

# **ADDENDUM**

## **REGULAR MEETING OF CITY COUNCIL**

**2011 10 11**

**4:30 P.M.**

## **COUNCIL CHAMBERS**

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

Mover: Councillor R. Niro

Seconder: Councillor P. Mick

Resolved that the Addendum for the 2011 10 11 City Council meeting as presented be approved.

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

## **PART ONE – CONSENT AGENDA**

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

- s) Correspondence from OGRA is attached for the information of Council.

## **PART TWO – REGULAR AGENDA**

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

- (1) ADMINISTRATION
- (2) COMMUNITY SERVICES DEPARTMENT
- (3) ENGINEERING
- (4) FIRE
- (5) LEGAL

- (6) PLANNING
- (7) PUBLIC WORKS AND TRANSPORTATION
- (8) BOARDS AND COMMITTEES

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

a) Additional correspondence is provided for the information of Council.

e) **NOTICE OF MOTION**

Mover: Councillor T. Sheehan

Seconder: Councillor S. Myers

Whereas Passport Canada's public consultations findings report, which gives an account of the process that Passport Canada undertook to consult on service improvements held in the spring of 2010 is now available; and

Whereas the report states that the number of full passport offices has expanded from 29 offices in 2001 to a national of 34 Passport Canada offices; and

Whereas Sault Ste. Marie is situated on the border of Canada's greatest trading partner, the United States, and whereas the Sault Ste. Marie airport offers flights to international destinations; and

Whereas many citizens living in or visiting this area of Canada have to travel through Sault Ste. Marie across the St. Mary's River to the United States of America; and

Whereas passport offices are superior to Service Canada sites and Canada Post outlets, i.e. same day service for new passports and renewals and faster completion times;

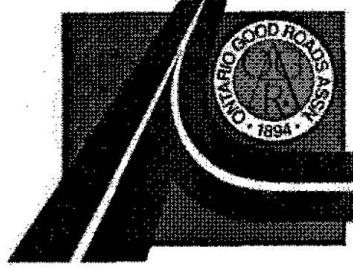
Now Therefore Be It Resolved that City Council call on the Federal government to locate a Passport Office in the City of Sault Ste. Marie.

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

**9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

**10. CONSIDERATION AND PASSING OF BY-LAWS**

5(S)



October 7, 2011

To the Head & Members of Council:

*Working for Municipalities*

Pursuant to Section 25 of the Constitution of the Ontario Good Roads Association, the Nominating Committee shall report to the Annual Conference its nominations for 12 directors. The following members of the Board will automatically serve on the 2012-2013 Board of Directors in the following capacity:

President	Alan Korell, Managing Director/City Engineer, City of North Bay
1 <sup>st</sup> Vice-President	Joanne Vanderheyden, Mayor, Municipality of Strathroy-Caradoc and Warden, County of Middlesex
Immediate Past President	John Curley, Councillor, City of Timmins

Those nominated by the Nominating Committee shall be selected from OGRA's municipal membership pursuant to the requirements for geographic representation contained in Section 11 of the Constitution, and so far as possible maintaining an equal balance between elected and appointed representatives. A full copy of the Constitution can be viewed on the OGRA web-site: <http://www.ogra.org/About/constitution.asp>.

The following incumbent Directors have put their name forward wishing to continue to represent their respective Zones:

**North (2 to be elected)**

Rick Champagne Councillor Township of East Ferris	John MacEachern Mayor Township of Manitouwadge
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**Southwest (2 to be elected)**

Tom Bateman County Engineer County Essex	John Parsons Division Manager, Transportation & Roadside Operations City of London
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**South Central (3 to be elected)**

Damian Albanese Director, Transportation Division Regional Municipality of Peel	Duncan McKinlay Deputy Mayor Township of The Blue Mountains
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**Southeast (3 to be elected)**

Craig Davidson CAO/Clerk Municipality of Hastings Highlands	Steve Desroches Deputy Mayor City of Ottawa
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**Toronto (2 to be elected)**

Mark Grimes Councillor City of Toronto	Rob Burlie Manager, Road Operations City of Toronto
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One vacancy will exist in each of the **South Central** and **Southeast** zones.

