sight distance in the northeast direction is in the order of 350 metres, while that in the southwest direction is approximately 500 metres.

Palmer Construction Group has also indicated that they will install a "slip-around" lane at the location of the proposed entrance so as not to impede northbound traffic when vehicles are turning left into the subject property. The slip-around will be constructed in accordance with Figure E9-4 of the MTO's "*Geometric Design Standards for Ontario Highways*".

Please let me know if you have any questions or require further information.

Yours very truly
GENIVAR
(formerly Wm. R. Walker Engineering Inc.)

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

Larry Jackson, P.Eng.
MLJ:ljc

ec: Andy Starzomski
ec: Jim Elliott
ec: Terry Rainone
ec: Bill Pletsch
ec: Peter Tonazzo

6(6)(b)

February 10, 2010

D.P. Irving
P.O. Box 580
Sault Ste. Marie, ON
P6A 5N1



2611 Great Northern Road
Sault Ste. Marie, Ontario Canada P6A 5K7
Tel.: (705) 759-3436 Fax: (705) 759-9060
www.glenviewcottages.com

Dear Ms. Irving:

Re: Application No. A-5-10-Z filed by Palmer Construction Group

As owners of 2611 Great Northern Road, and Glenview Cottages & Campground for over 30 years, we wish to go on record to express our concern about the above re-zoning application.

We have very similar concerns to our neighbours, the Agnews, in respect to this application.

Glenview operates a well system and being a large accommodation without access to city water or services, we rely on our well and water system to provide safe drinking water to ourselves and our guests. We are required to meet provincial standards for our water, and are continuously inspected by government bodies to ensure that we are meeting those standards. We are concerned that if this company is permitted to start this new course of business, and doing so results in the contamination of our drinking water system, or changes in water table levels, that we would be entirely unable to operate our business, putting about 10 local people out of work.

The noise pollution this new operation would introduce into the area is a key concern, due to the proximity of the subject property to our campground, where tourists are sleeping in tents.

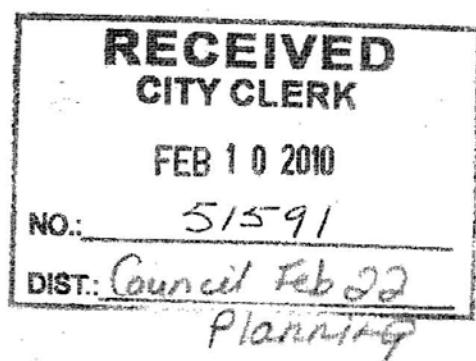
We are also concerned that this application is just a toe in the water into a larger scale operation such as a gravel pit and/or quarry, which would require blasting and therefore would have even more detrimental affects to the surrounding natural woodland and recreational property.

We encourage City Council to seriously consider the long-term ramifications of this re-zoning application, how it will affect the surrounding area, not just Glenview or Agnews drinking water, but indeed the entire city's drinking water as the subject area is so close to the city's Aquifer.

Thank you for your consideration to our concerns.

Sincerely,

Larry Powshik



6(6)(b)

Objection to Zoning Application A-5-10-Z (Palmer Paving)

Objectors: James Agnew and Terry Agnew residents at 2515 Great Northern Rd.

We have resided at this address for over 30 years in a single family home on slightly more than one acre of property. We have two outbuildings and the remainder of the property is wooded (principally maple and coniferous trees). We, as do all our neighbours rely on a well for domestic water – in our case a “cement cased” 40-50 foot deep well that has served us quite adequately.

The underlying soil is gravel/rock to some depth. There is a restriction on our deed which prohibits the operation of a gravel pit.

Immediately behind our property a large pond forms every year principally from drainage which originates south of our property. As well, judging by the location of culverts, drainage from both sides of us crosses Great Northern Road and enters the Root River.

The Trans Canada Trail is mapped just to the North of us.

Land in the vicinity is primarily recreational with the exception of the Odena Longyear Reload Yard and Siding which is on the other side of Root River and off Sixth Line. Since the yard’s creation Sixth Line has seen a major upgrade and bridge replacement to accommodate heavy trucks.



Core Objections

- Risk to the Aquifer through Contamination
- Groundwater withdrawal for Industrial Use
- Visual Blight on the Highway Approach from the North
- Turning Traffic on Curve
- Air Pollution
- Noise Pollution
- Hours of Operation
- Detriment to the Recreational Use of Land
- Pressure for Contiguous Development (Gravel Extraction, Trucking Yard and Equipment Storage)
- Industrial Sprawl

Risk to the Aquifer through Contamination

Because of the porous nature of the gravel soil, there is danger to the aquifer if there is any kind of spill or leakage. Since asphalt is petroleum based any leakage would spread quickly. A small amount of leakage could result in disastrous effect on the aquifer in what is designated a Recharge Zone.

Groundwater Withdrawal for Industrial Use

We do not know what the water demand is for the proposed use but imagine there would be a need for water to produce steam, for example. Heavy extraction of water could result in failure of existing wells.

Visual Blight on the Highway Approach from the North

The city is to be commended for keeping the northern approach as natural as it is, for example, by enforcing the billboard licensing requirements. Ironically, the subject property is in the immediate vicinity of the city's welcoming sign. The subject property is much too shallow to allow for an adequate buffer to mask what would be an industrial installation.

Turning Traffic on Curve

With the upgrade of Sixth Line:

- two traffic islands were created
- a long entry and exit lane were added
- a centre turning lane was created
- the northbound lane was paved right to the traffic islands

Access to the subject property, about one hundred meters south, has none of these traffic features and is on the same curve. In fact, northbound truck traffic would be turning left a very short distance after the highway narrows from three lanes to two.

Air Pollution

Noise Pollution

While it is true that these will exist no matter where the proposed plant is set up, that does not mean that it is appropriate to subject a wooded rural and primarily recreational area to these stresses.

Hours of Operation

Often, during construction season, paving will continue late into the evening and begin early in the morning. The noise of such a proposed operation will easily carry to my residence and beyond.

Detriment to the Recreational Use of Land

We think this has been addressed above.

Pressure for Contiguous Development (Gravel Extraction, Trucking Yard and Equipment Storage)

We do not know who owns land close to this property other than beside and behind us. Will there be subsequent zoning requests for other parcels of land, for example, to the North or West? Will there be a request for a pit and quarry license?

Industrial Sprawl

If there is not enough industrial land in the city, then the sensible thing to do would be to designate more areas like the Industrial Park and make the property available for industrial use. To approach industrial zoning in the manner proposed here would create a checkerboard of industrial and other uses to the detriment of surrounding land values and loss of quality of life for other users.

b)



2008 ORTHOPHOTO

APPLICATION A-5-10-Z
2325 GREAT NORTHERN ROAD



Legend



Subject Property - 2325 Great Northern Road

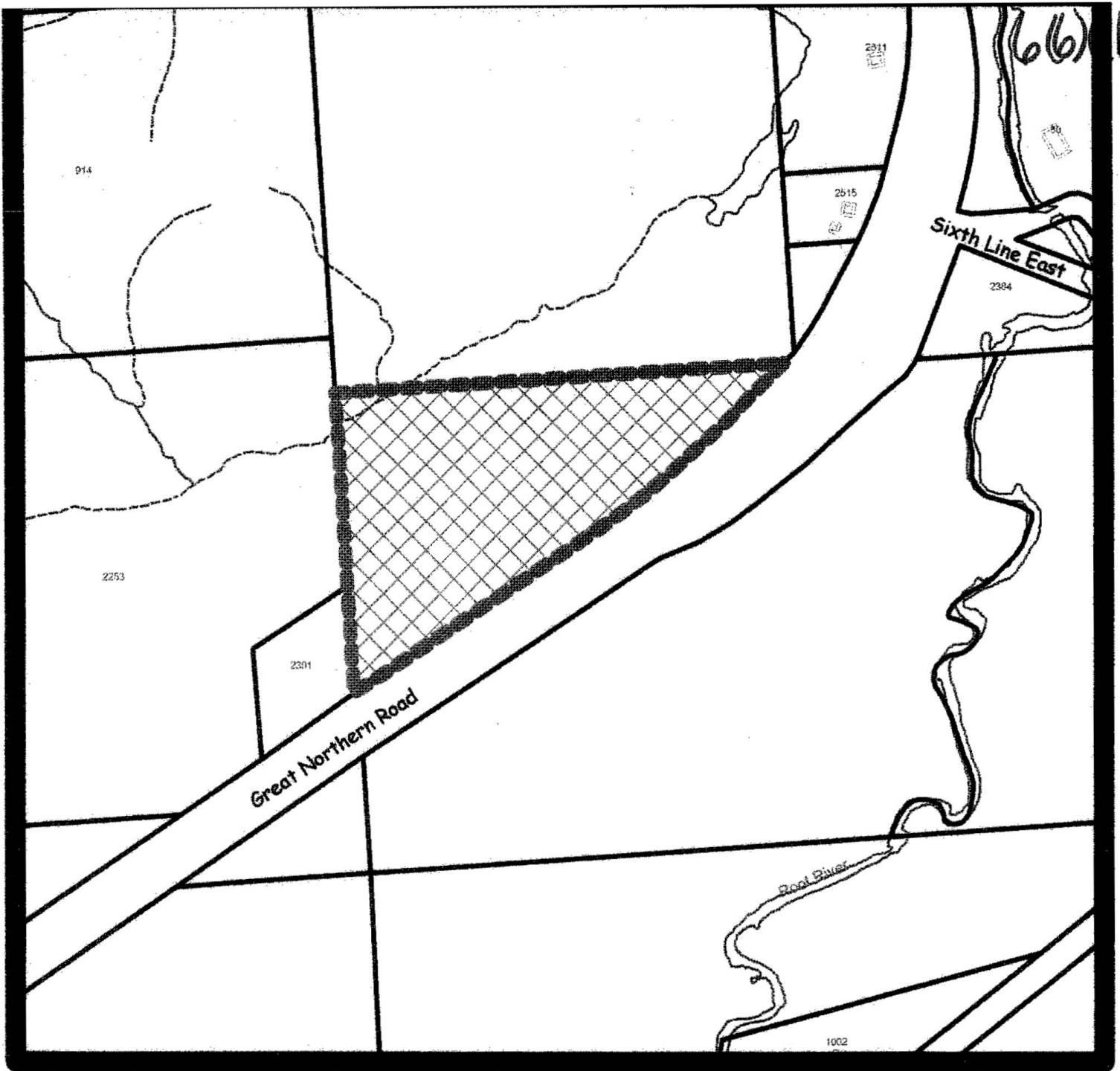


Subject Property - 2325 Great Northern Road

Metric Scale
1 : 5000

Mail Labels
A5-10

Maps
505 & 2-73

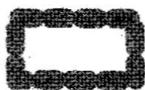


SUBJECT PROPERTY MAP

APPLICATION A-5-10-Z
2325 GREAT NORTHERN ROAD



Legend



Subject Property - 2325 Great Northern Road

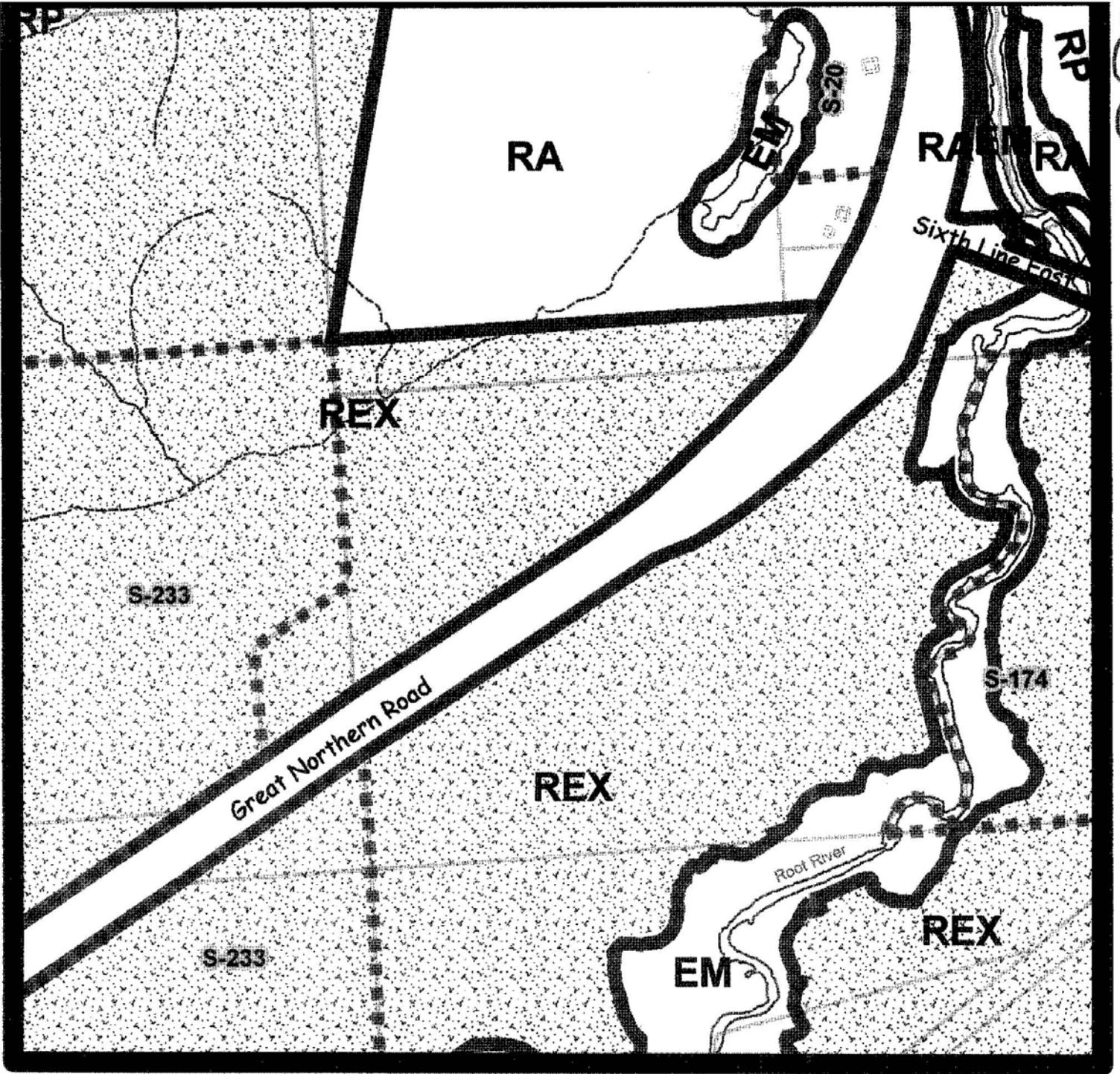


Subject Property - 2325 Great Northern Road

Metric Scale
1 : 5000

Mail Labels
A5-10

Maps
505 & 2-73



EXISTING ZONING MAP

APPLICATION A-5-10-Z
520 ALLEN'S SIDE ROAD



Maps
505 & 2-73



RA - Rural Area Zone

Metric Scale
1 : 5000

EM - Environmental Management Zone

Mail Labels
A5-10

RP - Rural Precambrian Uplands Zone

REX - Rural Aggregate Extraction Zone

S-Number = Special Exception Zoning

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2010 02 22

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

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

Tenders received for the Contract 2010-1E were opened at a public meeting on Thursday February 11, 2010. This contract includes all materials, labour and equipment necessary for the construction of the Hub Trail within the westerly and northerly sections of the Fort Creek Conservation Area (see attached map).

A total of seven tenders were received, and as described in the attached report from Kresin Engineering, the low tender of \$2,779,863.45 (including GST) was submitted by R.M. Belanger Limited. This amount is 4.5% below the pre-tender estimate of \$2,911,130.35 (including GST) and includes a \$100,000 contingency allowance.

Accordingly, staff recommends that City Council award Contract 2010-1E to R.M. Belanger Limited, in the amount of \$2,779,863.45 (including GST). Given that two thirds (2/3) of the funding for this project is through the Federal/Provincial Infrastructure Stimulus Fund, the project must be substantially completed by March 31, 2011.

It is important to note that a public open house was hosted by City staff on Wednesday January 13, 2010 to advise neighbouring residents of the proposed trail works. Notices were mailed directly to property owners directly abutting the suggested trail route, advising them of the scope and nature of the proposed works. Approximately 50 residents attended the open house with a number of comments incorporated into the final design of the trail. No objections were identified.

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By-law 2010-45, authorizing the execution of Contract 2010-1E will be found elsewhere on Council's agenda.

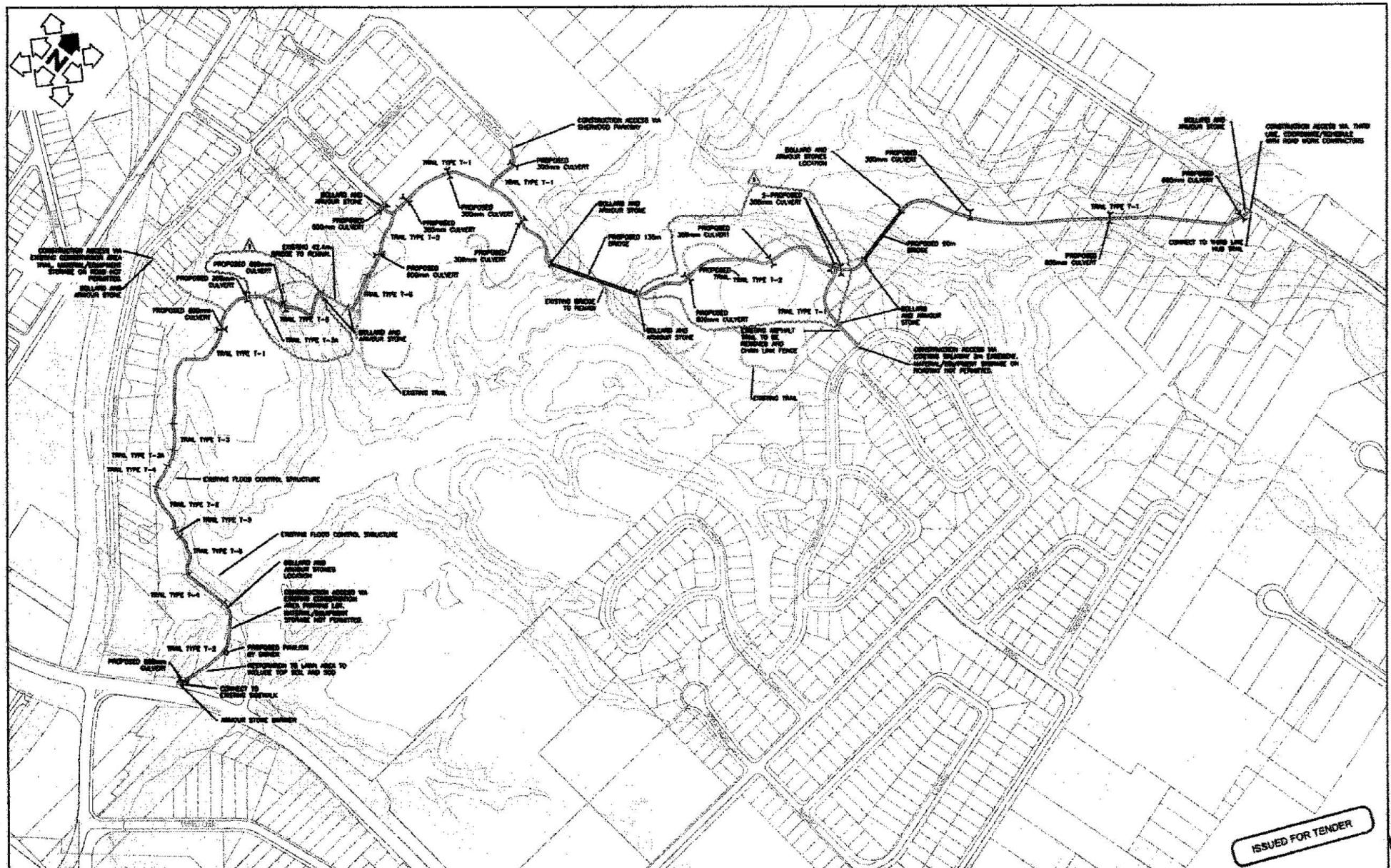
Planning Director's Recommendation

That City Council award Contract 2010-1E (Hub Trail Construction – Fort Creek Conservation Area) to R.M. Belanger Limited, in the amount of \$2,779,863.45 (including GST).

SDT/pms

Data\APPL\REPORT\Hub Trail-Fort Creek-City Contract 2010-1E.doc

J.M.F.
RECOMMENDED FOR APPROVAL
Joseph M. Fretesi
Chief Administrative Officer



ISSUED FOR TENDER

KRESIN
Engineering Corporation

100

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**HUB TRAIL - FORT CREEK AREA
THE CORPORATION OF THE CITY OF SAULT STE. MARIE**

PROPOSED TRAIL LAYOUT

PROPOSED TRAIL LAYOUT

PROPOSED TRAIL LAYOUT

G1

Rev 1

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536 Fourth Line East
Sault Ste. Marie, ON P6A 5K8
tel: 705-949-4900
fax: 705-949-9965
Email: info@kresinengineering.ca

working together...finding solutions

February 16, 2010

Ref. No. 0960.03

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

Attention: Mr. Don McConnell, MCIP, RPP
Planning Director



Re: Hub Trail Construction – Fort Creek Area
Contract No. 2010-1E

Dear Mr. McConnell:

We have reviewed the tenders received at the Sault Ste. Marie Clerk's Office on February 11, 2010 for the above noted Contract and present herein our Tender Report and Recommendations.

1.0 Introduction

The submissions received were in response to a tender call advertised on January 16, 2010 for supplying all materials, labour and equipment necessary for the construction of a multi-use trail within the Fort Creek Conservation Area.

The contract was publicly advertised in The Sault Star on Saturday, January 16, 2010. In accordance with the advertisement, tender documents were made available to contractors who provided the required refundable deposit of \$50.00. There were a total of thirteen plan takers. Documents were also provided to the Sault Ste. Marie Construction Association.

During the tender period, various inquiries from plan takers and material suppliers were received regarding the technical specifications and drawings. A total of five (5) Addenda were issued to provide clarification on issues as they arose throughout the tender period.

2.0 Summary of Tenders

Seven (7) bids were received at the City Clerk's office prior to the tender closing deadline of 3:00 p.m. on Thursday, February 11, 2010.

On the same day, in the Civic Centre's Thompson Room, the tenders were publicly opened at 3:15 p.m., reviewed to ensure they were in general compliance with the tender documents including the required tender deposit (ie. \$100,000.00 certified cheque), and were read. All tender deposits were retained by the City for return to the bidders at a later date.

City of Sault Ste. Marie
Contract 2010-1E: Tender Report

The following are the results in ascending order of price as bid:

Contractor	Tender Price	5% GST	Total Bid Price
1. R.M. Bélanger Limited	\$2,647,489.00	\$132,374.45	\$2,779,863.45
2. J. Provost Contracting Ltd.	\$2,698,674.60	\$134,933.73	\$2,833,608.33
3. Palmer Construction Group Inc.	\$2,895,939.50	\$144,796.98	\$3,040,736.48
4. Pioneer Construction Inc.	\$2,905,849.63	\$145,293.48	\$3,051,142.11
5. Avery Construction Limited	\$3,274,343.96	\$163,717.20	\$3,438,061.16
6. Ellwood Robinson Limited	\$3,388,047.00	\$169,402.35	\$3,557,449.35
7. Harold Phillips Haulage	\$3,569,023.85	\$178,451.20	\$3,747,475.05

The Engineer's pre-tender estimate for this contract was \$2,911,130.25 including GST.

Following the tender opening, the submissions were brought to the Kresin Engineering office for a detailed review of the tender submissions including checking for any mathematical errors that would result in a change to the tender prices.

The original copies of each Tender Submission are enclosed with this Tender Report.

3.0 Tender Review

The tenders were reviewed in detail with respect to requirements set out in the Information for Tenderers and the requirements identified in the Form of Tender.

The following specific comments were noted from the review of the tenders:

1. All tenders submitted were properly executed with the bidder's signature and witnessed and/or sealed.
2. The Instructions to Tenderers indicated that all tenders were to include a \$ 100,000.00 bid deposit, in the form of a certified cheque. All bidders complied with the submission of a certified cheque in the specified amount.
3. The tender documents called for submission of Statements 'A' to 'E' which outline the Tenderers' work experience, staff, available construction plant, proposed sub-contractors and additional pricing. All bidders complied.
4. A Statement of Canadian Content was also required to be completed and submitted with the bids; all Tenderers submitted this Statement.
5. The Tenderers were required to submit an Agreement to Bond certifying the Contractor can obtain the required Performance and Labour and Material Payment bonds. All Tenderers complied.
6. All Tenderers were required to acknowledge receipt of Addenda. All bidders acknowledged receipt of the five (5) addenda issued.
7. All tenders included schedules with examples of experience with similar works, and it is felt that all of the firms are qualified and capable of completing the work

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City of Sault Ste. Marie
Contract 2010-1E: Tender Report

8. All submissions were reviewed for mathematical errors. Minor errors were discovered in the Tender from Harold Phillips Haulage resulting in an adjustment to their bid of \$-0.15 (plus GST). This adjustment does not affect the ranking of bids received. No errors were discovered in any of the other submissions

4.0 Discussion

From our review of the bids received for this contract, we note that all submissions were in compliance with the requirements outlined in the tender documents.

All bidders seem to have the necessary experience and background with similar projects as outlined on Statement 'A' provided with each tender. With respect to the low tenderer, R.M. Bélanger Limited, they have successfully completed numerous similar contracts in the past with the City of Sault Ste. Marie.

5.0 Recommendations

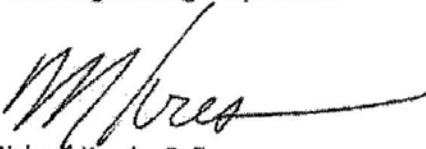
Based on our review of the tenders submitted and specifically the low tender submitted by R.M. Bélanger Limited, we believe the prices quoted, are reasonable for the proposed work under Contract 2010-1E. Furthermore, based on our knowledge of their related experience, it is our opinion that R.M. Bélanger Limited is capable of carrying out and completing the work under this contract. We recommend that the tender submitted by R.M. Bélanger Limited in the amount of \$2,647,489.00 (excluding GST) be accepted for award.

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

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

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

Yours very truly,
Kresin Engineering Corporation



Michael Kresin, P. Eng.
Consulting Engineer

Encl.
MK/ew
0960 Tender Report

Executive Summary

The Alternative Energy Task Team emerged out of the Destiny Energy Committee, with representatives from the Sault Ste. Marie Innovation Centre, SSM PUC, the EDC, the Municipal Environmental Initiatives Committee, Sault College and the private sector. The first action item of the Task Team was to prepare a position paper intended to:

- help support the vision of Sault Ste. Marie as the Alternative Energy Capital of North America;
- present an overview of the current alternative energy landscape including existing and planned energy and remediation related projects;
- provide an assessment of information, policy and resource requirements important in defining the challenge and advancing the journey toward the vision; and,
- offer guidance to help enable the community to move forward.

The position paper reflects the interests and insights of the Task Team members each of whom envisions Sault Ste. Marie becoming a pioneer in the alternative energy sector by demonstrating how a municipality can attract investment, create business opportunities and create and secure local jobs while taking responsibility for environmental sustainability through planning, due diligence and proactive leadership.

The current alternative energy landscape in Sault Ste. Marie is anchored to several large generating or remediation projects, either in place or planned. These projects have demonstrated the community's willingness to accommodate new or innovative approaches to foster a green and clean direction for Sault Ste. Marie. This paper suggests the community move from an opportunistic to a more strategic mode and charts its destiny in this new territory to the benefit of all community stakeholders.

The Task Team recognizes two major avenues that need to be considered in helping achieve the vision. One avenue represents larger, industrial projects similar to the Prince Wind Farm and Essar Co-generation facility in operation, and the St. Marys Paper Cogeneration and POD Solar projects currently in the planning phase. The other avenue addresses the residential, commercial and institutional interests in the community, which would reflect individual or cooperative projects important to development and diversification of local business and a more sustainable local economy.

The position paper explores, at a high level, the key enablers required to drive initiatives forward, including communication and education, government policies and processes and local resources, in place or needed, to progress toward the vision. To enact the vision may require an investment in resources dedicated or allocated to the journey. To stay true to the principles inherent in achieving the vision the task team has recommended further actions that will help guide those who will be held accountable for their development and delivery.

Following the review process and adoption of this position paper, dedicated resources will need to be identified to develop and implement a comprehensive and alternative energy strategy and action plan to help Sault Ste. Marie solidify and maintain the title of Alternative Energy Capital of North America.

The Task Team recommends City Council accept this position paper as information, and support the Alternative Energy Committee in its effort to accomplish the following recommended next steps:

1. Develop a governing structure for the committee;
2. Develop a strategy that enables continued growth in the alternative energy sector and report back to City Council; and
3. Ensure appropriate community entities are aligned in their efforts to support the strategy and develop an action plan.

Alternative Energy Position Paper

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1.0 Introduction

The Alternative Energy Task Team emerged out of the Destiny Energy Committee, with representatives from the Sault Ste. Marie Innovation Centre, SSM PUC, the EDC, the Municipal Environmental Initiatives Committee, Sault College and the private sector. The first action of the Task Team was to prepare the following position paper intended to provide information and recommendations to support the alternative energy goals of Sault Ste. Marie.

1.1 Background

The City of Sault Ste. Marie, as a relatively small northern community historically dependent upon natural resource based and industrial businesses to drive its economy, has experienced significant volatility and an overall reduction in employment levels over the last 20 years. With the loss of over 11,000 permanent positions at the largest employer in the region, Algoma Steel (now Essar Steel), in addition to significant reductions throughout the forest products sector, the community has struggled to maintain population levels and the associated services required to maintain a vibrant community. In spite of these challenges, as a result of the determination of the community's leaders and a citizen base that values the way of life in the region, the community has successfully focused on diversifying its economic base and building on recent developments in the alternative energy sector.

Building on a history of hydroelectric development in the region, projects have been implemented by the community's industrial partners over the last 15 years in the areas of natural gas fired cogeneration, coke oven gas fired cogeneration, and wind turbine generation totalling in excess of 250 megawatts of electrical generating capacity, bringing total regional generating capacity to over 400 megawatts. With this momentum, the associated accumulation of knowledge and expertise in the region, and a growing provincial focus on building a future economy based on renewable energy and associated technologies, community leaders saw the opportunity to reinforce its commitment to energy generation and the associated supporting industries.

In the spring of 2007 City Council, recognizing the critical mass of activity building in the sector, boldly proclaimed Sault Ste. Marie as the "Alternative Energy Capital of North America".

1.2 Definition of Alternative Energy

Alternative Energy, as defined by the Task Team in the context of the community's vision, includes renewable energy generation – wind, solar, hydroelectric and geothermal – in addition to municipal solid waste (MSW) gasification, rubber tire energy recovery, and other alternative technologies that result in energy production while reducing environmental impact. Alternative energy in this context also refers to those technologies that can be developed and deployed to recover low grade or waste energy, or reduce energy consumption in residential, commercial, or industrial situations.

1.3 Vision

Sault Ste. Marie - the alternative energy capital of North America

1.4 Mission

Sault Ste. Marie will create the conditions to attract technologies, expertise and capital to our community that will result in an increase in related employment, economic activity, and quality of life, specifically in the field of alternative energy and efficient energy utilization.

1.5 High Level Goals

High level goals need to be established to focus efforts and ensure the vision is achieved. To this end, the city will establish key metrics that will be used to track our progress as we work towards achieving our vision. Annual objectives and long term goals will be established to ensure proper focus and broad consideration of the various impacts relevant to the community resulting from associated initiatives. A draft scorecard reflecting these goals is included in Appendix A.

1.6 Strategy

A strategy will be developed and adjusted over time to ensure the vision is realized and the goals are met in a way that is consistent with the community's needs and preferences. Elements that may be included in the strategic plan are:

- Build an Alternative Energy Framework that identifies the various sources of potential energy generation and methods for utilization of energy efficiency (opportunities that can be capitalized on) in the region, to be used as a communication tool as well as a basis to establish long term targets for development. An overview of the alternative energy projects currently established in Sault Ste. Marie can be found in section 2.0 of this position paper, but will require continuous updating as these progress, and as other sources of potential energy and associated project opportunities arise.
- Establish a communication plan specifically related to alternative energy that is in turn integrated in to the broader communication efforts of all municipal agencies. Activities could include conferences, community trade missions, community outreach efforts, and the development of an online resource.
- Ensure maximum Municipal support through the establishment of community reference guides, a review of municipal processes and incentives available to encourage project development, and by ensuring that all municipal agencies are aligned in their efforts.
- Ensure Provincial and Federal support through the establishment of Provincial and Federal information in a reference guide, identifying community needs from each level of government to facilitate project development and adjust lobby efforts by all municipal agencies and community leaders.
- Establish required resource support in the community by developing education programs and programs through local employment agencies to align with identified upcoming skill set requirements.

2.0 Current Landscape

Sault Ste. Marie is a strong leader in alternative energy projects, and has been commended by alternative energy project leaders and investors for having positive support from community

leaders. The total amount of energy that is produced from all projects within the community is greater than the amount required to power a city of similar size. The following is a high-level overview of current alternative energy and efficient energy utilization initiatives within the region.

2.1 Energy Recovery

2.1.1 Waste

2.1.1.1 Municipal Solid Waste

Elementa Group (formerly EnQuest Power Corp.) established a pilot plant in 2008 at the Sault Ste. Marie landfill site, with the intent of converting garbage into energy. The technology breaks down carbon material (municipal solid waste) at the molecular level using a patented steam-based reformation process. This process produces two to three times more energy than the typical incineration process. Two solid by-products are recovered in the process. Metals (6-10%) can be recycled, and a mineral granular residue that has the potential to be used in road construction. The pilot project tested approximately 10 tonnes of municipal waste in 2008. Elementa Group and the City of Sault Ste. Marie negotiated a waste supply agreement to progress into the second phase of the project, which consists of a demonstration plant with the potential to generate 6 – 7 megawatts of electricity per year.

2.1.1.2 Tires

The Ellsin Environmental Ltd. tire recovery pilot project, estimated at \$5.25 million, is currently under construction in Sault Ste. Marie and is expected to be in testing phase in early 2010. It will help to reduce the emission of greenhouse gases and will reduce the amount of tires currently in landfills by recycling a maximum capacity of 900 tires per day. The technology is comprised of Environmental Waste International Inc. (EWI)'s patented Reverse Polymerization™ process which breaks down scrap tires into carbon black, oil, gas and steel by-products. The off-gases from the process will be directed to onsite ultra-clean micro-turbines which will produce up to 0.5 megawatts of electricity, more than the power needed to operate the system. The excess power generated will be sold back to the power grid. This pilot plant will create 15 construction jobs and 25 ongoing jobs in Sault Ste. Marie.

2.1.1.3 Landfill Gas

The City of Sault Ste. Marie will collect landfill gas from its Fifth Line site through an active gas collection system consisting of new and existing gas extraction wells with lateral and header collection piping and a blower/flare station to burn the collected gas. The project, with an estimated operational date of December 2010, will significantly reduce odours and greenhouse gas emissions. A second phase to this project is proposed to include the Sault Ste. Marie PUC using the landfill gas to drive internal combustion engines generating approximately 1.6 megawatts of electricity.

2.1.2 Cogeneration Projects

2.1.2.1 Essar Steel Algoma

In 2009 Essar Steel Algoma, Sault Ste. Marie's largest employer, became one of the first integrated steel manufacturers in Canada to construct a cogeneration power project that

converts by-product fuels from the coke making and iron making processes into electricity and steam for the steelworks. The \$135-million project produces 70 megawatts of electricity, reduces the company's reliance on the provincial power grid by an average of 50 percent and has expectations of contributing \$30-million in annual consolidated earnings.