The Northern Zone consists of the municipalities in the Districts of Algoma, Cochrane, Kenora, Manitoulin Island, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay, and Timiskaming, the City of Greater Sudbury, and municipalities in and including the District of Muskoka.

The South Central Zone consists of the municipalities in and including the Counties of Dufferin, Grey, Simcoe, and Wellington, and municipalities in and including the Regional Municipalities of Durham, Halton, Niagara, Peel and York, and the City of Hamilton.

The South East Zone consists of municipalities in and including the Counties of Frontenac, Haliburton, Hastings, Lanark, Leeds and Grenville, Lennox and Addington, Northumberland, Peterborough, Prescott and Russell, Prince Edward, Renfrew, and Stormont, Dundas and Glengarry, and the Cities of Kawartha Lakes and Ottawa.

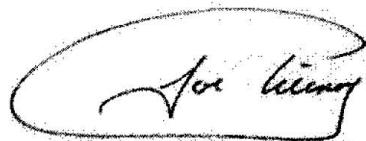
Any OGRA municipal member interested in being considered as a candidate for a position on the Board of Directors must complete the attached Nomination Consent form and submit it along with their résumé to the attention of the Chair of the Nominating Committee by no later than November 4, 2011. Fax your information to 905-795-2660, e-mail to [info@ogra.org](mailto:info@ogra.org) or mail to OGRA, 6355 Kennedy Road, Unit 2, Mississauga, Ontario L5T 2L5

The Nominating Committee will meet in November to recommend a slate of Officers and Directors to the membership. The members of the Committee are:

Chair: J. Paul Johnson, Immediate Past President  
Members: Damian Albanese, OGRA Director  
Rick Champagne OGRA Director  
Joanne Vanderheyden, OGRA 2<sup>nd</sup> Vice President  
Eric Rutherford, OGRA Past President

Any questions regarding the Nomination process or serving on the Board of Directors can be directed to the undersigned at [joe@ogra.org](mailto:joe@ogra.org).

Yours truly,



J. W. Tiernay,  
Executive Director

c: J. Paul Johnson, Chair, Nominating Committee

7(a)

To Whom It May Concern:

April 9, 2011

Please find enclosed impact statements and petition in reference to the ongoing concerns the neighbors are having with Foggy's Bar 708 Queen St E Sault Ste Marie, Ontario. The problems with the excessive noise began with the opening of the bar December 2009.

Within a week of that opening, we the neighbors brought these concerns to the attention of the owner (Taryn Bugyra). She talked about a good neighbor policy and said after the holiday season she would address these issues. Many meetings and phone calls between the neighbors and the owner has not brought any resolution. Now over a year later here we are with only broken promises and our quality of life being negatively affected. The bar has been charged on numerous occasions under the noise bylaw by the local Police Department and the inspector for Alcohol and Gaming Commission of Ontario has also spoke to the owner about these matters. We need help!

Yours Truly,

The neighbors

7(a)  
APRIL 3/2011

TO WHOM IT MAY CONCERN:

MY NAME IS JASON LEPAGE I LIVE AT 70 EAST ST, APT: # 307, THERE IS A BAR NAMED (FOGGYS) ON THE CORNER OF QUEEN ST. AND EAST ST. THAT HAS BEEN AFFECTING MY QUALITY OF LIFE, SUCH AS MY SLEEP, RELAXATION AND REASONABLE EXPECTATION OF PEACE AND QUIET IN MY APARTMENT, EVEN MY MENTAL OUTLOOK ON DAILY LIFE IS BEING AFFECTED, KNOWING THAT WHEN I AM OUT OF MY APARTMENT DURING THE DAY, THE KNOWLEDGE AND ANTICIPATION OF RETURNING TO MY APARTMENT AND ONCE AGAIN BEING SUBJECTED TO THE POUNDING BASS AND EXCESSIVE VOLUME LEVEL THAT ENTERS MY APT. AND BEDROOM, IS ADDING UP AND HAVING A NEGATIVE AFFECT ON ME.

THE LIVE ROCK-BANDS THAT PERFORM THERE, THE LOUD HOUSE OR DANCE MUSIC THAT "PLAYED", AS WELL AS THE CUSTOMERS OUT FRONT OF THE BAR YELLING, HOOTING AND HOLLERING INTO THE NIGHT, ARE CONSTANT INTERFERENCES, AS WELL AS ALWAYS CALLING THE POLICE FOR THESE PROBLEMS IS A DRAIN ON LIFE.

THE BUILDING THAT THIS BAR IS IN IS A (HERITAGE BUILDING) AND IT HAS BECOME AN EYE-SORE, THE OUT-WARD APPEARANCE OF THE BUILDING IS DINGY, THE STREET OUT FRONT IS

ALWAYS LITTERED WITH DISCARDED CIGARETTE BUTS, BEER CAPS AND OTHER TRASH ITEMS, I HAVE PERSONALLY SEEN SYRINGES ON THE GROUND OUTSIDE THE BAR AS I FREQUENTLY WALK BY THIS BAR USING THE PUBLIC SIDEWALK, ON A COUPLE OF OCCASIONS I HAVE SEEN PEOPLE MULLING AROUND THE BACK OF THE BAR IN THE LANEWAY AND WITNESSED PEOPLE URINATING, AS I WALKED BY LATER IN THE EVENING.

FROM THE TIME THIS BAR OPENED (DEC. 2009) IT HAS CREATED A VERY NEGATIVE VIBE OR FEELING IN THIS AREA, WITH ITS GRUNGE OR DEATH-ROCK STYLE OF MUSIC THAT THE LIVE BANDS PLAY, THE TYPE OF BAR PATRON THAT IT ATTRACTS, THE BAR OWNERS ATTITUDE, BEHAVIOUR AND TOTAL LACK OF RESPECT TOWARDS THE NEIGHBOURHOOD AND DISRESPECT FOR THE POLICE WHEN THEY HAVE BEEN CALLED, HAVE MADE THIS AREA FEEL DEPRESSING AND UNSAFE.

JASON LEPAGE

70 EAST ST. APT. # 307

SAULT STE. MARIE, ONT.

P6A-6M1

(705) 949-2796

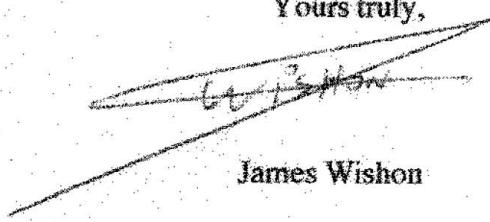
7(a)

To Whom It May Concern:

April 2, 2011

A short note on how the opening of Foggy's Bar 708 Queen St. E Sault Ste. Marie in December 2009 has come to negatively affect me. The very loud music was brought to the owners attention within a week of the bar opening. After contacting the owner (Taryn Bugyra) we had a meeting at which my concerns were discussed. The owner said thank-you for bringing this to her attention and after the holiday season she would address the problems with the noise. We both spoke of being good neighbors and I said thank-you in advanced for taking care of this problem. Now a year later the problems still remain and all we have to show for it are many broken promises from the bar owner. I sought help from my Alderman, Police Department, City Solicitor, or local MMP and the Alcohol and Gaming Commission of Ontario. The advice I was given was to lodge noise complaints with the authorities. The police have laid numerous charges for noise bylaw violations against Foggy's Bar. My quality of life continue to be negatively effected, my lack of sleep and the anticipation of the loud music to come creates stress and hinder my ability to recover from a 5 year long struggle with an illness, three major surgeries alone in the year of 2010. I strongly believe that if these problems were dealt with in a timely fashion as promised I would be further along in my recovery. I need help in resolving this problem now.

Yours truly,

  
James Wishon

7(a)



718 Queen St. E.  
Sault Ste Marie, ON Canada  
P6A 2A9  
[brian@tremblayphoto.com](mailto:brian@tremblayphoto.com)  
<http://www.tremblayphoto.com>

*Brian*  
**TREMBLAY**  
**PHOTOGRAPHY**

"When You Want More Than "Just" A Picture"

April 7, 2011

**Re: Noise and uncleanliness of bar know as "Foggy Notions"**

To Whom It May Concern:

Since the bar on the north east corner of Queen and East Streets in Sault Ste Marie, Ontario (know as Foggy Notions) opened up operations over one year ago, there have been recurring problems that I feel have not been addressed and need to be rectified as they are causing problems with the operation of my business and others in the area.