2.1.2.2 St. Mary's Paper

St. Mary's Paper has proposed the construction of a biomass cogeneration plant in Sault Ste. Marie, to convert woody biomass into electrical and thermal energy. Although the initial proposal has been denied, the \$170 million project is currently under negotiations with the Ontario Power Authority. It is expected to produce 35 megawatts of electricity which will be sold to the grid, and heat and process steam for the mill. In addition, the St. Marys Paper mill is also considering a cellulosic ethanol cogeneration project using steam extraction with hydrolysis and fermentation.

2.2 Energy Production

2.2.1 Solar

POD Generating Group is in the final phase of negotiations to install a 60 megawatt ground mounted solar farm located in Sault Ste. Marie. This \$400 million project will use solar photovoltaic (crystalline silicon) cells to capture the energy from the sun and convert it into electricity. The farm, expected to commence construction in 2010, will employ 120 construction workers and is expected to create 15 ongoing jobs. The project will be developed in two phases, with the first phase supporting a 20 megawatt installation.

The City of Sault Ste. Marie, with SSM PUC as a potential partner, is investigating the installation of a rooftop solar energy system at the Civic Centre. The potential 10 kilowatt project is expected to reduce 229 tonnes of greenhouse gases over 25 years. The SSM PUC is also proposing a 100 kilowatt installation at the local water treatment plant. The feasibility of implementing additional rooftop solar installation on other municipal and PUC buildings may also be pursued.

Sault Ste. Marie is also the proposed location for a new solar manufacturing facility that will be capable of producing up to 25 megawatts of solar panels annually, and many other local businesses are exploring how to establish products or services that would support the development of solar projects. Sault Ste. Marie is also fortunate to have a long history of local solar panel and equipment suppliers including Northern Lights Energy Ltd.

2.2.2 Wind

Brookfield Renewable Power's Prince Wind Farm was a two-phase project comprised of 126 wind turbines extending over nearly 100 km² and employed over 300 engineers, managers, trades and support staff during the construction phase. It is currently the third largest wind farm in Canada. This \$400 million project now employs 17 operators and maintenance workers. The wind farm has a total installed capacity of 189 megawatts and produces enough electricity to power 60,000 homes.

Sault College of Applied Arts and Technology also has an on-sight wind turbine that has an installed capacity of 35 kilowatts. The turbine was erected in July 2008 and has since produced 44 megawatt hours of electricity. It is now used as a teaching application for the Mechanical Engineering Technician program.

2.2.3 Hydro

Brookfield Renewable Power has five Sault Hydro Operations sites with hydroelectric generating stations; Francis H. Clergue, Mackay, Gartshore, Hogg, and Andrews, located on the Montreal River and the St. Mary's River in Sault Ste. Marie and surrounding areas. The facilities have an installed capacity of 203 megawatts, producing an average of 928 gigawatt hours of electricity annually. It is unknown how many employees were involved in the construction phase of the facilities; however, they currently employ 27 operators and maintenance workers in Sault Ste. Marie.

2.2.4 Bioenergy

Sault Ste. Marie-based SITTM Technologies has a pilot study underway, producing biodiesel from various feedstocks, including used vegetable oil and coconut oil. This is currently being used to fuel three city buses, and has large potential for future expansion. Biodiesel and fuel pellet agricultural opportunities are growing in the communities east of Sault Ste. Marie, and a consultant has been hired to perform an oil and fibre feasibility study. In addition, SITTM has signed on for a biofuel coop with along with other key players, including the PUC, the Sault Ste. Marie Innovation Centre, Innovation Ontario North, Batchewana Band Industries, and private oil seed producers. They are currently seeking funding to hire a consultant to assist with the development of a business plan.

Other players, including the City of Sault Ste. Marie, are looking to develop a fibre crop industry by growing sunflowers and other plants to extract oil and generate electricity, and efforts have been made by the locally based Canadian Forest Service's Great Lakes Forestry Centre (CFS-GLFC) and the Ontario Forest Research Institute (OFRI) to develop energy plantations with woody species.

2.2.5 Geothermal/ Earth Energy

Still fairly new to Sault Ste. Marie, geothermal energy has been implemented by approximately twenty residents in the area. It is a very environmentally clean, and cost-effective system that uses 40 – 70% less energy than conventional systems. The technology draws heat from the earth to heat buildings in the winter, and reverses in the summer to deposit the heat from the buildings into the earth. This method is also applied in using water sources (lakes, ponds or rivers) for heating and cooling.

2.2.6 Traditional Fuels

In addition, the 110 megawatt Lake Superior Power facility (LSP), a natural gas-fired co-generation plant, operates in conjunction with the hydroelectric power plants in northern Ontario. The facility, fuelled by natural gas, comprises of two 40 megawatt gas turbines and one

30 megawatt steam turbine. Exhaust heat from the gas turbines is used to produce high pressure steam which in turn drives the steam turbine generator.

2.3 Conservation and System Efficiency

Currently there are educational programs and government programs available in Sault Ste. Marie for residents and businesses to learn about and benefit from conservation and system efficiency options. An increase in community awareness initiatives will continue to improve the uptake of these opportunities.

2.3.1 Conservation

The first step in any energy program is to encourage commitment on both a personal and organizational level to conserve energy. This will optimize efficiency of energy use and production systems. The City of Sault Ste. Marie has been active in encouraging participation in municipal initiatives to promote energy conservation, and the Sault Ste. Marie PUC is dedicated to promoting the Ontario Power Authority (OPA)'s Brand Standard 'every kilowatt counts' through community tradeshow events and in school workshops. In addition, organizations such as the locally based Upper Lakes Environmental Research Network (ULERN), have delivered educational workshops to the public regarding energy conservation techniques and participate in energy themed tradeshow events.

2.3.2 System Efficiency

In the Canadian environment, system efficiency becomes even more important as the heating of space and water in a building can account for 80% of the building energy needs. This is particularly necessary if the source of heating originates from fossil fuels, directly (heating oil or natural gas), or through electricity production (coal, diesel fuel, or natural gas). Incentives similar to Feed in Tariffs but for saving electricity are beginning to be discussed as a necessary incentive to stimulate a shift.

When considering new building projects, green or clean construction is exemplified by the principles inherent in programs like LEED (Leadership in Engineering and Environmental Design) and Green Build. Following these principles can reduce energy consumption in a home or building by optimizing system efficiency and energy generation strategies. Currently under construction in Sault Ste. Marie, the new Algoma Public Health building and the Bio-Sciences and Technology Convergence Centre at Algoma University will achieve GOLD LEED certification, and a new addition to the Sault College of Applied Arts and Technology will boast SILVER level status.

2.4 Municipal Environmental Initiatives

On September 10, 2007, City Council passed a resolution to report on the current corporate environmental activities and the future plan to reduce CO₂ emissions from Municipal operations. As a result, the Municipal Environmental Initiatives Committee (commonly referred to as the Green Committee) was formed with representatives from senior management and staff from various departments and divisions. Over the past two years several initiatives, focused on internal municipal operations, fleet management, waste diversion and public

awareness, have been completed. Potential funding sources are also explored and submissions are made where applicable.

2.4.1 Fleet

In 2009, the City of Sault Ste. Marie launched a corporate wide idle-free campaign in order to reduce the amount of fuel consumed by the fleet and subsequent greenhouse gases. In an effort to build on the corporate-wide anti-idling campaign, an application was made on behalf of the Green Committee to the NRCAN ecoENERGY for Personal Vehicles program.

The City of Sault Ste. Marie also participated in the Fleet Challenge Ontario Municipal Fleet Review 2009. Data, such as kilometres travelled, fuel consumption and life cycle, was collected for Public Works vehicles during June and July of 2009 to determine fuel efficiency and future vehicle selection recommendations.

Staff education and training in the area of proper vehicle operation and maintenance is a priority and is ongoing.

2.4.2 Municipal Operations

In support of a “culture of conservation” City Council designated the Environmental Initiatives Coordinator position as the Municipal Energy Conservation Officer (MECO). In addition to the designation, the City of Sault Ste. Marie proclaimed May 17-23, 2009, as Energy Conservation Week and participated in the ‘Count Me In!’ community challenge. Locally, the Green Committee and the Sault Ste. Marie PUC encourage community members to sign a pledge for energy conservation.

An energy audit funded by AMO/LAS Ltd. was completed in 2008 for the Civic Centre, and the lighting retrofit recommendation from the audit is currently being implemented with funding from the Municipal Environmental Initiatives Committee. A second energy audit was completed for the Public Works building on Sackville Road in 2009 and other potential projects are being explored.

A Corporate Greenhouse Gas Inventory is currently underway in order to determine Municipal emissions from various sectors, including buildings, vehicle fleet, streetlights, wastewater and corporate refuse. The information from this inventory will provide a benchmark to track progress over time, and assist in future policy development.

2.4.3 Waste Management

One waste management effort the Green Committee financed was the purchase of 20 Super Sorter Three-In-One recycling bins in key locations throughout the city to divert recyclable materials from the landfill and improve corporate recycling overall. A public awareness campaign was launched, in conjunction with the Sault Ste. Marie Greyhounds to educate patrons of community centres to properly use the bins.

2.4.4 Public Awareness

The Municipal Environmental Initiatives Committee has supported a variety of other green initiatives by inviting guest speakers, participating in teleconference brainstorming sessions with other municipalities, and sponsorship or participation in workshops, corporate and community events.

2.5 GIS Capacity

The city of Sault Ste. Marie possesses a unique asset in helping to plan and develop its alternative energy sector. The Community Geomatics Centre is an award-winning municipal GIS group that has played an important role in assisting economic development activities and private sector companies looking to locate new initiatives in the community.

3.0 Action Plan

Once the strategy is finalized, an action plan including the following elements will be established to align community stakeholders with the community vision and with Provincial and Federal programming.

3.1 Communication Plan

An external marketing communication plan will be developed, in which Sault Ste. Marie will need to focus on opportunities to attract alternative energy businesses. Locally, a public awareness and community engagement marketing plan will be designed in line with the current communication policies.

3.2 Policies and Procedures

The policies and processes of all levels of government will impact the planning and implementation of alternative energy projects. In order to encourage growth in the area of alternative energy government policies and procedures have to be conducive to the industry, yet, ensuring public concerns are addressed. Further resources, incentives and opportunities available to assist Sault Ste. Marie in becoming the energy capital can be found in Appendix B.

3.2.1 Municipal

Alternative energy projects must adhere to the Ontario Building Code enforced at the local level; however, for many projects the planning process has been streamlined and defined by the Green Energy and Green Economy Act.

3.2.2 Provincial

3.2.2.1 Green Energy and Green Economy Act

Local projects will have to comply with Provincial legislation, regulation and planning policies. Most recently, the Green Energy and Green Economy Act was passed to encourage growth in green technology, increase employment and "green collar" jobs, and empower the community to participate in green energy projects. Through this legislation, the Ontario Power Authority is offering a Feed-In-Tariff (FIT) program, which provides 20 year contracts with rates associated with various energy generation systems.

3.2.2.2 Northern Growth Plan

Under the Places to Grow Act, the Northern Growth Plan is a strategy to grow and diversify the economy of Northern Ontario. It encourages the further development of human and natural resources and new economic opportunities. The document devotes a chapter to Green Energy and the important role that the alternative energy sector can play in the future development of Northern Ontario.

3.2.3 Federal

As climate Change policy is being further developed in Canada, it may dictate the allowable emissions from industry. These restrictions may increase the participation or encourage the development of carbon trading markets. An increase in alternative energy projects may result in reduced emissions internally, as well as an incentive through carbon credits. However, many questions are currently unanswered related to the current carbon market and trading system.

3.3 Servicing Requirements

3.3.1 Infrastructure

To support the strategy that evolves from this position paper, it will be necessary to investigate ways to support growth through infrastructure reinforcements and capacity enhancements. The Green Energy and Green Economy Act specifies that a transmitter or distributor shall provide priority connection access to its system for a renewable energy generation facility. In addition, the Ontario Energy Board has established a preliminary and transitional framework which serves to address funding and planning for electric distribution system investments to accommodate the connection of renewable energy generation facilities.

3.3.1.1 Smart -grid

The introduction of smart meters is a first step and the foundation towards the implementation of a smart grid. The smart grid means the advanced information exchange systems and equipment that when utilized together improve the flexibility, security, reliability, efficiency and safety of an integrated power distribution system. One of the main purposes of a smart grid is to enable the increased use of renewable energy sources and technology, including generation facilities connected to the distribution system.

3.3.1.2 Industrial Land

Obtain a complete inventory of current, existing and potential land available, and service industrial land where required for the purpose of fulfilling the strategy and other future initiatives.

3.3.1.3 Transmission and Distribution Infrastructure

Investments and upgrades to transmission and distribution circuits and facilities may be necessary in order to accommodate the interconnection of generation sources to the power grid. Distribution system impact assessments and studies premised on the specific sites under consideration will be required to be performed.

3.3.2 Human Resources

3.3.2.1 Skills Development Recruiting

Sault College will be introducing a new program in 2010 designed to increase the size of the workforce in the renewable energy sector. The course, a one-year certificate in Renewable Energy Systems Installation, will provide students with the knowledge and skills needed to install renewable energy systems such as wind turbines, solar panels, and geothermal heaters in residential and commercial buildings. It is expected to produce 30 graduates each year.

3.3.2.2 Research and Development

The growth of the alternative energy sector has led a boom in research and development activity in Canada and around the world. Technology supporting this sector has been identified by both the Province of Ontario and the Government of Canada as a key focus area in their respective innovation or science and technology agendas.

The Ontario government states that it has invested more than \$600 million in research projects and companies working on green technologies and initiatives since 2003. As an example, the Province of Ontario recently announced a \$33 million investment at McMaster University to support more than 300 researchers. One of the researchers, Dr. Rafael Kleiman, will receive funding to move beyond current technology to produce a new generation of advanced solar cells that capture and convert much more of the sun's rays.

At the current time, the vast majority of research and development in the local alternative energy sector is conducted by private sector firms. A portion of this work is conducted within the community and the remainder is conducted by researchers located at external locations. Sault Ste. Marie does not currently possess an academic research base in the alternative energy field; however, with the scale of developments taking place in the community there is great potential to drive growth in this area.

With two post-secondary institutions in the community – Sault College and Algoma University – there is opportunity to build a local academic research base that can be utilized to attract funding to the community; create partnerships with private sector companies; and make the community more attractive for future private sector investment. Sault College in particular has a stated goal to develop its Renewable Energy programming and already possesses a fully functioning wind turbine on campus that can be leveraged for research initiatives.

In addition, Lake Superior State University, located in Sault Ste. Marie, Michigan, has an Engineering school and researchers conducting alternative energy work. The state of Michigan has been aggressively investing in alternative energy research and projects and would be a natural partner in research initiatives for local enterprise as well as Sault College and Algoma University.

The funding from the Ministry of Research and Innovation, the Medical and Related Sciences (MaRS) Innovation, the Ontario Centres of Excellence, Industry Canada, and others should not be overlooked in the development of our alternative energy eco-system. Given the nascent

state of the research sector in Sault Ste. Marie, it will be important to identify strategic partners that will be interested in working on local projects and providing capacity and mentoring in this area. A plan to induce research and development activities into the community will be developed.

3.3.2.3 Development and Implementation

Following the review process and confirmation of this position paper, dedicated resources will need to be identified to develop and implement a comprehensive and strategic alternative energy action plan to help Sault Ste. Marie solidify and maintain the title of Alternative Energy Capital of North America. In addition, funding options will need to be explored to help support the possibility of a permanent alternative energy coordinator position.

3.3.3 Financing and Incentives

3.3.3.1 Tax Incentives

There are a few tax incentives available in Ontario for residential, business and industrial sectors that are quickly approaching their deadline dates. Most purchases must have been made by the end of January 2010, and forms must be filed within 4 years of purchase to obtain the tax rebates. It has not yet been announced if these incentives will continue in 2010. These range from the Home Renovation Tax Credit to various Retail Sales Tax exemptions on energy related purchases. A summary of these incentives and further details regarding their requirements has been prepared and is available for Council upon request.

3.3.3.2 Funding Programs

There are currently over 40 funding and loan programs supporting alternative energy and energy conservation projects in Ontario. These include financing for agricultural biofuel initiatives, biogas systems, cogeneration facilities, solar thermal heating, and other alternative energy projects and retrofit programs. The funding may support research and development, demonstration projects, job creation and other capital costs. A complete list of the Agri/Clean/Green Tech Company Funding Programs has been prepared and is available for Council upon request.

4.0 Conclusion

This position paper has established a current landscape to support the vision that Sault Ste. Marie is the Alternative Energy Capital of North America and identified key community partners who will continue to contribute to achieving the community's mission. Sault Ste. Marie is a significant leader in alternative technologies, and to maintain this vision, the community must continue to be on the forefront of sustainable environmental practices. A strategic plan should be developed using the starting blocks discussed throughout this paper to ensure that Sault Ste. Marie continues along the correct path and to help align community entities in this endeavour.

The Task Team recommends City Council accept this position paper as information, and support the Alternative Energy Committee in its effort to accomplish the following recommended next steps:

1. Develop a governing structure for the committee;
2. Develop a strategy that enables continued growth in the alternative energy sector and report back to City Council; and
3. Ensure appropriate community entities are aligned in their efforts to support the strategy and develop an action plan.

6(8)(a)

Appendix A

Draft Scorecard

- I Active Projects** (Appendix A-1)
- II Projects Under Development** (Appendix A-2)

I Active Projects

Alternative Energy Project	Business activity and/or Fuel Source	Energy Impact			Core Technology	Capital Cost (\$M)	Environmental Impact			Employment Created			Status	Operational Date
		Generation (MW)	Recovery (MW)	Conservation (MW)			GHG Emissions	Landfill Impact	Other	Construction Phase	Direct Ongoing	Indirect Ongoing		
Brookfield Prince Wind Farm	Wind	189			126 GE 1.5MW wind turbine generators	\$ 400	600,000 tonnes/yr		Produces electrical energy	300	17	68	Operational	2006
Brookfield Sault Hydro Operations	Traditional hydro electric	203			5 hydroelectric stations				Produces electrical energy		27	108	Operational	5 stations between 1916 and 1975
Elementa Pilot Project	Municipal Solid Waste				Breaks down carbon material (MSW) at the molecular level using a patented steam-based reformation process.		Net-zero air emissions	Converts municipal solid waste - significant impact		27	6	20	Pilot Study	2008
Essar Cogeneration Project	Coke Oven gas		70		Uses excess gases from steel making process	\$ 135			Reduces the company's reliance on the power grid by an average of 50%				Operational	2009
Sault College Wind Turbine (Energie PGE)	Wind	0.032			1 PGF 20m/32kW wind turbine for lower wind speed zones	\$ 0.20			Produces electrical energy				Operational	2008
SITTM Technologies	Biodiesel				Produces biodiesel from used vegetable oil and coconut oil.		3 city buses now run on biodiesel. Eventually the entire fleet will run on 5% biodiesel.						Pilot Study	2008
Total		392.032	70			\$535.20				327	50	196		

6(8)(e)

II Projects Under Development

Alternative Energy Project	Business activity and/or Fuel Source	Energy Impact			Core Technology	Capital Cost (\$M)	Environmental Impact			Employment Created			Status	Operational Date
		Generation (MW)	Recovery (MW)	Conservation (MW)			GHG Emissions	Landfill Impact	Other	Construction Phase	Direct Ongoing	Indirect Ongoing		
City of Sault Ste Marie	Landfill Gas to Energy	1.6			Landfill gas collection and conversion to energy via use of internal combustion engines	\$ 4		Significant impact - reduction of landfill gas emissions and odour	Produces electrical energy	25	1		Detail Design and Tender	Dec-2010
City of Sault Ste. Marie	Roof top solar	0.01			Rooftop solar electric energy system on city hall and other city buildings	\$ 0.10	229 tonnes over 25 years	N/A					Proposed	
Elementa Demonstration Plant	Municipal Solid Waste	6			Breaks down carbon material (MSW) at the molecular level using a patented steam-based reformation process.	\$ 32	Net-zero air emissions	Converts municipal solid waste - significant impact		278	55	70	Proposed	
Ellsin Environmental Ltd.	Tire recycling	0.5			Reverse polymerization of tires to produce fuel which is consumed in a gas engine generator set. Electricity produced is consumed in the plant first then balance sent to the grid.	\$ 5.25		100% of scrap tires reused to produce new products	Produces electrical energy	15	25	100	Pilot Study - Construction Phase	2010
POD Generating	Ground mounted solar	60			Solar photovoltaic (crystalline silicon)	\$ 400				170	15		Proposed	Phase 1 2010
Sault Ste. Marie P.U.C. - Water Treat Plant	Roof top solar	0.1												
St. Marys Paper Cogeneration	Biomass cogeneration		35		Uses biomass as feedstock to generate electricity: Bubbling fluidized bed		Continuous emissions monitoring		Selective catalytic reduction system, bag house	150		125	Proposed	
St. Marys Paper Cellulosic Ethanol	Cellulosic Ethanol		25,000 L of cellulosic ethanol		Steam extraction with hydrolysis and fermentation				Fermentation scrubber	75		26		
Total		68.21	35			\$441.35				713	96	321		

6(8)(a)

6(8)(a)

Appendix B

Resources

Resources

OSEA (Ontario Sustainable Energy Association)	website:	www.ontario-sea.org
OPA (Ontario Power Authority)	website:	www.powerauthority.on.ca
GEAA (Green Energy Act Alliance)	website:	www.greenenergyact.ca
FIT (Feed-in-Tariff) program	website:	fit.powerauthority.on.ca
Green Energy and Green Economy Act		
website:	www.ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2145	

Places to Grow Act, the Northern Growth Plan

website: www.placestogrow.ca/images/pdfs/Northern_Proposed_Growth_Plan.pdf

(d8)(b)

To: **Members of City Council**

From: **Jeff Holmes, Chair; and Ken Coulter, Executive Director,
Community Quality Institute**

Date: **February 22, 2010**

Re: **Request for increase in funding**

In the past three years, CQI has grown in both its activities and active community participation, and has developed a reputation across the Province as a leader in civic indicators initiatives.

With this growth comes increased pressure on our financial resources. I believe our members have shown outstanding support for our efforts to monitor and improve quality of life in our community. Between City Council and our private members, we receive approximately \$70,000 per year. In past, this was satisfactory, as operating costs were lower, and these revenues were augmented by FedNor funding. As we are all aware, FedNor has changed direction in terms of funding criteria, and the work of CQI no longer qualifies under their mandate. Further, operational costs, including staffing and administration have increased substantially over the past three years. This has resulted in annual shortfall of approximately \$35,000.

In the past, CQI has been able to cover this funding "gap" by drawing on reserves held in trust by the Economic Development Corporation. This reserve, however, has now been depleted. Other project-based funding has been received for specific deliverables such as data collection and printing of the Community Performance Report, but these funding sources cannot be relied upon to cover ongoing operational expenses.

CQI continues to source project funding, with a number of potential projects awaiting approval. Unfortunately, responses on these initiatives have been delayed, resulting in a depletion of CQI's cash. If an increase in operational funding is not secured, the organization will need to lay off staff and dramatically scale back operations.

Since its inception, CQI has not increased membership fees, nor has it requested an increase from City Council. This has been the case despite ever increasing operating expenses and requests from others to support a host of valuable initiatives in our community.

CQI is more important now than it ever has been. Cities across the country are developing civic indicators to chart their course and sell their community to professionals and businesses. If Sault Ste. Marie wants to compete for – and keep - the best and brightest, we need to ensure we have a system of continuous measuring and improving in place. To further clarify this point, I have attached a document titled "The Value of Quality Improvement to a Community" which I believe drives this issue home.

To this end, CQI is requesting City Council approve an increase in funding of \$40,000 annually, for a total of \$80,000. This increase will cover the difference between what is currently received from membership and the City, and the current annual administrative costs of operating the organization.

In return, the City will be assured of the annual production of the Community Performance Report, highlighting the strengths and challenges related to our quality of life. This report, and the resultant actions to improve our quality of life, will be a key component of the City's efforts to attract newcomers and keep our existing citizens here in our community. The City has confirmed that growth through attraction of newcomers is integral to a healthy tax base and economic diversification. This effort must be informed by a community led civic indicators program if it is to be successful. Sault Ste. Marie needs to be able to plan and achieve community goals based on its own unique assets, opportunities and challenges, whether they are economic, social, environmental or cultural.

CQI will also apply for the National Quality Institute Community Building Award – Gold Level. Receiving this recognition will represent the achievement of a goal that was identified in 1999 through the Building an Extraordinary Community process.

We will also continue to offer outstanding professional development services to City staff and other member agencies through our partnership with the National Quality Institute, Sault College and other high quality training organizations. Through this service, the City has the opportunity to save thousands of dollars every year on training costs for staff, as many of our members do.

In addition, CQI also offers its full support to the City on community planning initiatives that require public input and data collection. With over forty organizations dedicating staff to our seven task forces, we can serve as a conduit for the City to receive feedback on various efforts that require public response.

Overall, the return to the City will be far in excess of the investment made. You have been furnished with letters of support for this request from a wide variety of organizations and institutions. These letters indicate the value the community places on the work of CQI. They come from agencies that invest both money and time in the work of CQI, as they recognize that everyone has a role to play in improving our quality of life.

We recognize and deeply appreciate the leadership role this Mayor and Council have taken over the years in supporting our work. It is our hope that City Council will reaffirm this position of leadership in continuously improving quality of life, and allow CQI to continue to grow in a sustainable fashion, as we enthusiastically accept the responsibility to drive the process of quality of life measuring, action and ultimate improvement.

Our 2009 financial statements and 2010 budget are attached for your review.

CQI Profit/Loss Statement
Period Ending December 31, 2009

Notes

Revenues	YTD ACTUAL	
Municipal Funding	\$60,000.00	City advanced \$20,000 from 2010 allocation
DDSAB	\$23,600.00	Research project (see line items 41 and 57 below to offset)
Private Partnership Recognition	\$32,712.60	Membership revenues
Deferred Revenue Recognition		
Registrations	\$33,865.00	Professional Development courses
Miscellaneous	\$954.58	
Interest Earned	\$162.00	
Amortization of DCC	\$659.01	
Total Revenue \$151,953.19		
Expenses		
Payroll Expenses		
Employee Contracts	\$96,229.35	
EI	\$1,802.43	
CPP	\$3,664.83	
EHT	\$764.50	
WSIB	\$1,204.62	
Health Benefits	\$5,504.18	Benefits were cancelled in September - savings of \$4500
Total Payroll Expenses \$109,169.91		
Office Operation Expenses		
Bank Charges	\$38.84	
Meetings	\$835.31	
Parking	\$270.00	
Office Supplies	\$855.42	
Photocopying	\$279.61	
Equipment/Maintenance Upgrades	\$20.99	
Administration Costs	\$3,200.00	Paid to EDC to the end of September
Postage/Courier	\$79.32	
Communications	\$1,412.21	

(Q)(b)

Amortization	\$659.01
Cash Over/Short	\$0.05
Miscellaneous	\$368.42
Total Office Operation Expenses	\$8,019.18
 Brochures	
DSSAB Report	\$507.60
Total Brochures	\$507.60
 Promotional Items	
Website Updates	\$889.19
Total Promotional Items	\$889.19
 Travel	
Meetings	\$136.50
MasterCard	\$637.25
Total Travel	\$773.75
 Development	
Library Materials	\$23.26
Speakers	\$23,166.62
Workshops/Seminars	\$2,132.28
Technical and Consulting	\$11,900.00
General Development	\$1,045.00
Miscellaneous Subscriptions	\$195.24
Total Development Expenses	\$38,462.40
 TOTAL EXPENSES	\$157,822.03
 SURPLUS / DEFICIT	-\$5,868.84

(d)(8)(b)

CQI 2010 BUDGET SCENARIOS

	Scenario 1	Scenario 2	Notes
Income			
Municipal Funding	\$20,000	\$60,000	Scenario 1 reflects balance of \$40,000 paid with no increase
Membership	\$32,000	\$32,000	No changes from 2009 membership revenues
Professional Development	\$34,000	\$34,000	Based on 2009 experience
Research Grants (net)	\$10,000	\$10,000	Net of all expenses; available to cover admin costs
TOTAL	\$96,000	\$136,000	
Expenses			
Payroll			
Salaries	\$77,200	\$92,700	Scenario 1 assumes assistant at half time
MERCs	\$2,500	\$4,500	Reduction in MERCs for half time position
Benefits	\$0	\$9,500	Scenario 1 reflects no staff benefits
Office Operations			
Bank Charges	\$150	\$150	
Meetings	\$1,000	\$1,000	
Office Supplies	\$500	\$500	
Photocopying	\$500	\$500	
Postage/Courier	\$250	\$250	
Miscellaneous	\$500	\$500	
Promotion			
Website	\$900	\$900	
e-newsletter	\$500	\$500	
Professional Development			
Speaker fees/facilities	\$25,000	\$25,000	
TOTAL	\$109,000	\$136,000	
SURPLUS/(DEFICIT)	(\$13,000)	\$0	

(a)(8)(b)

The Value of Quality Improvement to a Community

What does Community Quality Institute (CQI) offer to Sault Ste. Marie? How would the community function without the organization? These are questions that need to be answered to properly understand and value of CQI, who benefits, and how.

Community as a Business

A community can be compared to a business; there are numerous processes in place which are collectively focused on a common goal: the best possible quality of life for its citizens. Whether it's health care, education, the environment, social services, utilities or roads and sewers, each component serves to enhance a specific aspect of life in the community. This system is comparable to a business, where the receiving department, manufacturing, sales, delivery, maintenance and all other departments work toward the common goal of producing the highest quality product to the greatest number of customers.

Can a business produce a product or service without paying attention to how well each department is functioning? Certainly. Will it be the highest quality product? Maybe, maybe not. Without understanding each department's role, and how they work together for the common good, getting a high quality product out the door is more a matter of good luck than good management. But understanding the various operations is only one component of quality improvement; measuring, setting goals and continuous re-measuring and improving are critical to the end goal of world-class quality.

The "Product" of a Community

Understanding this, it's important to ask the question "what is a community's *product*?" The answer, quite simply, is a superior quality of life for its citizens. Looking at the business model, it becomes obvious that, like a business, a community can provide the basic necessities to its citizens without focusing on quality, but what will the quality of life in the community be? It's anybody's guess. Without a system to measure, track and improve life in a community, the quality of that life is left to chance. Is this good enough?

Competition and Investment in Quality

Today, communities, like businesses, are competing for customers. They compete with other communities to keep their youth, and to attract newcomers. Citizens are a community's customers. They generate taxes, create wealth, support education institutions, and stimulate cultural, artistic and recreational opportunities. Obviously, without these customers communities fail.

How then does a community compete? Simply put, it's the quality of life that keeps existing citizens and attracts new ones. That quality needs to be proven, and continuously improved upon. In this global competition for citizens, the communities that succeed will be the ones that have a quality measurement and improvement process in place and can prove their quality of life is superior to their competitors.

6(8)(b)

And who should pay for this continuous quality improvement effort? The answer to that question is found by asking another – Whose responsibility is it to focus on the vitality and superior quality of life? Quite simple, the answer is that community's City Council.

The Demand for Quality

As consumers, each of us makes purchasing decisions daily. Whether it is fruits and vegetables or televisions, automobiles or houses, we base our decisions primarily upon the quality of the product. A company that cannot prove its commitment to providing us with the highest quality product and service will not win or keep our business. Likewise, a community that cannot make this commitment will not be able to compete with those communities that do. And that list of communities is growing daily.

The process of continuous quality improvement in a community is not a luxury we can dispense with; it is a necessity that will allow Sault Ste. Marie to compete and win in the critical effort to attract and retain customers – citizens – to our community.

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**Community Quality Institute
Achievements for the Period 2007-2009**

This document is a summary of major achievements and goals met by Community Quality Institute (CQI), from 2007 forward. It is not a comprehensive listing of all activities and partnerships; instead, it is intended to provide the reader with an understanding of the focus, structured approach and ultimate success the organization has experienced in this time period.

Research

- Production of 2006 Community Performance Report – a comprehensive study of Sault Ste. Marie's quality of life across seven sectors
- Production of 2007 Community Performance Report
- Production of 2008 Community Performance Report
- Production of "Naturally Gifted...And Then Some: How Sault Ste. Marie Measures Up in Quality of Life Studies" a document highlighting third party studies of Sault Ste. Marie's quality of life
- Production of "Beyond Compassion: Measuring the External Costs of Poverty", a quantitative study commissioned by the District Social Services Administration Board
- Production of a community-wide Social Capital Survey in partnership with Community Living Algoma (funding pending)

Professional Development

- In partnership with the National Quality Institute, CQI coordinated and delivered the following professional development courses in Sault Ste. Marie:
 - Measuring Customer and Stakeholder Satisfaction
 - Introduction to Process Mapping
 - Desired State Process Mapping
 - Operational Process Mapping
 - Introduction to Root Cause Analysis
 - Operational Root Cause Analysis
 - Healthy Workplace
 - You Got It! Superb Customer Service
- Many courses were presented at least twice due to extremely high levels of interest
- Organizations participating include the City of Sault Ste. Marie, PUC, Brookfield Power, Algoma District School Board, Group Health Centre, Algoma Public Health, Sault Area Hospital, Sault College and the Ministry of Northern Development and Mines
- The provision of this training locally has improved access to nationally recognized professional development sessions at substantially reduced rates. Each class of 20 participants collectively saved approximately \$7,000 over standard registration fees, not including significant savings in travel and accommodations had they attended these sessions in Toronto.
- The above mentioned savings do not reflect those realized by participating organizations through application of the skills acquired. This data is currently being gathered.

Strategic Partnerships

Since 2007, CQI has developed strategic partnerships with a number of organizations. Following is a summary of these partnerships and the respective initiatives undertaken

Essar Steel, Simon Fraser University, Sault Community Career Centre

CQI leads this collaborative initiative to implement Simon Fraser University's "cultural intelligence" testing system in our community. With approved funding, this program will measure the community's ability to understand, respect and ultimately celebrate cultural diversity.

Sault College

CQI has developed a Memorandum of Understanding with Sault College to physically locate their operations on campus, and work with the College to help them improve their capacity for community research. In addition, discussions are being held to develop courses on civic indicators, and involve various departments in using data from the Community Performance Reports to take real, measurable action to improve quality of life.

Community Living Algoma (CLA)

CQI is partnering with CLA to create a "blueprint" for a fully inclusive community; one where every citizen, regardless of ability, culture, or gender has the ability to experience a high quality of life.

Ontario Healthy Communities Coalition (OHCC)

CQI worked with OHCC to organize Ontario's first conference on civic indicators, and hosted it in Sault Ste. Marie. Nearly 200 delegates from across the province attended this two day conference, learning how civic indicators programs work and how to implement them in their own community.

First Impressions Community Exchange (Sarnia)

CQI worked with the EDC and various community partners on this enlightening project. The City of Sarnia and the City of Sault Ste. Marie agreed to assess the other community based on a standardized approach. The resultant reports were presented to each City's elected officials, and recommendations were made for improvements identified.

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Boards and Committees

CQI is represented on a variety of local and regional boards of directors and committees, including but not limited to:

- Sault Ste. Marie Chamber of Commerce Board of Directors (Executive Committee)
- Ontario Healthy Communities Coalition Board of Directors (Executive Committee)
- United Way of Sault Ste. Marie Board of Directors
- Team Sault Ste. Marie (Chair)
- Best for Kids Committee and partnered in **KidsFirst Conference** in 2008
- Sault Ste. Marie Social Development Council
- Sault Ste. Marie Alliance to End Homelessness
- Sault Ste. Marie Health Care Stakeholders Group
- Algoma Interministerial Council
- Sault Ste. Marie Newcomer Advisory Committee

Recognition

CQI has received numerous certificates and letters of congratulations from various agencies and government departments. Of these, three are of particular importance in terms of raising the community's profile across the Province, Country and globally:

Ontario Healthy Communities Coalition – “Healthy Community Award”

This award recognizes a community that has approached the work of creating a healthy community in a strategic and measurable manner. It is an annual award given at the organizations Annual General Meeting.