On Saturdays, in the middle of the afternoon, there is loud music coming from the bar. This music can be heard in my studio two doors down from the building. This is very distracting to my clients and me when I'm trying to photograph them or we are doing a sales session in the viewing room.

The morning after the bar is open is usually a disaster in front of their building; let alone the other debris that accumulates in front of my studio and the other stores in the area. There is a plethora of cigarette butts, garbage, beer bottles often found in front of our stores. Also, I've found that drunken patrons of the bar have spit on my store window. I understand that the behaviour of the patron is difficult to control, but the owners do not make any effort what-so-ever to clean up after their patrons – like a good neighbour would any where else – so other businesses don't have to suffer the consequences of that behaviour.

Being an independent businessperson is difficult enough in these times, but to have to fight with a rude and ignorant neighbours because of pure ignorance is inexcusable! You wouldn't take your household garbage and drop it on your next-door neighbours yard, so why can't we expect the same courtesy with our businesses. And the worst of the situation is that this person thumbs their nose at us – and the law – and nothing is done about it!

I ask that this matter be dealt with as it has gone on far too long!

Sincerely,

Brian Tremblay

7(a)

To whom it may concern... April 08/2011

My name is Milica Tomas, I live at 112 East St.

Sault Ste Marie. My home and business

are beside Foggy's Bar which I have been

having problems with since it opened in

December 2009. The music is very loud,

not only can I hear it but also can feel it

vibrating my house. Since I am at

the back of their building their customers

use that area as a restroom. I have also

found used condoms, syringes and broken

beer bottles around my home as well as

on my balcony. I try to keep my

property clean and tidy and I am forced

to clean the mess left by their patrons.

The neighbors have met with the bar owner

who made promises to fix these concerns,

but nothing has been done. These problems

affect my quality of life, it is hard to

sleep, I can't enjoy my deck and nights are

uneasy, waiting for the music to start and

for the customers to come and go between

our property. I am open to any help that

you can offer, this has gone on to long.

Thank you.

Milica Tomas

Milica Tomas

-7(a)

**Petition for the Expectation of Peace and Quiet in Our Homes**

We the undersigned acknowledge that we are negatively affected by the music, general noise and uncleanliness emanating from the business "Foggy's Bar" located N.E. corner of Queen and East Street Sault Ste. Marie. The owner of the bar has known of the neighbors concerns regarding these matters since December 2009. To this day February 2011 she has not dealt with these problems in a positive manner. The citizens of Sault Ste. Marie are protected by bylaws regarding these matters. With your support the Police Department, City Council, City Solicitor, and the Liquor Licensing Board will be able to bring these matters to a close.

Name: Robert Walsh	Address: 70 East street.
Signature: Robert Walsh	Town/City: Sault Ste. Marie
E-mail address:	Postal Code P6A - 6M1

Name: JASON LEPAGE	Address: 70 EAST ST. APT. 307
Signature: Jason Lepage	Town/City: SAULT STE. MARIE
E-mail address:	Postal Code P6A - 6M1

Name: JEFF BAILEY	Address: 226 UPTON RD.
Signature: Jeffery Bailey	Town/City: SAULT STE. MARIE
E-mail address:	Postal Code P6B 3C9

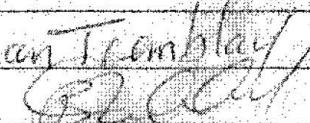
Name: EVA Zeidler	Address: 70 EAST ST
Signature: Eva Zeidler	Town/City: Sault Ste. Marie
E-mail address:	Postal Code P6A 10M1

Name: Ken Gignac	Address: 70 EAST ST
Signature: Ken Gignac	Town/City: Sault Ste. Marie
E-mail address:	Postal Code P6A 6M1