National Quality Institute – Canada Awards of Excellence, “Community Building Award, Silver Level”

This award recognizes a community that has implemented continuous quality improvement methods and practices in an effort to create a high standard of living for all citizens. It is a component of the Institute’s Canada Awards of Excellence, and is endorsed by the Governor General of Canada. CQI was publicly recognized at the Awards Gala held in Toronto in 2008.

Government of New South Wales Australia

Community Quality Institute was used as a model for research conducted by the Government of New South Wales around community building and indicators.

Bronwyn Batten, Senior Policy Officer with the New South Wales Department of Environment and Climate Change spent a week studying CQI and how it uses indicators to measure and improve quality of life in Sault Ste. Marie

“This has been an outstanding opportunity for us to learn from an organization that is recognized as a leader in the field of community indicators work” commented Batten. “The level of grassroots engagement and commitment from agencies, businesses and citizens with CQI’s work is incredible”.

This research culminated in the release of a paper titled “Building Aboriginal Community Resilience: Learning from Canadian Experiences”

6(8)(b)

2009 09 28 City Council Meeting
Clerk's Department

Moved by Councillor S. Myers
Seconded by Councillor B. Hayes

Whereas Community Quality Improvement (CQI) has implemented continuous quality improvement methods and practices for our community which create a high standard of living for all citizens and is a valuable selling tool for all businesses and industry; and

Whereas CQI is recognized by the National Quality Institute having received Silver Level status from the Canada Awards of Excellence "Community Building Award" category; and

Whereas through such, Sault Ste. Marie is now viewed as a leader in this trend of measuring community excellence by having a system of continuous measuring and improving through the established Civic Indicators; and

Whereas due to changes in FedNor funding criteria that resulted in reduced funding for CQI and has left a gap in operational funding for the balance of this year; and

Whereas \$40,000.00 is in the city budget and is usually transferred to CQI in January and an advance of a portion of those funds would prevent the closing of the CQI office that is imminent (September 30, 2009);

Be it resolved that \$20,000.00 be advanced immediately from this year's unforeseen fund and any additional funding request be referred to the 2010 budget and further a full presentation by CQI to City Council be scheduled for early 2010 prior to budget in order that Council might know the status of CQI, be approved. CARRIED.

6(8)(b)

September 21 2009

Mayor John Rowswell
City of Sault Ste. Marie
99 Foster Avenue
Sault Ste. Marie ON P6A 5X6

Dear John,

I am pleased to provide this letter of recommendation for the request before you from Community Quality Improvement (CQI) to increase funding.

In my previous position with Essar Steel, I was more than willing to support the work of CQI based on its potential value to the company and community at large. After reviewing the organization's list of achievements since that time, I am convinced that CQI has delivered on their commitment and continues to be integral to the long term health and vitality of Sault Ste. Marie.

Today, communities across the country are competing head to head in attracting the best and brightest to live, work and play. Key to being successful in this competition is the development of a system of civic indicators. These provide us with the ability to understand where the community excels, and where it requires attention. In this regard, Sault Ste. Marie is fortunate indeed to have an organization that is leading the way in this field.

In the past three years, CQI appears to have made many contributions to the quality of life of our community, and has given us the opportunity to develop a clear picture of where we are, and where we're going. Its commitment to quality improvement is evident, and serves as a source of pride for the City and its citizens.

I congratulate City Council for supporting CQI in the past, and strongly encourage you to increase this funding, which will provide the organization the stability it needs to continue this critical work.

Sincerely,



Denis Turcotte



United Way

Sault Ste. Marie & district

Without
you, there
would be ^{no} Way.

6(8)(b)

September 18, 2009

Mayor John Rowswell
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6B 5N1

Subject: Community Quality Improvement

Dear Mayor Rowswell:

The United Way of Sault Ste. Marie has been a member of CQI since its inception and we have found this organization to be valuable to both our organization and the community in general. We have participated in a number of excellent cost-effective training sessions hosted by CQI; many organizations in our community would not be able to access this caliber of training if it were not for CQI. Support of CQI by the City of Sault Ste. Marie has resulted in a more educated work force armed with the appropriate tools to improve their business's bottom line.

United Way has also utilizes the Community Performance Report as an important input to our community priority setting process. The social indicators in particular provide a measure of how well agencies such as United Way are serving our community and help to identify gaps in service.

CQI staff are also very much rooted in our community, participating on numerous committees and Boards which provide essential community services. In particular United Way appreciates the contributions of Mr. Ken Coulter, CQI Executive Director.

CQI's mandate is to facilitate quality of life improvements in Sault Ste. Marie through annual production of the Community Performance Report and delivery of professional development programs focused on improving quality of life for employees, volunteers and/or the community at large. The organization has been very effective in these areas and has, in our opinion, had a positive impact on our community.

Sincerely,

Gary L. Vipond
Chief Executive Officer
United Way of Sault Ste. Marie

Our Mission

To improve lives and build community by engaging individuals and mobilizing collective action

7A Oxford Street, Sault Ste. Marie ON P6B 1R7

Phone: 705 256-7476 Fax: 705 759-5899 Email: uwssm@ssmitedway.ca www.ssmitedway.ca

6(8)(b)

Our reference: DOC 09/45867
Contact: Bronwyn Batten, 9585 6675

Mr Ken Coulter
Executive Director
Community Quality Improvement
99 Foster Drive Level One - Civic Centre
Sault Ste. Marie ON
CANADA
P6A 5X6

Dear Mr Coulter

I am writing to thank you for the time spent with, and hospitality shown by you and your organisation to, Bronwyn Batten when she visited CQI during April 2009 for the State Government Employees Travelling Fellowship. These travelling fellowships are awarded by the State Government Employees Credit Union and the NSW Department of Premier and Cabinet to help support international research of benefit to the State of NSW.

The research into CQI will inform the development of a strategy to strengthen Aboriginal communities in NSW. In particular, the research with CQI was directly designed to inform the development of indicators of community strength for Aboriginal communities in NSW.

Learning from CQI's breadth of experience identifying data sources and indicators that reflect the status of a community across a wide range of focus areas has been beneficial for the Department of Environment Climate Change and Water as well as for the Government as a whole. The research has re-affirmed the value in measuring and tracking community progress. Simply put, examining your experiences has reinforced the idea that unless ways to measure the state of a community across areas as diverse as health, education, governance and - importantly for Aboriginal communities - cultural strength and wellbeing are developed, progress cannot easily be tracked.

In addition to the above findings, learning from your personal observations of CQI's time spent working with the Sault Ste. Marie community, and the different ways to gain community input and participation in a community indicator project has been very useful. Learning about the ways in which CQI has been able to achieve a sustainable community indicator project that tracks quality of life in Sault Ste Marie for the *long term* has also been of considerable value.

Thank you for your participation in the research.

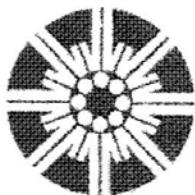
Yours sincerely

Reece McDougall
REECE McDUGALL
A/Executive Director
Culture and Heritage

PO Box 1987 Hurstville NSW 1481
43 Bridge Street, Hurstville NSW
Tel: (02) 9995 5000 Fax: (02) 9585 6555
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of Environment and Conservation NSW

6(8)(b)



GROUP HEALTH CENTRE

240 McNabb Street
Sault Ste. Marie, ON P6B 1Y5

Telephone: (705) 759-5503
Fax: (705) 541-2249

September 23, 2009

Mayor John Rowswell
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6B 5N1

RE: Community Quality Improvement

Dear Mayor Rowswell:

The Group Health Association has been a Quality Circle Member of CQI since its inception. We have found CQI to be valuable to our organization and the community.

We also support CQI with a staff member as a member of the Quality Leadership Team. CQI's cost-effective training sessions have provided several unique training opportunities for many management and staff at the GHC; otherwise, many would not be able to access this caliber of training.

The Community Performance Report (CPR) is an invaluable tool which sets priorities for improvements needed in our community. It is also a tool used to help in recruiting professionals to Sault Ste. Marie. We are well aware of the challenges in the recruitment of medical professionals and the CPR is evidence of how much of a progressive community, Sault Ste. Marie is.

CQI has been successful in promoting itself as a leader in developing community quality indicators and has been honored by the National Quality Institute with the nation's first Community Building Award!

CQI's mandate is to facilitate quality of life improvements in Sault Ste. Marie through the annual production of the Community Performance Report and delivery of professional development programs focused on improving quality of life for employees, volunteers and/or the community at large. CQI has been very effective in these areas and has, in our opinion, had a positive impact on our community.

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We appreciate the continued support for CQI by the City of Sault Ste. Marie.

Sincerely,

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

Graham Clark
President and Chief Executive Officer
Group Health Association

6(8)(b)



September 23, 2009

Mayor Rowswell and Council
Civic Centre
99 Foster Drive
Sault Ste. Marie, On
P6A 5X6

Dear Mayor Rowswell and Council:

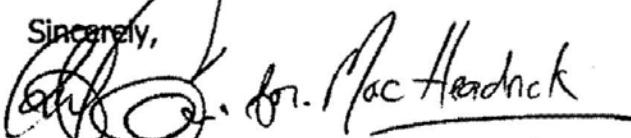
Please accept this letter indicating Community Living Algoma's support of the Sault Ste. Marie Community Quality Improvement's leadership efforts within our city. Community Living Algoma has been a long standing member of CQI. Through membership with CQI, Community Living Algoma has accessed many relevant educational and development opportunities facilitated by CQI. This past spring CQI partnered with Community Living Algoma in co hosting a workshop entitled *Building An Inclusive Community* featuring Dr. Al Condeluci, a well known social capital expert. Twelve community organizations attended this event and continue to participate in a working group lead by CQI to implement a community action plan in addressing barriers to inclusion experienced by marginalized citizens. Through CQI's diverse membership our organization has been able to form partnerships and collaborate on important community issues such as youth leadership, accessibility, health, education and culture and recreation.

Community Living Algoma utilizes the Community Performance Report to assist our organization in assuming a role in addressing key issues that impact all citizens through our participation on various committees and working groups. Recently our organization undertook an accreditation process through *The Council on Quality Leadership Canada*. Members of the accreditation review team included professionals from throughout Ontario and Texas. The review team was impressed with Community Living Algoma's strong link to CQI through Community Living Algoma's use of the Community Performance Report and partnership with CQI on the social capital research and community forum featuring Dr. Al Condeluci.

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This year at Community Living Algoma's annual general meeting CQI was presented with a Community Partnership Award in recognition for their willingness in supporting CLA's efforts in working towards our vision: ***Join the Journey All People Belong.*** Our organization recognizes and values the vital role CQI plays in our community for all citizens. If you require further information in regard to Community Living Algoma's partnership with CQI please contact Lisa Louttit, Director of Organizational Development and Innovation at 253-1700 ext. 3004 or by email lisa_louttit@algoma.org.

Sincerely,



Mac Headrick
Chair,
Community Living Algoma
Board of Directors



Algoma District School Board

6(8)(b)

644 Albert St. East
Sault Ste. Marie ON P6A 2K7
Telephone: (705) 945-7111
FAX: (705) 942-2540
www.adsb.on.ca

CHAIR
Wanda McQueen

DIRECTOR OF EDUCATION
Mario Turco

2009 09 22

Mayor John Roswell
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6B 5N1

Dear John:

As a founding member of CQI, we are pleased to provide this letter of support for the request for increased funding.

CQI continues to grow in both its activities and active community participation and has even been recognized as provincial leader in civic education initiatives. With this growth comes increased pressure on financial resources.

Since its inception, it is our understanding that CQI has not requested increased funding from City Council, yet it has managed to deal with increasing operating expenses and requests from others, to support a list of valuable initiatives in our community.

We believe CQI is having a positive input in developing civic indicators which promotes our community to professionals and businesses.

We want to continue to keep Sault Ste. Marie in the forefront of the global community by ensuring we have a system of continuous measurement and improvement in place.

We encourage you to support this request for increased funding to allow CQI to continue its' excellent work.

Sincerely,

M. F. Turco

Mario F. Turco,
Director of Education
Algoma District School Board

MFT/sv

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Huron-Superior Catholic District School Board

Marchy Bruni
Chairperson

John Stadnyk
Director of Education



2009 09 23

Ken Coulter
Executive Director of Education
Community Quality Improvement
99 Foster Drive, Level 1, Civic Centre
Sault Ste. Marie, ON P6A 5X6

Dear Ken:

Please accept this letter of support for the work of your agency, Community Quality Improvement. In this age of accountability, indicator data provides a reliable and valid way to compare quality of life in communities. As a participant at the Education Sector Table, the Huron-Superior Catholic District School Board was part of the collaborative effort to define those indicators that provide a snapshot/bird's eye view of the education opportunities in Sault Ste. Marie and area, and how they impact on the quality of life. This was truly a collaborative process with each of the partners coming to a better understanding of the roles played. The reports generated identify areas of celebration as a community as well as opportunities for growth and ways to monitor.

The Huron-Superior Catholic District School Board supports the continued efforts of CQI.

Sincerely,



John Stadnyk
Director of Education

/db

Catholic Education Centre

90 Ontario Avenue
Sault Ste. Marie, ON P6B 6G7
Tel: (705) 945-5400
Fax: (705) 945-5575
website: <http://www.hscdsb.on.ca>

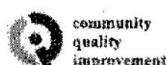
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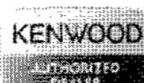
Community
Commitment



call2recycle



Authorized
Dealer for



September 23rd, 2009

Mayor John Rowswell
The Corporation of the City of Sault Ste. Marie
99 Foster Drive, PO Box 580
Sault Ste. Marie, ON
P6A 5N1

Dear Mayor Rowswell;

My experience started with The Women's Leadership Conference in 2005. I saw an ad on-line and was intrigued that this type of conference would be held locally. I attended the weekend at Stokely Creek Lodge and I walked away with information that I still use today. I met Karen Poirier at this conference. I watched her manage a group of women (never an easy thing to do) to ensure that each attendee received their conference package on time, had the correct transportation, was fed well and that we were exposed to local women who had experiences ranging from policing to hiking.

It was shortly after this conference that Karen sent me information for the Basic Leadership Skills conference. Three years later this is still one of the best weeks of my life. At this time GMR became a member if CQI. I hadn't planned on doing that, but Karen pointed out that doing so would save me money. From the beginning Karen clearly considered my interests.

I spent an evening listening to world renowned humanitarian Stephen Lewis. Again, because CQI understood his value and worked to raise the funds to bring this unique Canadian here. I will never forget that night.

Karen then approached me about volunteering on CQI's QLT (Leadership Team). This group of volunteers were concerned that the small businesses in this city didn't know enough about CQI and that CQI didn't know enough about their needs. CQI was, and still is very proactive in their activities instead of reactive. I wasn't sure about this. I thought "What could I know that they don't already know?" I was scared and nervous attending my first meeting. And soon after that first meeting we had a strategic mini-conference. Simply witnessing this process taught me that just because I am a small business owner that doesn't mean that I can't make a change in this city. This group gives me hope and encouragement.

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The people I have met on this team and it's committee are the Soo's best kept secret. We are a group of people who are interested in improving the quality of life here. For everyone. That's the only agenda we have.

CQI is becoming known, world-wide, for our commitment to improving the quality of life in Sault Ste. Marie. Better than that, we are becoming known for our concept of involving our citizens in this process. I have met people that have guided me in purchasing GMR, launching Phoenix Fire, purchasing Algoma Fire & Safety and launching a new green energy company.

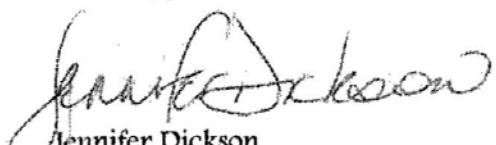
The environment in my place of business has changed for the better because of knowledge I gained while volunteering for CQI.

In this time of budget cut backs and down-sizing one of my priorities remains training with the courses that CQI offers. Having the shared cost with other people saves me money and time. I could not afford the time away from my companies, or the expense to travel anywhere to take these same courses.

Finally, CQI is about people. And two of the best people I have met are Ken and Karen. Aside from all of the interaction I have with them regarding CQI business, they have both inspired and encouraged me in working and living in the Soo.

Thank you for recognizing this group and its creation out of the "Building An Extraordinary Community" movement. I strongly encourage you to approve their request to increase funding.

Sincerely,



Jennifer Dickson
President, General Mobile Radio
Founder & President, Phoenix Fire Protection

*Never doubt that a small group of thoughtful, committed citizens
can change the world;
indeed, it's the only thing that ever has.*

Margaret Mead



September 24, 2009

To Mayor John Rowswell and Members of Council:

Please accept this letter as an indication of our full support for the request by Community Quality Improvement (CQI) for an increase in funding.

Ensuring a high quality of life should never be left to chance. As with any organization or business, to ensure a quality product, whether it is food, furniture, education, or in this case, lifestyle, one must employ a methodical approach to measuring, implementing, re-measuring and improving. This exercise is indispensable to any institution committed to excellence.

Sault College provides both financial and human resources to support the efforts of CQI. We are proud of our affiliation with this organization, and understand the value we receive for this investment.

We strongly encourage City Council to approve this request. As our community competes to attract and keep the best and brightest, the work of CQI is more valuable than ever.

Sincerely,

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

Ron Common
President

www.saultcollege.ca

Sault College • P.O. Box 60 • 443 Northern Avenue • Sault Ste. Marie, ON • Canada • P6A 5L3 • Tel. 705.759.2554 • Fax 705.759.1319

6(8)(b)



SALLT STE. MARIE
INNOVATION
CENTRE
INC.

September 24, 2009

Mayor John Rowswell
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6B 5N1

Dear Mayor Rowswell:

Subject: Community Quality Improvement

The Sault Ste. Marie Innovation Centre is sending this letter of support for continued funding for Community Quality Improvement and the increase in funding request. SSMIC has been a member of CQI since its inception and we have found this organization to be valuable to both our organization and the community in general.

SSMIC has partnered with CQI to complete the Community Performance Report which has proved to be an instrumental tool for our community for priority setting processes and measurements for success as well as helping to identify gaps in service. CQI also provides professional development programs focused on improving quality of life for employees, volunteers and/or the community at large.

SSMIC looks forward to continuing its positive relationship with CQI and collaborating in future projects. The organization has been very effective has had a positive impact on our community.

Sincerely,

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

Tom Vair
Executive Director

6(8)(b)



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

September 23, 2009

Ken M. Coulter
Executive Director
Community Quality Improvement
443 Northern Avenue, G 1500
Sault Ste. Marie ON
P6A 5L3

Dear Ken:

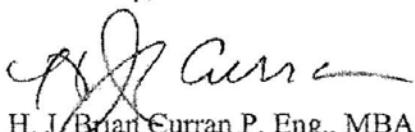
Re: Funding Request to City Council

I understand that CQI will be making a submission to City Council shortly requesting greater financial support for the work or your organization.

CQI has worked to find the essential determinants that define the social, economic and cultural identity of our community, measured those features and services that matter to the community and shown where improvement should be made. The work has been groundbreaking and the effort of CQI has been recognized by the National Quality Institute. In addition to this important work CQI has provided access to quality improvement training to businesses and organizations in Sault Ste. Marie.

PUC Services was a founding member and remains a continuing supporter of the work of CQI. I hope that your request to Council will be successful.

Yours truly,



H. J. Brian Curran P. Eng., MBA
President and C.E.O.

6(8)(b)

Our reference: DOC 09/45867
Contact: Bronwyn Batten, 9585 6675

Mr Ken Coulter
Executive Director
Community Quality Improvement
99 Foster Drive Level One - Civic Centre
Sault Ste. Marie ON
CANADA
P6A 5X6

Dear Mr Coulter

I am writing to thank you for the time spent with, and hospitality shown by you and your organisation to, Bronwyn Batten when she visited CQI during April 2009 for the State Government Employees Travelling Fellowship. These travelling fellowships are awarded by the State Government Employees Credit Union and the NSW Department of Premier and Cabinet to help support international research of benefit to the State of NSW.

The research into CQI will inform the development of a strategy to strengthen Aboriginal communities in NSW. In particular, the research with CQI was directly designed to inform the development of indicators of community strength for Aboriginal communities in NSW.

Learning from CQI's breadth of experience identifying data sources and indicators that reflect the status of a community across a wide range of focus areas has been beneficial for the Department of Environment Climate Change and Water as well as for the Government as a whole. The research has re-affirmed the value in measuring and tracking community progress. Simply put, examining your experiences has reinforced the idea that unless ways to measure the state of a community across areas as diverse as health, education, governance and - importantly for Aboriginal communities - cultural strength and wellbeing are developed, progress cannot easily be tracked.

In addition to the above findings, learning from your personal observations of CQI's time spent working with the Sault Ste. Marie community, and the different ways to gain community input and participation in a community indicator project has been very useful. Learning about the ways in which CQI has been able to achieve a sustainable community indicator project that tracks quality of life in Sault Ste Marie for the *long term* has also been of considerable value.

Thank you for your participation in the research.

Yours sincerely

Reece McDougall
REECE McDougall
A/Executive Director
Culture and Heritage

PO Box 1967 Hurstville NSW 1481
43 Bridge Street, Hurstville NSW
Tel: (02) 9995 5000 Fax: (02) 9585 6555
ABN 30 841 387 271
www.environment.nsw.gov.au

Department of **Environment and Conservation** NSW

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-37

AGREEMENT: (L-298) A by-law to authorize the execution of a Lease Extension Agreement dated the 22nd day of February, 2010 between the Corporation of the City of Sault Ste. Marie and Elementa Group Inc.

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 Lease Extension Agreement dated the 22nd day of February, 2010 in the form of Schedule "A" hereto, between the City and Elementa Group Inc.

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 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(a)

SCHEDULE "A"

L-298

THIS AGREEMENT being an extension of a lease

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the "Landlord"

- and -

ELEMENTA GROUP INC.

Hereinafter called the "Tenant"

WHEREAS by By-law 2006-48 passed on March 6, 2006 the City entered into a lease with Enquest Power Corporation Inc. (now Elementa Group Inc.) for a one year period, the purpose of which was to allow Elementa to establish a pilot project at the City landfill site to convert non-hazardous waste to syngas;

AND WHEREAS the said lease authorized by By-law 2006-48 ran April 1, 2006 to March 31, 2007;

AND WHEREAS by report to City Council dated 2007 02 12, the City Solicitor recommended an extension to the expiry date of the lease;

AND WHEREAS City Council on February 12, 2007 passed a resolution which reads in part:

"The Parties of the subject lease agree that the duration of the term of the lease shall continue and extend for a period of 365 days commencing at the date of "Commencement Date of Operation" as defined in Page 2 of the Certificate of Approval of the Ministry of Environment No. 9050-6VYLYZI dated December 1, 2006..."

AND WHEREAS the Land Development and Environmental Engineer of the City submitted a report to City Council dated 2009 02 09 in which report it was recommended that the lease between the City and Elementa be extended to a term of 6 months beyond the allowable operating period of the Certificate of Approval for the pilot project;

AND WHEREAS City Council passed a resolution dated February 9, 2009 accepting the report of the Land Development and Environmental Engineer;

NOW THEREFORE the parties to this agreement agree that:

- 1) In accordance with the Council Resolution of February 9, 2009 paragraph 2 of the lease agreement entered into under the authority of By-law 2006-48 is repealed and replaced with the following:

"To hold the Subject Lands commencing on the 1st day of April, 2006 and terminating six months beyond the allowable operating period of the Certificate of Approval issued by the Ministry of the Environment for the Elementa pilot project."

10(a)

- 2) All other terms of the original lease remain unchanged.

IN WITNESS WHEREOF the parties have signed this lease on the 22nd day
of February, 2010.

da/Lease Elements Lease Extension

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-47

AGREEMENT: (L-270) A by-law to authorize the execution of a Lease Extension Agreement dated the 1st day of March, 2010 between the Corporation of the City of Sault Ste. Marie and 882206 Ontario Inc..

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 Lease Extension Agreement dated the 1st day of March, 2010 in the form of Schedule "A" hereto, between the City and 882206 Ontario Inc.

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 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

NOTICE

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CITY SOLICITOR

10(b)

SCHEDULE "A"

Lease File No. L-270

This Agreement made this 1st day of March, 2010

IN PURSUANCE OF the Short Forms of Leases Act, R.S.O. 1990, c. S.11.

B E T W E E N: THE CORPORATION OF THE CITY OF SAULT STE. MARIE

hereinafter called the "Landlord"

- and -

882206 ONTARIO INC.

hereinafter called the "Tenant"

WHEREAS the Landlord and the Tenant entered into an original Lease Agreement on March 1, 2000 regarding the demised premises;

AND WHEREAS the original Agreement was authorized by By-law 2000-53 passed by the Landlord on March 6, 2000;

AND WHEREAS the Tenant exercised its option to renew the Lease which renewal was authorized by By-law 2005-16 passed by the Landlord on February 7, 2005;

AND WHEREAS the Tenant has now exercised its second of three renewal options for the Lease;

NOW THEREFORE IN CONSIDERATION of the sum of \$2.00 and other valuable consideration now paid by each party to the other, the parties agree as follows:

IN CONSIDERATION of the sum of \$2.00 and other valuable consideration now paid by each party to the other, the parties agree as follows:

1. In this lease:

- (a) "Demised Area" shall mean a pro shop comprising a portion of the John Rhodes Centre and shown on Schedule "A" consisting of 680 square feet of leaseable area.
- (b) "Gross Revenue" means all sales, receipts and receivables of the Tenant and any licensee, concessionaire, sub-Tenant or other person from all business conducted at, in, upon or from the Demised Area and without limiting the generality of the foregoing, includes:
 - (i) The entire amount of the sales price whether for cash, credit or otherwise, of all sales of goods, wares and merchandise and charges for services (including amounts received for equipment rentals) made or performed at, in, upon or from the Demised Area.
 - (ii) Amounts received or receivable in respect of orders taken or received at the Demised Area (although such orders may be filled elsewhere).
 - (iii) Amounts received or receivable in respect of orders made or performed pursuant to mail, telephone, or other similar orders received at the Demised Area.
 - (iv) Gross receipts from public telephones and from coin operated or other vending devices at, in or about the Demised Area.
 - (v) Gross receipts or receivables which the Tenant or any licensee, concessionaire, sub-Tenant or other person carrying on business at, in, upon or from the Demised Area would in the normal course

of its business and in accordance with generally accepted accounting practice attribute thereto.

No deduction shall be made for uncollected accounts and each sale or service made or performed on credit, or cash and credit shall be treated as a sale or service made or performed for the price charged in the month during which it was made or performed, irrespective of when payment is made.

"Gross Revenue" shall not include:

- (i) Cash or credit refunds to customers or transactions otherwise included in Gross Revenue.
 - (ii) Any money collected and paid out for any federal, provincial or municipal taxes which the Tenant is required to collect as a direct and separate tax from its customers and which are not included in the retail sales price of the merchandise sold
 - (iii) The exchange or transfer of merchandise between the stores of the Tenant where such exchange or transfer of merchandise is made solely for the convenient operation of the business of the Tenant and not for the purpose of consummating a sale at, in, from or upon the Demised Area or for the purpose of depriving the Landlord of the benefit of a sale which otherwise would be made at, in, from or upon the Demised Area.
- (c) "Manager" shall mean the Landlord's Manager of Community Centres.
2. (a) The Landlord hereby demises and leases the Demised Area to the Tenant for a term of five (5) years commencing March 1, 2010, and expiring February 28, 2015, on the terms and conditions set out in this lease with rent payable on the 10th day of each month during the term.
- (b) The Tenant shall be allowed one (1) more option to renew the lease for five (5) years. All terms of the lease shall be subject to review after the term of this lease. If any of the terms of next renewal cannot be agreed to by the parties, the terms shall be determined by arbitration in accordance with the Arbitrations Act.
3. (a) The Tenant shall pay the Landlord rent consisting of:
 - (i) an annual base rent as set out in Schedule "B" and for the purpose of this lease, the gross leasable area is agreed by the parties to be 680 square feet, plus
 - (ii) a percentage rent as set out in Schedule "B" of the Tenant's gross revenue for each year of the lease.
- (b) The percentage rent shall become due and be paid quarterly as Additional Rent not later than fifteen (15) days after the last day of each quarter of each lease year based upon the gross revenue of the Tenant during such quarter of each lease year based upon the gross revenue of the Tenant during such quarter as shown by the monthly statements submitted by the Tenant as required under this lease.
- (c) On or before the fifteenth (15th) day after each month of the term of this lease and on or before the fifteenth (15th) day after the termination date of this lease the Tenant shall provide to the Landlord a statement in writing signed and verified by the Tenant and setting forth the amount of the Tenant's gross revenue for the proceeding month.
- (d) In addition to the payment of rent set out above, the Tenant shall be responsible for paying:

- (i) its own cleaning costs.
 - (ii) any property taxes that may arise as a result of the Tenant's occupancy and use of the Demised Area, which can be billed monthly to the Tenant by the Landlord.
 - (iii) any goods and services tax payable as a result of the Tenant's occupancy and use of the Demised Area and any provincial sales tax.
 - (iv) common area costs, shared on a pro rata basis for utility costs, cleaning costs, snow removal costs, security, (estimated at \$50.00 per month which can be reviewed after one year of operation)
- (e) The Tenant shall keep or cause to be kept on the Demised Area or in such other location as the Landlord may approve in writing, full, true and accurate records in reasonable form and detail approved by the Landlord of all business at the Demised Area from which the gross revenue may be accurately determined and to which the Landlord and its employees and agents or any auditor or auditors appointed by it shall have access at any and all times during business hours of the Tenant for the purpose of examination or audit.
4. (a) The Tenant covenants with the Landlord:
- (i) to pay rent;
 - (ii) to pay all charges (including penalties and interest) for water, electricity and other utilities supplied to the Demised Area, directly to the supplier thereof in each case;
 - (iii) not to make changes in the Demised Area except in accordance with plans therefor which have been submitted to, and approved by, the Manager, such approval not be unreasonably withheld and to make any such changes expeditiously in a good and workerlike manner (including property clean-up) to the satisfaction of the Manager;
 - (iv) to keep the Demised Area in a clean and well ordered condition and not to permit any rubbish, refuse, debris or other objectionable material to be stored or to accumulate therein, all to the satisfaction of the Manager;
 - (v) to use the Demised Area only for the purposes of a pro shop. For the purposes of this lease a pro shop shall be defined to mean the sale and servicing of sports products and shall include skate sharpening and repair. The pro shop shall not be allowed to sell food or drink products.
 - (vi) not to assign or sublet this lease without the permission of the Landlord and the Landlord will not unreasonably withhold that permission.
 - (vii) not to erect any signs on the Demised Area without the written consent of the Manager;
 - (viii) to ensure that nothing is done or kept at or on the Demised Area which is or may be a nuisance or which causes damage to or interference with normal usage of any adjoining property, provided that the use referred to in clause (v) and the vehicles, supplies and equipment necessarily incidental thereto shall not be deemed to be, in and of themselves, a nuisance;
 - (ix) to take at its own expense all measures necessary to ensure to the Manager's satisfaction that the plant of or appurtenances to any municipal service or public utility now or in the future on, under or adjacent to the Demised Area, is adequately protected against damage, impairment, destruction or loss;
 - (x) not to store inflammable or explosive substances on the Demised Area;
 - (xi) to comply with all federal, provincial and municipal laws, by-laws, rules and regulations affecting the Demised Area, including the

- obtaining of all necessary permits and licences and to save the Landlord harmless from any liability or cost suffered by it as a result of failure of the Tenant to do so;
- (xii) upon termination of the tenancy, at its own risk and expense, to remove from the Demised Area within 30 days, any fixtures and chattels belonging to it, with all damage, if any, caused by such removal made good by it and to leave the Demised Area neat, clean, level and free of all waste material, debris and rubbish, all to the Manager's satisfaction, and
 - (xiii) that upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this indenture within 30 days after written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefor reimburse the Landlord who in default of such reimbursement may collect same as rent owing and in arrears.
- (b) The Tenant accepts the Demised Area in the condition existing at the date of the commencement of the Term.
5. The Tenant shall operate seven days per week. The Tenant's hours of operation shall be from Monday to Friday, 2:00 p.m. to 10:00 p.m. and on Saturday and Sunday from 8:00 a.m. to 8:00 p.m., unless otherwise agreed to in writing by the Manager of Community Centres.
6. The Tenant covenants that the entrance and exit to the Demised Area shall be:
- (i) in the case of the exterior entrance being from the north side of the main arena entrance; and
 - (ii) in the case of the interior entrance being in the corridor adjoining the pool;
- only and the Tenant shall cause proper signs in this regard to be erected.
7. (a) If the Tenant or any assignee or sub-Tenant makes an assignment for the benefit of creditors, or becomes insolvent or commits an act of bankruptcy as defined by the *Bankruptcy Act and Insolvency Act*, R.S.C. 1985, c. B-3, or if the leasehold interest created by this indenture is at any time seized or taken in execution or in attachment, or if the Tenant or any corporate assignee or sub-Tenant is subjected to voluntary or compulsory liquidation or winding-up, or if the Demised Area becomes abandoned, then, at the option of the Landlord, the lease shall cease, the Term shall be at an end, the rent for the then next ensuing three months shall immediately become due and payable and the Landlord may re-enter and take possession.
- (b) Notwithstanding any present or future Act of the Ontario Legislature, none of the Tenant's goods and chattels on the Demised Area shall at any time during the Term be exempt from levy by distress for rent in arrears, and the Tenant, having waived any such exemption, shall by this clause be estopped from setting up any such exemption in any proceedings between the parties.
- (c) This indenture makes provision for re-entry by the Landlord on non-payment of rent or non-performance of covenants.
8. (a) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever (including those under or in connection with the *Workplace Safety and Insurance Act*, 1997, S.O. 1997, c. 16, Sch. A, or any successor legislation) made or brought against, suffered by or imposed on the Landlord or its property in respect of any loss, damage or injury (including fatal injury) to any person

or property (including, without restriction, employees, agents and property of the Landlord or of the Tenant) directly or indirectly arising out of, resulting from or sustained as a result of the Tenant's occupation or use of, or any operation in connection with the Demised Area or any fixtures or chattels therein except to the extent attributable to the Landlord's negligence.

- (b) The Tenant shall, at all times during the currency of this Term and any renewal thereof, at its own expense maintain in force insurance coverage with respect to the Demised Area and its use and occupation thereof, and shall provide the Landlord with certificates of a policy or policies of an insurance company or companies to the Landlord for:
- (i) insurance against loss by such insurable hazards as the Landlord may from time to time reasonably request, and
 - (ii) liability insurance for bodily injury, death or property damage up to \$2,000,000.00.

Every policy or policies of insurance maintained shall provide cross-liability coverage and waiver of subrogation and the Landlord may require the Tenant to supply evidence thereof from time to time.