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Name: Brian Tremblay	Address: 718 Queen St. E.
Signature: 	Town/City: Sault Ste Marie, ON
E-mail address:	Postal Code P6A 2A9
Name: Milco	Address: 118 Queen St. E.
Signature: 	Town/City: Sault Ste Marie, ON
E-mail address:	Postal Code P6A 2A9
Name: James Wilson	Address: 716 Queen St. E.
Signature: 	Town/City: Sault Ste Marie, ON
E-mail address: jdawg66@gmail.com	Postal Code P6A 2A9
Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code
Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

7(a)

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Name: <u>JASON LEPAGE</u>	Address: <u>70 EAST. ST. APT. 307</u>
Signature: <u>Jason Lepage</u>	Town/City: <u>SAULT STE. MARIE</u>
E-mail address:	Postal Code <u>P6A-6M1</u>

Name: <u>TT Sounds</u>	Address: <u>CRAZY</u>
Signature:	Town/City:
E-mail address: <u>T T LOUE</u>	Postal Code <u>TT</u>

Name: <u>Robert Walsh</u>	Address: <u>70 East st. Apt. 1708</u>
Signature: <u>Robert Walsh</u>	Town/City: <u>Sault Ste. Marie.</u>
E-mail address:	Postal Code <u>P6A - 6M1</u>

Name: <u>JEFF BAILEY</u>	Address: <u>324 UPTON RD</u>
Signature: <u>Jeffrey Bailey</u>	Town/City: <u>SAULT STE MARIE</u>
E-mail address:	Postal Code <u>P6B 3C9</u>

Name: <u>Shona Proulyx</u>	Address:
Signature: <u>Shona Proulyx</u>	Town/City:
E-mail address:	Postal Code

7(a)

Petition for the Expectation of Peace and Quiet in Our Homes

PUT UP BY JASON LEPAGE

We the undersigned acknowledge that we are negatively affected by the music, general noise and uncleanliness emanating from the business "Foggy's Bar" located N.E. corner of Queen and East Street Sault Ste. Marie. The owner of the bar has known of the neighbors concerns regarding these matters since December 2009. To this day February 2011 she has not dealt with these problems in a positive manner. The citizens of Sault Ste. Marie are protected by bylaws regarding these matters. With your support the Police Department, City Council, City Solicitor, and the Liquor Licensing Board will be able to bring these matters to a close.

Name: <u>Kathy Wells</u>	Address: <u>70 East</u>
Signature: <u>Katherine Wells</u>	Town/City: <u>Sault Ste. Marie</u>
E-mail address: <u>k.wells.64@gmail.com</u>	Postal Code <u>P6A 6A1</u>

Name: <u>Janet Shetter</u>	Address: <u>70 East St # 1506</u>
Signature: <u>Janet Shetter</u>	Town/City: <u>Sault Ste. Marie</u>
E-mail address:	Postal Code <u>P6A 1A1</u>

Name: <u>Robert Walsh</u>	Address: <u>70 East st. # 1708</u>
Signature: <u>Robert Walsh</u>	Town/City: <u>Sault Ste. Marie, Ont.</u>
E-mail address:	Postal Code <u>P6A - 6H1</u>

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

✓ 7(a)

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Name: <i>Claudette Frigault</i>	Address: <i>70 East St # 1603</i>
Signature: <i>C Frigault</i>	Town/City: <i>Sault Ste Marie ont</i>
E-mail address:	Postal Code <i>P6A 6M1</i>

Name: <i>Robert Walsh</i>	Address: <i>70 East st, # 1708</i>
Signature:	Town/City: <i>Sault Ste. Marie, Ont.</i>
E-mail address:	Postal Code <i>P6A - 6M1</i>

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

7(a)

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Name: <i>Karen Brule</i>	Address: <i>732 Queen St E H2</i>
Signature: <i>Karen Brule</i>	Town/City: <i>SAULT STE MARIE</i>
E-mail address: <i>brule103@rogers.ca</i>	Postal Code <i>16A2A9</i>

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code

Name:	Address:
Signature:	Town/City:
E-mail address:	Postal Code