- (c) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the *Construction Lien Act*, R. S. O. 1990, c. C.30, in connection with any work done for the Tenant at or on the Demised Area and shall at its own expense promptly see to the removal from the registered title to the Demised Area, of every claim for lien or certificate of action having to do with such work and in any event within 30 days of being notified in writing by the Landlord to do so, failing which the Landlord may see to such removal and recover the expense and all attendant costs from the Tenant as rent owing and in arrears.
- (d) The Landlord assumes no responsibility for damage by fire, theft or otherwise whatsoever, to the goods, chattels, fixtures and improvements of the Tenant or of any other person except to the extent caused by the negligence of the Landlord or any person(s) for whom the Landlord is at law responsible.
- (e) The provisions of this clause 8 will continue to apply, notwithstanding cessation of the tenancy created by this indenture, throughout the period(s) during which activities take place pursuant to paragraphs (xii) and (xiii) of clause 4(a) of the lease.
9. If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly Tenant only at a rental payable monthly in advance at the rate payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this lease.
10. (a) Any notice pursuant to any of the provisions of this indenture shall be deemed to have been properly given if delivered in person, or mailed by prepaid registered post addressed:

in the case of notice to the Landlord to:

Manager of Community Centres
Community Services Department
P.O. Box 580
Sault Ste. Marie, Ontario P6A 5N1

in the case of notice to the Tenant to:

882206 Ontario Inc.
260 Elizabeth Street
Sault Ste. Marie, Ontario P6A 6J3

or to such other address as either party may notify the other of, and in the case of mailing as aforesaid, such notice shall be deemed to have been received by the addressee, in the absence of a major interruption in postal service affecting the handling or delivery thereof, on the 4th business day, excluding Saturdays, next following the date of mailing. If the notice is faxed, the notice shall be deemed to have been received on the 1st day next following the dating of faxing.

- (b) The authority of the Manager shall not be deemed to be exhausted by any individual exercise thereof and in the matters for which he or she is responsible under this indenture, the Manager shall be the sole judge whose opinion and exercise of discretion shall not be subject to review in any manner whatsoever except as expressly otherwise indicated in this lease.
11. (a) All sums, for rent or otherwise, payable to the Landlord under this lease shall bear interest commencing the first day next following the failing due thereof, at the then current rate of interest charged to the Landlord by its bankers until the actual date of payment.
- (b) The Tenant shall pay to the Landlord all the Landlord's legal costs, on a solicitor and client basis, of all actions or other proceedings in which the Landlord participates in connection with, or arising out of the obligations of the Tenant under this indenture or arising out of the Tenant's occupation of the Demised Area, except to the extent that the Landlord is not successful therein.
12. (a) The Landlord covenants that it shall install systems capable of heating, ventilating and air conditioning the Demised Area, other leasable premises in the John Rhodes Centre and the common facilities and administrative areas of the John Rhodes Centre to reasonable temperatures for the reasonable use thereof, as determined by the Landlord.
- (b) In the event of any breakdown in the heating, ventilating or air conditioning systems, the Landlord shall not be liable to the Tenant for indirect or consequential damages or damages for personal discomfort or illness.
13. The Landlord or any employee or agent of the Landlord shall have the right during business hours of the Tenant or at any time during any emergency as determined by the Landlord, to enter the Demised Area for any of the following purposes:
- (a) to examine the state of maintenance, repair and decoration of the Demised Area and the equipment and fixtures therein;
- (b) to install and maintain pipes, conduits, wire and ducts in the Demised Area to serve the Demised Area or other premises, or both;
- (c) to show the Demised Area to prospective purchasers, lessees, encumbrances or assignees.
14. (a) No condonation, excusing or overlooking by the Landlord of any default, breach or non-observance of any of the Tenant's obligations under this lease at any time or times shall affect the Landlord's remedies or rights with respect of any subsequent (even if by way of continuation) default, breach or non-observance.
- (b) No waiver shall be inferred from or implied by anything done or omitted by the Landlord.

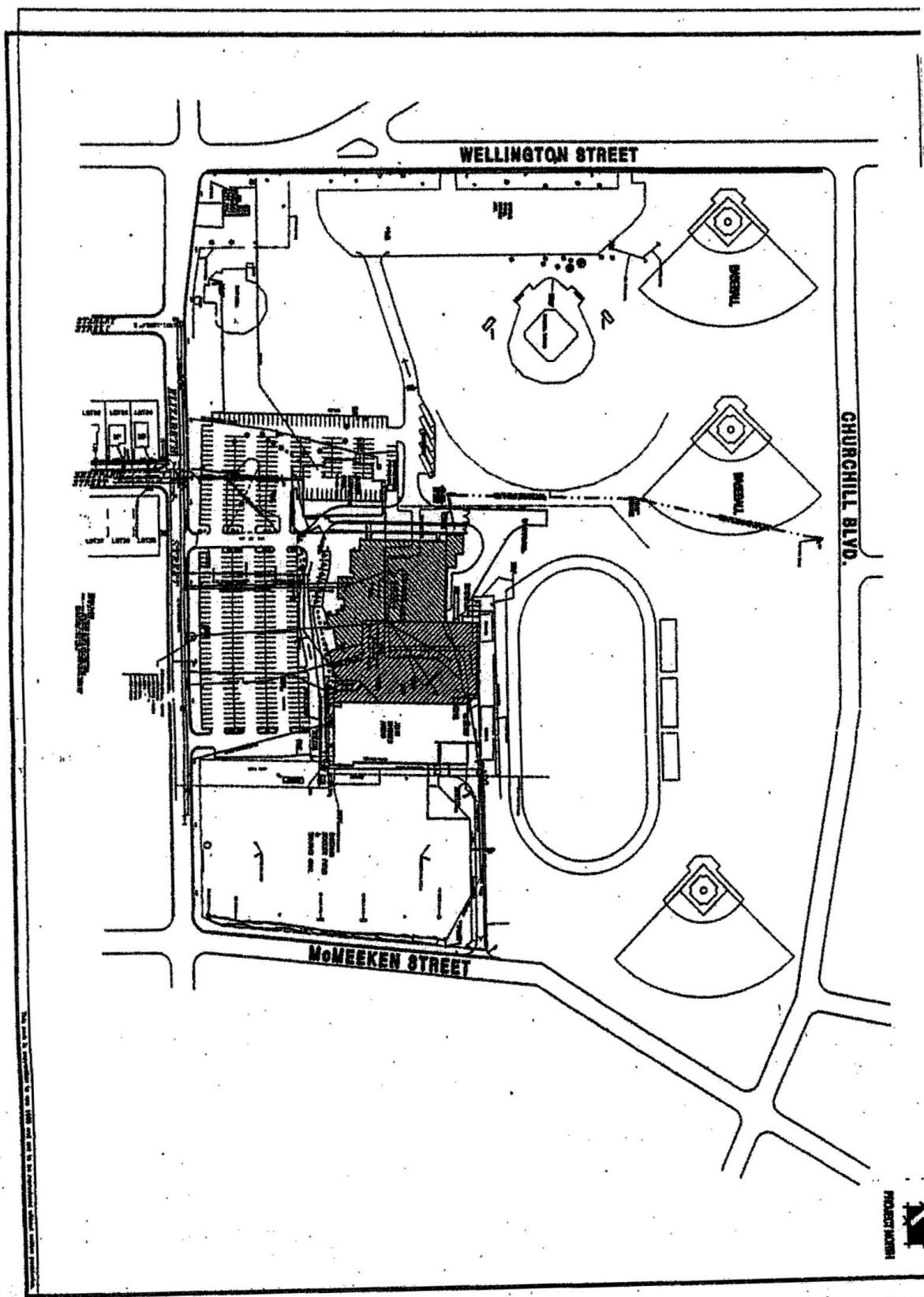
- (c) Any written waiver by the Landlord shall have effect only in accordance with its express terms.
 - (d) All rights and remedies of the Landlord under this lease shall be cumulative and not alternative.
15. (a) The termination of the Term by expiry or otherwise shall not affect the liability of either party to this lease to the other with respect to any obligation under this lease which has accrued up to the date of such termination but not been properly satisfied or discharged.
- (b) The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this lease other than as set out in this lease which constitutes the entire agreement between the parties concerning the Demised Area and which may be modified only by further written agreement under seal.
- (c) The provisions of this lease shall be binding upon, and enure to the benefit of, the parties and their respective successors and (where applicable) permitted assigns.

IN WITNESS WHEREOF the parties have affixed their corporate seals attested to by the hands of their officers in that behalf duly authorized.

) THE CORPORATION OF THE CITY OF SAULT STE MARIE
)
)
)
) MAYOR – JOHN ROWSWELL
)
)
)
) CLERK – DONNA P. IRVING
)
)
)
) 882206 ONTARIO INC.
)
)
) FRANK SPINA – PRESIDENT
)
)
) I have authority to bind the corporation

10(b)

SCHEDULE "A"



Site Plan	SP1	8003	drawn	checked	scale not to scale	print	revision	1	ellis·pastore consultant Takoma Park, MD 20912 www.ellis-pastore.com
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10(b)

**Attached to and forming part of a Lease
between
the Corporation of the City of Sault Ste. Marie, Landlord
and
882206 Ontario Inc., Tenant**

Schedule "B"

**John Rhodes Community Centre
Pro Shop – Financial Agreement**

Item #1

Year 1	Year 2	Year 3	Year 4	Year 5
(\$10.00 per sq. ft.) \$ 5,666.57				

The rental rate for May, June, July and August will be reduced by \$5.00 per square foot. This reflects a reduction in the use of the facility. This is calculated in the above annual rental figure. The rent will be reviewed again after 3 years of operation. The rent may be altered (it will not decrease)

Item #2 Percentage Rent – this calculated on 7% of sales over the amount listed below for each year

Year 1	Year 2	Year 3	Year 4	Year 5
\$ 129,524	\$ 129,524	\$ 129,524	\$ 129,524	\$ 129,524

Item #3 Utility Costs, Common Area Costs, Cable TV – charge \$50.00 per month

Item #4 Proponent is also responsible for cleaning costs of Pro Shop, property taxes (this can be invoiced monthly if requested), common area costs, insurance and liability coverage of \$2M, letter of credit for \$5,000, applicable G.S.T. or H.S.T.

Item #5 In the third and fourth year of the agreement the City will review the cost per square foot to determine if the rent should be increased in a range from \$0.00 to \$2.00 per square foot.

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-36

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 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

DH Bylaws\2010\2010-36 Parking Officers – Private lots

NOTICE
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has not been enacted by City Council. It may not
be enacted at all **AND** if enacted, it may not be in
the form of the DRAFT copy.
CITY SOLICITOR

10(c)

BADGE NO.	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION	BYLAW 2010-36 PASSED 22 FEB 10
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	
25	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	
50	BARONE,MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN ST E	
109	SEBEVIC,JOHN,LUDVIC	DENTAL BUILDING	948 & 216 QUEEN ST E	
113	TAYLOR,GARY	ALGOMA UNIVERSITY	1520 QUEEN ST E	
115	LEE,RICHARD,JOHN	ALGOMA UNIVERSITY	1520 QUEEN ST E	
138	CAIN,JOSEPH	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK	
151	PARR,DEREK,RAYMOND	NORPRO SECURITY	ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER	
152	TASSONE,VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E	
163	BUMBACCO,PHILIP,CARMEN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER	
178	O'AGOSTINI,ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST.	
179	DARLOW,LEONARD	ALGOMA UNIVERSITY	1520 QUEEN ST E	
186	HARMAIN,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	
190	SEABROOK,LAURA,LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER	
236	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/123 SECOND LINE W	
249	CHO, LINDA	DR. RAYMOND CHO	71 & 131 EAST ST/123 SECOND LINE W	
253	TRAVISON,TERRACEY(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	
267	CORBIERE,JOHN,ALLAN	G4S SECURITY	CROSS COUNTRY/DAVEY HOME/HOSPITAL/ALGOMA UNIVERSITY/AIRPORT	
274	DAVISON,JAMES	NORPRO SECURITY	ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER	
275	EBARE,WALLACE	G4S SECURITY	DAVEY HOME/HOSPITAL/UNIVERSITY/308 FARWELL TERR/AIRPORT	
276	SMITH,DENNIS,ROBERT	G4S SECURITY	DAVEY HOME/HOSPITAL/UNIVERSITY/AIRPORT	
266	MURDOCK,IESHIA	NORPRO SECURITY	ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER	
297	SWIRE,WMILLIAM,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,WMILLIAM,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	PIQEAU,EDWARD	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
314	AASEN,PAULINE	KOPRASH BUILDING 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	ONEILL,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	
336	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,RODDY	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,PIETER	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	
364	STEEVES,ROBERT	NORPRO SECURITY	ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER	
357	BONENFANT,TERRENCE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
358	COLLINS,LESLIE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
360	HALLIGAN,AGNES	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
363	SMELTZER,LESLEY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
364	SMELTZER,PETER	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA	
366	CLOUTON,JOHN	SOLID SECURITY SERVICES	CAMBRIAN MAL/CHURCHILL PLAZA	
365	TROIHOW,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	RISANEN,ANJA	ON FINNISH HOME ASS.	FINNISH REST HOME	
374	TAAVELANDRE	ON FINNISH HOME ASS.	FINNISH REST HOME	
376	FINN,ROBERT	CITY OF SAULT STE MARIE	TRANSIT SERVICES AREAS	
377	BADGERC,PAUL	G4S SECURITY	SAULT HOSPITAL/AIRPORT	
378	SMITH,BENJAMIN	NORPRO SECURITY	ELGIN TOWER/SAUTL COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER	
379	MANGONE,MATTHEW	G4S SECURITY	SAULT HOSPITAL/AIRPORT	
380	MARIN,MARTY	G4S SECURITY	SAULT HOSPITAL/AIRPORT	
381	DEVOE,PATHEJEAN	SOLID SECURITY SERVICES	CAMBRIAN MALL	
382	HALPIN,MATTHEW	SOLID SECURITY SERVICES	CAMBRIAN MALL	
383	DEVOE,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	

10(c)

392	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	MBINCKE,KENNETH	G4S SECURITY	SAULT AREA HOSPITAL/AIRPORT
393	PRESSCOTT-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	MCAR,ALEXANDRA	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
410	POYNER,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
416	VELTER,ROBERT	NORPRO SECURITY	ELGIN TOWER/SAULT COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER
417	CHIAROT,LUCIO	G4S SECURITY	AIRPORT
418	ROSENNE,JOSH	G4S SECURITY	AIRPORT
419	RAYMO,ADAM	G4S SECURITY	AIRPORT
420	FADIANO,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	VANDERKURT,DYLAN	G4S SECURITY	SAULT AREA HOSPITAL
424	REDFATH,BRITNEY	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	RUSCO,DOMING	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,NATALIA	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 BUILDING 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

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-41

PROPERTY ACQUISITION: (P.4.5.357) a by-law to authorize the City's acquisition from 920939 Ontario Inc. of the property described as Part 1 on Plan 1R-11776 for the Third Line extension.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, C. 25, **ENACTS** as follows:

1. **PROPERTY ACQUISITION**

The Corporation shall acquire by purchase the absolute right in fee simple to the lands more particularly described in Schedule "A" hereto by payment of \$54,703.00 to 920939 Ontario Inc, subject to further negotiations with the company to determine compensation as provided for in Schedule "A".

2. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to complete the said acquisition.

3. **SCHEDULE "A"**

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

4. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

SCHEDULE "A" TO BY-LAW 2010-41

PURCHASER: The Corporation of the City of Sault Ste. Marie

VENDOR: 930939 Ontario Inc.

ADDRESS: Part 1 on Plan 1R-11776

CONSIDERATION: Interim payment of \$54,703.00
This price is subject to further negotiations with
the Vendor to determine compensation. If
negotiations fail, then the matter will be
subjected to binding arbitration.

10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-46

PROPERTY SALE: (Tax Sale 2004 - Parcel 9) a by-law to authorize the vesting in the City's name and subsequent sale to Robert Dumanski in Trust for a company to be incorporated of the property known municipally as 503 Bay Street.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, C. 25, ENACTS as follows:

1. **PROPERTY VESTING AND SALE**

The Corporation shall vest in its name and then sell the absolute right in fee simple to the lands more particularly described in Schedule "A" at the consideration shown in the said Schedule "A", upon the conditions set out in the Agreement of Purchase and Sale attached as Schedule "B".

2. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to:

- a) all documents required to complete the sale, including the Agreement of Purchase and Sale between the City and Robert Dumanski in Trust for a company to be incorporated, dated January 20, 2010; and
- b) any documents necessary to give effect to a Notice of Vesting of the property under The Municipal Act.

3. **SCHEDULE "A" and SCHEDULE "B"**

Schedule "A" and Schedule "B" hereto form a part of this by-law.

4. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2010.

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

10(e)

SCHEDULE "A" TO BY-LAW 2010-46

VENDOR: The Corporation of the City of Sault Ste. Marie

PURCHASER: Robert Dumanski in Trust for a company to be incorporated

ADDRESS: 503 Bay Street, Sault Ste. Marie, Ontario

PROPERTY DESCRIPTION: PIN 31540-0074 (LT) Parcel 2385, Algoma West Section and part Water Lot in front of Lot 9, South Side of Bay Street, Town Plot of Sault Ste. Marie as in LT23085 except Parts 4 and 7, Plan 1R1463 ;
PIN 31540-0023 (LT) Parcel 45, Algoma West Section, part of Water Lot in front of Lot 10 South Side of Bay Street, Town Plot of Sault Ste. Marie as in LT3887 and
PIN 31540-0088 (LT) Part Lot 9 South Side of Bay Street Town Plot of St. Mary's as in T181931 (firstly) and Lot 10 South Side of Bay Street, Town Plot of St. Mary's except Part 1, Plan 1R1710

CONSIDERATION: \$511,000.00
(Subject to the usual adjustments)

10(e)

SCHEDULE "B"

AGREEMENT OF PURCHASE AND SALE

ROBERT DUMANSKI IN TRUST FOR A COMPANY TO BE INCORPORATED (the "Purchaser"), offers to buy from THE CORPORATION OF THE CITY OF SAULT Ste. MARIE (the "Vendor"), the following PROPERTY: fronting on the South side of Bay Street known municipally as 503 Bay Street and having a frontage of 129 feet more or less by an irregular depth and described as Parcel 2385, Algoma West Section and part Water Lot in front of Lot 9, South Side of Bay Street, Town Plot of Sault Ste. Marie as in LT23085 except Parts 4 and 7, Plan IR1463 being pin 31540-0074 (LT); Parcel 45, Algoma West Section, part of water lot in front of Lot 10 South Side of Bay Street, Town Plot of Sault Ste. Marie as in LT3887 being pin 31540-0023 (LT) and part Lot 9 South side of Bay Street, Town Plot of St. Mary's as in T181931 (firstly) and Lot 10 South side of Bay Street, Town Plot of St. Mary's except Part 1, Plan IR1710 being pin 31540-0088 (LT) (the "Property") at the purchase price (the "Purchase Price") of FIVE HUNDRED & ELEVEN THOUSAND Canadian Dollars (\$511,000.00) on the following terms:

1. Purchaser submits with this offer TWENTY-FIVE THOUSAND Dollars (\$25,000.00) cheque payable to the Vendor as a deposit to be held by it in trust pending completion or other termination of this Agreement and to be credited towards the Purchase Price on completion.
2. Purchaser agrees to pay the balance of the purchase price in cash or by certified cheque on closing subject to the usual adjustments.
3. This Offer is conditional upon the following:
 - (a) The Vendor delivering to the Purchaser title to the property free and clear of all government and Crown and other liens and encumbrances that would have priority over the tax sale deed of the Vendor failing which this Offer is null and void and the Purchaser's deposit returned without interest, bonus or penalty.
 - (b) The Purchaser acknowledges that the Purchaser is purchasing the land and building only and that the Vendor makes no representations or warranties regarding the equipment and chattels located on the premises.
 - (c) The Purchaser acknowledges that the property is being sold by way of a tax sale and that there are no representations or warranties regarding the land, building or structure.
 - (d) The Vendor acknowledges that the Purchaser shall not be required to pay the balance due on closing until the Vendor is in a position to transfer title to the property to the Purchaser in accordance with the within Agreement of Purchase and Sale.

10(e)

- (e) The Vendor acknowledges that the Purchaser is an agent for a Corporation to be incorporated and that upon the Corporation being incorporated and the Vendor being provided with a copy of the Articles of Incorporation that the Purchaser shall be said Corporation and Robert Dumanski shall have no liability or obligations in regards of this Agreement.
4. Purchaser and Vendor agree that:
- (a) all existing fixtures are included in the Purchase Price except those listed hereunder:
any rentals
- (b) the following chattels are included in the Purchase Price:
none
5. Purchaser agrees that this Offer shall be irrevocable by him until 5:00 p.m. on the 26th day of February, 2010, after which time, if not accepted, this Offer shall be null and void and the deposit shall be returned to Purchaser without interest or deduction.
6. This Agreement shall be completed April 30th, 2010. Upon completion, vacant possession of the property shall be given to Purchaser unless otherwise provided.
7. Purchaser shall be allowed until 4:30 p.m. April 9th, 2010, to examine the title to the property, at his own expense to satisfy himself that there are no outstanding work orders affecting the property, that its present use C3 Riverfront Commercial Zone plus brewery legal non-conforming may be lawfully continued, and that the principal building, if any, may be insured against risk of fire.
8. Provided that the title to the property is good and free from all restrictions, charges, liens, claims and encumbrances, except as otherwise specifically provided in this Agreement, save and except for:
- (a) any registered restrictions or covenants that run with the land, provided that such are complied with;
- (b) any registered agreements with a municipality or a supplier of utility service including, without limitation, electricity, water, sewage, gas, telephone or cable television or other telecommunication service, providing such have been complied with or security has been posted to ensure compliance and completion as evidenced by letter from the relevant municipality or utility supplier; and
- (c) any minor easements for the supply of utility service to the property or to adjacent properties.

If, within the time for examining the title, any valid objection to title, or any outstanding work order or deficiency notice, or to the fact that the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire, is made in writing to Vendor or Vendor's solicitor, which Vendor is unable or unwilling to remove, remedy or satisfy, and which Purchaser will not waive, this Agreement, notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end, and all money theretofore paid shall be returned without interest or deduction and Vendor and his agents shall not be liable for any costs or damages. Save as to any valid objection so made within such time, and except for any objection going to the root of title, Purchaser shall be conclusively deemed to have accepted Vendor's title to the property. Vendor hereby consents to the municipality releasing to Purchaser details of all outstanding work orders or deficiency notices affecting the property, and Vendor agrees to execute and deliver to Purchaser or his solicitor such further authorizations in that regard as Purchaser may reasonable require.

9. Where each of the Vendor and Purchaser retain a lawyer to complete the Agreement of Purchase and Sale of the property and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. 1990, Chapter 14 and the Electronic Registration Act, S.O. 1991 Chapter 44, and any amendments thereto, the Vendor and Purchaser acknowledge and agree that the exchange of closing funds, non-registerable documents and other items (the "Requisite Deliveries") and the release thereof to the Vendor and Purchaser will (a) not occur at the same time as the registration of the transfer/deed (and any other documents intended to be registered in connection with the completion of this transaction) and (b) are subject to conditions whereby the lawyer(s) receiving any of the Requisite Deliveries will be required to hold same in trust and not release same except in accordance with the terms of a document registration agreement between the said lawyers. The Vendor and Purchaser irrevocably instruct the said lawyers to be bound by the document registration agreement which is recommended from time to time by the Law Society of Upper Canada. Unless otherwise agreed to by the lawyers, such exchange of the Requisite Deliveries will occur in the applicable Land Titles Office or such other location agreeable to both lawyers.
10. **Purchaser acknowledges having inspected the property prior to submitting this Offer and understands that upon Vendor accepting this Offer there shall be a binding agreement of purchase and sale between Purchaser and Vendor.**
11. Vendor and Purchaser agree that there is no condition, express or implied, representation or warranty of any kind that the future intended use of the property by the Purchaser is or will be lawful except as may be specifically stipulated elsewhere in this Agreement.
12. Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the property except such as are in the possession or control of Vendor. Vendor agrees that, if requested by the Purchaser, he will deliver any

sketch or survey of the property in his possession or within his control to Purchaser as soon as possible and prior to the last day allowed for examining title. In the event that a discharge of any mortgage or charge held by a corporation incorporated pursuant to the Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union or Insurance Company and which is not to be assumed by the Purchaser on completion, is not available in registrable form on completion, the Purchaser agrees to accept the Vendor's Solicitor's personal undertaking to obtain, out of the closing funds, a discharge or cessation of charge in registrable form and to register same on title within a reasonable period of time after completion, provided that on or before the completion the Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by the Vendor directing payment to the mortgagee, of the amount required to obtain the discharge of the balance due on completion.

13. All buildings on the property and all other things being purchased shall be and remain until completion at the risk of Vendor. Pending completion, Vendor shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, Purchaser may either terminate this Agreement and have all moneys theretofore paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion. If Vendor is taking back a mortgage or a charge, or Purchaser is assuming a mortgage or a charge, Purchaser shall supply Vendor with reasonable evidence of adequate insurance to protect the Vendor's or other mortgagee's interest on completion.
14. Provided that this Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with by Vendor on or before completion and Vendor hereby covenants to proceed diligently at his expense to obtain any necessary consent on or before completion.
15. Purchaser shall be credited towards the Purchase Price with the amount, if any, which it shall be necessary for Purchaser to pay to the Minister of National Revenue in order to satisfy Purchaser's liability in respect of tax payable by Vendor under the non-residency provisions of the Income Tax Act by reason of this sale. Purchaser shall not claim such credit if Vendor delivers on completion the prescribed certificate or his statutory declaration that he is not then a non-resident of Canada.
16. Any rents, mortgage interest, realty taxes including local improvement rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to Purchaser.
17. The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registrable form at the expense of Vendor, and any mortgage or charge to be given

back by Purchaser to Vendor at the expense of Purchaser. If requested by Purchaser, Vendor covenants that the Transfer/Deed to be delivered on completion shall contain the statements contemplated by Clause 50(22) of the Planning Act, R.S.O. 1990.

18. Time shall in all respects be of the essence hereof provided that the time for doing or completing any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and Purchaser or by their respective solicitors who may be specifically authorized in that regard.
19. Any tender of documents or money hereunder may be made upon Vendor or Purchaser or their respective solicitors on the day set for completion of this Agreement. Money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
20. **THE VENDOR WARRANTS THAT SPOUSAL CONSENT IS NOT NECESSARY TO THIS TRANSACTION UNDER THE PROVISIONS OF THE FAMILY LAW ACT, R.S.O. 1990, UNLESS THE VENDOR'S SPOUSE HAS EXECUTED THE CONSENT HEREINAFTER PROVIDED.**
21. The Vendor represents and warrants to the Purchaser that during the time the Vendor has owned the property, the Vendor has not caused any building on the property to be insulated with insulation containing urea formaldehyde, and that to the best of the Vendor's knowledge no building on the property contains insulation that contains urea formaldehyde. This warranty shall survive and not merge on the completion of this transaction, and if the building is part of a multiple unit building, this warranty shall only apply to that part of the building which is the subject of this transaction.
22. If there is a conflict between any provision written or typed in this Agreement (including any Schedule to this Agreement) and any provision in the printed portion hereof, the written or typed provision shall supersede the printed provision to the extent of such conflict. This Agreement, including any schedules attached hereto, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, whether direct or collateral or expressed or implied, which induced any party hereto to enter into this Agreement or on which reliance is placed by any such party, or which affects this Agreement or the property or supported hereby, other than as expressed herein. This Agreement shall be read with all changes of gender or number required by the context.
23. If this transaction is subject to Goods and Services Tax (G.S.T.) then such G.S.T. shall be in addition to and not included in the Purchase Price, and G.S.T. shall be collected and remitted in accordance with applicable legislation. If this transaction is

10(e)

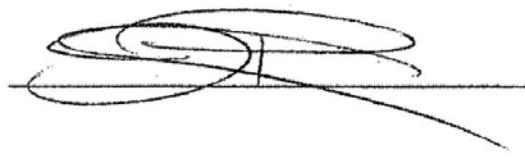
- 6 -

not subject to G.S.T., Vendor agrees to provide on or before closing to Purchaser or Purchaser's Solicitor a certificate in the form prescribed by the applicable legislation (if so prescribed, or otherwise in a form reasonably satisfactory to Purchaser or Purchaser's Solicitor) certifying that the transaction is not subject to G.S.T..

DATED at Sault Ste. Marie this 2011 day of January, 2010

IN WITNESS WHEREOF I have hereunto set my hand and seal:

SIGNED, SEALED AND DELIVERED



)
)
)
)
)
)

Robert J. Dumanski

Date 3-1-2010

THE UNDERSIGNED hereby accepts the above Offer.

DATED at Sault Ste. Marie this day of , 2010

IN WITNESS WHEREOF I have hereunto set my hand and seal:

SIGNED, SEALED AND DELIVERED

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

Vendor's Solicitor:

Corporation of the City of Sault Ste. Marie

Purchaser's Solicitor:

Robert J. Dumanski

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-42

REGULATIONS: (R.1.2.6.) A by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 2008-168 being a by-law to prohibit the discharge of firearms in the municipality.

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

1. **BY-LAW 2008-168 AMENDED**

Despite the provisions of By-law 2008-168 the Ermatinger-Clergue National Historic Site may be used to discharge a gun or other firearm for special events featuring the Coureur De Bois II for the period from April 5, 2010 to December 10, 2010.

2. **EFFECTIVE DATE**

This by-law comes into effect on the day of its final passing.

PASSED in Open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

DH BY-LAWS\2010\2010-42 – Firearm exemption Ermatinger-Clergue National Historic Site

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CITY SOLICITOR

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-44

REGULATIONS: (R.1.2.1.) being a by-law to amend By-law 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds.

The Council of the Corporation of the City of Sault Ste. Marie, pursuant to Section 129 of the Municipal Act, 2001 S.O. 2001 c. 25 ENACTS as follows:

1. **EXEMPTION FROM NOISE CONTROL BY-LAWS**

Despite the provisions of By-law 80-200 or By-law 4100, the discharge of noise from the area bounded at the Airport Fairgrounds shall be deemed not to be violations of either By-law 80-200 or By-law 4100 on the following dates and times to facilitate various events:

Snow Drags:

February 27, 2010 – from 9:00 a.m. to 6:00 p.m.
February 28, 2010 – from 9:00 a.m. to 6:00 p.m.

Wheels on Ice:

March 6, 2010 – from 11:00 a.m. to 4:00 p.m.

2. **EFFECTIVE DATE**

This by-law is effective on February 27 and 28 and March 6, all in 2010.

PASSED in Open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

DH BYLAWS\2010\2010-44 Noise By-law Exemption Airport Fairground

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10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-38

TAXES: (T.1.3.) A By-Law to Provide for Interim Tax Levies

WHEREAS Section 317 of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, provides that the council of a local municipality, before the adoption of estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to provide for such interim levy on the assessment of property in this municipality;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie enacts as follows:

1. In this by-law the following words shall be defined as:

"Act" shall mean the *Municipal Act, 2001 S.O. 2001, C.25*, as amended

"Minister" shall mean the Minister of Finance;

"MPAC" shall mean the Municipal Property Assessment Corporation;

"Treasurer" means the treasurer of the Corporation of the City of Sault Ste. Marie or a person delegated the Treasurer's powers and duties under s.286(5) of the Act and By-law 2006-199, being the City Tax Collector.

2. The amounts levied shall be as follows and payable to the Treasurer:

- 2.1 For the Residential, Pipeline, Farm and Managed Forest property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2009 in accordance with Section 317(3) paragraph 2 of the Act.

- 2.2 For the Multi-Residential, Commercial and Industrial property classes there shall be imposed and collected an interim levy of:

50% of the total taxes for municipal and school purposes levied in the year 2009, in accordance with Section 317(3) paragraph 2 of the Act.

3. For the purposes of calculating the total amount of taxes for the year 2009 under paragraph 2, if any taxes for municipal and school purposes were levied on a property for only part of 2009 because assessment was added to the Tax Roll during 2009, an amount shall be added equal to the additional taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.
4. The provisions of this by-law apply in the event that assessment is added for the year 2010 to the Tax Roll after the date this by-law is passed and the tax levy shall be imposed and collected.
5. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.
6. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the installment dates set out below. The penalty shall be one percent (1%) of the amount on the first day of default and on the first day of each calendar month during which the default continues, but not after the end of 2010.

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CITY SOLICITOR

10(h)

7. Following December 31, 2010, interest charges of one percent (1%) shall be imposed upon the amount in default on the first calendar day of each month during which the default continues.
8. The final tax levy imposed by this by-law shall be paid in two installments due on the following dates:
 - 8.1 One-half (1/2) thereof on the 5th day of March, 2010;
 - 8.2 One-half (1/2) thereof on the 5th day of May, 2010.
9. A notice specifying the amount of taxes payable, may be mailed or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law by the Treasurer.
10. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Tax roll under Section 340 of the Act.
11. The Treasurer may adjust the interim levy of a property if the taxes imposed by this by-law are in excess of 50% of the taxes levied on that property in 2009, adjusted to annualize any assessment changes that occurred during 2009, adjusted to annualize any assessment changes that occurred during 2009. No adjustment shall reduce the 2010 interim levy below 50% of the adjusted tax amount.
12. The subsequent levy for the year 2010 to be made under the Act shall be reduced by the amount to be raised by the levy imposed by this by-law.
13. The provisions of Section 317 of the Act, apply to this by-law with necessary modifications.
14. The Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under section 7 of this by-law in respect of non-payment or late payment of any taxes or any installment of taxes.
15. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
16. By-law 2009-11 is hereby repealed
17. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

18. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-39

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of Lake Street from Queen Street East to its south end at Bellevue Park to facilitate the Dragon Boat Festival on June 12, 2010.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY CLOSING OF LAKE STREET FROM QUEEN STREET EAST TO ITS SOUTH END AT BELLEVUE PARK**

The Council of The Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of Lake Street from Queen Street East to its south end at Bellevue Park to facilitate the Dragon Boat Festival on June 12, 2010 from 7:00 a.m. to 8:00 p.m.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

DH BYLAWS\2010\2010-39 – TEMP ST CLOSING – DRAGON BOAT RACES

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CITY SOLICITOR

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2010-43

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of St. Mary's River Drive from the Delta Sault Ste. Marie Waterfront Hotel to 49 St. Mary's River Drive to facilitate the Heart & Stroke Foundation Car, Walk & Motorcycle Show.

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 CLOSURE OF ST. MARY'S RIVER DRIVE FROM
THE DELTA SAULT STE. MARIE WATERFRONT HOTEL TO 49 ST.
MARY'S RIVER DRIVE**

The Council hereby authorizes the closing to vehicular traffic of St. Mary's River Drive from the Delta Sault Ste. Marie Waterfront Hotel to 49 St. Mary's River Drive on August 21, 2010 (August 22nd rain date) from 9:00 a.m. to 5:00 p.m. to facilitate the Heart & Stroke Foundation Car, Walk & Motorcycle Show.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK - DONNA P. IRVING

DH \bylaws\2010\2010-43 Temp Street Heart & Stroke

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10(R)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2010-40

TRAFFIC: (T.2.1.) A by-law to amend Schedule "Q" to Traffic By-law 77-200 regarding parking on Ken Danby Way.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions Section 10 of the Municipal Act, 2001, S.O., 2001 c.25 and amendments thereto, ENACTS as follows:

1. **SCHEDULE "Q" TO BY-LAW 77-200 AMENDED**

Schedule "Q" to Traffic By-law 77-200 is amended thereto by adding the following:

<u>NO</u>	<u>STREET</u>	<u>SIDE</u>	<u>BETWEEN</u>	<u>PERIOD WHEN 2 HOUR PARKING LIMIT IN EFFECT</u>
4.	Ken Danby Way	both	East St. to westerly end of Ken Danby Way	Maximum 2 hour parking between 0700 to 1800 hrs. Monday to Thursday and Saturday and 0700 hrs. to 2100 hrs on Friday."

2. **EFFECTIVE DATE**

This by-law is effective from the day of its final passing.

PASSED in Open Council this 22nd day of February, 2010.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

/staff/on/trafficby-laws/2010-40(T.2.1.)

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